

Senate Chamber, Atlanta, Georgia
Monday, January 8, 2018
First Legislative Day

Senators of the General Assembly of Georgia for the years 2017 - 2018 met pursuant to the Constitution in regular session in the Senate Chamber at 10:00 a.m. this day and were called to order by Lieutenant Governor Casey Cagle, President of the Senate.

The following communications from the Honorable Brian P. Kemp, Secretary of State, certifying the Senators-elect in the Special Election Runoffs of 2017 were received and read by the Secretary:

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brian P. Kemp, Secretary of State of the State of Georgia, do hereby certify that

the attached 1 page lists the results as shown on the consolidated returns from the Special Election Runoff for State Senator, District 32, held on the 16th day of May 2017; all as the same appear on file and record in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 22nd day of May, in the year of our Lord Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

(Seal)

/s/ Brian P. Kemp
Secretary of State

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brian P. Kemp, Secretary of State of the State of Georgia, do hereby certify that

the attached 1 page lists the results as shown on the consolidated returns on file in this office for the Special Election Runoff held on the 5th day of December 2017, in District 6 for State Senator in Cobb and Fulton Counties to fill the vacancy created by the Honorable Hunter Hill.

Having received a majority of the votes cast, Jen Jordan was duly elected to such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 12th day of December, in the year of our Lord Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-Second.

(Seal)

/s/ Brian P. Kemp
Secretary of State

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brian P. Kemp, Secretary of State of the State of Georgia, do hereby certify that

the attached 1 page lists the results as shown on the consolidated returns on file in this office for the Special Election Runoff held on the 5th day of December 2017, in District 39 for State Senator in Fulton County to fill the vacancy created by the Honorable Vincent Fort.

Having received a majority of the votes cast, Nikema Williams was duly elected to such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 12th day of December, in the year of our Lord Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-Second.

(Seal)

/s/ Brian P. Kemp
Secretary of State

The President introduced the newly elected Senators to the Senate. The Senators were seated by the Senate without objection.

Senator Shafer of the 48th was recognized on a point of personal privilege. He addressed the Senate and resigned his position as President Pro Tempore.

The President announced the next order of business was the election of the President Pro Tempore.

Senator Mullis of the 53rd nominated Senator Miller of the 49th as President Pro Tempore.

Senator Walker III of the 20th seconded the nomination.

Senator Unterman of the 45th asked unanimous consent that the nominations be closed and the Secretary be instructed to cast the vote of the entire body for Senator Butch Miller; the consent was granted.

There was no objection and Senator Miller of the 49th was elected President Pro Tempore.

The President appointed as a Committee of Escort the following Senators: Cowsert of the 46th, Henson of the 41st, and Hill of the 4th to escort the President Pro Tempore to the rostrum.

President Pro Tempore Butch Miller addressed the Senate.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Parent
Anderson, L	Jackson	Payne
Anderson, T	James	Rhett
Beach	Jones, B	Seay
Black	Jones, E	Shafer
Brass	Jones, H	Sims
Burke	Jordan	Stone
Butler	Kennedy	Tate
Cowsert	Kirk	Thompson, B
Davenport	Kirkpatrick	Thompson, C
Dugan	Ligon	Tillery
Ginn	Lucas	Tippins
Gooch	Martin	Unterman
Harbin	McKoon	Walker

Harbison	Millar	Watson
Harper	Miller	Wilkinson
Heath	Mullis	Williams, M
Henson	Orrock	Williams, N
Hill		

The President introduced the doctor of the day, Dr. Robert S. Kaufmann.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

The President introduced the chaplain of the day, his son, Jared Cagle of Braselton, Georgia, who offered scripture reading and prayer.

The following resolution was read and put upon its adoption:

SR 578. By Senators Miller of the 49th, Cowser of the 46th, Gooch of the 51st and Wilkinson of the 50th:

A RESOLUTION to notify the House of Representatives that the Senate has convened; and for other purposes.

On the adoption of the resolution, there was no objection, and the resolution was adopted.

The following resolution was read and put upon its adoption:

SR 579. By Senators Miller of the 49th, Cowser of the 46th, Gooch of the 51st and Wilkinson of the 50th:

A RESOLUTION to notify the Governor that the General Assembly has convened; and for other purposes.

On the adoption of the resolution, there was no objection, and the resolution was adopted.

The President appointed as a Committee of Notification on the part of the Senate the following Senators: Miller of the 49th, Hill of the 4th, Cowser of the 46th, Henson of the 41st, Martin of the 9th, and Walker III of the 20th.

Senator Unterman of the 45th asked unanimous consent that the following bill be withdrawn from the Senate Committee on Finance and committed to the Senate Committee on Health and Human Services:

HB 301. By Representatives Lott of the 122nd, Powell of the 171st, Duncan of the 26th, Buckner of the 137th and LaRiccia of the 169th:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the O.C.G.A., relating to imposition, rate, computation, and exemptions from income taxes, so as to delete an income tax deduction for certain physicians serving as community based faculty physicians; to create a new income tax credit for taxpayers who are licensed physicians, advanced practice registered nurses, or physician assistants who provide uncompensated preceptorship training to medical students, advanced practice registered nurse students, or physician assistant students for certain periods of time; to provide for procedures, conditions, and limitations; to provide for definitions; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The consent was granted, and HB 301 was committed to the Senate Committee on Health and Human Services.

Senator Cowsert of the 46th asked unanimous consent that the following bills and resolutions, having been placed on the Table during the 2017 Legislative Session, be taken from the Table:

SENATE LEGISLATION TABLED
MONDAY, JANUARY 8, 2018
FIRST LEGISLATIVE DAY

- | | |
|--------|--|
| HB 64 | Protection and Guarantee of Service for Health Insurance Consumers Act; enact (Substitute)(I&L-9th) Blackmon-146th |
| HB 67 | Crimes and offenses; entering a motor vehicle with the intent to commit a theft or felony; provide for increased punishment (Substitute) (JUDY-30th) Boddie-62nd |
| HB 118 | Fantasy Contests Act; enact (Substitute)(RI&U-45th) Kelley-16th |
| HB 149 | Law enforcement; comprehensive regulation of trauma scene cleanup services; provisions (PUB SAF-56th) Powell-32nd |
| HB 160 | Mass transportation; create Georgia Commission on Transit Governance and Funding, provisions (Substitute)(TRANS-51st) Tanner-9th |
| HB 213 | Crimes and offenses; sale, manufacture, delivery, or possession of fentanyl within the prohibition of trafficking certain drugs; include (JUDY-6th) Golick-40th |

- HB 234 Motor vehicles; drivers stop at crosswalks with user activated rectangular rapid-flash beacons; require (PUB SAF-50th) Frye-118th
- HB 253 Special license plates; dog and cat reproductive sterilization support program; increase the proportion of moneys derived from the sale (Substitute) (PUB SAF-54th) Willard-51st
- HB 257 Local government authorities; register with Department of Community Affairs; require (SLGO(G)-7th) Tankersley-160th
- HB 273 Quality Basic Education Act; daily recess for students in kindergarten and grades one through five; provide (Substitute)(ED&Y-12th) Douglas-78th
- HB 344 Paternity; parties beyond movants in a child support case request a genetic test; allow (JUDY-13th) Dempsey-13th
- HB 419 Fireworks; certain counties further regulate use or ignition; enable authority (Substitute) (PUB SAF-7th) Silcox-52nd
- HB 474 Driver Services, Department of; drivers' manual include best practices during traffic stop by law enforcement; require (Substitute) (PUB SAF-7th) Hugley-136th
- HB 515 State house districts; revise boundaries of a certain district (Substitute) (R&R-1st) Caldwell-131st

The consent was granted; the bills and resolutions were taken from the Table and placed on the Senate Calendar.

Senator Cowser of the 46th asked unanimous consent that all of the legislation listed on the Senate Calendar for today be committed to the committee from which each was last reported.

The consent was granted, and the legislation listed on the Senate Calendar for today was committed to the following Senate Committees:

- HB 9. By Representatives Blackmon of the 146th, Golick of the 40th, Lott of the 122nd, Gravley of the 67th, Tanner of the 9th and others:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to wiretapping, eavesdropping, surveillance, and related offenses, so as to prohibit the use of a device to film under or through a person's clothing under certain

circumstances; to provide for definitions; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 38. By Representatives Powell of the 32nd, Williams of the 145th and Price of the 48th:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for the issuance of a noncommercial Class C driver's license for the operation of three-wheeled motor vehicles equipped with a steering wheel for directional control; to provide for the issuance of a noncommercial Class M driver's license for the operation of motorcycles equipped with handlebars for directional control; to provide for the manner of riding a motorcycle; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 40. By Representatives Turner of the 21st, McCall of the 33rd, LaRiccia of the 169th, Pirkle of the 155th, Cooke of the 18th and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 12 of Title 24 of the Official Code of Georgia Annotated, relating to medical and other confidential information, so as to provide an exception for confidentiality of certain medical information of animals within a veterinarian's care; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

HB 59. By Representatives Stephens of the 164th, Powell of the 171st, Williams of the 119th and Buckner of the 137th:

A BILL to be entitled an Act to amend Code Section 48-7-29.8 of the Official Code of Georgia Annotated, relating to tax credits for the rehabilitation of historic structures, so as to revise procedures, conditions, and limitations; to provide for related matters; to provide an effective date; to provide for applicability; to provide for a sunset date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 64. By Representatives Blackmon of the 146th, Smith of the 134th, Hatchett of the 150th, England of the 116th and Nimmer of the 178th:

A BILL to be entitled an Act to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, so as to provide for the compensation of health insurance agents in certain situations; to provide for definitions; to provide for exceptions; to provide a short title; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 67. By Representatives Boddie of the 62nd, Bruce of the 61st, Jackson of the 64th, Thomas of the 39th, Beasley-Teague of the 65th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to theft, so as to provide for increased punishment for entering an automobile or other motor vehicle with the intent to commit a theft or felony; to provide for another type of crime of entering an automobile or other motor vehicle with the intent to commit a theft or felony and provide for punishment therefor; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 114. By Representatives Dickey of the 140th, England of the 116th, Coleman of the 97th and Glanton of the 75th:

A BILL to be entitled an Act to amend Code Section 20-2-161.3 of the Official Code of Georgia Annotated, relating to the "Move on When Ready Act" and dual credit courses, so as to prohibit local school systems from excluding students in dual credit courses from valedictorian or salutatorian determinations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 116. By Representatives Reeves of the 34th, Powell of the 32nd, Trammell of the 132nd, Strickland of the 111th, Setzler of the 35th and others:

A BILL to be entitled an Act to amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, so as to provide the superior court with exclusive original jurisdiction for cases involving

aggravated assault involving the use of a firearm and aggravated battery upon certain individuals; to allow a superior court the discretion to transfer such cases back to juvenile court; to clarify the definitions of a class A or class B designated felony act in light of the jurisdictional changes; to add aggravated assault upon an emergency health worker as a class A designated felony; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 118. By Representatives Kelley of the 16th, Harrell of the 106th, Clark of the 98th, Frye of the 118th and Martin of the 49th:

A BILL to be entitled an Act to amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, so as to provide for the licensing, registration, regulation, and taxation of fantasy contest operators; to provide a short title; to provide for definitions; to provide civil penalties; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

HB 137. By Representatives Turner of the 21st, Welch of the 110th, Willard of the 51st and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 1 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions for crimes and offenses, so as to change provisions relating to restrictions on contingency fee compensation of an attorney appointed to represent the state in forfeiture actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 148. By Representatives Glanton of the 75th, Ealum of the 153rd, Carter of the 175th, Belton of the 112th and Abrams of the 89th:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to provide for unique identifiers for students who are children of military personnel; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 149. By Representatives Powell of the 32nd, Lumsden of the 12th, Collins of the 68th, Jasperse of the 11th, Gravley of the 67th and others:

A BILL to be entitled an Act to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to provide for the comprehensive regulation of trauma scene cleanup services and regulated waste transport; to provide for definitions; to provide for licensing; to provide for qualifications; to provide for penalties for violations; to amend Article 3 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to hazardous waste, so as to provide for requirements, procedures, and training for trauma scene cleanup services and regulated waste transport; to provide for definitions; to provide for rules and regulations; to provide for compliance; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 160. By Representatives Tanner of the 9th, Coomer of the 14th, Shaw of the 176th, Smyre of the 135th and Burns of the 159th:

A BILL to be entitled an Act to amend Chapter 9 of Title 32 of the Official Code of Georgia Annotated, relating to mass transportation, so as to create the Georgia Commission on Transit Governance and Funding; to provide for the membership, powers, and duties of the commission; to provide for a report and proposal by the commission; to provide for assignment of the commission to the Department of Transportation for administrative purposes; to provide for cooperation of other government entities with the commission; to provide for other services to the commission; to provide for compensation and expenses; to provide for automatic repeal; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

HB 162. By Representatives Price of the 48th, Willard of the 51st, Kelley of the 16th, Fleming of the 121st and Beskin of the 54th:

A BILL to be entitled an Act to amend Article 7 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to setoff debt collection, so as to revise the procedures for the transfer of setoffs by the Administrative Office of the Courts to the court to whom the debt is owed; to correct references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 181. By Representatives Lott of the 122nd, Hatchett of the 150th, Dempsey of the 13th, Meadows of the 5th and Battles of the 15th:

A BILL to be entitled an Act to repeal and reenact subsection (d) of Code Section 48-2-15 of the Official Code of Georgia Annotated, relating to confidential information secured in the administration of taxes, so as to change certain provisions regarding the furnishing of certain tax information in all municipalities in this state having a population of 350,000 or more and make such provisions applicable state wide; to provide for additional procedures, conditions, and limitations; to provide for a criminal penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 185. By Representatives Coomer of the 14th, Willard of the 51st, Hitchens of the 161st, Golick of the 40th and Belton of the 112th:

A BILL to be entitled an Act to amend Code Section 15-9-2.1 of the Official Code of Georgia Annotated, relating to appointment, compensation, term, authority, qualifications, training, and other limitations of associate probate court judges, so as to change provisions relating to the practice of law outside of serving as an associate probate court judge; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 195. By Representatives Harrell of the 106th, Gardner of the 57th, Oliver of the 82nd and Cannon of the 58th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to property tax exemptions, so as to allow certain for profit corporations to participate in the indirect ownership of a home for the mentally disabled for primarily financing purposes; to provide for procedures, conditions, and limitations; to provide for a referendum; to provide for a contingent effective date; to provide for automatic repeal under certain circumstances; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 203. By Representatives Strickland of the 111th, Welch of the 110th, Fleming of the 121st and Rutledge of the 109th:

A BILL to be entitled an Act to amend Code Section 9-3-29 of the Official Code of Georgia Annotated, relating to limitations of actions relative to breach

of restrictive covenant, so as to provide for accrual periods of rights of action; to amend Title 44 of the Official Code of Georgia Annotated, relating to property, so as to provide for the expansion of a condominium after the declarant's right to expand has expired and provide for procedures for such expansion; to provide for the procedure and right of certain property owners to take control of a condominium association, property owner's association, or entity created pursuant to covenants restricting land to certain uses affecting certain planned subdivisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 204. By Representatives Harrell of the 106th, Powell of the 171st, England of the 116th, Knight of the 130th, Houston of the 170th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to provide that property tax bills shall not include any nontax related fees or assessments; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 209. By Representatives Hawkins of the 27th, Clark of the 98th, Meadows of the 5th, Smyre of the 135th, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Code Section 48-5-48 of the Official Code of Georgia Annotated, relating to homestead exemption by qualified disabled veterans, filing requirements, periodic substantiation of eligibility, and persons eligible without application, so as to provide that certain disabled veterans shall be issued refunds of certain ad valorem taxes paid during certain periods of time when such disabled veterans receive final determinations of disability containing retroactive periods of eligibility; to provide a short title; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 213. By Representatives Golick of the 40th, Cooper of the 43rd, Reeves of the 34th, Gravley of the 67th, Coomer of the 14th and others:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to schedules,

offenses, and penalties, so as to include the sale, manufacture, delivery, or possession of fentanyl within the prohibition of trafficking certain drugs; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 214. By Representatives Golick of the 40th, Smith of the 134th, Reeves of the 34th, Coomer of the 14th, Gravley of the 67th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to forgery and related offenses, so to provide consistent punishment for the unlawful manufacture, sale, or distribution of a proof of insurance document and the issuing of fake or counterfeit insurance identification cards; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 225. By Representatives Powell of the 171st, Kelley of the 16th, England of the 116th, Harrell of the 106th, Powell of the 32nd and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to motor vehicle license fees and classes, so as to repeal inoperable provisions related to licensing of ride share networks; to amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use tax, so as to repeal an inoperable sales tax exemption related to ride share networks; to impose collection and remittance of a tax upon ride share network services; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 234. By Representatives Frye of the 118th, Quick of the 117th, Hitchens of the 161st, Williams of the 119th, Cantrell of the 22nd and others:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to require drivers of motor vehicles to stop at crosswalks with user activated rectangular rapid-flash beacons; to make it unlawful to activate such devices when there is no intent to cross a roadway; to require drivers of motor vehicles to stop at crosswalks for bicycle riders; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 246. By Representatives Cantrell of the 22nd, Coleman of the 97th, Casas of the 107th, Stovall of the 74th and Beskin of the 54th:

A BILL to be entitled an Act to amend Code Section 20-2-777 of the Official Code of Georgia Annotated, relating to an annual fitness assessment program, so as to repeal the sunset provision; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 253. By Representatives Willard of the 51st, Cantrell of the 22nd, Meadows of the 5th, Henson of the 86th, Abrams of the 89th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting certain beneficial projects and supporting certain worthy agencies, funds, or nonprofit corporations, so as to increase the proportion of moneys derived from the sale of specialty license plates promoting the dog and cat reproductive sterilization support program which are to be dedicated to such program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 257. By Representatives Tankersley of the 160th, Smith of the 70th, Powell of the 171st, Epps of the 144th, Hatchett of the 150th and others:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to require local government authorities to register with the Department of Community Affairs in order to be eligible for state funds; to change the deadline for local government authorities to register with said department; to prohibit authorities from incurring debt or credit obligations prior to submitting a report to said department; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

HB 266. By Representatives Kelley of the 16th, Willard of the 51st, Fleming of the 121st, Evans of the 42nd, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 29 of the O.C.G.A., relating to conservators of minors, so as to revise the personal property value that a natural guardian may receive of a minor without having to become a legally qualified conservator of the minor; to revise the amount of the debt

owing to a minor which a natural guardian may release without approval by the court; to revise the amount of the proposed gross settlement of a minor's claim by which the natural guardian of the minor may compromise without becoming the conservator of the minor or seeking court approval; to revise the amount by which a conservator of a minor may compromise any contested or doubtful claim or release the debtor and compromise all debts; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banking and Financial Institutions.

HB 273. By Representatives Douglas of the 78th, Evans of the 42nd, Setzler of the 35th, Strickland of the 111th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to provide for a daily recess for students in kindergarten and grades one through five; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 275. By Representatives Dubnik of the 29th, Hawkins of the 27th, Knight of the 130th, Powell of the 32nd, Smith of the 70th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, so as to change provisions relative to rules and regulations used to establish criminal violations; to amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to general provisions relative to the registration, operation, and sale of watercraft, so as to regulate activities related to body surfing and wake surfing; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 285. By Representative Knight of the 130th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation, so as to revise the criteria used by tax assessors to determine the fair market value of real property; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

- HB 287. By Representatives Kirby of the 114th, Hitchens of the 161st, Lumsden of the 12th, Willard of the 51st, Smyre of the 135th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to provide for the issuance of special license plates honoring family members of service members killed in action at no cost to eligible family members; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Veterans, Military and Homeland Security.

- HB 293. By Representatives Silcox of the 52nd, Jones of the 47th, Willard of the 51st, Setzler of the 35th, Burns of the 159th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 8 of Title 24 of the Official Code of Georgia Annotated, relating to admissions and confessions, so as to provide an effective date for the procedure relating to the testimony of a child's description of sexual contact or physical abuse; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HB 308. By Representatives Beskin of the 54th, Quick of the 117th, Willard of the 51st, Hanson of the 80th, Silcox of the 52nd and others:

A BILL to be entitled an Act to amend Title 19 of the O.C.G.A., relating to domestic relations, so as to enact provisions recommended by the Georgia Child Support Commission relating to child support and the enforcement of child support orders; to change provisions relating to the family support registry; to change provisions relating to the "Child Support Recovery Act"; to amend Code Sections 7-4-12.1, 10-1-393.10, and 31-10-9.1, Title 19, Article 5 of Chapter 3 of Title 42, and Article 2 of Chapter 27 of Title 50 of the O.C.G.A., relating to interest on arrearage on child support, filing of contracts for collections, social security account information of parents, domestic relations diversion center and program for violation of alimony and child support orders, and setoff of debt collection against lottery prizes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 309. By Representatives Barr of the 103rd, Clark of the 98th, Hitchens of the 161st, Deffenbaugh of the 1st, Coomer of the 14th and others:

A BILL to be entitled an Act to amend Code Section 50-21-24 of the Official Code of Georgia Annotated, relating to exceptions to state liability, so as to provide that the state shall have no liability for activities of the organized militia when engaged in state or federal training or duty; to provide an exception; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Veterans, Military and Homeland Security.

HB 325. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions concerning ad valorem taxation of property, so as to change a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 344. By Representatives Dempsey of the 13th, Quick of the 117th, Ballinger of the 23rd, Oliver of the 82nd, Willard of the 51st and others:

A BILL to be entitled an Act to amend Code Section 19-7-54 of the Official Code of Georgia Annotated, relating to motion to set aside determination of paternity, so as to allow parties beyond movants in a case concerning a child support order to request a genetic test from the Department of Human Services under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 357. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to registration, operation, and sale of watercraft, so as to provide for the titling of certain vessels; to provide for procedures with regard to titling such vessels; to provide for legislative intent and findings; to provide a short title; to amend Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding sales and use taxes, so as to provide for a cap on the sales and use tax on the purchase or lease of a vessel; to provide definitions; to

provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 382. By Representatives Pruett of the 149th, Dempsey of the 13th and Oliver of the 82nd:

A BILL to be entitled an Act to amend Article 5 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Commission on Women, so as to place said commission under the administration of the Department of Public Health; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 390. By Representatives Setzler of the 35th, Powell of the 32nd and Glanton of the 75th:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for the assessment of no points and a maximum fine for the offense of failure to obey a traffic control device in certain instances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Government Oversight.

HB 419. By Representatives Silcox of the 52nd, Golick of the 40th, Willard of the 51st, Jones of the 47th, Martin of the 49th and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding local government provisions applicable to counties and municipal corporations, so as to enable the governing authority of certain counties to further regulate the use or ignition of consumer fireworks; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 432. By Representatives Dubnik of the 29th, Jasperse of the 11th and Williams of the 119th:

A BILL to be entitled an Act to amend Code Section 20-3-411 of the Official Code of Georgia Annotated, relating to definitions relative to tuition

equalization grants at private colleges and universities, so as to provide that certain institutions that lack accreditation by the Southern Association of Colleges and Schools shall be deemed to be an approved school for tuition equalization purposes if previously deemed an approved school under certain alternative provisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

HB 448. By Representatives Williams of the 119th, Jasperse of the 11th, Dempsey of the 13th and Gardner of the 57th:

A BILL to be entitled an Act to amend Chapter 3 of Title 20 of the O.C.G.A., relating to postsecondary education, so as to require certain education and postsecondary educational institutions to qualify for exemptions with the Nonpublic Postsecondary Education Commission and the maintenance of exemptions provided for under such part; to provide for an exception; to provide for the promulgation of rules, regulations, and policies for the effectuation of such exemptions; to revise the membership of the Nonpublic Postsecondary Education Commission; to provide for completion of current terms of appointment to the commission; to revise the membership of the Board of Trustees of the Tuition Guaranty Trust Fund; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

HB 474. By Representatives Hugley of the 136th, Jackson of the 128th, Powell of the 32nd, Lumsden of the 12th, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to general provisions regarding drivers' licenses, so as to require the Department of Driver Services in any republication of its drivers' manual to include instructions for best practices for facilitating the safety of all parties during a traffic stop by law enforcement; to provide for collaboration; to require the Office of Highway Safety to promote such instructions in certain planned projects or campaigns of a highly visible nature; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 475. By Representatives Harden of the 148th, Corbett of the 174th, Hogan of the 179th, Epps of the 144th and McCall of the 33rd:

A BILL to be entitled an Act to amend Chapter 17 of Title 43 of the Official Code of Georgia Annotated, relating to charitable solicitations, so as to implement additional requirements for use of collection receptacles for donations; to provide additional penalties for violation of said chapter; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

HB 515. By Representative Caldwell of the 131st:

A BILL to be entitled an Act to amend an Act to provide for the composition and number of state house districts, approved August 24, 2011 (Ga. L. 2011, Ex. Sess., p. 3), as amended, particularly by an Act approved February 23, 2012 (Ga. L. 2012, p. 21), and by an Act approved May 12, 2015 (Ga. L. 2015, p. 1413), so as to revise the boundaries of a certain state house district; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Reapportionment and Redistricting.

HR 279. By Representatives Stovall of the 74th, Hugley of the 136th, Bentley of the 139th, Trammell of the 132nd, Rakestraw of the 19th and others:

A RESOLUTION designating March 21 of each year as Single Parent Day; and for other purposes.

Referred to the Committee on Rules.

HR 362. By Representatives Smith of the 70th, Harden of the 148th, Williams of the 119th, Watson of the 172nd and Price of the 48th:

A RESOLUTION creating the Joint Study Committee on Stream Buffers in Georgia; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SB 31. By Senator McKoon of the 29th:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health,

so as to provide that at least two members of the board shall also be members of the state health benefit plan; to provide that two members shall be members of certain retirement systems; to provide for duties of the Board of Community Health; to create the State Health Benefit Plan Customer Advisory Council; to provide for membership; to provide for duties of the commissioner of community health; to provide for duties of the council; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 44. By Senator Burke of the 11th:

A BILL to be entitled an Act to amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure not required, so that the identities of individual and corporate donors to rural hospital organizations are exempt from public disclosure; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 49. By Senators Heath of the 31st, Ligon, Jr. of the 3rd, Harper of the 7th, Harbin of the 16th, Thompson of the 14th and others:

A BILL to be entitled an Act to amend Code Section 16-11-125.1 of the Official Code of Georgia Annotated, relating to definitions for carrying and possession of firearms, so as to change provisions relating to the definition of a term; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 65. By Senators Ginn of the 47th, Dugan of the 30th, Wilkinson of the 50th, Sims of the 12th, Orrock of the 36th and others:

A BILL to be entitled an Act to amend Code Section 12-8-40.1 of the Official Code of Georgia Annotated, relating to tire disposal restrictions and fees, so as to require new tire retailers that collect a fee for the collection or disposal of scrap tires upon the purchase of replacement tires for a motor vehicle to collect such fee whether or not scrap tires are relinquished to the retailer; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SB 105. By Senators Jones II of the 22nd, Parent of the 42nd, Fort of the 39th, Rhett of the 33rd, Davenport of the 44th and others:

A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to provide that possession of certain quantities of marijuana constitute a misdemeanor; to change provisions relating to punishment; to amend Title 15, Title 16, Chapter 7 of Title 17, and Code Section 36-32-6 of the Official Code of Georgia Annotated, relating to courts, crimes and offenses, pretrial proceedings, and municipal court jurisdiction in marijuana possession cases, respectively, so as to provide for conforming cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 107. By Senators Millar of the 40th, Shafer of the 48th, Cowsert of the 46th, McKoon of the 29th and Kirk of the 13th:

A BILL to be entitled an Act to amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to revise the dates for the filing campaign financial disclosure reports to include an additional date prior to the general primary; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 118. By Senators Unterman of the 45th, Albers of the 56th, Beach of the 21st, Millar of the 40th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to coverage for autism, so as to change the age limit for coverage for autism spectrum disorders for an individual covered under a policy or contract; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

SB 122. By Senators Williams of the 27th, Mullis of the 53rd, Miller of the 49th, Kirk of the 13th, Watson of the 1st and others:

A BILL to be entitled an Act to amend Code Section 27-3-15 of the Official Code of Georgia Annotated, relating to seasons and bag limits, promulgation of rules and regulations by the board, possession of more than bag limit, and

reporting number of deer killed, so as to change certain provisions relating to open seasons for the hunting of deer; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SB 131. By Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Black of the 8th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions for the Juvenile Code, so as to provide that adoption proceedings be stayed while an appeal of an order to terminate parental rights is pending; to clarify the court's duties to a case while an appeal is pending; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 140. By Senators Miller of the 49th, Hill of the 4th, Shafer of the 48th, Unterman of the 45th, Harbison of the 15th and others:

A BILL to be entitled an Act to amend Chapter 14 of Title 43 of the Official Code of Georgia Annotated, relating to electrical contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility contractors, so as to authorize the Division of Low-voltage Contractors to require continuing education; to provide for a waiver of continuing education requirements under certain circumstances; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

SB 148. By Senators Kennedy of the 18th, Jeffares of the 17th, Cowser of the 46th, Albers of the 56th, Tillery of the 19th and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 14 of the Official Code of Georgia Annotated, relating to nonprofit corporations, so as to allow for a nonprofit corporation organized in a foreign jurisdiction to change its jurisdiction of organization to this state; to allow for a nonprofit corporation organized in this state to change its jurisdiction of organization to a foreign jurisdiction; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 161. By Senators Ginn of the 47th, Stone of the 23rd, Dugan of the 30th, Jeffares of the 17th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to require horizontal orientations for the form of all drivers' licenses and identification cards issued to applicants who are citizens of the United States; to require vertical orientations for the form of all drivers' licenses and identification cards issued to applicants who are not citizens of the United States; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 188. By Senators James of the 35th, Jones of the 10th, Rhett of the 33rd, Davenport of the 44th, Anderson of the 43rd and others:

A BILL to be entitled an Act to amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to health, so as to require each local board of education to adopt a policy prohibiting school personnel from taking certain actions in regards to a parent or guardian placing, or not placing, a student on psychotropic medication; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SB 189. By Senators Tillery of the 19th, Hill of the 4th, Kennedy of the 18th, Mullis of the 53rd, Stone of the 23rd and others:

A BILL to be entitled an Act to amend Title 17 of the O.C.G.A., relating to criminal procedure, so as to change provisions relating to the legal defense of indigents; to change and clarify provisions relating to the authority and responsibilities of the Georgia Public Defender Council and its director; to authorize the creation of more divisions within the council; to clarify the obligation of the council and circuit public defender offices in representing individuals and providing services; to change provisions relating to the circuit public defender supervisory panel; to provide for reporting of certain information; to provide a method for an alternative delivery system to become a circuit public defender office; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 194. By Senators Stone of the 23rd, Albers of the 56th, Tillery of the 19th and Harbin of the 16th:

A BILL to be entitled an Act to amend Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, so as to change the maximum part of disposable earnings subject to garnishment and conform the form used therewith; to clarify various provisions; to change provisions relating to serving the defendant; to change provisions relating to the introduction of evidence and how judgments are paid; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 217. By Senators Stone of the 23rd, Mullis of the 53rd, Cowser of the 46th, Jones II of the 22nd, Miller of the 49th and others:

A BILL to be entitled an Act to amend Code Sections 35-8-13.1 and 42-8-107 of the Official Code of Georgia Annotated, relating to training and certification of municipal probation officers and uniform professional standards and uniform contract standards, so as to revise the authority of a municipal probation officer relative to the exercise of the power of arrest and a Georgia Peace Officer Standards Training Council certification; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 220. By Senator Unterman of the 45th:

A BILL to be entitled an Act to amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice, so as to repeal requirements for advertising or publicizing of medical specialty certification; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 225. By Senators Williams of the 27th, Kirk of the 13th, Gooch of the 51st, Harbin of the 16th, Hufstetler of the 52nd and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, so as to provide for the tabulation of advance voting ballots in the same manner as

absentee votes under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 235. By Senators James of the 35th, Orrock of the 36th, Rhett of the 33rd, Seay of the 34th, Jones of the 10th and others:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions regarding elementary and secondary education, so as to strongly encourage that youth athletes participating in gridiron football be equipped with and wear a helmet which has at least a four-star rating on the Virginia Tech Helmet Ratings scale at the time of its use; to provide for an exception; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SB 244. By Senators Jeffares of the 17th, Mullis of the 53rd and Jones of the 25th:

A BILL to be entitled an Act to amend Part 1A of Article 2 of Chapter 5 of Title 46 of the O.C.G.A., relating to telephone system for the physically impaired, so as to change certain provisions relating to the establishment, administration, and operation of the state-wide dual party relay service and audible universal information access service; to change certain legislative findings and declarations; to modify the prohibition as to the distribution of telecommunications equipment under the telecommunications equipment distribution program based on a certain income level; to provide that wireless devices and applications may be distributed as part of the telecommunications equipment distribution program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

SB 245. By Senators Miller of the 49th, Unterman of the 45th, Burke of the 11th, Watson of the 1st, Hufstetler of the 52nd and others:

A BILL to be entitled an Act to amend Part 2 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to competencies and core curriculum in elementary and secondary education, so as to give a short title to a Code section relating to cardiopulmonary resuscitation and use of

automated external defibrillators in schools; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 247. By Senators Williams of the 27th, Hill of the 4th, Harbison of the 15th and Orrock of the 36th:

A BILL to be entitled an Act to amend Chapter 30 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to municipal corporations, so as to provide for the meaning of municipality in certain instances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SB 252. By Senator McKoon of the 29th:

A BILL to be entitled an Act to amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to create a compact among the states to prohibit public financing of professional stadiums; to authorize the Governor to execute such compact; to provide for a purpose; to provide for an effective date for such compact; to provide for an official state representation; to provide for an agreement to prohibit public funding of professional stadiums; to provide for agreements to withhold state moneys from certain public or private entities if such entities publicly fund a professional stadium; to provide for withdrawal from the compact; to provide a short title; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Interstate Cooperation.

SB 264. By Senator Jeffares of the 17th:

A BILL to be entitled an Act to amend an Act to create a Board of Commissioners for Rockdale County, approved March 4, 1977 (Ga. L. 1977, p. 2817), as amended, so as to reconstitute the membership of the board of commissioners; to provide for the manner of election and terms of office; to provide for the continuation in office of the current members; to provide for election districts; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SR 104. By Senators Heath of the 31st, Shafer of the 48th, Cowsert of the 46th, Kennedy of the 18th, Mullis of the 53rd and others:

A RESOLUTION proposing an amendment to the Constitution so as to prohibit the levy of state ad valorem taxes; to provide for applicability; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Finance.

SR 105. By Senators Heath of the 31st, Shafer of the 48th, Cowsert of the 46th, Kennedy of the 18th, Mullis of the 53rd and others:

A RESOLUTION proposing an amendment to the Constitution, in a manner consistent with the United States Constitution, so as to prevent discrimination in the public funding of social services by allowing religious or faith based organizations to receive public aid, directly or indirectly, for the provision of such services; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Government Oversight.

SR 149. By Senators Williams of the 27th, Payne of the 54th, Tillery of the 19th, Brass of the 28th and Thompson of the 14th:

A RESOLUTION designating September 1 as Childhood Cancer Awareness Day in Georgia; and for other purposes.

Referred to the Committee on Rules.

SR 205. By Senators Ginn of the 47th, Heath of the 31st, Gooch of the 51st, Shafer of the 48th, Beach of the 21st and others:

A RESOLUTION urging the Congress of the United States to eliminate all requirements for the use of ethanol as a fuel for vehicles and equipment; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

SR 206. By Senators Williams of the 27th, Hufstetler of the 52nd, Jones of the 25th, Hill of the 32nd, Harper of the 7th and others:

A RESOLUTION creating the Senate Work and Save Study Committee; and for other purposes.

Referred to the Committee on Insurance and Labor.

SR 318. By Senators Jones II of the 22nd, Anderson of the 43rd, Lucas of the 26th, Fort of the 39th and Thompson of the 14th:

A RESOLUTION creating the Senate Cyber Challenge Study Committee; and for other purposes.

Referred to the Committee on Science and Technology.

SR 349. By Senators Hill of the 6th, Burke of the 11th, Shafer of the 48th, Harper of the 7th, Gooch of the 51st and others:

A RESOLUTION urging Congress to block grant Medicaid funding to be used for indigent health care and Medicaid funding; and for other purposes.

Referred to the Committee on Rules.

SR 448. By Senators Williams of the 27th, Shafer of the 48th, Miller of the 49th, Ginn of the 47th and Brass of the 28th:

A RESOLUTION creating the Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; and for other purposes.

Referred to the Committee on Rules.

SR 453. By Senator Unterman of the 45th:

A RESOLUTION creating the Senate Study Committee on Massage Therapy Practices; and for other purposes.

Referred to the Committee on Rules.

SR 465. By Senator Fort of the 39th:

A RESOLUTION creating the Senate Study Committee on Reforming HIV Related Criminal Laws; and for other purposes.

Referred to the Committee on Rules.

SR 467. By Senator Unterman of the 45th:

A RESOLUTION creating the Senate Study Committee on Service Animals for Physically or Mentally Impaired Persons; and for other purposes.

Referred to the Committee on Rules.

SR 470. By Senator Hufstetler of the 52nd:

A RESOLUTION creating the Joint Study Committee on Title Ad Valorem Tax; and for other purposes.

Referred to the Committee on Finance.

SR 481. By Senators Stone of the 23rd, Jones II of the 22nd, McKoon of the 29th, Burke of the 11th, Anderson of the 24th and others:

A RESOLUTION creating the Senate Study Committee on Senate Bill 86; and for other purposes.

Referred to the Committee on Rules.

The following resolution was read and adopted:

SR 580. By Senator Cowser of the 46th:

A RESOLUTION recognizing and welcoming the College Football Playoff National Championship and the Atlanta Football Host Committee; and for other purposes.

The following communications from His Excellency, Governor Nathan Deal, were received by the Secretary:

STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Nathan Deal
GOVERNOR

May 1, 2017

The Honorable Casey Cagle
Lieutenant Governor
240 State Capitol
Atlanta, Georgia 30334

The Honorable David Ralston
Speaker of the Georgia House
of Representatives
332 State Capitol
Atlanta, Georgia 30334

Dear Gentlemen:

Please be advised that I have identified language to disregard for the following section in House Bill 44:

Non-Binding Information Language to Disregard:

Section 28, pertaining to the Department of Human Services,
page 133, line 200.7.

The message for the item referenced above is attached.

Sincerely,

/s/ Nathan Deal

HB 44 – FY 2018 APPROPRIATIONS BILL

Intent Language Considered Non-Binding

Section 28, pertaining to the Department of Human Services, page 133, line 200.7:

The General Assembly seeks to appropriate \$100,000 to the Georgia Vocational Rehabilitation Agency for the Warrior Alliance to assist veterans in transitioning to private employment. These funds should be used to provide needed training and employment services for veterans; however, the Georgia Vocational Rehabilitation Agency should have the authority to select the provider to best serve this population statewide. Therefore, the Department is authorized to utilize the funds for veterans training and employment services in accordance with the purpose of the program and the general law powers of the Department.

STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Nathan Deal
GOVERNOR

May 9, 2017

The Honorable David Ralston
Speaker of the Georgia House
of Representatives
332 State Capitol
Atlanta, Georgia 30334

Dear Speaker Ralston:

I have vetoed House Bills 131, 132, 174, 359, 425, 439, and 440 which passed the General Assembly during the 2017 Regular Session.

Article III, Section V, Paragraph XIII of the Georgia Constitution requires that I transmit these bills to you together with the reasons for such vetoes. These bills and corresponding reason for the vetoes are attached.

Sincerely,

/s/ Nathan Deal

STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Nathan Deal
GOVERNOR

May 9, 2017

The Honorable Casey Cagle
Lieutenant Governor
240 State Capitol
Atlanta, Georgia 30334

The Honorable David Shafer
President Pro Tempore
321 State Capitol
Atlanta, Georgia 30334

Dear Lieutenant Governor Cagle and Senator Shafer:

I have vetoed Senate Bills 125 and 222 which passed the General Assembly during the 2017 Regular Session.

Article III, Section V, Paragraph XIII of the Georgia Constitution requires that I transmit these bills to you together with the reason for such vetoes. These bills and corresponding reasons for the vetoes are attached.

Sincerely,

/s/ Nathan Deal

2017 Session of the Georgia General Assembly

Veto Messages

Veto Numbers 1 and 2

HB 131 and HB 132 House Bills 131 and 132 relate to repealing the constitutional amendment creating the Fulton County Industrial District (FCID) and then annexing the property into the City of South Fulton. The FCID is the only portion of Fulton County that remains unincorporated after the creation of the City of South Fulton in 2016. The FCID, however, cannot be annexed by any municipality due to a pre-existing local constitutional amendment to the Constitution of Georgia and enabling legislation. There has been continued debate between the City of Atlanta and the City of South Fulton as to which city this district should belong, the cities and property owners involved, though, need to first come to an agreement to determine the future of the FCID. For the foregoing reasons, **I hereby VETO HB 131 and HB 132.**

Veto Number 3

HB 174 House Bill 174 expands the permissible medium of payment allowed under insurance policies. Currently, Georgia law provides that it shall be unlawful for any insurer to provide in a policy or contract of insurance that the amount of any loss or indemnity accruing thereunder shall be payable in anything other than legal tender of the United States. O.C.G.A. § 33-24-43. To be clear, this statute does not prevent alternative methods of payment that are not legal tender of the United States when the insured accepts such payment as satisfaction of a claim—such a statute would be impractical and in need of serious revisions—rather, the statute refers to forms of payments that an insured would be *legally required* to accept in accordance with their policy. HB 174 would expand this statute, permitting insurers to contractually require payment of claims via forms other than legal tender including general use gift cards, thereby compelling an insured to accept such a form of payment. A general use gift card is not an appropriate means of payment for most losses or indemnities which may accrue under an insurance policy as, generally, this form of payment is not deductible to cash, its value cannot be deposited into a bank account, there are no or few recourses for a lost or stolen value card, and the card may be subject to expenditure limits with retailers. For the foregoing reasons, **I hereby VETO HB 174.**

Veto Number 4

HB 359 House Bill 359, while well intentioned, creates a parallel and unchecked system to our Department of Family and Children Services (DFCS), unintentionally placing children at risk. The Power of Attorney created by HB 359 allows parents and “agents” to go around the well-established confines of legal adoption and/or our child welfare system, granting a power of attorney for a child to an individual, or even a non-profit corporation, with no oversight. The state has dedicated significant resources to the Department of Family and Children Services during my time as Governor in order to improve the safety and outcomes for children in foster care. The state should consider all options that help in streamlining the process for a child to be adopted, placed into a loving home, or improved foster care environment; however, creating a parallel system in which DFCS has no oversight runs contrary to the progress the state has made in strengthening our child welfare system.

In light of the fact that a comprehensive rewrite to the adoption code failed to pass this year, I encourage the Leadership of both chambers, supporters of this legislation, and the child welfare advocacy community to work together over the next year in crafting legislation that continues to strengthen our existing system and streamlines the processes of adoption so that children may reach permanency more quickly. I believe a comprehensive foster care/adoption reform legislative package is in Georgia’s best interests in 2018. For the foregoing reasons, **I hereby VETO HB 359.**

Veto Number 5

HB 425 House Bill 425 encourages the State Board of Education to implement assessment opt-out procedures and encourages the allowance of paper-and-pencil formats for such assessments. First, as I stated in my veto of SB 133 last year, local school districts currently have the flexibility to determine opt-out procedures for students who cannot, or choose not to, take these statewide assessments and I see no need to impose an additional layer of state-level procedures for these students. Additionally, encouraging the administration of assessments in paper-and-pencil format impedes the state’s priorities of returning test data to districts as quickly as possible, and reducing the opportunity for cheating. For the foregoing reasons, **I hereby VETO HB 425.**

Veto Numbers 6 and 7

HB 439 and HB 440 House Bill 439 de-annexes two parcels of land from the City of Atlanta. House Bill 440 then annexes these two parcels into the City of Sandy Springs. I do not feel that these bills received the proper amount of discussion during the legislative session and require more time for all parties to discuss the effects of these bills. For the foregoing reasons, **I hereby VETO HB 439 and HB 440.**

Veto Number 8

SB 125 Senate Bill 125 authorizes physicians to delegate their authority to prescribe hydrocodone compound products to physician assistants. This language would add several thousand prescribers to our healthcare system and, as a result, create the potential for hundreds of thousands more opioid prescriptions to be issued. Like many other states, Georgia is currently in the grips of an opioid abuse epidemic and this change is incongruent with the state's efforts to quell that problem. For the foregoing reasons, **I hereby VETO SB 125.**

Veto Number 9

SB 222 Senate Bill 222 creates the Local Government 9-1-1 Authority and makes significant changes to the fee collection and disbursement process for local public service answering points. The authority created by SB 222 is a quasi-independent authority with little oversight from, or coordination with, the state. The lack of oversight could lead to obvious negative consequences stemming from the absence of accountability, and further the lack of state coordination could hamper local and state joint responses in emergency situations. Finally, the bill states that the authority, executive director, and staff would be appointed or hired after July 1, 2017, but fees collected that fund the authority would not be collected until July 1, 2019. This would result in a two year period with no funding for the authority or its staff.

I do, however, believe that public service answering points are essential for the effective operation of police, firefighting, and ambulance services. In order to keep the 9-1-1 reform process moving, I plan, by executive order, to establish a Local Government 9-1-1 Authority to be housed at the Georgia Emergency Management and Homeland Security Agency (GEMHSA). Additionally, I will be creating and appointing the position of executive director for this authority to oversee the day-to-day operations. In order to have a better state-wide public safety communications network and 9-1-1 service it is necessary to locate this authority within GEMHSA, which handles all other aspects of emergency management for the state. I look forward to working with the General Assembly next year to codify the executive order and enact additional measures to strengthen 9-1-1 services throughout the state. For the foregoing reasons, **I hereby VETO SB 222.**

The following communications were received by the Secretary:

THE STATE OF GEORGIA
OFFICE OF SECRETARY OF STATE

**I, Brian P. Kemp, Secretary of State of the
State of Georgia, do hereby certify that**

the attached 1 page lists the results as shown on the consolidated returns from the Special Election for State Senator, District 32, held on the 18th day of April 2017; all as the same appear on file and record in this office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 25th day of April, in the year of our Lord Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-First.

(Seal)

**/s/ Brian P. Kemp
Secretary of State**

OFFICIAL OATH OF GEORGIA STATE SENATOR

SENATOR KAY KIRKPATRICK

SENATE DISTRICT 32

I do hereby solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, of any other state, or any foreign state, which by law I am prohibited from holding; that I have been a resident of my district for the time required by the Constitution and the laws of this state; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

So help me God.

This 2nd day of JUNE, 2017

**/s/ Kay Kirkpatrick, M.D. _____
Senator Kay Kirkpatrick
Senate District 32**

State Court of Cobb County
12 East Park Square, Courtroom 3-A
Marietta, GA 30090

June 2, 2017

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

I, Hon. Jane P. Manning, Judge of the State Court of Cobb County, Georgia, do hereby certify by my signature below that I have this date, June 2, 2017, at the State Capitol, in the Senate Chamber, Fulton County, Atlanta, Georgia, administered the following oath of office to Senator-Elect Kay Kirkpatrick of Cobb County, Georgia, elected to fill the unexpired term caused by a vacancy in the office of State Senate District 32 for the 2017 – 2018 term:

"I do hereby solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, of any other state, or any foreign state, which by law I am prohibited from holding; that I have been a resident of my district for the time required by the Constitution and the laws of this state; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

So help me God."

SIGNED: Jane P. Manning
Hon. Jane P. Manning, Judge
State Court of Cobb County

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

June 28, 2017

The Honorable Kay Kirkpatrick
Senator, District 32

Dear Senator Kirkpatrick,

On behalf of the Committee on Assignments, below are your committee assignments for the upcoming session.

Committee:

- 1. Health and Human Services**
- 2. Public Safety**
- 3. Veterans, Military, and Homeland Security**
- 4. Science & Technology**

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

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

The following communications were received by the Secretary:

Date: 9/14/17

Hon. David Cook
Secretary of the Senate

Dear Mr. Secretary:

Please remove my name as a cosponsor of SB 68.

Signed: Michael Williams District: 27
Cc: Hill of the 6th, Author

Date: 9/14/17

Hon. David Cook
Secretary of the Senate

Dear Mr. Secretary:

Please remove my name as a cosponsor of SB 72.

Signed: Michael Williams District: 27
Cc: Hill of the 6th, Author

Date: 9/14/17

Hon. David Cook
Secretary of the Senate

Dear Mr. Secretary:

Please remove my name as a cosponsor of SB 123.

Signed: Michael Williams District: 27
Cc: Hill of the 6th, Author

Date: 9/14/17

Hon. David Cook
Secretary of the Senate

Dear Mr. Secretary:

Please remove my name as a cosponsor of SB 167.

Signed: Michael Williams District: 27
Cc: Hill of the 6th, Author

Senator Vincent Fort
 District 39
 121-G State Capitol
 Atlanta, GA 30334

COMMITTEES:
 Appropriations
 Education and Youth
 Interstate Cooperation
 Judiciary
 Reapportionment and Redistricting
 Urban Affairs
 MARTOC

DEMOCRATIC WHIP

The State Senate
 Atlanta, Georgia 30334

August 24, 2017

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

Dear Mr. Cook:

For your information, I qualified for the office of Mayor of Atlanta yesterday, August 23, 2017. The mayoral term begins more than 30 days prior to the end of my current Senate term, so pursuant to Section II, Paragraph V of the Georgia Constitution; I resigned my Senate seat effective at the time of my qualification.

Thank you for the opportunity to serve with you and my colleagues. I look forward to working with you in the future in a new capacity.

Sincerely,

/s/ Vincent D. Fort

Senator Hunter Hill
 District 6
 421-B Coverdell Legislative Office Building
 Atlanta, GA 30334

COMMITTEES:
 Veterans, Military and Homeland Security
 Finance
 Appropriations
 Judiciary Non-Civil
 Reapportionment and Redistricting
 Retirement
 Rules
 MARTOC

Georgia Senate

August 29, 2017

The Honorable Nathan Deal
Governor of Georgia
206 Washington Street
111 State Capitol
Atlanta, GA 30334

Governor Deal:

I ask that you accept this letter as my official resignation as State Senator for District 6, effective September 15, 2017.

Serving the people of Georgia's 6th Senate District has been an incredible honor, and I greatly appreciate the support they have shown me during my time in the General Assembly. My constituents deserve a state senator who will devote his or her full attention to their priorities next session, and my resignation will afford the voters that opportunity.

Acknowledging the decision ultimately resides with your office, I respectfully request the special election to fill the vacancy caused by my resignation be held on the same day as the upcoming Atlanta mayoral election.

Sincerely,

/s/ Hunter Hill

The following communication from His Excellency, Governor Nathan Deal, was received by the Secretary:

STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Nathan Deal
GOVERNOR

August 29, 2017

The Honorable Hunter Hill
Senator, District 6
Georgia State Senate
421-B State Capitol
206 Washington Street
Atlanta, Georgia 30334

Dear Senator Hill:

Thank you for the service you have rendered as the District 6 Senator in the Georgia State Senate. I appreciate you taking the time to apprise me of your resignation, effective September 15, 2017.

Your resignation as a member of the Georgia State Senate is hereby accepted, and I wish you all the best in your future endeavors. Once again, thank you for your service to the State of Georgia.

Sincerely,

/s/ Nathan Deal

The following communications were received by the Secretary:

Senator Hunter Hill
District 6
421-B Coverdell Legislative Office Building
Atlanta, GA 30334

COMMITTEES:
Veterans, Military and Homeland Security
Finance
Appropriations
Judiciary Non-Civil
Reapportionment and Redistricting
Retirement
Rules
MARTOC

Georgia Senate

September 6, 2017

The Honorable Nathan Deal
Governor of Georgia
206 Washington Street
111 State Capitol
Atlanta, GA 30334

Governor Deal:

Upon communication with my local board of elections, I am writing to request that you accept my resignation from the Georgia State Senate today, Wednesday, September 6th, so that the election to fill my vacancy can be held on the same day as the Atlanta mayoral election.

Thank you again for your cooperation on this issue.

Sincerely,

/s/ Hunter Hill

Senator Steve Henson
District 41
121-B State Capitol
Atlanta, GA 30334

COMMITTEES:

Administrative Affairs
Health and Human Services
Natural Resources and the Environment
Reapportionment and Redistricting
Regulated Industries and Utilities
Rules
State Institutions and Property
Urban Affairs

DEMOCRATIC LEADER

The State Senate
Atlanta, Georgia 30334

November 13, 2017

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

Dear Mr. Cook,

This letter is to inform you that Senator Harold V. Jones II, District 22 was elected by the Senate Democratic Caucus to serve as the Caucus Whip. Senator Jones' position as Whip became effective October 27, 2017.

If you need further information regarding this matter please contact me.

Sincerely,

/s/ Stephen B. Henson

Steve B. Henson
Senate Democratic Leader
Senator, District 41

Senator Rick Jeffares
 District 17
 327-B Coverdell Legislative Office Building
 Atlanta, GA 30334

COMMITTEES:

Regulated Industries and Utilities
 Natural Resources and the Environment
 State Institutions and Property
 Economic Development and Tourism
 Ethics

The State Senate
 Atlanta, Georgia 30334

December 1, 2017

The Honorable Nathan Deal
 Governor of Georgia
 203 State Capitol
 Atlanta, GA 30334

Dear Governor Deal,

Please accept this letter as notice of my resignation from the Georgia State Senate, District 17 effective December 1, 2017. It has been one of my greatest pleasures of my life to serve for the past seven years. Under your leadership and guidance, Georgia has risen to greater heights and has received the recognition and accolades as being one of the best states in the nation. I fully intend as Lieutenant Governor to carry forth on those achievements.

I am thankful to have had the opportunity to work with you and your administration.

Sincerely,

/s/ Rick Jeffares

Senator David Shafer
 District 48
 321 State Capitol
 Atlanta, GA 30334

COMMITTEES:

Insurance and Labor
 Appropriations
 Finance
 Health and Human Services
 Reapportionment and Redistricting
 Banking and Financial Institutions
 Regulated Industries and Utilities
 Rules
 Administrative Affairs
 Assignments

The State Senate
Atlanta, Georgia 30334
PRESIDENT PRO TEMPORE

December 13, 2017

Honorable David Cook
Secretary of the Senate
State Capitol
Atlanta, Georgia 30334

Dear Mr. Secretary:

I hereby resign from the office of President Pro Tempore of the Georgia Senate, effective upon the election of my successor as President Pro Tempore by the Senate during the 2018 Legislative Session. Should I become President of the Senate prior to the election of my successor, I will call for the election of a new President Pro Tempore on the first available legislative day thereafter. I have notified the Senate Majority Caucus of my decision so that it may proceed with the nomination of a candidate to succeed me.

Very truly yours,

/s/ David J. Shafer
Senate President Pro Tempore

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

**I, Brian P. Kemp, Secretary of State of the
State of Georgia, do hereby certify that**

the attached 1 page lists the results as shown on the consolidated returns on file in this office for the Special Election held on the 7th day of November 2017, in District 6 for State Senator in Cobb and Fulton Counties to fill the vacancy created by the Honorable Hunter Hill.

Inasmuch as no candidate received the majority of the votes cast, a Special Election Runoff will be held December 5, 2017.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 14th day of November, in the year of our Lord Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-Second.

(Seal)

/s/ Brian P. Kemp
Secretary of State

OFFICIAL OATH OF GEORGIA STATE SENATOR

SENATOR JEN JORDAN

SENATE DISTRICT 6

I do hereby solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, of any other state, or any foreign state, which by law I am prohibited from holding; that I have been a resident of my district for the time required by the Constitution and the laws of this state; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

So help me God.

This 15th day of December, 2017

/s/ Jen Jordan _____
HON. JEN JORDAN
STATE SENATOR

COURT OF APPEALS OF GEORGIA
47 TRINITY AVENUE SW
ATLANTA, GA 30334

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

I, John Ellington, Judge of the Court of Appeals of Georgia, do hereby certify by my signature below that I have this date, December 15, 2017, at 3:00 p.m., in Senate Chamber, Fulton County, Atlanta, Georgia, administered the following Oath of Office to Georgia State Senator-Elect Jen Jordan:

"I do hereby solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, of any other state, or any foreign state, which by law I am prohibited from holding; that I have been a resident of my district for the time required by the Constitution and the laws of this state; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

So help me God."

SIGNED: John Ellington
Hon. John Ellington
Judge, Court of Appeals of Georgia

DATED: December 15, 2017

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brian P. Kemp, Secretary of State of the State of Georgia, do hereby certify that

the attached 1 page lists the results as shown on the consolidated returns on file in this office for the Special Election held on the 7th day of November 2017, in District 39 for State Senator in Fulton County to fill the vacancy created by the Honorable Vincent Fort.

Inasmuch as no candidate received the majority of the votes cast, a Special Election Runoff will be held December 5, 2017.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 14th day of November, in the year of our Lord Two Thousand and Seventeen and of the Independence of the United States of America the Two Hundred and Forty-Second.

(Seal)

/s/ Brian P. Kemp
Secretary of State

OFFICIAL OATH OF GEORGIA STATE SENATOR

SENATOR NIKEMA WILLIAMS

SENATE DISTRICT 39

I do hereby solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, of any other state, or any foreign state, which by law I am prohibited from holding; that I have been a resident of my district for the time required by the Constitution and the laws of this state; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

So help me God.

This 15th day of December, 2017

/s/ Nikema Williams
HON. NIKEMA WILLIAMS
STATE SENATOR

SUPERIOR COURT OF DEKALB COUNTY, GEORGIA
 DEKALB COUNTY COURTHOUSE, ROOM 6230
 556 N. McDONOUGH STREET
 DECATUR, GA. 30030

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

I, Asha F. Jackson, Judge of the Superior Court of DeKalb County, Georgia, do hereby certify by my signature below that I have this date, December 15, 2017, at 3:00 p.m., in Senate Chamber, Fulton County, Atlanta, Georgia, administered the following Oath of Office to Georgia State Senator-Elect Nikema Williams:

"I do hereby solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, of any other state, or any foreign state, which by law I am prohibited from holding; that I have been a resident of my district for the time required by the Constitution and the laws of this state; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

So help me God."

SIGNED: Asha F. Jackson
Hon. Asha F. Jackson
Judge, Superior Court of DeKalb County, Georgia

DATED: December 15, 2017

Senator John Kennedy
District 18
421 State Capitol
Atlanta, GA 30334

COMMITTEES:
Banking and Financial Institutions
Appropriations
Judiciary
Regulated Industries and Utilities
Rules

Georgia State Senate

Majority Caucus Chairman

December 18, 2017

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

Dear Secretary Cook:

On Friday, December 15th, 2017 the Majority Caucus held elections to fill the position of Vice-Chairman of our Caucus, and Senator Lindsey Tippins was elected to serve in this role. This letter is to serve as official notice of the change within our Caucus leadership. Please let me know if any other documentation is required.

With best regards, I am

Sincerely yours,

/s/ John F. Kennedy
John F. Kennedy, Senator
State Senate District 18

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable John Albers
Senator, District 56

Dear Senator Albers,

Below are your committee assignments for the upcoming session.

Committee:

1. Public Safety	Chairman
2. Finance	Vice-Chairman
3. Regulated Industries	Vice-Chairman
4. Appropriations	
5. Rules	<i>Ex-Officio</i>
6. Veterans, Military & Homeland Security	<i>Ex-Officio</i>
7. State and Local Governmental Operations	<i>Ex-Officio</i>

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

	/s/ Bill Cowsert	
Lt. Governor Casey Cagle	Senator Bill Cowsert	Senator Steve Gooch
President of the Senate	Majority Leader	Majority Whip
Senator John Kennedy	Senator John Wilkinson	Senator Renee Unterman
Majority Caucus Chairman	District 50	District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Matt Brass
Senator, District 28

Dear Senator Brass,

Below are your committee assignments for the upcoming session.

Committee:

- | | |
|---|-------------------|
| 1. Reapportionment & Redistricting | Chairman |
| 2. Education & Youth | |
| 3. Natural Resources | Secretary |
| 4. Economic Development & Tourism | Vice-Chair |

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

	/s/ Bill Cowsert	
Lt. Governor Casey Cagle	Senator Bill Cowsert	Senator Steve Gooch
President of the Senate	Majority Leader	Majority Whip
Senator John Kennedy	Senator John Wilkinson	Senator Renee Unterman
Majority Caucus Chairman	District 50	District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Frank Ginn
Senator, District 47

Dear Senator Ginn,

Below are your committee assignments for the upcoming session.

Committee:

- | | |
|---|-----------------|
| 1. Regulated Industries | Chairman |
| 2. Appropriations | |
| 3. Natural Resources & the Environment | |
| 4. Transportation | |

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

Lt. Governor Casey Cagle President of the Senate	/s/ Bill Cowsert Senator Bill Cowsert Majority Leader	Senator Steve Gooch Majority Whip
Senator John Kennedy Majority Caucus Chairman	Senator John Wilkinson District 50	Senator Renee Unterman District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Tyler Harper
Senator, District 7

Dear Senator Harper,

Below are your committee assignments for the upcoming session.

Committee:

- 1. Natural Resources & the Environment**
- 2. Agriculture & Consumer Affairs**
- 3. Appropriations**
- 4. Public Safety**

Chairman

Vice-Chairman

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

Lt. Governor Casey Cagle
President of the Senate

/s/ Bill Cowsert
Senator Bill Cowsert
Majority Leader

Senator Steve Gooch
Majority Whip

Senator John Kennedy
Majority Caucus Chairman

Senator John Wilkinson
District 50

Senator Renee Unterman
District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Jen Jordan
Senator, District 6

Dear Senator Jordan,

Below are your committee assignments for the upcoming session.

Committee:

- 1. Banking & Financial Institutions**
- 2. Government Oversight**
- 3. Science and Technology**
- 4. Special Judiciary**
- 5. Reapportionment & Redistricting**
- 6. Interstate Cooperation**

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

Lt. Governor Casey Cagle President of the Senate	/s/ Bill Cowsert Senator Bill Cowsert Majority Leader	Senator Steve Gooch Majority Whip
Senator John Kennedy Majority Caucus Chairman	Senator John Wilkinson District 50	Senator Renee Unterman District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Greg Kirk
Senator, District 13

Dear Senator Kirk,

Below are your committee assignments for the upcoming session.

Committee:

- | | |
|---|-----------------|
| 1. State and Local Governmental Operations | Chairman |
| 2. Health & Human Services | |
| 3. Insurance & Labor | |
| 4. Judiciary | |

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

	/s/ Bill Cowsert	
Lt. Governor Casey Cagle	Senator Bill Cowsert	Senator Steve Gooch
President of the Senate	Majority Leader	Majority Whip
Senator John Kennedy	Senator John Wilkinson	Senator Renee Unterman
Majority Caucus Chairman	District 50	District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable David Lucas
Senator, District 26

Dear Senator Lucas,

Below are your committee assignments for the upcoming session.

Committee:

- 1. Appropriations**
- 2. Economic Development**
- 3. Regulated Industries**
- 4. Transportation**
- 5. *Urban Affairs***

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

	/s/ Bill Cowsert	
Lt. Governor Casey Cagle	Senator Bill Cowsert	Senator Steve Gooch
President of the Senate	Majority Leader	Majority Whip
Senator John Kennedy	Senator John Wilkinson	Senator Renee Unterman
Majority Caucus Chairman	District 50	District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Chuck Payne
Senator, District 54

Dear Senator Payne,

Below are your committee assignments for the upcoming session.

Committee:**1. Public Safety****2. State and Local Governmental Operations****3. Finance****Secretary****4. State Institutions and Property**

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

Lt. Governor Casey Cagle President of the Senate	/s/ Bill Cowsert Senator Bill Cowsert Majority Leader	Senator Steve Gooch Majority Whip
Senator John Kennedy Majority Caucus Chairman	Senator John Wilkinson District 50	Senator Renee Unterman District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Michael Rhett
Senator, District 33

Dear Senator Rhett,

Below are your committee assignments for the upcoming session.

Committee:

- 1. Banking & Financial Institutions**
- 2. Judiciary**
- 3. Retirement**
- 4. Veterans & Homeland Security**

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

Lt. Governor Casey Cagle President of the Senate	/s/ Bill Cowsert Senator Bill Cowsert Majority Leader	Senator Steve Gooch Majority Whip
Senator John Kennedy Majority Caucus Chairman	Senator John Wilkinson District 50	Senator Renee Unterman District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Blake Tillery
Senator, District 19

Dear Senator Tillery,

Below are your committee assignments for the upcoming session.

Committee:

1. Appropriations
2. Economic Development
3. Judiciary
4. State Institutions & Property

Secretary
Vice-Chair

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

Lt. Governor Casey Cagle President of the Senate	/s/ Bill Cowsert Senator Bill Cowsert Majority Leader	Senator Steve Gooch Majority Whip
Senator John Kennedy Majority Caucus Chairman	Senator John Wilkinson District 50	Senator Renee Unterman District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Larry Walker III
Senator, District 20

Dear Senator Walker,

Below are your committee assignments for the upcoming session.

Committee:

1. Agriculture and Consumer Affairs
2. Appropriations
3. Health & Human Services
4. Insurance & Labor

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

	/s/ Bill Cowsert	
Lt. Governor Casey Cagle	Senator Bill Cowsert	Senator Steve Gooch
President of the Senate	Majority Leader	Majority Whip
Senator John Kennedy	Senator John Wilkinson	Senator Renee Unterman
Majority Caucus Chairman	District 50	District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Ben Watson
Senator, District 1

Dear Senator Watson,

Below are your committee assignments for the upcoming session.

Committee:

- | | |
|---|-------------------|
| 1. Veterans, Military, & Homeland Security | Chairman |
| 2. Appropriations | |
| 3. Ethics | |
| 4. Health & Human Services | |
| 5. Transportation | |
| 6. Public Safety | <i>Ex-Officio</i> |
| 7. Retirement | <i>Ex-Officio</i> |

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

	/s/ Bill Cowsert	
Lt. Governor Casey Cagle	Senator Bill Cowsert	Senator Steve Gooch
President of the Senate	Majority Leader	Majority Whip
Senator John Kennedy	Senator John Wilkinson	Senator Renee Unterman
Majority Caucus Chairman	District 50	District 45

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

December 28, 2017

The Honorable Nikema Williams
Senator, District 39

Dear Senator Williams,

Below are your committee assignments for the upcoming session.

Committee:

- 1. Economic Development**
- 2. Retirement**
- 3. State and Local Governmental Operations**
- 4. Special Judiciary**
- 5. *Urban Affairs***
- 6. *MARTOC***

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

Lt. Governor Casey Cagle President of the Senate	/s/ Bill Cowsert Senator Bill Cowsert Majority Leader	Senator Steve Gooch Majority Whip
Senator John Kennedy Majority Caucus Chairman	Senator John Wilkinson District 50	Senator Renee Unterman District 45

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has adopted, by the requisite constitutional majority, the following Resolutions of the House and Senate:

HR 868. By Representative Burns of the 159th:

A RESOLUTION to notify the Senate that the House of Representatives has convened; and for other purposes.

HR 869. By Representative Burns of the 159th:

A RESOLUTION calling a joint session of the House of Representatives and the Senate for the purpose of hearing a message from the Governor; inviting the Justices of the Supreme Court and the Judges of the Court of Appeals to be present at the joint session; and for other purposes.

The Speaker has appointed as a Committee of Escort on the part of the House the following members:

Representatives Cooper of the 43rd, Beskin of the 54th, Reeves of the 34th, Rhodes of the 120th, Rogers of the 10th, Efstration of the 104th, and Ballinger of the 23rd.

HR 870. By Representative Burns of the 159th:

A RESOLUTION relative to meetings and adjournments of the General Assembly; and for other purposes.

SR 579. By Senators Miller of the 49th, Cowsert of the 46th, Gooch of the 51st and Wilkinson of the 50th:

A RESOLUTION to notify the Governor that the General Assembly has convened; and for other purposes.

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Tuesday, January 9, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:07 a.m.

Senate Chamber, Atlanta, Georgia
Tuesday, January 9, 2018
Second Legislative Day

The Senate met pursuant to adjournment at 10:10 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 299. By Senators Ginn of the 47th, Wilkinson of the 50th, Mullis of the 53rd, Albers of the 56th, Dugan of the 30th and others:

A BILL to be entitled an Act to amend Part 1 of Article 1 of Chapter 2 of Title 44 of the O.C.G.A., relating to recording of deeds and other real property transactions; to amend Article 1 of Chapter 17 of Title 45 of the O.C.G.A., relating to general provisions regarding notaries public; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 300. By Senator Rhett of the 33rd:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide for a program of premium assistance to enable eligible individuals to obtain health care coverage; to provide for definitions; to require personal responsibility premiums from eligible individuals; to provide for a compliance pool; to provide for any necessary state plan amendments or federal waivers; to provide for termination of the program under certain circumstances; to provide for the Legislative Oversight Committee for Health Care Premium Assistance; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 301. By Senator Kennedy of the 18th:

A BILL to be entitled an Act to amend Title 53 of the Official Code of Georgia Annotated, relating to wills, trusts, and administration of estates, so as to enact the "Revised Uniform Fiduciary Access to Digital Assets Act"; to extend a fiduciary's powers to include managing tangible property and digital assets; to provide for exceptions; to provide for definitions; to amend Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, so as to provide conforming cross-references for a conservator; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 303. By Senators Albers of the 56th, Shafer of the 48th and Beach of the 21st:

A BILL to be entitled an Act to provide for a homestead exemption from City of Alpharetta ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 304. By Senators Albers of the 56th and Shafer of the 48th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Johns Creek ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 305. By Senators Albers of the 56th and Beach of the 21st:

A BILL to be entitled an Act to provide for a homestead exemption from City of Milton ad valorem taxes for municipal purposes in an amount equal to the

amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 306. By Senator Albers of the 56th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Mountain Park ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 307. By Senators Albers of the 56th and Millar of the 40th:

A BILL to be entitled an Act to provide for a homestead exemption from City of Roswell ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 309. By Senators McKoon of the 29th, Mullis of the 53rd, Albers of the 56th, Gooch of the 51st, Miller of the 49th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide for the time for opening and closing of the polls; to provide that special primaries shall be conducted with special elections to fill vacancies in partisan offices; to provide for the filling of vacancies in certain offices; to amend Chapter 5 of Title 45 of the Official Code of Georgia Annotated,

relating to vacation of office, so as to provide for the filling of vacancies in certain offices; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 315. By Senators Thompson of the 14th, Albers of the 56th, Cowsert of the 46th, Miller of the 49th, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, so as to create the new crime of unauthorized computer access; to provide for penalties; to change provisions relating to venue for computer crimes; to provide for forfeiture; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 316. By Senators Jackson of the 2nd, Jones of the 10th, Anderson of the 43rd, James of the 35th, Rhett of the 33rd and others:

A BILL to be entitled an Act to enact the "Georgia Enhanced Penalties for Hate Crimes Act"; to amend Title 16 of the O.C.G.A., relating to crimes and offenses, so as to provide for sentencing of defendants who commit certain crimes which target a victim because of the victim's race, color, religion, gender, disability, sexual orientation, gender identity or expression, national origin, or ethnicity; to amend Article 1 of Chapter 10 of Title 17 of the O.C.G.A., relating to the procedure for sentencing and imposition of punishment; to amend Code Section 15-11-2 of the O.C.G.A., relating to definitions for the Juvenile Code; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 319. By Senators Albers of the 56th, Mullis of the 53rd, Gooch of the 51st, Miller of the 49th, Dugan of the 30th and others:

A BILL to be entitled an Act to enact the "Consolidation of Fire Safety Services in Georgia Act"; to establish the Department of Fire Safety; to amend Titles 8, 10, 16, 25, 30, 35, 42, 43, 45, 50 of the O.C.G.A., ; to provide for legislative intent; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SR 570. By Senator Thompson of the 14th:

A RESOLUTION creating the Senate Study Committee on the Use and Sale of State Public Information; and for other purposes.

Referred to the Committee on Science and Technology.

The following resolution was read and put upon its adoption:

HR 869. By Representative Burns of the 159th:

A RESOLUTION calling a joint session of the House of Representatives and the Senate for the purpose of hearing a message from the Governor; inviting the Justices of the Supreme Court and the Judges of the Court of Appeals to be present at the joint session; and for other purposes.

On the adoption of the resolution, there was no objection, and the resolution was adopted.

The President appointed as a Committee of Escort on the part of the Senate the following Senators: Miller of the 49th, Cowser of the 46th, Henson of the 41st, Gooch of the 51st, Jones II of the 22nd, Martin of the 9th and Walker III of the 20th.

Senator Harper of the 7th asked unanimous consent that Senator Jones of the 25th be excused. The consent was granted, and Senator Jones was excused.

Senator Harbison of the 15th asked unanimous consent that Senators Sims of the 12th and Lucas of the 26th be excused. The consent was granted, and Senators Sims and Lucas were excused.

Senator McKoon of the 29th asked unanimous consent that Senators Williams of the 27th and Tippins of the 37th be excused. The consent was granted, and Senators Williams and Tippins were excused.

Senator Dugan of the 30th asked unanimous consent that Senator Brass of the 28th be excused. The consent was granted, and Senator Brass was excused.

Senator Jones II of the 22nd asked unanimous consent that Senator Tate of the 38th be excused. The consent was granted, and Senator Tate was excused.

Senator Seay of the 34th asked unanimous consent that Senator Rhett of the 33rd be excused. The consent was granted, and Senator Rhett was excused.

Senator Kennedy of the 18th asked unanimous consent that Senator Tillery of the 19th be excused. The consent was granted, and Senator Tillery was excused.

Senator Martin of the 9th asked unanimous consent that Senator Burke of the 11th be excused. The consent was granted, and Senator Burke was excused.

Senator Butler of the 55th asked unanimous consent that Senator Orrock of the 36th be excused. The consent was granted, and Senator Orrock was excused.

The roll was called and the following Senators answered to their names:

Albers	Henson	Miller
Anderson, L	Hill	Mullis
Anderson, T	Hufstetler	Parent
Beach	Jackson	Payne
Black	James	Seay
Butler	Jones, E	Shafer
Cowsert	Jones, H	Stone
Davenport	Jordan	Thompson, B
Dugan	Kennedy	Thompson, C
Ginn	Kirk	Unterman
Gooch	Kirkpatrick	Walker
Harbin	Ligon	Watson
Harbison	Martin	Wilkinson
Harper	McKoon	Williams, N
Heath	Millar	

Not answering were Senators:

Brass (Excused)	Burke (Excused)	Jones, B. (Excused)
Lucas (Excused)	Orrock (Excused)	Rhett (Excused)
Sims (Excused)	Tate (Excused)	Tillery (Excused)
Tippins (Excused)	Williams, M. (Excused)	

Senator Miller of the 49th introduced the doctor of the day, Dr. James L. Smith, Jr.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Cowsert of the 46th introduced the chaplain of the day, Associate Pastor Sarah Robinson of Athens, Georgia, who offered scripture reading and prayer.

Senator Stone of the 23rd asked unanimous consent that the following bill be withdrawn from the Senate Committee on Judiciary and committed to the Senate Committee on Higher Education:

HB 51. By Representatives Ehrhart of the 36th, Golick of the 40th, Quick of the 117th, Kelley of the 16th and Petrea of the 166th:

A BILL to be entitled an Act to amend Article 1 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to definitions, so as to provide for the manner of reporting and investigation of certain crimes by officials and employees of postsecondary institutions in this state; to provide for a definition; to provide for penalties for violations; to provide for exceptions; to repeal conflicting laws; and for other purposes.

The consent was granted, and HB 51 was committed to the Senate Committee on Higher Education.

The following resolutions were read and adopted:

SR 581. By Senator Sims of the 12th:

A RESOLUTION congratulating and commending Rural Leader Magazine's Forty Under Forty Class of 2017; and for other purposes

SR 582. By Senator Kirkpatrick of the 32nd:

A RESOLUTION honoring the Project Mail Call Mission; and for other purposes.

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Wednesday, January 10, 2018.

The motion prevailed, and the President announced the Senate adjourned at 10:45 a.m.

Senate Chamber, Atlanta, Georgia
Wednesday, January 10, 2018
Third Legislative Day

The Senate met pursuant to adjournment at 10:29 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 317. By Senators Albers of the 56th, Millar of the 40th, Beach of the 21st, Shafer of the 48th, James of the 35th and others:

A BILL to be entitled an Act to provide for a homestead exemption from Fulton County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Tate of the 38th introduced the chaplain of the day, Reverend Catherine Boothe of Atlanta, Georgia, who offered scripture reading and prayer.

Senator Albers of the 56th asked unanimous consent that Senator Miller of the 49th be excused. The consent was granted, and Senator Miller was excused.

Senator Jones of the 25th asked unanimous consent that Senator Black of the 8th be excused. The consent was granted, and Senator Black was excused.

Senator Brass of the 28th asked unanimous consent that Senator Williams of the 27th be excused. The consent was granted, and Senator Williams was excused.

Senator Harbin of the 16th asked unanimous consent that Senator Thompson of the 14th be excused. The consent was granted, and Senator Thompson was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Orrock
Anderson, L	Hufstetler	Parent
Anderson, T	Jackson	Payne
Beach	James	Rhett
Brass	Jones, B	Seay
Burke	Jones, E	Shafer
Butler	Jones, H	Sims
Cowsert	Jordan	Stone
Davenport	Kennedy	Tate
Dugan	Kirk	Thompson, C
Ginn	Kirkpatrick	Tillery
Gooch	Ligon	Tippins
Harbin	Lucas	Unterman
Harbison	Martin	Walker
Harper	McKoon	Watson
Heath	Millar	Wilkinson
Henson	Mullis	Williams, N

Not answering were Senators:

Black (Excused)	Miller (Excused)	Thompson (Excused)
Williams (Excused)		

Senator Parent of the 42nd introduced the doctor of the day, Dr. Carmen Sulton.

The following resolution was read and adopted:

SR 583. By Senators Davenport of the 44th, Seay of the 34th and Jones of the 10th:

A RESOLUTION commending Clayton State University and recognizing January 10, 2018, as Clayton State University Day at the state capitol; and for other purposes.

Senator Davenport of the 44th recognized Clayton State University Day at the state capitol. President Thomas J. Hynes, Jr. addressed the Senate briefly.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

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

Dear David:

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

Sincerely,

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

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Thursday, January 11, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:19 a.m.

Senate Chamber, Atlanta, Georgia
Thursday, January 11, 2018
Fourth Legislative Day

The Senate met pursuant to adjournment at 10:08 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the Senate:

SB 276. By Senator Gooch of the 51st:

A BILL to be entitled an Act to create the Lumpkin County Airport Authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 318. By Senators Rhett of the 33rd, Unterman of the 45th, Burke of the 11th, Mullis of the 53rd, Brass of the 28th and others:

A BILL to be entitled an Act to amend Title 37 of the Official Code of Georgia Annotated, relating to mental health, so as to provide for the execution of a physician's certificate for emergency examination of a person for involuntary evaluation and treatment for mental illness or alcohol or drug abuse based on consultation with an emergency medical technician or paramedic who has personally observed the person; to provide for immunity; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 320. By Senators Henson of the 41st, Tate of the 38th, Orrock of the 36th, Butler of the 55th, Seay of the 34th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide that public elementary and secondary schools register parents and guardians to vote when enrolling their children for school; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 321. By Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Parent of the 42nd and Cowsert of the 46th:

A BILL to be entitled an Act to amend Code Section 49-4-168.1 of the Official Code of Georgia Annotated, relating to civil penalties for false or fraudulent Medicaid claims, so as to increase the civil penalties that shall be imposed in order to allow this state to recover the maximum penalty authorized by federal law; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 322. By Senators James of the 35th, Rhett of the 33rd, Henson of the 41st and Harbison of the 15th:

A BILL to be entitled an Act to amend Part 2A of Article 13 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to personal assistive mobility devices, so as to require certain reflectors on nonelectric personal assistive mobility devices when operated on highways and sidewalks, to require electric and nonelectric personal assistive mobility devices sold in this state after a certain date to be sold equipped with certain reflectors; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

The following committee report was read by the Secretary:

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 159 Do Pass by substitute

Respectfully submitted,
 Senator Stone of the 23rd District, Chairman

Senator Henson of the 41st asked unanimous consent that Senator Tate of the 38th be excused. The consent was granted, and Senator Tate was excused.

Senator Burke of the 11th asked unanimous consent that Senator Martin of the 9th be excused. The consent was granted, and Senator Martin was excused.

Senator Harper of the 7th asked unanimous consent that the call of the roll be dispensed with. The consent was granted, and the roll call was dispensed with.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Sims of the 12th introduced the chaplain of the day, Honorable Willie Earl Lockette of Albany, Georgia, who offered scripture reading and prayer.

The following resolution was read and put upon its adoption:

HR 870. By Representative Burns of the 159th:

A RESOLUTION

Relative to meetings and adjournments of the General Assembly; and for other purposes.

PART I

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that, except as otherwise provided by this resolution or by subsequent resolution of the General Assembly, meetings of the 2018 regular session of the General Assembly during the period of Tuesday, January 9, 2018, through Thursday, February 1, 2018, shall be held in accordance with the following schedule:

Tuesday, January 9.....	convene for legislative day 2
Wednesday, January 10	convene for legislative day 3
Thursday, January 11	convene for legislative day 4
Thursday, January 18	convene for legislative day 5
Friday, January 19.....	convene for legislative day 6

Monday, January 22.....convene for legislative day 7
 Tuesday, January 23.....convene for legislative day 8
 Wednesday, January 24convene for legislative day 9
 Thursday, January 25convene for legislative day 10

Monday, January 29convene for legislative day 11

BE IT FURTHER RESOLVED that the meetings of the General Assembly shall be held as prescribed in Code Section 28-1-2 of the Official Code of Georgia Annotated, except as otherwise provided by this resolution. The hours for convening and adjourning the House of Representatives for each legislative day may be as ordered by the House; and the hours for convening and adjourning the Senate for each legislative day may be as ordered by the Senate. Each house, upon its own adjournment for a legislative day, shall remain in a period of adjournment until it convenes for the next legislative day.

BE IT FURTHER RESOLVED that on and after the latest legislative day specified above, the schedule for meetings of the 2018 regular session shall be held as prescribed in Code Section 28-1-2 of the Official Code of Georgia Annotated unless otherwise provided by another resolution of the General Assembly adopted subsequent to the adoption of this resolution.

PART II

BE IT FURTHER RESOLVED that whenever, due to an emergency or disaster, resulting from manmade or natural causes or enemy attack, it becomes imprudent, inexpedient, or impossible to conduct the affairs of the General Assembly at the State Capitol in Atlanta, Fulton County, and the Governor has by proclamation declared an emergency temporary location or locations for the seat of government in accordance with Code Section 38-3-52, the Speaker of the House of Representatives and the President of the Senate may, by joint agreement, order the discontinuation of the schedule for meetings provided by this resolution and provide for reconvening the House and the Senate at such temporary location or locations in accordance with Code Sections 38-3-52 and 38-3-53 on such date and at such time as they deem practical.

BE IT FURTHER RESOLVED that whenever, due to an emergency or disaster, resulting from manmade or natural causes or enemy attack, it becomes imprudent, inexpedient, or impossible to conduct the affairs of the General Assembly at the State Capitol in Atlanta, Fulton County, but the Governor has not by proclamation declared an emergency temporary location or locations for the seat of government in accordance with the above, the Speaker of the House of Representatives and the President of the Senate may, by joint agreement, order the discontinuation of the schedule for meetings provided by this resolution and provide for reconvening the House and the Senate at the State Capitol in Atlanta, Fulton County, on such date and at such time as they deem practical.

BE IT FURTHER RESOLVED that, in any case of emergency or disaster resulting in the discontinuation of the schedule for meetings as authorized by this resolution, the Speaker of the House of Representatives and the President of the Senate shall provide for prompt notice of the same to all members of the House of Representatives and all members of the Senate, respectively, by such means as such officers deem practical and efficient; and each house shall be and remain in adjournment until convening for the next legislative day on the date certain jointly specified by such officers. Following such reconvening, the General Assembly may provide by joint resolution for a new schedule for meetings and adjournments.

BE IT FURTHER RESOLVED that, as to any case of emergency or disaster resulting in the discontinuation of the schedule for meetings as authorized by this resolution, the adoption of this resolution by the General Assembly shall constitute the consent of both the House of Representatives and the Senate for purposes of Article III, Section IV, Paragraph I(b) of the Constitution.

On the adoption of the resolution, there was no objection, and the resolution was adopted.

Senator Sims of the 12th introduced the doctor of the day, Dr. Stephanie Williams.

Senator Butch Miller, President Pro Tempore, assumed the Chair.

The following resolutions were read and adopted:

SR 584. By Senators Heath of the 31st, Kirkpatrick of the 32nd, Tippins of the 37th, Kirk of the 13th, Jones of the 25th and others:

A RESOLUTION recognizing January 11, 2018, as "Keeping Georgia Wild Day"; and for other purposes.

SR 585. By Senators Rhett of the 33rd, Jones II of the 22nd, Walker III of the 20th, James of the 35th, Jordan of the 6th and others:

A RESOLUTION commending and congratulating Ruth M. Young on the occasion of her 95th birthday; and for other purposes.

Senator Albers of the 56th moved to suspend the Senate Rules to read a committee report. The motion prevailed.

The following committee report was read by the Secretary:

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 317 Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Senator Cowser of the 46th moved that, upon the dissolution of the Joint Session and pursuant to HR 870, the Senate stand adjourned until 10:00 a.m. Thursday, January 18, 2018.

Senator Butch Miller, President Pro Tempore, announced the motion prevailed at 10:46 a.m.

The hour for convening the Joint Session of the Senate and House having arrived, the President, accompanied by the Secretary and Senators, proceeded to the Hall of the House of Representatives, and the Joint Session, called for the purpose of hearing a message by His Excellency, Governor Nathan Deal, was called to order by the Speaker of the House. HR 869, authorizing the Joint Session of the Senate and House, was read by the Clerk of the House.

His Excellency, Governor Nathan Deal, addressed the Joint Session of the Senate and the House of Representatives as follows:

Lt. Governor Cagle, Speaker Ralston, President Pro Tem Miller, Speaker Pro Tem Jones, members of the General Assembly, constitutional officers, members of the judiciary, members of the consular corps, my fellow Georgians:

This marks the eighth and final time that I come before you to report on the state of our state. In preparing to do so, I thought back on all the challenges we have faced over the better part of this past decade and all the successes we have achieved together. I considered the plans we have set into motion that will carry us well into the next decade and beyond.

I looked back on where we started in 2011, when only 111 of the 236 legislators here today were serving in this General Assembly, and was very pleased to see just how far we have come. And now, as we embark on a year of transition and set our gaze to what the future will hold, I am reminded of a parable of sorts passed down from the times of ancient Israel – one that each new generation and many different civilizations have adopted over the centuries.

As the story goes, there was once an older man who went out one day and planted a tree in his yard. A neighbor passing by saw what he was doing, stopped, shook his head, began to laugh, and said, “Old man, you are a fool. What good will it do you to plant a tree now that you are so old? You will not live long enough to be able to sit under the shade of that tree or enjoy its fruit.”

The old man rose from his knees, looked at his neighbor and replied, “I am not planting this tree for me. I am planting it for those who come after me. Someday, they will come here during the heat of the day and be cooled by the shade of this tree. When I was a small child, I could eat fruit because those who came before me had planted trees. Am I not required to do the same for the next generation?”

Over the past seven years, we have endeavored to plant whole orchards of opportunity, some of which will not bear their largest fruits until those who come after us are sitting where you sit now. We have done so not only to bring Georgia out of the Great Recession and make our people prosperous once again, but also to ensure that our children and grandchildren will live in a thriving, safe and resilient state that they can be proud to call home... A place where hard work can lead to fulfillment of a life’s dream.

Seven years ago, Georgia’s unemployment rate stood at 10.4 percent. Since then, we have created roughly 675,000 new, private sector jobs and our unemployment rate is at its lowest level in over 10 years at just 4.3 percent. And on top of it all, we have been named the No. 1 state in which to do business for the fifth consecutive year.

Just this past fiscal year alone, the Georgia Department of Economic Development’s Global Commerce team helped to generate \$6.33 billion in investment.

That outstanding growth is a result of 377 expansions and locations that cover every region of the state. Many people think that economic development projects are only happening in the Metro Atlanta region, but in fact, 80 percent of fiscal year 2017 locations took place outside the Metro Atlanta region. Our dedication is to the whole state, and the results of our top-ranked Department of Economic Development bear that out.

We have with us today all three of the commissioners who have led that agency during my time as your governor: Chris Cumiskey, Chris Carr and Pat Wilson. Will you gentlemen please stand and allow us to thank you for the exceptional work you have done over these past seven years?

As we consider the achievements of their respective dedicated teams, we should also take note of a tree we “re-planted” – you might say – which has taken deep root in recent years and borne greater and greater harvests with each passing year. I am referring to the film production industry.

Just 10 years ago, this industry generated \$241 million in economic impact for the state. This past fiscal year alone, it generated \$9.5 billion in economic impact. That's quite impressive growth for this tree of opportunity.

So great have our gains been that in 2016, Georgia was named the No. 1 filming location for the most successful movies.

Our growing Georgia Film Academy and list of studios in the state will also ensure that this year's production industry impact will break even more records. In just two years, roughly 1,900 students have utilized Film Academy courses and a further 625 students are currently enrolled for this semester. So effective is this program, which now spans 13 University and Technical College System partners, that it has quickly become known as the "gold standard" in film and television production workforce training. In fact, when other states and countries around the world seek out guidance on building their own film production workforce, the Motion Picture Association of America now directs them to the Georgia Film Academy.

That same association tells us that the film industry is responsible for more than 92,000 jobs in the state. These are high-quality jobs, with an average salary of nearly \$84,000 - 75 percent higher than the average salary in the nation.

More than 200 new companies have located in the state to support this blossoming industry. These businesses and the infrastructure they build are what create permanent jobs for costume and set designers, electricians, camera operators, actors and other skilled industry professionals.

We seek to make Georgia a leader in all industries, however, which is why we have invested so much into our K-12 education system, because we know that the students of today are the workforce of tomorrow. As the man in our parable remarked, "When I was a small child, I could eat fruit because those who came before me had planted trees. Am I not required to do the same for the next generation?"

For however long we are granted the privilege of serving our fellow Georgians, we must strive to do the same. And so I would like to highlight the orchards of opportunity we have planted together that have the most far-reaching impact on our state – those that affect Georgia's youngest citizens directly.

We have increased education spending by \$3.6 billion dollars over the last seven years, which includes my final budget proposal, making the total education expenditure during my time as governor roughly \$14 billion. No other administration in Georgia history has planted so many trees of knowledge.

One such tree we planted this past year is the Sandra Dunagan Deal Center for Early Language and Literacy at the Georgia College and State University in Milledgeville. It is a training and research center that focuses on children from birth to third grade – perhaps the most critical period of any child’s development and education. It is during this window of opportunity that we can best lay down a strong, enduring foundation for all other aspects of a student’s academic career. If we fail to reach Georgia’s youngest minds during that time, if we fail to get them reading on grade level by the end of third grade, they are much more likely to fall behind, both in the classroom and the life that awaits them beyond.

So I want to take this opportunity to recognize and thank one of the greatest standard-bearers of this issue of childhood literacy that Georgia has ever been blessed to have. She is a loving mother of four and a grandmother of six who spent much of her life in the classroom as one of our state’s many dedicated educators. When our parents grew older and endured poor health, she invited them into our home, where they lived for many years. She looked after them and provided for every one of their needs. Her kindness is genuine and powerful. To those in her company, it is infectious; and it has touched countless hearts over the years, especially mine over the past 51 years that I have been blessed to call her my wife.

The English author Godfrey Winn wrote, “No man succeeds without a good woman beside him. Wife or mother. If it is both, he is twice blessed indeed.” I am one of those individuals who has been twice blessed indeed to have such a magnificent partner, friend, wife, and mother stand beside me all these years. What joys I have been privileged to have in this life and this profession are thanks in no small part to her generosity and effort.

Her passion has always been and continues to be improving the lives of children. When she became the First Lady of our state, her efforts to improve child welfare and educational opportunities did not stop, they only grew and took on new forms. I can tell you that she has visited all 159 counties, some of them multiple times, and all 181 school districts. In total, she has made 834 school visits, to date, and has no plans of slowing down.

But the real importance of those numbers can only be understood if you have the pleasure of seeing her in the classroom. She doesn’t just visit a school for a handshake with the principal and a photo. She reads to the children. She listens to them intently. She hugs them the way only mothers and grandmothers seem to know how to do, so that they know they are loved.

In fact, those children usually send her letters thanking her for visiting. Those little tokens of appreciation are often written in crayon, and we receive whole bundles of them regularly. In one such package was a letter from a student in an early grade who wrote to

Sandra and said, “thank you for visiting my school and thank you for running the State of Georgia.”

My wife made certain that I saw that letter. She said she wanted me to know of that student’s appreciation for her real job.

Will you join me in recognizing this woman who is a First Lady in every respect of the word?

When I took office in 2011, there were many dilemmas facing this state. And so before we even began to plant new orchards of opportunity in the fertile ground of Georgia, we went about the business of saving those trees which were in danger of being felled by the economic downturn. One of the most critical was our HOPE Scholarship and Grant programs, which were on the cusp of bankruptcy. This legacy of a man who impacted Georgia perhaps more than anyone else in the latter portion of the 20th century – Governor Zell Miller – was one of the most generous merit-based scholarship programs in the country when it was created. It continues to be so today because of the reforms we put into place seven years ago.

Because we did the difficult but necessary work of saving that tree of opportunity, many more students will sit under its shade in the years to come and benefit from its fruit of higher education, whether in the form of a certificate, associate’s degree, or a bachelor’s degree.

Our public colleges and universities have been, and will continue to be, a source of pride. In fact, according to the 2018 U.S. News & World Report public school rankings, Georgia is currently one of only three states to have more than one higher education institution in the top 20.

Our state will depend on the continued production of quality graduates from these types of institutions if we want to preserve our educated, trained, and sustained workforce. In order for us to achieve that goal, we must have workers who possess the requisite knowledge and skills for the jobs of today and the future. Some of those jobs will require a college degree. Others will require certifications and more specialized degrees from a technical school. We need both our University and Technical College Systems to remain competitive, and I am happy to report that both have adjusted their degree and training programs to meet the needs of our state’s diverse economic climate.

With us today is the new Commissioner of our Technical College System, Matt Arthur, who also helped to lead the University of Georgia Bulldogs to their 1980 national championship as an offensive lineman. Matt, in recognition of your leadership in the arena and the field of education, will you please stand and be recognized?

While we continue to support and expand the opportunities within our university system, I have also been pleased that in recent years, we have added certificate and degree programs within our Technical College System that provide a solution for the problems we faced coming out of the Great Recession. At the height of our unemployment rate, I asked the employers of our state: “can you find proper candidates here in Georgia for the open positions in your company?” Their answer was often a very loud “no.”

So we created a program, known as the HOPE Career Grant, which covers 100 percent of tuition for technical school students who enroll in one of Georgia’s strategic industry, high-demand fields. Although this program is only a few years old, it is already bearing exceptional fruit. In fact, of those students who take advantage of this resource, 99.2 percent find employment upon completion of their training and studies.

That is why I was proud to grow that forest of potential by adding five new categories to that incredibly successful program. As of 10 days ago, we now have 17 specific fields that allow our employers to answer “yes” when I ask them whether they can find qualified candidates for open jobs.

Throughout our state, at all 22 TCSG campuses, we have pockets of excellence in terms of economic development. In order to better leverage those tools, I am happy to announce that we will create a new Deputy Commissioner position within our Technical College System. This individual will develop and maintain a unified process with our 22 campuses, the University System, and the Department of Economic Development in terms of how those campuses interact with companies here in Georgia. This will create an organized and seamless effort to assist existing businesses that can benefit from TCSG’s training in an ever-changing and evolving marketplace.

I would like to introduce you to the woman who will fill that new Deputy Commissioner role, who happens to be with us in the gallery today. Laura Gammage, would you please stand and allow us to recognize you for the important job you are undertaking?

To further aid those coming into our workforce or those seeking new opportunities, we will also be moving our state’s Division of Workforce Development to the Technical College System. In addition, we will be relocating the state’s customized recruitment office to TCSG, further consolidating these separate workforce development components into a more cohesive and workable system.

Our Technical College system is a resource whose benefits to the entire state will only increase as the number of students increases. In light of the fact that 30 percent of Georgia’s high school students choose not to pursue further education or training opportunities once they graduate, we initiated a broad marketing campaign over this past year that showcases all that a technical college has to offer. It is already producing great results, reaching young adults throughout this state who would not have previously considered a career opportunity at one of our technical colleges.

To build on that success, my proposed budget includes an additional \$1 million for this campaign so that we can strategically market the colleges throughout Georgia.

I want to share with you some of those fruits of our labor today. So please direct your attention to the following videos that feature students telling us about the great opportunities available through TCSG. You will also hear from a young man whose life journey was significantly altered by specialized training offered through TCSG.

Video 1: "Next"

Video 2: "Dual"

Video 3: Interview with Joshua Hutchinson

We're pleased to have Joshua Hutchinson with us today, along with his welding instructor, Scott Eidson. Will you both please stand so that we can recognize your hard work?

Joshua, and others like him around the state, are why I am adding \$1 million in my amended budget proposal to fund two mobile labs that will further enhance our already successful TCSG welding program.

Yet another area where we are planting saplings that will soon cover our entire state is in the field of transportation.

Three years ago, I asked the General Assembly to act boldly and provide a means of transportation funding capable of addressing our aging infrastructure. Because of your brave action and bi-partisan support, we were able to make the first meaningful transportation investments in an entire generation through projects sprouting up throughout Georgia.

Thanks to the Transportation Funding Act, we are preparing for future generations and the sustained growth we're seeing throughout the state through our unprecedented 10-year, \$11 billion transportation investment plan.

Speaking of highway infrastructure, the last time I spoke in this chamber was on Sine Die of the last session. So let me take this opportunity to ask that you please refrain from setting any fires on your way out of town this year?

Of the many men and women throughout Georgia we have to thank for our transportation improvements, there is one in particular who deserves our gratitude for making our Department of Transportation the most capable and cutting-edge in the country.

We are fortunate to have that man with us today, so I would like to ask that Commissioner Russell McMurry stand as we give him a round of applause for his contributions.

Over the past seven years, we have partnered together on many great undertakings that now serve as the standard for other states to emulate. One of the proudest has been our overwhelmingly successful and bipartisan criminal justice reforms. This is a tree well-planted, and one that is changing lives for the better every day.

We are also doing what so many thought impossible only a decade ago: offering those who have made mistakes and are willing to work hard to correct them a second chance through our accountability courts. The roots of this growing system have taken time to grow, having met obstacles in the soil along the way. But they have proven to be some of the most effective components of our overall criminal justice reforms.

Individuals whose lives were once controlled by addictions are now able to reclaim forfeited potential, reconnect with their children, retain employment and contribute as taxpaying citizens, and restore hope for a brighter tomorrow.

If you do not think this makes a difference, I invite you to attend an accountability court graduation. You will find that your money has been well spent.

From the time we first began our criminal justice reforms, the number of state-funded accountability court programs has increased from just 12 to 149. I am happy to report that every one of our 49 judicial circuits now has at least one type of accountability court in operation.

When we consider the savings to all Georgians - in the form of lower public expenditures, lower rates of crime, and lives made whole - our criminal justice reforms, especially our education and reentry initiatives, have been well worth the investment. This tree of reform and redemption has taken root quickly and is growing new branches of reclaimed opportunity every day. It is now greater than any other tree of its kind in the nation, and one that will continue to put Georgia at the pinnacle of this issue.

We would be remiss if we did not take this opportunity to thank all those who had a hand in the planting of our criminal justice reform tree. If you have been a member of the Criminal Justice Reform Council, would you please stand and be recognized?

The members of the General Assembly have almost unanimously supported this Council's recommendations over the past six years. This year, we will be asking you to favorably consider more of their recommended reforms, further enhancing our public safety.

A couple of weeks ago, I had the pleasure of addressing Georgia's newest troopers who graduated from the 101st Trooper School - a fitting conclusion to the 80th anniversary of the Georgia State Patrol. These men and women of courage who wear a badge and vest each day in service to their fellow citizens help make our communities safer places to call

home. Along with our local police officers, GBI personnel, DNR rangers, corrections and parole officers, and our National Guardsmen, they protect our lives and property.

It is because of their valor and remarkable devotion to duty that we as Georgians can live in a safer state. These everyday heroes are the ones who protect our trees of opportunity and ensure that they can grow unabated for future generations to enjoy.

Will you join me in recognizing that valued service?

This past year, we planted a tree of hope for families that confront mental health issues. My office created a Commission on Children's Mental Health last June, charged with providing recommendations on improving state mental health services for our children.

I can now tell you that the Commission's report has been received and my budget proposal includes \$22.9 million in funding based on their recommendations.

This is neither an obituary nor a farewell address, but it is the last time I will have the opportunity to address all of you in this formal setting. We have much work to do during this session. I will work vigorously with you during this year to continue to polish the apples we are harvesting.

In a little over a year's time, Sandra and I will depart from public life after almost four decades of service to the people of this state. But others in this chamber and beyond will continue to have great opportunities to serve their fellow Georgians.

As you do so, I urge you not to neglect the trees and orchards we have planted over these past seven years. What we do in this historic building, the actions we take in these chambers of service, the choices we make while in positions of elected authority must be for the betterment of all Georgians.

We must adopt the same mindset and gaze as the pecan farmer in South Georgia who plants a tree and knows that its growth is well worth the decades of careful attention it will take to nurture it to its greatest heights... Just as a parent does the same for a child.

That is who we have planted these trees for: our children and grandchildren. They are who we must call to mind with every bill presented, with every vote cast, and with every campaign announcement. Will our actions help or hinder those who come after us?

My administration and I have worked diligently these past seven years to serve our fellow citizens. We have work yet to do in this final year, but soon we will look to you, ladies and gentlemen, to water and tend the orchards of opportunity we have planted together and to continue planting seeds and saplings of potential – not for personal gain, but for

those who will in future years come during the heat of the Georgia day and be cooled by the shade of those trees.

And now, in these last moments I have with you today, I want to say how very thankful I am for your partnership over these years. A little more than half of the legislators here today were not in office when I gave my first State of the State address in 2011. Yet whether it was with old partners or new, we have still worked together these past seven years to make Georgia the No. 1 place for business five times over, the leader in so many pressing areas of our time, and the state where so many want to live, learn, and raise their families.

I also want to thank all those in the executive branch who have served so diligently to improve the lives of our fellow citizens and fulfill our constitutional responsibilities. From our agency heads and commissioners on down to our leadership teams, support staff, compassionate caseworkers, officers, and all state workers – thank you for what you do to make our state more prosperous, secure, educated, and free.

I would also like to take this opportunity to thank my senior staff, both past and present, who have given so much of themselves over these past seven years for the betterment of others. Some have gone on to serve their fellow Georgians in other capacities, while others have remained with me since the very beginning of my term. Some have even been with me for decades...

They have become an extension of my family, and to them I say: Sandra and I will always cherish what you have done for us and what you mean to us.

Finally, I want to speak directly to the people of Georgia. Words alone are incapable of expressing how grateful I am that you have allowed Sandra and me to serve you. It has been the honor of a lifetime to travel every part of this state and to marvel at the character, fortitude, and talent of our people. The achievements we have enjoyed are ultimately the result of your hard work and perseverance.

Thank you for putting your trust in us. Thank you for your kindness, your support, your encouragement, and your prayers.

Today, I can say with great authority that the State of our State is not just strong, it is exceptional!

I close with the words from my first Inaugural Address in 2011:

“Let us refocus State Government on its core responsibilities and relieve our taxpayers of the burden of unnecessary programs. Let us be frugal and wise. Let us restore the confidence of our citizens in a government that is limited and efficient. Together, let us make Georgia the brightest star in the constellation of these United States.”

As we stand beneath the trees and orchards of opportunity we have planted and look up to the heavens, we see that the light of our star now shines brightest of all, and that light will endure and not fade away...

Representative Jon Burns of the 159th, Majority Leader of the House of Representatives, moved that the Joint Session be hereby dissolved.

The motion prevailed, and the Speaker of the House announced the Joint Session dissolved.

Pursuant to the provisions of a previously adopted motion, the Senate stood adjourned until 10:00 a.m. Thursday, January 18, 2018.

Senate Chamber, Atlanta, Georgia
Thursday, January 18, 2018
Fifth Legislative Day

The Senate met pursuant to adjournment at 10:00 a.m. today and was called to order by the President.

At 10:00 a.m. the President announced that the Senate would stand at ease until 1:30 p.m.

At 1:37 p.m. the President called the Senate to order.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following communications were received by the Secretary:

THE STATE OF GEORGIA

OFFICE OF SECRETARY OF STATE

I, Brian P. Kemp, Secretary of State of the State of Georgia, do hereby certify that

the attached 1 page lists the results as shown on the consolidated returns on file in this office for the Special Election held on the 9th day of January 2018, in District 17 for State Senator in Henry, Newton, and Rockdale Counties to fill the vacancy created by the Honorable Richard Jeffares.

Having received a majority of the votes cast, Brian Strickland was duly elected to such office.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 16th day of January, in the year of our Lord Two Thousand and Eighteen and of the Independence of the United States of America the Two Hundred and Forty-Second.

(Seal)

/s/ Brian P. Kemp
Secretary of State

OFFICIAL OATH OF GEORGIA STATE SENATOR

SENATOR BRIAN STRICKLAND

SENATE DISTRICT 17

I do hereby solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, of any other state, or any foreign state, which by law I am prohibited from holding; that I have been a resident of my district for the time required by the Constitution and the laws of this state; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

So help me God.

This 16th day of January, 2018

/s/ Brian Strickland
HON. BRIAN STRICKLAND
GEORGIA SENATE

SUPERIOR COURT OF HENRY COUNTY
1 COURTHOUSE SQUARE
MCDONOUGH, GEORGIA 30253

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

I, John A. Pipkin, III, Judge of the Superior Court of Henry County, do hereby certify by my signature below that I have this date, January 16, 2018, at 2:00 p.m., in Senate Chamber, Fulton County, Atlanta, Georgia, administered the following Oath of Office to Senator-Elect Brian Strickland of the Georgia Senate for the unexpired 2017 – 2018 term:

"I do hereby solemnly swear or affirm that I will support the Constitution of this state and of the United States and, on all questions and measures which may come before me, I will so conduct myself as will, in my judgment, be most conducive to the interests and prosperity of this state.

I further swear or affirm that I am not the holder of any unaccounted for public money due this state, or due any political subdivision or authority thereof; that I am not the holder of any office of trust under the government of the United States, of any other state, or any foreign state, which by law I am prohibited from holding; that I have been a resident of my district for the time required by the Constitution and the laws of this state; that I am otherwise qualified to hold said office according to the Constitution and laws of Georgia.

So help me God."

SIGNED: John Pipkin
Hon. John A. Pipkin, III, Judge
Superior Court of Henry County

DATED: January 16, 2018

The President introduced the newly elected Senator to the Senate. Senator Strickland of the 17th was seated by the Senate without objection.

The following communication from His Excellency, Governor Nathan Deal, was received by the Secretary:

STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Nathan Deal
GOVERNOR

January 12, 2018

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

Dear Mr. Secretary:

Please accept this letter as formal notification of my selection of the Honorable P.K. Martin, the Honorable Brian Strickland, and the Honorable Larry Walker as my Floor Leaders in the Georgia State Senate during the 2018 Session of the Georgia General Assembly. Please afford them all due rights and compensation in accordance with these positions, effective immediately.

If I can be of further service, please do not hesitate to contact me.

Sincerely,

/s/ Nathan Deal

The following communications were received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

January 18, 2018

The Honorable Brian Strickland
Senator, District 17
113 State Capitol
Atlanta, GA 30334

Dear Senator Strickland,

Below are your committee assignments for the upcoming session.

Committee:

- | | |
|---|------------------|
| 1. Judiciary | |
| 2. Higher Education | Secretary |
| 3. State and Local Governmental Operations | Secretary |
| 4. State Institutions & Property | Secretary |

Congratulations on your committee assignments. We look forward to working with you and having a productive session.

Sincerely,

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

/s/ Butch Miller
Senator Butch Miller
President Pro-Tempore

/s/ Bill Cowsert
Senator Bill Cowsert
Majority Leader

/s/ Steve Gooch
Senator Steve Gooch
Majority Whip

/s/ John F. Kennedy
Senator John Kennedy
Majority Caucus Chairman

/s/ John Wilkinson
Senator John Wilkinson
District 50

/s/ Renee Unterman
Senator Renee Unterman
District 45

Date: 1/17/18

Hon. David Cook
Secretary of the Senate

Dear Mr. Secretary:

Please add my name as a cosponsor of SB 315.

Signed: Kay Kirkpatrick District: 32
Cc: Thompson of the 14th, Author

The following Senate legislation was introduced, read the first time and referred to committee:

SB 323. By Senators Jackson of the 2nd, Henson of the 41st, Tate of the 38th, Jones II of the 22nd, Harbison of the 15th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 5 of Title 17 of the Official Code of Georgia Annotated, relating to disposition of property seized, so as to provide law enforcement agencies the option to destroy or sell certain firearms; to revise procedures for the disposition of certain firearms in custody of law enforcement agencies; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 324. By Senators Albers of the 56th, Beach of the 21st and Thompson of the 14th:

A BILL to be entitled an Act to amend Code Section 32-4-112 of the Official Code of Georgia Annotated, relating to contracts with state agencies and adjoining counties, so as to provide that municipalities may contract with abutting counties for the construction and maintenance of bridges within the limits of such municipalities and counties; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

SB 325. By Senators Kirkpatrick of the 32nd, Hufstetler of the 52nd, Burke of the 11th, Watson of the 1st, Tillery of the 19th and others:

A BILL to be entitled an Act to amend Chapter 34 of Title 43 of the O.C.G.A., relating to physicians, assistants, and others, so as to enter into an interstate compact known as the "Interstate Medical Licensure Compact Act"; to authorize the Georgia Composite Medical Board to administer the compact in this state; to provide for the purpose of the compact; to provide definitions; to provide for eligibility; to provide for application of an expedited license; to provide for a coordinated information system; to provide for joint investigations and discipline; to provide for a commission to administer the compact among the member states; to provide for dispute resolution; to provide for withdrawal from the compact; to provide for construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 326. By Senators James of the 35th, Rhett of the 33rd, Harbison of the 15th, Davenport of the 44th, Henson of the 41st and others:

A BILL to be entitled an Act to amend Part 3 of Article 6 of Chapter 11 of Title 15, Title 17, Article 1 of Chapter 7 of Title 31, Article 1 of Chapter 3 of Title 35, and Chapter 4A of Title 49 of the O.C.G.A., relating to custody and release of child, criminal procedure, regulation of hospitals and related institutions, general provisions regarding the Georgia Bureau of Investigation, and the Department of Juvenile Justice, respectively, so as to provide for certain enhanced procedures and training to prevent and identify victims of labor or sexual servitude; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 327. By Senators Albers of the 56th and Harper of the 7th:

A BILL to be entitled an Act to amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, so as to clarify when a medical examiner's inquiry is required to be conducted; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 328. By Senators Albers of the 56th, Hufstetler of the 52nd, Cowser of the 46th, Hill of the 4th, Watson of the 1st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain income tax credits; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SR 587. By Senators McKoon of the 29th, Gooch of the 51st, Beach of the 21st, Shafer of the 48th, Mullis of the 53rd and others:

A RESOLUTION proposing an amendment to the Constitution so as to declare English as the official language of the State of Georgia; to provide for findings; to provide that official state actions be in English; to prohibit any requirement that any language other than English be used in any documents, regulations, orders, transactions, proceedings, meetings, programs, or publications; to prohibit discrimination, penalties, or other limits on participation against persons who speak only English; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Rules.

The following communication was transmitted by the Secretary:



SECRETARY OF THE SENATE

353 STATE CAPITOL
ATLANTA, GEORGIA 30334

DAVID A. COOK
SECRETARY OF THE SENATE

(404) 656-5040
FAX (404) 656-5043
www.senate.ga.gov

MEMORANDUM

TO: MEMBERS OF THE SENATE
FROM: DAVID COOK
DATE: JANUARY 18, 2018
RE: CONFIRMATION OF JUDICIAL QUALIFICATION COMMISSION APPOINTMENTS

Georgia law provides for Senate confirmation of appointments to the Judicial Qualifications Commission. Pursuant to Senate Rule 3-3.1, I am notifying the Senate that the Governor, Lt. Governor, Speaker of the House of Representatives, and Supreme Court of Georgia have submitted to the Senate the names of their appointments for confirmation. The names of the appointees are attached for your review.

Pursuant to Senate rules, these appointments will be referred to the Committee on Assignments. The Committee on Assignments will report its recommendations on the appointments to the Senate after which the Senate may proceed to consider confirmation.

THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

IT IS HEREBY ORDERED: That pursuant to O.C.G.A. § 15-1-21, the Honorable Edward Tolley of Clarke County, Georgia, is appointed to the Investigatory Panel of the Judicial Qualifications Commission for a term of two years beginning July 1, 2017.

This 29 day of June, 2017.

/s/ Nathan Deal
GOVERNOR

THE STATE OF GEORGIA

EXECUTIVE ORDER

BY THE GOVERNOR:

IT IS HEREBY ORDERED: That pursuant to O.C.G.A. § 15-1-21, the Honorable Michael Register of Paulding County, Georgia, is appointed to the Hearing Panel of the Judicial Qualifications Commission for a term of four years beginning July 1, 2017.

This 29 day of June, 2017.

/s/ Nathan Deal
GOVERNOR

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

January 12, 2018

The Georgia State Senate
c/o Secretary David Cook
Office of the Secretary of the Senate
353 State Capitol
Atlanta, Georgia 30334

RE: Judicial Qualifications Commission

Secretary Cook:

Pursuant to O.C.G.A. § 15-1-21, I have made the following appointments to the Judicial Qualifications Commission:

Mr. William Pope Langdale – Appointment from the nominees provided by the Board of Governors of the State Bar of Georgia

Mr. Warren Selby – Citizen member who is a registered voter of this state, but not a member of the State Bar of Georgia

Attached is the official nominating letters that were sent to both nominees on January 26, 2017.

Sincerely,

/s/ Casey Cagle

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

June 26, 2017

Mr. William Pope Langdale
Langdale Vallotton, LLP
1007 N. Patterson Street
Valdosta, GA 31602

RE: Judicial Qualifications Commission

Dear Pope:

I wanted to take this opportunity to thank you for agreeing to serve on the Judicial Qualifications Commission as my Georgia State Bar appointment. The new commission was established by HB 126 passed during the 2017 legislative session. Your four-term is effective as of July 1, 2017.

I will inform the JQC and provide them with your contact information and request that they provide you additional information.

Again, thank you for your service to the citizens of Georgia.

Sincerely,

/s/ Casey Cagle

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL

ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

June 26, 2017

Warren Selbey
P.O. Box 6098
Macon, GA 31208

RE: Judicial Qualifications Commission

Dear Mr. Selby:

I wanted to take this opportunity to thank you for agreeing to serve on the Judicial Qualifications Commission as my citizen appointment. The new commission was established by HB 126 passed during the 2017 legislative session. Your term is effective July 1, 2017 and ends June 30, 2018.

I will inform the JQC and provide them with your contact information and request that they provide you additional information as to your service.

Again, thank you for your service to the citizens of Georgia.

Sincerely,

/s/ Casey Cagle

House of Representatives

DAVID RALSTON
SPEAKER

332 STATE CAPITOL
ATLANTA, GEORGIA 30334

(404) 656-5020
(404) 656-5644 (FAX)

July 1, 2017

Ms. Jennifer Sanders
Fiscal Officer
434 State Capitol
Atlanta, Georgia 30334

Dear Jennifer:

Pursuant to OCGA 15-1-21, I am appointing Mr. James Balli as a member to the Judicial Qualifications Commission and reappointing Mr. Richard Hyde.

Mr. Balli's contact information is jballi@slhb-law.com or (404) 975-8176.

Mr. Hyde's contact information is ryhde@balch.com or 404-354-0750.

Mr. Balli will serve a three year term ending on July 1, 2020 and Mr. Hyde will serve a two year term ending July 1, 2019.

Thank you for your assistance in this matter.

Sincerely,

/s/ David Ralston
David Ralston, Speaker
Georgia House of Representatives

SUPREME COURT OF GEORGIA

Atlanta June 27, 2017

The Honorable Supreme Court met pursuant to adjournment.

The following order was passed:

It is ordered that the Honorable Stacey K. Hydrick, Judge of the State Court of DeKalb County, is hereby appointed by this Court as a judge member of the Investigative Panel of the Judicial Qualifications Commission, effective July 1, 2017, for a four-year term ending June 30, 2021, and the Honorable Louisa Abbot, Judge of the Superior Court of the Eastern Circuit, is hereby appointed by this Court as a judge member of the Investigative Panel of the Judicial Qualifications Commission, effective July 1, 2017, for a two-year term ending June 30, 2019.

It is further ordered that the Honorable Robert C.I. McBurney, Judge of the Superior Court of the Atlanta Circuit, is hereby appointed by this Court as the judge member of the

Hearing Panel of the Judicial Qualifications Commission, effective July 1, 2017, for a three-year term ending June 30, 2020, and that Jamala S. McFadden, Esq. is hereby appointed by this Court as the attorney member of the Hearing Panel of the Judicial Qualifications Commission, effective July 1, 2017, for a one-year term ending June 30, 2018.

These appointments are made pursuant to OCGA § 15-1-21 (f) (3) (A) (ii) & (4) (A) (ii), as enacted by 2017 House Bill 126. The Clerk of this Court shall submit a certified copy of this order to the Senate forthwith, pursuant to OCGA § 15-1-21 (g) (1).

SUPREME COURT OF THE STATE OF GEORGIA
Clerk's Office, Atlanta

I hereby certify that the above is a true extract from
The minutes of the Supreme Court of Georgia
Witness my signature and the seal of said court hereto
Affixed the day and year last above written.

/s/ Therese S. Barnes, Clerk

The President referred the Judicial Qualifications Commission appointments to the Committee on Assignments.

Senator Harbison of the 15th asked unanimous consent that Senators Jones of the 10th and Jackson of the 2nd be excused. The consent was granted, and Senators Jones and Jackson were excused.

Senator Sims of the 12th asked unanimous consent that Senator Tate of the 38th be excused. The consent was granted, and Senator Tate was excused.

Senator Millar of the 40th asked unanimous consent that Senator Kirk of the 13th be excused. The consent was granted, and Senator Kirk was excused.

The roll was called and the following Senators answered to their names:

Albers	Henson	Payne
Anderson, L	Hill	Rhett
Anderson, T	James	Seay
Beach	Jones, B	Shafer
Black	Jones, H	Sims

Brass	Jordan	Stone
Burke	Kennedy	Strickland
Butler	Kirkpatrick	Thompson, B
Cowsert	Ligon	Thompson, C
Davenport	Lucas	Tillery
Dugan	Martin	Tippins
Ginn	McKoon	Unterman
Gooch	Millar	Walker
Harbin	Miller	Watson
Harbison	Mullis	Wilkinson
Harper	Orrock	Williams, M
Heath	Parent	Williams, N

Not answering were Senators:

Hufstetler	Jackson (Excused)	Jones, E. (Excused)
Kirk (Excused)	Tate (Excused)	

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Davenport of the 44th introduced the chaplain of the day, Reverend Donald Reed of Jonesboro, Georgia, who offered scripture reading and prayer.

The following resolution was read and adopted:

SR 586. By Senator Hill of the 4th:

A RESOLUTION recognizing January 22, 2018, as Effingham County Day at the state capitol; saluting the Effingham County Chamber of Commerce; and for other purposes.

Senator Williams of the 27th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Thursday January 18, 2018
Fifth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 317 Albers of the 56th
 Millar of the 40th
 Williams of the 39th
 Tate of the 38th
 Orrock of the 36th
 James of the 35th
 Kirkpatrick of the 32nd
 Brass of the 28th
 Beach of the 21st
 Jordan of the 6th
 Shafer of the 48th

FULTON COUNTY

A BILL to be entitled an Act to provide for a homestead exemption from Fulton County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Pursuant to Senate Rule 4-2.9(b), Senator Williams of the 39th filed the following objection:

As provided in Senate Rule 4-2.9(b), we, the undersigned Senators, hereby file an objection to SB 317, which is on the Local Consent Calendar for today, and hereby request that it be moved to the Senate Local Contested Calendar.

/s/ Williams of the 39th
/s/ Henson of the 41st
/s/ Parent of the 42nd
Date: 1/18/18

Pursuant to Senate Rule 4-2.9(b), SB 317 was removed from the Senate Local Consent Calendar and placed on the Senate Local Contested Calendar for today.

The following local, contested legislation, favorably reported by the committee as listed on the Local Contested Calendar, was put upon its passage:

SENATE LOCAL CONTESTED CALENDAR

Thursday, January 18, 2018
Fifth Legislative Day

SB 317. By Senators Albers of the 56th, Millar of the 40th, Beach of the 21st, Shafer of the 48th, James of the 35th and others:

A BILL to be entitled an Act to provide for a homestead exemption from Fulton County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the local legislation, the yeas were 36, nays 17.

SB 317, having received the requisite constitutional majority, was passed.

Senator Hufstetler of the 52nd was excused for business outside the Senate Chamber.

Senator Cowsert of the 46th moved to engross HB 159, which was on today's Senate Rules Calendar.

Senator Henson of the 41st objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 36, nays 17; the motion prevailed, and HB 159 was engrossed.

SENATE CALENDAR
THURSDAY, JANUARY 18, 2018
FIFTH LEGISLATIVE DAY

HB 159 Domestic relations; adoption; substantially revise general provisions
(Substitute)(JUDY-23rd) Reeves-34th

The following legislation was read the third time and put upon its passage:

HB 159. By Representatives Reeves of the 34th, Willard of the 51st, Evans of the 42nd, Fleming of the 121st, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 19 of the O.C.G.A., relating to general provisions for adoption, so as to substantially revise the general provisions applicable to adoptions; to change the requirements for adopting children; to provide for a nonresident to allow an adoption of his or her child; to provide for adoption of foreign-born children; to provide for a waiver to revoke a surrender of parental rights; to change the age for individuals to access the Adoption Reunion Registry; to revise and provide for forms; to provide for the annulment of an adoption under certain circumstances; to amend Code Section 15-11-320 of the O.C.G.A., relating to termination of parental rights, so as to correct a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Stone of the 23rd.

The Senate Committee on Judiciary offered the following substitute to HB 159:

A BILL TO BE ENTITLED
AN ACT

To amend Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, so as to substantially revise the general provisions applicable to adoptions; to change the requirements for adopting children; to provide for a nonresident to allow an adoption of his or her child; to provide for adoption of foreign-born children; to provide for a waiver to revoke a surrender of parental rights under certain circumstances; to change the age for individuals to access the Adoption Reunion Registry; to revise and provide for forms; to amend Code Section 15-11-320 of the Official Code of Georgia Annotated, relating to termination of parental rights, so as to correct a cross-reference; to provide for the creation, authorization, procedure, revocation, rescission, and termination of a power of attorney from a parent to an agent for the temporary delegation of certain power and authority for the care and custody of his or her child; to repeal the "Power of Attorney for the Care of a Minor Child Act"; to provide for definitions; to provide for procedure; to grandfather certain provisions relating to a power of attorney given to a grandparent; to provide a short title; to provide for legislative findings; to amend Part 4 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to sick, personal, and maternity leave for teachers and other school personnel, so as to require local boards of education to provide employees who are adoptive parents the same duration of maternity leave, leave options, and other benefits as are provided to employees who are biological parents; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is amended by revising Article 1 of Chapter 8, relating to general provisions for adoption as follows:

"ARTICLE 1

19-8-1.

For purposes of this ~~chapter~~ article, the term:

(1) 'Alaskan native' means a member of the Alaska Native Regional Corporations formed under the Alaska Native Claims Settlement Act of 1971 (ANCSA).

~~(4)~~(2) 'Biological father' means ~~the~~ a male who impregnated the biological mother resulting in the birth of the child.

(3) 'Biological parent' means a biological mother or biological father.

~~(2)~~(4) 'Child' means ~~a person~~ an individual who is under 18 years of age and who is sought to be adopted.

~~(3)~~(5) 'Child-placing agency' means an agency licensed as a child-placing agency pursuant to Chapter 5 of Title 49.

~~(4)~~(6) 'Department' means the Department of Human Services.

~~(4.1)~~(7) 'Evaluator' means ~~the~~ a person or agency that conducts a home study. An evaluator shall be a ~~licensed~~ child-placing agency, the department, or a licensed professional with at least two years of adoption related professional experience, including a licensed clinical social worker, licensed master social worker, licensed marriage and family therapist, or licensed professional counselor; provided, however, that ~~where~~ when none of the foregoing evaluators are available, the court may appoint a guardian ad litem or court appointed special advocate to conduct ~~the~~ a home study.

~~(5)~~(8) 'Guardian' means ~~a legal guardian of the person of a child~~ an individual appointed as a:

(A) Guardian or temporary guardian of a child as provided in Title 29;

(B) Guardian of a child pursuant to Code Section 15-11-13; or

(C) Permanent guardian of a child as provided in Part 13 of Article 3 of Chapter 11 of Title 15.

~~(5.1)~~(9) 'Home study' means an evaluation by an evaluator of ~~the~~ a petitioner's home environment for the purpose of determining the suitability of ~~the~~ such environment as a prospective adoptive home for a child. Such evaluation shall consider ~~the~~ a petitioner's physical health, emotional maturity, financial circumstances, family, and social background and shall conform to the rules and regulations established by the department for child-placing agencies for adoption home studies.

~~(5.2)~~(10) 'Home study report' means the written report generated as a result of the home study.

~~(6)~~(11) 'Legal father' means a male who has not surrendered or had terminated his rights to a child and who:

(A) Has legally adopted such child;

(B) Was married to the biological mother of such child at the time such child was born or within the usual period of gestation, unless paternity was disproved by a final order ~~pursuant to Article 3 of Chapter 7 of this title~~ of a court of competent jurisdiction;

(C) Married ~~the~~ a legal mother of such child after such child was born and recognized such child as his own, unless paternity was disproved by a final order ~~pursuant to Article 3 of Chapter 7 of this title~~ of a court of competent jurisdiction; or

(D) Has legitimated such child by a final order pursuant to Code Section 19-7-22.

~~(7)~~(12) 'Legal mother' means ~~the~~ a female who is the biological or adoptive mother of the child and who has not surrendered or had terminated her rights to the child.

(13) 'Native American heritage' means any individual who is:

(A) A member of a federally recognized American Indian tribe; or

(B) An Alaskan native.

(14) 'Out-of-state licensed agency' means an agency or entity that is licensed in another state or country to place children for adoption.

~~(8)~~(15) 'Parent' means ~~either the~~ a legal father or ~~the~~ a legal mother of the child.

~~(9)~~(16) 'Petitioner' means ~~a person~~ an individual who petitions to adopt or terminate rights to a child pursuant to this ~~chapter~~ article.

~~(40)~~(17) 'Putative father registry' means the registry established and maintained pursuant to subsections (d) and (e) of Code Section 19-11-9.

19-8-2.

(a) The superior courts of the several counties shall have exclusive jurisdiction in all matters of adoption, ~~except such jurisdiction as may be granted to the juvenile courts.~~

(b) All petitions for adoption under this ~~chapter~~ article shall be filed in the county in which any petitioner resides, except that:

(1) Upon good cause being shown, the court may, in its discretion, allow such petition to be filed in the court of the county of:

(A) Of the child's domicile or of the county in;

(B) In which is located any child-placing agency having legal custody of the child; sought to be adopted may, in its discretion, allow the petition to be filed in that court; and

(C) Where the child was born if such petition is filed within one year of the child's birth; or

(D) In which is located the office of the department having legal custody of the child;

(2) Any ~~person~~ individual who ~~has been~~ is a resident of any United States ~~Army~~ army post or military reservation within this state ~~for six months next preceding the filing of the petition for adoption~~ may file the such petition in any county adjacent to the United States ~~Army~~ army post or military reservation; and

(3) When a child has been placed for adoption with an individual who is a resident of another state in compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children, such petition shall be filed in:

(A) The court of the county where the child was born;

(B) The court of the county in which is located any child-placing agency having legal custody of the child; or

(C) Superior Court of Fulton County.

19-8-3.

(a) Any ~~adult person~~ individual may petition to adopt a child if ~~the person~~ he or she:

(1) Is at least 25 years of age or is married and living with his or her spouse, or is at least 21 years of age and is a relative of the child;

(2) Is at least ten years older than the child, except such ten-year requirement shall not apply when the petitioner is a stepparent or relative and the petition is filed pursuant to Code Section 19-8-6 or 19-8-7;

(3) Is ~~Has been~~ a bona fide resident of this state for at least six months immediately preceding at the filing of the petition for adoption or is a bona fide resident of the receiving state when the adoptee was born in this state and was placed in compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children; and

(4) Is financially, physically, and mentally able to have permanent custody of the child.

~~(b) Any adult person, including but not limited to a foster parent, meeting the requirements of subsection (a) of this Code section shall be eligible to apply to the department or a child placing agency for consideration as an adoption applicant in accordance with the policies of the department or the agency.~~

~~(c)~~(b) If a person an individual seeking to adopt a child is married, the petition must for adoption shall be filed in the name of both spouses; provided, however, that, when the child is or was the stepchild of the party seeking to adopt, the such petition shall be filed by the stepparent alone.

19-8-4.

(a) ~~A child Except as otherwise authorized in this chapter, a child who has any living parent or guardian~~ may be adopted through the department, ~~or~~ any child-placing agency, or any out-of-state licensed agency only if each ~~such~~ living parent and each such guardian of such child:

(1) Has voluntarily and in writing surrendered all of his or her rights to the child to the department, ~~or to~~ a child-placing agency, or an out-of-state licensed agency as provided in this Code section and ~~the department or~~ such department, child-placing agency, or out-of-state licensed agency thereafter consents to the adoption; or

(2) Has had all of his or her rights to the child terminated by order of a court of competent jurisdiction, the child has been committed by the court to the department, ~~or to~~ a child-placing agency, or an out-of-state licensed agency for placement for

adoption, and ~~the department or~~ such department, child-placing agency, or out-of-state licensed agency thereafter consents to the adoption.

(b) In the case of a child 14 years of age or older, the written consent of the child to his or her adoption ~~must~~ shall be given and acknowledged in the presence of the court.

(c) The surrender of rights to the department, ~~or to~~ a child-placing agency, or an out-of-state licensed agency specified in paragraphs (1) and (2) of subsection (e) of this Code section shall be executed following the birth of the child, and the pre-birth surrender to the department, ~~or to~~ a child-placing agency, or an out-of-state licensed agency specified in paragraph (3) of subsection (e) of this Code section shall be executed prior to the birth of the child. Each surrender shall be executed under oath and in the presence of ~~a representative of the department or the agency and~~ a notary public and an adult witness. A copy of the surrender shall be ~~delivered~~ provided to the individual signing the surrender at the time of the execution thereof.

(d) An individual ~~A person~~ signing a surrender of rights pursuant to this Code section shall have the right to ~~withdraw the surrender~~ revoke such surrender within ten days as provided in subsection ~~(b)~~ (a) of Code Section 19-8-9 and, if he or she is at least 21 years of age, shall also have the right to waive the ten-day revocation period by executing a separate waiver as provided in subsection (c) of Code Section 19-8-9, so long as it is executed at least 72 hours after the birth of the child and attested to by an attorney, who is not representing the petitioner, certifying that it was knowingly and voluntarily executed.

(e)(1) The surrender of rights by a parent or guardian specified in paragraph (1) of subsection (a) of this Code section shall meet the requirements of subsection (a) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(2) ~~A~~ The biological father who is not ~~the~~ a legal father of a child may surrender all his rights to the child for the purpose of an adoption pursuant to this Code section. Such ~~That~~ surrender shall meet the requirements of subsection (d) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(3)(A) ~~A~~ The biological father who is not ~~the~~ a legal father of a child may execute a surrender of his rights to the child prior to the birth of the child for the purpose of an adoption pursuant to this Code section. A pre-birth surrender, ~~when signed under oath by the alleged biological father,~~ shall serve to relinquish ~~the~~ an alleged biological father's rights to the child and to waive ~~the~~ an alleged biological father's right to notice of any proceeding with respect to the child's adoption, custody, or guardianship. The court in any adoption proceeding shall have jurisdiction to enter a final order of adoption of the child based upon the pre-birth surrender and in other proceedings to determine the child's legal custody or guardianship shall have jurisdiction to enter an order for those purposes.

(B) The rights and responsibilities of an alleged biological father ~~are~~ shall be permanently terminated only upon an order from a court of competent jurisdiction terminating such rights or the entry of a final order of adoption. An individual ~~A~~

~~person~~ executing a pre-birth surrender pursuant to this Code section shall have the right to ~~withdraw the~~ revoke such surrender within ten days from the date of execution thereof, notwithstanding the date of birth of the child.

(C) If a final order of adoption is not entered after the execution of a pre-birth surrender and paternity is established by acknowledgment, by administrative order, or by judicial order, then ~~the~~ an alleged biological father shall be responsible for child support or other financial obligations to the child or to ~~the child's~~ a legal mother, or to both.

(D) The pre-birth surrender shall not be valid for use by a legal father ~~as defined under paragraph (6) of Code Section 19-8-1 or for any man who has executed a voluntary acknowledgment of paternity pursuant to the provisions of Code Section 19-7-46.1.~~

(E) The pre-birth surrender may be executed at any time after the biological mother executes a sworn statement identifying such ~~person~~ individual as an alleged biological father of the biological mother's unborn child meeting the requirements of subsection (m) of Code Section 19-8-26.

(F) The pre-birth surrender shall meet the requirements of subsection (f) of Code Section 19-8-26 and shall be signed under oath and in the presence of a notary public and an adult witness.

(f) A surrender of rights shall be acknowledged by the ~~person~~ individual who surrenders those rights by also signing an acknowledgment meeting the requirements of subsection (g) of Code Section 19-8-26. Such acknowledgment shall be signed under oath and in the presence of a notary public and an adult witness.

(g)(1) A ~~Whenever the~~ legal mother who surrenders her parental rights pursuant to this Code section, ~~she~~ shall execute an affidavit meeting the requirements of subsection (h) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(2) A legal mother who is the adoptive mother of the child and who surrenders her parental rights pursuant to this Code section shall execute an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(h) ~~Whenever rights are surrendered to the department, or to a child-placing agency, or an out-of-state licensed agency,~~ the department or agency representative before whom the surrender of rights is signed shall execute an affidavit meeting the requirements of subsection (j) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(i) A surrender of rights pursuant to this Code section may be given by any parent or biological father who is not ~~the~~ a legal father of the child ~~irrespective~~ regardless of whether such ~~parent or biological father has arrived at the age of majority. The individual is a citizen of the United States, a resident of this state, or has reached the age of 18 years. Such~~ surrender given by ~~any such minor~~ such individual shall be binding upon him or her as if the individual were in all respects sui juris and shall include a consent to the jurisdiction of the courts of this state for any action filed under

this article. Such surrender shall state that such individual agrees to be bound by a decree of adoption.

(j) In any surrender of rights pursuant to this Code section, ~~the provisions of Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children, if applicable, shall be complied with.~~

(k) A biological father or a legal father who signs a surrender of rights may execute an affidavit regarding his Native American heritage and military service meeting the requirements of subsection (o) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

19-8-5.

(a) ~~A child Except as otherwise authorized in this chapter, a child who has any living parent or guardian~~ may be adopted by a third party who is neither the stepparent nor relative of that child, as such individuals are described in subsection (a) of Code Sections 19-8-6 and 19-8-7, only if each ~~such~~ living parent and ~~each such~~ guardian of such child has voluntarily and in writing surrendered all of his or her rights to such child to that third party for the purpose of enabling that third party to adopt such child. A third party to whom such child is voluntarily surrendered shall be financially responsible for such child as of the date of surrender by the parent. Except as provided in subsection ~~(m)~~ (l) of this Code section, no child shall be placed with a third party for purposes of adoption unless prior to the date of placement a home study shall have been completed, and the home study report recommends placement of a child in such third party's home.

(b) In the case of a child 14 years of age or older, the written consent of the child to his or her adoption ~~must~~ shall be given and acknowledged in the presence of the court.

(c) The surrender of rights specified in paragraphs (1) and (2) of subsection (e) of this Code section shall be executed following the birth of the child, and the pre-birth surrender specified in paragraph (3) of subsection (e) of this Code section shall be executed prior to the birth of the child. Each surrender shall be executed under oath and in the presence of a notary public and an adult witness. The name and address of each ~~person~~ individual to whom the child is surrendered may be omitted to protect confidentiality, provided the surrender of rights sets forth the name and address of his or her agent for purposes of notice of ~~withdrawal~~ revocation as provided for in subsection (d) of this Code section. A copy of the surrender shall be ~~delivered~~ provided to the individual signing the surrender at the time of the execution thereof.

(d) An individual ~~A person~~ signing a surrender of rights pursuant to this Code section shall have the right to ~~withdraw the surrender~~ revoke such surrender within ten days as provided in subsection ~~(b)~~ (a) of Code Section 19-8-9 and, if he or she is at least 21 years of age, shall also have the right to waive the ten-day revocation period by executing a separate waiver as provided in subsection (c) of Code Section 19-8-9, so long as it is executed at least 72 hours after the birth of the child and attested to by an attorney, who is not representing the petitioner, certifying that it was knowingly and voluntarily executed.

(e)(1) The surrender of rights by a parent or guardian specified in subsection (a) of this Code section shall meet the requirements of subsection (c) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(2) ~~A~~ The biological father who is not the a legal father of a child may surrender all his rights to the child for purposes of an adoption pursuant to this Code section. That Such surrender shall meet the requirements of subsection (d) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(3)(A) ~~A~~ The biological father who is not the a legal father of a child may execute a surrender of his rights to the child prior to the birth of the child for the purpose of an adoption pursuant to this Code section. A pre-birth surrender, when signed under oath by the alleged biological father, shall serve to relinquish the an alleged biological father's rights to the child and to waive the an alleged biological father's right to notice of any proceeding with respect to the child's adoption, custody, or guardianship. The court in any adoption proceeding shall have jurisdiction to enter a final order of adoption of the child based upon the pre-birth surrender and in other proceedings to determine the child's legal custody or guardianship shall have jurisdiction to enter an order for those purposes.

(B) The rights and responsibilities of an alleged biological father are shall be permanently terminated only upon an order from a court of competent jurisdiction terminating such rights or the entry of a final order of adoption. An individual A person executing a pre-birth surrender pursuant to this Code section shall have the right to ~~withdraw the~~ revoke such surrender within ten days from the date of execution thereof, notwithstanding the date of birth of the child.

(C) If a final order of adoption is not entered after the execution of a pre-birth surrender and paternity is established by acknowledgment, by administrative order, or by judicial order, then ~~the an~~ alleged biological father shall be responsible for child support or other financial obligations to the child or to the child's a legal mother, or to both.

(D) The pre-birth surrender shall not be valid for use by a legal father ~~as defined under paragraph (6) of Code Section 19-8-1 or for any man who has executed a voluntary acknowledgment of paternity pursuant to the provisions of Code Section 19-7-46.1.~~

(E) The pre-birth surrender may be executed at any time after the biological mother executes a sworn statement identifying such ~~person~~ individual as an alleged biological father of the biological mother's unborn child meeting the requirements of subsection (m) of Code Section 19-8-26.

(F) The pre-birth surrender shall meet the requirements of subsection (f) of Code Section 19-8-26 and shall be signed under oath and in the presence of a notary public and an adult witness.

(f) A surrender of rights shall be acknowledged by the ~~person~~ individual who surrenders those rights by also signing an acknowledgment meeting the requirements of

subsection (g) of Code Section 19-8-26. Such acknowledgment shall be signed under oath and in the presence of a notary public and an adult witness.

(g)(1) ~~A Whenever the~~ legal mother who surrenders her parental rights pursuant to this Code section, ~~she~~ shall execute an affidavit meeting the requirements of subsection (h) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(2) A legal mother who is the adoptive mother of the child and who surrenders her parental rights pursuant to this Code section shall execute an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(h) Whenever rights are surrendered pursuant to this Code section, the representative of each petitioner or the representative of the individual signing such surrender shall execute an affidavit meeting the requirements of subsection (k) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(i) A surrender of rights pursuant to this Code section may be given by any parent or biological father who is not ~~the a~~ legal father of the child ~~sought to be adopted irrespective regardless~~ of whether such parent or biological father has arrived at the age of majority. The individual is a citizen of the United States, a resident of this state, or has reached the age of 18 years. Such surrender given by any such minor such individual shall be binding upon him or her as if the individual were in all respects sui juris and shall include a consent to the jurisdiction of the courts of this state for any action filed under this article. Such surrender shall state that such individual agrees to be bound by a decree of adoption.

(j) ~~A copy of each surrender specified in subsection (a) of this Code section, together with a copy of the acknowledgment specified in subsection (f) of this Code section and a copy of the affidavits specified in subsections (g) and (h) of this Code section and the name and address of each person to whom the child is surrendered, shall be mailed, by registered or certified mail or statutory overnight delivery, return receipt requested, to the~~

Office of Adoptions
Georgia Department of Human Services
Atlanta, Georgia

~~within 15 days from the execution thereof. Upon receipt of the copy the department may commence its investigation as required in Code Section 19-8-16.~~

(k)(j) A petition for adoption pursuant to subsection (a) of this Code section shall be filed within 60 days from the date of the surrender of rights is executed; provided, however, that for good cause shown the court may waive the 60 day requirement. If the petition for adoption is not filed within the time period specified by this subsection and the court does not waive the 60 day requirement or if the proceedings resulting from ~~the~~ such petition are not concluded with an order granting ~~the~~ such petition, then the surrender of rights shall operate as follows according to the election made ~~therein~~ in such surrender by the legal parent or guardian of the child:

(1) In favor of ~~that legal~~ such parent or guardian, with the express stipulation that

neither this nor any other provision of the surrender of rights shall be deemed to impair the validity, absolute finality, or totality of ~~the~~ such surrender under any other circumstance, once the revocation period has elapsed;

(2) In favor of the ~~licensed~~ child-placing agency or out-of-state licensed agency designated in the surrender of rights, if any; or

(3) If the ~~legal~~ parent or guardian is not designated and no child-placing agency or out-of-state licensed agency is designated in the surrender of rights, or if the designated child-placing agency or out-of-state licensed agency declines to accept the child for placement for adoption, in favor of the department for placement for adoption pursuant to subsection (a) of Code Section 19-8-4. ~~The court may waive the 60-day time period for filing the petition for excusable neglect.~~

~~(h)~~(k) In any surrender of rights pursuant to this Code section, ~~the provisions of~~ Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children, if applicable, shall be complied with.

~~(m)~~(l) If the home study for a third-party adoption has not occurred prior to the date of placement, then the third party shall, ~~at the time of the filing of~~ within the petition for adoption or in a separate motion, ~~file a motion with the court seeking~~ seek an order authorizing placement of such child prior to the completion of the home study. Such petition or such motion shall identify the evaluator that the petitioner has selected to perform the home study. The court may waive the requirement of a preplacement home study in cases when a child ~~to be adopted~~ already resides in the prospective adoptive home either as a child of one of the residents of such home or pursuant to a court order of guardianship, testamentary guardianship, or custody.

~~(n)~~(m) The court may ~~grant the motion for~~ authorize the placement prior to the completion of a home study if the court finds that such placement is in the best ~~interest~~ interests of the child.

~~(o)~~(n) If the court ~~grants the motion for~~ authorizes the placement prior to the completion of a home study ~~and authorizes placement of a child prior to the completion of the home study~~, then:

(1) Such child shall be permitted to remain in the home of the third party with whom the parent or guardian placed such child pending further order of the court;

(2) A copy of the order authorizing placement of such child prior to the completion of the home study shall be delivered to the department and the evaluator selected to perform the home study by the clerk of the court within 15 days of the date of the entry of such order; and

(3) The home study, if not already in process, shall be initiated by the evaluator selected by the petitioner or appointed by the court within ten days of such evaluator's receipt of the court's order.

(o) A biological father or a legal father who signs a surrender of rights may execute an affidavit regarding his Native American heritage and military service meeting the requirements of subsection (o) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

19-8-6.

~~(a) Except as otherwise authorized in this chapter:~~

~~(a)(1) A child whose legal father and legal mother are both living but are not still married to each other may be adopted by the spouse of either parent only when the other parent voluntarily and in writing surrenders all of his or her rights to the child to that spouse for the purpose of enabling that spouse to adopt the child and the other parent consents to the adoption and, ~~where~~ when there is any guardian of that child, each such guardian has voluntarily and in writing surrendered to such spouse all of his or her rights to the child for ~~purposes~~ the purpose of such adoption; ~~or.~~~~

~~(2) A child who has only one parent still living may be adopted by the spouse of that parent only if that parent consents to the adoption and, ~~where~~ when there is any guardian of that child, each such guardian has voluntarily and in writing surrendered to such spouse all of his or her rights to the child for the purpose of such adoption.~~

~~(b) In the case of a child 14 years of age or older, the written consent of the child to his or her adoption ~~must~~ shall be given and acknowledged in the presence of the court.~~

~~(c) The surrender of rights specified in this Code section shall be executed; following the birth of the child; under oath and in the presence of a notary public and an adult witness. A copy of the surrender shall be ~~delivered~~ provided to the individual signing the surrender at the time of the execution thereof.~~

~~(d) An individual ~~A person~~ signing a surrender of rights pursuant to this Code section shall have the right to ~~withdraw the surrender~~ revoke such surrender within ten days as provided in subsection ~~(b)~~ (a) of Code Section 19-8-9 and, if he or she is at least 21 years of age, shall also have the right to waive the ten-day revocation period by executing a separate waiver as provided in subsection (c) of Code Section 19-8-9, so long as it is executed at least 72 hours after the birth of the child and attested to by an attorney, who is not representing the petitioner, certifying that it was knowingly and voluntarily executed.~~

~~(e)(1) The surrender of rights by a parent or guardian specified in subsection (a) of this Code section shall meet the requirements of subsection (e) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.~~

~~(2) A ~~The~~ biological father who is not ~~the~~ a legal father of a child may surrender all his rights to the child for purposes of an adoption pursuant to this Code section. Such ~~That~~ surrender shall meet the requirements of subsection (d) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.~~

~~(f) A surrender of rights shall be acknowledged by the ~~person~~ individual who surrenders those rights by also signing an acknowledgment meeting the requirements of subsection (g) of Code Section 19-8-26. Such acknowledgment shall be signed under oath and in the presence of a notary public and an adult witness.~~

~~(g)(1) A ~~Whenever the~~ legal mother who surrenders her parental rights or consents to the adoption of her child by her spouse pursuant to this Code section, ~~she~~ shall execute an affidavit meeting the requirements of subsection (h) of Code Section 19-8-~~

26. Such affidavit shall be signed under oath and in the presence of a notary public.

(2) A legal mother who is the adoptive mother of the child and who surrenders her parental rights pursuant to this Code section shall execute an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public

(h) Whenever rights are surrendered pursuant to this Code section, the representative of each petitioner or the representative of the individual signing such surrender shall execute an affidavit meeting the requirements of subsection (k) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(i) A surrender of rights or consent pursuant to this Code section may be given by any parent or biological father who is not ~~the~~ a legal father of the child sought to be adopted ~~irrespective~~ regardless of whether such ~~parent or biological father has arrived at the age of majority.~~ The surrender given by any such minor individual is a citizen of the United States, a resident of this state, or has reached the age of 18 years. Such surrender or consent given by such individual shall be binding upon him or her as if the individual were in all respects sui juris and shall include a consent to the jurisdiction of the courts of this state for any action filed under this article. Such surrender shall state that such individual agrees to be bound by a decree of adoption.

(j) The parental consent by the spouse of a stepparent seeking to adopt a child of that spouse and required by subsection (a) of this Code section shall ~~be as provided in~~ meet the requirements of subsection (l) of Code Section 19-8-26. Such consent shall be signed under oath and in the presence of a notary public.

(k) A biological father or a legal father who signs a surrender of rights may execute an affidavit regarding his Native American heritage and military service meeting the requirements of subsection (o) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

19-8-7.

(a) ~~A child Except as otherwise authorized in this Code section, a child who has any living parent or guardian~~ may be adopted by a relative who is related by blood or marriage to the child as a grandparent, great-grandparent, aunt, uncle, great aunt, great uncle, or sibling only if each ~~such~~ living parent and ~~each such~~ guardian of such child has voluntarily and in writing surrendered to that relative and any spouse of such relative all of his or her rights to the child for the purpose of enabling that relative and any such spouse to adopt the child.

(b) In the case of a child 14 years of age or older, the written consent of the child to his or her adoption ~~must~~ shall be given and acknowledged in the presence of the court.

(c) The surrender of rights specified in paragraphs (1) and (2) of subsection (e) of this Code section shall be executed following the birth of the child, and the pre-birth surrender specified in paragraph (3) of subsection (e) of this Code section shall be executed prior to the birth of the child. Each surrender shall be executed under oath and in the presence of a notary public and an adult witness. A copy of the surrender shall be ~~delivered~~ provided to the individual signing the surrender at the time of the

execution thereof.

(d) An individual ~~A person~~ signing a surrender of rights pursuant to this Code section shall have the right to ~~withdraw the surrender~~ revoke such surrender within ten days as provided in subsection ~~(b)~~ (a) of Code Section 19-8-9 and, if he or she is at least 21 years of age, shall also have the right to waive the ten-day revocation period by executing a separate waiver as provided in subsection (c) of Code Section 19-8-9, so long as it is executed at least 72 hours after the birth of the child and attested to by an attorney, who is not representing the petitioner, certifying that it was knowingly and voluntarily executed.

(e)(1) The surrender of rights by a parent or guardian specified in subsection (a) of this Code section shall meet the requirements of subsection (e) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(2) ~~A~~ The biological father who is not ~~the~~ a legal father of the child may surrender all his rights to the child for purposes of an adoption pursuant to this Code section. Such ~~That~~ surrender shall meet the requirements of subsection (d) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(3)(A) ~~A~~ The biological father who is not ~~the~~ a legal father of a child may execute a surrender of his rights to the child prior to the birth of the child for the purpose of an adoption pursuant to this Code section. A pre-birth surrender, ~~when signed under oath by the alleged biological father,~~ shall serve to relinquish ~~the~~ an alleged biological father's rights to the child and to waive ~~the~~ an alleged biological father's right to notice of any proceeding with respect to the child's adoption, custody, or guardianship. The court in any adoption proceeding shall have jurisdiction to enter a final order of adoption of the child based upon the pre-birth surrender and in other proceedings to determine the child's legal custody or guardianship shall have jurisdiction to enter an order for those purposes.

(B) The rights and responsibilities of an alleged biological father ~~are~~ shall be permanently terminated only upon an order from a court of competent jurisdiction terminating such rights or the entry of a final order of adoption. An individual ~~A person~~ executing a pre-birth surrender pursuant to this Code section shall have the right to ~~withdraw the~~ revoke such surrender within ten days from the date of execution thereof, notwithstanding the date of birth of the child.

(C) If a final order of adoption is not entered after the execution of a pre-birth surrender and paternity is established by acknowledgment, by administrative order, or by judicial order, then ~~the~~ an alleged biological father shall be responsible for child support or other financial obligations to the child or to ~~the child's~~ a legal mother, or to both.

(D) The pre-birth surrender shall not be valid for use by a legal father ~~as defined under paragraph (6) of Code Section 19-8-1 or for any man who has executed a voluntary acknowledgment of paternity pursuant to the provisions of Code Section 19-7-46.1.~~

(E) The pre-birth surrender may be executed at any time after the biological mother executes a sworn statement identifying such ~~person~~ individual as an alleged biological father of the biological mother's unborn child meeting the requirements of subsection (m) of Code Section 19-8-26.

(F) The pre-birth surrender shall meet the requirements of subsection (f) of Code Section 19-8-26 and shall be signed under oath and in the presence of a notary public and an adult witness.

(f) A surrender of rights shall be acknowledged by the ~~person~~ individual who surrenders those rights by also signing an acknowledgment meeting the requirements of subsection (g) of Code Section 19-8-26. Such acknowledgment shall be signed under oath and in the presence of a notary public and an adult witness.

(g)(1) ~~A Whenever the~~ legal mother who surrenders her parental rights pursuant to this Code section, ~~she~~ shall execute an affidavit meeting the requirements of subsection (h) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(2) A legal mother who is the adoptive mother of the child and who surrenders her parental rights pursuant to this Code section shall execute an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(h) Whenever rights are surrendered pursuant to this Code section, the representative of each petitioner or the representative of the individual signing such surrender shall execute an affidavit meeting the requirements of subsection (k) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(i) A surrender of rights pursuant to this Code section may be given by any parent or biological father who is not ~~the~~ a legal father of the child ~~sought to be adopted irrespective regardless~~ of whether such parent or biological father has arrived at the age of majority. The individual is a citizen of the United States, a resident of this state, or has reached the age of 18 years. Such surrender given by any such minor such individual shall be binding upon him or her as if the individual were in all respects sui juris and shall include a consent to the jurisdiction of the courts of this state for any action filed under this article. Such surrender shall state that such individual agrees to be bound by a decree of adoption.

(j) In any surrender of rights pursuant to this Code section, Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children, if applicable, shall be complied with.

(k) A biological father or a legal father who signs a surrender of rights may execute an affidavit regarding his Native American heritage and military service meeting the requirements of subsection (o) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

19-8-8.

~~A child may be adopted pursuant to the provisions of this chapter based upon:~~

~~(1) A decree which has been entered pursuant to due process of law by a court of~~

~~competent jurisdiction outside the United States establishing the relationship of parent and child by adoption between each petitioner and a child born in such foreign country; and~~

~~(2) The child's having been granted a valid visa by the United States Immigration and Naturalization Service.~~

(a)(1) A child, who was born in a country other than the United States and for whom a decree or order of adoption has been entered pursuant to due process of law by a court of competent jurisdiction or an administrative proceeding in the country of the child's birth or the country in which the child habitually resided immediately prior to coming to the United States establishing the relationship of parent and child by adoption between each petitioner named in the foreign decree or order of adoption and the child according to the law of such foreign country, shall be eligible to have his or her adoption domesticated under this subsection if a consular officer of the United States Department of State has issued and affixed in the child's passport an immediate relative immigrant visa or Hague Convention immigrant visa.

(2) Evidence of the issuance of an immediate relative immigrant visa or Hague Convention immigrant visa by the United States Department of State in the child's passport shall be prima-facie evidence that all parental rights have been terminated, that the child was legally available for adoption by each petitioner named in the foreign decree or order of adoption, that the adoption of the child by each petitioner named in the foreign decree or order of adoption was in the child's best interests, and that the child's adoption by each petitioner named in the foreign decree or order of adoption was finalized in full compliance with the laws of the foreign country and the court need not make any inquiry into those proceedings but shall domesticate the foreign decree or order of adoption hereunder and issue a final decree of adoption pursuant to subsection (c) of Code Section 19-8-18.

(3) A child who qualifies for domestication of his or her foreign adoption under this subsection and whose adoption was full and final prior to entering the United States shall, upon entry of a final decree of domestication of adoption by the court, be entitled to have a Certificate of Foreign Birth issued to him or her by the State Office of Vital Records of the Georgia Department of Public Health pursuant to paragraph (2) of subsection (f) of Code Section 31-10-13.

(b)(1) A child, who was born in a country other than the United States and for whom a decree or order of guardianship has been entered pursuant to due process of law by a court of competent jurisdiction or an administrative proceeding in the country of the child's birth or the country in which the child habitually resided immediately prior to coming to the United States terminating the parental rights of both of his or her parents and establishing a guardian-ward relationship between each petitioner named in the foreign decree or order of guardianship and the child according to the law of such foreign country, shall be eligible to be adopted pursuant to this subsection if a consular officer of the United States Department of State has issued and affixed in the child's passport an immediate relative immigrant visa or Hague Convention immigrant visa.

(2)(A) Evidence of the issuance of an immediate relative immigrant visa or Hague Convention immigrant visa by the United States Department of State in the child's passport shall be prima-facie evidence that all parental rights have been terminated, that the child is legally available for adoption by each petitioner named in the foreign decree or order of guardianship, and that the guardian-ward relationship between each petitioner named in the foreign decree or order of guardianship and the child was granted in full compliance with the laws of the foreign country and the court need not make any inquiry into those proceedings but shall be authorized to finalize the child's adoption as provided in this subsection.

(B) Notwithstanding subparagraph (A) of this paragraph, when the foreign decree or order of guardianship requires specific postplacement supervision, the court shall not be authorized to finalize such child's adoption as provided in this subsection until the petitioner provides documentation of formal evidence that the conditions of the foreign decree or order of guardianship have been satisfied.

(3) Once a child's adoption is granted pursuant to this subsection, he or she shall be entitled to have a Certificate of Foreign Birth issued to him or her by the State Office of Vital Records of the Georgia Department of Public Health pursuant to paragraph (2) of subsection (f) of Code Section 31-10-13.

(c) The court shall have authority to change a child's date of birth from that shown on the child's original birth certificate and as reflected in the child's passport upon presentation by a preponderance of evidence of a more accurate date of birth.

19-8-9.

~~(a) In those cases where the legal mother of the child being placed for adoption has herself previously adopted such child, said adoptive mother shall execute, in lieu of the affidavit specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26.~~

~~(b)(a) Notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, an individual A person signing a surrender of rights pursuant to Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 shall have the right to withdraw the revoke such surrender by written notice delivered in person or mailed by registered mail or statutory overnight delivery within ten days after signing such surrender; and the such surrender document shall not be valid unless it so states. The ten days ten-day revocation period shall be counted consecutively beginning with the day immediately following the date the surrender of rights is executed; provided, however, that, if the tenth day falls on a Saturday, Sunday, or legal holiday, then the last day on which the such surrender may be withdrawn revoked shall be the next day that is not a Saturday, Sunday, or legal holiday. After ten days, a surrender may not be withdrawn. The the ten-day period, a surrender of rights cannot be revoked. Notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, the notice of withdrawal of revocation of a surrender of rights shall be delivered in person or mailed by registered mail or statutory overnight delivery to the address designated in the surrender document. If delivered in person, it shall be delivered to the address shown~~

in the surrender document not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the tenth day.

~~(e)~~(b) If a legal mother has voluntarily and in writing surrendered all of her parental rights pursuant to ~~the provisions of subsection (a) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 and has not withdrawn~~ revoked her surrender within the ten-day period after signing as permitted by ~~the provisions of subsection (b)~~ subsection (a) of this Code section, she shall have no right or authority to sign a voluntary acknowledgment of paternity pursuant to ~~the provisions of Code Section 19-7-46.1~~ or consent to the granting of a petition for legitimation filed pursuant to Code Section 19-7-22 regarding the same child.

(c) Provided that the individual signing a surrender of rights pursuant to Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 is at least 21 years of age at the time he or she signs such surrender, he or she shall have the right to waive the ten-day revocation period only if such waiver is referenced in the surrender document and set forth in a separate document that is executed after consultation with an attorney, who is not representing the petitioner, at least 72 hours after the birth of the child identified in the surrender, under oath, and in the presence of a notary public and an adult witness and is attested to by such separate attorney that such waiver is executed knowingly and voluntarily. The waiver of the right to revoke a surrender shall meet the requirements of subsection (n) of Code Section 19-8-26. A copy of such waiver shall be provided to the individual signing it at the time of the execution thereof.

19-8-10.

(a) Surrender or termination of rights of a living parent pursuant to ~~subsection (a) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7~~ shall not be required as a prerequisite to the filing granting of a petition for adoption of a child of ~~that~~ such living parent pursuant to Code Section 19-8-13 when the court determines by clear and convincing evidence that the:

- (1) Child has been abandoned by that parent;
- (2) Parent cannot be found after a diligent search has been made;
- (3) Parent is insane or otherwise incapacitated from surrendering such rights;
- (4) Parent caused his child to be conceived as a result of having nonconsensual sexual intercourse with the biological mother of his child or when the biological mother is less than ten years of age; or
- (5) Parent, without justifiable cause, has failed to exercise proper parental care or control due to misconduct or inability, as set out in paragraph (3), (4), or (5) of subsection (a) of Code Section 15-11-310,

and the court is of the opinion that the adoption is in the best interests of that child, after considering the physical, mental, emotional, and moral condition and needs of the child who is the subject of the proceeding, including the need for a secure and stable home.

(b) A surrender ~~Surrender~~ of rights of a living parent pursuant to ~~subsection (a) of Code Section 19-8-6 or 19-8-7~~ shall not be required as a prerequisite to the filing granting of a petition for adoption of a child of ~~that~~ such living parent pursuant to Code

Section 19-8-13, ~~if that~~ when the court determines by clear and convincing evidence that the parent, for a period of one year or longer immediately prior to the filing of the petition for adoption, without justifiable cause, has significantly failed:

- (1) To communicate or to make a bona fide attempt to communicate with that child in a meaningful, supportive, parental manner; or
- (2) To provide for the care and support of that child as required by law or judicial decree,

and the court is of the opinion that the adoption is ~~for~~ in the best interests of that child, after considering the physical, mental, emotional, and moral condition and needs of the child who is the subject of the proceeding, including the need for a secure and stable home.

(c)(1) Whenever it is alleged by any petitioner that surrender or termination of rights of a living parent is not a prerequisite to the ~~filing~~ granting of a petition for adoption of a child of ~~that~~ such parent in accordance with subsection (a) or (b) of this Code section, ~~that such~~ parent shall be personally served with a conformed copy of the adoption petition, together with a copy of the court's order thereon specified in Code Section 19-8-14, or, if personal service cannot be perfected, notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, by registered or certified mail or statutory overnight delivery, return receipt requested, or statutory overnight delivery, one-day service not required, at his or her last known address. If service cannot be made by ~~either~~ of these methods, ~~that such~~ parent shall be given notice by publication once a week for three weeks in the official organ of the county where ~~the~~ such petition has been filed and of the county of his or her last known address. In the interest of time, publication may be initiated simultaneously with efforts to perfect service personally, by registered mail, or by statutory overnight delivery. The court shall continue to have the inherent authority to determine the sufficiency of service. A parent who receives notification pursuant to this paragraph ~~may~~ shall not be a party to the adoption and shall have no obligation to file an answer, but shall have the right to appear in the pending adoption ~~action~~ proceeding and show cause why such parent's rights to the child sought to be adopted in that action who is the subject of the proceeding should not be terminated by that adoption. Notice shall be deemed to have been received ~~the~~ on the earliest date:

- (1)(A) Personal service is perfected;
- (2)(B) Of delivery shown on the return receipt of registered ~~or certified~~ mail or proof of delivery by statutory overnight delivery; or
- (3)(C) Of the last publication.

(2) No prior order of court shall be required to publish notice pursuant to this Code section; provided, however, that before publication may be relied upon as a means of service, it shall be averred that, after diligent efforts, service could not be perfected personally, by registered mail, or by statutory overnight delivery.

(d) Consistent with the requirement of paragraph (7) of subsection (a) of Code Section 19-8-13, when the petitioner is seeking to involuntarily terminate the rights of a parent as a prerequisite to the granting of the petition for adoption, the petitioner shall, in lieu

of obtaining and attaching those otherwise required surrenders of rights, acknowledgments, and affidavits, allege facts in the petition seeking to involuntarily terminate parental rights that demonstrate the applicability of the grounds set forth in subsection (a) or (b), or both, of this Code section and shall also allege compliance with subsection (c) of this Code section.

19-8-11.

(a)(1) In those cases ~~where~~ when the department, ~~or~~ a child-placing agency, or an out-of-state licensed agency has ~~either~~ obtained:

(A) ~~The~~ the voluntary written surrender of all parental rights from one of the parents or the guardian of a child; or

(B) ~~An order of~~ has obtained an order from a court of competent jurisdiction terminating all of the rights of one of the parents or the guardian of a child, ~~the~~ such department, ~~or~~ child-placing agency, or out-of-state licensed agency may in contemplation of the placement of such child for adoption petition the superior court of the county ~~where the child resides~~ of the child's domicile, of the county where the child was born, of the county in which is located the principal office of the child-placing agency having legal custody of the child, or of the county in which is located the office of the department having legal custody of the child to terminate the parental rights of the remaining parent pursuant to this Code section.

(2) In those cases ~~where a person~~ when a child has been placed in compliance with Chapter 4 of Title 39, and the individual who is the resident of another state has obtained the voluntary written surrender of all parental rights from one of the parents or the guardian of a child, each such ~~person~~ individual to whom the child has been surrendered may in contemplation of the adoption of such child in such other state petition the superior court of the county where the child ~~resides~~ was born or of Fulton County to terminate the parental rights of the remaining parent pursuant to this Code section.

(3)(A) Parental rights may be terminated pursuant to paragraph (1) or (2) of this subsection when the court determines by clear and convincing evidence that the:

(A)(i) ~~Child~~ Child has been abandoned by that parent;

(B)(ii) ~~Parent~~ Parent of the child cannot be found after a diligent search has been made;

(C)(iii) ~~Parent~~ Parent is insane or otherwise incapacitated from surrendering such rights;

(D)(iv) ~~Parent~~ Parent caused his child to be conceived as a result of having nonconsensual sexual intercourse with the biological mother of his child or when the biological mother is less than ten years of age; or

(E)(v) ~~Parent, without justifiable cause,~~ Parent, without justifiable cause, has failed to exercise proper parental care or control due to misconduct or inability, as set out in paragraph (3), (4), or (5) of subsection (a) of Code Section 15-11-310, ~~and the court.~~

(B) If the court determines that a circumstance described in subparagraph (A) of this paragraph has been met, it shall set the matter down to be heard in chambers not less than 30 and not more than 60 days following the receipt by such remaining parent of the notice under subsection (b) of this Code section and shall enter an

order terminating such parental rights if it so finds and if it is of the opinion that adoption is in the best interests of the child, after considering the physical, mental, emotional, and moral condition and needs of the child who is the subject of the proceeding, including the need for a secure and stable home.

(b)(1) Whenever a petition to terminate parental rights is filed pursuant to subsection (a) of this Code section, the parent whose rights the petitioner is seeking to terminate shall be personally served with a conformed copy of the petition, to terminate parental rights and a copy of the court's order setting forth the date upon which ~~the~~ such petition shall be considered or, if personal service cannot be perfected, notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, by registered or certified mail or statutory overnight delivery, return receipt requested, or statutory overnight delivery, one-day service not required, at his or her last known address. If service cannot be made by ~~either~~ of these methods, ~~that~~ such parent shall be given notice by publication once a week for three weeks in the official organ of the county where ~~the~~ such petition has been filed and of the county of his or her last known address. In the interest of time, publication may be initiated simultaneously with efforts to perfect service personally, by registered mail, or by statutory overnight delivery. The court shall continue to have the inherent authority to determine the sufficiency of service. A parent who receives notification pursuant to this ~~subsection may appear~~ paragraph shall not be a party to the adoption and shall have no obligation to file an answer, but shall have the right to appear in the pending termination of parental rights proceeding and show cause why such parent's rights to the child ~~sought to be placed for adoption~~ who is the subject of the proceeding should not be terminated. Notice shall be deemed to have been received ~~the~~ on the earliest date:

~~(1)~~(A) Personal service is perfected;

~~(2)~~(B) Of delivery shown on the return receipt of registered ~~or certified~~ mail or proof of delivery by statutory overnight delivery; or

~~(3)~~(C) Of the last publication.

(2) No prior order of court shall be required to publish notice pursuant to this Code section; provided, however, that before publication may be relied upon as a means of service, it shall be averred that, after diligent efforts, service could not be perfected personally, by registered mail, or by statutory overnight delivery.

19-8-12.

(a) The General Assembly finds that:

(1) The state has a compelling interest in promptly providing stable and permanent homes for adoptive children, and in preventing the disruption of adoptive placements;

(2) Adoptive children have a right to permanence and stability in adoptive placements;

(3) Adoptive parents have a constitutionally protected liberty and privacy interest in retaining custody of children placed with them for adoption;

(4) A biological father who is not ~~the~~ a legal father may have an interest in his

biological child. This inchoate interest is lost by failure to develop a familial bond with the child and acquires constitutional protection only if ~~the~~ a biological father who is not ~~the~~ a legal father develops a familial bond with the child;

(5) The subjective intent of a biological father who is not a legal father, whether expressed or otherwise, unsupported by evidence of acts manifesting such intent, shall not preclude a determination that ~~the~~ a biological father who is not a legal father has failed to develop a familial bond with the child; and

(6) A man who has engaged in a nonmarital sexual relationship with a woman is deemed to be on notice that a pregnancy and adoption proceeding regarding a child may occur and has a duty to protect his own rights and interests in that child. He is therefore entitled to notice of an adoption proceeding only as provided in this Code section.

(b) If there is a biological father who is not ~~the~~ a legal father of a child and he has not executed a surrender of rights as specified in paragraph (2) of subsection (e) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 or paragraph (3) of subsection (e) of Code Section 19-8-4, 19-8-5, or 19-8-7, he shall be notified of adoption proceedings regarding the child in the following circumstances:

(1) If his identity is known to the petitioner, department, ~~or licensed child-placing agency, or out-of-state licensed agency~~ or to the attorney for ~~the petitioner, department, or licensed child-placing agency~~ such individual or entity;

(2) If he is a registrant on the putative father registry who has acknowledged paternity of the child in accordance with subparagraph (d)(2)(A) of Code Section 19-11-9; or

(3) If he is a registrant on the putative father registry who has indicated possible paternity of ~~a child of the child's mother~~ the child during a period beginning two years immediately prior to the child's date of birth in accordance with subparagraph (d)(2)(B) of Code Section 19-11-9; ~~or~~

~~(4) If the court finds from the evidence, including but not limited to the affidavit of the mother specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 in the form provided in subsection (h) of Code Section 19-8-26, that such biological father who is not the legal father has performed any of the following acts:~~

~~(A) Lived with the child;~~

~~(B) Contributed to the child's support;~~

~~(C) Made any attempt to legitimate the child; or~~

~~(D) Provided support or medical care for the mother either during her pregnancy or during her hospitalization for the birth of the child.~~

(c)(1) Notification provided for in subsection (b) of this Code section shall be given to a biological father who is not a legal father by the following methods:

~~(1)(A) Notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, registered mail Registered or certified mail or statutory overnight delivery, return receipt requested, or statutory overnight delivery, one-day service not required,~~ at his last known address, which notice shall be deemed received upon the date of delivery shown on the return or delivery receipt;

~~(2)(B)~~ Personal service, which notice shall be deemed received when personal service is perfected; or

~~(3)(C)~~ Publication once a week for three weeks in the official organ of the county where the adoption petition has been filed and of the county of his last known address, which notice shall be deemed received upon the date of the last publication.

(2) If feasible, the methods specified in paragraph (1) or (2) subparagraph (A) or (B) of paragraph (1) of this subsection shall be used before publication; provided, however, that in the interest of time, publication may be initiated simultaneously with efforts to perfect service personally, by registered mail, or by statutory overnight delivery.

(3) No prior order of court shall be required to publish notice pursuant to this Code section; provided, however, that before publication may be relied upon as a means of service, it shall be averred that, after diligent efforts, service could not be perfected personally, by registered mail, or by statutory overnight delivery.

(d)(1) ~~When~~ ~~Where~~ the rights of a parent or guardian of a child have been surrendered or terminated in accordance with subsection (a) of Code Section 19-8-4 or the child does not have a living parent or guardian, the department, ~~or a child-placing agency, or out-of-state licensed agency~~ may file, under the authority of this paragraph, a petition to terminate ~~such a~~ biological father's rights to the child with the superior court of the county ~~where the child resides~~ of the child's domicile, of the county where the child was born, of the county in which is located the principal office of the child-placing agency having legal custody of the child, or of the county in which is located the office of the department having legal custody of the child.

(2) ~~When~~ ~~Where~~ the rights of a parent or guardian of a child have been surrendered in accordance with subsection (a) of Code Section 19-8-5, 19-8-6, or 19-8-7 ~~or~~, the child does not have a living parent or guardian, a consent to adopt has been executed pursuant to paragraph (2) of subsection (a) of Code Section 19-8-6, or the petitioner is seeking to involuntarily terminate parental rights pursuant to Code Section 19-8-10, the petitioner shall file, under the authority of this paragraph, with the superior court ~~either~~ of the county of the child's domicile or of the county where the child was born a motion, if a petition for adoption of the child has previously been filed with the court, or a petition to terminate ~~such a~~ biological father's rights to the child.

(3) ~~When~~ ~~Where~~ a petition or motion is filed pursuant to paragraph (1) or (2) of this subsection, the court shall, within 30 days from the date of receipt of the notice required by subsection (b) of this Code section or, when no notice is required to be given, from the date of such filing, conduct a hearing in chambers to determine the facts in the matter. ~~The court shall be authorized to consider the affidavit of the mother specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, as applicable, in making its determination pursuant to this paragraph. If the court finds from the evidence that such biological father has not performed any of the following acts:~~

~~(A) Lived with the child;~~

~~(B) Contributed to the child's support;~~

~~(C) Made any attempt to legitimize the child; or~~

~~(D) Provided support or medical care for the mother, either during her pregnancy or during her hospitalization for the birth of the child, and~~

(4) Unless the identity of a biological father is known to the petitioner, department, child-placing agency, or out-of-state licensed agency or to the attorney for such individual or entity such that he is entitled to notice of the proceedings as provided in this Code section, when the petitioner provides a certificate as of the date of the petition or the motion, as the case may be, from the putative father registry stating that there is no entry registrant identified on the putative father registry ~~either~~ acknowledging paternity of the child or indicating possible paternity of ~~a child of the child's mother~~ the child for a period beginning no later than two years immediately prior to the child's date of birth, then it shall be rebuttably presumed that ~~the~~ an unnamed biological father who is not ~~the~~ a legal father is not entitled to notice of the proceedings. Absent evidence rebutting the presumption, then no further inquiry or notice shall be required by the court and the court shall enter an order terminating the rights of such unnamed biological father to the child.

(e) When notice is to be given pursuant to subsection (b) of this Code section, it shall advise such biological father who is not ~~the~~ a legal father that he loses all rights to the child and will neither receive notice nor be entitled to object to the adoption of the child unless, within 30 days of receipt of such notice, he files:

(1) A petition to legitimize the child pursuant to Code Section 19-7-22 as a separate civil action; and

(2) Notice of the filing of the petition to legitimize with the court in which the action under this Code section, if any, is pending; and

(3) Notice of the filing of the petition to legitimize to the person or agency who provided such notice to such biological father.

(f) A biological father who is not ~~the~~ a legal father ~~loses~~ shall lose all rights to the child and the court shall enter an order terminating all ~~such father's~~ of his rights to the child and ~~such father may he shall~~ not thereafter be allowed to object to the adoption and ~~is not~~ shall not be entitled to receive further notice of the adoption if, within 30 days from his receipt of the notice provided for in subsection (b) of this Code section, he:

(1) Does not file a legitimation petition and give notice as required in subsection (e) of this Code section;

(2) Files a legitimation petition which is subsequently dismissed for failure to prosecute; or

(3) Files a legitimation petition and the action is subsequently concluded without a court order granting such petition and declaring a finding that he is ~~the~~ a legal father of the child.

(g) If an alleged biological father who is not a legal father files a legitimation petition after the mother of such child has surrendered her parental rights, the court shall be authorized to consider the affidavit of the mother specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, as applicable. If the court finds by a preponderance of evidence that such biological father has not lived with the child,

contributed to the child's support, or provided support or medical care during the mother's pregnancy or hospitalization for the birth of the child, the court may conclude, in the best interests of the child, that the biological father abandoned his opportunity interest to legitimate the child and deny his petition for legitimation and he shall not thereafter be allowed to object to the adoption nor be entitled to receive further notice of the adoption proceedings.

~~(g)~~(h) If the child is legitimated by his or her biological father, the adoption shall not be permitted except as provided in Code Sections 19-8-4 through 19-8-7.

~~(h)~~(i) If the child is legitimated by his or her biological father and in the subsequent adoption proceeding the petition for adoption is ~~either withdrawn~~ revoked with prejudice or denied by the court, then a ~~surrender of parental rights final release for adoption~~ SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION executed by ~~the~~ a legal mother pursuant to ~~the provisions of~~ subsection (a) of Code Section 19-8-4, 19-8-5, or 19-8-7 shall be dissolved by operation of law and her parental rights shall be restored to her. The fact that ~~the~~ a legal mother executed a ~~surrender of parental rights final release for adoption~~ SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION, now dissolved, shall not be admissible as evidence in any proceedings against the a legal mother in any proceeding against her.

19-8-13.

(a) The petition for adoption, duly verified, together with one conformed copy thereof, ~~must~~ shall be filed with the clerk of the superior court having jurisdiction and shall conform to the following guidelines:

(1) The petition for adoption shall set forth:

(A) The name, age, date and place of birth, marital status, and place of residence of each petitioner;

(B) The name by which the child is to be known should the adoption ultimately be completed;

(C) The sex, date and place of birth, and citizenship or immigration status of the child, and the sex of if the child is neither a United States citizen nor a lawful permanent resident of the United States on the date such petition is filed, the petitioner shall explain how such child will be able to obtain lawful permanent resident status;

(D) The date and circumstances of the placement of the child with each petitioner;

(E) Whether the child is possessed of any property and, if so, a full and complete description thereof;

(F) Whether the child has one or both parents or his or her biological father who is not ~~the~~ a legal father living; ~~and~~

(G) Whether the child has a guardian; ~~and, if so, the name of the guardian and the name of the court that appointed such guardian;~~

(H) Whether the child has a legal custodian and, if so, the name of the legal custodian and the name of the court that appointed such custodian; and

(I) Whether each petitioner or his or her attorney is aware of any other adoption

proceeding pending to date, in this or any other state or country, regarding the child who is the subject of the proceeding that is not fully disclosed in such petition and whether each petitioner or his or her attorney is aware of any individual who has or claims to have physical custody of or visitation rights with the child who is the subject of the proceeding whose name and address and whose custody or visitation rights are not fully disclosed in such petition. Each petitioner and his or her attorney shall have a continuing duty to inform the court of any proceeding in this or any other state or country that could affect the adoption proceeding or the legal custody of or visitation with the child who is the subject of the proceeding;

(2) ~~Where~~ When the adoption is pursuant to subsection (a) of Code Section 19-8-4, the following shall be provided or attached to the petition for adoption or its absence explained when the petition for adoption is filed:

(A) If the adoption is pursuant to:

(i) Paragraph (1) of such Code section, a copy of the written voluntary surrender of rights of each parent or guardian specified in subsection (e) of Code Section 19-8-4 and a copy of the written acknowledgment of surrender of rights specified in subsection (f) of Code Section 19-8-4; or

(ii) Paragraph (2) of such Code section, a certified copy of the order entered by a court of competent jurisdiction terminating parental rights of the parent and committing the child to the department, child-placing agency, or out-of-state licensed agency;

(B) A copy of the affidavits specified in subsections (g) and (h) of Code Section 19-8-4;

~~(A)~~(C) An original affidavit from the department or a child-placing agency stating that all of the requirements of Code Sections 19-8-4 and 19-8-12 have been complied with and that the child is legally available for adoption or, in the case of a placement by an out-of-state licensed agency, that the comparable provisions dealing with the termination of parental rights of the parents and of a biological father who is not a legal father of the child have been complied with under the laws of the state or country in which the out-of-state licensed agency is licensed and that the child is legally available for adoption thereunder;

~~(B)~~(D) The original written consent of the department, child-placing agency, or out-of-state licensed agency to the adoption;

~~(C)~~(E) Uncertified copies of appropriate certificates or forms verifying the allegations contained in such petition as to guardianship of the child, including, but not limited to, the marriage of each petitioner, the death of each parent in lieu of a surrender of his or her parental rights, and A copy of the appropriate form verifying the allegation of compliance with the requirements of Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children; and

~~(D)~~(F) A completed form containing background information regarding the child to be adopted, as required by the adoption unit of the department, or an equivalent medical and social history background form; and

(G) The original waiver of the right to revoke a surrender of rights specified in

subsection (c) of Code Section 19-8-9;

(3) ~~When~~ ~~Where~~ the adoption is pursuant to subsection (a) of Code Section 19-8-5, the following shall be provided or attached to the petition for adoption or its absence explained when the petition for adoption is filed:

(A) The original written voluntary surrender of rights of each parent, biological father who is not a legal father, or guardian specified in subsection (e) of Code Section 19-8-5;

(B) The original written acknowledgment of surrender of rights specified in subsection (f) of Code Section 19-8-5;

(C) The original affidavits specified in subsections (g) and (h) of Code Section 19-8-5;

(D) A copy of the appropriate form verifying the allegation ~~Allegations~~ of compliance with Code Section 19-8-12 and the original certification evidencing the search of the putative father registry;

~~(E) Allegations of compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children;~~

~~(F)~~(E) The original accounting required by subsection (c) of this Code section;

~~(G)~~(F) Uncertified copies ~~Copies~~ of appropriate certificates or forms verifying the allegations contained in the such petition as to guardianship ~~or custody~~ of the child, including, but not limited to, the marriage of each petitioner, the ~~divorce or~~ death of each parent ~~of the child~~ in lieu of a surrender of his or her parental rights, and compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children;

~~(H)~~(G) A completed form containing background information regarding the child ~~to be adopted~~, as required by the adoption unit of the department, or an equivalent medical and social history background form; and

~~(I)~~(H) A copy of the home study report; and

(I) The original waiver of the right to revoke a surrender of rights specified in subsection (c) of Code Section 19-8-9;

(4) ~~When~~ ~~Where~~ the adoption is pursuant to subsection (a) of Code Section 19-8-6, the following shall be provided or attached to the petition for adoption or its absence explained when the petition for adoption is filed:

(A) The original written voluntary surrender of ~~the parent~~ rights of each parent, biological father who is not a legal father, or guardian specified in subsection (e) of Code Section 19-8-6;

(B) The original written acknowledgment of surrender of rights specified in subsection (f) of Code Section 19-8-6;

(C) The original affidavits specified in subsections (g) and (h) of Code Section 19-8-6;

(D) The original consent specified in subsection (j) of Code Section 19-8-6;

(E) A copy of the appropriate form verifying the allegation ~~Allegations~~ of compliance with Code Section 19-8-12 and the original certification evidencing the search of the putative father registry;

(F) Uncertified copies ~~Copies~~ of appropriate certificates or forms verifying the allegations contained in the such petition as to guardianship of the child ~~sought to be adopted~~, including, but not limited to, the birth of the child ~~sought to be adopted~~, the marriage of each petitioner, and the ~~divorce or~~ death of each parent ~~of the child sought to be adopted~~; and in lieu of a surrender of his or her parental rights;

(G) A completed form containing background information regarding the child ~~to be adopted~~, as required by the adoption unit of the department, or an equivalent medical and social history background form; and

(H) The original waiver of the right to revoke a surrender of rights specified in subsection (c) of Code Section 19-8-9;

(5) When ~~Where~~ the adoption is pursuant to subsection (a) of Code Section 19-8-7, the following shall be provided or attached to the petition for adoption or its absence explained when the petition for adoption is filed:

(A) The original written voluntary surrender of rights of each parent or biological father who is not a legal father specified in subsection (e) of Code Section 19-8-7;

(B) The original written acknowledgment of surrender of rights specified in subsection (f) of Code Section 19-8-7;

(C) The original affidavits specified in subsections (g) and (h) of Code Section 19-8-7;

(D) A copy of the appropriate form verifying the allegation ~~Allegations~~ of compliance with Code Section 19-8-12 and the original certification evidencing the search of the putative father registry;

(E) Uncertified copies ~~Copies~~ of appropriate certificates or forms verifying allegations contained in the petition as to guardianship or custody of the child ~~sought to be adopted~~, and the birth of the child ~~sought to be adopted~~, including but not limited to, the marriage of each petitioner, ~~and the divorce or the~~ death of each parent ~~of the child sought to be adopted~~; and in lieu of a surrender of his or her parental rights, and compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children;

(F) A completed form containing background information regarding the child ~~to be adopted~~, as required by the adoption unit of the department, or an equivalent medical and social history background form; and

(G) The original waiver of the right to revoke a surrender of rights specified in subsection (c) of Code Section 19-8-9;

(6)(A) When ~~Where~~ the adoption is pursuant to subsection (a) of Code Section 19-8-8, the following shall be provided or attached ~~or its absence explained~~ to the petition for adoption when the petition for adoption is filed:

(i) ~~A certified copy of the final decree of adoption from the foreign country along with a verified English translation. The translator shall provide a statement regarding his qualification to render the translation, his complete name, and his current address. Should the current address be a temporary one, his permanent address shall also be provided;~~

(ii) ~~A verified copy of the visa granting the child entry to the United States;~~

~~(iii) A certified copy along with a verified translation of the child's amended birth certificate or registration showing each petitioner as parent; and~~

~~(iv) A copy of the home study which was completed for United States Immigration and Naturalization Service.~~

(i) A copy of the child's passport page showing an immediate relative immigrant visa or Hague Convention immigrant visa obtained to grant the child entry into the United States as a result of a full and final adoption in the foreign country; and

(ii) A copy along with an English translation of the child's birth certificate or registration.

~~(B) It is not necessary to file copies of surrenders or termination on any parent or biological father who is not the legal father when the petition is filed pursuant to paragraph (1) of Code Section 19-8-8.~~

(B) Because the issuance of an immediate relative immigrant visa or Hague Convention immigrant visa by the United States Department of State in the child's passport is prima-facie evidence that all parental rights have been terminated and that the child is legally available for adoption, it shall not be necessary to file any documents related to the surrender or termination of the parental rights of the child's parents or comply with Code Section 19-8-12 regarding the rights of a biological father who is not a legal father when the petition for adoption is filed pursuant to subsection (a) of Code Section 19-8-8.

(C) When the adoption is pursuant to subsection (b) of Code Section 19-8-8, the following shall be provided or attached to the petition for adoption when the petition for adoption is filed:

(i) A copy along with an English translation of the final decree or order of guardianship from the foreign country;

(ii) Copies of all postplacement reports, if required by the foreign country that entered the guardianship decree or order;

(iii) Authorization to proceed with adoption if specifically required by the decree or order entered by the court or administrative agency in the foreign country;

(iv) A copy of the child's passport page showing an immediate relative immigrant visa or Hague Convention immigrant visa obtained to grant the child entry into the United States in order to finalize his or her adoption; and

(v) A copy along with an English translation of the child's birth certificate or registration;

(7) When ~~Where~~ Code Section 19-8-10 is applicable, parental rights need not be surrendered or terminated prior to the filing of the petition for adoption; but ~~any~~ the petitioner shall, in lieu of obtaining and attaching those otherwise required surrenders of rights, acknowledgments, and affidavits, allege facts in the petition for adoption demonstrating the applicability of subsection (a) or (b), or both, of Code Section 19-8-10 and shall also allege compliance with subsection (c) of Code Section 19-8-10; and

(8) If the petition for adoption is filed in a county other than that of the ~~petitioners'~~ petitioner's residence, the reason therefor ~~must also~~ shall be set forth in the such petition.

(b) At the time of filing the petition for adoption, the petitioner shall deposit with the clerk the deposit required by Code Section 9-15-4; the fees shall be those established by Code Sections 15-6-77, ~~and 15-6-77.1, and 15-6-77.2.~~

(c) Each petitioner for adoption in any proceeding for the adoption of a minor child pursuant to ~~the provisions of~~ Code Section 19-8-5 shall file with the petition for adoption, in a manner acceptable to the court, a report fully accounting for all disbursements of anything of value made or agreed to be made, directly or indirectly, by, on behalf of, or for the benefit of the petitioner in connection with the adoption, including, but not limited to, any expenses incurred in connection with:

(1) The birth of the minor child;

(2) Placement of the minor child with the petitioner;

(3) Counseling services or legal services for a legal mother;

(4) Reasonable living expenses for the biological mother;

~~(3)~~(5) Medical or hospital care received by the biological mother or by the minor child during the such mother's prenatal care and confinement; and

~~(4)~~(6) Services relating to the adoption or to the placement of the minor child for adoption which were received by or on behalf of the petitioner, either natural biological parent of the minor child, or any other person individual.

(d) Every attorney for a petitioner in any proceeding for the adoption of a minor child pursuant to ~~the provisions of~~ Code Section 19-8-5 shall file, in a manner acceptable to the court, before the decree of adoption is entered, an affidavit detailing all sums paid or promised to that attorney, directly or indirectly, from whatever source, for all services of any nature rendered or to be rendered in connection with the adoption; provided, however, that, if the attorney received or is to receive less than \$500.00, the affidavit need only state that fact.

(e) Any report made under this Code section ~~must~~ shall be signed ~~and verified under oath and in the presence of a notary public~~ by the individual making the report.

(f)(1) As used in this subsection, the term 'family member' shall have the same meaning as set forth in Code Section 19-7-3.

(2) Whenever a ~~petitioner is a blood relative of the child to be adopted and a family member other than the petitioner has visitation rights to the such child granted pursuant to Code Section 19-7-3, the petitioner shall cause a copy of the petition for adoption to be served upon the family member with the visitation rights or upon such person's family member's counsel of record at least 30 days prior to the date upon which the petition for adoption will be considered as such time frames are set forth in Code Section 19-8-14.~~

(g) Notwithstanding ~~the provisions of~~ Code Sections 19-8-5 and 19-8-7 and this Code section which require obtaining and attaching a written voluntary surrender of rights and acknowledgment thereof and affidavits of ~~the a~~ legal mother and a representative of the petitioner or of the individual signing such surrender, when the adoption is sought under subsection (a) of Code Section 19-8-5 or 19-8-7 following the termination of parental rights and the placement of the child by the juvenile court pursuant to Code Section 15-11-321, obtaining and attaching to the petition for adoption a certified copy

of the order terminating parental rights of the parent shall take the place of obtaining and attaching those otherwise required surrenders of rights, acknowledgments, and affidavits.

(h)(1) A petition for adoption regarding a child ~~or children~~ who ~~have~~ has a living biological father who is not ~~the~~ a legal father and who has not surrendered his rights to the child ~~or children~~ shall include a certificate from the putative father registry disclosing the name, address, and social security number of any registrant acknowledging paternity of the child ~~or children~~ pursuant to subparagraph (d)(2)(A) of Code Section 19-11-9 or indicating the possibility of paternity of ~~a child of the child's mother~~ such child pursuant to subparagraph (d)(2)(B) of Code Section 19-11-9 for a period beginning no later than two years immediately prior to the child's date of birth. Such certificate shall indicate the results of a search of the registry on or after the earliest of the following:

(1)(A) The date of ~~the~~ a legal mother's surrender of parental rights;

(2)(B) The date of entry of the court order terminating ~~the~~ a legal mother's parental rights; or

(3)(C) The date of ~~the~~ a legal mother's consent to adoption pursuant to Code Section 19-8-6; ~~or~~

(4) ~~The date of the filing of the petition for adoption, in which case the certificate may be filed as an amendment to the petition for adoption.~~

(2) Such certificate shall include a statement that the registry is current as of the earliest date listed in ~~paragraphs (1) through (4)~~ subparagraphs (A) through (D) of paragraph (1) of this subsection, or as of a specified date that is later than the earliest such date.

(3) When a legal mother of the child who is the subject of the proceeding identifies her husband as the biological father of the child and he has executed a surrender of his parental rights in favor of the petitioner, the petitioner shall obtain a certificate from the putative father registry and submit it with the petition for adoption to confirm that no male other than the legal mother's husband has expressed an interest in the child or to identify a registrant other than the legal mother's husband who shall be notified pursuant to Code Section 19-8-12.

(i) Because adoption records are sealed pursuant to subsection (a) of Code Section 19-8-23, it shall not be necessary to redact social security numbers, taxpayer identification numbers, financial account numbers, or dates of birth from pleadings and all documents filed therewith that are filed pursuant to this article as they are deemed to be a filing under seal under subsection (d) of Code Section 9-11-7.1.

19-8-14.

(a) It is the policy of this state that, in the best ~~interest~~ interests of the child, uncontested adoption petitions ~~should~~ shall be heard as soon as possible but not later than 120 days after the date of filing, unless the petitioner has failed to arrange for the court to receive the report required by ~~the provisions of~~ Code Section 19-8-16 or has otherwise failed to provide the court with all exhibits, surrenders of rights, or

certificates required by this ~~chapter~~ article within that time period. It is the policy of this state that, in contested adoption petitions, the parties shall make every effort to have the petition considered by the court as soon as practical after the date of filing, taking into account the circumstances of the petition and the best ~~interest~~ interests of the child.

(b) Upon the filing of the petition for adoption, accompanied by the filing fee unless such fee is waived, it shall be the responsibility of the clerk to accept ~~the~~ such petition as filed. Such petition shall not be subject to court approval before it is filed.

(c) Upon the filing of the petition for adoption, the court shall fix a date upon which ~~the~~ such petition shall be considered, which date shall be not less than 45 days from the date of the filing of ~~the~~ such petition and shall not be less than 30 days following the last date a parent or biological father is deemed to have received service of notice as required in those cases when Code Section 19-8-10 or 19-8-12, or both, is applicable.

(d) Notwithstanding ~~the provisions of~~ subsections (a) and (c) of this Code section, it shall be the petitioner's responsibility to request that the court hear the petition for adoption on a date that allows sufficient time for fulfillment of the notice requirements of ~~Code Section 19-8-10 and Code Section 19-8-12, where~~ Code Sections 19-8-10 and 19-8-12, when applicable.

(e) In the best ~~interest~~ interests of the child, the court may hear the petition for adoption less than 45 days from the date of its filing upon a showing by the petitioner that ~~either~~ no further notice is required or ~~that~~ any statutory requirement of notice to any ~~person~~ individual will be fulfilled at an earlier date, and provided that any report required by Code Section 19-8-16 has been completed or will be completed at an earlier date.

(f) The court in the child's best ~~interest~~ interests may grant such expedited hearings or continuances as may be necessary for completion of applicable notice requirements, investigations, a home study, and reports or for other good cause shown.

(g) Copies of the petition for adoption and all documents filed in connection therewith, including, but not limited to, the order fixing the date upon which ~~the~~ such petition shall be considered, motions, other pleadings filed, all orders entered in connection with such petition, and all exhibits, surrenders of rights, or certificates required by this ~~chapter~~ article, shall be forwarded by the clerk to the department within 15 days after the date of ~~the~~ such filing of ~~the~~ petition for adoption for retention by the State Adoption Unit of the department.

(h) Copies of the petition for adoption, the order fixing the date upon which ~~the~~ such petition shall be considered, and all exhibits, surrenders of rights, or certificates required by this ~~chapter~~ article shall be forwarded by the clerk to the ~~child-placing agency or other~~ agent appointed by the court pursuant to ~~the provisions of~~ Code Section 19-8-16 within 15 days after the filing of the petition for adoption, together with a request that a report and investigation be made as required by ~~law~~ Code Section 19-8-16.

(i) The clerk of court shall provide the petitioner or his or her attorney with a copy of the petition for adoption and of each amendment, motion, and other pleading filed with a stamp confirming the date each pleading was filed with the court and shall also

provide the petitioner or his or her attorney with a copy of each order entered by the court in the adoption proceeding, confirming the date the order was filed of record by the court. Copies of all motions, amendments, and other pleadings filed and of all orders entered in connection with the petition for adoption shall be forwarded by the clerk to the department within 15 days after such filing or entry.

19-8-15.

(a) As used in this Code section, the term 'family member' shall have the same meaning as set forth in Code Section 19-7-3.

(b) ~~If the child sought to be adopted has no legal father or legal mother living~~ If a legal mother and biological father, whether he was a legal father or not, of the child who is the subject of the proceeding are both deceased, regardless of whether either individual had surrendered his or her parental rights or had his or her rights terminated, it shall be the privilege of any ~~person~~ individual related by blood to ~~the~~ such child to file objections to the petition for adoption.

(c) A family member with visitation rights to a child granted pursuant to Code Section 19-7-3 shall have the privilege to file objections to the petition ~~of~~ for adoption if neither parent has any further rights to the child and if the petition for adoption has been filed by a blood relative of the child. The court, after hearing such objections, shall determine, in its discretion, whether or not ~~the same~~ such objections constitute a good reason for denying the petition for adoption and the court shall have the authority to grant or continue such visitation rights of the family member of the child in the adoption order in the event the adoption by the blood relative is approved by the court.

19-8-16.

(a) Prior to the date set by the court for a hearing on the petition for adoption, it shall be the duty of ~~a child placing agency~~ the agent appointed by the court ~~or any other independent agent appointed by the court~~ to verify the allegations in the petition for adoption, to make a complete and thorough investigation of the entire matter, including ~~a criminal records check of each petitioner~~ any specific issue the court requests to be investigated, and to report its findings and recommendations in writing to the court where the petition for adoption was filed. The agent may be the department, a child-placing agency, an evaluator, or an individual who the court determines is qualified to conduct the required investigation. ~~The department, child placing agency, or other independent agent~~ appointed by the court shall also provide the ~~petitioner or his or her attorney for petitioner~~ with a copy of ~~the~~ its report ~~to the court~~. If for any reason the ~~child placing agency or other agent~~ appointed by the court finds itself unable to make or arrange for the proper investigation and report, it shall be the duty of the ~~agency or agent~~ to notify the court immediately, or at least within 20 days after receipt of the request for investigation service, that it is unable to make the report and investigation, so that the court may take such other steps as in its discretion are necessary to have the ~~entire matter investigated~~ investigation and report prepared. The investigation required by this Code section shall be in addition to the requirement of a home study in the case

of a petition for adoption filed pursuant to subsection (a) of Code Section 19-8-5.

(b) If the petition for adoption has been filed pursuant to subsection (a) of Code Section 19-8-6 or 19-8-7, the court is shall be authorized but shall not be required to appoint a child-placing agency or other independent an agent to make an investigation in whatever form the court specifies pursuant to subsection (a) of this Code section; provided, however, that a home study shall not be required.

(c)(1) If the petition for adoption has been filed pursuant to Code Section 19-8-8, ~~or if the department has conducted an investigation and has consented to the adoption, an investigation~~ the appointment of an agent to make an investigation and render a report pursuant to subsection (a) of this Code section shall not be required.

(2) If the petition for adoption has been filed pursuant to Code Section 19-8-4 and the department or child-placing agency has consented to the adoption, the appointment of an agent to make an investigation and render a report pursuant to subsection (a) of this Code section shall not be required.

(d) The court shall require the petitioner to submit to a criminal history records check. The petitioner shall submit his or her fingerprints to the Georgia Crime Information Center with the appropriate fee. The center shall promptly transmit the fingerprints to the Federal Bureau of Investigation for a search of bureau records and shall obtain an appropriate report. The Georgia Crime Information Center shall also promptly conduct a search of its records and any records to which it has access. The center shall notify the court in writing of the presence or absence of any ~~derogatory finding, including but not limited to any conviction data, regarding the~~ criminal record from the state fingerprint records check. In those cases when the petitioner has submitted a fingerprint based criminal history report that includes the results of a records search of both the Georgia Crime Information Center and the Federal Bureau of Investigation to the department, child-placing agency, or evaluator as part of the home study and such results are dated within 12 months of filing of the petition for adoption and are included in the home study report filed with or otherwise made available to the court, such results shall satisfy the requirements of this subsection. Because the court shall not be authorized to share the results of the fingerprint records check with the agent appointed by the court pursuant to subsection (a) or (e) of this Code section, the court shall determine the acceptability of the petitioner's criminal history, inform the petitioner or his or her attorney at least five days prior to the final hearing on the petition for adoption if the court will require additional evidence with respect to the petitioner's criminal history or if the court is inclined to deny such petition because of such criminal history, and afford the petitioner or his or her attorney an opportunity to present evidence as to why the petitioner's criminal history should not be grounds for denial of such petition.

(e) ~~The court may appoint the department to serve as its agent to conduct the investigation required by this Code section if an appropriate child-placing agency or independent agent is not available. If for any reason the department finds itself unable to make or arrange for the proper investigation and report, it shall be the duty of the commissioner of human services to notify the court immediately, or at least within 20~~

~~days after receipt of the request for investigation service, that it is unable to make the report and investigation, so that the court may take such other steps as in its discretion are necessary to have the entire matter investigated.~~

~~(f)~~(e) The court shall require the petitioner to reimburse the ~~child-placing agency or other independent~~ agent appointed by the court, including the department, for the full cost of conducting the investigation and preparing ~~the~~ its report. Such cost shall not exceed \$250.00 unless specifically authorized by the court, provided that the court shall furnish the petitioner or his or her attorney with written notice of the name of the agent that the court intends to appoint and the amount of any increased costs, together with a request to agree to pay such increased costs. If the petitioner does not agree to pay the increased costs, then the petitioner shall have an opportunity to present to the court information regarding other persons that are qualified to conduct the investigation and render the report to the court and the cost of their services, and the court shall appoint the person that is qualified to conduct the investigation and render the report to the court at the lowest cost to the petitioner.

19-8-17.

(a) The report and findings of the investigating ~~agency~~ agent appointed by the court pursuant to Code Section 19-8-16 shall include, among other things, the following:

- (1) Verification of allegations contained in the petition for adoption;
- (2) Circumstances under which the child came to be placed for adoption;
- (3) Whether each ~~proposed~~ prospective adoptive parent is financially, physically, and mentally able to have the permanent custody of the child; in considering financial ability any adoption supplement approved by the department shall be taken into account;
- (4) The physical and mental condition of the child, insofar as this can be determined by the aid of competent medical authority;
- (5) Whether or not the adoption is in the best interests of the child, including his or her general care;
- (6) Suitability of the home to the child;
- (7) If applicable, whether the identity and location of ~~the~~ a biological father who is not ~~the~~ a legal father are known or ascertainable and whether the requirements of Code Section 19-8-12 were complied with; ~~and~~
- (8) Any other information that might be disclosed by the investigation that in the agent's opinion would be of ~~any~~ value or interest to the court in deciding the case; ~~and~~
- (9) Any other information that might be disclosed by the investigation in response to any specific issue that the court requested be investigated in its order appointing such agent.

(b) If the report of the investigating ~~agency or independent~~ agent disapproves of the adoption of the child, motion may be made by the investigating ~~agency or independent~~ agent to the court to dismiss the petition for adoption and the court after hearing ~~is~~ such motion shall be authorized to do so dismiss such petition. If the court denies the motion to dismiss, the court shall appoint a guardian ad litem who may appeal the ruling to the

Georgia Court of Appeals or Supreme Court, as in other cases, as provided by law.

(c) If at any time it appears to the court that the interests of the child may conflict with those of any petitioner, the court may, in its discretion, appoint a guardian ad litem to represent the child and the cost thereof shall be a charge upon the funds of the county.

19-8-18.

(a)(1) Upon the date appointed by the court for a hearing of the petition for adoption or as soon thereafter as the matter may be reached for a hearing, the court shall proceed to a full hearing on ~~the~~ such petition and the examination of the parties at interest in chambers, under oath, with the right of continuing the hearing and examinations from time to time as the nature of the case may require. The court at such times shall give consideration to the investigation report to the court provided for in Code Section 19-8-16 and the recommendations contained ~~therein~~ in such report. The court may in its discretion allow the petitioner or any witness to appear via electronic means in lieu of requiring his or her physical presence before the court.

(2) The court shall examine the petition for adoption and the affidavit specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, as appropriate, to determine whether Code Section 19-8-12 is applicable. If the court determines that Code Section 19-8-12 is applicable to the petition for adoption, it shall:

(A) Determine that an appropriate order has previously been entered;

(B) Enter an order consistent with Code Section 19-8-12; or

(C) Continue the hearing until Code Section 19-8-12 is complied with.

(3) If the adoption petition is filed pursuant to subsection (a) of Code Section 19-8-5, the court shall examine the financial disclosures required under subsections (c) and (d) of Code Section 19-8-13 and make such further examination of each petitioner and his or her attorney as the court deems appropriate in order to make a determination as to whether there is cause to believe that Code Section 19-8-24 has been violated with regard to the ~~'inducement'~~ inducement, as such term is defined in Code Section 19-8-24, of the placement of the child for adoption. Should the court determine that further inquiry is in order, the court shall direct the district attorney for the county to review the matter further and to take such appropriate action as the district attorney in his or her discretion deems appropriate.

(b)(1) If the petition for adoption was filed pursuant to Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, the court shall enter a decree of adoption naming the child as prayed for in such petition; terminating all of the rights of each living parent, guardian, and legal custodian of the child, other than the spouse of the petitioner in the case of a stepparent adoption pursuant to Code Section 19-8-6; granting the permanent custody of the child to each petitioner; and declaring the child to be the adopted child of each petitioner if the court is satisfied that each:

(A) Each living parent or guardian of the child has surrendered or had terminated all of his or her rights to the child in the manner provided by law ~~prior to the filing of the petition for adoption~~ or that each petitioner has complied with the notice requirements of subsection (c) of Code Section 19-8-10 and satisfied his or her

burden of proof under Code Section 19-8-10, that such or that the spouse has consented to the petitioner's adoption of the child as required by Code Section 19-8-6;

(B) Each petitioner is capable of assuming responsibility for the care, supervision, training, and education of the child, that the;

(C) The child is suitable for adoption in a private family home, and that the; and

(D) The adoption requested is for in the best interest interests of the child, it shall enter a decree of adoption, terminating all the rights of each parent and guardian to the child, granting the permanent custody of the child to each petitioner, naming the child as prayed for in the petition, and declaring the child to be the adopted child of each petitioner. In all cases wherein Code Section 19-8-10 is relied upon by any petitioner as a basis for the termination of parental rights, the.

(2) When Code Section 19-8-10 has been relied upon by any petitioner for the termination of rights of a living parent, the court shall include in the decree of adoption appropriate findings of fact and conclusions of law relating to the applicability of Code Section 19-8-10 termination of rights of such living parent and the court's determination that the adoption is in the child's best interests.

(3) When the child was born in a country other than the United States, the court shall examine the evidence submitted and determine that sufficient evidence has been proffered to show that the child will be able to obtain lawful permanent resident status, if not already obtained, before the court shall have authority to determine if it is in the best interests of the child to grant the petition for adoption.

(4) If there is an existing visitation order pursuant to Code Section 19-7-3 in favor of a family member, the court shall have the authority to continue or discontinue such visitation rights in the adoption order as it deems is in the best interests of the child.

(c) If the petition for adoption was filed pursuant to subsection (a) of Code Section 19-8-8 and if the court is satisfied that the petitioner has fully complied with the requirements of Code Section 19-8-13 and has established that he or she finalized his or her adoption of the child in the foreign country, then the court shall enter a decree of adoption naming the child as prayed for in such petition; domesticating the foreign decree of adoption; granting the permanent custody of the child to each petitioner; changing the date of birth of the child if so requested, provided that evidence was presented justifying such change; and declaring the child to be the adopted child of each petitioner. Notwithstanding the requirements of subsection (a) of this Code section, the court may domesticate the foreign decree of adoption upon the pleadings without a hearing.

(d) If the petition for adoption was filed pursuant to subsection (b) of Code Section 19-8-8, the court shall enter a decree of adoption naming the child as prayed for in such petition; terminating the guardianship; granting the permanent custody of the child to each petitioner; changing the date of birth of the child if so requested, provided that evidence was presented justifying such change; and declaring the child to be the adopted child of each petitioner if the court is satisfied that the petitioner has fully complied with the requirements of Code Section 19-8-13 and that:

- (1) Each petitioner in his or her capacity as guardian of the child has surrendered all of his or her rights to the child in the manner provided by law;
 - (2) Each petitioner is capable of assuming responsibility for the care, supervision, training, and education of the child;
 - (3) The child is suitable for adoption in a private family home; and
 - (4) The adoption requested is in the best interests of the child.
- (e) In exercising its discretion to determine whether the adoption requested is in the best interests of the child, the court shall consider the following factors:
- (1) The ability of each petitioner and, if applicable, each respondent to provide for the physical safety and welfare of the child, including food, shelter, health, and clothing;
 - (2) The love, affection, bonding, and emotional ties existing between the child and each petitioner and, if applicable, each respondent;
 - (3) The child's need for permanence, including the child's need for stability and continuity of relationships with his or her siblings;
 - (4) The capacity and disposition of each petitioner and, if applicable, each respondent to give the child his or her love, affection, and guidance and to continue the education and rearing of the child;
 - (5) The home environment of each petitioner and, if applicable, each respondent, considering the promotion of the child's nurturance and safety rather than superficial or material factors;
 - (6) The stability of the family unit and the presence or absence of support systems within the community to benefit the child;
 - (7) The mental and physical health of all individuals involved;
 - (8) The home, school, and community record and history of the child, as well as any health or educational special needs of the child;
 - (9) The child's background and ties, including familial, cultural, and religious;
 - (10) The uniqueness of every family and child;
 - (11) The child's wishes and long-term goals;
 - (12) Any evidence of family violence, substance abuse, criminal history, or sexual, mental, or physical child abuse in the petitioner's home and, if applicable, each respondent's home;
 - (13) Any recommendation by a court appointed agent or guardian ad litem; and
 - (14) Any other factors considered by the court to be relevant and proper to its determination.
- ~~(e)~~(f) If the court determines that any petitioner has not complied with this ~~chapter~~ article, it may dismiss the petition for adoption without prejudice or it may continue the case. Should the court find that any notice required to be given by any petitioner under this ~~chapter~~ article has not been given or has not been properly given or that the petition for adoption has not been properly filed, the court ~~is~~ shall be authorized to enter an order providing for corrective action and an additional hearing.
- ~~(d)~~(g) If the court is not satisfied that the adoption is in the best interests of the child, it shall deny the petition for adoption. If ~~the~~ such petition is denied because ~~of such~~

reason the court determines that the adoption requested is not in the best interests of the child or for any other reason under law, the court shall set forth specific findings of fact explaining its decision in its order denying the adoption and shall commit the child to the custody of the department, or to a child-placing agency, if the or an out-of-state licensed agency if such petition was filed pursuant to Code Section 19-8-4 or 19-8-5. If such petition was filed pursuant to Code Section 19-8-5, the court shall commit the child to the third party named by the parent in the written surrender of rights pursuant to subsection (a) of Code Section 19-8-5; and if there is no surrender of rights, the court shall place the child with the department for the purpose of determining whether or not a petition should be initiated under Chapter 11 of Title 15. If such the petition was filed pursuant to Code Section 19-8-6, 19-8-7, or 19-8-8, the child shall remain in the custody of each petitioner if that each petitioner is fit to have custody or the court may place the child with the department for the purpose of determining whether or not a petition should be initiated under Chapter 11 of Title 15. If the petition for adoption is denied, each surrender of rights executed in support of the adoption, whether by a parent, biological father who is not a legal father, or guardian, shall be dissolved by operation of law and the individual's rights shall be restored. The fact that the individual executed a surrender of his or her rights in support of the adoption shall not be admissible as evidence against him or her in any subsequent proceeding.

(e)(h) A decree of adoption issued pursuant to subsection (b) of this Code section shall not be subject to any judicial challenge filed more than six months after the date of entry of such decree. Notwithstanding Code Section 9-3-31, any action for damages against an adoptee or the adoptive parents for fraud in obtaining a consent or surrender of rights shall be brought within six months of the time the fraud is or ought to reasonably have been discovered.

~~(f) Any decree of adoption issued prior to the effective date of this action shall not be subject to any judicial challenge more than six months after July 1, 1995.~~

(i) Notwithstanding subsection (a) of Code Section 19-8-23, the decree of adoption issued pursuant to subsection (b) of this Code section shall authorize the clerk of the court to issue one or more certified copies of the decree of adoption to the petitioner or his or her attorney at the time of entry of the final decree without further order of the court and without cost.

19-8-19.

(a) A decree of adoption, whether issued by a court of this state or by a court of any other jurisdiction, shall have the following effect as to matters within the jurisdiction of or before a court in this state:

(1) Except with respect to a spouse of the petitioner and relatives of the spouse, a decree of adoption ~~terminates~~ shall terminate all legal relationships between the adopted individual and his or her relatives, including his or her parent, so that the adopted individual thereafter ~~is~~ shall be a stranger to his or her former relatives for all purposes, including inheritance and the interpretation or construction of documents, statutes, and instruments, whether executed before or after the adoption is decreed,

which do not expressly include the individual by name or by some designation not based on a parent and child or blood relationship; and

(2) A decree of adoption ~~creates~~ shall create the relationship of parent and child between each petitioner and the adopted individual, as if the adopted individual were a child of biological issue of that petitioner. The adopted individual shall enjoy every right and privilege of a biological child of that petitioner; shall be deemed a biological child of that petitioner, to inherit under the laws of descent and distribution in the absence of a will, and to take under ~~the provisions of~~ any instrument of testamentary gift, bequest, devise, or legacy, whether executed before or after the adoption is decreed, unless expressly excluded therefrom; shall take by inheritance from relatives of that petitioner; and shall also take as a 'child' of that petitioner under a class gift made by the will of a third person.

(b) Notwithstanding ~~the provisions of~~ subsection (a) of this Code section, if a parent of a child dies without the relationship of parent and child having been previously terminated by court order ~~or unrevoked surrender of parental rights to the child~~, the child's right of inheritance from or through the deceased parent shall not be affected by the adoption.

19-8-20.

(a) Upon the entry of the decree of adoption, the clerk of the court granting the same shall forward a copy of the decree, together with the original of the investigation report and background information filed with the court, to the department. If there is any subsequent order or revocation of the adoption, a copy of same in like manner shall be forwarded by the clerk to the department.

(b) At any time after the entry of the decree of adoption, upon the request of an adopted ~~person~~ individual who has reached 18 years of age or upon the request of any adopting parent, the clerk of the court granting the decree shall issue to that requesting adopted ~~person~~ individual or adopting parent a certificate of adoption, under the seal of the court, upon payment to the clerk of the fee prescribed in paragraph (4) of subsection (g) of Code Section 15-6-77, which adoption certificate shall be received as evidence in any court or proceeding as primary evidence of the facts contained in the certificate.

(c) The adoption certificate shall ~~be in~~ conform substantially to the following form:

'This is to certify that _____ (names of each adopting parent) have obtained a decree of adoption for _____ (full name of ~~adopted child~~ adoptee and date of birth of adoptee) in the Superior Court of _____ County, Georgia, on the _____ day of _____, as shown by the court's records _____ (adoption file number).

Given under the hand and seal of said court, this the _____ day of _____, _____.

Clerk'

19-8-21.

(a) Adult ~~persons~~ individuals may be adopted on giving written consent to the adoption. In such cases, adoption shall be by a petition duly verified and filed, together with ~~two conformed copies~~ one conformed copy, in the superior court in the county in which ~~either~~ any petitioner or the adult to be adopted resides, setting forth the name, age, and residence of each petitioner and of the adult to be adopted, the name by which the adult is to be known, and his or her written consent to the adoption. The court may assign the petition for adoption for hearing at any time. The petition for adoption shall state whether one or both parents of the adult to be adopted will be replaced by the grant of such petition, and if only one parent is to be replaced, then the decree of adoption shall make clear which parent is to be replaced by adoption. After examining each petitioner and the adult ~~sought~~ to be adopted, the court, if satisfied that there is no reason why the adoption should not be granted, shall enter a decree of adoption and, if requested, shall change the name of the adopted adult. Thereafter, the relation between each petitioner and the adopted adult shall be, as to their legal rights and liabilities, the same as the relation of a parent and adult child.

(b) ~~Code Section 19-8-19, relating to the effect of a decree of adoption, and Code Section 19-8-20, relating to notice of adoption, Sections 19-8-19 and 19-8-20 shall also apply to the adoption of adults.~~

19-8-22.

(a) A decree of a court or an administrative proceeding terminating the relationship of parent and child, establishing the relationship of guardian and ward, or establishing the relationship of parent and child by adoption, issued pursuant to due process of law by a court or administrative body of any other jurisdiction within or outside the United States, or the clear and irrevocable release or consent to adoption by the guardian of a child ~~where~~ when the appointment of the guardian has been certified by the appropriate and legally authorized court or agency of the government of the foreign country, shall be recognized in this state; and the rights and obligations of the parties as to matters within the jurisdiction of this state shall be determined as though any such decree were issued by a court of this state and any such consent or release shall be deemed to satisfy the requirements of Code Sections 19-8-4, 19-8-5, 19-8-6, 19-8-7, 19-8-8, and 19-8-12.

(b) Any adoption proceeding in this state in which a final order of adoption was entered by the court prior to April 1, 1986, and to which subsection (a) of this Code section would have been applicable if said subsection, ~~as amended~~, had been effective at the time such proceeding was filed or concluded shall be governed by ~~the provisions of~~ subsection (a) of this Code section, ~~as amended~~.

(c) ~~Any adoption proceeding pending in a court of competent jurisdiction in this state in which no final order of adoption has been entered as of April 1, 1986, to which the provisions of subsection (a) of this Code section are applicable shall be governed by the provisions of subsection (a) of this Code section, as amended.~~

19-8-23.

(a)(1) The original petition for adoption, all amendments, attachments, and exhibits thereto, all motions, documents, affidavits, records, and testimony filed in connection therewith, and all decrees or orders of any kind whatsoever, except the original investigation report and background information referred to in Code Section 19-8-20, shall be recorded in a book kept for ~~that~~ such purpose and properly indexed; and ~~the~~ such book shall be part of the records of the court in each county which has jurisdiction over matters of adoption in that county. All of ~~the~~ such court records, including the docket book, ~~of the court granting the adoption, of the department, and of the child-placing agency~~ that relate in any manner to the adoption shall be kept sealed and locked. The department shall keep its records that relate in any manner to an adoption sealed and locked.

(2) The court records and department records may be examined by the parties at interest in the adoption and their attorneys when, after written petition, which shall be filed under seal, has been presented to the court having jurisdiction and after the department and the appropriate child-placing agency or out-of-state licensed agency, if any, have received at least 30 days' prior written notice of the filing of such petition, the matter has come on before the court in chambers and, ~~good cause having been shown to the court~~, the court has entered an order permitting such examination.

(3) Notwithstanding ~~the foregoing~~ paragraph (2) of this subsection, if the adoptee who is the subject of the records sought to be examined is less than 18 years of age at the time the petition for examination is filed and ~~the~~ such petitioner is someone other than one of the adoptive parents of the adoptee, then the department shall provide written notice of such proceedings to the adoptive parents by certified mail ~~or statutory overnight delivery~~, return receipt requested, or statutory overnight delivery at the last address the department has for such adoptive parents, and the court shall continue any hearing on ~~the~~ such petition until not less than 60 days after the date the notice to the adoptive parents was sent. Each such adoptive parent shall have the right to appear in person or through counsel and show cause why such records should not be examined. Adoptive parents may provide the department with their current address for purposes of receiving notice under this subsection by mailing that address to:

Office of Adoptions
State Adoption Unit
Department of Human Services
Atlanta, Georgia 30303

(b) The department or ~~the~~ child-placing agency may, in its sole discretion, make use of any information contained in the records of the respective department or child-placing agency relating to the adoptive parents in connection with a subsequent adoption matter involving the same adoptive parents or to provide notice when required by subsection (a) of this Code section.

(b.1) The department may, in its sole discretion, make use of any information contained in the records of the department concerning an adopted child and the adopted

child's biological parents in connection with the placement of another child in the home of the adoptive parents of the child or in connection with the investigation of a report of child abuse or neglect made concerning the adopted child's biological parents.

(c) The department or ~~the~~ child-placing agency may, in its sole discretion, make use of any information contained in its records on a child when an adoption disrupts after finalization and when such records are required for the permanent placement of such child, or when the information is required by federal law.

(d)(1) Upon the request of a party at interest in the adoption, a child, legal guardian, or health care agent of an adopted ~~person~~ individual or a provider of medical services to such a party, child, legal guardian, or health care agent when certain information would assist in the provision of medical care, a medical emergency, or medical diagnosis or treatment, the department or child-placing agency shall access its own records on finalized adoptions for the purpose of adding subsequently obtained medical information or releasing nonidentifying medical and health history information contained in its records pertaining to an adopted ~~person~~ individual or the biological parents or relatives of the biological parents of the adopted ~~person~~ individual. For purposes of this paragraph, the term 'health care agent' ~~has~~ shall have the meaning provided by Code Section 31-32-2.

(2) Upon receipt by the State Adoption Unit ~~of the Division of Family and Children Services~~ of the department or by a child-placing agency of documented medical information relevant to an adoptee, the ~~office~~ department or child-placing agency shall use reasonable efforts to contact the adoptive parents of the adoptee if the adoptee is under 18 years of age or the adoptee if he or she is 18 years of age or older and provide such documented medical information to the adoptive parents or the adult adoptee. The ~~office~~ department or child-placing agency shall be entitled to reimbursement of reasonable costs for postage and photocopying incurred in the delivery of such documented medical information to the adoptive parents or adult adoptee.

(e) Records relating in any manner to adoption shall not be open to the general public for inspection.

(f)(1) Notwithstanding Code Section 19-8-1, for purposes of this subsection, the term:

(A) 'Biological parent' means the biological mother or biological father who surrendered ~~that person's~~ such individual's rights or had such rights terminated by court order giving rise to the adoption of the child.

(B) 'Commissioner' means the commissioner of human services or ~~that person's~~ his or her designee.

(C) 'Department' means the Department of Human Services or, when the Department of Human Services so designates, the county ~~department~~ division of family and children services which placed for adoption the ~~person~~ individual seeking, or on whose behalf is sought, information under this subsection.

(D) 'Placement agency' means the child-placing agency, as defined in paragraph ~~(3)~~

(5) of Code Section 19-8-1, which placed for adoption the ~~person~~ individual

seeking, or on whose behalf is sought, information under this subsection.

(2) The department or a placement agency, upon the written request of an adopted ~~person~~ individual who has reached 18 years of age or upon the written request of an adoptive parent on behalf of that parent's adopted child, shall release to such adopted ~~person~~ individual or to the adoptive parent on the child's behalf nonidentifying information regarding such adopted ~~person's~~ individual's biological parents and information regarding such adopted ~~person's~~ individual's birth. Such information may include the date and place of birth of the adopted ~~person~~ individual and the genetic, social, and health history of the biological parents. No information released pursuant to this paragraph shall include the name or address of either biological parent or the name or address of any relative by birth or marriage of either biological parent.

(3)(A) The department or a placement agency, upon the written request of an adopted ~~person~~ individual who has reached ~~21~~ 18 years of age, shall release to such adopted ~~person~~ individual the name of such ~~person's~~ individual's biological parent, together with a detailed summary of all information the department or placement agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of his or her adoption, if:

- (i) ~~A~~ The biological parent whose name is to be released has submitted unrevoked written permission to the department or ~~the~~ placement agency for the release of that parent's name to the adopted ~~person~~ individual;
- (ii) The identity of ~~the~~ a biological parent submitting permission for the release of that parent's name has been verified by the department or ~~the~~ placement agency; and
- (iii) The department or ~~the~~ placement agency has records pertaining to the finalized adoption and to the identity of ~~the~~ a biological parent whose name is to be released.

(B) If the adopted ~~person~~ individual is deceased and leaves a child, such child, upon reaching ~~21~~ 18 years of age, may seek the name and other identifying information concerning his or her grandparents in the same manner as the deceased adopted ~~person~~ individual and subject to the same procedures contained in this Code section.

(4)(A) If a biological parent has not filed written unrevoked permission for the release of that parent's name to the adopted child, the department or ~~the~~ placement agency, within six months of receipt of the written request of the adopted ~~person~~ individual who has reached ~~21~~ 18 years of age, shall make diligent effort to notify each living biological parent identified in the original adoption proceedings or in other records of the department or ~~the~~ placement agency relative to the adopted ~~person~~ individual. For purposes of this subparagraph, the term 'notify' means a personal and confidential contact with each biological parent of the adopted ~~person~~ individual. The contact shall be by an employee or agent of the placement agency which processed the pertinent adoption or by other agents or employees of the department. The contact shall be evidenced by the ~~person~~ individual who notified each biological parent, certifying to the department or placement agency that each biological parent was given the following information:

- (i) The nature of the information requested by the adopted ~~person~~ individual;
- (ii) The date of the request of the adopted ~~person~~ individual;
- (iii) The right of each biological parent to file an affidavit with the placement agency or the department stating that such parent's identity should not be disclosed;
- (iv) The right of each biological parent to file a consent to disclosure with the placement agency or the department; and
- (v) The effect of a failure of each biological parent to file ~~either~~ a consent to disclosure or an affidavit stating that the information in the sealed adoption file should not be disclosed.

(B) If a biological parent files an unrevoked consent to the disclosure of that parent's identity, such parent's name, together with a detailed summary of all information the department or placement agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of his or her adoption, shall be released to the adopted ~~person~~ individual who has requested such information as authorized by this paragraph.

(C) If, within 60 days of being notified by the department or ~~the~~ placement agency pursuant to subparagraph (A) of this paragraph, a biological parent has filed with the department or placement agency an affidavit objecting to such release, information regarding the identity of that biological parent shall not be released.

(D)(i) If six months after receipt of the adopted ~~person's~~ individual's written request the placement agency or the department has ~~either~~ been unable to notify a biological parent identified in the original adoption record or has been able to notify a biological parent identified in the original adoption record but has not obtained a consent to disclosure from the notified biological parent, then the identity of a biological parent may only be disclosed as provided in division (ii) or (iii) of this subparagraph.

(ii) The adopted ~~person~~ individual who has reached ~~24~~ 18 years of age may petition the Superior Court of Fulton County to seek the release of the identity of each of ~~that person's~~ his or her biological parents from the department or placement agency. The court shall grant the petition if the court finds that the department or placement agency has made diligent efforts to locate each biological parent pursuant to this subparagraph ~~either~~ without success or upon locating a biological parent has not obtained a consent to disclosure from the notified biological parent and that failure to release the identity of each biological parent would have an adverse impact upon the physical, mental, or emotional health of the adopted ~~person~~ individual.

(iii) If it is verified that a biological parent of the adopted ~~person~~ individual is deceased, the department or placement agency shall be authorized to disclose the name and place of burial of the deceased biological parent, if known, together with a detailed summary of all information the department or placement agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of his or her adoption, to the adopted ~~person~~ individual seeking such information

without the necessity of obtaining a court order.

(5)(A) Upon written request of an adopted ~~person~~ individual who has reached ~~21~~ 18 years of age or a ~~person~~ an individual who has reached ~~21~~ 18 years of age and who is the sibling of an adopted ~~person~~ individual, the department or a placement agency shall attempt to identify and notify the siblings of the requesting party, if such siblings are at least 18 years of age. Upon locating the requesting party's sibling, the department or ~~the~~ placement agency shall notify the sibling of the inquiry. Upon the written consent of a sibling so notified, the department or ~~the~~ placement agency shall forward the requesting party's name and address to the sibling and, upon further written consent of the sibling, shall divulge to the requesting party the present name and address of the sibling. If a sibling cannot be identified or located, the department or placement agency shall notify the requesting party of such circumstances but shall not disclose any names or other information which would tend to identify the sibling. If a sibling is deceased, the department or placement agency shall be authorized to disclose the name and place of burial of the deceased sibling, if known, to the requesting party without the necessity of obtaining a court order.

(B)(i) If six months after receipt of the written request from an adopted ~~person~~ individual who has reached ~~21~~ 18 years of age or a ~~person~~ an individual who has reached ~~21~~ 18 years of age and who is the sibling of an adopted ~~person~~ individual, the ~~placement agency or the department has either~~ department or placement agency has been unable to notify one or more of the siblings of the requesting party or has been able to notify a sibling of the requesting party but has not obtained a consent to disclosure from the notified sibling, then the identity of the siblings may only be disclosed as provided in division (ii) of this subparagraph.

(ii) The adopted ~~person~~ individual who has reached ~~21~~ 18 years of age or a ~~person~~ an individual who has reached ~~21~~ 18 years of age and who is the sibling of an adopted ~~person~~ individual may petition the Superior Court of Fulton County to seek the release of the last known name and address of each of the siblings of the petitioning sibling, ~~that~~ who are at least 18 years of age, from the department or placement agency. The court shall grant the petition if the court finds that the department or placement agency has made diligent efforts to locate such siblings pursuant to subparagraph (A) of this paragraph ~~either~~ without success or upon locating one or more of the siblings has not obtained a consent to disclosure from all the notified siblings and that failure to release the identity and last known address of said siblings would have an adverse impact upon the physical, mental, or emotional health of the petitioning sibling.

(C) If the adopted ~~person~~ individual is deceased and leaves a child, such child, upon reaching ~~21~~ 18 years of age, may obtain the name and other identifying information concerning the siblings of his or her deceased parent in the same manner that the deceased adopted ~~person~~ individual would be entitled to obtain such information pursuant to the procedures contained in this Code section.

(6)(A) Upon written request of a biological parent of an adopted ~~person~~ individual

who has reached ~~24~~ 18 years of age, the department or a placement agency shall attempt to identify and notify the adopted ~~person~~ individual. Upon locating the adopted ~~person~~ individual, the department or ~~the~~ placement agency shall notify the adopted ~~person~~ individual of the inquiry. Upon the written consent of the adopted ~~person~~ individual so notified, the department or ~~the~~ placement agency shall forward ~~the~~ such biological parent's name and address to the adopted ~~person~~ individual, together with a detailed summary of all information the department or placement agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of his or her adoption, and, upon further written consent of the adopted ~~person~~ individual, shall divulge to ~~the~~ such requesting biological parent the present name and address of the adopted ~~person~~ individual. If the adopted ~~person~~ individual is deceased, the department or placement agency shall be authorized to disclose the name and place of burial of the deceased adopted ~~person~~ individual, if known, to ~~the~~ such requesting biological parent without the necessity of obtaining a court order.

(B)(i) If six months after receipt of the written request from a biological parent of an adopted ~~person~~ individual who has reached ~~24~~ 18 years of age, the ~~placement agency or the department has either~~ department or placement agency has been unable to notify the adopted ~~person~~ individual or has been able to notify the adopted ~~person~~ individual but has not obtained a consent to disclosure from the notified adopted ~~person~~ individual, then the identity of the adopted ~~person~~ individual may only be disclosed as provided in division (ii) of this subparagraph.

(ii) ~~A~~ The biological parent of an adopted ~~person~~ individual who has reached ~~24~~ 18 years of age may petition the Superior Court of Fulton County to seek the release of the last known name and address of the adopted ~~person~~ individual from the department or placement agency. The court shall grant the petition if the court finds that the department or placement agency has made diligent efforts to locate such adopted ~~person~~ individual pursuant to subparagraph (A) of this paragraph ~~either~~ without success or upon locating the adopted ~~person~~ individual has not obtained a consent to disclosure from the adopted ~~person~~ individual and that failure to release the identity and last known address of said adopted ~~person~~ individual would have an adverse impact upon the physical, mental, or emotional health of the petitioning biological parent.

(C) If ~~the~~ a biological parent is deceased, a parent or sibling of the deceased biological parent, or both, may obtain the name and other identifying information concerning the adopted ~~person~~ individual in the same manner that the deceased biological parent would be entitled to obtain such information pursuant to the procedures contained in this Code section.

(7) If an adoptive parent or the sibling of an adopted ~~person~~ individual notifies the department or placement agency of the death of an adopted ~~person~~ individual, the department or placement agency shall add information regarding the date and circumstances of the death to its records so as to enable it to share such information with a biological parent or sibling of the adopted ~~person~~ individual if they make an inquiry pursuant to ~~the provisions of~~ this Code section.

(8) If a biological parent or his or her parent or sibling ~~of a biological parent~~ notifies the department or placement agency of the death of a biological parent or a sibling of an adopted ~~person~~ individual, the department or placement agency shall add information regarding the date and circumstances of the death to its records so as to enable it to share such information with an adopted ~~person~~ individual or sibling of the adopted ~~person~~ individual ~~if he or she makes~~ individual if they make an inquiry pursuant to ~~the provisions of~~ this Code section.

(9) The ~~Office of Adoptions~~ State Adoption Unit within the department shall maintain a registry for the recording of requests by adopted ~~persons~~ individuals for the name of any biological parent, for the recording of the written consent or the written objections of any biological parent to the release of that parent's identity to an adopted ~~person~~ individual upon the adopted ~~person's~~ individual's request, and for nonidentifying information regarding any biological parent which may be released pursuant to paragraph (2) of this subsection. The department and any placement agency which receives such requests, consents, or objections shall file a copy thereof with ~~that office~~ the State Adoption Unit.

(10) The department or placement agency may charge a reasonable fee to be determined by the department for the cost of conducting any search pursuant to this subsection.

(11) Nothing in this subsection shall be construed to require the department or placement agency to disclose to any party at interest, including but not limited to an adopted ~~person~~ individual who has reached ~~21~~ 18 years of age, any information which is not kept by the department or ~~the~~ placement agency in its normal course of operations relating to adoption.

(12) Any department employee or employee of any placement agency who releases information or makes authorized contacts in good faith and in compliance with this subsection shall be immune from civil ~~or criminal~~ liability or criminal responsibility for such release of information or authorized contacts.

(13) Information authorized to be released pursuant to this subsection may be released under the conditions specified in this subsection, notwithstanding any other provisions of law to the contrary.

(14) A placement agency which demonstrates to the department by clear and convincing evidence that the requirement that such agency search for or notify any biological parent, sibling, or adopted ~~person~~ individual under subparagraph (A) ~~of paragraph (4) of this subsection or subparagraph (A) of paragraph (5) of this subsection or subparagraph (A) of paragraph (4), (5), or (6) of this subsection~~ will impose an undue hardship upon that agency shall be relieved from that responsibility, and the department shall assume that responsibility upon such finding by the department of undue hardship. The department's determination under this subsection shall be a contested case within the meaning of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(15) Whenever this subsection authorizes both the department and a placement agency to perform any function or requires the placement agency to perform any

function which the department is also required to perform, the department or agency may designate an agent to perform that function and in so performing it the agent shall have the same authority, powers, duties, and immunities as an employee of the department or placement agency has with respect to performing that function.

19-8-24.

(a)(1) ~~It shall be unlawful for any person, organization, corporation, hospital, facilitator, or association of any kind whatsoever which has not been established as is not a child-placing agency by the department to;~~ a prospective adoptive parent who has a valid, approved preplacement home study report, or an attorney who is a member of the State Bar of Georgia representing a prospective adoptive parent who has a valid, approved preplacement home study report to advertise,

~~(1) Advertise, whether in a periodical, by television, by radio, or by any other public medium or by any private means, including, but not limited to, letters, circulars, handbills, Internet postings including social media, and oral statements, that the person, organization, corporation, hospital, facilitator, or association will adopt children or will arrange for or cause children to be adopted or placed for adoption; or~~

~~(2) Directly or indirectly hold out inducements to parents to part with their children.~~

~~As used in this subsection, 'inducements' shall include any financial assistance, either direct or indirect, from whatever source, except payment or reimbursement of the medical expenses directly related to the mother's pregnancy and hospitalization for the birth of the child and medical care for the child.~~

(2)(A) Any person, organization, corporation, hospital, facilitator, or association of any kind which is not a child-placing agency that places an advertisement concerning adoption or prospective adoption shall include in such advertisement its license number issued by the department;

(B) Any attorney representing a prospective adoptive parent who has a valid, approved preplacement home study report who places an advertisement concerning adoption or prospective adoption shall include in such advertisement his or her State Bar of Georgia license number; and

(C) Any individual who places an advertisement concerning being an adoptive parent shall include in such advertisement that he or she has a valid, approved preplacement home study report.

(b) ~~It shall be unlawful for any person, organization, corporation, hospital, facilitator, or association of any kind whatsoever to sell, offer to sell, or conspire with another to sell or offer to sell a child for money or anything of value, except as otherwise provided in this chapter article.~~

(c)(1) As used in this subsection, the term 'inducements' means any financial assistance, either direct or indirect, from whatever source, but shall expressly not include:

(A) The payment or reimbursement of the medical expenses directly related to the biological mother's pregnancy and hospitalization for the birth of the child and medical care for such child if paid by a licensed child-placing agency or an attorney;

(B) The payment or reimbursement of expenses for counseling services or legal services for a biological parent that are directly related to the placement by such parent of her or his child for adoption if paid by a licensed child-placing agency or an attorney; or

(C) The payment or reimbursement of reasonable living expenses for the biological mother if paid by a licensed child-placing agency.

(2) It shall be unlawful for any person, organization, corporation, hospital, facilitator, or association of any kind whatsoever to directly or indirectly hold out inducements to any biological parent to part with his or her child.

(3) It shall be unlawful for any person, organization, corporation, hospital, facilitator, or association of any kind whatsoever to conspire with another to offer or provide inducements to a biological parent to part with his or her child.

(4) It shall be unlawful for an individual to knowingly make false representations in order to obtain inducements.

(5) The report and affidavit filed pursuant to subsections (c) and (d) of Code Section 19-8-13 shall include an itemized accounting of all expenses paid or reimbursed pursuant to this subsection.

(d)(1) It shall be unlawful for an individual to knowingly accept living expenses for the adoption of her child or unborn child if she knows or should have known that she is not pregnant or is not a legal mother.

(2) It shall be unlawful for an individual to knowingly accept living expenses from an adoption agency without disclosing that he or she is receiving living expenses from another adoption agency in an effort to allow for the adoption of the same child or unborn child.

(3) It shall be unlawful for an individual to knowingly make false representations in order to obtain living expenses.

~~(e)(e)~~ Any person who violates ~~subsection (a) or (b)~~ of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by a fine not to exceed \$10,000.00, ~~or~~ imprisonment for not less than one nor more than ten years, or both, ~~in the discretion of the court.~~

~~(d)(f)(1)~~ ~~Subsection Paragraph (1) of subsection~~ (a) of this Code section shall not apply to communication by private means, including ~~only~~ written letters or oral statements, by an individual seeking to:

(A) Adopt a child or children; or

(B) Place that individual's child or children for adoption,

whether the communication occurs before or after the birth of such child or children.

~~(2)~~ ~~Subsection Paragraph (1) of subsection~~ (a) of this Code section shall not apply to any communication described in paragraph (1) of this subsection which contains ~~any attorney's name, address, the name of an attorney who is a member of the State Bar of Georgia, his or her address, his or her telephone number, or any combination of such information and which requests any~~ that the attorney named in such communication to be contacted to facilitate the carrying out of the purpose, as described in subparagraph (A) or (B) of paragraph (1) of this subsection, of the individual making such personal

communication.

(g) Any child-placing agency or individual who is seeking to adopt or seeking to place a child for adoption who is damaged by a violation of this Code section may file a civil action to recover damages, treble damages, reasonable attorney's fees, and expenses of litigation.

19-8-25.

(a) A written consent or surrender of rights, executed on or before ~~June 30, 1990~~ December 31, 2018, shall, for purposes of an adoption proceeding commenced on or after ~~July 1, 1990~~ January 1, 2019, be deemed to satisfy the surrender requirements of this ~~chapter~~ article and it shall not be necessary to have any parent or guardian execute the documents required by Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7; however, all other applicable provisions of this ~~chapter~~ must article shall be complied with.

(b) It is the legislative intent of this subsection to clarify and not to change the applicability of certain previously existing provisions of this ~~chapter~~ article to adoption proceedings pending on ~~July 1, 1990~~ December 31, 2018. Any decree of adoption issued in an adoption proceeding in which the adoption petition was filed in a superior court of this state prior to ~~July 1, 1990~~ January 1, 2019, shall be valid if the adoption conformed to the requirements of this ~~chapter~~ article either as they existed on ~~June 30, 1990~~ December 31, 2018, or on ~~July 1, 1990~~ January 1, 2019, and each such adoption decree is hereby ratified and confirmed.

19-8-26.

(a) The surrender of rights by a parent or guardian pursuant to paragraph (1) of subsection (e) of Code Section 19-8-4 shall conform substantially to the following form:

'SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION

NOTICE TO PARENT OR GUARDIAN:

This is an important legal document and by signing it, you are surrendering all of your right, title, and claim rights to the child identified herein in this document, so as to facilitate the child's placement place the child for adoption. Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 5, you have the right to revoke this You are to receive a copy of this document and as explained below have the right to withdraw your surrender within ten days from the date you sign it. If you are at least 21 years of age, you may choose to waive that right so that this surrender will become effective immediately upon signing such a waiver. If you choose to waive the right to a ten-day revocation period, you must consult an attorney, who is not representing the petitioner, and make that choice in paragraph 5 below and execute a separate

WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent or guardian) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, being ~~solicitous~~ mindful that my (male) (female) [circle one] child, born _____ (name of child) on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] (~~insert name of child~~) ~~on~~ (~~insert birthdate of child~~), should receive the benefits and advantages of a good home, to the end that (she) (he) [circle one] may be fitted for the requirements of life, consent to this surrender of my parental rights.

2.

I, the undersigned, _____ (relationship to child) (~~insert relationship to child~~) of the aforesaid child, do hereby surrender my rights to the child to _____ (name of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) (~~insert name of child placing agency or Department of Human Services, as applicable~~) and promise not to interfere in the management of the child in any respect whatever; and, in consideration of the benefits guaranteed by _____ (name of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) (~~insert name of child placing agency or Department of Human Services, as applicable~~) in ~~thus~~ providing for the child, I do relinquish all right, title, and claim rights to the child ~~herein~~ named in this document, it being my wish, intent, and purpose to relinquish absolutely all parental control over the child. Furthermore, I hereby agree that the _____ (name of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) (~~insert name of child placing agency or Department of Human Services, as applicable~~) may seek for the child a legal adoption by such ~~person or persons~~ individual or individuals as may be chosen by the _____ (name of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) (~~insert name of child placing agency or Department of Human Services, as applicable~~) or its authorized agents, without further notice to me. I do, furthermore, expressly waive

any other notice or service in any of the legal proceedings for the adoption of the child.

3.

~~Furthermore,~~ I understand that under Georgia law ~~the Department of Human Services or the child placing agency~~ an agent appointed by the court is required to conduct an investigation and render a report to the court in connection with the legal proceeding for the legal adoption of the child, and I hereby agree to cooperate fully with such ~~department or agency~~ agent in the conduct of its investigation.

4.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

5.

I understand that under Georgia law I have the unconditional right to a ten-day revocation period. I understand that if I am at least 21 years of age I also have the choice to waive the ten-day revocation period, thereby causing the surrender of my rights to become final immediately upon signing a WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS.

Indicate your choice by signing ONE of the following statements (you may choose statement A or B):

A. _____ (Signature) I choose to RETAIN the unconditional right to a ten-day revocation period under Georgia law. ~~Furthermore, I hereby certify that I have received a copy of this document and that I understand I may only withdraw~~ revoke this surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) ~~(insert name and address of child placing agency or Department of Human Services, as applicable)~~ within ten days from the date ~~hereof; of signing this document.~~ I understand that certified mail cannot be used for mail delivery of the notice to revoke this surrender. I understand that the ten days ~~shall~~ will be counted consecutively beginning with the day immediately following the date ~~hereof;~~ I sign this document; provided, however, that, if the tenth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the this~~ this surrender may be ~~withdrawn shall~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday; ~~and I understand that it may NOT be withdrawn thereafter.~~ I understand that, if I deliver the notice to revoke this surrender in person, it must be delivered to _____ (name and

address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the tenth day. I understand that I CANNOT revoke this surrender after that time.

OR

B. _____ (Signature) I am at least 21 years of age and I choose to WAIVE the right to a ten-day revocation period under Georgia law. I have consulted an attorney, who is not representing the petitioner, regarding signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS. I will sign a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child and, by signing said waiver, I understand and intend to give up the unconditional right to revoke this surrender. I fully understand that by signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS the surrender of my rights will become final immediately upon signing it and that thereafter this surrender cannot be revoked.

6.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

7.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this ~~surrender~~ document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

~~This _____ day of _____, ____.~~

(SEAL)
(Parent or guardian)

Unofficial witness
Adult witness

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)

My commission expires: _____.

(b) ~~Reserved.~~ The notice to revoke a surrender of rights pursuant to subsection (a) of Code Section 19-8-9 shall conform substantially to the following form:

NOTICE TO REVOKE SURRENDER OF RIGHTS/
FINAL RELEASE FOR ADOPTION

I, the undersigned, executed a (SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION) (PRE-BIRTH SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION) [circle one] as to the child identified in the surrender of rights document on _____ (date). My relationship to the (child) (unborn child) [circle one] is that I am the (mother) (father) (alleged biological father) (guardian) [circle one].

(Complete this paragraph if the child has been born.) This notice to revoke my surrender of rights applies to the (female) (male) [circle one] child born _____ (name of child) on _____ (birthdate of child).

I now wish to exercise my right to revoke my surrender of rights.

I understand that for my revocation of surrender to be effective I must:

A. Deliver the original of this document in person to the address designated in the surrender of rights document no later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the tenth day of the revocation period specified in the surrender of rights document;

OR

B. Mail the original of this document by registered mail or by statutory overnight delivery to the address designated in the surrender of rights document no later than the tenth day of the revocation period specified in the surrender of rights document.

This _____ day of _____, _____.

(Parent, guardian, or alleged biological father)

Printed name

Adult witness'

(c) The surrender of rights by a parent or guardian pursuant to paragraph (1) of subsection (e) of Code Section 19-8-5 shall conform substantially to the following form:

'SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION

NOTICE TO PARENT OR GUARDIAN:

This is an important legal document and by signing it, you are surrendering all of your ~~right, title, and claim~~ rights to the child identified ~~herein~~ in this document, so as to ~~facilitate the child's placement~~ place the child for adoption. Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 8, you have the right to revoke this ~~You are to receive a copy of this document and as explained below have the right to withdraw your surrender within ten days from the date you sign it.~~ If you are at least 21 years of age, you may choose to waive that right so that this surrender will become effective immediately upon signing such a waiver. If you choose to waive the right to a ten-day revocation period, you must consult an attorney, who is not representing the petitioner, and make that choice in paragraph 8 below and execute a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent or guardian) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, being ~~solicitous~~ mindful that my (male) (female) [circle one] child, born _____ (name of child) on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] (~~insert name of child~~) ~~on (insert birthdate of child)~~, should receive the benefits and advantages of a good home, to the end that (she) (he) [circle one] may be fitted for the requirements of life, consent to this surrender of my parental rights.

2.

I, the undersigned, _____ (relationship to child) (~~insert relationship to child~~) of the aforesaid child, do hereby surrender my rights to the child to _____ (name, surname not

required, of each individual to whom surrender is made) (~~insert name, surname not required, of each person to whom surrender is made~~), PROVIDED that each such ~~person~~ individual is named as petitioner in a petition for adoption of the child filed in accordance with Article 1 of Chapter 8 of Title 19 of the Official Code of Georgia Annotated within 60 days from the date ~~hereof~~ that I sign this document. Furthermore, I promise not to interfere in the management of the child in any respect whatever; and, in consideration of the benefits guaranteed by _____ (name, surname not required, of each individual to whom surrender is made) (~~insert name, surname not required, of each person to whom surrender is made~~) in thus providing for the child, I do relinquish all right, title, and claim rights to the child ~~herein~~ named in this document, it being my wish, intent, and purpose to relinquish absolutely all parental control over the child.

3.

It is also my wish, intent, and purpose that if each such ~~person~~ individual identified in paragraph 2 is not named as petitioner in a petition for adoption ~~as provided for above~~ within the 60 day period, other than for ~~excusable neglect~~ justifiable good cause, or, if said petition for adoption is filed within 60 days but the adoption ~~action~~ proceeding is dismissed with prejudice or otherwise concluded without an order declaring the child to be the adopted child of each such ~~person~~ individual, then I do hereby surrender my rights to the child as follows:

(~~Mark one of the following as chosen~~)

Indicate your choice by signing ONE of the following statements (you may choose statement A, B, or C):

A. _____ (Signature) _____ I wish the child returned to me, as provided by subsection (j) of Code Section 19-8-5, and I expressly acknowledge that this provision applies only to the limited circumstance that the child is not adopted by the ~~person or persons~~ individual or individuals designated ~~herein~~ in this document and further that this provision does not impair the validity, absolute finality, or totality of this surrender under any circumstance other than the failure of the designated ~~person or persons~~ individual or individuals to adopt the child and that no other provision of this surrender impairs the validity, absolute finality, or totality of this surrender once the ten-day revocation period has elapsed; ~~or~~

OR

B. _____ (Signature) _____ I surrender the child to _____ (name of child-placing agency or out-of-state licensed agency), as provided in subsection (j) of Code Section 19-8-5 (~~insert name of designated licensed child-placing agency~~), a licensed child-placing

agency, for placement for adoption. I understand that if the child-placing agency or out-of-state licensed agency declines to accept the child for placement for adoption, this surrender will be in favor of the Department of Human Services for placement for adoption and _____ (name of child-placing agency or out-of-state licensed agency) or the Department of Human Services may petition the superior court for custody of the child in accordance with the terms of this surrender; or

OR

C. _____ (Signature) _____ I surrender the child to the Department of Human Services, as provided by subsection ~~(k)~~ (j) of Code Section 19-8-5, for placement for adoption; and ~~(insert name of designated licensed child-placing agency)~~ or the Department of Human Services may petition the superior court for custody of the child in accordance with the terms of this surrender.

4.

~~Furthermore,~~ I hereby agree that the child is to be adopted ~~either~~ by each ~~person named above~~ individual named in paragraph 2 or by any other ~~such person individual~~ as may be chosen by the _____ (name of child-placing agency or out-of-state licensed agency) ~~(insert name of designated licensed child placing agency)~~ or the Department of Human Services and I do expressly waive any other notice or service in any of the legal proceedings for the adoption of the child.

5.

~~Furthermore,~~ I understand that under Georgia law an evaluator is required to conduct and provide to the court a home study and make recommendations to the court regarding the qualification of each ~~person named above to adopt a~~ individual named in paragraph 2 to adopt the child concerning the circumstances of placement of ~~my the~~ child for adoption. ~~I hereby agree to cooperate fully with such investigations.~~

6.

~~Furthermore,~~ I understand that under Georgia law, an agent appointed by the court is required to conduct an investigation and render a report to the court in connection with the legal proceeding for the legal adoption of the child, and I hereby agree to cooperate fully with such agent in the conduct of ~~this~~ its investigation.

7.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

8.

I understand that under Georgia law I have the unconditional right to a ten-day revocation period. I understand that if I am at least 21 years of age I also have the choice to waive the ten-day revocation period, thereby causing the surrender of my rights to become final immediately upon signing a WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS.

Indicate your choice by signing ONE of the following statements (you may choose statement A or B):

A. _____ (Signature) I choose to RETAIN the unconditional right to a ten-day revocation period under Georgia law. Furthermore, I hereby certify that I have received a copy of this document and that I understand I may only ~~withdraw~~ revoke this surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of each individual to whom surrender is made or his or her agent) ~~(insert name and address of agent of each person to whom surrender is made)~~ within ten days from the date hereof; of signing this document. I understand that certified mail cannot be used for mail delivery of the notice to revoke this surrender. I understand that the ten days ~~shall~~ will be counted consecutively beginning with the day immediately following the date hereof I sign this document; provided, however, that, if the tenth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the~~ this surrender may be ~~withdrawn shall~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday; and I understand that it may NOT be withdrawn thereafter. I understand that, if I deliver the notice to revoke this surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the tenth day. I understand that I CANNOT revoke this surrender after that time.

OR

B. _____ (Signature) I am at least 21 years of age and I choose to WAIVE the right to a ten-day revocation period under Georgia law. I have consulted an attorney, who is not representing the petitioner, regarding signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS. I will sign a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child and, by signing said waiver, I understand and intend to give up the unconditional right to revoke this surrender. I fully understand that by signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS the surrender of my rights will become final immediately upon signing it and that thereafter this surrender cannot be revoked.

9.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

10.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this ~~surrender~~ document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

This _____ day of _____, ____.

(SEAL)
(Parent or guardian)

~~Unofficial witness~~

Adult witness

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)

My commission expires: _____.

(d) The surrender of rights by a biological father who is not ~~the~~ a legal father of the child pursuant to paragraph (2) of subsection (e) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 shall conform substantially to the following form:

'SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION

NOTICE TO ALLEGED BIOLOGICAL FATHER:

This is an important legal document and by signing it you are surrendering all of your right, title, and claim rights to the child identified herein, so as to facilitate the child's placement for adoption. You are to receive a copy of this document and as explained below have the right to withdraw your surrender within ten days from the date you sign it in this document. Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 4, you have the right to revoke this surrender within ten days from the date you sign it. If

you are at least 21 years of age, you may choose to waive that right so that this surrender will become immediately effective upon signing such a waiver. If you choose to waive the right to a ten-day revocation period, you must consult an attorney, who is not representing the petitioner, and make that choice in paragraph 4 below and execute a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of alleged biological father) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, alleged biological father of a (male) (female) [circle one] child, born _____ (name of child) to _____ (name of legal mother) on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one], being mindful that the ~~(insert name of child) to (insert name of mother) on (insert birthdate of child)~~, being solicitous that said child should receive the benefits and advantages of a good home, to the end that (she) (he) [circle one] may be fitted for the requirements of life, consent to this surrender of my rights. I, the undersigned, do hereby surrender my rights to the child. I promise not to interfere in the management of the child in any respect whatever; and, in consideration of the benefits provided to the child through adoption, I do relinquish all ~~right, title, and claim~~ rights to the child herein named in this document, it being my wish, intent, and purpose to relinquish absolutely all control over the child.

2.

~~Furthermore,~~ I hereby agree that the child is to be adopted and I do expressly waive any other notice or service in any of the legal proceedings for the adoption of the child. ~~Furthermore,~~ I understand that under Georgia law an agent appointed by the court is required to conduct an investigation and render a report to the court in connection with the legal proceeding for the legal adoption of the child, and I hereby agree to cooperate fully with ~~the~~ such agent ~~appointed by the court~~ in the conduct of ~~this~~ its investigation.

3.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

4.

I understand that under Georgia law I have the unconditional right to a ten-day revocation period. I understand that if I am at least 21 years of age I also have the choice to waive the ten-day revocation period, thereby causing the surrender of my rights to become final immediately upon signing a WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS.

Indicate your choice by signing ONE of the following statements (you may choose statement A or B):

A. _____ (Signature) I choose to RETAIN the unconditional right to a ten-day revocation period under Georgia law. Furthermore, I hereby certify that I have received a copy of this document and that I understand I may only ~~withdraw~~ revoke this surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of child-placing agency representative, out-of-state licensed agency representative, Department of Human Services representative, individual to whom surrender is made or his or her agent, or petitioner's representative, as applicable) ~~(insert name and address of child placing agency representative, Department of Human Services representative, person to whom surrender is made, or petitioner's representative, as appropriate)~~ within ten days from the date hereof; of signing this document. I understand that certified mail cannot be used for mail delivery of the notice to revoke this surrender. I understand that the ten days ~~shall~~ will be counted consecutively beginning with the day immediately following the date hereof; I sign this document; provided, however, that, if the tenth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the this~~ this surrender may be ~~withdrawn shall~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday; ~~and I understand that it may NOT be withdrawn thereafter.~~ I understand that, if I deliver the notice to revoke this surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the tenth day. I understand that I CANNOT revoke this surrender after that time.

OR

B. _____ (Signature) I am at least 21 years of age and I choose to WAIVE the right to a ten-day revocation period under Georgia law. I have consulted an attorney, who is not representing the petitioner, regarding signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS. I will sign a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child and, by signing said waiver, I understand and

intend to give up the unconditional right to revoke this surrender. I fully understand that by signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS the surrender of my rights will become final immediately upon signing it and that thereafter this surrender cannot be revoked.

5.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

6.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this ~~surrender~~ document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

This _____ day of _____, ____.

(SEAL)
(Alleged biological father)

~~Unofficial witness~~
Adult witness

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)
My commission expires: _____.

(e) The surrender of rights by a parent or guardian pursuant to paragraph (1) of subsection (e) of Code Section 19-8-6 or 19-8-7 shall conform substantially to the following form:

'SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION

NOTICE TO PARENT OR GUARDIAN:

This is an important legal document and by signing it, you are surrendering all of your ~~right, title, and claim~~ rights to the child identified ~~herein~~ in this document, so as to ~~facilitate the child's placement~~ place the child for adoption. Understand that you are

signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 6, you have the right to revoke this ~~You are to receive a copy of this document and as explained below have the right to withdraw your~~ surrender within ten days from the date you sign it. If you are at least 21 years of age, you may choose to waive that right so that this surrender will become effective immediately upon signing such a waiver. If you choose to waive the right to a ten-day revocation period, you must consult an attorney, who is not representing the petitioner, and make that choice in paragraph 6 below and execute a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent or guardian) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, being ~~solicitous~~ mindful that my (male) (female) [circle one] child, born _____ (name of child) on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] (~~insert name of child~~) ~~on (insert birthdate of child)~~, should receive the benefits and advantages of a good home, to the end that (she) (he) [circle one] may be fitted for the requirements of life, consent to this surrender of my parental rights.

2.

I, the undersigned, _____ (relationship to child) (~~insert relationship to child~~) of the aforesaid child, do hereby surrender my rights to the child to _____ (name of each individual to whom surrender is made) (~~insert name of each person to whom surrender is made~~) and promise not to interfere in the management of the child in any respect whatever; and, in consideration of the benefits guaranteed by _____ (name of each individual to whom surrender is made) (~~insert name of each person to whom surrender is made~~) in ~~thus~~ providing for the child, I do relinquish all right, title, and claim rights to the child ~~herein~~ named in this document, it being my wish, intent, and purpose to relinquish absolutely all parental control over the child.

3.

Furthermore, I hereby agree that _____ (name of each individual to whom surrender is made) ~~(insert name of each person to whom surrender is made)~~ may initiate legal proceedings for the legal adoption of the child without further notice to me. I do, furthermore, expressly waive any other notice or service in any of the legal proceedings for the adoption of the child.

4.

Furthermore, I understand that under Georgia law ~~the Department of Human Services~~ an agent may be ~~required~~ appointed by the court to conduct an investigation and render a report to the court in connection with the legal proceeding for the legal adoption of the child, and I hereby agree to cooperate fully with ~~the department~~ such agent in the conduct of its investigation.

5.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

6.

I understand that under Georgia law I have the unconditional right to a ten-day revocation period. I understand that if I am at least 21 years of age I also have the choice to waive the ten-day revocation period, thereby causing the surrender of my rights to become final immediately upon signing a WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS.

Indicate your choice by signing ONE of the following statements (you may choose statement A or B):

A. _____ (Signature) I choose to RETAIN the unconditional right to a ten-day revocation period under Georgia law. Furthermore, I hereby certify that I have received a copy of this document and that I understand I may only ~~withdraw~~ revoke this surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of each individual to whom surrender is made or petitioner's representative, as applicable) ~~(insert name and address of each person to whom surrender is made)~~ within ten days from the date hereof; of signing this document. I understand that certified mail cannot be used for mail delivery of the notice to revoke this surrender. I understand that the ten days ~~shall~~ will be counted consecutively beginning with the day immediately following the date hereof; I sign this document; provided, however, that, if the tenth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the this~~ this surrender may be ~~withdrawn~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday; and I understand that it may NOT be withdrawn thereafter. I understand that, if I deliver the notice to

revoke my surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the tenth day. I understand that I CANNOT revoke this surrender after that time.

OR

B. _____ (Signature) I am at least 21 years of age and I choose to WAIVE the right to a ten-day revocation period under Georgia law. I have consulted an attorney, who is not representing the petitioner, regarding signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS. I will sign a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child and, by signing said waiver, I understand and intend to give up the unconditional right to revoke this surrender. I fully understand that by signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS the surrender of my rights will become final immediately upon signing it and that thereafter this surrender cannot be revoked.

7.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

8.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this ~~surrender~~ document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

This _____ day of _____, _____.

(~~SEAL~~)
(Parent or guardian)

~~Unofficial witness~~
Adult witness

Sworn to and subscribed
before me this _____

day of _____, _____.

Notary public (SEAL)

My commission expires: _____!

(f) The pre-birth surrender of rights by a biological father who is not ~~the~~ a legal father of the child pursuant to paragraph (3) of subsection (e) of Code Section 19-8-4, 19-8-5, or 19-8-7 shall conform substantially to the following form:

PRE-BIRTH SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION

NOTICE TO ALLEGED BIOLOGICAL FATHER:

This is an important legal document and by signing it, you are surrendering any and all of your ~~right, title, and claim~~ rights to the child identified ~~herein~~ in this document, so as to ~~facilitate the child's placement~~ place the child for adoption. You have the right to wait to execute a ~~Surrender of Rights Final Release for Adoption~~ PRE-BIRTH SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION after the child is born, but by signing this document, you are electing to surrender your rights prior to the birth of this child. Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 6, you have the right to revoke this ~~You are to receive a copy of this document and as explained below have the right to withdraw your~~ pre-birth surrender within ten days from the date you sign it. If you are at least 21 years of age, you may choose to waive that right so that this surrender will become effective immediately upon signing such a waiver. If you choose to waive the right to a ten-day revocation period, you must consult an attorney, who is not representing the petitioner, and make that choice in paragraph 6 below and execute a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child.

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of alleged biological father) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, understand that I have been named by _____, the biological mother of the child expected to be born in _____ (city) _____ (county) _____ (state) on or about the _____ day of _____ (month), _____ (year), as the

biological father or possible biological father of her child. I further understand that the biological mother wishes to place this child for adoption.

2.

To the best of my knowledge and belief, the child has not been born as of the date I am signing this pre-birth surrender; however, if in fact the child has been born, this surrender shall have the same effect as if it were a surrender executed following the birth of the child.

3.

I understand that by signing this document I am not admitting that I am the biological father of this child, but if I am, I hereby agree that adoption is in this child's best interest. I consent to adoption of this child by any ~~person~~ individual chosen by the child's legal mother or by any public or private ~~child placing~~ agency that places children without further notice to me. I expressly waive any other notice or service in any of the legal proceedings for the adoption of the child. I understand that I have the option to wait until after the child is born to execute a surrender of my rights (with a corresponding ten-day right of ~~withdrawal~~ revocation) and, further, that by executing this document I am electing instead to surrender my rights before the child's birth.

4.

I ~~further~~ understand that ~~execution of signing~~ signing this document does not fully and finally terminate my rights and responsibilities until an order from a court of competent jurisdiction terminating my rights or a final order of adoption is entered. I understand that if the child is not adopted after I sign this document, legal proceedings can be brought to establish paternity, and I may become liable for financial obligations related to the birth and support of this child.

5.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

6.

I understand that under Georgia law I have the unconditional right to a ten-day revocation period. I understand that if I am at least 21 years of age I also have the choice to waive the ten-day revocation period, thereby causing the pre-birth surrender of my rights to become final immediately upon signing a WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS.

Indicate your choice by signing ONE of the following statements (you may choose statement A or B):

A. _____ (Signature) I choose to RETAIN the unconditional right to a ten-day revocation period under Georgia law. ~~Furthermore, I hereby certify that I have received a copy of this document and that I understand that I may only withdraw~~ revoke this pre-birth surrender by giving written notice, delivered in person or ~~by statutory overnight delivery or registered mail, return receipt requested, to _____ within ten days from the date hereof;~~ mailed by registered mail or statutory overnight delivery, to _____ (name and address of child-placing agency representative, out-of-state licensed agency representative, Department of Human Services representative, individual to whom surrender is made or his or her agent, or petitioner's representative, as applicable) within ten days from the date of signing this document. I understand that certified mail cannot be used for mail delivery of the notice to revoke this pre-birth surrender. I understand that the ten days shall will be counted consecutively beginning with the day immediately following the date hereof; that, however, I sign this document; provided, however, that, if the tenth day falls on a Saturday, Sunday, or legal holiday, then the last day on which the this surrender may be withdrawn shall revoked will be the next day that is not a Saturday, Sunday, or legal holiday; and that it may NOT be withdrawn thereafter. I understand that, if I deliver the notice to revoke this surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the tenth day. I understand that I CANNOT revoke this surrender after that time.

OR

B. _____ (Signature) I am at least 21 years of age and I choose to WAIVE the right to a ten-day revocation period under Georgia law. I have consulted an attorney, who is not representing the petitioner, regarding signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS. I will sign a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child and, by signing said waiver, I understand and intend to give up the unconditional right to revoke this pre-birth surrender. I fully understand that by signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS the surrender of my rights will become final immediately upon signing it and that thereafter this surrender cannot be revoked.

7.

If prior to my signing this pre-birth surrender I have registered on Georgia's putative father registry then, if I do not ~~withdraw~~ revoke this surrender within the time permitted, I waive the notice I would be entitled to receive pursuant to ~~the provisions of~~ Code Section 19-8-12 of the Official Code of Georgia Annotated because of my registration on the putative father registry.

8.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

9.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

This _____ day of _____, _____.

(SEAL)
(Alleged biological father)

Unofficial Witness
Adult witness

Sworn to and subscribed
before me on this _____
day of _____, ____.

Notary public (SEAL)
~~Notary Public Seal~~
My commission expires: _____.

(g) The acknowledgment of surrender of rights pursuant to subsection (f) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 shall conform substantially to the following form:

ACKNOWLEDGMENT OF SURRENDER
OF RIGHTS

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent, guardian, or alleged biological father) who, after having been sworn, deposes and says as follows
~~By execution of this paragraph, the undersigned expressly acknowledges:~~

(A) That I have read the accompanying (PRE-BIRTH SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION) (SURRENDER OF

RIGHTS/FINAL RELEASE FOR ADOPTION) [circle one] relating to ~~said minor~~ the child born _____ (name of child) (~~insert name of child~~), a (male) (female) [circle one] on _____ (birthdate of child) (~~insert birthdate of child~~);

(B) That I understand that this is a full, final, and complete surrender, release, and termination of all of my rights to the child;

(C) Indicate your choice by signing ONE of the following statements (you may choose statement A or B):

A. _____ (Signature) That I have chosen to retain the unconditional right to revoke the surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of child-placing agency or its representative, out-of-state licensed agency or its representative, Department of Human Services or its representative, individual to whom surrender is made or his or her agent, or petitioner's representative, as applicable) (~~insert name and address of each person or entity to whom surrender is made~~) not later than within ten days from the date of signing the surrender and that after such ten-day revocation period I shall have no right to revoke the surrender; ~~(D) That I understand that certified mail cannot be used for mail delivery of the notice to revoke the surrender of my rights. I understand that, if I deliver the notice to revoke my surrender in person, it must be delivered to~~ _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the tenth day. I understand that the ten days shall will be counted consecutively beginning with the day immediately following the date I signed the surrender ~~is executed; provided, however, that, if the tenth day falls on a Saturday, Sunday, or legal holiday, then the last day on which the surrender may be withdrawn shall~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday;

OR

B. _____ (Signature) That I am at least 21 years of age and I have chosen to exercise my right to sign a separate WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS at least 72 hours after the birth of the child and that, by signing said waiver, I understand and intend to give up the unconditional right to revoke my surrender. I have consulted an attorney, who is not representing the petitioner, regarding signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS. I fully understand that by signing the WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS the surrender of my rights will become final immediately upon signing it and that thereafter my surrender cannot be revoked;

~~(E)~~(D) That I have read the accompanying surrender of rights and received a copy thereof;

~~(F)~~(E) That any and all questions regarding the effect of ~~said~~ such surrender and its provisions have been satisfactorily explained to me;

~~(G)~~(F) That I have been ~~afforded~~ given an opportunity to consult with ~~counsel~~ an attorney of my choice ~~prior to execution of~~ before signing the surrender of my rights; and

~~(H)~~(G) That the surrender of my rights has been knowingly, intentionally, freely, and voluntarily made by me.

~~Witness my hand and seal this~~

~~This~~ _____ day of _____, _____.

(~~SEAL~~)
(Parent, guardian, or alleged biological father)

~~Unofficial witness~~

Adult witness

Sworn to and subscribed

before me this _____

day of _____, _____.

Notary public (SEAL)

My commission expires: _____.

(h) The affidavit of a legal mother required by paragraph (1) of subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 for the surrender of her rights shall meet the following requirements:

(1) The affidavit shall set forth:

(A) Her name;

(B) Her relationship to the child;

(C) Her age;

(D) Her marital status at the time of conception and of the birth of the child;

(E) The identity and last known address of ~~any~~ her spouse or former spouse and whether any such spouse is the biological father of the child;

(F) The identity, last known address, and relationship to the legal mother of the biological father of ~~her~~ the child, provided that ~~the mother~~ she shall have the right not to disclose the name and address of the biological father of ~~her~~ the child should she so desire;

(G) Whether or not she has consented to the appointment of a temporary guardian for the child and, if so, provide the name and address of the temporary guardian and

the probate court in which the petition for temporary guardianship was filed;

(H) Whether custody of the child has been awarded to another individual and, if so, provide the name of the child's custodian and the court in which custody was awarded;

(G)(I) Whether or not the biological father of the child ~~has lived with the child, contributed to its support, provided for the mother's support or medical care during her pregnancy or during her hospitalization for the birth of the child, or made an attempt to legitimize the child;~~ and is or was in a branch of the United States armed forces and, if so, provide details as to his military service;

(J) Whether or not the biological mother or any member of her family is or was an enrolled member of a federally recognized American Indian tribe, is or was a resident of an American Indian reservation, or is or was an Alaskan native;

(K) Whether or not the biological father of the child or any member of his family is or was an enrolled member of a federally recognized American Indian tribe, is or was a resident of an American Indian reservation, or is or was an Alaskan native;
and

(H)(L) All financial assistance received by or promised her either directly or indirectly, from whatever source, in connection with her pregnancy, the birth of the child, or the placement or arranging for the placement of the child for adoption (including the date, amount or value, description, payor, and payee), provided that financial assistance provided directly by ~~the mother's~~ her husband, mother, father, sister, brother, aunt, uncle, grandfather, or grandmother need not be detailed and instead ~~the mother~~ she need only state the nature of the assistance received; and

(2) The affidavit shall conform substantially to the following form:

'LEGAL MOTHER'S AFFIDAVIT

NOTICE TO LEGAL MOTHER:

This is an important legal document which deals with ~~your~~ the child's right to have ~~its~~ his or her biological father's rights properly determined. You have the right not ~~If you decline~~ to disclose the name and address of the biological father of ~~your~~ the child, ~~understand that you may be required to appear in court to explain your refusal and that your name may be used in connection with the publication of notice to the biological father.~~ Understand that you are providing this affidavit under oath and that ~~the~~ if you knowingly and willfully make a false statement in this affidavit you will be guilty of the crime of false swearing. The information ~~provided~~ you provide will be held in strict confidence and will be used only in connection with the adoption of ~~your~~ the child.

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn,

deposes and says as follows:

That my name is _____.

That I am the legal mother of a (male) (female) [circle one] child born _____ (name of child) (~~insert name of child~~) in the State of _____, County of _____ on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] (~~insert birthdate of child~~).

That I am _____ years of age, having been born in the State of _____, County of _____ on _____.

That my social security ~~account~~ number is _____.

That my marital status at the time of the conception of ~~my~~ the child was (check the status and complete the appropriate information):

() Single, never having been married.

() Separated but not legally divorced; the name of my spouse ~~is~~ (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; we were married in the State of _____, County of _____ on _____; we have been separated since _____; we last had sexual relations on _____ (date); my spouse (is) (is not) [circle one] the biological father of said child.

() Divorced; the name of my ~~previous~~ former spouse is _____; we were married in the State of _____, County of _____ on _____; we last had sexual relations on _____ (date); my former spouse's ~~his~~ last known address is _____; divorce granted in the State of _____, County of _____ on _____; my former spouse (is) (is not) [circle one] the biological father of said child.

() Legally married; the name of my spouse (was) (is) [circle one] _____; we were married in the State of _____, County of _____ on _____; and ~~his~~ my spouse's last known address is _____; my spouse (is) (is not) [circle one] the biological father of said child.

() Married through common-law marriage relationship prior to January 1, 1997; the name of my spouse (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; our relationship began in the State of _____, County of _____ on _____; my spouse (is) (is not) [circle one] the biological father of said child.

() Widowed; the name of my deceased spouse was _____; we were married in the State of _____, County of _____ on _____; ~~and he~~ my spouse died on _____ in the County of _____, State of _____.

That my name and marital status at the time of the birth of ~~my~~ the child was (check the status and complete the appropriate information):

Name _____.

() Single, never having been married.

() Separated, but not legally divorced; the name of my spouse (was) (is) [circle

one] _____; his
my spouse's last known address is _____; we were
 married in the State of _____, County of _____ on
 _____; we have been separated since _____; we last
 had sexual relations on _____ (date); my spouse (is) (is not)
 [circle one] the biological father of said child.

() Divorced; the name of my former spouse is _____; we were
 married in the State of _____, County of _____ on _____; we
 last had sexual relations on _____ (date); my spouse's his last
 known address is _____; divorce granted in the State
 of _____, County of _____; my former spouse (is) (is not)
 [circle one] the biological father of said child.

() Legally ~~Married~~ married; the name of my spouse (was) (is) [circle one]
 _____; we were married in the State of _____, County of
 _____ on _____; ~~and his~~ my spouse's last known address is
 _____; my spouse (is) (is not) [circle one] the
biological father of said child.

() Married through common-law relationship prior to January 1, 1997; the
 name of my spouse (was) (is) [circle one] _____; his
my spouse's last known address is _____; our relationship
 began in the State of _____, County of _____ on
 _____; my spouse (is) (is not) [circle one] the biological father of
said child.

() Widowed; the name of my deceased spouse was _____; we were
 married in the State of _____, County of _____ on
 _____; ~~and he~~ my spouse died on _____ in the County of
 _____, State of _____; he (was) (was not) [circle one] the
biological father of said child.

That the name of the biological father of ~~my~~ the child is (complete appropriate
 response):

Known to me and is (_____);

Known to me but I expressly decline to identify him because _____
 _____; or

Unknown to me because _____
 _____.

That the last known address of the biological father of ~~my~~ the child is (complete
 appropriate response):

Known to me and is _____;

Known to me but I expressly decline to provide his address because
 _____; or

Unknown to me because _____
 _____.

That, to the best of my knowledge, I (am) (am not) [circle one] an enrolled

member of a federally recognized American Indian tribe, (am) (am not) [circle one] a resident of an American Indian reservation, or (am) (am not) [circle one] an Alaskan native of American Indian heritage. If so:

(A) The name of my American Indian tribe is _____ and the _____.

(B) The percentage of my American Indian blood is _____ percent.

That, to the best of my knowledge, a member of my family (is or was) (is not or was not) [circle one] an enrolled member of a federally recognized American Indian tribe, (is or was) (is not or was not) [circle one] a resident of an American Indian reservation, or (is or was) (is not or was not) [circle one] an Alaskan native.

If so:

(A) The name of the American Indian tribe is _____.

(B) The percentage of my American Indian blood is _____ percent.

~~(B)~~(C) My relatives with American Indian or Alaskan native blood are: _____

_____.

~~(C)~~(D) I (am) (am not) a member of an American Indian tribe. If so, the The name of the American Indian tribe is _____.

(E) The name of each enrolled member is _____, and his or her corresponding registration or identification number is _____.

~~(D)~~ I (am) (am not) registered with an American Indian tribal registry. If so, the American Indian tribal registry is: _____ and my registration or identification number is: _____.

(E) A member of my family (is) (is not) a member of an American Indian tribe. If so, the name of each such family member is: _____ and the name of the corresponding American Indian tribe is: _____.

(F) A member of my family (is) (is not) registered with an American Indian tribal registry. If so, the name of each such family member is: _____ and the name of the corresponding American Indian tribal registry is: _____ and their corresponding registration or identification numbers are: _____.

That to the best of my knowledge, the biological father (is) (is not) of American Indian heritage or a member of his family (is or was) (is not or was not) [circle one] an enrolled member of a federally recognized American Indian tribe, (is or was) (is not or was not) [circle one] a resident of an American Indian reservation, or (is or was) (is not or was not) [circle one] an Alaskan native. If so:

(A) The name of his American Indian tribe is _____ and the _____.

(B) The percentage of his American Indian blood is _____ percent.

~~(B)~~(C) His relatives with American Indian or Alaskan native blood are: _____

_____.

~~(C)~~ He (is) (is not) a member of an American Indian tribe. If so, the name of

order of the _____ Court of _____ County, State of _____, entered on _____ (date).

That I have received or been promised the following financial assistance, either directly or indirectly, from whatever source, in connection with my pregnancy, the birth of ~~my~~ the child, and ~~it's~~ the child's placement for adoption:

_____.

That I recognize that if I knowingly and willfully make a false statement in this affidavit, I will be guilty of the crime of false swearing.

(~~Biological mother's signature~~)
(Legal mother)

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)

My ~~Commission Expires~~ commission expires: _____.

(i) The affidavit of an adoptive mother required by ~~subsection (a) of Code Section 19-8-9~~ paragraph (2) of subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 for the surrender of her rights shall meet the following requirements:

- (1) The affidavit shall set forth:
 - (A) Her name;
 - (B) Her relationship to the child;
 - (C) Her age;
 - (D) Her marital status;
 - (E) The name and last known address of any spouse or former spouse at the time the child was adopted and whether any such spouse also adopted the child or ~~was~~ is the biological father of the child;
 - (F) The circumstances surrounding her adoption of ~~her~~ the child, including the date the adoption was finalized, the state and county where finalized, and the name and address of the adoption agency, if any; ~~and~~
 - (G) Whether or not she has consented to the appointment of a temporary guardian for the child and, if so, provide the name of the temporary guardian and the probate court in which the petition for temporary guardianship was filed;
 - (H) Whether custody of the child has been awarded to another individual and, if so, provide the name of the child's custodian and the court in which custody was awarded; and
 - ~~(G)~~(I) All financial assistance received by or promised her either directly or indirectly, from whatever source, in connection with the placement or arranging for the placement of ~~her~~ the child for adoption (including the date, amount or value, description, payor, and payee), provided that financial assistance provided directly

by ~~the adoptive mother's~~ her husband, mother, father, sister, brother, aunt, uncle, grandfather, or grandmother need not be detailed and instead ~~the adoptive mother~~ she need only state the nature of the assistance received.

(2) The affidavit shall be in substantially the following form:

'ADOPTIVE MOTHER'S AFFIDAVIT

NOTICE TO ADOPTIVE MOTHER:

This is an important legal document which deals with ~~your~~ the adopted child's right to have ~~its~~ his or her legal father's rights properly ~~terminated~~ determined. Understand that you are providing this affidavit under oath and that ~~the~~ if you knowingly and willfully make a false statement in this affidavit you will be guilty of the crime of false swearing. The information ~~provided~~ you provide will be held in strict confidence and will be used only in connection with the adoption of ~~your~~ the child.

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That my name is _____.

That I am the adoptive mother of a (male) (female) [circle one] child born _____ (name of child) (~~insert name of child~~) in the State of _____, County of _____ on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] (~~insert birthdate of child~~).

That I am _____ years of age, having been born in the State of _____, County of _____ on _____.

That my social security number is _____.

That my marital status is (check the status and complete the appropriate information):

() Single, never having been married.

() Separated but not legally divorced; the name of my spouse is (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; we were married in the State of _____, County of _____ on _____; we have been separated since _____; we last had sexual relations on _____ (date); my spouse (did) (did not) [circle one] also adopt said child; my spouse (is) (is not) [circle one] the biological father of said child.

() Divorced; the name of my ~~previous~~ former spouse is _____; we were married in the State of _____, County of _____ on _____; we last had sexual relations on _____ (date); my former spouse's ~~his~~ last known address is _____; divorce granted in _____.

the State of _____, County of _____ on _____; my ~~previous~~ former spouse (did) (did not) [circle one] also adopt said child; my ~~previous~~ former spouse (is) (is not) [circle one] the biological father of said child.

() Legally married; the name of my spouse is (was) (is) [circle one] _____; we were married in the State of _____, County of _____ on _____; ~~his~~ my spouse's last known address is _____; my spouse (did) (did not) [circle one] also adopt said child; my spouse (is) (is not) [circle one] the biological father of said child.

() Married through common-law marriage relationship prior to January 1, 1997; the name of my spouse is (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; ~~the date and place our relationship began is (date, county, state)~~ in the State of _____, County of _____ on _____; my spouse (did) (did not) [circle one] also adopt said child; my spouse (is) (is not) [circle one] the biological father of said child.

() Widowed; the name of my deceased spouse is was _____; we were married in the State of _____, County of _____ on _____; ~~he~~ my spouse died on _____ in the County of _____, State of _____; he (did) (did not) [circle one] also adopt said child; ~~and~~ he (was) (was not) [circle one] the biological father of said child.

That I adopted ~~my~~ the child in the State of _____, County of _____.

That the final order of adoption was entered on _____.

That there (was) (was not) [circle one] an adoption agency involved in the placement of ~~my~~ the child with me for adoption; and if so its name was _____, and its address is _____.

That I (have) (have not) [circle one] consented to the appointment of a temporary guardian for the child. If so, the name of the temporary guardian is: _____, and the probate court in which the petition for temporary guardianship was filed is _____.

That custody of the child has been awarded to _____ (name and address of custodian) by order of the _____ Court of _____ County, State of _____, entered on _____ (date).

That I have received or been promised the following financial assistance, either directly or indirectly, from whatever source, in connection with ~~my~~ the child's placement for adoption: _____.

That I recognize that if I knowingly and willfully make a false statement in this affidavit, I will be guilty of the crime of false swearing.

(Adoptive mother)

Sworn to and subscribed
before me this _____

day of _____, ____.

Notary public (SEAL)

My commission expires: _____.

(j) The affidavit of ~~an~~ a child-placing agency, out-of-state licensed agency, or department representative required by subsection (h) of Code Section 19-8-4 shall conform substantially to the following form:

'AFFIDAVIT OF CHILD-PLACING AGENCY,
OUT-OF-STATE LICENSED AGENCY, OR
DEPARTMENT REPRESENTATIVE

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That I am _____ (position) of _____ (name of department, child-placing agency, or out-of-state licensed agency) ~~(department or agency)~~.

That prior to the execution of the accompanying SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION by _____, releasing and surrendering all of (his) (her) [circle one] rights in a (male) (female) [circle one] ~~minor~~ child born _____ (name of child) on _____ (birthdate of child) at ____ : ____ (A.M.) (P.M.) [circle one] ~~(insert name of child) on (insert birthdate of child)~~, I reviewed with and explained to ~~said~~ such individual all of the provisions of the surrender of rights, and particularly the provisions which provide that the surrender is a full surrender of all rights to the child.

That based on my review and explanation to ~~said~~ such individual, it is my opinion that ~~said~~ such individual knowingly, intentionally, freely, and voluntarily executed the SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION.

~~(Agency representative)~~

(Representative)

(Department or agency name)

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)

My commission expires: _____.'

(k) The affidavit of a petitioner's representative or of the representative of the individual signing the surrender of rights required by subsection (h) of Code Section 19-8-5, 19-8-6, or 19-8-7 shall conform substantially to the following form:

'AFFIDAVIT OF PETITIONER'S REPRESENTATIVE

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That my name is _____.

That my address is _____.

That prior to the execution of the accompanying SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION by _____, releasing and surrendering all of (his) (her) [circle one] rights in a (male) (female) [circle one] ~~minor~~ child born _____ (name of child) on _____ (birthdate of child) at _____:_____ (A.M.) (P.M.) [circle one] ~~(insert name of child) on (insert birthdate of child)~~, I reviewed with and explained to ~~said~~ such individual all of the provisions of the surrender of rights, and particularly the provisions which provide that the surrender is a full surrender of all rights to the child.

That based on my review and explanation to ~~said~~ such individual, it is my opinion that ~~said~~ such individual knowingly, intentionally, freely, and voluntarily executed the SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION.

(Petitioner's representative)
(Petitioner's representative or the
representative of the individual
signing the surrender)

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)

My commission expires: _____.'

(l) The parental consent to a stepparent adoption required by subsection (j) of Code Section 19-8-6 shall conform substantially to the following form:

'PARENTAL CONSENT TO STEPPARENT ADOPTION

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent) who, after having been sworn, deposes and says as follows:

I, the undersigned, hereby consent that my spouse _____ (name of spouse) (~~insert name of spouse~~) adopt my (son) (daughter) [circle one], _____ (name of child) (~~insert name of child~~), whose date of birth is _____, and in so doing I in no way relinquish or surrender my parental rights to the child. I further acknowledge service of a copy of the petition for adoption of the child as filed on behalf of my spouse, and I hereby consent to the granting of the prayers of the petition for adoption. I also waive all other and further service and notice of any kind and nature in connection with the proceedings.

This _____ day of _____, _____.

(Parent)

Unofficial witness

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.'

(m) The sworn statement executed by the biological mother identifying an alleged biological father of her unborn child authorized and required by subparagraph (e)(3)(E) of Code Section 19-8-4, 19-8-5, or 19-8-7 shall conform substantially to the following form:

'NOTICE TO BIOLOGICAL MOTHER:

This is an important legal document which will enable the individual you identify as the biological father of your unborn child to sign a pre-birth surrender of his rights so as to place your child for adoption. Understand that you are signing this affidavit under oath and that the information you provide will be held in strict confidence and will be used only in connection with the adoption of your unborn child.

STATE OF GEORGIA
COUNTY OF _____

BIOLOGICAL MOTHER'S AFFIDAVIT IDENTIFYING
BIOLOGICAL FATHER OF HER UNBORN CHILD

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That my name is _____.

That I am _____ years of age, having been born in the State of _____, County of _____ on _____.

That my social security number is _____.

That I am currently pregnant with a (male) (female) (sex unknown) [circle one] child who is expected to be born on _____ (due date of child).

That the name of any alleged biological father is _____, and his last known address is _____.

That I execute this affidavit so that any alleged biological father I have identified above can be asked to sign a pre-birth surrender of his rights to assist me in placing the child for adoption once the child is born.

That I recognize that if I knowingly and willfully make a false statement in this affidavit I will be guilty of the crime of false swearing.

(Biological mother)

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.

(n) The waiver of the right to revoke a surrender of rights authorized and required by subsection (c) of Code Section 19-8-9 shall conform substantially to the following form:

'WAIVER OF RIGHT TO REVOKE SURRENDER OF RIGHTS

This is an important legal document and it shall only be signed by an individual who is at least 21 years of age and who has consulted an attorney, who is not representing the petitioner, before signing this document. By signing it, you are waiving the right to revoke the surrender of all of your rights to the child identified in the surrender of rights document so as to immediately place the child for adoption. Understand that you are providing this affidavit under oath and that if you knowingly and willfully

make a false statement in this affidavit you will be guilty of the crime of false swearing.

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

I, the undersigned, have previously executed a SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION as to the child identified in the surrender of rights document so as to assist in (his)(her) adoption.

I hereby certify that:

(A) I am at least 21 years of age;

(B) I have received a copy of my surrender document;

(C) I understand I had the choice to retain the unconditional right to revoke my surrender by giving written notice to the individual, department, or agency named in the surrender document in the manner set forth in that document within ten days from the date I signed the surrender and that thereafter my surrender could not be revoked;

(D) I understand I may choose to waive the right to revoke my surrender during that ten-day period immediately following the date I signed the surrender if I want my surrender of rights to become final and irrevocable on the date I sign this waiver;

(E) I choose that the adoption of the child proceed without any delay;

(F) I freely and voluntarily waive the unconditional right to revoke my surrender of rights as it is my intent that my surrender of rights become final and irrevocable immediately upon my signing this waiver document;

(G) I have consulted an attorney of my choice, who is not representing the petitioner, before signing this waiver document;

(H) This waiver is in connection with a child born on _____ (birthdate of child) at _____: _____ (A.M.) (P.M.) [circle one];

(I) It has been at least 72 hours since the birth of the child;

(J) I have received a copy of this document; and

(K) I have not been subjected to any duress or undue pressure in the execution of this document and I am signing it freely and voluntarily.

This _____ day of _____, _____ at _____: _____ (A.M.) (P.M.) [circle one].

(Parent or alleged biological father)

Adult witness

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.

The individual executing this document consulted me and I hereby certify that to the best of my knowledge this document is being executed knowingly and voluntarily.
This _____ day of _____, _____.

(Signature of attorney)

(State Bar number)

(State of licensure)'

(o) The affidavit regarding Native American heritage and military service authorized and required by subsection (k) of Code Sections 19-8-4, 19-8-6, and 19-8-7 and subsection (o) of Code Section 19-8-5 shall conform substantially to the following form:

NOTICE TO BIOLOGICAL OR LEGAL FATHER:

This is an important legal document. Understand that you are providing this affidavit under oath and that if you knowingly and willfully make a false statement in this affidavit you will be guilty of the crime of false swearing.

AFFIDAVIT REGARDING NATIVE AMERICAN HERITAGE
AND MILITARY SERVICE

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of affiant) who, after having been sworn, deposes and says as follows:

1. That my name is _____.
2. That I am the (biological) (legal) [circle one] father of a (male) (female) (sex unknown) [circle one] child (born) (yet to be born) [circle one] in the State of _____, County of _____ on _____.
3. That I am _____ years of age, having been born in the State of _____, County of _____ on _____.
4. That my social security number is _____.

5. That, to the best of my knowledge, I (am) (am not) [circle one] an enrolled member of a federally recognized American Indian tribe, (am) (am not) [circle one] a resident of an American Indian reservation, or (am) (am not) [circle one] an Alaskan native. If so:

- (A) The name of my American Indian tribe is _____.
- (B) My registration or identification number is _____.
- (C) The percentage of my American Indian blood is _____ percent.

6. That, to the best of my knowledge, a member of my family (is or was) (is not or was not) [circle one] an enrolled member of a federally recognized American Indian tribe, (is or was) (is not or was not) [circle one] a resident of an American Indian reservation, or (is or was) (is not or was not) [circle one] an Alaskan native. If so:

- (A) The name of the American Indian tribe is _____.
- (B) The percentage of my American Indian blood is _____ percent.
- (C) My relatives with American Indian or Alaskan native blood are _____

_____.

- (D) The name of the American Indian tribe is _____.
- (E) The name of each enrolled member is _____, and his or her corresponding registration or identification number is _____.

7. That I (am) (am not) [circle one] on active duty in a branch of the United States armed forces. If so:

- (A) The branch of my service is (Army) (Navy) (Marine) (Air Force) (Coast Guard) [circle one].
- (B) My rank is _____.
- (C) My duty station is _____.
- (D) Additional information regarding my military service is _____

_____.

8. That I have received or been promised the following financial assistance, either directly or indirectly, from whatever source, in connection with the birth of the child and the child's placement for adoption: _____.

9. That I recognize that if I knowingly and willfully make a false statement in this affidavit I will be guilty of the crime of false swearing.

(Biological or legal father)

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)

My commission expires: _____.'

19-8-27.

(a) As used in this Code section, the term 'birth relative' means:

(1) A parent, biological father who is not ~~the~~ a legal father, grandparent, brother, sister, half-brother, or half-sister who is related by blood or marriage to a child who is being adopted or who has been adopted; or

(2) A grandparent, brother, sister, half-brother, or half-sister who is related by adoption to a child who is being adopted or who has been adopted.

(b)(1) An adopting parent or parents and birth relatives or an adopting parent or parents, birth relatives, and a child who is 14 years of age or older who is being adopted or who has been adopted may voluntarily enter into a written postadoption contact agreement to permit continuing contact between such birth relatives and such child. A child who is 14 years of age or older shall be considered a party to a postadoption contact agreement.

(2) A postadoption contact agreement may provide for privileges regarding a child who is being adopted or who has been adopted, including, but not limited to, visitation with such child, contact with such child, sharing of information about such child, or sharing of information about birth relatives.

(3) In order to be an enforceable postadoption contact agreement, such agreement shall be in writing and signed by all of the parties to such agreement acknowledging their consent to its terms and conditions.

(4) Enforcement, modification, or termination of a postadoption contact agreement shall be under the continuing jurisdiction of the court that granted the petition ~~of~~ for adoption; provided, however, that the parties to a postadoption contact agreement may expressly waive the right to enforce, modify, or terminate such agreement under this Code section.

(5) Any party to the postadoption contact agreement may, at any time, file the original postadoption contact agreement with the court that has or had jurisdiction over the adoption if such agreement provides for the court to enforce such agreement or such agreement is silent as to the issue of enforcement.

(c) A postadoption contact agreement shall contain the following warnings in at least 14 point boldface type:

(1) After the entry of a decree for adoption, an adoption cannot be set aside due to the failure of an adopting parent, a ~~birth~~ biological parent, a birth relative, or the child to follow the terms of this agreement or a later change to this agreement; and

(2) A disagreement between the parties or litigation brought to enforce, terminate, or modify this agreement shall not affect the validity of the adoption and shall not serve as a basis for orders affecting the custody of the child.

(d)(1) As used in this subsection, the term 'parties' means the individuals who signed the postadoption contact agreement currently in effect, including the child if he or she

is 14 years of age or older at the time of the action regarding such agreement, but such term shall exclude any third-party beneficiary to such agreement.

(2) A postadoption contact agreement may always be modified or terminated if the parties have voluntarily signed a written modified postadoption contact agreement or termination of a postadoption contact agreement. A modified postadoption contact agreement may be filed with the court if such agreement provides for the court to enforce such agreement or such agreement is silent as to the issue of enforcement.

(e) With respect to postadoption contact agreements that provide for court enforcement or termination or are silent as to such matters, any party, as defined in paragraph (1) of subsection (d) of this Code section, may file a petition to enforce or terminate such agreement with the court that granted the petition of for adoption, and the court shall enforce the terms of such agreement or terminate such agreement if such court finds by a preponderance of the evidence that the enforcement or termination is necessary to serve the best interests of the child.

(f) With respect to postadoption contact agreements that provide for court modification or are silent as to modification, only the adopting parent or parents may file a petition seeking modification. Such petition shall be filed with the court that granted the petition of for adoption, and the court shall modify such agreement if such court finds by a preponderance of the evidence that the modification is necessary to serve the best interests of the child and there has been a material change of circumstances since the current postadoption contact agreement was executed.

(g) A court may require the party seeking modification, termination, or enforcement of a postadoption contact agreement to participate in mediation or other appropriate alternative dispute resolution.

(h) All reasonable costs and expenses of mediation, alternative dispute resolution, and litigation shall be borne by the party, other than the child, filing the action to enforce, modify, or terminate a postadoption contact agreement when no party has been found by the court as failing to comply with an existing postadoption contact agreement. Otherwise, a party, other than the child, found by the court as failing to comply without good cause with an existing postadoption contact agreement shall bear all the costs and expenses of mediation, alternative dispute resolution, and litigation of the other party.

(i) A court shall not set aside a decree of adoption, rescind a surrender of rights, or modify an order to terminate parental rights or any other prior court order because of the failure of an adoptive parent, a birth relative, or the child to comply with any or all of the original terms of, or subsequent modifications to, a postadoption contact agreement.

19-8-28.

When a child is an orphan, the petitioner shall not be required to have a guardian appointed for such child in order for a guardian to execute a surrender of rights. Such child shall be adoptable without a surrender of rights."

SECTION 1-2.

Code Section 15-11-320 of the Official Code of Georgia Annotated, relating to termination of parental rights, is amended by revising subsection (d) as follows:

"(d) The court shall transmit a copy of every final order terminating the parental rights of a parent to the ~~Office of Adoptions~~ State Adoption Unit of the department within 15 days of the filing of such order."

**PART II
SECTION 2-1.**

The General Assembly finds that:

- (1) From time to time, parents experience short-term difficulties that impair their ability to perform the regular and expected functions to provide care and support to their children;
- (2) Parents need a means to confer to a relative or other approved person the temporary authority to act on behalf of a child without the time and expense of a court proceeding or the involvement of the Division of Family and Children Services of the Department of Human Services; and
- (3) Providing a statutory mechanism for granting such authority enhances family preservation and stability.

SECTION 2-2.

Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is amended by repealing Article 4 of Chapter 9, relating to the power of attorney for the care of a minor child, and enacting a new Article 4 to read as follows:

ARTICLE 4**19-9-120.**

This article shall be known and may be cited as the 'Supporting and Strengthening Families Act.'

19-9-121.

As used in this article, the term:

- (1) 'Child' means an unemancipated individual who is under 18 years of age.
- (2) 'Parent' shall have the same meaning as provided in Code Section 19-3-37.

19-9-122.

(a) A parent of a child may delegate caregiving authority regarding such child to an individual who is an adult, who resides in this state, and who is the grandparent, great-grandparent, stepparent, former stepparent, step-grandparent, aunt, uncle, great aunt, great uncle, cousin, or sibling of such child or is a non-relative who is approved as an agent by an organization licensed as a child-placing agency pursuant to Chapter 5 of

Title 49 or a nonprofit entity or faith based organization that provides child or family services and that is in good standing with the Internal Revenue Service for a period not to exceed one year, except as provided in Code Section 19-9-130, by executing a power of attorney that substantially complies with this article. A parent of a child may delegate to an agent in such power of attorney any power and authority regarding the care and custody of such child, except the power to consent to the marriage or adoption of such child, the performance or inducement of an abortion on or for such child, or the termination of parental rights to such child. Such power and authority may be delegated without the approval of a court, provided that such delegation of power and authority shall not operate to change or modify any parental or legal rights, obligations, or authority established by an existing court order, including a standing order, or deprive a parent of a child of any parental or legal rights, obligations, or authority regarding the custody, visitation, or support of such child. Such delegation of power and authority shall not deprive or limit any support for a child that should be received by such child pursuant to a court order or for any other reason. When support is being collected for the child by the Child Support Enforcement Agency of the Department of Human Services, such agency shall be authorized to redirect support payments to the agent for the duration of the power of attorney or until the power of attorney is revoked or superseded by a court order. A power of attorney executed under this article during the pendency of a divorce or custody action shall be void ab initio unless executed or agreed upon by both parties to such action, if both parties have custodial rights to the child or the court presiding over such divorce or custody action enters an order allowing the execution of the power of attorney as being in the best interests of such child.

(b) Except as limited by federal law, this article, or the direction of a parent of a child as expressed in the power of attorney, an agent shall have the same rights, duties, and responsibilities that would otherwise be exercised by such parent of a child pursuant to the laws of this state.

(c) An agent shall acknowledge in writing his or her acceptance of the responsibility for caring for a child for the duration of the power of attorney and shall identify any associated child-placing agency licensed pursuant to Chapter 5 of Title 49 or nonprofit entity that is focused on child or family services and that is in good standing with the Internal Revenue Service if applicable. An agent shall certify that he or she is not currently on the state sexual offender registry or child abuse registry of this state or the sexual offender registry or child abuse registry for any other state, a United States territory, the District of Columbia, or any American Indian tribe nor has he or she ever been required to register for any such registry. The individual executing a power of attorney shall require an agent to provide him or her with a criminal background check.

(d) The agent under a power of attorney shall act in the best interests of the child. Such agent shall not be liable to the individual executing the power of attorney for consenting or refusing to consent to medical, dental, or mental health care for a child when such decision is made in good faith and is exercised in the best interests of the child.

(e) The child-placing agencies licensed pursuant to Chapter 5 of Title 49 and the entities authorized by this article to assist with the execution of a power of attorney

shall maintain a record of all powers of attorney executed by individuals approved as their agents under this article for at least five years after the expiration of such powers of attorney.

19-9-123.

(a) An individual with sole custody of a child who executes a power of attorney authorized under this article shall provide written notice of such execution to the noncustodial parent by certified mail, return receipt requested, or statutory overnight delivery within 15 days after the date upon which such power of attorney was executed.

(b) A noncustodial parent receiving the notice as set forth in subsection (a) of this Code section may object to the execution of such power of attorney within 21 days of the delivery of such notice and shall serve his or her objection on the individual who executed such power of attorney by certified mail, return receipt requested, or statutory overnight delivery. An objection shall prohibit the action of a power of attorney under this article and the child shall be returned to the individual with sole custody.

(c) In addition to the notice provided for in subsection (a) of this Code section, an individual with sole custody of a child who executes a power of attorney under this article shall comply with any applicable relocation notice requirements under subsection (f) of Code Section 19-9-3.

19-9-124.

Nothing in this article shall preclude a parent or agent from granting temporary written permission to seek emergency medical treatment or other services for a child while such child is in the custody of an adult who is not the parent or agent and who is temporarily supervising the child at the request of such parent or agent.

19-9-125.

An individual shall not execute a power of attorney under this article for the purpose of subverting an investigation of the child's welfare initiated by the Division of Family and Children Services of the Department of Human Services and shall not execute such power of attorney so long as the Division of Family and Children Services of the Department of Human Services has an open child welfare and youth services case with regard to the child, his or her parent, or another child of the parent. Nothing in this article shall be construed to diminish or limit any rights, power, or authority of or by the Division of Family and Children Services of the Department of Human Services for the protection of any child.

19-9-126.

A power of attorney executed under this article shall be signed under oath and acknowledged before a notary public by the individual executing such power of attorney and by the agent accepting such delegation.

19-9-127.

(a)(1) An agent shall have the authority to act on behalf of the child on a continuous basis, without compensation:

(A) For the duration of the power of attorney so long as the duration does not exceed one year or the time period authorized in Code Section 19-9-130; or

(B) Until the individual who executed the power of attorney revokes the power of attorney in writing and provides notice of the revocation to the agent by certified mail, return receipt requested, or statutory overnight delivery. Upon receipt of such revocation, the agent shall cease to act as agent.

(2) The individual revoking the power of attorney shall send a copy of the revocation of the power of attorney to the agent within five days of executing such revocation. If an individual revokes a power of attorney, the child shall be returned to the custody of such individual who executed the power of attorney as soon as reasonably possible.

(3) The revoking individual shall notify schools, health care providers, and others known to the revoking individual to have relied upon such power of attorney as soon as reasonably possible.

(b) A power of attorney executed under this article may be terminated by an order of a court of competent jurisdiction.

(c) Upon receipt of a revocation of a power of attorney, an agent shall notify schools, health care providers, and others known to the agent to have relied upon such power of attorney as soon as reasonably possible.

(d) An agent may resign by notifying the individual who appointed the agent in writing by certified mail, return receipt requested, or statutory overnight delivery and he or she shall notify schools, health care providers, and others known to the agent to have relied upon such power of attorney as soon as reasonably possible.

(e) Upon the death of an individual who executed a power of attorney, the agent shall notify the surviving parent of the child, if known, as soon as practicable.

(f) The authority to designate an agent to act on behalf of a child shall be in addition to any other lawful action a parent may take for the benefit of such child.

(g) A parent shall continue to have the right to receive medical, dental, mental health, and educational records pertaining to his or her child, even when a power of attorney has been executed under this article.

19-9-128.

The execution of a power of attorney under this article shall not constitute abandonment under Code Section 19-10-1 nor be reportable as child abuse or neglect under Code Section 19-7-5 unless the individual who executed such power of attorney fails to take custody of the child or execute a new power of attorney under this article after the expiration or revocation of the power of attorney.

19-9-129.

(a) A child subject to a power of attorney executed under this article shall not be considered placed in foster care under Chapter 5 of Title 49, and the parties to the

power of attorney shall not be subject to any of the requirements or licensing regulations for foster care or other regulations relating to community care for children.

(b) Caregiving authority delegated under this article shall not constitute an out-of-home child placement.

(c) An individual who is approved as an agent by an organization licensed as a child-placing agency shall not be exempt from the requirements of Chapter 5 of Title 49 regarding the licensing and inspection of child welfare agencies.

(d) The execution of a power of attorney under this article shall not delegate caregiving authority for more than one child unless such power of attorney delegates caregiving authority for children who are siblings or stepsiblings.

19-9-130.

(a) When a power of attorney delegates caregiving authority to a grandparent of a child, it may have an unlimited duration.

(b) Except as limited by or in conflict with federal law regarding the armed forces of the United States, a parent who is a member of the armed forces of the United States, including any reserve component thereof, or the commissioned corps of the National Oceanic and Atmospheric Administration or the Public Health Service of the United States Department of Health and Human Services detailed by proper authority for duty with the armed forces of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the President of the United States or to serve on state active duty, may delegate caregiving authority for a period longer than one year if such parent is deployed as defined in Code Section 19-9-6. Such term of delegation, however, shall not exceed the term of deployment plus 30 days.

19-9-131.

The provisions of this article shall not affect a power of attorney given to a grandparent prior to July 1, 2018, to which the provisions of former Code Sections 19-9-120 through 19-9-129, as such existed on June 30, 2018, shall continue to apply.

19-9-132.

(a) The power of attorney contained in this Code section may be used for the temporary delegation of caregiving authority to an agent. The form contained in this Code section shall be sufficient for the purpose of creating a power of attorney under this article, provided that nothing in this Code section shall be construed to require the use of this particular form.

(b) A power of attorney shall be legally sufficient if the form is properly completed and the signatures of the parties are notarized.

(c) The power of attorney delegating caregiving authority of a child shall be in substantially the following form:

FORM FOR POWER OF ATTORNEY TO DELEGATE
THE POWER AND AUTHORITY FOR THE CARE OF A CHILD

NOTICE:

(1) THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE INDIVIDUAL WHOM YOU DESIGNATE (THE AGENT) POWERS TO CARE FOR YOUR CHILD, INCLUDING THE POWER TO: HAVE ACCESS TO EDUCATIONAL RECORDS AND DISCLOSE THE CONTENTS TO OTHERS; ARRANGE FOR AND CONSENT TO MEDICAL, DENTAL, AND MENTAL HEALTH TREATMENT FOR THE CHILD; HAVE ACCESS TO RECORDS RELATED TO SUCH TREATMENT OF THE CHILD AND DISCLOSE THE CONTENTS OF THOSE RECORDS TO OTHERS; PROVIDE FOR THE CHILD'S FOOD, LODGING, RECREATION, AND TRAVEL; AND HAVE ANY ADDITIONAL POWERS AS SPECIFIED BY THE INDIVIDUAL EXECUTING THIS POWER OF ATTORNEY.

(2) THE AGENT IS REQUIRED TO EXERCISE DUE CARE TO ACT IN THE CHILD'S BEST INTERESTS AND IN ACCORDANCE WITH THE GRANT OF AUTHORITY SPECIFIED IN THIS FORM.

(3) A COURT OF COMPETENT JURISDICTION MAY REVOKE THE POWERS OF THE AGENT.

(4) THE AGENT MAY EXERCISE THE POWERS GIVEN IN THIS POWER OF ATTORNEY FOR THE CARE OF A CHILD FOR THE PERIOD SET FORTH IN THIS FORM UNLESS THE INDIVIDUAL EXECUTING THIS POWER OF ATTORNEY REVOKES THIS POWER OF ATTORNEY AND PROVIDES NOTICE OF THE REVOCATION TO THE AGENT OR A COURT OF COMPETENT JURISDICTION TERMINATES THIS POWER OF ATTORNEY.

(5) THE AGENT MAY RESIGN AS AGENT AND MUST IMMEDIATELY COMMUNICATE SUCH RESIGNATION TO THE INDIVIDUAL EXECUTING THIS POWER OF ATTORNEY AND TO SCHOOLS, HEALTH CARE PROVIDERS, AND OTHERS KNOWN TO THE AGENT TO HAVE RELIED UPON SUCH POWER OF ATTORNEY.

(6) THIS POWER OF ATTORNEY MAY BE REVOKED IN WRITING. IF THIS POWER OF ATTORNEY IS REVOKED, THE REVOKING INDIVIDUAL SHALL NOTIFY THE AGENT, SCHOOLS, HEALTH CARE PROVIDERS, AND OTHERS KNOWN TO THE INDIVIDUAL EXECUTING THIS POWER OF ATTORNEY TO HAVE RELIED UPON SUCH POWER OF ATTORNEY.

(7) IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK AN ATTORNEY TO EXPLAIN IT TO YOU.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent) who, after having been sworn, deposes and says as follows:

1. I certify that I am the parent of:

(Full name of child) (Date of birth)

2. I designate: _____,
(Full name of agent)

(Street address, city, state, and ZIP Code of agent)

(Personal and work telephone numbers of agent)

as the agent of the child named above.

3. The agent named above is related or known to me as follows (*write in your relationship to the agent; for example, aunt of the child, maternal grandparent of the child, sibling of the child, godparent of the child, associated with a nonprofit or faith based organization*): _____

4. Sign by the statement you wish to choose (*you may only choose one*):

(A) _____ (Signature) I delegate to the agent all my power and authority regarding the care and custody of the child named above, including but not limited to the right to inspect and obtain copies of educational records and other records concerning the child, attend school activities and other functions concerning the child, and give or withhold any consent or waiver with respect to school activities, medical and dental treatment, and any other activity, function, or treatment that may concern the child. This delegation shall not include the power or authority to consent to the marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child.

OR

(B) _____ (Signature) I delegate to the agent the following specific powers and responsibilities (*write in*): _____

This delegation shall not include the power or authority to consent to the marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child.

5. Initial by the statement you wish to choose (*you may only choose one of the three options*) and complete the information in the paragraph:

(A) _____ (Initials) This power of attorney is effective for a period not to exceed one year, beginning _____, 2____, and ending _____, 2____. I reserve the right to revoke this power and authority at any time.

OR

(B) _____ (Initials) This power of attorney is being given to a grandparent of my child and is effective until I revoke this power of attorney.

OR

(C) _____ (Initials) I am a parent as described in O.C.G.A. § 19-9-130(b). My deployment is scheduled to begin on _____, 2____, and is estimated to end on _____, 2____. I acknowledge that in no event shall this delegation of power and authority last more than one year or the term of my deployment plus 30 days, whichever is longer. I reserve the right to revoke this power and authority at any time.

6. I hereby swear or affirm under penalty of law that I provided the notice required by O.C.G.A. § 19-9-123 and received no objection in the required time period.

By: _____
(Parent signature)

(Printed name)

(Street address, city, state, and ZIP Code of parent)

(Personal and work telephone numbers of parent)

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of agent) who, after having been sworn, deposes and says as follows:

7. I hereby accept my designation as agent for the child specified in this power of attorney and by doing so acknowledge my acceptance of the responsibility for caring for such child for the duration of this power of attorney and shall identify any associated child-placing agency licensed pursuant to Chapter 5 of Title 49 or nonprofit entity or faith based organization that provides child or family services and that is in good standing with the Internal Revenue Service if applicable. Furthermore, I hereby certify that:

(A) I am not currently on the state sexual offender registry or child abuse registry of this state or the sexual offender registry or child abuse registry for any other state, a United States territory, the District of Columbia, or any American Indian tribe nor have I ever been required to register for any such registry;

(B) I have provided a criminal background check to the individual designating me as an agent, if it was requested;

(C) I understand that I have the authority to act on behalf of the child:

- For the period of time set forth in this form;
- Until the power of attorney is revoked in writing and notice is provided to me as required by O.C.G.A. § 19-9-127; or
- Until the power of attorney is terminated by order of a court;

(D) I understand that if I am made aware of the death of the individual who executed the power of attorney, I must notify the surviving parent of the child, if known, as soon as practicable; and

(E) I understand that I may resign as agent by notifying the individual who executed the power of attorney in writing by certified mail, return receipt requested, or statutory overnight delivery and I must also notify any schools, health care providers, and others to whom I give a copy of this power of attorney.

(Agent signature)

(Printed name)

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.

(Organization signature, if applicable)

(Printed name and title)"

PART III
SECTION 3-1.

Part 4 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to sick, personal, and maternity leave for teachers and other school personnel, is amended by adding a new Code section to read as follows:

"20-2-852.1.

A local board of education that permits paternity or maternity time off for biological parents following the birth of a child shall, upon request, make such time off available for individuals adopting a child, in the same manner and utilizing the same type of leave. If the local board of education has established a policy providing time off for biological parents, that period of time shall be the minimum period of leave available for adoptive parents. Requests for additional leave due to the adoption of an ill child or a child with a disability shall be considered on the same basis as comparable cases of such complications accompanying the birth of such a child to an employee or employee's spouse. Any other benefits provided by the local board of education, such as job guarantee or pay, shall be available to both adoptive and biological parents on an equal basis. A local board of education shall not penalize an employee for exercising the rights provided by this Code section. The provisions of this Code section shall not apply to an adoption by the spouse of a custodial parent."

PART IV
SECTION 4-1.

This part and Parts II and III of this Act shall become effective on July 1, 2018. Part I of this Act shall become effective on January 1, 2019.

SECTION 4-2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	N Orrock	Y Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 40, nays 13.

HB 159, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th moved that HB 159 be immediately transmitted to the House.

On the motion, there was no objection, and HB 159 was immediately transmitted.

The following resolution was read and adopted:

SR 594. By Senators Anderson of the 43rd, Davenport of the 44th, Jones of the 10th, Butler of the 55th, Orrock of the 36th and others:

A RESOLUTION commending and congratulating Dorothy Hutchins; and for other purposes.

The following communication was received by the Secretary:

Senator Chuck Hufstetler
District 52
121-C State Capitol
Atlanta, GA 30334

Georgia State Senate

January 18, 2018

To Whom It May Concern,

I, Senator Chuck Hufstetler, was not in attendance for today's Senate Legislative Session. I was to be excused, but accidentally, was not. Please excuse me from today's Legislative Session.

Thank you,

/s/ Chuck Hufstetler
Georgia State Senator
District 52

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Friday, January 19, 2018.

The motion prevailed, and the President announced the Senate adjourned at 3:57 p.m.

Senate Chamber, Atlanta, Georgia
Friday, January 19, 2018
Sixth Legislative Day

The Senate met pursuant to adjournment at 10:08 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following communication was received by the Secretary:

Senator Steve Henson
District 41
121-B State Capitol
Atlanta, GA 30334

Committees:

Urban Affairs
Administrative Affairs
Health and Human Services
Natural Resources and the Environment
Reapportionment and Redistricting
Regulated Industries and Utilities
Rules
State Institutions and Property

DEMOCRATIC LEADER

The State Senate
Atlanta, Georgia 30334

January 19, 2018

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

Dear Mr. Cook,

This letter is to respectfully request an excused absence from session on Friday, January 19, 2018. I have to travel out of town for business outside of the capitol.

Thanks for your attention to this matter.

Sincerely,

/s/ Stephen B. Henson
Senator, District 41

The following Senate legislation was introduced, read the first time and referred to committee:

SB 302. By Senators Parent of the 42nd, Jones II of the 22nd, Jackson of the 2nd, Williams of the 39th, Butler of the 55th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 3 of Title 50 of the Official Code of Georgia Annotated, relating to state and other flags, so as to provide that local governments may relocate, remove, conceal, obscure, or alter certain monuments; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Government Oversight.

SB 329. By Senator Unterman of the 45th:

A BILL to be entitled an Act to amend Article 2 of Chapter 21 of Title 50 of the Official Code of Georgia Annotated, relating to state tort claims, so as to provide that boards of health are covered entities under the waiver of sovereign immunity pursuant to The Georgia Tort Claims Act; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 330. By Senators Wilkinson of the 50th, Mullis of the 53rd, Walker III of the 20th, Black of the 8th, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to provide that the agricultural education program in this state is based on a three-component model; to provide for a pilot program to develop and implement agricultural education in elementary schools; to provide for selection of pilot sites; to provide for program requirements; to provide for a program evaluation; to provide for the Professional Standards Commission to extend in-field certification for agricultural education to include kindergarten through grade five; to provide for related matters; to provide for a short title; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

SB 331. By Senators Henson of the 41st, Kirk of the 13th, Mullis of the 53rd, Orrock of the 36th, Butler of the 55th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding the Georgia Lottery for Education Act, so as to allow a winner of a lottery prize to remain anonymous under certain conditions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

SB 333. By Senators Black of the 8th, Anderson of the 43rd, Watson of the 1st, Rhett of the 33rd and Burke of the 11th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the governing authority of a municipality may pay costs or fees associated with an employee's participation in a deferred compensation plan; to provide that certain public employees may be automatically enrolled in deferred compensation plans; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

SR 593. By Senators Seay of the 34th, Mullis of the 53rd, Butler of the 55th and Orrock of the 36th:

A RESOLUTION urging the United States Congress to establish a policy whereby public facilities shall be required to provide adult changing stations; and for other purposes.

Referred to the Committee on Rules.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 194 Do Pass by substitute

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HR 279 Do Pass
SR 467 Do Pass by substitute
SR 484 Do Pass by substitute

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Senator Tillery of the 19th asked unanimous consent that Senator Kennedy of the 18th be excused. The consent was granted, and Senator Kennedy was excused.

Senator Rhett of the 33rd asked unanimous consent that Senators James of the 35th, Orrock of the 36th, Anderson of the 43rd, and Jones II of the 22nd be excused. The consent was granted, and Senators James, Orrock, Anderson, and Jones were excused.

Senator Albers of the 56th asked unanimous consent that Senator Beach of the 21st be excused. The consent was granted, and Senator Beach was excused.

Senator Harbison of the 15th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Rhett
Anderson, L	Jackson	Seay
Black	Jones, B	Sims
Brass	Jones, E	Stone
Burke	Jordan	Strickland
Butler	Kirk	Tate
Cowsert	Kirkpatrick	Thompson, B
Davenport	Ligon	Tillery
Dugan	Martin	Tippins
Ginn	McKoon	Unterman
Gooch	Millar	Walker

Harbin	Miller	Watson
Harbison	Mullis	Wilkinson
Harper	Parent	Williams, M
Heath	Payne	Williams, N
Hill		

Not answering were Senators:

Anderson, T. (Excused)	Beach (Excused)	Henson
James (Excused)	Jones, H. (Excused)	Kennedy (Excused)
Lucas	Orrock (Excused)	Shafer
Thompson, C. (Excused)		

The following members were off the floor of the Senate when the roll was called and wish to be recorded as present:

Senators: Shafer of the 48th Jones II of the 22nd Lucas of the 26th

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Jordan of the 6th introduced the chaplain of the day, Dr. Charles Gardner of Atlanta, Georgia, who offered scripture reading and prayer.

Senator Tillery of the 19th introduced the doctor of the day, Dr. John V. Spence.

The following resolutions were read and adopted:

SR 588. By Senator Unterman of the 45th:

A RESOLUTION recognizing January as Human Trafficking Month at the state capitol; and for other purposes.

SR 589. By Senators Martin of the 9th, Shafer of the 48th, Millar of the 40th, Unterman of the 45th, Thompson of the 5th and others:

A RESOLUTION recognizing and congratulating the Republic of Korea on being the host of the 2018 XXIII Winter Olympic Games and the XII Winter Paralympic Games; and for other purposes.

SR 590. By Senator Gooch of the 51st:

A RESOLUTION recognizing January 29, 2018, as Dahlonega-Lumpkin County Day at the state capitol; and for other purposes.

SR 591. By Senators Martin of the 9th, Kirkpatrick of the 32nd, Brass of the 28th, Burke of the 11th and Unterman of the 45th:

A RESOLUTION recognizing October, 2018, as Eczema Awareness Month; and for other purposes.

SR 592. By Senators Martin of the 9th, Shafer of the 48th, Millar of the 40th, Thompson of the 5th, Unterman of the 45th and others:

A RESOLUTION recognizing and commending Mayor Bucky Johnson on the occasion of his retirement; and for other purposes.

Senator Albers of the 56th moved that the Senate stand adjourned pursuant to HR 870 until 10:00 a.m. Monday, January 22, 2018.

The motion prevailed, and the President announced the Senate adjourned at 10:38 a.m.

Senate Chamber, Atlanta, Georgia
Monday, January 22, 2018
Seventh Legislative Day

The Senate met pursuant to adjournment at 10:10 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 332. By Senators Harper of the 7th, Heath of the 31st, Brass of the 28th, Ginn of the 47th, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing, so as to provide for a hunter mentor program within the Department of Natural Resources; to provide for definitions; to provide for program criteria and terms and conditions; to provide for a special hunting passport for program participants; to provide for findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SB 334. By Senators Unterman of the 45th, Miller of the 49th and Shafer of the 48th:

A BILL to be entitled an Act to amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to transfer the Georgia Board of Nursing from the jurisdiction of the Secretary of State to the Department of Community Health for administrative purposes only; to provide for a definition; to provide for the powers and duties of the board; to authorize the board to appoint an executive director; to provide for the powers and duties of such executive director; to revise certain provisions related to the division director; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- SB 335. By Senators Unterman of the 45th, Miller of the 49th, Butler of the 55th and McKoon of the 29th:

A BILL to be entitled an Act to amend Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to trafficking of persons for labor or sexual servitude, so as to expand the offense of trafficking an individual for sexual servitude; to change the punishment for a certain type of trafficking an individual for sexual servitude; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- SB 336. By Senators Unterman of the 45th, Miller of the 49th, Butler of the 55th and McKoon of the 29th:

A BILL to be entitled an Act to amend Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions relevant to the Georgia Bureau of Investigation, so as to provide that when a subpoena is issued for production of electronic communication service records for computer or electronic devices that are used in furtherance of certain offenses against minors, such provider of electronic communication service or other computer service shall not provide notice of such subpoena to the subscriber or customer of such service; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- SB 337. By Senators Unterman of the 45th, Miller of the 49th and Tillery of the 19th:

A BILL to be entitled an Act to amend Article 2 of Chapter 8 of Title 24 of the Official Code of Georgia Annotated, relating to admissions and confessions, so as to provide an effective date for the procedure relating to the testimony of a child's description of sexual contact or physical abuse; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- SB 338. By Senators Ligon, Jr. of the 3rd, Cowser of the 46th, McKoon of the 29th, Millar of the 40th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for

administrative procedure, so as to modify requirements for agency rule making; to modify legislative objections to and staying of proposed agency rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 339. By Senators Ligon, Jr. of the 3rd, Shafer of the 48th, McKoon of the 29th, Tippins of the 37th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the board of regents and university system, so as to provide for the establishment of free speech policies for institutions of the university system; to provide for a cause of action and remedies; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

SB 340. By Senators Orrock of the 36th, Williams of the 39th, Butler of the 55th, Davenport of the 44th, Anderson of the 43rd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, relating to air quality, so as to provide for carbon emissions standards; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SB 341. By Senators Anderson of the 24th, Mullis of the 53rd, Jones of the 25th, Albers of the 56th, Henson of the 41st and others:

A BILL to be entitled an Act to amend Code Section 42-8-110 of the Official Code of Georgia Annotated, relating to definitions applicable to ignition interlock devices, the purchase or lease of such devices by counties, municipalities, or private entities, fees, costs, and deposits for such devices, and requirements for such devices when indigent, so as to provide for the use of cameras on ignition interlock devices; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SR 595. By Senator Stone of the 23rd:

A RESOLUTION honoring the life of Mr. A. Frank Williams and dedicating a road in his honor; and for other purposes.

Referred to the Committee on Transportation.

The following committee report was read by the Secretary:

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 303	Do Pass	SB 305	Do Pass
SB 306	Do Pass	SB 307	Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

SR 484

Senator Hufstetler of the 52nd asked unanimous consent that Senator Unterman of the 45th be excused. The consent was granted, and Senator Unterman was excused.

Senator Harbison of the 15th asked unanimous consent that Senator Jones of the 10th be excused. The consent was granted, and Senator Jones was excused.

Senator Henson of the 41st asked unanimous consent that Senators Rhett of the 33rd and James of the 35th be excused. The consent was granted, and Senators Rhett and James were excused.

Senator Strickland of the 17th asked unanimous consent that Senator Martin of the 9th be excused. The consent was granted, and Senator Martin was excused.

Senator Jones II of the 22nd asked unanimous consent that Senator Anderson of the 43rd be excused. The consent was granted, and Senator Anderson was excused.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Parent
Anderson, L	Jackson	Seay
Beach	Jones, B	Sims
Brass	Jones, H	Stone
Burke	Jordan	Strickland
Cowsert	Kennedy	Tate
Davenport	Kirk	Thompson, B
Dugan	Kirkpatrick	Thompson, C
Ginn	Ligon	Tillery
Gooch	Lucas	Tippins
Harbin	McKoon	Walker
Harbison	Millar	Watson
Harper	Miller	Wilkinson
Heath	Mullis	Williams, M
Henson	Orrock	Williams, N
Hill		

Not answering were Senators:

Anderson, T (Excused)	Black	Butler
James (Excused)	Jones, E. (Excused)	Martin (Excused)
Payne	Rhett (Excused)	Shafer
Unterman (Excused)		

The following members were off the floor of the Senate when the roll was called and wish to be recorded as present:

Senators: Payne of the 54th Shafer of the 48th Black of the 8th

The following communication was received by the Secretary:

Senator Gloria Butler	Committees:
District 55	Ethics
420-C State Capitol	Urban Affairs
Atlanta, GA 30334	Health and Human Services
	Rules
	State and Local Governmental Operations
	Transportation

The State Senate
Atlanta, Georgia 30334

Date: 1/22/18

To Mr. Secretary:

Due to business outside the Senate Chamber, I missed the vote on the Roll Call. Had I been present, I would have voted “yes”.

/s/ Gloria Butler
District 55

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Thompson of the 14th introduced the chaplain of the day, Dr. Jacob T. King of Cartersville, Georgia, who offered scripture reading and prayer.

Senator Kennedy of the 18th introduced the doctor of the day, Dr. Rana Munna.

The following resolution was read and adopted:

SR 596. By Senator Hill of the 4th:

A RESOLUTION recognizing Josh Reddick for his outstanding accomplishments in the sport of baseball; and for other purposes.

Senator Hill of the 4th recognized Josh Reddick who addressed the Senate briefly.

The following resolutions were read and adopted:

SR 597. By Senator Unterman of the 45th:

A RESOLUTION celebrating Spectrum Autism Support Group's 20 Year Anniversary and recognizing its provision of support, education, and resources to individuals and families impacted by autism in Georgia; and for other purposes.

SR 598. By Senator Albers of the 56th:

A RESOLUTION commending the Blessed Trinity Catholic High School Titans for winning the 2017 Class AAAA GHSA State Football Championship; and for other purposes.

SR 599. By Senators Rhett of the 33rd, Seay of the 34th, Tippins of the 37th, Tate of the 38th, Kirkpatrick of the 32nd and others:

A RESOLUTION recognizing and commending Philip Goldstein on his outstanding public service; and for other purposes.

SR 600. By Senators Miller of the 49th, Unterman of the 45th, Wilkinson of the 50th, Ginn of the 47th and Gooch of the 51st:

A RESOLUTION recognizing and commending Dr. Frank McDonald, Jr.; and for other purposes.

SR 601. By Senators Miller of the 49th, Unterman of the 45th, Wilkinson of the 50th, Ginn of the 47th and Gooch of the 51st:

A RESOLUTION recognizing and honoring Captain Reuben Black for his work on the front lines in the battle against Georgia's opioid crisis; and for other purposes.

SR 602. By Senators Thompson of the 14th, Unterman of the 45th, Shafer of the 48th, Hufstetler of the 52nd, Millar of the 40th and others:

A RESOLUTION commending first responders and recognizing February, 2018, as American Heart Month in Georgia; and for other purposes.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Monday January 22, 2018
Seventh Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

Pursuant to Article VII, Section II, Paragraph IV of the Constitution, the following four local bills relating to homestead exemptions require a two-thirds roll-call vote for passage:

SB 303

Albers of the 56th
Beach of the 21st
Shafer of the 48th
CITY OF ALPHARETTA

A BILL to be entitled an Act to provide for a homestead exemption from City of Alpharetta ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

SB 305

Albers of the 56th
Beach of the 21st
CITY OF MILTON

A BILL to be entitled an Act to provide for a homestead exemption from City of Milton ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

SB 306

Albers of the 56th
CITY OF MOUNTAIN PARK

A BILL to be entitled an Act to provide for a homestead exemption from City of Mountain Park ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

SB 307

Albers of the 56th
 Millar of the 40th
CITY OF ROSWELL

A BILL to be entitled an Act to provide for a homestead exemption from City of Roswell ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	E Rhett
Y Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 45, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

1/22/18

Due to business outside the Senate Chamber, I missed the vote on the Local Consent Calendar. Had I been present, I would have voted “yes”.

/s/ Brandon Beach
District 21

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Tuesday, January 23, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:28 a.m.

Senate Chamber, Atlanta, Georgia
Tuesday, January 23, 2018
Eighth Legislative Day

The Senate met pursuant to adjournment at 10:10 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 342. By Senators Harbin of the 16th, Albers of the 56th, Watson of the 1st, Thompson of the 14th, Brass of the 28th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, so as to permit the owner or operator of a vehicle which has a valid number license plate without the required revalidation decal affixed to the plate to retain custody of the vehicle under certain conditions; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 321 Do Pass by substitute

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 327 Do Pass

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 304 Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Senator Thompson of the 14th asked unanimous consent that Senator Harbin of the 16th be excused. The consent was granted, and Senator Harbin was excused.

Senator Payne of the 54th asked unanimous consent that Senators Hufstetler of the 52nd and Unterman of the 45th be excused. The consent was granted, and Senator Hufstetler and Unterman were excused.

Senator Jones II of the 22nd asked unanimous consent that Senator Tate of the 38th be excused. The consent was granted, and Senator Tate was excused.

Senator Harbison of the 15th asked unanimous consent that Senator Jones of the 10th be excused. The consent was granted, and Senator Jones was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Rhett
Anderson, L	James	Seay
Anderson, T	Jones, B	Shafer
Beach	Jones, H	Sims
Black	Jordan	Stone
Burke	Kennedy	Strickland

Butler	Kirk	Thompson, B
Cowsert	Kirkpatrick	Thompson, C
Davenport	Ligon	Tillery
Dugan	McKoon	Tippins
Ginn	Millar	Walker
Gooch	Miller	Watson
Harbison	Mullis	Wilkinson
Harper	Orrock	Williams, M
Heath	Parent	Williams, N
Henson	Payne	

Not answering were Senators:

Brass	Harbin (Excused)	Hufstetler (Excused)
Jackson	Jones, E. (Excused)	Lucas
Martin	Tate (Excused)	Unterman (Excused)

Senator Lucas of the 26th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Miller of the 49th introduced the chaplain of the day, Pastor Caleb Clarke III of Stone Mountain, Georgia, who offered scripture reading and prayer.

Senator Parent of the 42nd introduced the doctor of the day, Dr. Gulshan Harjee.

Senator Martin of the 9th recognized and congratulated the Republic of Korea on being the host of the 2018 XXIII Winter Olympic Games and the XII Winter Paralympic Games, commended by SR 589, adopted previously. Consul General Kim Young-jun addressed the Senate briefly.

The following resolutions were read and adopted:

SR 603. By Senators Thompson of the 14th, Harbin of the 16th, Mullis of the 53rd, Miller of the 49th, Tate of the 38th and others:

A RESOLUTION recognizing and commending Zac Brown; and for other purposes.

SR 604. By Senators Thompson of the 14th, Kirk of the 13th, Stone of the 23rd, Ligon, Jr. of the 3rd, Kirkpatrick of the 32nd and others:

A RESOLUTION recognizing January 25, 2018, as Health Information Technology Day at the state capitol; and for other purposes.

SR 605. By Senators Thompson of the 14th, Hufstetler of the 52nd, Cowsert of the 46th, Mullis of the 53rd, Strickland of the 17th and others:

A RESOLUTION recognizing and commending Trevor Lawrence of Cartersville, Georgia; and for other purposes.

SR 606. By Senators Tillery of the 19th, Walker III of the 20th and Strickland of the 17th:

A RESOLUTION recognizing January 17, 2018, as REACH Georgia Day at the state capitol and commending the REACH Georgia program coordinators, mentors, academic coaches, and supporters for their dedicated service to the lives of the REACH Scholars; and for other purposes.

SR 607. By Senators Kirk of the 13th, Harper of the 7th, Black of the 8th, Tippins of the 37th, Walker III of the 20th and others:

A RESOLUTION commending Mrs. Eunice Lastinger Mixon as the Distinguished Older Georgian for 2018; and for other purposes.

SR 608. By Senators Butler of the 55th and Seay of the 34th:

A RESOLUTION commending Felix King Eiremiokhae; and for other purposes.

SR 609. By Senators Watson of the 1st, Dugan of the 30th, Harbison of the 15th, Anderson of the 43rd, Walker III of the 20th and others:

A RESOLUTION recognizing January 25, 2018, as National Guard Day at the state capitol; and for other purposes.

Senator Shafer of the 48th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Tuesday January 23, 2018
Eighth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 304 Albers of the 56th
 Shafer of the 48th
 Beach of the 21st
CITY OF JOHNS CREEK

A BILL to be entitled an Act to provide for a homestead exemption from City of Johns Creek ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
E Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath
Y Henson
Y Hill

Y Mullis
Y Orrock
Y Parent

Y Williams, M
Y Williams, N

On the passage of the local legislation, the yeas were 49, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

SENATE RULES CALENDAR
TUESDAY, JANUARY 23, 2018
EIGHTH LEGISLATIVE DAY

SB 194 Garnishment Proceedings; maximum part of disposable earnings subject to garnishment; change (Substitute)(JUDY-23rd)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 194. By Senators Stone of the 23rd, Albers of the 56th, Tillery of the 19th and Harbin of the 16th:

A BILL to be entitled an Act to amend Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, so as to change the maximum part of disposable earnings subject to garnishment and conform the form used therewith; to clarify various provisions; to change provisions relating to serving the defendant; to change provisions relating to the introduction of evidence and how judgments are paid; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 194:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, so as to change the maximum part of disposable earnings subject to garnishment and conform the form used therewith; to clarify various provisions; to change provisions relating to serving the defendant; to change provisions

relating to the introduction of evidence and how judgments are paid; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, is amended by revising subparagraph (a)(1)(B) and paragraph (2) of subsection (a) of Code Section 18-4-5, relating to the maximum part of disposable earnings subject to garnishment, as follows:

"(B) The amount by which the defendant's disposable earnings for that week exceed ~~\$217.00~~ \$217.50.

(2) In case of earnings for a period other than a week, ~~a~~ the proportionate fraction or multiple of 30 hours per week at \$7.25 per hour shall be used."

SECTION 2.

Said chapter is further amended by revising paragraph (2) of subsection (b) of Code Section 18-4-7, relating to the required information on summons of garnishment or attachment thereto, form usage, and failure to use correct form, as follows:

"(2) The form for a A summons of garnishment on a financial institution shall not be used for a continuing garnishment or continuing garnishment for support. A summons of garnishment on a financial institution, or an attachment thereto, shall also state with particularity the defendant's account, identification, or tracking numbers known to the plaintiff used by the garnishee in the identification or administration of the defendant's funds or property; provided, however, that if such summons is filed with a court, the court filing shall be redacted in accordance with Code Section 9-11-7.1 or 15-10-54, as applicable. The defendant's account, identification, or tracking numbers shall be made known to the garnishee and defendant in accordance with Code Section 9-11-7.1 or 15-10-54, as applicable, to the extent such information is known to the plaintiff."

SECTION 3.

Said chapter is further amended by revising subparagraph (b)(1)(C) of Code Section 18-4-8, relating to required documents and service thereof, as follows:

"(C) To be sent to the defendant by regular mail at the address at which the defendant accepted service in the action resulting in the judgment, identified as his or her residence in any pleading in the action resulting in the judgment, or was served as shown on the return of service in the action resulting in the judgment when it shall appear by affidavit to the satisfaction of the clerk of the court that the defendant resides out of this state, has departed this state, cannot, after due diligence, be found within this state, or has concealed his or her place of residence from the plaintiff. A certificate of such mailing shall be filed with the clerk of the court in which the garnishment is pending by the person mailing such notice."

SECTION 4.

Said chapter is further amended by revising subsection (b) of Code Section 18-4-9, relating to periodic summonses and original filing date limiting extension, as follows:

"(b) No new summons of garnishment on the same affidavit of garnishment shall be issued after two years from the date of the original filing of such affidavit. After two years, the ~~The~~ garnishment proceeding based on such affidavit shall automatically stand dismissed unless there are funds remaining in the registry of the court or a new summons of garnishment has been issued in the preceding 30 days."

SECTION 5.

Said chapter is further amended by revising subsections (c) and (d) of and adding a new subsection to Code Section 18-4-19, relating to order of trial, introduction of evidence, and expenses, to read as follows:

"(c) When the defendant, garnishee, or third-party claimant prevails upon the trial of his or her claim:

(1) That the plaintiff does not have a judgment against the defendant or that the plaintiff's affidavit of garnishment is untrue or is legally insufficient, the garnishment case shall be dismissed by the court, and any money or other property belonging to the defendant in the possession of the court shall be restored to the defendant unless another claim or traverse thereto has been filed;

(2) That the amount shown to be due on the plaintiff's affidavit of garnishment is incorrect, the court may allow the summons of garnishment to be amended to the amount proven to be owed, and if such amount is less than the amount shown to be due by the plaintiff, any money or other property belonging to the defendant in the possession of the court in excess of the amount due shall be restored to the defendant unless another claim or traverse thereto has been filed;

(3) That the money or other property belonging to the defendant in the possession of the court is exempt from garnishment, such exempt money or other property shall be restored directly to the defendant. The court shall order such restoration within 48 hours; and

(4) Based on any legal or statutory defense or that money or other property in the possession of the court may be subject to a claim held by a third party that is superior to the judgment described in the affidavit of garnishment, the court shall determine the disposition of the money or other property belonging to the defendant in the possession of the court.

(d) On the trial of the plaintiff's traverse, if the court finds the garnishee has failed to respond properly to the summons of garnishment, the court shall disallow any expenses demanded by the garnishee and shall enter a judgment for any money or other property ~~paid or delivered to the court with the garnishee's answer, plus any money or other property~~ the court finds subject to garnishment which the garnishee has failed to pay or deliver to the court; provided, however, that the total amount of such judgment shall not exceed the amount shown to be due by the plaintiff, together with the costs of the garnishment proceeding.

(e) A defendant shall not be allowed to present evidence, make an argument, or prevail on a claim that money or other property in a garnishment may be subject to a claim by a third party. When a claim of exemption or defense to a garnishment proceeding belongs to a defendant, a third-party claimant shall not be allowed to present evidence, make an argument, or prevail on any such claim."

SECTION 6.

Said chapter is further amended by revising Code Section 18-4-82, relating to the notice to defendant of right against garnishment of money, including wages, and other property, as follows:

"18-4-82.

**'IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA**

Plaintiff:

Name

Plaintiff's contact information:

Name

Street Address

City State ZIP Code

E-mail Address

Phone Number

Bar Number

v.

Defendant:

Name

Street Address

Garnishee:

Name

Civil Action File No.

_____))
 Street Address)
 _____))
 City State ZIP Code)

**NOTICE TO DEFENDANT OF RIGHT AGAINST
 GARNISHMENT OF MONEY, INCLUDING WAGES, AND
 OTHER PROPERTY**

You received this notice because money, including wages, and other property belonging to you have been garnished to pay a court judgment against you. **HOWEVER, YOU MAY BE ABLE TO KEEP YOUR MONEY, INCLUDING WAGES, OR OTHER PROPERTY.**

READ THIS NOTICE CAREFULLY.

State and federal law protects some money, including wages, from garnishment even if it is in a bank. Some common exemptions are benefits from social security, supplemental security income, unemployment, workers' compensation, the Veterans' Administration, state pension, retirement funds, and disability income. This list of exemptions does not include all possible exemptions. A more detailed list of exemptions is available at the Clerk of Court's office located at _____ (Name of Court), _____ (Address), _____ (City), Georgia _____ (ZIP Code), and on the website for the Attorney General (www.law.ga.gov).

Garnishment of your earnings from your employment is limited to the lesser of 25 percent of your disposable earnings for a week or the amount by which your disposable earnings for a week exceed ~~\$217.00~~ \$217.50. More than 25 percent of your disposable earnings may be taken from your earnings for the payment of child support or alimony or if a Chapter 13 bankruptcy allows a higher amount.

TO PROTECT YOUR MONEY, INCLUDING WAGES, AND OTHER PROPERTY FROM BEING GARNISHED, YOU MUST:

1. Complete the Defendant's Claim Form as set forth below; and
2. File this completed claim form with the Clerk of Court's office located at _____ (Name of Court), _____ (Address), _____ (City), Georgia _____ (ZIP Code).

FILE YOUR COMPLETED CLAIM FORM AS SOON AS POSSIBLE. You may lose your right to claim an exemption if you do not file your claim form within 20 days after the Garnishee's Answer is filed or if you do not mail or deliver a copy of your completed claim form to the Plaintiff and the Garnishee at the addresses listed on this notice.

The Court will schedule a hearing within ten days from when it receives your claim form. The Court will mail you the time and date of the hearing at the address that you provide on your claim form. You may go to the hearing with or without an attorney. You will need to give the Court documents or other proof that your money is exempt.

The Clerk of Court cannot give you legal advice. IF YOU NEED LEGAL ASSISTANCE, YOU SHOULD SEE AN ATTORNEY. If you cannot afford a private attorney, legal services may be available.

DEFENDANT'S CLAIM FORM

I CLAIM EXEMPTION from garnishment. Some of my money or property held by the garnishee is exempt because it is: (check all that apply)

- 1. Social security benefits.
- 2. Supplemental security income benefits.
- 3. Unemployment benefits.
- 4. Workers' compensation.
- 5. Veterans' benefits.
- 6. State pension benefits.
- 7. Disability income benefits.
- 8. Money that belongs to a joint account holder.
- 9. Child support or alimony.
- 10. Exempt wages, retirement, or pension benefits.
- 11. Other exemptions as provided by law.

Explain:

I further state: (check all that apply)

- 1. The Plaintiff does not have a judgment against me.
- 2. The amount shown due on the Plaintiff's Affidavit of Garnishment is incorrect.
- 3. The Plaintiff's Affidavit of Garnishment is untrue or legally insufficient.

Send the notice of the hearing on my claim to me at:

Address: _____

Phone Number: _____

E-mail Address: _____

The statements made in this claim form are true to the best of my knowledge and belief.

_____, 20____

Defendant's signature

Date

Print name of Defendant

CERTIFICATE OF SERVICE

This is to certify that I have this day served the Plaintiff or Plaintiff's Attorney and the Garnishee in the foregoing matter with a copy of this pleading by depositing it in the United States Mail in a properly addressed envelope with adequate postage thereon.

This _____ day of _____, 20__.

Defendant or Defendant's Attorney"

SECTION 7.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 8.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
E Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

SB 194, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Wednesday, January 24, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:04 a.m.

Senate Chamber, Atlanta, Georgia
Wednesday, January 24, 2018
Ninth Legislative Day

The Senate met pursuant to adjournment at 10:11 a.m. today and was called to order by the President.

Senator Ligon, Jr. of the 3rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 682. By Representative Jones of the 167th:

A BILL to be entitled an Act to amend an Act to re-create and establish the Board of Commissioners of Long County, approved March 10, 1988 (Ga. L. 1988, p. 3755), as amended, so as to provide for staggering of terms of office for commissioner districts; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 310. By Senators Jones II of the 22nd, Henson of the 41st, Tate of the 38th, Jordan of the 6th, Seay of the 34th and others:

A BILL to be entitled an Act to amend Title 46 of the O.C.G.A., relating to public utilities and public transportation, so as to provide for a legislative purpose; to provide that any Internet service provider engaged in the provision of broadband Internet access service shall publicly disclose accurate information regarding the network management practices, performance, and commercial terms of its broadband Internet access service; to prohibit any Internet service provider from blocking lawful content, applications, services,

and nonharmful devices; to prohibit unreasonable discrimination in transmitting lawful network traffic over a consumer's broadband Internet access service; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

SB 312. By Senators McKoon of the 29th, Gooch of the 51st, Mullis of the 53rd, Ligon, Jr. of the 3rd, Shafer of the 48th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 14 of the Official Code of Georgia Annotated, relating to corporation commissioner, so as to establish the amount of expedited processing and filing fees which may be charged by the Secretary of State for corporate filings; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

SB 313. By Senators Parent of the 42nd, Jordan of the 6th, Henson of the 41st, Tate of the 38th, Seay of the 34th and others:

A BILL to be entitled an Act to amend Code Section 28-11-4 of the O.C.G.A., relating to the availability of instructional classes and courses to members of the General Assembly and payment of and reimbursement of expenses, so as to require the presentation of classes or courses relating to sexual harassment; to provide for video recording and availability to absent members; to provide for certification of attendance; to amend Chapter 10 of Title 45 of the O.C.G.A., relating to codes of ethics and conflicts of interest, so as to further define the term "sexual harassment"; to provide for a class on sexual harassment to be made available to state employees; to provide that all department heads shall be presented such class; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 343. By Senators Harbison of the 15th, Rhett of the 33rd, Davenport of the 44th, James of the 35th, Williams of the 39th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, so as to prohibit the issuance and renewal of drug recognition expert certifications by the Georgia Peace Officer Standards and Training Council; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

- SB 344. By Senators Thompson of the 5th, Lucas of the 26th, Butler of the 55th, Orrock of the 36th, Davenport of the 44th and others:

A BILL to be entitled an Act to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to provide for the regulation of the retail sale of marijuana; to provide for a short title; to provide for legislative findings; to provide for definitions; to provide for the regulatory authority of the Department of Revenue; to provide for licensing requirements and restrictions; to provide for regulation of the cultivation, production, and retail sale of marijuana; to prohibit certain acts; to provide for penalties; to provide for related matters; to provide for a contingent effective date; to provide for automatic repeal under certain conditions; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- SB 345. By Senators Jordan of the 6th, Seay of the 34th, Williams of the 39th, Harbison of the 15th, Rhett of the 33rd and others:

A BILL to be entitled an Act to amend Article 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banking and Financial Institutions.

- SB 346. By Senators Thompson of the 5th, Jones II of the 22nd, Henson of the 41st, Davenport of the 44th, Rhett of the 33rd and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to repeal the Low THC Oil Patient Registry; to amend Chapter 34 of Title 43 of the O.C.G.A., relating to physicians, acupuncture, physician assistants, cancer and glaucoma treatment, respiratory care, clinical perfusionists, and orthotics and prosthetics practice, so as to repeal provisions relating to use of marijuana for treatment of cancer and glaucoma and provide for medical use of marijuana; to provide for the automatic registration of individuals registered under former Code Section 31-2A-18; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 347. By Senators Kirk of the 13th, Black of the 8th, Albers of the 56th, Kennedy of the 18th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Code Section 16-7-21 of the Official Code of Georgia Annotated, relating to criminal trespass, so as to provide for increased punishment applicable to criminal trespass upon certain military graves; to provide for the new crime of criminal trespass upon nonmilitary graves; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 348. By Senators Harper of the 7th, Albers of the 56th, Dugan of the 30th, Anderson of the 43rd, Brass of the 28th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 20 and Chapter 8 of Title 20 of the O.C.G.A., relating to technical and adult education and to campus policemen, respectively, so as to revise the powers of arrest of campus policemen who are regular employees of the Technical College System of Georgia; to amend Title 36 of the O.C.G.A., relating to local government, so as to permit campus policemen of the Technical College System of Georgia to render mutual aid under certain conditions; to provide for the public safety director or chief of police of any institution within the Technical College System of Georgia to enter into mutual aid agreements with local governments under certain conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SR 613. By Senators Shafer of the 48th, Black of the 8th, Anderson of the 24th, Mullis of the 53rd, Watson of the 1st and others:

A RESOLUTION proposing an amendment to the Constitution so as to declare English as the official language of the State of Georgia; to provide for exceptions; to provide for certain rights of action; to provide for severability; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Rules.

SR 614. By Senators Thompson of the 5th, Lucas of the 26th, Orrock of the 36th, Davenport of the 44th, Harbison of the 15th and others:

A RESOLUTION proposing an amendment to the Constitution of the State of Georgia so as to authorize the General Assembly to provide by law for the legalization and regulation of marijuana; to permit persons 21 years of age or older to purchase limited amounts of marijuana for personal use; to provide that the fees and tax proceeds from the sale of such marijuana be dedicated equally between education and transportation infrastructure purposes; and for other purposes.

Referred to the Committee on Health and Human Services.

The following House legislation was read the first time and referred to committee:

HB 682. By Representative Jones of the 167th:

A BILL to be entitled an Act to amend an Act to re-create and establish the Board of Commissioners of Long County, approved March 10, 1988 (Ga. L. 1988, p. 3755), as amended, so as to provide for staggering of terms of office for commissioner districts; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee report was read by the Secretary:

Mr. President:

The Committee on Retirement has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 101 Do Pass by substitute
SB 129 Do Pass by substitute

Respectfully submitted,
Senator Black of the 8th District, Chairman

The following legislation was read the second time:

SB 321 SB 327

Senator Jones of the 25th asked unanimous consent that the call of the roll be dispensed with. The consent was granted, and the roll call was dispensed with.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Heath of the 31st introduced the chaplain of the day, Senior Pastor Brian Bloye of Dallas, Georgia, who offered scripture reading and prayer.

Senator Miller of the 49th introduced the doctor of the day, Dr. Frank McDonald, Jr., commended by SR 600, adopted previously. Dr. Frank McDonald, Jr. addressed the Senate briefly.

Senator Unterman of the 45th celebrated Spectrum Autism Support Group's 20 Year Anniversary and recognized its provision of support, education, and resources to individuals and families impacted by autism in Georgia, commended by SR 597, adopted previously. Executive Director Claire Dees addressed the Senate briefly.

The following resolutions were read and adopted:

SR 610. By Senator Wilkinson of the 50th:

A RESOLUTION commending Habersham County and recognizing February 21, 2018, as Habersham County Day at the state capitol; and for other purposes.

SR 611. By Senators Rhett of the 33rd, Anderson of the 43rd, Jones II of the 22nd and James of the 35th:

A RESOLUTION recognizing and commending Jeriene Grimes, former Ward Five Board of Education Member for the City of Marietta, for her exemplary work in improving the education and lives of students in Georgia; and for other purposes.

SR 612. By Senators Thompson of the 14th, McKoon of the 29th, Ligon, Jr. of the 3rd, Shafer of the 48th, Miller of the 49th and others:

A RESOLUTION recognizing and commending Reverend Dr. Edward Rhodes of Mt. Zion Missionary Baptist Church; and for other purposes.

SR 615. By Senators Harbison of the 15th and McKoon of the 29th:

A RESOLUTION recognizing February 7, 2018, as Columbus Day at the state capitol; and for other purposes.

SR 616. By Senators Harbison of the 15th and McKoon of the 29th:

A RESOLUTION recognizing and honoring the establishment of Fort Benning on its centennial anniversary; and for other purposes.

SR 617. By Senators Tippins of the 37th, Beach of the 21st, Thompson of the 14th, Millar of the 40th and Ligon, Jr. of the 3rd:

A RESOLUTION commending and congratulating Ruby Hester Milford; and for other purposes.

SR 618. By Senators Albers of the 56th, Jones of the 25th, Black of the 8th, Hufstetler of the 52nd, Tippins of the 37th and others:

A RESOLUTION honoring Brandon Beach on his retirement as President and CEO from the Greater North Fulton Chamber of Commerce and acknowledging his 15 years of service; and for other purposes.

SR 619. By Senators Watson of the 1st, Dugan of the 30th, Rhett of the 33rd, Hufstetler of the 52nd and Black of the 8th:

A RESOLUTION recognizing January 25, 2018, as National Guard Day at the state capitol; and for other purposes.

SR 620. By Senators Watson of the 1st, Burke of the 11th and Kirkpatrick of the 32nd:

A RESOLUTION recognizing January 31, 2018, as Physician's Day at the state capitol and commending the physicians of Georgia; and for other purposes.

Senator Hufstetler of the 52nd rose with a parliamentary inquiry noting that a vacancy on the conference committee on HB 205 was created by the resignation of Senator Jeffares of the 17th who was a conferee.

HB 205. By Representatives Meadows of the 5th, Dempsey of the 13th, Jasperse of the 11th, Ridley of the 6th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 12 of the Official Code of Georgia Annotated, relating to mining and drilling, so as to regulate the exploration and extraction of gas and oil in this state; to provide for a definition; to provide for authority to create an Oil and Gas Board under certain circumstances; to require the promulgation of rules and regulations related to drilling and extraction; to amend provisions relating to drilling

permits; to increase the amount of bond security for drilling operations; to provide for authority of local governments; to impose a severance tax on the extraction of oil and gas; to provide for related matters; to repeal conflicting laws; and for other purposes.

The President acknowledged the vacancy and appointed Senator Miller of the 49th to fill the vacancy on the conference committee. Senators Hufstetler of the 52nd and Jones of the 25th continue to serve on the conference committee.

Senator Albers of the 56th recognized the Blessed Trinity Catholic High School Titans for winning the 2017 Class AAAA GHSA State Football Championship, commended by SR 598, adopted previously. Coach Tim McFarlin addressed the Senate briefly.

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Thursday, January 25, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:01 a.m.

Senate Chamber, Atlanta, Georgia
Thursday, January 25, 2018
Tenth Legislative Day

The Senate met pursuant to adjournment at 10:07 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 349. By Senators Jackson of the 2nd, Jones of the 10th, Anderson of the 43rd and Harbison of the 15th:

A BILL to be entitled an Act to amend Chapter 17 of Title 45 of the Official Code of Georgia Annotated, relating to notaries public, so as to provide that the identification of persons for whom notaries perform notarial acts shall be evidenced satisfactorily by a valid Veterans Health Identification Card issued by the United States Department of Veterans Affairs; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Special Judiciary.

SB 350. By Senators Walker III of the 20th, Jones of the 25th, Shafer of the 48th, Harbison of the 15th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Code Section 33-39-5 of the Official Code of Georgia Annotated, relating to transactions requiring notice of information practices, form and content of notice, abbreviated notice, and satisfaction of obligations by another institution or agent, so as to update notice practices requirements by an insurance institution or agent to applicants or policyholders in the case of policy renewal to comport with federal law; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

- SB 351. By Senators Unterman of the 45th, Hufstetler of the 52nd, Kirk of the 13th, McKoon of the 29th, Sims of the 12th and others:

A BILL to be entitled an Act to amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to revise certain provisions related to advanced nursing practice; to revise a definition; to add certain powers to the Georgia Board of Nursing; to provide for expansion of roles and restrictions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- SB 352. By Senators Unterman of the 45th, Burke of the 11th, Hufstetler of the 52nd, Kirkpatrick of the 32nd, Sims of the 12th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 1 of Title 31 of the O.C.G.A., relating to general provisions relative to health, so as to prohibit patient brokering; to create a director of Substance Abuse, Addiction, and Related Disorders; to provide for appointment; to provide for qualifications; to establish the Commission on Substance Abuse and Recovery; to provide for membership; to provide for duties; to amend Chapter 1 of Title 33 of the O.C.G.A., relating to general provisions relative to insurance, so as to provide for a fraudulent insurance act for the excessive, high-tech, or fraudulent drug testing of certain individuals; to provide for investigation by the Commissioner; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- SB 353. By Senators Anderson of the 24th, Jones of the 25th, Stone of the 23rd, Albers of the 56th, Dugan of the 30th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 15 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of boilers and pressure vessels, so as to establish civil enforcement and penalty authority in the Safety Fire Commissioner for violations concerning the regulation of boilers and pressure vessels; to provide for conditions; to provide for a civil penalty; to provide for rules and regulations; to provide for authority to institute civil actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

- SB 354. By Senators Jackson of the 2nd, Jones of the 10th, Watson of the 1st, Rhett of the 33rd and James of the 35th:

A BILL to be entitled an Act to amend Code Section 20-4-21 of the Official Code of Georgia Annotated, relating to tuition fees, so as to require that the Technical College System of Georgia classify certain active duty service members as in-state for tuition purposes; to provide for a definition; to require reporting; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

- SB 355. By Senators Hufstetler of the 52nd, Millar of the 40th, Tippins of the 37th, Kirk of the 13th, Parent of the 42nd and others:

A BILL to be entitled an Act to amend Code Section 46-2-25 of the Official Code of Georgia Annotated, relating to procedure for changing any rate, charge, classification, or service and recovery of financing costs, so as to change certain provisions relating to the recovery of the costs of financing the construction of a nuclear generating plant; to prohibit the recovery of financing costs from certain customers; to provide for reimbursement of financing costs; to provide for applicability; to provide the accounting method to be used in the event the scheduled date for commercial operation of such plant is exceeded; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

- SB 356. By Senators Kirkpatrick of the 32nd, Jackson of the 2nd, Unterman of the 45th, Jordan of the 6th, Beach of the 21st and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Commission on the Holocaust, so as to change the membership of the commission; to provide for the design and placement of a memorial to the Holocaust; to provide for funding; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Urban Affairs.

SR 629. By Senators Mullis of the 53rd, Kirkpatrick of the 32nd, Rhett of the 33rd, Jones II of the 22nd, Albers of the 56th and others:

A RESOLUTION recommending that certain measures be taken regarding the actions of the People's Republic of China against Falun Gong practitioners and other minority groups; and for other purposes.

Referred to the Committee on Rules.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 181 Do Pass
SB 328 Do Pass

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 344 Do Pass by substitute
SB 131 Do Pass by substitute

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 502 Do Pass SR 506 Do Pass by substitute
SR 587 Do Pass SR 593 Do Pass by substitute

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on Veterans, Military and Homeland Security has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 287 Do Pass

Respectfully submitted,
Senator Watson of the 1st District, Chairman

The following legislation was read the second time:

SB 101 SB 129

Senator Albers of the 56th asked unanimous consent that the call of the roll be dispensed with. The consent was granted, and the roll call was dispensed with.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Beach of the 21st introduced the chaplain of the day, LTC Blair L. Davis of Ball Ground, Georgia, who offered scripture reading and prayer.

Senator Watson of the 1st recognized January 25, 2018, as National Guard Day at the state capitol, commended by SR 609, adopted previously. Major General Joseph F. Jarrard addressed the Senate briefly.

Senator Kirkpatrick of the 32nd recognized the Project Mail Call Mission, commended by SR 582, adopted previously. Mr. Ed Ettl addressed the Senate briefly.

Senator Anderson of the 24th recognized January 25, 2018, as Health Information Technology Day at the state capitol, commended by SR 604, adopted previously. Larry Williams, President and CEO, and Patty Lavelly, Board Member, addressed the Senate briefly.

The following resolution was read and adopted:

SR 623. By Senators Albers of the 56th, Mullis of the 53rd, Cowser of the 46th and Millar of the 40th:

A RESOLUTION recognizing and commending the firefighters involved in the heroic rescue at the Avondale Forest Apartments in Avondale Estates, Georgia, on January 3, 2018; and for other purposes.

Senator Albers of the 56th recognized and honored the firefighters. Chief Darnell D. Fullum and Captain Scott Stroup addressed the Senate briefly.

Senator Anderson of the 24th recognized U.S. Attorney Bobby L. Christine who addressed the Senate briefly.

Senator Hufstetler of the 52nd was excused for business outside the Senate Chamber.

The following resolution was read and put upon its adoption:

SR 631. By Senators Cowser of the 46th, Miller of the 49th, Gooch of the 51st, Kennedy of the 18th and Mullis of the 53rd:

A RESOLUTION

Relative to meetings and adjournments of the General Assembly; and for other purposes.

PART I

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that, except as otherwise provided by this resolution or by subsequent resolution of the General Assembly, meetings of the 2018 regular session of the General Assembly during the period of Monday, January 29, 2018, through simultaneous adjournment sine die no later than 12:00 Midnight, Thursday, March 29, 2018, shall be held in accordance with the following schedule:

Monday, January 29.....	convene for legislative day 11
Tuesday, January 30.....	convene for legislative day 12
Wednesday, January 31	convene for legislative day 13
Thursday, February 1	convene for legislative day 14
Monday, February 5.....	convene for legislative day 15
Tuesday, February 6.....	convene for legislative day 16
Wednesday, February 7	convene for legislative day 17
Thursday, February 8.....	convene for legislative day 18
Monday, February 12.....	convene for legislative day 19
Tuesday, February 13.....	convene for legislative day 20
Wednesday, February 14	convene for legislative day 21
Thursday, February 15.....	convene for legislative day 22
Tuesday, February 20.....	convene for legislative day 23
Wednesday, February 21	convene for legislative day 24
Thursday, February 22.....	convene for legislative day 25
Friday, February 23.....	convene for legislative day 26
Monday, February 26.....	convene for legislative day 27
Wednesday, February 28	convene for legislative day 28
Thursday, March 1	convene for legislative day 29

Monday, March 5.....	convene for legislative day 30
Tuesday, March 6.....	committee work day
Wednesday, March 7	convene for legislative day 31
Thursday, March 8.....	committee work day
Friday, March 9.....	convene for legislative day 32
Monday, March 12.....	convene for legislative day 33
Tuesday, March 13.....	committee work day
Wednesday, March 14	convene for legislative day 34
Thursday, March 15	convene for legislative day 35
Monday, March 19.....	convene for legislative day 36
Tuesday, March 20.....	committee work day
Wednesday, March 21	convene for legislative day 37
Thursday, March 22	committee work day
Friday, March 23.....	convene for legislative day 38
Tuesday, March 27.....	convene for legislative day 39
Thursday, March 29	convene for legislative day 40

BE IT FURTHER RESOLVED that the meetings of the General Assembly shall be held as prescribed in Code Section 28-1-2 of the Official Code of Georgia Annotated, except as otherwise provided by this resolution. The hours for convening and adjourning the House of Representatives for each legislative day may be as ordered by the House; and the hours for convening and adjourning the Senate for each legislative day may be as ordered by the Senate. Each house, upon its own adjournment for a legislative day, shall remain in a period of adjournment until it convenes for the next legislative day.

PART II

BE IT FURTHER RESOLVED that whenever, due to an emergency or disaster, resulting from manmade or natural causes or enemy attack, it becomes imprudent, inexpedient, or impossible to conduct the affairs of the General Assembly at the State Capitol in Atlanta, Fulton County, and the Governor has by proclamation declared an emergency temporary

location or locations for the seat of government in accordance with Code Section 38-3-52, the Speaker of the House of Representatives and the President of the Senate may, by joint agreement, order the discontinuation of the schedule for meetings provided by this resolution and provide for reconvening the House and the Senate at such temporary location or locations in accordance with Code Sections 38-3-52 and 38-3-53 on such date and at such time as they deem practical.

BE IT FURTHER RESOLVED that whenever, due to an emergency or disaster, resulting from manmade or natural causes or enemy attack, it becomes imprudent, inexpedient, or impossible to conduct the affairs of the General Assembly at the State Capitol in Atlanta, Fulton County, but the Governor has not by proclamation declared an emergency temporary location or locations for the seat of government in accordance with the above, the Speaker of the House of Representatives and the President of the Senate may, by joint agreement, order the discontinuation of the schedule for meetings provided by this resolution and provide for reconvening the House and the Senate at the State Capitol in Atlanta, Fulton County, on such date and at such time as they deem practical.

BE IT FURTHER RESOLVED that, in any case of emergency or disaster resulting in the discontinuation of the schedule for meetings as authorized by this resolution, the Speaker of the House of Representatives and the President of the Senate shall provide for prompt notice of the same to all members of the House of Representatives and all members of the Senate, respectively, by such means as such officers deem practical and efficient; and each house shall be and remain in adjournment until convening for the next legislative day on the date certain jointly specified by such officers. Following such reconvening, the General Assembly may provide by joint resolution for a new schedule for meetings and adjournments.

BE IT FURTHER RESOLVED that, as to any case of emergency or disaster resulting in the discontinuation of the schedule for meetings as authorized by this resolution, the adoption of this resolution by the General Assembly shall constitute the consent of both the House of Representatives and the Senate for purposes of Article III, Section IV, Paragraph I(b) of the Constitution.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate

Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 53, nays 0, and the resolution was adopted.

Senator Cowsert of the 46th moved that SR 631 be immediately transmitted to the House.

On the motion, there was no objection, and SR 631 was immediately transmitted.

The following resolutions were read and adopted:

SR 621. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Black of the 8th and others:

A RESOLUTION recognizing January 25, 2018, as Advanced Placement Day at the state capitol; and for other purposes.

SR 622. By Senator Rhett of the 33rd:

A RESOLUTION commending and congratulating Dorothy Reese; and for other purposes.

SR 624. By Senator Rhett of the 33rd:

A RESOLUTION commending H. E. Shelton; and for other purposes

SR 625. By Senators Millar of the 40th and Henson of the 41st:

A RESOLUTION commending and congratulating Robert H. "Bob" Bell; and for other purposes.

SR 626. By Senators Harper of the 7th, Heath of the 31st, Brass of the 28th, Williams of the 39th, Jordan of the 6th and others:

A RESOLUTION recognizing and commending the Chattahoochee District on being named the Georgia Forestry Commission's 2017 District of the Year; and for other purposes.

SR 627. By Senators Harper of the 7th, Heath of the 31st, Brass of the 28th and Walker III of the 20th:

A RESOLUTION recognizing and commending the Bleckley-Pulaski Forestry Unit on being named the 2017 South Georgia Unit of the Year by the Georgia Forestry Commission; and for other purposes.

SR 628. By Senators Harper of the 7th, Heath of the 31st, Brass of the 28th, Seay of the 34th, Harbin of the 16th and others:

A RESOLUTION recognizing and commending the Pike-Spalding-Lamar-Upson-Clayton Forestry Unit on being named the Georgia Forestry Commission's 2017 North Georgia Unit of the Year; and for other purposes.

SENATE RULES CALENDAR
THURSDAY, JANUARY 25, 2018
TENTH LEGISLATIVE DAY

SB 327 Death Investigations; medical examiner's inquiry is required to be conducted; clarify (PUB SAF-56th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 327. By Senators Albers of the 56th and Harper of the 7th:

A BILL to be entitled an Act to amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, so as to clarify when a medical examiner's inquiry is required to be conducted; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senators Jordan of the 6th, Albers of the 56th, Harper of the 7th, Stone of the 23rd, Tillery of the 19th and others offered the following amendment #1:

Amend SB 327 by adding on page 2 on line 39 after the word "death," the following language to subsection (b):

This subsection shall not be construed to prohibit a medical examiner's inquiry of a death if a coroner or medical examiner is notified of a death under circumstances specified in paragraph 10.

Senator Albers of the 56th offered the following amendment #1a:

Amend amendment #1 to SB 327 by changing line "39" to line "34"

On the adoption of the amendment, there were no objections, and the Albers amendment #1a to the Jordan, et al. amendment #1 was adopted.

On the adoption of the amendment #1, there were no objections, and the Jordan, et al. amendment #1 was adopted as amended.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

SB 327, having received the requisite constitutional majority, was passed as amended.

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to HR 870 until 10:00 a.m. Monday, January 29, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:57 a.m.

Senate Chamber, Atlanta, Georgia
Monday, January 29, 2018
Eleventh Legislative Day

The Senate met pursuant to adjournment at 10:16 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following communication was received by the Secretary:

Senator Jesse Stone
District 23
325-A Coverdell Legislative Office Building
Atlanta, GA 30334

Committees:

Judiciary
Appropriations
Banking and Financial Institutions
Education and Youth
Ethics

The State Senate
Atlanta, Georgia 30334

January 26, 2018

Secretary David Cook
Secretary of the Senate
353 State Capitol
Atlanta, GA 30034

Dear Mr. Cook

I have authorized Senator Bill Cowsert, Vice Chairman of the Judiciary Committee, to preside in the capacity and authority of Chairman in my absence from the Committee meeting being held Monday, January 29, 2018 in 307 CLOB at 4:00pm.

Sincerely,

/s/ Jesse Stone
Jesse Stone, 23rd District

The following Senate legislation was introduced, read the first time and referred to committee:

SB 314. By Senators Jones II of the 22nd, James of the 35th, Parent of the 42nd, Henson of the 41st, Jackson of the 2nd and others:

A BILL to be entitled an Act to amend Part 3 of Article 3 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to invasions of privacy, so as to prohibit sexual extortion; to provide for definitions; to provide for elements of the crime; to provide for penalties; to provide for venue; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 357. By Senators Burke of the 11th, Unterman of the 45th, Rhett of the 33rd, Hill of the 4th, Hufstetler of the 52nd and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to create the Health Coordination and Innovation Council of the State of Georgia; to amend other provisions of the Official Code of Georgia Annotated so as to provide for conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 358. By Senators Rhett of the 33rd, Kennedy of the 18th, Ligon, Jr. of the 3rd, Mullis of the 53rd and Jones II of the 22nd:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 and Code Section 45-8-14 of the Official Code of Georgia Annotated, relating to general provisions relative to provisions applicable to counties and municipal corporations and depositories for county and school district moneys, respectively, so as to provide for the establishment of banking improvement zones to encourage opening of financial institutions in areas underserved by financial institutions; to provide for definitions; to provide for application and standards of approval for a banking improvement zone; to provide for the establishment of an agreement for the deposit of public funds in financial institutions within a banking improvement zone; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banking and Financial Institutions.

SB 359. By Senators Hufstetler of the 52nd, Burke of the 11th, Watson of the 1st, Kirkpatrick of the 32nd, Henson of the 41st and others:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to establish standards for carriers and health care providers with regard to payment under a managed care plan in the provision of emergency medical care; to provide for applicability; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

The following committee report was read by the Secretary:

Mr. President:

The Committee on Agriculture and Consumer Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 257 Do Pass by substitute

Respectfully submitted,
Senator Wilkinson of the 50th District, Chairman

The following legislation was read the second time:

SB 328 SR 502 SR 506 SR 587 SR 593

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Jones of the 25th introduced the chaplain of the day, Dr. Benny Tate of Milner, Georgia, who offered scripture reading and prayer.

Senator Williams of the 39th introduced the doctor of the day, Dr. Shefali Shah.

Senator Unterman of the 45th recognized January as Human Trafficking Month at the state capitol, commended by SR 588, adopted previously. Georgia Bureau of Investigation Director Vernon Keenan addressed the Senate briefly.

Senator Gooch of the 51st recognized January 29, 2018, as Dahlonega-Lumpkin County Day at the state capitol, commended by SR 590, adopted previously. City Councilman Ron Larson and Government Affairs Chair Zack Tumlin addressed the Senate briefly.

Senator Jones II of the 22nd asked unanimous consent that Senator Lucas of the 26th be excused. The consent was granted, and Senator Lucas was excused.

Senator Walker III of the 20th asked unanimous consent that Senator Strickland of the 17th be excused. The consent was granted, and Senator Strickland was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Parent
Anderson, L	Hufstetler	Payne
Anderson, T	Jackson	Rhett
Beach	James	Seay
Black	Jones, B	Shafer
Brass	Jones, E	Sims
Burke	Jones, H	Stone
Butler	Jordan	Tate
Cowsert	Kennedy	Thompson, B
Davenport	Kirk	Thompson, C
Dugan	Kirkpatrick	Tillery
Ginn	Ligon	Tippins
Gooch	Martin	Unterman
Harbin	McKoon	Walker
Harbison	Millar	Watson
Harper	Miller	Wilkinson
Heath	Mullis	Williams, M
Henson	Orrock	Williams, N

Not answering were Senators:

Lucas (Excused) Strickland (Excused)

The following resolutions were read and adopted:

SR 630. By Senator Unterman of the 45th:

A RESOLUTION recognizing and commending the Partnership Against Domestic Violence and commemorating its 40 years of service to the people of this state; and for other purposes.

SR 632. By Senators Kennedy of the 18th, Jones of the 25th, Walker III of the 20th and Harper of the 7th:

A RESOLUTION recognizing February 1, 2018, as Monroe County Day at the state capitol; and for other purposes.

- SR 633. By Senators Seay of the 34th, Anderson of the 43rd, Dugan of the 30th, Harbison of the 15th, Jackson of the 2nd and others:

A RESOLUTION congratulating and commending Delano Massey of Jacob's Eye; and for other purposes.

- SR 634. By Senators Anderson of the 24th, Stone of the 23rd, Wilkinson of the 50th, Jones of the 25th, Tippins of the 37th and others:

A RESOLUTION commending Shirley Williamson; and for other purposes.

- SR 635. By Senators Cowsert of the 46th, Unterman of the 45th, Burke of the 11th, Watson of the 1st, Miller of the 49th and others:

A RESOLUTION commending the Georgia Prostate Cancer Coalition and recognizing February 6, 2018, as Prostate Cancer Awareness Day at the state capitol; and for other purposes.

- SR 636. By Senators Walker III of the 20th, Kennedy of the 18th, Harbison of the 15th, Payne of the 54th, Lucas of the 26th and others:

A RESOLUTION recognizing the Big Brothers Big Sisters (BBBS) program in Georgia; and for other purposes.

- SR 637. By Senator Martin of the 9th:

A RESOLUTION commending Boy Scout Troop 506 for its service to the Snellville community following Hurricane Irma; and for other purposes.

- SR 638. By Senators Wilkinson of the 50th, Anderson of the 24th, Black of the 8th, Mullis of the 53rd, Kennedy of the 18th and others:

A RESOLUTION recognizing February 13, 2018, as Georgia Farm Bureau Federation Day at the state capitol; and for other purposes.

- SR 639. By Senators Unterman of the 45th and Seay of the 34th:

A RESOLUTION recognizing and commending Georgia State University's Legislative Health Policy Certificate Program and Advanced Health Policy Institute; and for other purposes.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has adopted, by the requisite constitutional majority, the following Resolution of the Senate:

SR 631. By Senators Cowser of the 46th, Miller of the 49th, Gooch of the 51st, Kennedy of the 18th and Mullis of the 53rd:

A RESOLUTION relative to meetings and adjournments of the General Assembly; and for other purposes.

Senator Jones of the 25th was excused for business outside the Senate Chamber.

SENATE RULES CALENDAR
MONDAY, JANUARY 29, 2018
ELEVENTH LEGISLATIVE DAY

SB 101 Employees' Retirement System of Georgia; full-time hourly employee with Department of Natural Resources; provide for creditable service for prior service (Substitute)(RET-3rd)

SB 129 Retirement; creditable service for certain military service; provide (Substitute) (RET-8th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 101. By Senators Ligon, Jr. of the 3rd, Watson of the 1st, Jones of the 25th, Ginn of the 47th, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement under the Employees' Retirement System of Georgia, so as to provide for creditable service for prior service as a full-time hourly employee with the Department of Natural Resources; to provide for application and payment of the full actuarial cost; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 26, 2018

The Honorable William Ligon, Jr.
State Senator
State Capitol, Room 421-C
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Senate Bill 101 (LC 43 0516)

Dear Senator Ligon:

This bill would amend provisions relating to creditable service for members of the Employees' Retirement System of Georgia. Specifically, this bill would allow members to obtain creditable service for certain prior service in a full-time hourly position with the Department of Natural Resources. Creditable service would only be granted to members who held such position immediately prior to becoming a member of the retirement system, and would only be granted for service rendered prior to November 1, 2016.

Any member wishing to obtain such creditable service would be required to submit an application to the Board by December 31, 2018 and provide proof of such service. Eligible members would be required to pay the Board an amount sufficient to cover the full actuarial cost of the creditable service granted.

This is to certify that this bill is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The Senate Committee on Retirement offered the following substitute to SB 101:

A BILL TO BE ENTITLED
AN ACT

To amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement benefits under the Employees' Retirement System of Georgia, so as to provide for creditable service in the Employees' Retirement System of Georgia for prior service as a member of the Georgia Defined Contribution Plan; to provide for application and payment of the full actuarial cost; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement benefits under the Employees' Retirement System of Georgia, is amended by revising Code Section 47-2-99, relating to applicability of creditable service under Code Section 47-2-334 and Chapter 22 of this title and obtaining service and application for creditable service, as follows:

"47-2-99.

(a) Any member of the retirement system, including a member subject to the provisions of Code Section 47-2-334, who was, at any time prior to becoming a member, employed by an employer as a temporary full-time employee, may obtain up to 12 months of creditable service for such service as a temporary full-time employee under the conditions contained in this Code section; provided, however, ~~that no such credit shall be granted for any period which~~ to the extent that such employment was covered under Chapter 22 of this title, relating to the Georgia Defined Contribution Plan, the provisions of Code Section 47-2-101 shall apply.

(b) Any person desiring to obtain the creditable service authorized by subsection (a) of this Code section shall make application in such manner as the board of trustees deems proper; tender to the board of trustees such proof of the prior employment as the board shall deem necessary; and pay to the board of trustees the employer and employee contributions as would have been paid if the member had been a member at the time of performing such prior service, together with regular interest thereon compounded annually to the date of payment.

(c) Application for creditable service authorized by subsection (a) of this Code section must be received by the board of trustees not later than June 30, 2001, or 24 months after the member becomes a member of the retirement system, whichever date is later."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"47-2-101.

(a) A member who was a member of the Georgia Defined Contribution Plan created by Chapter 22 of this title immediately prior to becoming a member of this retirement system shall be entitled to obtain creditable service in this retirement system for all such prior service with such Georgia Defined Contribution Plan employer.

(b) To obtain the creditable service established by subsection (a) of this Code section, a member shall:

(1) Accrue at least two years of membership in this retirement system;

(2) Apply to the board of trustees while a contributing member of the retirement system in a manner to be prescribed by the board of trustees;

(3) Provide proof of such prior service as a Georgia Defined Contribution Plan member as the board of trustees deems necessary;

(4) Authorize the transfer of all funds from his or her Georgia Defined Contribution Plan account related to the prior service for which creditable service is sought; and

(5) Pay to the board of trustees an amount determined by the board of trustees to be sufficient to cover the full actuarial cost of granting the creditable service allowed by this Code section after accounting for any transfer under paragraph (4) of this subsection.

(c) Following its approval of an application for creditable service pursuant to this Code section, the board of trustees shall certify to the applicant the amount of the payment to the retirement system required to earn creditable service allowed.

(d) A member may make a one-time payment of the full amount established by the board of trustees under subsection (c) of this Code section within 90 days and thereafter receive such creditable service to which he or she is entitled or may elect to participate in a payment plan pursuant to subsection (e) of this Code section.

(e)(1)(A) A member may elect to make equal monthly payments to be deducted from such member's earnable compensation over a period of 12, 24, 36, 48, 60, or 120 months to be paid according to a schedule established by the board of trustees, which amortizes the full actuarial cost of obtaining the creditable service, over the elected period of time based on the retirement system's most recent valuation assumptions. Such schedule shall include a present accounting of the full amount necessary to complete the payments.

(B) Once a member makes an election for an eligible period of time, he or she shall not be permitted to change such election.

(2) At any time prior to retirement, a contributing member may make a one-time payment of the full amount necessary to complete the payments owed pursuant to the schedule established by the board of trustees pursuant to paragraph (1) of this subsection.

(3) Upon application for retirement, a member may make a one-time payment to the retirement system of the remaining amount owed pursuant to paragraph (1) of this subsection and shall be awarded such creditable service to which he or she is entitled.

(4) Upon retirement, if a member has not paid an amount constituting the full actuarial cost as amortized, he or she shall only be awarded only as many months of

creditable service on a whole month, pro rata basis as determined by the board of trustees from the original amortized payment schedule elected under paragraph (1) of this subsection as have been paid for in full.

(5) Within 30 days of a member ceasing to be an employee for a reason other than death or retirement such individual shall make a one-time payment to the retirement system of the remaining amount necessary to complete the payments owed in accordance with the schedule established pursuant to paragraph (1) of this subsection and be awarded such creditable service to which he or she is entitled. If he or she does not make such payment, the board of trustees shall issue to such individual a refund of payments made pursuant to this subsection, and he or she shall forfeit the related creditable service; provided, however, that if the individual is a vested member of the retirement system, he or she shall be awarded such creditable service allowed pursuant to paragraph (4) of this subsection. Such individual may reapply for the creditable service sought if eligible and in accordance with this Code section.

(6) Within 30 days of a member defaulting by failing to make his or her complete monthly payment in accordance with the schedule established pursuant to paragraph (1) of this subsection such individual shall make a one-time payment to the retirement system of the remaining amount necessary to complete the payments owed in accordance with the schedule established pursuant to paragraph (1) of this subsection and be awarded such creditable service to which he or she is entitled. If he or she does not make such payment, the board of trustees shall issue to such individual a refund of payments made pursuant to this subsection, and he or she shall forfeit the related creditable service. Such individual may reapply for the creditable service sought if eligible and in accordance with this Code section."

SECTION 3.

This Act shall become effective on July 1, 2018, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2018, as required by subsection (a) of Code Section 47-20-50.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

October 5, 2017

Honorable Ellis Black, Chairman
Senate Retirement Committee
Coverdell Legislative Office Building, Room 304-A
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
Senate Bill 101 (LC 43 0720S)
Employees' Retirement System of Georgia

Dear Chairman Black:

This bill would amend provisions relating to creditable service for members of the Employees' Retirement System of Georgia. Specifically, this bill would allow members to obtain creditable service for prior service covered under the Georgia Defined Contribution Plan. To obtain such creditable service, a member shall:

- Accrue at least two years of membership service in the Employees' Retirement System;
- Apply to the Board of Trustees while a contributing member of the Employees' Retirement System;
- Provide proof of such service as a Georgia Defined Contribution Plan member;
- Authorize the transfer of all funds from his or her Georgia Defined Contribution Plan account; and
- Pay to the Board of Trustees an amount determined to be sufficient to cover the full actuarial cost of granting such service after accounting for any transfer of funds from the Georgia Defined Contribution Plan.

This bill authorizes the member to make a one-time payment of the full amount established by the Board within 90 days or elect to make equal payments that would be deducted from the member's earnable compensation over a period of months, not to exceed 120 months. The provisions of this bill specify that a member would receive creditable service on a pro-rata basis if they retire prior to making the full amount of payments determined by the Board. This provision would also apply to any vested member who ceases employment for any reason other than death or retirement. It should be noted that this legislation also includes provisions to allow members to make a one-time payment for any remaining balance owed upon termination of employment. Additionally, this legislation includes provisions relating to the refund of payments for non-vested members who leave employment and have not paid the full amount owed and provisions for members who fail to make their complete monthly payment in accordance with the established payment schedule.

This legislation would not result in any additional cost to the Employees' Retirement System since eligible members would be required to pay the full actuarial cost of the service granted. There would be no increase in the employer contribution rate or the unfunded actuarial accrued liability of the Employees' Retirement System as a result of this legislation. The estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost of this legislation. Any future costs would be paid through State appropriations.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the Senate Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u> 0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u> 0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u> N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u> 0</u>
(5)	The employer contribution rate currently in effect for Non-GSEPS Members.	<u> 24.66%*</u>
(6)	The employer contribution rate recommended for Non-GSEPS Members (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u> 24.66%</u>
(7)	The employer contribution rate currently in effect for GSEPS Members.	<u> 21.66%*</u>
(8)	The employer contribution rate recommended for GSEPS Members (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u> 21.66%</u>
(9)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u> 0</u>

**This rate represents the employer contribution rate that has been recommended by the actuary beginning July 1, 2018 in order to meet the minimum funding standards.*

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	E Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	E Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 101, having received the requisite constitutional majority, was passed by substitute.

SB 129. By Senators Black of the 8th, Rhett of the 33rd, Hufstetler of the 52nd, Anderson of the 43rd and Hill of the 6th:

A BILL to be entitled an Act to amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement benefits, so as to provide for creditable service for certain military service; to provide for application and payment; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN

STATE AUDITOR
(404) 656-2174

February 1, 2017

The Honorable Ellis Black
State Senator
Coverdell Legislative Office Building, Room 304-A
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Senate Bill 129 (LC 43 0537)

Dear Senator Black:

This bill would amend provisions relating to creditable service under the Employees' Retirement System of Georgia. Specifically, this bill would allow members to obtain up to 60 months of creditable service for active military service in the armed forces of the United States performed on or after January 1, 1990. Members who have at least two years of membership service would be eligible to make an application to the Board of Trustees. Such members would be required to provide proof of qualifying active military service and would be required to pay an amount equal to the full actuarial cost of such creditable service.

Under the provisions of this bill, members who wish to obtain such creditable service would be authorized to make a one-time payment or have equal payments deducted from his or her earnable compensation over a specified period of time. Once elected, members would not be permitted to change their payment plan. In the event a member does not pay the full actuarial cost as amortized, the amount of creditable service granted would be determined by the amount of funds paid to the Board of Trustees. This bill would also authorize members to make a one-time payment towards the purchase of this creditable service upon application for retirement or within 30 days of a termination for a reason other than death or retirement. It should be noted that no member shall receive creditable service:

- If such member was not honorably discharged;
- For reserve duty;
- For any period of time in which he or she obtained membership service; or
- For any portion of such member's active military service that has been or will be used in the determination of eligibility for retirement benefits or allowances from any other state or federal retirement program, excluding social security.

This is to certify that this bill is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The Senate Committee on Retirement offered the following substitute to SB 129:

A BILL TO BE ENTITLED
AN ACT

To amend Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement benefits, so as to provide for creditable service for certain military service; to provide for application and payment; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 5 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to service creditable toward retirement benefits, is amended by revising Code Section 47-2-95, which is designated as reserved, as follows:

"47-2-95.

(a) A member with at least two years of membership service may obtain up to 60 months of creditable service to be awarded month for month for active military service in the armed forces of the United States performed on or after January 1, 1990.

(b) To obtain such creditable service, a member shall:

(1) Apply in a method or manner to be prescribed by the board of trustees;

(2) Submit proof of qualifying active military service as the board shall deem necessary; and

(3) Pay to the board of trustees an amount determined by the board of trustees to be equal to the full actuarial cost of such creditable service.

(c) Following its approval of an application for creditable service pursuant to this Code section, the board of trustees shall certify to the applicant the amount of the payment to the retirement system required to earn creditable service under this Code section.

(d) A member may make a one-time payment of the full amount established by the board of trustees under subsection (c) of this Code section within 90 days and thereafter receive such creditable service to which he or she is entitled or may elect to participate in a payment plan pursuant to subsection (e) of this Code section.

(e)(1)(A) A member may elect to make equal monthly payments to be deducted from such member's earnable compensation over a period of 12, 24, 36, 48, 60, or 120 months to be paid according to a schedule established by the board of trustees, which amortizes the full actuarial cost of obtaining the creditable service, over the elected period of time based on the retirement system's most recent valuation assumptions. Such schedule shall include a present accounting of the full amount necessary to complete the payments.

(B) Once a member makes an election for an eligible period of time, he or she shall not be permitted to change such election.

(2) At any time prior to retirement, a contributing member may make a one-time payment of the full amount necessary to complete the payments owed pursuant to the schedule established by the board of trustees pursuant to paragraph (1) of this subsection.

(3) Upon application for retirement, a member may make a one-time payment to the retirement system of the remaining amount owed pursuant to paragraph (1) of this subsection and shall be awarded such creditable service to which he or she is entitled.

(4) Upon retirement, if a member has not paid an amount constituting the full actuarial cost as amortized, he or she shall only be awarded only as many months of creditable service on a whole month, pro rata basis as determined by the board of trustees from the original amortized payment schedule elected under paragraph (1) of this subsection as have been paid for in full.

(5) Within 30 days of a member ceasing to be an employee for a reason other than death or retirement, such individual shall make a one-time payment to the retirement system of the remaining amount necessary to complete the payments owed in accordance with the schedule established pursuant to paragraph (1) of this subsection and be awarded such creditable service to which he or she is entitled. If he or she

does not make such payment, the board of trustees shall issue to such individual a refund of payments made pursuant to this subsection, and he or she shall forfeit the related creditable service; provided, however, that if the individual is a vested member of the retirement system, he or she shall be awarded such creditable service allowed pursuant to paragraph (4) of this subsection. Such individual may reapply for the creditable service sought if eligible and in accordance with this Code section.

(6) Within 30 days of a member defaulting by failing to make his or her complete monthly payment in accordance with the schedule established pursuant to paragraph (1) of this subsection, such individual shall make a one-time payment to the retirement system of the remaining amount necessary to complete the payments owed in accordance with the schedule established pursuant to paragraph (1) of this subsection and be awarded such creditable service to which he or she is entitled. If he or she does not make such payment, the board of trustees shall issue to such individual a refund of payments made pursuant to this subsection, and he or she shall forfeit the related creditable service. Such individual may reapply for the creditable service sought if eligible and in accordance with this Code section.

(f) Pursuant to this Code section, no member shall receive creditable service:

(1) If such member was not honorably discharged;

(2) For reserve duty;

(3) For any period of time for which he or she obtained membership service; or

(4) For any portion of such member's active military service in the armed forces of the United States that has been or will be used in the determination of eligibility for retirement benefits or allowances from any other state or federal retirement program, excluding social security. Reserved."

SECTION 2.

This Act shall become effective on July 1, 2018, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2018, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156

Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

October 5, 2017

Honorable Ellis Black, Chairman
Senate Retirement Committee
Coverdell Legislative Office Building, Room 304-A
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
Senate Bill 129 (LC 43 0723S)
Employees' Retirement System of Georgia

Dear Chairman Black:

This bill would amend provisions relating to creditable service under the Employees' Retirement System of Georgia. Specifically, this bill would allow members to obtain up to 60 months of creditable service for active military service in the armed forces of the United States performed on or after January 1, 1990. Members who have at least two years of membership service would be eligible to make an application to the Board of Trustees. Such members would be required to provide proof of qualifying active military service and would be required to pay an amount equal to the full actuarial cost of such creditable service.

Under the provisions of this bill, members who wish to obtain such creditable service would be authorized to make a one-time payment or have equal payments deducted from his or her earnable compensation over a specified period of time. Once elected, members would not be permitted to change their payment plan. However, a member may make a one-time payment at any time to complete the payments owed. In the event a member does not pay the full actuarial cost as amortized, the amount of creditable service granted would be determined by the amount of funds paid to the Board of Trustees. This bill would also authorize members to make a one-time payment towards the purchase of this creditable service upon application for retirement or within 30 days of a termination for a reason other than death or retirement. It should be noted that no member shall receive creditable service:

- If such member was not honorably discharged;
- For reserve duty;
- For any period of time in which he or she obtained membership service; or
- For any portion of such member's active military service that has been or will be used in the determination of eligibility for retirement benefits or allowances from any other state or federal retirement program, excluding social security.

This legislation would not result in any additional cost to the Employees' Retirement System since eligible members would be required to pay the full actuarial cost of the service granted. There would be no increase in the employer contribution rate or the unfunded actuarial accrued liability of the Employees' Retirement System as a result of this legislation. The estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost of this legislation. Any future costs would be paid through State appropriations.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the Senate Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u>N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u>0</u>
(5)	The employer contribution rate currently in effect for Non-GSEPS Members.	<u>24.66%*</u>
(6)	The employer contribution rate recommended for Non-GSEPS Members (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>24.66%</u>
(7)	The employer contribution rate currently in effect for GSEPS Members.	<u>21.66%*</u>
(8)	The employer contribution rate recommended for GSEPS Members (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>21.66%</u>
(9)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u>0</u>

**This rate represents the employer contribution rate that has been recommended by the actuary beginning July 1, 2018 in order to meet the minimum funding standards.*

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	E Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	E Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 129, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

1-29-2018

Due to business outside the Senate Chamber, I missed the vote on SB 101 & SB 129. Had I been present, I would have voted "yes".

/s/ Bruce Thompson
District 14

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 661. By Representatives Williamson of the 115th, Powell of the 171st and Harrell of the 106th:

A BILL to be entitled an Act to amend Titles 15, 44, and 48 of the Official Code of Georgia Annotated, relating to courts, property, and revenue and taxation, respectively, so as to revise provisions relating to the transmittal, filing, recording, access to, and territorial effect of tax liens issued by the Department of Revenue; to provide for electronic record keeping relating to the filing and public access to state tax liens; to provide for duties and responsibilities of the Georgia Superior Court Clerks' Cooperative Authority; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Tuesday January 30, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:29 a.m.

Senate Chamber, Atlanta, Georgia
Tuesday, January 30, 2018
Twelfth Legislative Day

The Senate met pursuant to adjournment at 10:09 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 709. By Representatives Jones of the 91st, Carter of the 92nd, Kirby of the 114th, Dickerson of the 113th, Stephenson of the 90th and others:

A BILL to be entitled an Act to amend an Act creating the State Court of Rockdale County, approved April 2, 1987 (Ga. L. 1987, p. 5452), as amended, particularly by an Act approved May 18, 2007 (Ga. L. 2007, p. 3837), so as to provide an additional judge for said court; to provide for the election of such additional judge of said court; to revise inaccurate references; to provide effective dates; to repeal conflicting laws; and for other purposes.

HB 727. By Representatives Coomer of the 14th, Battles of the 15th and Kelley of the 16th:

A BILL to be entitled an Act to authorize Bartow County, Georgia to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Georgia Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide for effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

The House has adopted the report of the Committee of Conference on the following Bill of the House:

HB 205. By Representatives Meadows of the 5th, Dempsey of the 13th, Jasperse of the 11th, Ridley of the 6th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 12 of the Official Code of Georgia Annotated, relating to mining and drilling, so as to regulate the exploration and extraction of gas and oil in this state; to provide for a definition; to provide for authority to create an Oil and Gas Board under certain circumstances; to require the promulgation of rules and regulations related to drilling and extraction; to amend provisions relating to drilling permits; to increase the amount of bond security for drilling operations; to provide for authority of local governments; to impose a severance tax on the extraction of oil and gas; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 360. By Senators Rhett of the 33rd, Dugan of the 30th, Harbison of the 15th, Black of the 8th, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 5 of Title 50 of the Official Code of Georgia Annotated, relating to state purchasing, so as to provide for a preference for qualified business enterprises owned and controlled by service disabled veterans in making state purchases or awarding state contracts; to define certain terms; to provide for terms and conditions; to provide for qualification and certification of such business enterprises; to provide for certain offenses and punishments; to provide for rules and regulations; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

SB 361. By Senators Williams of the 27th, McKoon of the 29th, Ligon, Jr. of the 3rd, Payne of the 54th, Harbin of the 16th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the O.C.G.A., relating to elementary and secondary education, so as to provide for freedom of religious speech for students and faculty members in public schools; to provide for student protections in student expression, class assignments, organization of religious groups and activities, and limited public forums; to provide for model policies by each local school system on student expression; to provide for

freedom of religious expression by faculty and employees of public schools while fulfilling the duties of their jobs; to provide for statutory construction; to provide for related matters; to provide for a short title; to provide for legislative findings; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SB 362. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Stone of the 23rd and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to provide for the establishment of an innovative assessment pilot program; to provide for participating local school systems; to provide exemptions from certain state-wide assessment requirements; to provide for an annual report; to provide for revised accountability requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SB 363. By Senators Brass of the 28th, Miller of the 49th, Cowser of the 46th, Gooch of the 51st, Kennedy of the 18th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, so as to provide for the time for opening and closing of the polls; to provide for the tabulation of advance voting ballots in the same manner as absentee votes under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 364. By Senators Hufstetler of the 52nd, Unterman of the 45th, Kirkpatrick of the 32nd, Orrock of the 36th and Burke of the 11th:

A BILL to be entitled an Act to amend Code Section 43-34-103 of the Official Code of Georgia Annotated, relating to delegation of authority to physician assistants, so as to authorize a higher supervisory ratio for physician assistants who have completed a board approved anesthesiologist assistant program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SR 649. By Senators Henson of the 41st, Anderson of the 43rd, Tate of the 38th, Butler of the 55th, Seay of the 34th and others:

A RESOLUTION recognizing Attorney General Thurbert Baker and dedicating an interchange in his honor; and for other purposes.

Referred to the Committee on Transportation.

The following House legislation was read the first time and referred to committee:

HB 661. By Representatives Williamson of the 115th, Powell of the 171st and Harrell of the 106th:

A BILL to be entitled an Act to amend Titles 15, 44, and 48 of the Official Code of Georgia Annotated, relating to courts, property, and revenue and taxation, respectively, so as to revise provisions relating to the transmittal, filing, recording, access to, and territorial effect of tax liens issued by the Department of Revenue; to provide for electronic record keeping relating to the filing and public access to state tax liens; to provide for duties and responsibilities of the Georgia Superior Court Clerks' Cooperative Authority; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 709. By Representatives Jones of the 91st, Carter of the 92nd, Kirby of the 114th, Dickerson of the 113th, Stephenson of the 90th and others:

A BILL to be entitled an Act to amend an Act creating the State Court of Rockdale County, approved April 2, 1987 (Ga. L. 1987, p. 5452), as amended, particularly by an Act approved May 18, 2007 (Ga. L. 2007, p. 3837), so as to provide an additional judge for said court; to provide for the election of such additional judge of said court; to revise inaccurate references; to provide effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 727. By Representatives Coomer of the 14th, Battles of the 15th and Kelley of the 16th:

A BILL to be entitled an Act to authorize Bartow County, Georgia to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Georgia Constitution and Chapter 44 of Title 36 of the O.C.G.A.,

the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide for effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee report was read by the Secretary:

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 74 Do Pass

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

The following legislation was read the second time:

SB 257

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

The President introduced the chaplain of the day, Dr. George S. Dillard III of Peachtree City, Georgia, who offered scripture reading and prayer.

Senator Harper of the 7th asked unanimous consent that Senator Black of the 8th be excused. The consent was granted, and Senator Black was excused.

Senator Strickland of the 17th asked unanimous consent that Senator Walker III of the 20th be excused. The consent was granted, and Senator Walker III was excused.

Senator Harbison of the 15th asked unanimous consent that Senator Lucas of the 26th be excused. The consent was granted, and Senator Lucas was excused.

The roll was called and the following Senators answered to their names:

Albers	Jackson	Payne
Anderson, L	James	Rhett
Anderson, T	Jones, B	Seay

Beach	Jones, E	Shafer
Brass	Jones, H	Sims
Burke	Jordan	Strickland
Butler	Kennedy	Tate
Cowsert	Kirk	Thompson, B
Davenport	Kirkpatrick	Thompson, C
Dugan	Ligon	Tillery
Harbin	Martin	Tippins
Harbison	McKoon	Unterman
Harper	Millar	Watson
Heath	Miller	Wilkinson
Henson	Mullis	Williams, M
Hill	Orrock	Williams, N
Hufstetler	Parent	

Not answering were Senators:

Black (Excused)	Ginn	Gooch
Lucas (Excused)	Stone	Walker III (Excused)

The following members were off the floor of the Senate when the roll was called and wish to be recorded as present:

Senators: Stone of the 23rd Gooch of the 51st

Senator Thompson of the 14th recognized Reverend Dr. Edward Rhodes of Mt. Zion Missionary Baptist Church, commended by SR 612, adopted previously. Dr. Rhodes addressed the Senate briefly.

The following resolutions were read and adopted:

SR 641. By Senator Hill of the 4th:

A RESOLUTION commending the Leadership Bulloch Class of 2018; and for other purposes.

SR 642. By Senator Albers of the 56th:

A RESOLUTION recognizing the life and accomplishments of Nelson Lee Jones, and commending him on his service to the United States of America; and for other purposes.

SR 643. By Senator Albers of the 56th:

A RESOLUTION commending the Atlanta Fire 14u Elite hockey team for winning the 2017 National Championship; and for other purposes.

SR 644. By Senators Albers of the 56th, Dugan of the 30th, Miller of the 49th, Kennedy of the 18th and Watson of the 1st:

A RESOLUTION recognizing military chaplains from the State of Georgia for their faithful service to the men and women in the armed services of the United States; and for other purposes.

SR 645. By Senators James of the 35th, Rhett of the 33rd, Thompson of the 5th, Davenport of the 44th, Parent of the 42nd and others:

A RESOLUTION recognizing March 1, 2018, as Lupus Advocacy Day at the state capitol; and for other purposes.

SR 646. By Senator Harper of the 7th:

A RESOLUTION recognizing and commending the Irwin County High School Indians boys tennis team for winning the 2017 Class A Public School State Championship; and for other purposes.

SR 647. By Senator Hufstetler of the 52nd:

A RESOLUTION congratulating the Rome High School Wolves football team for winning the 2017 GHSA 5A State Football Championship; and for other purposes.

SR 648. By Senators Brass of the 28th and McKoon of the 29th:

A RESOLUTION recognizing September 6 of each year as Marquis de LaFayette Day; and for other purposes.

SR 650. By Senators Hufstetler of the 52nd, Kirkpatrick of the 32nd, Burke of the 11th, Unterman of the 45th and Watson of the 1st:

A RESOLUTION recognizing the Georgia Academy of Anesthesiologist Assistants; and for other purposes.

SR 651. By Senators Walker III of the 20th, Wilkinson of the 50th, Anderson of the 24th, Harper of the 7th, Black of the 8th and others:

A RESOLUTION recognizing and commending the Bleckley County FFA Forestry Team for winning first place in the 2017 National FFA Forestry Career Development Event; and for other purposes.

SR 652. By Senators Miller of the 49th, Wilkinson of the 50th, Hill of the 4th, Kennedy of the 18th, Gooch of the 51st and others:

A RESOLUTION recognizing and honoring the Georgia Association of Broadcasters (GAB); and for other purposes.

SR 653. By Senators Wilkinson of the 50th, Tippins of the 37th, Sims of the 12th, Black of the 8th, Parent of the 42nd and others:

A RESOLUTION recognizing the week of February 5-9, 2018, as National School Counseling Week; and for other purposes.

SR 654. By Senators Wilkinson of the 50th, Cowsert of the 46th, Burke of the 11th, McKoon of the 29th, Harper of the 7th and others:

A RESOLUTION commending the National Future Farmers of America (FFA) Organization and recognizing February 18-24, 2018, as National FFA Week at the state capitol and February 20, 2018, as FFA Day at the state capitol; and for other purposes.

SR 655. By Senators Burke of the 11th, Unterman of the 45th, Harper of the 7th, Jackson of the 2nd, Kirk of the 13th and others:

A RESOLUTION recognizing February 1, 2018, as "Community Health Centers Day" and commending the Georgia Primary Care Association; and for other purposes.

Senator Kirk of the 13th recognized the Georgia Partnership for Telehealth. CEO Rena Brewer and Director Suleima Salgado addressed the Senate briefly.

The following resolution was read and adopted:

SR 640. By Senator Cowsert of the 46th:

A RESOLUTION recognizing and commending Sharon Wilder on the occasion of her retirement; and for other purposes.

Senator Cowsert of the 46th honored Sharon Wilder who addressed the Senate briefly.

The following Senators were excused for business outside the Senate Chamber:

Thompson of the 14th Williams of the 27th

SENATE RULES CALENDAR
TUESDAY, JANUARY 30, 2018
TWELFTH LEGISLATIVE DAY

- SB 131 Juvenile Code; adoption proceedings be stayed while an appeal to terminate parental rights is pending; provide (Substitute)(JUDY-19th)
- SB 321 Medicaid Claims; false or fraudulent; recover the maximum penalty authorized by federal law; increase the civil penalties (Substitute) (JUDY-19th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 131. By Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Black of the 8th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions for the Juvenile Code, so as to provide that adoption proceedings be stayed while an appeal of an order to terminate parental rights is pending; to clarify the court's duties to a case while an appeal is pending; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 131:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, so as to provide that adoption proceedings be stayed while an appeal of an order to terminate parental rights is pending; to clarify the court's duties to a case while an appeal is pending; to clarify provisions relating to the waiver of the right to counsel; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, is amended by revising Code Section 15-11-35, relating to appeals, as follows:

"15-11-35.

In all cases of final judgments of the juvenile court, appeals shall be taken to the Court of Appeals or the Supreme Court in the same manner as appeals from the superior court. However, no such judgment or order shall be superseded or modified except in the discretion of the trial court; rather, the judgment or order of the court shall stand until reversed or modified by the reviewing court. The appeal of an order granting a petition to terminate parental rights shall stay an adoption proceeding related to the child who is the subject of such order until such order becomes final by the conclusion of appellate proceedings or the expiration of the time for seeking such review. Except for proceedings in connection with an adoption, the court shall continue to conduct hearings and issue orders in accordance with this chapter while an appeal in a case is pending."

SECTION 2.

Said chapter is further amended by revising subsection (g) of Code Section 15-11-103, relating to the right to an attorney, as follows:

"(g) A party other than a child shall be informed of his or her right to an attorney prior to any hearing. A party other than a child shall be given an opportunity to:

- (1) Obtain and employ an attorney of such party's own choice;
- (2) Obtain a court appointed attorney if the court determines that such party is an indigent person; or
- (3) Waive the right to an attorney, provided that such waiver is made knowingly, voluntarily, and on the record."

SECTION 3.

Said chapter is further amended by revising subsection (b) of Code Section 15-11-511, relating to arraignment, admissions at arraignment, and right to attorney, as follows:

"(b) The court may accept an admission at arraignment and may proceed immediately to disposition if a child is represented by counsel at arraignment. If a child's liberty is not in jeopardy, he or she may waive the right to counsel at arraignment, provided that such waiver is made knowingly, voluntarily, and on the record. A child represented by counsel or whose liberty is not in jeopardy may make a preliminary statement indicating whether he or she plans to admit or deny the allegations of the complaint at the adjudication hearing. The court shall not accept an admission from a child whose liberty is in jeopardy and who is unrepresented by counsel."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	E Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 131, having received the requisite constitutional majority, was passed by substitute.

SB 321. By Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Parent of the 42nd and Cowsert of the 46th:

A BILL to be entitled an Act to amend Code Section 49-4-168.1 of the Official Code of Georgia Annotated, relating to civil penalties for false or fraudulent Medicaid claims, so as to increase the civil penalties that shall be imposed in order to allow this state to recover the maximum penalty authorized by federal law; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 321:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 49-4-168.1 of the Official Code of Georgia Annotated, relating to civil penalties for false or fraudulent Medicaid claims, so as to increase the civil penalties that shall be imposed in order to allow this state to recover the maximum penalty authorized by federal law; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 49-4-168.1 of the Official Code of Georgia Annotated, relating to civil penalties for false or fraudulent Medicaid claims, is amended by revising subsection (a) as follows:

"(a) Any person who:

- (1) Knowingly presents or causes to be presented to the Georgia Medicaid program a false or fraudulent claim for payment or approval;
- (2) Knowingly makes, uses, or causes to be made or used a false record or statement material to a false or fraudulent claim;
- (3) Conspires to commit a violation of paragraph (1), (2), (4), (5), (6), or (7) of this subsection;
- (4) Has possession, custody, or control of property or money used or to be used by the Georgia Medicaid program and knowingly delivers, or causes to be delivered, less than all of such property or money;
- (5) Is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Georgia Medicaid program and, intending to defraud the Georgia Medicaid program, makes or delivers the receipt without completely knowing that the information on the receipt is true;
- (6) Knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Georgia Medicaid program who lawfully may not sell or pledge the property; or
- (7) Knowingly makes, uses, or causes to be made or used a false record or statement material to an obligation to pay or transmit property or money to the Georgia Medicaid program, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit property or money to the Georgia Medicaid program,

shall be liable to the State of Georgia for a civil penalty of not less than ~~\$5,500.00~~ \$11,181.00 and not more than ~~\$11,000.00~~ \$22,363.00 for each false or fraudulent claim, plus three times the amount of damages which the Georgia Medicaid program sustains because of the act of such person."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	E Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

SB 321, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Wednesday, January 31, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:20 a.m.

Senate Chamber, Atlanta, Georgia
Wednesday, January 31, 2018
Thirteenth Legislative Day

The Senate met pursuant to adjournment at 10:12 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 135. By Representatives Hitchens of the 161st, Carter of the 175th, Tanner of the 9th, Lumsden of the 12th and Welch of the 110th:

A BILL to be entitled an Act to amend Code Section 47-2-226 of the Official Code of Georgia Annotated, relating to certain law enforcement officers permitted to obtain creditable service in the Employees' Retirement System of Georgia under certain conditions, so as to expand the class of law enforcement officers that may obtain creditable service in such retirement system under certain conditions; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute to the following Bill of the House:

HB 150. By Representatives Powell of the 32nd, Rogers of the 10th, Efstoration of the 104th, Rhodes of the 120th and Ridley of the 6th:

A BILL to be entitled an Act to amend Code Sections 32-10-64 and 48-7-161 of the Official Code of Georgia Annotated, relating to general toll powers, police powers, and rules and regulations of the State Road and Tollway Authority and definitions relative to setoff debt collection by the

Department of Revenue, respectively, so as to provide for the placement of a hold on motor vehicle registration upon failure to pay proper tolls and administrative fees; to provide for setoff of such debt owed from tax refunds by the Department of Revenue; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 365. By Senators Ligon, Jr. of the 3rd, Kennedy of the 18th, Cowsert of the 46th, Gooch of the 51st, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend the Official Code of Georgia Annotated, so as to revise, modernize, correct errors or omissions in, and reenact the statutory portion of said Code, as amended, in furtherance of the work of the Code Revision Commission; to repeal portions of said Code, or Acts in amendment thereof, which have become obsolete, have been declared to be unconstitutional, or have been preempted or superseded by subsequent laws; to codify principles of law derived from decisions of the state Supreme Court; to provide for other matters relating to revision, reenactment, and publication of said Code; to provide for effect in event of conflicts; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 366. By Senators Gooch of the 51st, Kirk of the 13th, Harper of the 7th, Anderson of the 43rd, Wilkinson of the 50th and others:

A BILL to be entitled an Act to amend Title 36 of the O.C.G.A., relating to local government, so as to require counties and municipal corporations to perform wage and compensation studies for employees of the sheriff's office and law enforcement agencies; to require certain agreement and consultations with sheriffs and chief executives of law enforcement agencies of the county or municipal corporation in conducting such studies; to guide the establishment of pay scales; to require the submission of certain pay scales to the Department of Community Affairs; to provide for rules and regulations; to establish within the Department of Community Affairs a local law enforcement compensation grant program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 367. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Harper of the 7th and others:

A BILL to be entitled an Act to amend Code Section 45-9-85 of the Official Code of Georgia Annotated, relating to payment of indemnification for death or disability, procedure for making payments, and appeal, so as to provide for the option of payment to an estate in the case of death suffered in the line of duty by a law enforcement officer, firefighter, emergency medical technician, emergency management specialist, state highway employee, or prison guard; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 368. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Harper of the 7th and others:

A BILL to be entitled an Act to amend Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to the Criminal Justice Coordinating Council, so as to add to the functions and authority of the council; to enable the council to provide technical support and assistance to certain local law enforcement agencies in the attainment of certain grants; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 369. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Anderson of the 43rd and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to revenues collected from fines and fees, so as to provide for payments to the Peace Officers' Annuity and Benefit Fund from fees collected in criminal and quasi-criminal cases prior to adjudication of guilt; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 370. By Senators Wilkinson of the 50th, Hufstetler of the 52nd, Kirk of the 13th, Jackson of the 2nd, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide that the commissioner of human services waives the first

\$25,000.00 of any estate; to provide for the submission of an amendment to the state plan; to provide for contingent repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 371. By Senators Anderson of the 24th, Stone of the 23rd, Mullis of the 53rd, Hufstetler of the 52nd, Millar of the 40th and others:

A BILL to be entitled an Act to amend Code Section 48-2-15 of the Official Code of Georgia Annotated, relating to confidential information secured in the administration of taxes, so as to change the provisions regarding the furnishing of sales and use tax information to municipalities and counties; to provide for additional procedures, conditions, and limitations; to provide for confidentiality; to provide for a criminal penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SB 372. By Senators Kirk of the 13th, Hufstetler of the 52nd, Miller of the 49th, Dugan of the 30th, Wilkinson of the 50th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 33 of the Official Code of Georgia Annotated, relating to regulation of rates, underwriting rules, and related organizations, so as to change certain standards applicable to the making and use of rates for personal private passenger motor vehicle insurance; to change provisions for filing of rates, rating plans, rating systems, and underwriting rules for personal private passenger motor vehicle insurance; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

SB 373. By Senators Tippins of the 37th, Miller of the 49th, Cowser of the 46th, Gooch of the 51st, Hill of the 4th and others:

A BILL to be entitled an Act to amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of judges of superior courts, so as to provide for an eleventh judge of the superior courts of the Cobb Judicial Circuit; to provide for the appointment of such additional judge by the Governor; to provide for the election of successors to the judge initially appointed; to prescribe the powers of such judge; to prescribe the compensation, salary, and expense allowance of such judge to be paid by the

State of Georgia and the county of said circuit; to declare inherent authority; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 374. By Senators James of the 35th, Davenport of the 44th, Rhett of the 33rd, Henson of the 41st and Jones II of the 22nd:

A BILL to be entitled an Act to amend Chapter 3 of Title 44 of the O.C.G.A., relating to regulation of specialized land transactions, so as to provide for protections for homeowners, condominium owners, and property owners in community associations; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

The following House legislation was read the first time and referred to committee:

HB 135. By Representatives Hitchens of the 161st, Carter of the 175th, Tanner of the 9th, Lumsden of the 12th and Welch of the 110th:

A BILL to be entitled an Act to amend Code Section 47-2-226 of the Official Code of Georgia Annotated, relating to certain law enforcement officers permitted to obtain creditable service in the Employees' Retirement System of Georgia under certain conditions, so as to expand the class of law enforcement officers that may obtain creditable service in such retirement system under certain conditions; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Economic Development and Tourism has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 354 Do Pass by substitute

Respectfully submitted,
Senator Dugan of the 30th District, Chairman

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 661 Do Pass

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 31 Do Pass by substitute

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Higher Education has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 432 Do Pass
SB 331 Do Pass

Respectfully submitted,
Senator Millar of the 40th District, Chairman

Mr. President:

The Committee on Regulated Industries and Utilities has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 475 Do Pass by substitute
SB 17 Do Pass by substitute

Respectfully submitted,
Senator Ginn of the 47th District, Chairman

Mr. President:

The Committee on Retirement has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 197 Do Pass by substitute
SB 333 Do Pass

Respectfully submitted,
Senator Black of the 8th District, Chairman

The following legislation was read the second time:

SB 74

Senator Millar of the 40th asked unanimous consent that Senator McKoon of the 29th be excused. The consent was granted, and Senator McKoon was excused.

Senator Strickland of the 17th asked unanimous consent that Senator Walker III of the 20th be excused. The consent was granted, and Senator Walker III was excused.

Senator Tate of the 38th asked unanimous consent that Senator Harbison of the 15th be excused. The consent was granted, and Senator Harbison was excused.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Payne
Anderson, L	Jackson	Rhett
Anderson, T	James	Seay
Beach	Jones, B	Shafer
Black	Jones, E	Sims
Brass	Jones, H	Stone
Burke	Jordan	Strickland
Butler	Kennedy	Tate
Cowsert	Kirk	Thompson, B
Davenport	Kirkpatrick	Thompson, C
Dugan	Ligon	Tillery
Ginn	Martin	Tippins
Gooch	Millar	Unterman
Harbin	Miller	Watson
Harper	Mullis	Wilkinson
Heath	Orrock	Williams, M
Henson	Parent	Williams, N
Hill		

Not answering were Senators:

Harbison (Excused)

Lucas

McKoon (Excused)

Walker III (Excused)

Senator Lucas of the 26th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Kirkpatrick of the 32nd introduced the chaplain of the day, Reverend Nanci Hicks of Marietta, Georgia, who offered scripture reading and prayer.

Senator Jones II of the 22nd introduced the doctor of the day, Dr. Bruce LeClair.

Senator Watson of the 1st recognized January 31, 2018, as Physician's Day at the state capitol, commended by SR 620, adopted previously. Dr. Frank McDonald addressed the Senate briefly.

The following resolutions were read and adopted:

SR 656. By Senators Beach of the 21st, Thompson of the 14th, Albers of the 56th, Dugan of the 30th, Kennedy of the 18th and others:

A RESOLUTION congratulating Chipper Jones for his election to the Baseball Hall of Fame; and for other purposes.

SR 657. By Senators Rhett of the 33rd, James of the 35th, Jordan of the 6th and Tippins of the 37th:

A RESOLUTION honoring Georgia's retirees and the Georgia State Retirees Association (GSRA) and recognizing January 31, 2018, as GSRA Day at the capitol; and for other purposes.

SR 658. By Senators Jones of the 25th, Anderson of the 24th, Jordan of the 6th, Harper of the 7th, Brass of the 28th and others:

A RESOLUTION recognizing February 7, 2018, as National Girls and Women in Sports Day at the state capitol; and for other purposes.

SR 659. By Senator Sims of the 12th:

A RESOLUTION commending Marine Corps Logistics Base Albany and Marine Corps Logistics Command, the military service members, the Department of Defense civilian employees, and their families and recognizing February 6, 2018, as Marine Corps Logistics Base Albany and Marine Corps Logistics Command Day at the state capitol; and for other purposes.

SR 660. By Senators Watson of the 1st, Miller of the 49th, Cowser of the 46th, Kennedy of the 18th and Stone of the 23rd:

A RESOLUTION honoring the life and memory of Wiley Anderson Wasden, Jr.; and for other purposes.

SR 661. By Senator Sims of the 12th:

A RESOLUTION commending the Albany Area Chamber of Commerce and recognizing February 21, 2018, as Albany-Dougherty County Day at the capitol; and for other purposes.

SR 662. By Senators Gooch of the 51st, Albers of the 56th, Strickland of the 17th, Cowser of the 46th and Wilkinson of the 50th:

A RESOLUTION recognizing and commending Chief Deputy William Frank Goss as Deputy Coroner of the Year for the Georgia Coroners Association of the State of Georgia; and for other purposes.

SR 663. By Senators Gooch of the 51st, Albers of the 56th, Cowser of the 46th and Wilkinson of the 50th:

A RESOLUTION recognizing February 15, 2018, as Apple Day at the state capitol; and for other purposes.

SR 664. By Senators Wilkinson of the 50th, Anderson of the 24th, Black of the 8th, Walker III of the 20th, Kennedy of the 18th and others:

A RESOLUTION recognizing and commending the Georgia Cattlemen's Association for uniting and advancing Georgia's cattle industry; and for other purposes.

- SR 665. By Senators Jackson of the 2nd, Unterman of the 45th, Parent of the 42nd, Sims of the 12th and Williams of the 39th:

A RESOLUTION recognizing February 6, 2018, as Girl Scout Day at the state capitol, and commending Girl Scouts as a national leader in providing the best leadership development experience in the world to American girls; and for other purposes.

- SR 666. By Senators Martin of the 9th, Shafer of the 48th, Millar of the 40th, Henson of the 41st, Unterman of the 45th and others:

A RESOLUTION honoring the sacrifices and saluting the service of those veterans who are members of the Korean American Vietnam War Veterans of Georgia; and for other purposes.

- SR 667. By Senators Martin of the 9th, Millar of the 40th, Shafer of the 48th, Hufstetler of the 52nd, Williams of the 39th and others:

A RESOLUTION recognizing Atlanta United for its contributions to the State of Georgia; and for other purposes.

- SR 668. By Senators Wilkinson of the 50th, Miller of the 49th, Mullis of the 53rd, Cowser of the 46th and Tippins of the 37th:

A RESOLUTION recognizing and commending John Berry for his many accomplishments and congratulating him on the 25th anniversary of his first major label recording contract; and for other purposes.

- SR 669. By Senators Heath of the 31st, Harbin of the 16th, Harper of the 7th, Tillery of the 19th, Hill of the 4th and others:

A RESOLUTION recognizing February 13, 2018, as the 6th Annual Legislative Fly-In at the state capitol and commending the Georgia Airports Association and its leadership; and for other purposes.

- SR 670. By Senators Thompson of the 14th, Hufstetler of the 52nd, Heath of the 31st, Tippins of the 37th, Millar of the 40th and others:

A RESOLUTION recognizing and commending Dr. John Harper; and for other purposes.

Senator Hufstetler of the 52nd asked unanimous consent that the following bill be withdrawn from the Senate Committee on Insurance and Labor and committed to the Senate Committee on Health and Human Services:

SB 359. By Senators Hufstetler of the 52nd, Burke of the 11th, Watson of the 1st, Kirkpatrick of the 32nd, Henson of the 41st and others:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to establish standards for carriers and health care providers with regard to payment under a managed care plan in the provision of emergency medical care; to provide for applicability; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

The consent was granted, and SB 359 was committed to the Senate Committee on Health and Human Services.

Senator Tate of the 38th was excused for business outside the Senate Chamber.

SENATE RULES CALENDAR
WEDNESDAY, JANUARY 31, 2018
THIRTEENTH LEGISLATIVE DAY

SR 502 US Congress and Federal Agencies; develop policies and funding sources to help bring high-speed broadband access to Rural America; encourage (RULES-51st)

SB 257 Animals; consultation with a veterinarian; filing of criminal charges for cruelty to animals in certain instances; provide (Substitute)(AG&CA-31st)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SR 502. By Senators Gooch of the 51st, Wilkinson of the 50th, Ginn of the 47th, Tillery of the 19th, Dugan of the 30th and others:

A RESOLUTION encouraging the Congress of the United States and Federal Agencies to do all within their powers to develop policies and funding sources to help bring high-speed broadband access to Rural America; and for other purposes

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	E Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 50, nays 0.

SR 502, having received the requisite constitutional majority, was adopted.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

SB 257. By Senator Heath of the 31st:

A BILL to be entitled an Act to amend Chapter 1 of Title 4 of the Official Code of Georgia Annotated, relating to general provisions relative to animals, so as to provide for consultation with a veterinarian employed or approved by the Department of Agriculture prior to the filing of criminal charges for cruelty to animals in certain instances; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to SB 257:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 4 of the Official Code of Georgia Annotated, relating to general provisions relative to animals, so as to provide for consultation with a veterinarian employed or approved by the Department of Agriculture prior to the filing of criminal charges for cruelty to animals in certain instances; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 4 of the Official Code of Georgia Annotated, relating to general provisions relative to animals, is amended by adding a new Code section to read as follows:

"4-1-7.

Prior to the filing of criminal charges for a violation under Code Section 16-12-4 with regard to conduct involving animal husbandry of cattle, swine, goats, or sheep, a law enforcement officer shall consult with a veterinarian employed by the department or a licensed and accredited veterinarian approved by the Commissioner to confirm whether or not such conduct is in accordance with customary and standard practice."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	E Tate
Y Cowser	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C

Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	E Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 38, nays 14.

SB 257, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 Thursday, February 1, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:31 a.m.

Senate Chamber, Atlanta, Georgia
Thursday, February 1, 2018
Fourteenth Legislative Day

The Senate met pursuant to adjournment at 10:09 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

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

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Matt Brass to serve as Ex-Officio for the Senate Insurance and Labor meeting on January 31, 2018. This appointment shall expire upon adjournment of the committee meeting.

Sincerely,

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

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 658. By Representatives Ehrhart of the 36th, Carson of the 46th and Anulewicz of the 42nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to excise tax on rooms, lodgings, and accommodations, so as to remove the sunset date for the time during which a certain excise tax on rooms, lodgings, and accommodations may be collected; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 694. By Representatives Harrell of the 106th, Tanner of the 9th, Epps of the 144th and Williamson of the 115th:

A BILL to be entitled an Act to amend Article 1 of Chapter 9 of Title 48 of the Official Code of Georgia Annotated, relating to the motor fuel tax, so as to require electronic filing of certain reports; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 375. By Senators Ligon, Jr. of the 3rd, Stone of the 23rd, Gooch of the 51st, Shafer of the 48th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, so as to allow a child-placing agency to decline to accept a referral from the department and decline to perform services not referred under a contract with the department based on the child-placing agency's sincerely held religious beliefs; to prevent the department from discriminating against or causing any adverse action against a child-placing agency based on its sincerely held religious beliefs; to provide for assertion of such rights; to provide for definitions; to provide for a short title; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- SB 376. By Senators Shafer of the 48th, Kirk of the 13th, Albers of the 56th, Thompson of the 14th, Heath of the 31st and others:

A BILL to be entitled an Act to amend Article 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banking and Financial Institutions.

- SB 377. By Senators Strickland of the 17th, Millar of the 40th, Martin of the 9th, Jones of the 25th and Hufstetler of the 52nd:

A BILL to be entitled an Act to repeal Article 8 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the State Workforce Development Board, and to amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, so as to transfer the State Workforce Development Board from the Department of Economic Development to the Technical College System of Georgia; to revise duties and obligations of the State Workforce Development Board; to provide for conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

- SB 378. By Senators Albers of the 56th, Hufstetler of the 52nd, Dugan of the 30th, Hill of the 4th, Shafer of the 48th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to fiscal bills generally, so as to require an economic analysis prior to the introduction or amendment of legislation containing tax incentives or modifying or extending existing tax incentives; to provide for definitions; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

- SB 379. By Senators Jones of the 25th, Brass of the 28th, Beach of the 21st, Mullis of the 53rd, Stone of the 23rd and others:

A BILL to be entitled an Act to amend Chapter 3 of Title 6 of the Official Code of Georgia Annotated, relating to powers of local governments as to air

facilities, so as to create the Georgia Major Airport Operations and Management Board; to provide for its membership, duties, powers, and responsibilities; to transfer certain authority pertaining to major airports from counties, municipalities, and other political subdivisions to such board; to provide a short title; to provide legislative findings and declarations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

SR 681. By Senators Harbin of the 16th, Hill of the 4th, Albers of the 56th, Williams of the 27th, Mullis of the 53rd and others:

A RESOLUTION encouraging the United States Congress to propose the Parental Rights Amendment to the states for ratification; and for other purposes.

Referred to the Committee on Rules.

The following House legislation was read the first time and referred to committee:

HB 658. By Representatives Ehrhart of the 36th, Carson of the 46th and Anulewicz of the 42nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to excise tax on rooms, lodgings, and accommodations, so as to remove the sunset date for the time during which a certain excise tax on rooms, lodgings, and accommodations may be collected; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 694. By Representatives Harrell of the 106th, Tanner of the 9th, Epps of the 144th and Williamson of the 115th:

A BILL to be entitled an Act to amend Article 1 of Chapter 9 of Title 48 of the Official Code of Georgia Annotated, relating to the motor fuel tax, so as to require electronic filing of certain reports; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 61 Do Pass by substitute

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 118 Do Pass by substitute
SB 248 Do Pass by substitute

Respectfully submitted,
Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 162 Do Pass by substitute
SB 338 Do Pass by substitute

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 38	Do Pass by substitute	SB 315	Do Pass by substitute
SB 348	Do Pass	SB 353	Do Pass

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 351	Do Pass	SR 353	Do Pass
SR 489	Do Pass by substitute	SR 503	Do Pass by substitute

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 727	Do Pass
SB 270	Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

HB 354	HB 661	SB 17	SB 197	SB 331	SB 333
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Senator Tillery of the 19th asked unanimous consent that Senator Hill of the 4th be excused. The consent was granted, and Senator Hill was excused.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Payne
Anderson, L	Jackson	Rhett
Anderson, T	James	Seay
Beach	Jones, E	Shafer
Black	Jones, H	Sims

Brass	Jordan	Stone
Burke	Kennedy	Strickland
Butler	Kirk	Tate
Cowsert	Kirkpatrick	Thompson, C
Davenport	Ligon	Tillery
Dugan	Martin	Tippins
Ginn	McKoon	Unterman
Gooch	Millar	Walker
Harbin	Miller	Watson
Harbison	Mullis	Wilkinson
Heath	Orrock	Williams, M
Henson	Parent	Williams, N

Not answering were Senators:

Harper	Hill (Excused)	Jones, B.
Lucas	Thompson, B.	

The following members were off the floor of the Senate when the roll was called and wish to be recorded as present:

Senators:	Lucas of the 26th	Harper of the 7th	Jones of the 25th
	Thompson of the 14th		

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Rhett of the 33rd introduced the chaplain of the day, Reverend A.L. Zollicoffer of Marietta, Georgia, who offered scripture reading and prayer.

Senator Jones II of the 22nd introduced the doctor of the day, Dr. Judson Pickett.

Senator Kennedy of the 18th recognized February 1, 2018, as Monroe County Day at the state capitol, commended by SR 632, adopted previously. Board of Commissioners Chairman Gregory V. Tapley addressed the Senate briefly.

Senator Millar of the 40th recognized Robert H. "Bob" Bell and congratulated him on his 89th birthday, commended by SR 625, adopted previously. Mr. Bob Bell addressed the Senate briefly.

The following resolution was read and adopted:

SR 672. By Senators Black of the 8th, Beach of the 21st, Gooch of the 51st, Brass of the 28th and Wilkinson of the 50th:

A RESOLUTION commending the 4-H Clubs of Georgia, Mr. Mason McClintock, Mr. Arch D. Smith, and the 2017-2018 4-H Leadership Team, and recognizing February 1, 2018, as 4-H Day at the state capitol; and for other purposes.

Senator Black of the 8th commended the 4-H Clubs of Georgia. President Mason McClintock addressed the Senate briefly.

Senator Anderson of the 24th recognized Shirley Williamson, commended by SR 634, adopted previously. Shirley Williamson addressed the Senate briefly.

Senator Burke of the 11th recognized February 1, 2018, as "Community Health Centers Day" and honored the Georgia Primary Care Association, commended by SR 655, adopted previously. President Brian Williams addressed the Senate briefly.

Senator Hufstetler of the 52nd recognized the Rome High School Wolves football team for winning the 2017 GHSA 5A State Football Championship, commended by SR 647, adopted previously. Head Football Coach John Reid addressed the Senate briefly.

The following resolutions were read and adopted:

SR 671. By Senators Thompson of the 14th, Hufstetler of the 52nd, Heath of the 31st, Payne of the 54th, Shafer of the 48th and others:

A RESOLUTION recognizing and commending Representative Paul Battles on his outstanding public service as a representative of the great people of Cartersville, Georgia; and for other purposes.

SR 673. By Senators Shafer of the 48th, Ligon, Jr. of the 3rd, Harbin of the 16th, Thompson of the 14th, Kirk of the 13th and others:

A RESOLUTION denouncing the National Football League for its rejection of the AMVETS advertisement urging Americans to stand for the National Anthem; and for other purposes.

- SR 674. By Senators Albers of the 56th, Harper of the 7th, Mullis of the 53rd, Hufstetler of the 52nd, Watson of the 1st and others:

A RESOLUTION recognizing February 13, 2018, as Emergency Medical Services Recognition Day at the state capitol and commending the emergency medical services professionals of Georgia; and for other purposes.

- SR 675. By Senators Albers of the 56th, Harper of the 7th, Mullis of the 53rd, Kennedy of the 18th, Gooch of the 51st and others:

A RESOLUTION honoring and commending the firefighters of Georgia and recognizing February 6, 2018, as Firefighters Recognition Day at the state capitol; and for other purposes.

- SR 676. By Senators Albers of the 56th and Shafer of the 48th:

A RESOLUTION recognizing and commending John Bemont on his outstanding public service; and for other purposes.

- SR 677. By Senators Seay of the 34th, Butler of the 55th, Jordan of the 6th, Sims of the 12th, Anderson of the 43rd and others:

A RESOLUTION recognizing February 2, 2018, as National Wear Red Day; and for other purposes.

- SR 678. By Senators Wilkinson of the 50th, Tippins of the 37th, Sims of the 12th, Mullis of the 53rd, Seay of the 34th and others:

A RESOLUTION recognizing February as Career and Technical Education Month and February 21, 2018, as Georgia Career and Technical Student Organization's Day at the state capitol; and for other purposes.

- SR 679. By Senators Jones of the 25th, Anderson of the 24th, Brass of the 28th, Strickland of the 17th and Sims of the 12th:

A RESOLUTION welcoming the groundhog, General Beauregard Lee, to Butts County and recognizing February 2, 2018, as Groundhog Day at the state capitol; and for other purposes.

- SR 680. By Senators Ginn of the 47th, Miller of the 49th, Cowser of the 46th, Wilkinson of the 50th and Shafer of the 48th:

A RESOLUTION recognizing Family and Consumer Sciences (FCS); and for other purposes.

The following Senators were excused for business outside the Senate Chamber:

Ligon, Jr. of the 3rd McKoon of the 29th

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Thursday February 1, 2018
Fourteenth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 270 Mullis of the 53rd
CITY OF TRENTON

A BILL to be entitled an Act to amend an Act reincorporating and providing a new charter for the City of Trenton in Dade County, approved March 26, 1987 (Ga. L. 1987, p. 4725), as amended, so as to change the position of city clerk from elective to appointive; to provide for the current city clerk to serve out the remainder of his or her term; to provide for the appointment of city clerks; to provide for the election of certain city officers; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 727 Thompson of the 14th
 Hufstetler of the 52nd
BARTOW COUNTY

A BILL to be entitled an Act to authorize Bartow County, Georgia to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Georgia Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide for effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 48, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

2-1-2018

Due to business outside the Senate Chamber, I missed the vote on the Local Consent Calendar. Had I been present, I would have voted "yes".

/s/ Bruce Thompson
District 14

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

February 1, 2018

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

Dear David:

Pursuant to Senate Rules, the Senate Committee on Assignments hereby appoints Senator Brian Strickland to serve as a member of the Senate Ethics Committee.

Please call on me or Taylor Schindler if you have any questions regarding this appointment. Thank you for your attention to this matter.

Sincerely,

/s/ Casey Cagle
Lieutenant Governor of Georgia

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

February 1, 2018

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

Dear David:

Pursuant to Senate Rules, the Senate Committee on Assignments hereby appoints Senator Bruce Thompson to serve as a permanent Ex-Officio member of the Senate Appropriations Committee.

Please call on me or Taylor Schindler if you have any questions regarding this appointment. Thank you for your attention to this matter.

Sincerely,

/s/ Casey Cagle
Lieutenant Governor of Georgia

At 11:57 a.m. the President announced that the Senate would stand in recess until 3:00 p.m.

At 4:03 p.m. the President called the Senate to order.

The President ordered the Secretary to read a message from the House regarding HB 159.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 159. By Representatives Reeves of the 34th, Willard of the 51st, Evans of the 42nd, Fleming of the 121st, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 19 of the O.C.G.A., relating to general provisions for adoption, so as to substantially revise the general provisions applicable to adoptions; to change the requirements for adopting children; to provide for a nonresident to allow an adoption of his or her child; to provide for adoption of foreign-born children; to provide for a waiver to revoke a surrender of parental rights; to change the age for individuals to access the Adoption Reunion Registry; to revise and provide for forms; to provide for the annulment of an adoption under certain circumstances; to amend Code Section 15-11-320 of the O.C.G.A., relating to termination of parental rights, so as to correct a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Heath of the 31st was recognized on a point of order inquiring when a printed copy of the House Amendment to the Senate Substitute to HB 159 would be available to Senators. After consulting with the Secretary, the President announced that the amendment would be placed on the desks in the next 20 minutes.

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Monday, February 5, 2018.

The motion prevailed, and the President announced the Senate adjourned at 4:16 p.m.

Senate Chamber, Atlanta, Georgia
Monday, February 5, 2018
Fifteenth Legislative Day

The Senate met pursuant to adjournment at 10:14 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 671. By Representatives Dunahoo of the 30th, Epps of the 144th, Barr of the 103rd, McCall of the 33rd, Pruett of the 149th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, causes, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to benefit the Georgia Beekeepers Association; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

The House insists on its position in disagreeing to the Senate substitute, and has appointed a Committee of Conference to confer with a like committee on the part of the Senate on the following Bill of the House:

HB 217. By Representatives Carson of the 46th, Kelley of the 16th, Knight of the 130th, Ehrhart of the 36th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income taxes, so as to increase the

amount of the aggregate cap on contributions to certain scholarship organizations in order to receive income tax credits; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Speaker has appointed on the part of the House, Representatives Carson of the 46th, Powell of the 171st, and Ehrhart of the 36th.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 380. By Senators Williams of the 39th, Orrock of the 36th, Henson of the 41st, Tate of the 38th, Seay of the 34th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to prohibit any person from conspiring or collaborating with any foreign government to influence any primary or election in this state; to provide for a definition; to provide for related matters; to provide an effective date and for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 381. By Senators Thompson of the 14th, Shafer of the 48th, Williams of the 27th, Harbin of the 16th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 33 of the Official Code of Georgia Annotated, relating to surplus line insurance, so as to provide that a nonadmitted insurer domiciled in this state will be deemed a domestic surplus lines insurer if certain criteria are met; to provide a definition; to provide for criteria; to provide for tax assessment; to provide for certain protection exceptions; to provide for financial and solvency requirements; to provide for exemptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

SB 382. By Senators Martin of the 9th, Strickland of the 17th, Walker III of the 20th, Kirk of the 13th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Code Section 43-30-1 of the Official Code of Georgia Annotated, relating to definitions relative to optometrists, so as to provide for guidance and consultation by the Department of Public Health on certain training programs approved by the State Board of Optometry for

doctors of optometry who administer pharmaceutical agents by injection; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 383. By Senators Orrock of the 36th, Butler of the 55th, Williams of the 39th, Anderson of the 43rd, Jones of the 10th and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 27 of the Official Code of Georgia Annotated, relating to wild animals, so as to regulate the sale, distribution, and possession of ivory and rhinoceros horn; to provide for definitions; to authorize the promulgation of rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SR 682. By Senators Henson of the 41st, Jones II of the 22nd, Tate of the 38th, Seay of the 34th and Williams of the 39th:

A RESOLUTION creating the Senate Traffic Fine Consistency Study Committee; and for other purposes.

Referred to the Committee on Judiciary.

SR 685. By Senators Jackson of the 2nd, Jones of the 10th, Anderson of the 43rd, James of the 35th, Butler of the 55th and others:

A RESOLUTION renaming the bed of tidewater on the Georgia coast known as "Runaway Negro Creek" to "Freedom Creek"; and for other purposes.

Referred to the Committee on Urban Affairs.

SR 695. By Senators Orrock of the 36th, Parent of the 42nd, Unterman of the 45th, Henson of the 41st, Tate of the 38th and others:

A RESOLUTION commending Hannah Fazila Testa for her involvement in and commitment to environmental sustainability and recognizing February 15, 2018, as Plastic Pollution Awareness Day at the state capitol; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

The following House legislation was read the first time and referred to committee:

HB 671. By Representatives Dunahoo of the 30th, Epps of the 144th, Barr of the 103rd, McCall of the 33rd, Pruett of the 149th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, causes, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to benefit the Georgia Beekeepers Association; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Agriculture and Consumer Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 330 Do Pass by substitute

Respectfully submitted,
Senator Wilkinson of the 50th District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 352 Do Pass by substitute
SB 357 Do Pass by substitute

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate the following action:

SB 17 Pursuant to Senate Rule 2-1.10(b), referred to the Committee on Regulated Industries and Utilities from the General Calendar.

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 257 Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

HB 61	SB 248	SB 315	SB 338	SB 348	SB 353
SR 351	SR 353	SR 489	SR 503		

Senator Jones II of the 22nd asked unanimous consent that Senator Lucas of the 26th be excused. The consent was granted, and Senator Lucas was excused.

Senator Harper of the 7th asked unanimous consent that Senator Martin of the 9th be excused. The consent was granted, and Senator Martin was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Payne
Anderson, L	Hufstetler	Rhett
Anderson, T	Jackson	Seay
Beach	James	Shafer
Black	Jones, B	Sims
Brass	Jones, E	Stone
Burke	Jones, H	Strickland
Butler	Jordan	Tate

Cowsert	Kennedy	Thompson, B
Davenport	Kirk	Thompson, C
Dugan	Kirkpatrick	Tillery
Ginn	Ligon	Tippins
Gooch	McKoon	Unterman
Harbin	Millar	Walker
Harbison	Miller	Watson
Harper	Mullis	Wilkinson
Heath	Orrock	Williams, M
Henson	Parent	Williams, N

Not answering were Senators:

Lucas (Excused) Martin (Excused)

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Mullis of the 53rd introduced the chaplain of the day, Reverend Joel Jenkins of LaFayette, Georgia, who offered scripture reading and prayer.

Senator Kirkpatrick of the 32nd introduced the doctor of the day, Dr. Thomas Haltom.

The following resolution was read and adopted:

SR 698. By Senator James of the 35th:

A RESOLUTION recognizing and commending Dr. Thomas Lamb Haltom for saving the life of Senator Donzella James during the 2017 Legislative Session; and for other purposes.

Senator Hufstetler of the 52nd recognized the Georgia Academy of Anesthesiologist Assistants, commended by SR 650, adopted previously. President Claire Wainwright addressed the Senate briefly.

The following resolution was read and adopted:

SR 697. By Senator Jackson of the 2nd:

A RESOLUTION recognizing and commending Bishop Reginald Jackson and the African Methodist Episcopal Church; and for other purposes.

Senator Jackson of the 2nd recognized Bishop Reginald Jackson who addressed the Senate briefly.

Senator Seay of the 34th recognized February 2, 2018, as National Wear Red Day, commended by SR 677, adopted previously. Senator Seay addressed the Senate briefly.

The following resolutions were read and adopted:

SR 683. By Senators Watson of the 1st, Burke of the 11th, Kirkpatrick of the 32nd, Shafer of the 48th, Cowsert of the 46th and others:

A RESOLUTION recognizing February 21, 2018, as Resurgens Orthopaedics Advocacy Day at the state capitol; and for other purposes.

SR 684. By Senators Watson of the 1st, Burke of the 11th, Kirkpatrick of the 32nd, Shafer of the 48th, Cowsert of the 46th and others:

A RESOLUTION recognizing February, 2018, as Self-Care Month; and for other purposes.

SR 686. By Senators Jones of the 10th, Jackson of the 2nd, Henson of the 41st, Albers of the 56th, Harbin of the 16th and others:

A RESOLUTION recognizing and commending the proposed "Reflections" immersive video installment at the state capitol; and for other purposes.

SR 687. By Senators Tate of the 38th, Henson of the 41st, Davenport of the 44th, James of the 35th, Seay of the 34th and others:

A RESOLUTION recognizing February 14, 2018, as Clark Atlanta University Day at the state capitol; and for other purposes.

SR 688. By Senators Miller of the 49th, Unterman of the 45th, Dugan of the 30th, Shafer of the 48th, Wilkinson of the 50th and others:

A RESOLUTION honoring the life and memory of Specialist Kyle Eugene Gilbert; and for other purposes.

SR 689. By Senators Miller of the 49th, Unterman of the 45th, Burke of the 11th, Wilkinson of the 50th and Watson of the 1st:

A RESOLUTION recognizing February 14, 2018, as Georgia Stop The Bleed Day at the state capitol; and for other purposes.

SR 690. By Senators Thompson of the 14th, Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Black of the 8th and others:

A RESOLUTION recognizing and commending Dr. Howard Hinesley; and for other purposes.

SR 691. By Senators Gooch of the 51st, Wilkinson of the 50th and Miller of the 49th:

A RESOLUTION recognizing and commending the Youth Leadership Dawson Class of 2018; and for other purposes.

SR 692. By Senators Gooch of the 51st, Wilkinson of the 50th and Miller of the 49th:

A RESOLUTION recognizing and commending Mountain Education Charter High School; and for other purposes.

SR 693. By Senators Shafer of the 48th, Tippins of the 37th, Unterman of the 45th, Ginn of the 47th and Thompson of the 14th:

A RESOLUTION recognizing and remembering Trey McKinley Grisham, commending the Georgia chapter of the American Foundation for Suicide Prevention, and recognizing February 12, 2018, as AFSP Georgia Suicide Prevention Day at the state capitol; and for other purposes.

SR 694. By Senators Orrock of the 36th, Burke of the 11th, Unterman of the 45th, Butler of the 55th, Henson of the 41st and others:

A RESOLUTION recognizing February 14, 2018, as Georgia Society of Ophthalmology Day at the state capitol and commending the ophthalmologists of Georgia; and for other purposes.

Senator Cowsert of the 46th moved to engross HB 661, which was on today's Senate Rules Calendar.

Senator Henson of the 41st objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Jackson	N Rhett
N Anderson, T	James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone

Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 36, nays 15; the motion prevailed, and HB 661 was engrossed.

SENATE RULES CALENDAR
 MONDAY, FEBRUARY 5, 2018
 FIFTEENTH LEGISLATIVE DAY

- SB 331 Georgia Lottery for Education Act; winner of lottery prize to remain anonymous under certain conditions; allow (H ED-41st)
- HB 661 Tax liens; transmittal, filing, recording, access to, and territorial effect issued by Department of Revenue; change provisions (FIN-3rd) Williamson-115th

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
 Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 331. By Senators Henson of the 41st, Kirk of the 13th, Mullis of the 53rd, Orrock of the 36th, Butler of the 55th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding the Georgia Lottery for Education Act, so as to allow a winner of a lottery prize to remain anonymous under certain conditions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senators Dugan of the 30th and Henson of the 41st offered the following amendment #1:

Amend SB 331 by:

adding on line # 13 after "winner" the words "of awards of \$250,000 or greater"...

On the adoption of the amendment, there were no objections, and the Dugan, Henson amendment #1 was adopted.

Senator Tippins of the 37th offered the following amendment #2:

Amend SB 331 (LC 36 3457) by placing a period after the word "confidential" in Line 15 and striking the word "and" and striking lines 16-18 in their entirety.

On the adoption of the amendment, the President asked unanimous consent.

Senator Heath of the 31st objected.

On the adoption of the amendment, the yeas were 37, nays 4, and the Tippins amendment #2 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

N Heath
 Y Henson
 Y Hill

Y Mullis
 Y Orrock
 Y Parent

N Williams, M
 Y Williams, N

On the passage of the bill, the yeas were 51, nays 4.

SB 331, having received the requisite constitutional majority, was passed as amended.

HB 661. By Representatives Williamson of the 115th, Powell of the 171st and Harrell of the 106th:

A BILL to be entitled an Act to amend Titles 15, 44, and 48 of the Official Code of Georgia Annotated, relating to courts, property, and revenue and taxation, respectively, so as to revise provisions relating to the transmittal, filing, recording, access to, and territorial effect of tax liens issued by the Department of Revenue; to provide for electronic record keeping relating to the filing and public access to state tax liens; to provide for duties and responsibilities of the Georgia Superior Court Clerks' Cooperative Authority; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Ligon, Jr. of the 3rd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers
 Y Anderson, L
 Y Anderson, T
 Y Beach
 Y Black
 Y Brass
 Y Burke
 Y Butler
 Y Cowsert
 Y Davenport
 Y Dugan
 Y Ginn
 Y Gooch
 Y Harbin
 Y Harbison

Y Hufstetler
 Y Jackson
 James
 Y Jones, B
 Y Jones, E
 Y Jones, H
 Y Jordan
 Y Kennedy
 Y Kirk
 Y Kirkpatrick
 Y Ligon
 Y Lucas
 Y Martin
 Y McKoon
 Y Millar

Y Payne
 Y Rhett
 Y Seay
 Y Shafer
 Y Sims
 Y Stone
 Y Strickland
 Y Tate
 Y Thompson, B
 Y Thompson, C
 Y Tillery
 Y Tippins
 Y Unterman
 Y Walker
 Y Watson

Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

HB 661, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

2/5/18

Due to business outside the Senate Chamber, I missed the vote on HB 661. Had I been present, I would have voted “yes”.

/s/ Donzella J. James
District 35

The following bill was taken up to consider House action thereto:

HB 159. By Representatives Reeves of the 34th, Willard of the 51st, Evans of the 42nd, Fleming of the 121st, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 19 of the O.C.G.A., relating to general provisions for adoption, so as to substantially revise the general provisions applicable to adoptions; to change the requirements for adopting children; to provide for a nonresident to allow an adoption of his or her child; to provide for adoption of foreign-born children; to provide for a waiver to revoke a surrender of parental rights; to change the age for individuals to access the Adoption Reunion Registry; to revise and provide for forms; to provide for the annulment of an adoption under certain circumstances; to amend Code Section 15-11-320 of the O.C.G.A., relating to termination of parental rights, so as to correct a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate Judiciary Committee substitute to HB 159 (LC 29 7330ERS) by deleting lines 1 through 3808 and inserting the following:

To amend Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, so as to substantially revise the general provisions applicable to adoptions; to change the requirements for adopting children; to provide for a nonresident to allow an

adoption of his or her child; to provide for adoption of foreign-born children; to provide for a waiver to revoke a surrender of parental rights under certain circumstances; to change the age for individuals to access the Adoption Reunion Registry; to revise and provide for forms; to amend Code Section 15-11-320 of the Official Code of Georgia Annotated, relating to termination of parental rights, so as to correct a cross-reference; to provide for the creation, authorization, procedure, revocation, rescission, and termination of a power of attorney from a parent to an agent for the temporary delegation of certain power and authority for the care and custody of his or her child; to repeal the "Power of Attorney for the Care of a Minor Child Act"; to provide for definitions; to provide for procedure; to grandfather certain provisions relating to a power of attorney given to a grandparent; to provide a short title; to provide for legislative findings; to amend Part 4 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to sick, personal, and maternity leave for teachers and other school personnel, so as to require local boards of education to provide employees who are adoptive parents the same duration of maternity leave, leave options, and other benefits as are provided to employees who are biological parents; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is amended by revising Article 1 of Chapter 8, relating to general provisions for adoption as follows:

"ARTICLE 1

19-8-1.

For purposes of this ~~chapter~~ article, the term:

(1) 'Alaskan native' means a member of the Alaska Native Regional Corporations formed under the Alaska Native Claims Settlement Act of 1971 (ANCSA).

~~(4)~~(2) 'Biological father' means ~~the~~ a male who impregnated the biological mother resulting in the birth of the child.

(3) 'Biological parent' means a biological mother or biological father.

~~(2)~~(4) 'Child' means ~~a person~~ an individual who is under 18 years of age and who is sought to be adopted.

~~(3)~~(5) 'Child-placing agency' means an agency licensed as a child-placing agency pursuant to Chapter 5 of Title 49.

~~(4)~~(6) 'Department' means the Department of Human Services.

~~(4.1)~~(7) 'Evaluator' means ~~the~~ a person or agency that conducts a home study. An evaluator shall be a ~~licensed~~ child-placing agency, the department, or a licensed

professional with at least two years of adoption related professional experience, including a licensed clinical social worker, licensed master social worker, licensed marriage and family therapist, or licensed professional counselor; provided, however, that ~~where~~ when none of the foregoing evaluators are available, the court may appoint a guardian ad litem or court appointed special advocate to conduct ~~the~~ a home study.

~~(5)~~(8) 'Guardian' means ~~a legal guardian of the person of a child~~ an individual appointed as a:

(A) Guardian or temporary guardian of a child as provided in Title 29;

(B) Guardian of a child pursuant to Code Section 15-11-13; or

(C) Permanent guardian of a child as provided in Part 13 of Article 3 of Chapter 11 of Title 15.

~~(5.1)~~(9) 'Home study' means an evaluation by an evaluator of ~~the~~ a petitioner's home environment for the purpose of determining the suitability of ~~the~~ such environment as a prospective adoptive home for a child. Such evaluation shall consider ~~the~~ a petitioner's physical health, emotional maturity, financial circumstances, family, and social background and shall conform to the rules and regulations established by the department for child-placing agencies for adoption home studies.

~~(5.2)~~(10) 'Home study report' means the written report generated as a result of the home study.

~~(6)~~(11) 'Legal father' means a male who has not surrendered or had terminated his rights to a child and who:

(A) Has legally adopted such child;

(B) Was married to the biological mother of such child at the time such child was born or within the usual period of gestation, unless paternity was disproved by a final order ~~pursuant to Article 3 of Chapter 7 of this title~~ of a court of competent jurisdiction;

(C) Married ~~the~~ a legal mother of such child after such child was born and recognized such child as his own, unless paternity was disproved by a final order ~~pursuant to Article 3 of Chapter 7 of this title~~ of a court of competent jurisdiction; or

(D) Has legitimated such child by a final order pursuant to Code Section 19-7-22.

~~(7)~~(12) 'Legal mother' means ~~the~~ a female who is the biological or adoptive mother of the child and who has not surrendered or had terminated her rights to the child.

(13) 'Native American heritage' means any individual who is:

(A) A member of a federally recognized American Indian tribe; or

(B) An Alaskan native.

(14) 'Out-of-state licensed agency' means an agency or entity that is licensed in another state or country to place children for adoption.

~~(8)~~(15) 'Parent' means ~~either the~~ a legal father or ~~the~~ a legal mother of the child.

~~(9)~~(16) 'Petitioner' means ~~a person~~ an individual who petitions to adopt or terminate rights to a child pursuant to this ~~chapter~~ article.

~~(10)~~(17) 'Putative father registry' means the registry established and maintained pursuant to subsections (d) and (e) of Code Section 19-11-9.

19-8-2.

(a) The superior courts of the several counties shall have exclusive jurisdiction in all matters of adoption, ~~except such jurisdiction as may be granted to the juvenile courts.~~

(b) All petitions for adoption under this ~~chapter~~ article shall be filed in the county in which any petitioner resides, except that:

(1) Upon good cause being shown, the court may, in its discretion, allow such petition to be filed in the court of the county of:

(A) Of the child's domicile or of the county in;

(B) In which is located any child-placing agency having legal custody of the child; sought to be adopted may, in its discretion, allow the petition to be filed in that court; and

(C) Where the child was born if such petition is filed within one year of the child's birth; or

(D) In which is located the office of the department having legal custody of the child;

(2) Any ~~person~~ individual who ~~has been~~ is a resident of any United States ~~Army~~ army post or military reservation within this state ~~for six months next preceding the filing of the petition for adoption~~ may file the such petition in any county adjacent to the United States ~~Army~~ army post or military reservation; and

(3) When a child has been placed for adoption with an individual who is a resident of another state in compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children, such petition shall be filed in:

(A) The court of the county where the child was born;

(B) The court of the county in which is located any child-placing agency having legal custody of the child; or

(C) Superior Court of Fulton County.

19-8-3.

(a) Any ~~adult person~~ individual may petition to adopt a child if ~~the person~~ he or she:

(1) Is at least 25 years of age or is married and living with his or her spouse, or is at least 21 years of age and is a relative of the child;

(2) Is at least ten years older than the child, except such ten-year requirement shall not apply when the petitioner is a stepparent or relative and the petition is filed pursuant to Code Section 19-8-6 or 19-8-7;

(3) ~~Is~~ ~~Has been~~ a bona fide resident of this state ~~for at least six months immediately preceding~~ at the filing of the petition for adoption or is a bona fide resident of the receiving state when the adoptee was born in this state and was placed in compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children; and

(4) Is financially, physically, and mentally able to have permanent custody of the child.

~~(b) Any adult person, including but not limited to a foster parent, meeting the requirements of subsection (a) of this Code section shall be eligible to apply to the~~

~~department or a child placing agency for consideration as an adoption applicant in accordance with the policies of the department or the agency.~~

(e)(b) If a person an individual seeking to adopt a child is married, the petition must for adoption shall be filed in the name of both spouses; provided, however, that, when the child is or was the stepchild of the party seeking to adopt, ~~the~~ such petition shall be filed by the stepparent alone.

19-8-4.

(a) A child ~~Except as otherwise authorized in this chapter, a child who has any living parent or guardian~~ may be adopted through the department, ~~or~~ any child-placing agency, or any out-of-state licensed agency only if each ~~such~~ living parent and each such guardian of such child:

(1) Has voluntarily and in writing surrendered all of his or her rights to the child to the department, ~~or to~~ a child-placing agency, or an out-of-state licensed agency as provided in this Code section and ~~the department or such department, child-placing agency, or out-of-state licensed agency~~ thereafter consents to the adoption; or

(2) Has had all of his or her rights to the child terminated by order of a court of competent jurisdiction, the child has been committed by the court to the department, ~~or to~~ a child-placing agency, or an out-of-state licensed agency for placement for adoption, and ~~the department or such department, child-placing agency, or out-of-state licensed agency~~ thereafter consents to the adoption.

(b) In the case of a child 14 years of age or older, the written consent of the child to his or her adoption ~~must shall~~ be given and acknowledged in the presence of the court.

(c) The surrender of rights to the department, ~~or to~~ a child-placing agency, or an out-of-state licensed agency specified in paragraphs (1) and (2) of subsection (e) of this Code section shall be executed following the birth of the child, and the pre-birth surrender to the department, ~~or to~~ a child-placing agency, or an out-of-state licensed agency specified in paragraph (3) of subsection (e) of this Code section shall be executed prior to the birth of the child. Each surrender shall be executed under oath and in the presence of ~~a representative of the department or the agency and~~ a notary public and an adult witness. A copy of the surrender shall be ~~delivered~~ provided to the individual signing the surrender at the time of the execution thereof.

(d) An individual ~~A person~~ signing a surrender of rights pursuant to this Code section shall have the right to ~~withdraw the surrender~~ revoke such surrender within four days as provided in subsection ~~(b)~~ (a) of Code Section 19-8-9.

(e)(1) The surrender of rights by a parent or guardian specified in paragraph (1) of subsection (a) of this Code section shall meet the requirements of subsection (a) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(2) A ~~The~~ biological father who is not ~~the~~ a legal father of a child may surrender all his rights to the child for the purpose of an adoption pursuant to this Code section. Such ~~That~~ surrender shall meet the requirements of subsection (d) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary

public and an adult witness.

(3)(A) ~~A~~ The biological father who is not the a legal father of a child may execute a surrender of his rights to the child prior to the birth of the child for the purpose of an adoption pursuant to this Code section. A pre-birth surrender, when signed under oath by the alleged biological father, shall serve to relinquish ~~the~~ an alleged biological father's rights to the child and to waive ~~the~~ an alleged biological father's right to notice of any proceeding with respect to the child's adoption, custody, or guardianship. The court in any adoption proceeding shall have jurisdiction to enter a final order of adoption of the child based upon the pre-birth surrender and in other proceedings to determine the child's legal custody or guardianship shall have jurisdiction to enter an order for those purposes.

(B) The rights and responsibilities of an alleged biological father ~~are~~ shall be permanently terminated only upon an order from a court of competent jurisdiction terminating such rights or the entry of a final order of adoption. An individual A ~~person~~ executing a pre-birth surrender pursuant to this Code section shall have the right to ~~withdraw the~~ revoke such surrender within ~~ten~~ four days from the date of execution thereof, notwithstanding the date of birth of the child.

(C) If a final order of adoption is not entered after the execution of a pre-birth surrender and paternity is established by acknowledgment, by administrative order, or by judicial order, then ~~the~~ an alleged biological father shall be responsible for child support or other financial obligations to the child or to ~~the child's~~ a legal mother, or to both.

(D) The pre-birth surrender shall not be valid for use by a legal father ~~as defined under paragraph (6) of Code Section 19-8-1 or for any man who has executed a voluntary acknowledgment of paternity pursuant to the provisions of Code Section 19-7-46.1.~~

(E) The pre-birth surrender may be executed at any time after the biological mother executes a sworn statement identifying such ~~person~~ individual as an alleged biological father of the biological mother's unborn child meeting the requirements of subsection (m) of Code Section 19-8-26.

(F) The pre-birth surrender shall meet the requirements of subsection (f) of Code Section 19-8-26 and shall be signed under oath and in the presence of a notary public and an adult witness.

(f) A surrender of rights shall be acknowledged by the ~~person~~ individual who surrenders those rights by also signing an acknowledgment meeting the requirements of subsection (g) of Code Section 19-8-26. Such acknowledgment shall be signed under oath and in the presence of a notary public and an adult witness.

(g)(1) ~~A~~ Whenever the legal mother who surrenders her parental rights pursuant to this Code section, ~~she~~ shall execute an affidavit meeting the requirements of subsection (h) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(2) A legal mother who is the adoptive mother of the child and who surrenders her parental rights pursuant to this Code section shall execute an affidavit meeting the

requirements of subsection (i) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(h) Whenever rights are surrendered to the department, or to a child-placing agency, or an out-of-state licensed agency, the department or agency representative before whom the surrender of rights is signed shall execute an affidavit meeting the requirements of subsection (j) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(i) A surrender of rights pursuant to this Code section may be given by any parent or biological father who is not the a legal father of the child irrelative regardless of whether such parent or biological father has arrived at the age of majority. The individual is a citizen of the United States, a resident of this state, or has reached the age of 18 years. Such surrender given by any such minor such individual shall be binding upon him or her as if the individual were in all respects sui juris and shall include a consent to the jurisdiction of the courts of this state for any action filed under this article. Such surrender shall state that such individual agrees to be bound by a decree of adoption.

(j) In any surrender of rights pursuant to this Code section, the provisions of Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children, if applicable, shall be complied with.

(k) A biological father or a legal father who signs a surrender of rights may execute an affidavit regarding his Native American heritage and military service meeting the requirements of subsection (n) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

19-8-5.

(a) A child Except as otherwise authorized in this chapter, a child who has any living parent or guardian may be adopted by a third party who is neither the stepparent nor relative of that child, as such individuals are described in subsection (a) of Code Sections 19-8-6 and 19-8-7, only if each such living parent and each such guardian of such child has voluntarily and in writing surrendered all of his or her rights to such child to that third party for the purpose of enabling that third party to adopt such child. A third party to whom such child is voluntarily surrendered shall be financially responsible for such child as of the date of surrender by the parent. Except as provided in subsection (m) (1) of this Code section, no child shall be placed with a third party for purposes of adoption unless prior to the date of placement a home study shall have been completed, and the home study report recommends placement of a child in such third party's home.

(b) In the case of a child 14 years of age or older, the written consent of the child to his or her adoption must shall be given and acknowledged in the presence of the court.

(c) The surrender of rights specified in paragraphs (1) and (2) of subsection (e) of this Code section shall be executed following the birth of the child, and the pre-birth surrender specified in paragraph (3) of subsection (e) of this Code section shall be executed prior to the birth of the child. Each surrender shall be executed under oath

and in the presence of a notary public and an adult witness. The name and address of each ~~person~~ individual to whom the child is surrendered may be omitted to protect confidentiality, provided the surrender of rights sets forth the name and address of his or her agent for purposes of notice of ~~withdrawal~~ revocation as provided for in subsection (d) of this Code section. A copy of the surrender shall be delivered provided to the individual signing the surrender at the time of the execution thereof.

(d) An individual ~~A person~~ signing a surrender of rights pursuant to this Code section shall have the right to ~~withdraw the surrender~~ revoke such surrender within four days as provided in subsection ~~(b)~~ (a) of Code Section 19-8-9.

(e)(1) The surrender of rights by a parent or guardian specified in subsection (a) of this Code section shall meet the requirements of subsection (c) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(2) ~~A~~ The biological father who is not ~~the~~ a legal father of a child may surrender all his rights to the child for purposes of an adoption pursuant to this Code section. ~~That~~ Such surrender shall meet the requirements of subsection (d) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(3)(A) ~~A~~ The biological father who is not ~~the~~ a legal father of a child may execute a surrender of his rights to the child prior to the birth of the child for the purpose of an adoption pursuant to this Code section. A pre-birth surrender, ~~when signed under oath by the alleged biological father,~~ shall serve to relinquish ~~the~~ an alleged biological father's rights to the child and to waive ~~the~~ an alleged biological father's right to notice of any proceeding with respect to the child's adoption, custody, or guardianship. The court in any adoption proceeding shall have jurisdiction to enter a final order of adoption of the child based upon the pre-birth surrender and in other proceedings to determine the child's legal custody or guardianship shall have jurisdiction to enter an order for those purposes.

(B) The rights and responsibilities of an alleged biological father ~~are~~ shall be permanently terminated only upon an order from a court of competent jurisdiction terminating such rights or the entry of a final order of adoption. An individual ~~A person~~ executing a pre-birth surrender pursuant to this Code section shall have the right to ~~withdraw the~~ revoke such surrender within ~~ten~~ four days from the date of execution thereof, notwithstanding the date of birth of the child.

(C) If a final order of adoption is not entered after the execution of a pre-birth surrender and paternity is established by acknowledgment, by administrative order, or by judicial order, then ~~the~~ an alleged biological father shall be responsible for child support or other financial obligations to the child or to ~~the child's~~ a legal mother, or to both.

(D) The pre-birth surrender shall not be valid for use by a legal father ~~as defined under paragraph (6) of Code Section 19-8-1 or for any man who has executed a voluntary acknowledgment of paternity pursuant to the provisions of Code Section 19-7-46.1.~~

(E) The pre-birth surrender may be executed at any time after the biological mother executes a sworn statement identifying such ~~person~~ individual as an alleged biological father of the biological mother's unborn child meeting the requirements of subsection (m) of Code Section 19-8-26.

(F) The pre-birth surrender shall meet the requirements of subsection (f) of Code Section 19-8-26 and shall be signed under oath and in the presence of a notary public and an adult witness.

(f) A surrender of rights shall be acknowledged by the ~~person~~ individual who surrenders those rights by also signing an acknowledgment meeting the requirements of subsection (g) of Code Section 19-8-26. Such acknowledgment shall be signed under oath and in the presence of a notary public and an adult witness.

(g)(1) ~~A Whenever the legal mother who~~ surrenders her parental rights pursuant to this Code section, ~~she~~ shall execute an affidavit meeting the requirements of subsection (h) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(2) A legal mother who is the adoptive mother of the child and who surrenders her parental rights pursuant to this Code section shall execute an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(h) Whenever rights are surrendered pursuant to this Code section, the representative of each petitioner or the representative of the individual signing such surrender shall execute an affidavit meeting the requirements of subsection (k) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(i) A surrender of rights pursuant to this Code section may be given by any parent or biological father who is not ~~the~~ a legal father of the child ~~sought to be adopted~~ irrespective regardless of whether such ~~parent or biological father has arrived at the age of majority. The~~ individual is a citizen of the United States, a resident of this state, or has reached the age of 18 years. Such surrender given by ~~any such minor such~~ individual shall be binding upon him or her as if the individual were in all respects sui juris and shall include a consent to the jurisdiction of the courts of this state for any action filed under this article. Such surrender shall state that such individual agrees to be bound by a decree of adoption.

~~(j) A copy of each surrender specified in subsection (a) of this Code section, together with a copy of the acknowledgment specified in subsection (f) of this Code section and a copy of the affidavits specified in subsections (g) and (h) of this Code section and the name and address of each person to whom the child is surrendered, shall be mailed, by registered or certified mail or statutory overnight delivery, return receipt requested, to the~~

Office of Adoptions
Georgia Department of Human Services
Atlanta, Georgia

~~within 15 days from the execution thereof. Upon receipt of the copy the department may commence its investigation as required in Code Section 19-8-16.~~

~~(k)~~(j) A petition for adoption pursuant to subsection (a) of this Code section shall be filed within 60 days from the date of the surrender of rights is executed; provided, however, that for good cause shown the court may waive the 60 day requirement. If the petition for adoption is not filed within the time period specified by this subsection and the court does not waive the 60 day requirement or if the proceedings resulting from the such petition are not concluded with an order granting the such petition, then the surrender of rights shall operate as follows according to the election made therein in such surrender by the legal parent or guardian of the child:

(1) In favor of that legal such parent or guardian, with the express stipulation that neither this nor any other provision of the surrender of rights shall be deemed to impair the validity, absolute finality, or totality of the such surrender under any other circumstance, once the revocation period has elapsed;

(2) In favor of the licensed child-placing agency or out-of-state licensed agency designated in the surrender of rights, if any; or

(3) If the legal parent or guardian is not designated and no child-placing agency or out-of-state licensed agency is designated in the surrender of rights, or if the designated child-placing agency or out-of-state licensed agency declines to accept the child for placement for adoption, in favor of the department for placement for adoption pursuant to subsection (a) of Code Section 19-8-4. The court may waive the 60 day time period for filing the petition for excusable neglect.

~~(l)~~(k) In any surrender of rights pursuant to this Code section, the provisions of Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children, if applicable, shall be complied with.

~~(m)~~(l) If the home study for a third-party adoption has not occurred prior to the date of placement, then the third party shall, at the time of the filing of within the petition for adoption or in a separate motion, file a motion with the court seeking seek an order authorizing placement of such child prior to the completion of the home study. Such petition or such motion shall identify the evaluator that the petitioner has selected to perform the home study. The court may waive the requirement of a preplacement home study in cases when a child to be adopted already resides in the prospective adoptive home either as a child of one of the residents of such home or pursuant to a court order of guardianship, testamentary guardianship, or custody.

~~(n)~~(m) The court may grant the motion for authorize the placement prior to the completion of a home study if the court finds that such placement is in the best interest interests of the child.

~~(o)~~(n) If the court grants the motion for authorizes the placement prior to the completion of a home study and authorizes placement of a child prior to the completion of the home study, then:

(1) Such child shall be permitted to remain in the home of the third party with whom the parent or guardian placed such child pending further order of the court;

(2) A copy of the order authorizing placement of such child prior to the completion of the home study shall be delivered to the department and the evaluator selected to perform the home study by the clerk of the court within 15 days of the date of the

entry of such order; and

(3) The home study, if not already in process, shall be initiated by the evaluator selected by the petitioner or appointed by the court within ten days of such evaluator's receipt of the court's order.

(o) A biological father or a legal father who signs a surrender of rights may execute an affidavit regarding his Native American heritage and military service meeting the requirements of subsection (n) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

19-8-6.

~~(a) Except as otherwise authorized in this chapter:~~

~~(a)(1) A child whose legal father and legal mother are both living but are not still married to each other may be adopted by the spouse of either parent only when the other parent voluntarily and in writing surrenders all of his or her rights to the child to that spouse for the purpose of enabling that spouse to adopt the child and the other parent consents to the adoption and, ~~where~~ when there is any guardian of that child, each such guardian has voluntarily and in writing surrendered to such spouse all of his or her rights to the child for ~~purposes~~ the purpose of such adoption; ~~or.~~~~

~~(2) A child who has only one parent still living may be adopted by the spouse of that parent only if that parent consents to the adoption and, ~~where~~ when there is any guardian of that child, each such guardian has voluntarily and in writing surrendered to such spouse all of his or her rights to the child for the purpose of such adoption.~~

~~(b) In the case of a child 14 years of age or older, the written consent of the child to his or her adoption ~~must~~ shall be given and acknowledged in the presence of the court.~~

~~(c) The surrender of rights specified in this Code section shall be executed, following the birth of the child, under oath and in the presence of a notary public and an adult witness. A copy of the surrender shall be ~~delivered~~ provided to the individual signing the surrender at the time of the execution thereof.~~

~~(d) An individual ~~A person~~ signing a surrender of rights pursuant to this Code section shall have the right to ~~withdraw the surrender~~ revoke such surrender within four days as provided in subsection ~~(b)~~ (a) of Code Section 19-8-9.~~

~~(e)(1) The surrender of rights by a parent or guardian specified in subsection (a) of this Code section shall meet the requirements of subsection (e) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.~~

~~(2) A ~~The~~ biological father who is not ~~the~~ a legal father of a child may surrender all his rights to the child for purposes of an adoption pursuant to this Code section. Such ~~That~~ surrender shall meet the requirements of subsection (d) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.~~

~~(f) A surrender of rights shall be acknowledged by the ~~person~~ individual who surrenders those rights by also signing an acknowledgment meeting the requirements of subsection (g) of Code Section 19-8-26. Such acknowledgment shall be signed under~~

oath and in the presence of a notary public and an adult witness.

(g)(1) A ~~Whenever the~~ legal mother who surrenders her parental rights or consents to the adoption of her child by her spouse pursuant to this Code section, ~~she~~ shall execute an affidavit meeting the requirements of subsection (h) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(2) A legal mother who is the adoptive mother of the child and who surrenders her parental rights pursuant to this Code section shall execute an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(h) Whenever rights are surrendered pursuant to this Code section, the representative of each petitioner or the representative of the individual signing such surrender shall execute an affidavit meeting the requirements of subsection (k) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(i) A surrender of rights or consent pursuant to this Code section may be given by any parent or biological father who is not ~~the~~ a legal father of the child ~~sought to be adopted~~ irrespective regardless of whether such ~~parent or biological father has arrived at the age of majority. The surrender given by any such minor individual is a citizen of the United States, a resident of this state, or has reached the age of 18 years. Such surrender or consent given by such individual shall be binding upon him or her as if the individual were in all respects sui juris and shall include a consent to the jurisdiction of the courts of this state for any action filed under this article. Such surrender shall state that such individual agrees to be bound by a decree of adoption.~~

(j) The parental consent by the spouse of a stepparent seeking to adopt a child of that spouse and required by subsection (a) of this Code section shall ~~be as provided in~~ meet the requirements of subsection (l) of Code Section 19-8-26. Such consent shall be signed under oath and in the presence of a notary public.

(k) A biological father or a legal father who signs a surrender of rights may execute an affidavit regarding his Native American heritage and military service meeting the requirements of subsection (n) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

19-8-7.

(a) A child ~~Except as otherwise authorized in this Code section, a child who has any living parent or guardian~~ may be adopted by a relative who is related by blood or marriage to the child as a grandparent, great-grandparent, aunt, uncle, great aunt, great uncle, or sibling only if each ~~such~~ living parent and ~~each such~~ guardian of such child has voluntarily and in writing surrendered to that relative and any spouse of such relative all of his or her rights to the child for the purpose of enabling that relative and any such spouse to adopt the child.

(b) In the case of a child 14 years of age or older, the written consent of the child to his or her adoption ~~must~~ shall be given and acknowledged in the presence of the court.

(c) The surrender of rights specified in paragraphs (1) and (2) of subsection (e) of this Code section shall be executed following the birth of the child, and the pre-birth

surrender specified in paragraph (3) of subsection (e) of this Code section shall be executed prior to the birth of the child. Each surrender shall be executed under oath and in the presence of a notary public and an adult witness. A copy of the surrender shall be ~~delivered~~ provided to the individual signing the surrender at the time of the execution thereof.

(d) An individual ~~A person~~ signing a surrender of rights pursuant to this Code section shall have the right to ~~withdraw the surrender~~ revoke such surrender within four days as provided in subsection ~~(b)~~ (a) of Code Section 19-8-9.

(e)(1) The surrender of rights by a parent or guardian specified in subsection (a) of this Code section shall meet the requirements of subsection (e) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(2) ~~A The~~ biological father who is not ~~the~~ a legal father of the child may surrender all his rights to the child for purposes of an adoption pursuant to this Code section. Such That surrender shall meet the requirements of subsection (d) of Code Section 19-8-26. Such surrender shall be signed under oath and in the presence of a notary public and an adult witness.

(3)(A) ~~A The~~ biological father who is not ~~the~~ a legal father of a child may execute a surrender of his rights to the child prior to the birth of the child for the purpose of an adoption pursuant to this Code section. A pre-birth surrender, ~~when signed under oath by the alleged biological father,~~ shall serve to relinquish ~~the~~ an alleged biological father's rights to the child and to waive ~~the~~ an alleged biological father's right to notice of any proceeding with respect to the child's adoption, custody, or guardianship. The court in any adoption proceeding shall have jurisdiction to enter a final order of adoption of the child based upon the pre-birth surrender and in other proceedings to determine the child's legal custody or guardianship shall have jurisdiction to enter an order for those purposes.

(B) The rights and responsibilities of an alleged biological father ~~are~~ shall be permanently terminated only upon an order from a court of competent jurisdiction terminating such rights or the entry of a final order of adoption. An individual ~~A person~~ executing a pre-birth surrender pursuant to this Code section shall have the right to ~~withdraw the~~ revoke such surrender within ~~ten~~ four days from the date of execution thereof, notwithstanding the date of birth of the child.

(C) If a final order of adoption is not entered after the execution of a pre-birth surrender and paternity is established by acknowledgment, by administrative order, or by judicial order, then ~~the~~ an alleged biological father shall be responsible for child support or other financial obligations to the child or to ~~the child's~~ a legal mother, or to both.

(D) The pre-birth surrender shall not be valid for use by a legal father ~~as defined under paragraph (6) of Code Section 19-8-1 or for any man who has executed a voluntary acknowledgment of paternity pursuant to the provisions of Code Section 19-7-46.1.~~

(E) The pre-birth surrender may be executed at any time after the biological mother

executes a sworn statement identifying such ~~person~~ individual as an alleged biological father of the biological mother's unborn child meeting the requirements of subsection (m) of Code Section 19-8-26.

(F) The pre-birth surrender shall meet the requirements of subsection (f) of Code Section 19-8-26 and shall be signed under oath and in the presence of a notary public and an adult witness.

(f) A surrender of rights shall be acknowledged by the ~~person~~ individual who surrenders those rights by also signing an acknowledgment meeting the requirements of subsection (g) of Code Section 19-8-26. Such acknowledgment shall be signed under oath and in the presence of a notary public and an adult witness.

(g)(1) A ~~Whenever the~~ legal mother who surrenders her parental rights pursuant to this Code section, ~~she~~ shall execute an affidavit meeting the requirements of subsection (h) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(2) A legal mother who is the adoptive mother of the child and who surrenders her parental rights pursuant to this Code section shall execute an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(h) Whenever rights are surrendered pursuant to this Code section, the representative of each petitioner or the representative of the individual signing such surrender shall execute an affidavit meeting the requirements of subsection (k) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

(i) A surrender of rights pursuant to this Code section may be given by any parent or biological father who is not ~~the~~ a legal father of the child ~~sought to be adopted~~ irrespective regardless of whether such ~~parent or biological father has arrived at the age of majority.~~ The individual is a citizen of the United States, a resident of this state, or has reached the age of 18 years. Such surrender given by ~~any such minor~~ such individual shall be binding upon him or her as if the individual were in all respects sui juris and shall include a consent to the jurisdiction of the courts of this state for any action filed under this article. Such surrender shall state that such individual agrees to be bound by a decree of adoption.

(j) In any surrender of rights pursuant to this Code section, Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children, if applicable, shall be complied with.

(k) A biological father or a legal father who signs a surrender of rights may execute an affidavit regarding his Native American heritage and military service meeting the requirements of subsection (n) of Code Section 19-8-26. Such affidavit shall be signed under oath and in the presence of a notary public.

19-8-8.

~~A child may be adopted pursuant to the provisions of this chapter based upon:~~

(1) ~~A decree which has been entered pursuant to due process of law by a court of competent jurisdiction outside the United States establishing the relationship of parent~~

~~and child by adoption between each petitioner and a child born in such foreign country; and~~

~~(2) The child's having been granted a valid visa by the United States Immigration and Naturalization Service.~~

(a)(1) A child, who was born in a country other than the United States and for whom a decree or order of adoption has been entered pursuant to due process of law by a court of competent jurisdiction or an administrative proceeding in the country of the child's birth or the country in which the child habitually resided immediately prior to coming to the United States establishing the relationship of parent and child by adoption between each petitioner named in the foreign decree or order of adoption and the child according to the law of such foreign country, shall be eligible to have his or her adoption domesticated under this subsection if a consular officer of the United States Department of State has issued and affixed in the child's passport an immediate relative immigrant visa or Hague Convention immigrant visa.

(2) Evidence of the issuance of an immediate relative immigrant visa or Hague Convention immigrant visa by the United States Department of State in the child's passport shall be prima-facie evidence that all parental rights have been terminated, that the child was legally available for adoption by each petitioner named in the foreign decree or order of adoption, that the adoption of the child by each petitioner named in the foreign decree or order of adoption was in the child's best interests, and that the child's adoption by each petitioner named in the foreign decree or order of adoption was finalized in full compliance with the laws of the foreign country and the court need not make any inquiry into those proceedings but shall domesticate the foreign decree or order of adoption hereunder and issue a final decree of adoption pursuant to subsection (c) of Code Section 19-8-18.

(3) A child who qualifies for domestication of his or her foreign adoption under this subsection and whose adoption was full and final prior to entering the United States shall, upon entry of a final decree of domestication of adoption by the court, be entitled to have a Certificate of Foreign Birth issued to him or her by the State Office of Vital Records of the Georgia Department of Public Health pursuant to paragraph (2) of subsection (f) of Code Section 31-10-13.

(b)(1) A child, who was born in a country other than the United States and for whom a decree or order of guardianship has been entered pursuant to due process of law by a court of competent jurisdiction or an administrative proceeding in the country of the child's birth or the country in which the child habitually resided immediately prior to coming to the United States terminating the parental rights of both of his or her parents and establishing a guardian-ward relationship between each petitioner named in the foreign decree or order of guardianship and the child according to the law of such foreign country, shall be eligible to be adopted pursuant to this subsection if a consular officer of the United States Department of State has issued and affixed in the child's passport an immediate relative immigrant visa or Hague Convention immigrant visa.

(2)(A) Evidence of the issuance of an immediate relative immigrant visa or Hague

Convention immigrant visa by the United States Department of State in the child's passport shall be prima-facie evidence that all parental rights have been terminated, that the child is legally available for adoption by each petitioner named in the foreign decree or order of guardianship, and that the guardian-ward relationship between each petitioner named in the foreign decree or order of guardianship and the child was granted in full compliance with the laws of the foreign country and the court need not make any inquiry into those proceedings but shall be authorized to finalize the child's adoption as provided in this subsection.

(B) Notwithstanding subparagraph (A) of this paragraph, when the foreign decree or order of guardianship requires specific postplacement supervision, the court shall not be authorized to finalize such child's adoption as provided in this subsection until the petitioner provides documentation of formal evidence that the conditions of the foreign decree or order of guardianship have been satisfied.

(3) Once a child's adoption is granted pursuant to this subsection, he or she shall be entitled to have a Certificate of Foreign Birth issued to him or her by the State Office of Vital Records of the Georgia Department of Public Health pursuant to paragraph (2) of subsection (f) of Code Section 31-10-13.

(c) The court shall have authority to change a child's date of birth from that shown on the child's original birth certificate and as reflected in the child's passport upon presentation by a preponderance of evidence of a more accurate date of birth.

19-8-9.

~~(a) In those cases where the legal mother of the child being placed for adoption has herself previously adopted such child, said adoptive mother shall execute, in lieu of the affidavit specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, an affidavit meeting the requirements of subsection (i) of Code Section 19-8-26.~~

(b)(a) Notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, an individual A person signing a surrender of rights pursuant to Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 shall have the right to withdraw the revoke such surrender by written notice delivered in person or mailed by registered mail or statutory overnight delivery within ten four days after signing such surrender; and the such surrender document shall not be valid unless it so states. The ten days four-day revocation period shall be counted consecutively beginning with the day immediately following the date the surrender of rights is executed; provided, however, that, if the tenth fourth day falls on a Saturday, Sunday, or legal holiday, then the last day on which the such surrender may be withdrawn revoked shall be the next day that is not a Saturday, Sunday, or legal holiday. After ten days, a surrender may not be withdrawn. The the four-day period, a surrender of rights cannot be revoked. Notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, the notice of withdrawal of revocation of a surrender of rights shall be delivered in person or mailed by registered mail or statutory overnight delivery to the address designated in the surrender document. If delivered in person, it shall be delivered to the address shown in the surrender document not later than 5:00 P.M.

eastern standard time or eastern daylight time, whichever is applicable, on the fourth day.

~~(e)~~(b) If a legal mother has voluntarily and in writing surrendered all of her parental rights pursuant to ~~the provisions of subsection (a) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7~~ and has not ~~withdrawn~~ revoked her surrender within the ~~ten-day~~ four-day period after signing as permitted by ~~the provisions of subsection (b)~~ subsection (a) of this Code section, she shall have no right or authority to sign a voluntary acknowledgment of paternity pursuant to ~~the provisions of Code Section 19-7-46.1~~ or consent to the granting of a petition for legitimation filed pursuant to Code Section 19-7-22 regarding the same child.

19-8-10.

(a) Surrender or termination of rights of a living parent pursuant to ~~subsection (a) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7~~ shall not be required as a prerequisite to the filing granting of a petition for adoption of a child of ~~that~~ such living parent pursuant to Code Section 19-8-13 when the court determines by clear and convincing evidence that the:

- (1) Child has been abandoned by that parent;
- (2) Parent cannot be found after a diligent search has been made;
- (3) Parent is insane or otherwise incapacitated from surrendering such rights;
- (4) Parent caused his child to be conceived as a result of having nonconsensual sexual intercourse with the biological mother of his child or when the biological mother is less than ten years of age; or
- (5) Parent, without justifiable cause, has failed to exercise proper parental care or control due to misconduct or inability, as set out in paragraph (3), (4), or (5) of subsection (a) of Code Section 15-11-310,

and the court is of the opinion that the adoption is in the best interests of that child, after considering the physical, mental, emotional, and moral condition and needs of the child who is the subject of the proceeding, including the need for a secure and stable home.

(b) ~~A surrender~~ Surrender of rights of a living parent pursuant to ~~subsection (a) of Code Section 19-8-6 or 19-8-7~~ shall not be required as a prerequisite to the filing granting of a petition for adoption of a child of ~~that~~ such living parent pursuant to Code Section 19-8-13, ~~if that~~ when the court determines by clear and convincing evidence that the parent, for a period of one year or longer immediately prior to the filing of the petition for adoption, without justifiable cause, has significantly failed:

- (1) To communicate or to make a bona fide attempt to communicate with that child in a meaningful, supportive, parental manner; or
- (2) To provide for the care and support of that child as required by law or judicial decree,

and the court is of the opinion that the adoption is ~~for~~ in the best interests of that child, after considering the physical, mental, emotional, and moral condition and needs of the child who is the subject of the proceeding, including the need for a secure and stable home.

(c)(1) Whenever it is alleged by any petitioner that surrender or termination of rights of a living parent is not a prerequisite to the ~~filine~~ granting of a petition for adoption of a child of ~~that~~ such parent in accordance with subsection (a) or (b) of this Code section, ~~that~~ such parent shall be personally served with a conformed copy of the adoption petition, together with a copy of the court's order thereon specified in Code Section 19-8-14, or, if personal service cannot be perfected, notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, by registered or certified mail or statutory overnight delivery, return receipt requested, or statutory overnight delivery, one-day service not required, at his or her last known address. If service cannot be made by ~~either~~ of these methods, ~~that~~ such parent shall be given notice by publication once a week for three weeks in the official organ of the county where ~~the~~ such petition has been filed and of the county of his or her last known address. In the interest of time, publication may be initiated simultaneously with efforts to perfect service personally, by registered mail, or by statutory overnight delivery. The court shall continue to have the inherent authority to determine the sufficiency of service. A parent who receives notification pursuant to this paragraph ~~may~~ shall not be a party to the adoption and shall have no obligation to file an answer, but shall have the right to appear in the pending adoption ~~action~~ proceeding and show cause why such parent's rights to the child sought to be adopted in that action who is the subject of the proceeding should not be terminated by that adoption. Notice shall be deemed to have been received ~~the~~ on the earliest date:

~~(1)~~(A) Personal service is perfected;

~~(2)~~(B) Of delivery shown on the return receipt of registered ~~or certified~~ mail or proof of delivery by statutory overnight delivery; or

~~(3)~~(C) Of the last publication.

(2) No prior order of court shall be required to publish notice pursuant to this Code section; provided, however, that before publication may be relied upon as a means of service, it shall be averred that, after diligent efforts, service could not be perfected personally, by registered mail, or by statutory overnight delivery.

(d) Consistent with the requirement of paragraph (7) of subsection (a) of Code Section 19-8-13, when the petitioner is seeking to involuntarily terminate the rights of a parent as a prerequisite to the granting of the petition for adoption, the petitioner shall, in lieu of obtaining and attaching those otherwise required surrenders of rights, acknowledgments, and affidavits, allege facts in the petition seeking to involuntarily terminate parental rights that demonstrate the applicability of the grounds set forth in subsection (a) or (b), or both, of this Code section and shall also allege compliance with subsection (c) of this Code section.

19-8-11.

(a)(1) In those cases ~~where~~ when the department, ~~or~~ a child-placing agency, or an out-of-state licensed agency has ~~either~~ obtained:

~~(A)~~ The the voluntary written surrender of all parental rights from one of the parents or the guardian of a child; or

~~(B) An order of~~ has obtained an order from a court of competent jurisdiction terminating all of the rights of one of the parents or the guardian of a child, the such department, or child-placing agency, or out-of-state licensed agency may in contemplation of the placement of such child for adoption petition the superior court of the county where the child resides of the child's domicile, of the county where the child was born, of the county in which is located the principal office of the child-placing agency having legal custody of the child, or of the county in which is located the office of the department having legal custody of the child to terminate the parental rights of the remaining parent pursuant to this Code section.

(2) In those cases ~~where a person~~ when a child has been placed in compliance with Chapter 4 of Title 39, and the individual who is the resident of another state has obtained the voluntary written surrender of all parental rights from one of the parents or the guardian of a child, each such ~~person~~ individual to whom the child has been surrendered may in contemplation of the adoption of such child in such other state petition the superior court of the county where the child ~~resides~~ was born or of Fulton County to terminate the parental rights of the remaining parent pursuant to this Code section.

(3)(A) Parental rights may be terminated pursuant to paragraph (1) or (2) of this subsection when the court determines by clear and convincing evidence that the:

~~(A)(i)~~ (i) Child has been abandoned by that parent;

~~(B)(ii)~~ (ii) Parent of the child cannot be found after a diligent search has been made;

~~(C)(iii)~~ (iii) Parent is insane or otherwise incapacitated from surrendering such rights;

~~(D)(iv)~~ (iv) Parent caused his child to be conceived as a result of having nonconsensual sexual intercourse with the biological mother of his child or when the biological mother is less than ten years of age; or

~~(E)(v)~~ (v) Parent, without justifiable cause, has failed to exercise proper parental care or control due to misconduct or inability, as set out in paragraph (3), (4), or (5) of subsection (a) of Code Section 15-11-310, ~~and the court.~~

(B) If the court determines that a circumstance described in subparagraph (A) of this paragraph has been met, it shall set the matter down to be heard in chambers not less than 30 and not more than 60 days following the receipt by such remaining parent of the notice under subsection (b) of this Code section and shall enter an order terminating such parental rights if it so finds and if it is of the opinion that adoption is in the best interests of the child, after considering the physical, mental, emotional, and moral condition and needs of the child who is the subject of the proceeding, including the need for a secure and stable home.

(b)(1) Whenever a petition to terminate parental rights is filed pursuant to subsection (a) of this Code section, the parent whose rights the petitioner is seeking to terminate shall be personally served with a conformed copy of the petition, to terminate parental rights and a copy of the court's order setting forth the date upon which the such petition shall be considered or, if personal service cannot be perfected, notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, by registered or certified mail or statutory overnight delivery, return

receipt requested, or statutory overnight delivery, one-day service not required, at his or her last known address. If service cannot be made by ~~either of~~ these methods, ~~that~~ such parent shall be given notice by publication once a week for three weeks in the official organ of the county where ~~the~~ such petition has been filed and of the county of his or her last known address. In the interest of time, publication may be initiated simultaneously with efforts to perfect service personally, by registered mail, or by statutory overnight delivery. The court shall continue to have the inherent authority to determine the sufficiency of service. A parent who receives notification pursuant to this ~~subsection may appear~~ paragraph shall not be a party to the adoption and shall have no obligation to file an answer, but shall have the right to appear in the pending termination of parental rights proceeding and show cause why such parent's rights to the child ~~sought to be placed for adoption~~ who is the subject of the proceeding should not be terminated. Notice shall be deemed to have been received ~~the~~ on the earliest date:

~~(1)~~(A) Personal service is perfected;

~~(2)~~(B) Of delivery shown on the return receipt of registered ~~or certified~~ mail or proof of delivery by statutory overnight delivery; or

~~(3)~~(C) Of the last publication.

(2) No prior order of court shall be required to publish notice pursuant to this Code section; provided, however, that before publication may be relied upon as a means of service, it shall be averred that, after diligent efforts, service could not be perfected personally, by registered mail, or by statutory overnight delivery.

19-8-12.

(a) The General Assembly finds that:

(1) The state has a compelling interest in promptly providing stable and permanent homes for adoptive children, and in preventing the disruption of adoptive placements;

(2) Adoptive children have a right to permanence and stability in adoptive placements;

(3) Adoptive parents have a constitutionally protected liberty and privacy interest in retaining custody of children placed with them for adoption;

(4) A biological father who is not ~~the~~ a legal father may have an interest in his biological child. This inchoate interest is lost by failure to develop a familial bond with the child and acquires constitutional protection only if ~~the~~ a biological father who is not ~~the~~ a legal father develops a familial bond with the child;

(5) The subjective intent of a biological father who is not a legal father, whether expressed or otherwise, unsupported by evidence of acts manifesting such intent, shall not preclude a determination that ~~the~~ a biological father who is not a legal father has failed to develop a familial bond with the child; and

(6) A man who has engaged in a nonmarital sexual relationship with a woman is deemed to be on notice that a pregnancy and adoption proceeding regarding a child may occur and has a duty to protect his own rights and interests in that child. He is therefore entitled to notice of an adoption proceeding only as provided in this Code

section.

(b) If there is a biological father who is not ~~the~~ a legal father of a child and he has not executed a surrender of rights as specified in paragraph (2) of subsection (e) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 or paragraph (3) of subsection (e) of Code Section 19-8-4, 19-8-5, or 19-8-7, he shall be notified of adoption proceedings regarding the child in the following circumstances:

(1) If his identity is known to the petitioner, department, ~~or licensed child-placing agency, or out-of-state licensed agency~~ or to the attorney for ~~the petitioner, department, or licensed child-placing agency~~ such individual or entity;

(2) If he is a registrant on the putative father registry who has acknowledged paternity of the child in accordance with subparagraph (d)(2)(A) of Code Section 19-11-9; or

(3) If he is a registrant on the putative father registry who has indicated possible paternity of ~~a child of the child's mother~~ the child during a period beginning two years immediately prior to the child's date of birth in accordance with subparagraph (d)(2)(B) of Code Section 19-11-9; ~~or~~

~~(4) If the court finds from the evidence, including but not limited to the affidavit of the mother specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 in the form provided in subsection (h) of Code Section 19-8-26, that such biological father who is not the legal father has performed any of the following acts:~~

~~(A) Lived with the child;~~

~~(B) Contributed to the child's support;~~

~~(C) Made any attempt to legitimate the child; or~~

~~(D) Provided support or medical care for the mother either during her pregnancy or during her hospitalization for the birth of the child.~~

(c)(1) Notification provided for in subsection (b) of this Code section shall be given to a biological father who is not a legal father by the following methods:

~~(1)(A) Notwithstanding subsection (a) of Code Section 9-10-12 which authorizes the use of certified mail, registered mail Registered or certified mail or statutory overnight delivery, return receipt requested, or statutory overnight delivery, one-day service not required,~~ at his last known address, which notice shall be deemed received upon the date of delivery shown on the return or delivery receipt;

~~(2)(B) Personal service, which notice shall be deemed received when personal service is perfected; or~~

~~(3)(C) Publication once a week for three weeks in the official organ of the county where the adoption petition has been filed and of the county of his last known address, which notice shall be deemed received upon the date of the last publication.~~

(2) If feasible, the methods specified in paragraph (1) or (2) subparagraph (A) or (B) of paragraph (1) of this subsection shall be used before publication; provided, however, that in the interest of time, publication may be initiated simultaneously with efforts to perfect service personally, by registered mail, or by statutory overnight delivery.

(3) No prior order of court shall be required to publish notice pursuant to this Code

section; provided, however, that before publication may be relied upon as a means of service, it shall be averred that, after diligent efforts, service could not be perfected personally, by registered mail, or by statutory overnight delivery.

(d)(1) When ~~Where~~ the rights of a parent or guardian of a child have been surrendered or terminated in accordance with subsection (a) of Code Section 19-8-4 or the child does not have a living parent or guardian, the department, ~~or~~ a child-placing agency, or out-of-state licensed agency may file, under the authority of this paragraph, a petition to terminate ~~such a~~ biological father's rights to the child with the superior court of the county ~~where the child resides~~ of the child's domicile, of the county where the child was born, of the county in which is located the principal office of the child-placing agency having legal custody of the child, or of the county in which is located the office of the department having legal custody of the child.

(2) When ~~Where~~ the rights of a parent or guardian of a child have been surrendered in accordance with subsection (a) of Code Section 19-8-5, 19-8-6, or 19-8-7 ~~or~~, the child does not have a living parent or guardian, a consent to adopt has been executed pursuant to paragraph (2) of subsection (a) of Code Section 19-8-6, or the petitioner is seeking to involuntarily terminate parental rights pursuant to Code Section 19-8-10, the petitioner shall file, under the authority of this paragraph, with the superior court ~~either~~ of the county of the child's domicile or of the county where the child was born a motion, if a petition for adoption of the child has previously been filed with the court, or a petition to terminate ~~such a~~ biological father's rights to the child.

(3) When ~~Where~~ a petition or motion is filed pursuant to paragraph (1) or (2) of this subsection, the court shall, within 30 days from the date of receipt of the notice required by subsection (b) of this Code section or, when no notice is required to be given, from the date of such filing, conduct a hearing in chambers to determine the facts in the matter. ~~The court shall be authorized to consider the affidavit of the mother specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, as applicable, in making its determination pursuant to this paragraph. If the court finds from the evidence that such biological father has not performed any of the following acts:~~

~~(A) Lived with the child;~~

~~(B) Contributed to the child's support;~~

~~(C) Made any attempt to legitimate the child; or~~

~~(D) Provided support or medical care for the mother, either during her pregnancy or during her hospitalization for the birth of the child, and~~

(4) Unless the identity of a biological father is known to the petitioner, department, child-placing agency, or out-of-state licensed agency or to the attorney for such individual or entity such that he is entitled to notice of the proceedings as provided in this Code section, when the petitioner provides a certificate as ~~of the date of the petition or the motion, as the case may be,~~ from the putative father registry stating that there is no entry registrant identified on the putative father registry ~~either~~ acknowledging paternity of the child or indicating possible paternity of ~~a child of the child's mother~~ the child for a period beginning no later than two years immediately

prior to the child's date of birth, then it shall be rebuttably presumed that ~~the~~ an unnamed biological father who is not ~~the~~ a legal father is not entitled to notice of the proceedings. Absent evidence rebutting the presumption, then no further inquiry or notice shall be required by the court and the court shall enter an order terminating the rights of such unnamed biological father to the child.

(e) When notice is to be given pursuant to subsection (b) of this Code section, it shall advise such biological father who is not ~~the~~ a legal father that he loses all rights to the child and will neither receive notice nor be entitled to object to the adoption of the child unless, within 30 days of receipt of such notice, he files:

(1) A petition to legitimate the child pursuant to Code Section 19-7-22 as a separate civil action; ~~and~~

(2) Notice of the filing of the petition to legitimate with the court in which the action under this Code section, if any, is pending; and

(3) Notice of the filing of the petition to legitimate to the person or agency who provided such notice to such biological father.

(f) A biological father who is not ~~the~~ a legal father ~~loses~~ shall lose all rights to the child and the court shall enter an order terminating all ~~such father's~~ of his rights to the child and ~~such father may~~ he shall not thereafter be allowed to object to the adoption and is ~~not~~ shall not be entitled to receive further notice of the adoption if, within 30 days from his receipt of the notice provided for in subsection (b) of this Code section, he:

(1) Does not file a legitimation petition and give notice as required in subsection (e) of this Code section;

(2) Files a legitimation petition which is subsequently dismissed for failure to prosecute; or

(3) Files a legitimation petition and the action is subsequently concluded without a court order granting such petition and declaring a finding that he is ~~the~~ a legal father of the child.

(g) If an alleged biological father who is not a legal father files a legitimation petition after the mother of such child has surrendered her parental rights, the court shall be authorized to consider the affidavit of the mother specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, as applicable. If the court finds from the evidence that such biological father has not lived with the child, contributed to the child's support, or provided support or medical care during the mother's pregnancy or hospitalization for the birth of such child, there shall be a rebuttable presumption that the biological father abandoned his opportunity interest to legitimate such child and may deny his petition for legitimation. Such biological father shall not thereafter be allowed to object to the adoption nor be entitled to receive further notice of the adoption proceedings.

~~(g)~~(h) If the child is legitimated by his or her biological father, the adoption shall not be permitted except as provided in Code Sections 19-8-4 through 19-8-7.

~~(h)~~(i) If the child is legitimated by his or her biological father and in the subsequent adoption proceeding the petition for adoption is ~~either withdrawn~~ revoked with prejudice or denied by the court, then a ~~surrender of parental rights~~ final release for

~~adoption~~ SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION executed by ~~the a~~ legal mother pursuant to ~~the provisions of~~ subsection (a) of Code Section 19-8-4, 19-8-5, or 19-8-7 shall be dissolved by operation of law and her parental rights shall be restored to her. The fact that ~~the a~~ legal mother executed a ~~surrender of parental rights final release for adoption~~ SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION, now dissolved, shall not be admissible as evidence in any proceedings against the a legal mother in any proceeding against her.

19-8-13.

(a) The petition for adoption, duly verified, together with one conformed copy thereof, ~~must~~ shall be filed with the clerk of the superior court having jurisdiction and shall conform to the following guidelines:

(1) The petition for adoption shall set forth:

(A) The name, age, date and place of birth, marital status, and place of residence of each petitioner;

(B) The name by which the child is to be known should the adoption ultimately be completed;

(C) The sex, date and place of birth, and citizenship or immigration status of the child, and the sex of if the child is neither a United States citizen nor a lawful permanent resident of the United States on the date such petition is filed, the petitioner shall explain how such child will be able to obtain lawful permanent resident status;

(D) The date and circumstances of the placement of the child with each petitioner;

(E) Whether the child is possessed of any property and, if so, a full and complete description thereof;

(F) Whether the child has one or both parents or his or her biological father who is not ~~the a~~ legal father living; ~~and~~

(G) Whether the child has a guardian: and, if so, the name of the guardian and the name of the court that appointed such guardian;

(H) Whether the child has a legal custodian and, if so, the name of the legal custodian and the name of the court that appointed such custodian; and

(I) Whether each petitioner or his or her attorney is aware of any other adoption proceeding pending to date, in this or any other state or country, regarding the child who is the subject of the proceeding that is not fully disclosed in such petition and whether each petitioner or his or her attorney is aware of any individual who has or claims to have physical custody of or visitation rights with the child who is the subject of the proceeding whose name and address and whose custody or visitation rights are not fully disclosed in such petition. Each petitioner and his or her attorney shall have a continuing duty to inform the court of any proceeding in this or any other state or country that could affect the adoption proceeding or the legal custody of or visitation with the child who is the subject of the proceeding;

(2) ~~Where~~ When the adoption is pursuant to subsection (a) of Code Section 19-8-4, the following shall be provided or attached to the petition for adoption or its absence

explained when the petition for adoption is filed:

(A) If the adoption is pursuant to:

(i) Paragraph (1) of such Code section, a copy of the written voluntary surrender of rights of each parent or guardian specified in subsection (e) of Code Section 19-8-4 and a copy of the written acknowledgment of surrender of rights specified in subsection (f) of Code Section 19-8-4; or

(ii) Paragraph (2) of such Code section, a certified copy of the order entered by a court of competent jurisdiction terminating parental rights of the parent and committing the child to the department, child-placing agency, or out-of-state licensed agency;

(B) A copy of the affidavits specified in subsections (g) and (h) of Code Section 19-8-4;

~~(A)~~(C) An original affidavit from the department or a child-placing agency stating that all of the requirements of Code Sections 19-8-4 and 19-8-12 have been complied with and that the child is legally available for adoption or, in the case of a placement by an out-of-state licensed agency, that the comparable provisions dealing with the termination of parental rights of the parents and of a biological father who is not a legal father of the child have been complied with under the laws of the state or country in which the out-of-state licensed agency is licensed and that the child is legally available for adoption thereunder;

~~(B)~~(D) The original written consent of the department, child-placing agency, or out-of-state licensed agency to the adoption;

~~(C)~~(E) Uncertified copies of appropriate certificates or forms verifying the allegations contained in such petition as to guardianship of the child, including, but not limited to, the marriage of each petitioner, the death of each parent in lieu of a surrender of his or her parental rights, and A copy of the appropriate form verifying the allegation of compliance with the requirements of Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children; and

~~(D)~~(F) A completed form containing background information regarding the child to be adopted, as required by the adoption unit of the department, or an equivalent medical and social history background form;

(3) When ~~Where~~ the adoption is pursuant to subsection (a) of Code Section 19-8-5, the following shall be provided or attached to the petition for adoption or its absence explained when the petition for adoption is filed:

(A) The original written voluntary surrender of rights of each parent, biological father who is not a legal father, or guardian specified in subsection (e) of Code Section 19-8-5;

(B) The original written acknowledgment of surrender of rights specified in subsection (f) of Code Section 19-8-5;

(C) The original affidavits specified in subsections (g) and (h) of Code Section 19-8-5;

(D) A copy of the appropriate form verifying the allegation Allegations of compliance with Code Section 19-8-12 and the original certification evidencing the

search of the putative father registry;

~~(E) Allegations of compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children;~~

~~(F)~~(E) The original accounting required by subsection (c) of this Code section;

~~(G)~~(F) Uncertified copies ~~Copies~~ of appropriate certificates or forms verifying the allegations contained in ~~the~~ such petition as to guardianship ~~or~~ custody of the child, including, but not limited to, the marriage of each petitioner, the ~~divorce~~ or death of each parent ~~of the child~~ in lieu of a surrender of his or her parental rights, and compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children;

~~(H)~~(G) A completed form containing background information regarding the child ~~to be adopted~~, as required by the adoption unit of the department, or an equivalent medical and social history background form; and

~~(I)~~(H) A copy of the home study report;:

(4) When ~~Where~~ the adoption is pursuant to subsection (a) of Code Section 19-8-6, the following shall be provided or attached to the petition for adoption or its absence explained when the petition for adoption is filed:

(A) The original written voluntary surrender of ~~the parent~~ rights of each parent, biological father who is not a legal father, or guardian specified in subsection (e) of Code Section 19-8-6;

(B) The original written acknowledgment of surrender of rights specified in subsection (f) of Code Section 19-8-6;

(C) The original affidavits specified in subsections (g) and (h) of Code Section 19-8-6;

(D) The original consent specified in subsection (j) of Code Section 19-8-6;

(E) A copy of the appropriate form verifying the allegation ~~Allegations~~ of compliance with Code Section 19-8-12 and the original certification evidencing the search of the putative father registry;

(F) Uncertified copies ~~Copies~~ of appropriate certificates or forms verifying the allegations contained in ~~the~~ such petition as to guardianship of the child ~~sought to be adopted~~, including, but not limited to, the birth of the child ~~sought to be adopted~~, the marriage of each petitioner, and the ~~divorce~~ or death of each parent ~~of the child sought to be adopted~~; and in lieu of a surrender of his or her parental rights; and

(G) A completed form containing background information regarding the child ~~to be adopted~~, as required by the adoption unit of the department, or an equivalent medical and social history background form;

(5) When ~~Where~~ the adoption is pursuant to subsection (a) of Code Section 19-8-7, the following shall be provided or attached to the petition for adoption or its absence explained when the petition for adoption is filed:

(A) The original written voluntary surrender of rights of each parent or biological father who is not a legal father specified in subsection (e) of Code Section 19-8-7;

(B) The original written acknowledgment of surrender of rights specified in subsection (f) of Code Section 19-8-7;

(C) The original affidavits specified in subsections (g) and (h) of Code Section 19-8-7;

(D) A copy of the appropriate form verifying the allegation Allegations of compliance with Code Section 19-8-12 and the original certification evidencing the search of the putative father registry;

(E) Uncertified copies Copies of appropriate certificates or forms verifying allegations contained in the petition as to guardianship or custody of the child sought to be adopted, and the birth of the child sought to be adopted, including but not limited to, the marriage of each petitioner, and the divorce or the death of each parent of the child sought to be adopted; and in lieu of a surrender of his or her parental rights, and compliance with Chapter 4 of Title 39, relating to the Interstate Compact on the Placement of Children;

(F) A completed form containing background information regarding the child to be adopted, as required by the adoption unit of the department, or an equivalent medical and social history background form;

(6)(A) When Where the adoption is pursuant to subsection (a) of Code Section 19-8-8, the following shall be provided or attached or its absence explained to the petition for adoption when the petition for adoption is filed:

~~(i) A certified copy of the final decree of adoption from the foreign country along with a verified English translation. The translator shall provide a statement regarding his qualification to render the translation, his complete name, and his current address. Should the current address be a temporary one, his permanent address shall also be provided;~~

~~(ii) A verified copy of the visa granting the child entry to the United States;~~

~~(iii) A certified copy along with a verified translation of the child's amended birth certificate or registration showing each petitioner as parent; and~~

~~(iv) A copy of the home study which was completed for United States Immigration and Naturalization Service.~~

(i) A copy of the child's passport page showing an immediate relative immigrant visa or Hague Convention immigrant visa obtained to grant the child entry into the United States as a result of a full and final adoption in the foreign country; and

(ii) A copy along with an English translation of the child's birth certificate or registration.

~~(B) It is not necessary to file copies of surrenders or termination on any parent or biological father who is not the legal father when the petition is filed pursuant to paragraph (1) of Code Section 19-8-8.~~

(B) Because the issuance of an immediate relative immigrant visa or Hague Convention immigrant visa by the United States Department of State in the child's passport is prima-facie evidence that all parental rights have been terminated and that the child is legally available for adoption, it shall not be necessary to file any documents related to the surrender or termination of the parental rights of the child's parents or comply with Code Section 19-8-12 regarding the rights of a biological father who is not a legal father when the petition for adoption is filed pursuant to

subsection (a) of Code Section 19-8-8.

(C) When the adoption is pursuant to subsection (b) of Code Section 19-8-8, the following shall be provided or attached to the petition for adoption when the petition for adoption is filed:

- (i) A copy along with an English translation of the final decree or order of guardianship from the foreign country;
- (ii) Copies of all postplacement reports, if required by the foreign country that entered the guardianship decree or order;
- (iii) Authorization to proceed with adoption if specifically required by the decree or order entered by the court or administrative agency in the foreign country;
- (iv) A copy of the child's passport page showing an immediate relative immigrant visa or Hague Convention immigrant visa obtained to grant the child entry into the United States in order to finalize his or her adoption; and
- (v) A copy along with an English translation of the child's birth certificate or registration;

(7) When ~~Where~~ Code Section 19-8-10 is applicable, parental rights need not be surrendered or terminated prior to the filing of the petition for adoption; but ~~any~~ the petitioner shall, in lieu of obtaining and attaching those otherwise required surrenders of rights, acknowledgments, and affidavits, allege facts in the petition for adoption demonstrating the applicability of subsection (a) or (b), or both, of Code Section 19-8-10 and shall also allege compliance with subsection (c) of Code Section 19-8-10; and
 (8) If the petition for adoption is filed in a county other than that of the ~~petitioners'~~ petitioner's residence, the reason therefor ~~must also~~ shall be set forth in the such petition.

(b) At the time of filing the petition for adoption, the petitioner shall deposit with the clerk the deposit required by Code Section 9-15-4; the fees shall be those established by Code Sections 15-6-77, ~~and~~ 15-6-77.1, and 15-6-77.2.

(c) Each petitioner for adoption in any proceeding for the adoption of a ~~minor~~ child pursuant to ~~the provisions of~~ Code Section 19-8-5 shall file with the petition for adoption, in a manner acceptable to the court, a report fully accounting for all disbursements of anything of value made or agreed to be made, directly or indirectly, by, on behalf of, or for the benefit of the petitioner in connection with the adoption, including, but not limited to, any expenses incurred in connection with:

- (1) The birth of the ~~minor~~ child;
- (2) Placement of the ~~minor~~ child with the petitioner;
- (3) Counseling services or legal services for a legal mother;
- (4) Reasonable expenses for the biological mother as set forth in subparagraph (c)(1)(C) or (c)(1)(D) of Code Section 19-8-24;
- ~~(3)~~(5) Medical or hospital care received by the biological mother or by the ~~minor~~ child during the such mother's prenatal care and confinement; and
- ~~(4)~~(6) Services relating to the adoption or to the placement of the ~~minor~~ child for adoption which were received by or on behalf of the petitioner, either ~~natural~~ biological parent of the ~~minor~~ child, or any other ~~person~~ individual.

(d) Every attorney for a petitioner in any proceeding for the adoption of a ~~minor~~ child pursuant to ~~the provisions of~~ Code Section 19-8-5 shall file, in a manner acceptable to the court, before the decree of adoption is entered, an affidavit detailing all sums paid or promised to that attorney, directly or indirectly, from whatever source, for all services of any nature rendered or to be rendered in connection with the adoption; provided, however, that, if the attorney received or is to receive less than \$500.00, the affidavit need only state that fact.

(e) Any report made under this Code section ~~must~~ shall be signed ~~and verified~~ under oath and in the presence of a notary public by the individual making the report.

(f)(1) As used in this subsection, the term 'family member' shall have the same meaning as set forth in Code Section 19-7-3.

(2) Whenever a ~~petitioner is a blood relative of the child to be adopted and a~~ family member other than the petitioner has visitation rights to ~~the~~ such child granted pursuant to Code Section 19-7-3, the petitioner shall cause a copy of the petition for adoption to be served upon the family member with the visitation rights or upon such person's family member's counsel of record at least 30 days prior to the date upon which the petition for adoption will be considered as such time frames are set forth in Code Section 19-8-14.

(g) Notwithstanding ~~the provisions of~~ Code Sections 19-8-5 and 19-8-7 and this Code section which require obtaining and attaching a written voluntary surrender of rights and acknowledgment thereof and affidavits of ~~the~~ a legal mother and a representative of the petitioner or of the individual signing such surrender, when the adoption is sought under subsection (a) of Code Section 19-8-5 or 19-8-7 following the termination of parental rights and the placement of the child by the juvenile court pursuant to Code Section 15-11-321, obtaining and attaching to the petition for adoption a certified copy of the order terminating parental rights of the parent shall take the place of obtaining and attaching those otherwise required surrenders of rights, acknowledgments, and affidavits.

(h)(1) A petition for adoption regarding a child ~~or children~~ who ~~have~~ has a living biological father who is not ~~the~~ a legal father and who has not surrendered his rights to the child ~~or children~~ shall include a certificate from the putative father registry disclosing the name, address, and social security number of any registrant acknowledging paternity of the child ~~or children~~ pursuant to subparagraph (d)(2)(A) of Code Section 19-11-9 or indicating the possibility of paternity of ~~a child of the child's mother~~ such child pursuant to subparagraph (d)(2)(B) of Code Section 19-11-9 for a period beginning no later than two years immediately prior to the child's date of birth. Such certificate shall indicate the results of a search of the registry on or after the earliest of the following:

(1)(A) The date of ~~the~~ a legal mother's surrender of parental rights;

(2)(B) The date of entry of the court order terminating ~~the~~ a legal mother's parental rights; or

(3)(C) The date of ~~the~~ a legal mother's consent to adoption pursuant to Code Section 19-8-6; ~~or~~

~~(4) The date of the filing of the petition for adoption, in which case the certificate may be filed as an amendment to the petition for adoption.~~

(2) Such certificate shall include a statement that the registry is current as of the earliest date listed in ~~paragraphs (1) through (4)~~ subparagraphs (A) through (D) of paragraph (1) of this subsection, or as of a specified date that is later than the earliest such date.

(3) When a legal mother of the child who is the subject of the proceeding identifies her husband as the biological father of the child and he has executed a surrender of his parental rights in favor of the petitioner, the petitioner shall obtain a certificate from the putative father registry and submit it with the petition for adoption to confirm that no male other than the legal mother's husband has expressed an interest in the child or to identify a registrant other than the legal mother's husband who shall be notified pursuant to Code Section 19-8-12.

(i) Because adoption records are sealed pursuant to subsection (a) of Code Section 19-8-23, it shall not be necessary to redact social security numbers, taxpayer identification numbers, financial account numbers, or dates of birth from pleadings and all documents filed therewith that are filed pursuant to this article as they are deemed to be a filing under seal under subsection (d) of Code Section 9-11-7.1.

19-8-14.

(a) It is the policy of this state that, in the best ~~interest~~ interests of the child, uncontested adoption petitions ~~should~~ shall be heard as soon as possible but not later than 120 days after the date of filing, unless the petitioner has failed to arrange for the court to receive the report required by ~~the provisions of~~ Code Section 19-8-16 or has otherwise failed to provide the court with all exhibits, surrenders of rights, or certificates required by this ~~chapter~~ article within that time period. It is the policy of this state that, in contested adoption petitions, the parties shall make every effort to have the petition considered by the court as soon as practical after the date of filing, taking into account the circumstances of the petition and the best ~~interest~~ interests of the child.

(b) Upon the filing of the petition for adoption, accompanied by the filing fee unless such fee is waived, it shall be the responsibility of the clerk to accept ~~the~~ such petition as filed. Such petition shall not be subject to court approval before it is filed.

(c) Upon the filing of the petition for adoption, the court shall fix a date upon which ~~the~~ such petition shall be considered, which date shall be not less than 45 days from the date of the filing of ~~the~~ such petition and shall not be less than 30 days following the last date a parent or biological father is deemed to have received service of notice as required in those cases when Code Section 19-8-10 or 19-8-12, or both, is applicable.

(d) Notwithstanding ~~the provisions of~~ subsections (a) and (c) of this Code section, it shall be the petitioner's responsibility to request that the court hear the petition for adoption on a date that allows sufficient time for fulfillment of the notice requirements of ~~Code Section 19-8-10 and Code Section 19-8-12, where~~ Code Sections 19-8-10 and 19-8-12, when applicable.

(e) In the best ~~interest~~ interests of the child, the court may hear the petition for adoption less than 45 days from the date of its filing upon a showing by the petitioner that ~~either~~ no further notice is required or ~~that~~ any statutory requirement of notice to any ~~person~~ individual will be fulfilled at an earlier date, and provided that any report required by Code Section 19-8-16 has been completed or will be completed at an earlier date.

(f) The court in the child's best ~~interest~~ interests may grant such expedited hearings or continuances as may be necessary for completion of applicable notice requirements, investigations, a home study, and reports or for other good cause shown.

(g) Copies of the petition for adoption and all documents filed in connection therewith, including, but not limited to, the order fixing the date upon which ~~the~~ such petition shall be considered, motions, other pleadings filed, all orders entered in connection with such petition, and all exhibits, surrenders of rights, or certificates required by this ~~chapter~~ article, shall be forwarded by the clerk to the department within 15 days after the date of ~~the~~ such filing ~~of the petition for adoption~~ for retention by the State Adoption Unit of the department.

(h) Copies of the petition for adoption, the order fixing the date upon which ~~the~~ such petition shall be considered, and all exhibits, surrenders of rights, or certificates required by this ~~chapter~~ article shall be forwarded by the clerk to the ~~child placing agency or other~~ agent appointed by the court pursuant to ~~the provisions of~~ Code Section 19-8-16 within 15 days after the filing of the petition for adoption, together with a request that a report and investigation be made as required by ~~law~~ Code Section 19-8-16.

(i) The clerk of court shall provide the petitioner or his or her attorney with a copy of the petition for adoption and of each amendment, motion, and other pleading filed with a stamp confirming the date each pleading was filed with the court and shall also provide the petitioner or his or her attorney with a copy of each order entered by the court in the adoption proceeding, confirming the date the order was filed of record by the court. ~~Copies of all motions, amendments, and other pleadings filed and of all orders entered in connection with the petition for adoption shall be forwarded by the clerk to the department within 15 days after such filing or entry.~~

19-8-15.

(a) As used in this Code section, the term 'family member' shall have the same meaning as set forth in Code Section 19-7-3.

(b) ~~If the child sought to be adopted has no legal father or legal mother living~~ If a legal mother and biological father, whether he was a legal father or not, of the child who is the subject of the proceeding are both deceased, regardless of whether either individual had surrendered his or her parental rights or had his or her rights terminated, it shall be the privilege of any ~~person~~ individual related by blood to ~~the~~ such child to file objections to the petition for adoption.

(c) A family member with visitation rights to a child granted pursuant to Code Section 19-7-3 shall have the privilege to file objections to the petition ~~of~~ for adoption if neither parent has any further rights to the child and if the petition for adoption has been filed

by a blood relative of the child. The court, after hearing such objections, shall determine, in its discretion, whether or not ~~the same~~ such objections constitute a good reason for denying the petition for adoption and the court shall have the authority to grant or continue such visitation rights of the family member of the child in the adoption order in the event the adoption by the blood relative is approved by the court.

19-8-16.

(a) Prior to the date set by the court for a hearing on the petition for adoption, it shall be the duty of ~~a child-placing agency~~ the agent appointed by the court ~~or any other independent agent appointed by the court~~ to verify the allegations in the petition for adoption, to make a complete and thorough investigation of the entire matter, including ~~a criminal records check of each petitioner~~ any specific issue the court requests to be investigated, and to report its findings and recommendations in writing to the court where the petition for adoption was filed. The agent may be the department, a child-placing agency, an evaluator, or an individual who the court determines is qualified to conduct the required investigation. ~~The department, child placing agency, or other independent agent~~ appointed by the court shall also provide the petitioner or his or her attorney for petitioner with a copy of the its report to the court. If for any reason the ~~child-placing agency or other agent appointed by the court~~ finds itself unable to make or arrange for the proper investigation and report, it shall be the duty of the ~~agency or agent~~ to notify the court immediately, or at least within 20 days after receipt of the request for investigation service, that it is unable to make the report and investigation, so that the court may take such other steps as in its discretion are necessary to have the ~~entire matter investigated~~ investigation and report prepared. The investigation required by this Code section shall be in addition to the requirement of a home study in the case of a petition for adoption filed pursuant to subsection (a) of Code Section 19-8-5.

(b) If the petition for adoption has been filed pursuant to subsection (a) of Code Section 19-8-6 or 19-8-7, the court ~~is~~ shall be authorized but shall not be required to appoint ~~a child-placing agency or other independent~~ an agent to make an investigation ~~in whatever form the court specifies~~ pursuant to subsection (a) of this Code section; provided, however, that a home study shall not be required.

(c)(1) If the petition for adoption has been filed pursuant to Code Section 19-8-8, ~~or if the department has conducted an investigation and has consented to the adoption, an investigation~~ the appointment of an agent to make an investigation and render a report pursuant to subsection (a) of this Code section shall not be required.

(2) If the petition for adoption has been filed pursuant to Code Section 19-8-4 and the department or child-placing agency has consented to the adoption, the appointment of an agent to make an investigation and render a report pursuant to subsection (a) of this Code section shall not be required.

(d) The court shall require the petitioner to submit to a criminal history records check. The petitioner shall submit his or her fingerprints to the Georgia Crime Information Center with the appropriate fee. The center shall promptly transmit the fingerprints to the Federal Bureau of Investigation for a search of bureau records and shall obtain an

appropriate report. The Georgia Crime Information Center shall also promptly conduct a search of its records and any records to which it has access. The center shall notify the court in writing of the presence or absence of any ~~derogatory finding, including but not limited to any conviction data, regarding the~~ criminal record from the state fingerprint records check. In those cases when the petitioner has submitted a fingerprint based criminal history report that includes the results of a records search of both the Georgia Crime Information Center and the Federal Bureau of Investigation to the department, child-placing agency, or evaluator as part of the home study and such results are dated within 12 months of filing of the petition for adoption and are included in the home study report filed with or otherwise made available to the court, such results shall satisfy the requirements of this subsection. Because the court shall not be authorized to share the results of the fingerprint records check with the agent appointed by the court pursuant to subsection (a) or (e) of this Code section, the court shall determine the acceptability of the petitioner's criminal history, inform the petitioner or his or her attorney at least five days prior to the final hearing on the petition for adoption if the court will require additional evidence with respect to the petitioner's criminal history or if the court is inclined to deny such petition because of such criminal history, and afford the petitioner or his or her attorney an opportunity to present evidence as to why the petitioner's criminal history should not be grounds for denial of such petition.

~~(e) The court may appoint the department to serve as its agent to conduct the investigation required by this Code section if an appropriate child placing agency or independent agent is not available. If for any reason the department finds itself unable to make or arrange for the proper investigation and report, it shall be the duty of the commissioner of human services to notify the court immediately, or at least within 20 days after receipt of the request for investigation service, that it is unable to make the report and investigation, so that the court may take such other steps as in its discretion are necessary to have the entire matter investigated.~~

~~(f)~~(e) The court shall require the petitioner to reimburse the child-placing agency or other independent agent appointed by the court, including the department, for the full cost of conducting the investigation and preparing the its report. Such cost shall not exceed \$250.00 unless specifically authorized by the court, provided that the court shall furnish the petitioner or his or her attorney with written notice of the name of the agent that the court intends to appoint and the amount of any increased costs, together with a request to agree to pay such increased costs. If the petitioner does not agree to pay the increased costs, then the petitioner shall have an opportunity to present to the court information regarding other persons that are qualified to conduct the investigation and render the report to the court and the cost of their services, and the court shall appoint the person that is qualified to conduct the investigation and render the report to the court at the lowest cost to the petitioner.

19-8-17.

(a) The report and findings of the investigating ~~agency~~ agent appointed by the court

pursuant to Code Section 19-8-16 shall include, among other things, the following:

- (1) Verification of allegations contained in the petition for adoption;
 - (2) Circumstances under which the child came to be placed for adoption;
 - (3) Whether each ~~proposed~~ prospective adoptive parent is financially, physically, and mentally able to have the permanent custody of the child; in considering financial ability any adoption supplement approved by the department shall be taken into account;
 - (4) The physical and mental condition of the child, insofar as this can be determined by the aid of competent medical authority;
 - (5) Whether or not the adoption is in the best interests of the child, including his or her general care;
 - (6) Suitability of the home to the child;
 - (7) If applicable, whether the identity and location of ~~the~~ a biological father who is not ~~the~~ a legal father are known or ascertainable and whether the requirements of Code Section 19-8-12 were complied with; ~~and~~
 - (8) Any other information that might be disclosed by the investigation that in the agent's opinion would be of ~~any~~ value or interest to the court in deciding the case; and
 - (9) Any other information that might be disclosed by the investigation in response to any specific issue that the court requested be investigated in its order appointing such agent.
- (b) If the report of the investigating ~~agency or independent~~ agent disapproves of the adoption of the child, motion may be made by the investigating ~~agency or independent~~ agent to the court to dismiss the petition for adoption and the court after hearing is such motion shall be authorized to ~~do so~~ dismiss such petition. If the court denies the motion to dismiss, the court shall appoint a guardian ad litem who may appeal the ruling to the Georgia Court of Appeals or Supreme Court, as in other cases, as provided by law.
- (c) If at any time it appears to the court that the interests of the child may conflict with those of any petitioner, the court may, in its discretion, appoint a guardian ad litem to represent the child and the cost thereof shall be a charge upon the funds of the county.

19-8-18.

- (a)(1) Upon the date appointed by the court for a hearing of the petition for adoption or as soon thereafter as the matter may be reached for a hearing, the court shall proceed to a full hearing on ~~the~~ such petition and the examination of the parties at interest in chambers, under oath, with the right of continuing the hearing and examinations from time to time as the nature of the case may require. The court at such times shall give consideration to the investigation report to the court provided for in Code Section 19-8-16 and the recommendations contained ~~therein~~ in such report. The court may in its discretion allow the petitioner or any witness to appear via electronic means in lieu of requiring his or her physical presence before the court.
- (2) The court shall examine the petition for adoption and the affidavit specified in subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, as appropriate, to determine whether Code Section 19-8-12 is applicable. If the court determines that

Code Section 19-8-12 is applicable to the petition for adoption, it shall:

- (A) Determine that an appropriate order has previously been entered;
- (B) Enter an order consistent with Code Section 19-8-12; or
- (C) Continue the hearing until Code Section 19-8-12 is complied with.

(3) If the adoption petition is filed pursuant to subsection (a) of Code Section 19-8-5, the court shall examine the financial disclosures required under subsections (c) and (d) of Code Section 19-8-13 and make such further examination of each petitioner and his or her attorney as the court deems appropriate in order to make a determination as to whether there is cause to believe that Code Section 19-8-24 has been violated with regard to the ~~'inducement'~~ inducement, as such term is defined in Code Section 19-8-24, of the placement of the child for adoption. Should the court determine that further inquiry is in order, the court shall direct the district attorney for the county to review the matter further and to take such appropriate action as the district attorney in his or her discretion deems appropriate.

(b)(1) If the petition for adoption was filed pursuant to Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7, the court shall enter a decree of adoption naming the child as prayed for in such petition; terminating all of the rights of each living parent, guardian, and legal custodian of the child, other than the spouse of the petitioner in the case of a stepparent adoption pursuant to Code Section 19-8-6; granting the permanent custody of the child to each petitioner; and declaring the child to be the adopted child of each petitioner if the court is satisfied that each:

(A) Each living parent or guardian of the child has surrendered or had terminated all of his or her rights to the child in the manner provided by law ~~prior to the filing of the petition for adoption~~ or that each petitioner has complied with the notice requirements of subsection (c) of Code Section 19-8-10 and satisfied his or her burden of proof under Code Section 19-8-10, that such or that the spouse has consented to the petitioner's adoption of the child as required by Code Section 19-8-6;

(B) Each petitioner is capable of assuming responsibility for the care, supervision, training, and education of the child, ~~that the;~~

(C) The child is suitable for adoption in a private family home, ~~and that the; and~~

(D) The adoption requested is ~~for~~ in the best interest interests of the child, ~~it shall enter a decree of adoption, terminating all the rights of each parent and guardian to the child, granting the permanent custody of the child to each petitioner, naming the child as prayed for in the petition, and declaring the child to be the adopted child of each petitioner. In all cases wherein Code Section 19-8-10 is relied upon by any petitioner as a basis for the termination of parental rights, the,~~

(2) When Code Section 19-8-10 has been relied upon by any petitioner for the termination of rights of a living parent, the court shall include in the decree of adoption appropriate findings of fact and conclusions of law relating to the applicability of Code Section 19-8-10 termination of rights of such living parent and the court's determination that the adoption is in the child's best interests.

(3) When the child was born in a country other than the United States, the court shall

examine the evidence submitted and determine that sufficient evidence has been proffered to show that the child will be able to obtain lawful permanent resident status, if not already obtained, before the court shall have authority to determine if it is in the best interests of the child to grant the petition for adoption.

(4) If there is an existing visitation order pursuant to Code Section 19-7-3 in favor of a family member, the court shall have the authority to continue or discontinue such visitation rights in the adoption order as it deems is in the best interests of the child.

(c) If the petition for adoption was filed pursuant to subsection (a) of Code Section 19-8-8 and if the court is satisfied that the petitioner has fully complied with the requirements of Code Section 19-8-13 and has established that he or she finalized his or her adoption of the child in the foreign country, then the court shall enter a decree of adoption naming the child as prayed for in such petition; domesticating the foreign decree of adoption; granting the permanent custody of the child to each petitioner; changing the date of birth of the child if so requested, provided that evidence was presented justifying such change; and declaring the child to be the adopted child of each petitioner. Notwithstanding the requirements of subsection (a) of this Code section, the court may domesticate the foreign decree of adoption upon the pleadings without a hearing.

(d) If the petition for adoption was filed pursuant to subsection (b) of Code Section 19-8-8, the court shall enter a decree of adoption naming the child as prayed for in such petition; terminating the guardianship; granting the permanent custody of the child to each petitioner; changing the date of birth of the child if so requested, provided that evidence was presented justifying such change; and declaring the child to be the adopted child of each petitioner if the court is satisfied that the petitioner has fully complied with the requirements of Code Section 19-8-13 and that:

- (1) Each petitioner in his or her capacity as guardian of the child has surrendered all of his or her rights to the child in the manner provided by law;
- (2) Each petitioner is capable of assuming responsibility for the care, supervision, training, and education of the child;
- (3) The child is suitable for adoption in a private family home; and
- (4) The adoption requested is in the best interests of the child.

(e) In exercising its discretion to determine whether the adoption requested is in the best interests of the child, the court shall consider the following factors:

- (1) The ability of each petitioner and, if applicable, each respondent to provide for the physical safety and welfare of the child, including food, shelter, health, and clothing;
- (2) The love, affection, bonding, and emotional ties existing between the child and each petitioner and, if applicable, each respondent;
- (3) The child's need for permanence, including the child's need for stability and continuity of relationships with his or her siblings;
- (4) The capacity and disposition of each petitioner and, if applicable, each respondent to give the child his or her love, affection, and guidance and to continue the education and rearing of the child;

(5) The home environment of each petitioner and, if applicable, each respondent, considering the promotion of the child's nurturance and safety rather than superficial or material factors;

(6) The stability of the family unit and the presence or absence of support systems within the community to benefit the child;

(7) The mental and physical health of all individuals involved;

(8) The home, school, and community record and history of the child, as well as any health or educational special needs of the child;

(9) The child's background and ties, including familial, cultural, and religious;

(10) The uniqueness of every family and child;

(11) The child's wishes and long-term goals;

(12) Any evidence of family violence, substance abuse, criminal history, or sexual, mental, or physical child abuse in the petitioner's home and, if applicable, each respondent's home;

(13) Any recommendation by a court appointed agent or guardian ad litem; and

(14) Any other factors considered by the court to be relevant and proper to its determination.

~~(e)~~(f) If the court determines that any petitioner has not complied with this ~~chapter~~ article, it may dismiss the petition for adoption without prejudice or it may continue the case. Should the court find that any notice required to be given by any petitioner under this ~~chapter~~ article has not been given or has not been properly given or that the petition for adoption has not been properly filed, the court ~~is~~ shall be authorized to enter an order providing for corrective action and an additional hearing.

~~(d)~~(g) If the court is not satisfied that the adoption is in the best interests of the child, it shall deny the petition for adoption. If ~~the~~ such petition is denied because ~~of such reason~~ the court determines that the adoption requested is not in the best interests of the child or for any other reason under law, the court shall set forth specific findings of fact explaining its decision in its order denying the adoption and shall commit the child to the custody of the department, or to a child-placing agency, if the or an out-of-state licensed agency if such petition was filed pursuant to Code Section 19-8-4 ~~or 19-8-5~~. If such petition was filed pursuant to Code Section 19-8-5, the court shall commit the child to the third party named by the parent in the written surrender of rights pursuant to subsection (a) of Code Section 19-8-5; and if there is no surrender of rights, the court shall place the child with the department for the purpose of determining whether or not a petition should be initiated under Chapter 11 of Title 15. If such the petition was filed pursuant to Code Section 19-8-6, 19-8-7, or 19-8-8, the child shall remain in the custody of each petitioner if ~~that~~ each petitioner is fit to have custody or the court may place the child with the department for the purpose of determining whether or not a petition should be initiated under Chapter 11 of Title 15. If the petition for adoption is denied, each surrender of rights executed in support of the adoption, whether by a parent, biological father who is not a legal father, or guardian, shall be dissolved by operation of law and the individual's rights shall be restored. The fact that the individual executed a surrender of his or her rights in support of the adoption shall not

be admissible as evidence against him or her in any subsequent proceeding.

~~(e)~~(h) A decree of adoption issued pursuant to subsection (b) of this Code section shall not be subject to any judicial challenge filed more than six months after the date of entry of such decree. Notwithstanding Code Section 9-3-31, any action for damages against an adoptee or the adoptive parents for fraud in obtaining a consent or surrender of rights shall be brought within six months of the time the fraud is or ought to reasonably have been discovered.

~~(f) Any decree of adoption issued prior to the effective date of this action shall not be subject to any judicial challenge more than six months after July 1, 1995.~~

(i) Notwithstanding subsection (a) of Code Section 19-8-23, the decree of adoption issued pursuant to subsection (b) of this Code section shall authorize the clerk of the court to issue one or more certified copies of the decree of adoption to the petitioner or his or her attorney at the time of entry of the final decree without further order of the court and without cost.

19-8-19.

(a) A decree of adoption, whether issued by a court of this state or by a court of any other jurisdiction, shall have the following effect as to matters within the jurisdiction of or before a court in this state:

(1) Except with respect to a spouse of the petitioner and relatives of the spouse, a decree of adoption ~~terminates~~ shall terminate all legal relationships between the adopted individual and his or her relatives, including his or her parent, so that the adopted individual thereafter ~~is~~ shall be a stranger to his or her former relatives for all purposes, including inheritance and the interpretation or construction of documents, statutes, and instruments, whether executed before or after the adoption is decreed, which do not expressly include the individual by name or by some designation not based on a parent and child or blood relationship; and

(2) A decree of adoption ~~creates~~ shall create the relationship of parent and child between each petitioner and the adopted individual, as if the adopted individual were a child of biological issue of that petitioner. The adopted individual shall enjoy every right and privilege of a biological child of that petitioner; shall be deemed a biological child of that petitioner, to inherit under the laws of descent and distribution in the absence of a will, and to take under ~~the provisions of~~ any instrument of testamentary gift, bequest, devise, or legacy, whether executed before or after the adoption is decreed, unless expressly excluded therefrom; shall take by inheritance from relatives of that petitioner; and shall also take as a 'child' of that petitioner under a class gift made by the will of a third person.

(b) ~~Notwithstanding the provisions of subsection (a) of this Code section, if a parent of a child dies without the relationship of parent and child having been previously terminated by court order or unrevoked surrender of parental rights to the child, the child's right of inheritance from or through the deceased parent shall not be affected by the adoption.~~

19-8-20.

(a) Upon the entry of the decree of adoption, the clerk of the court granting the same shall forward a copy of the decree, together with the original of the investigation report and background information filed with the court, to the department. If there is any subsequent order or revocation of the adoption, a copy of same in like manner shall be forwarded by the clerk to the department.

(b) At any time after the entry of the decree of adoption, upon the request of an adopted ~~person~~ individual who has reached 18 years of age or upon the request of any adopting parent, the clerk of the court granting the decree shall issue to that requesting adopted ~~person~~ individual or adopting parent a certificate of adoption, under the seal of the court, upon payment to the clerk of the fee prescribed in paragraph (4) of subsection (g) of Code Section 15-6-77, which adoption certificate shall be received as evidence in any court or proceeding as primary evidence of the facts contained in the certificate.

(c) The adoption certificate shall ~~be in~~ conform substantially to the following form:

'This is to certify that _____ (names of each adopting parent) have obtained a decree of adoption for _____ (full name of ~~adopted child~~ adoptee and date of birth of adoptee) in the Superior Court of _____ County, Georgia, on the _____ day of _____, as shown by the court's records _____ (adoption file number).
Given under the hand and seal of said court, this the _____ day of _____, _____.

Clerk'

19-8-21.

(a) Adult ~~persons~~ individuals may be adopted on giving written consent to the adoption. In such cases, adoption shall be by a petition duly verified and filed, together with ~~two conformed copies~~ one conformed copy, in the superior court in the county in which ~~either~~ any petitioner or the adult to be adopted resides, setting forth the name, age, and residence of each petitioner and of the adult to be adopted, the name by which the adult is to be known, and his or her written consent to the adoption. The court may assign the petition for adoption for hearing at any time. The petition for adoption shall state whether one or both parents of the adult to be adopted will be replaced by the grant of such petition, and if only one parent is to be replaced, then the decree of adoption shall make clear which parent is to be replaced by adoption. After examining each petitioner and the adult ~~sought~~ to be adopted, the court, if satisfied that there is no reason why the adoption should not be granted, shall enter a decree of adoption and, if requested, shall change the name of the adopted adult. Thereafter, the relation between each petitioner and the adopted adult shall be, as to their legal rights and liabilities, the same as the relation of a parent and adult child.

(b) ~~Code Section 19-8-19, relating to the effect of a decree of adoption, and Code Section 19-8-20, relating to notice of adoption,~~ Sections 19-8-19 and 19-8-20 shall also apply to the adoption of adults.

19-8-22.

(a) A decree of a court or an administrative proceeding terminating the relationship of parent and child, establishing the relationship of guardian and ward, or establishing the relationship of parent and child by adoption, issued pursuant to due process of law by a court or administrative body of any other jurisdiction within or outside the United States, or the clear and irrevocable release or consent to adoption by the guardian of a child ~~where~~ when the appointment of the guardian has been certified by the appropriate and legally authorized court or agency of the government of the foreign country, shall be recognized in this state; and the rights and obligations of the parties as to matters within the jurisdiction of this state shall be determined as though any such decree were issued by a court of this state and any such consent or release shall be deemed to satisfy the requirements of Code Sections 19-8-4, 19-8-5, 19-8-6, 19-8-7, 19-8-8, and 19-8-12.

(b) Any adoption proceeding in this state in which a final order of adoption was entered by the court prior to April 1, 1986, and to which subsection (a) of this Code section would have been applicable if said subsection, ~~as amended~~, had been effective at the time such proceeding was filed or concluded shall be governed by ~~the provisions of subsection (a) of this Code section, as amended~~.

~~(c) Any adoption proceeding pending in a court of competent jurisdiction in this state in which no final order of adoption has been entered as of April 1, 1986, to which the provisions of subsection (a) of this Code section are applicable shall be governed by the provisions of subsection (a) of this Code section, as amended.~~

19-8-23.

(a)(1) The original petition for adoption, all amendments, attachments, and exhibits thereto, all motions, documents, affidavits, records, and testimony filed in connection therewith, and all decrees or orders of any kind whatsoever, except the original investigation report and background information referred to in Code Section 19-8-20, shall be recorded in a book kept for ~~that~~ such purpose and properly indexed; and ~~the~~ such book shall be part of the records of the court in each county which has jurisdiction over matters of adoption in that county. All of ~~the~~ such court records, including the docket book, ~~of the court granting the adoption, of the department, and of the child placing agency~~ that relate in any manner to the adoption shall be kept sealed and locked. The department shall keep its records that relate in any manner to an adoption sealed and locked.

(2) The court records and department records may be examined by the parties at interest in the adoption and their attorneys when, after written petition, which shall be filed under seal, has been presented to the court having jurisdiction and after the department and the appropriate child-placing agency or out-of-state licensed agency, if any, have received at least 30 days' prior written notice of the filing of such petition, the matter has come on before the court in chambers and, ~~good cause having been shown to the court~~, the court has entered an order permitting such examination.

(3) Notwithstanding ~~the foregoing~~ paragraph (2) of this subsection, if the adoptee who is the subject of the records sought to be examined is less than 18 years of age at

the time the petition for examination is filed and ~~the~~ such petitioner is someone other than one of the adoptive parents of the adoptee, then the department shall provide written notice of such proceedings to the adoptive parents by certified mail ~~or statutory overnight delivery~~, return receipt requested, or statutory overnight delivery at the last address the department has for such adoptive parents, and the court shall continue any hearing on ~~the~~ such petition until not less than 60 days after the date the notice to the adoptive parents was sent. Each such adoptive parent shall have the right to appear in person or through counsel and show cause why such records should not be examined. Adoptive parents may provide the department with their current address for purposes of receiving notice under this subsection by mailing that address to:

Office of Adoptions
State Adoption Unit
Department of Human Services
Atlanta, Georgia 30303

(b) The department or ~~the~~ child-placing agency may, in its sole discretion, make use of any information contained in the records of the respective department or child-placing agency relating to the adoptive parents in connection with a subsequent adoption matter involving the same adoptive parents or to provide notice when required by subsection (a) of this Code section.

(b.1) The department may, in its sole discretion, make use of any information contained in the records of the department concerning an adopted child and the adopted child's biological parents in connection with the placement of another child in the home of the adoptive parents of the child or in connection with the investigation of a report of child abuse or neglect made concerning the adopted child's biological parents.

(c) The department or ~~the~~ child-placing agency may, in its sole discretion, make use of any information contained in its records on a child when an adoption disrupts after finalization and when such records are required for the permanent placement of such child, or when the information is required by federal law.

(d)(1) Upon the request of a party at interest in the adoption, a child, legal guardian, or health care agent of an adopted ~~person~~ individual or a provider of medical services to such a party, child, legal guardian, or health care agent when certain information would assist in the provision of medical care, a medical emergency, or medical diagnosis or treatment, the department or child-placing agency shall access its own records on finalized adoptions for the purpose of adding subsequently obtained medical information or releasing nonidentifying medical and health history information contained in its records pertaining to an adopted ~~person~~ individual or the biological parents or relatives of the biological parents of the adopted ~~person~~ individual. For purposes of this paragraph, the term 'health care agent' ~~has~~ shall have the meaning provided by Code Section 31-32-2.

(2) Upon receipt by the State Adoption Unit ~~of the Division of Family and Children Services~~ of the department or by a child-placing agency of documented medical information relevant to an adoptee, the ~~office~~ department or child-placing agency

shall use reasonable efforts to contact the adoptive parents of the adoptee if the adoptee is under 18 years of age or the adoptee if he or she is 18 years of age or older and provide such documented medical information to the adoptive parents or the adult adoptee. The ~~office~~ department or child-placing agency shall be entitled to reimbursement of reasonable costs for postage and photocopying incurred in the delivery of such documented medical information to the adoptive parents or adult adoptee.

(e) Records relating in any manner to adoption shall not be open to the general public for inspection.

(f)(1) Notwithstanding Code Section 19-8-1, for purposes of this subsection, the term:

(A) 'Biological parent' means the biological mother or biological father who surrendered ~~that person's~~ such individual's rights or had such rights terminated by court order giving rise to the adoption of the child.

(B) 'Commissioner' means the commissioner of human services or ~~that person's~~ his or her designee.

(C) 'Department' means the Department of Human Services or, when the Department of Human Services so designates, the county ~~department~~ division of family and children services which placed for adoption the ~~person~~ individual seeking, or on whose behalf is sought, information under this subsection.

(D) 'Placement agency' means the child-placing agency, as defined in paragraph ~~(3)~~ (5) of Code Section 19-8-1, which placed for adoption the ~~person~~ individual seeking, or on whose behalf is sought, information under this subsection.

(2) The department or a placement agency, upon the written request of an adopted ~~person~~ individual who has reached 18 years of age or upon the written request of an adoptive parent on behalf of that parent's adopted child, shall release to such adopted ~~person~~ individual or to the adoptive parent on the child's behalf nonidentifying information regarding such adopted ~~person's~~ individual's biological parents and information regarding such adopted ~~person's~~ individual's birth. Such information may include the date and place of birth of the adopted ~~person~~ individual and the genetic, social, and health history of the biological parents. No information released pursuant to this paragraph shall include the name or address of either biological parent or the name or address of any relative by birth or marriage of either biological parent.

(3)(A) The department or a placement agency, upon the written request of an adopted ~~person~~ individual who has reached ~~21~~ 18 years of age, shall release to such adopted ~~person~~ individual the name of such ~~person's~~ individual's biological parent, together with a detailed summary of all information the department or placement agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of his or her adoption, if:

(i) A ~~The~~ biological parent whose name is to be released has submitted unrevoked written permission to the department or ~~the~~ placement agency for the release of that parent's name to the adopted ~~person~~ individual;

(ii) The identity of ~~the~~ a biological parent submitting permission for the release of

that parent's name has been verified by the department or ~~the~~ placement agency; and

(iii) The department or ~~the~~ placement agency has records pertaining to the finalized adoption and to the identity of ~~the~~ a biological parent whose name is to be released.

(B) If the adopted ~~person~~ individual is deceased and leaves a child, such child, upon reaching ~~24~~ 18 years of age, may seek the name and other identifying information concerning his or her grandparents in the same manner as the deceased adopted ~~person~~ individual and subject to the same procedures contained in this Code section.

(4)(A) If a biological parent has not filed written unrevoked permission for the release of that parent's name to the adopted child, the department or ~~the~~ placement agency, within six months of receipt of the written request of the adopted ~~person~~ individual who has reached ~~24~~ 18 years of age, shall make diligent effort to notify each living biological parent identified in the original adoption proceedings or in other records of the department or ~~the~~ placement agency relative to the adopted ~~person~~ individual. For purposes of this subparagraph, the term 'notify' means a personal and confidential contact with each biological parent of the adopted ~~person~~ individual. The contact shall be by an employee or agent of the placement agency which processed the pertinent adoption or by other agents or employees of the department. The contact shall be evidenced by the ~~person~~ individual who notified each biological parent, certifying to the department or placement agency that each biological parent was given the following information:

- (i) The nature of the information requested by the adopted ~~person~~ individual;
- (ii) The date of the request of the adopted ~~person~~ individual;
- (iii) The right of each biological parent to file an affidavit with the placement agency or the department stating that such parent's identity should not be disclosed;
- (iv) The right of each biological parent to file a consent to disclosure with the placement agency or the department; and
- (v) The effect of a failure of each biological parent to file ~~either~~ a consent to disclosure or an affidavit stating that the information in the sealed adoption file should not be disclosed.

(B) If a biological parent files an unrevoked consent to the disclosure of that parent's identity, such parent's name, together with a detailed summary of all information the department or placement agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of his or her adoption, shall be released to the adopted ~~person~~ individual who has requested such information as authorized by this paragraph.

(C) If, within 60 days of being notified by the department or ~~the~~ placement agency pursuant to subparagraph (A) of this paragraph, a biological parent has filed with the department or placement agency an affidavit objecting to such release, information regarding the identity of that biological parent shall not be released.

(D)(i) If six months after receipt of the adopted ~~person's~~ individual's written

request the placement agency or the department has ~~either~~ been unable to notify a biological parent identified in the original adoption record or has been able to notify a biological parent identified in the original adoption record but has not obtained a consent to disclosure from the notified biological parent, then the identity of a biological parent may only be disclosed as provided in division (ii) or (iii) of this subparagraph.

(ii) The adopted ~~person~~ individual who has reached ~~24~~ 18 years of age may petition the Superior Court of Fulton County to seek the release of the identity of each of ~~that person's~~ his or her biological parents from the department or placement agency. The court shall grant the petition if the court finds that the department or placement agency has made diligent efforts to locate each biological parent pursuant to this subparagraph ~~either~~ without success or upon locating a biological parent has not obtained a consent to disclosure from the notified biological parent and that failure to release the identity of each biological parent would have an adverse impact upon the physical, mental, or emotional health of the adopted ~~person~~ individual.

(iii) If it is verified that a biological parent of the adopted ~~person~~ individual is deceased, the department or placement agency shall be authorized to disclose the name and place of burial of the deceased biological parent, if known, together with a detailed summary of all information the department or placement agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of his or her adoption, to the adopted ~~person~~ individual seeking such information without the necessity of obtaining a court order.

(5)(A) Upon written request of an adopted ~~person~~ individual who has reached ~~24~~ 18 years of age or a ~~person~~ an individual who has reached ~~24~~ 18 years of age and who is the sibling of an adopted ~~person~~ individual, the department or a placement agency shall attempt to identify and notify the siblings of the requesting party, if such siblings are at least 18 years of age. Upon locating the requesting party's sibling, the department or ~~the~~ placement agency shall notify the sibling of the inquiry. Upon the written consent of a sibling so notified, the department or ~~the~~ placement agency shall forward the requesting party's name and address to the sibling and, upon further written consent of the sibling, shall divulge to the requesting party the present name and address of the sibling. If a sibling cannot be identified or located, the department or placement agency shall notify the requesting party of such circumstances but shall not disclose any names or other information which would tend to identify the sibling. If a sibling is deceased, the department or placement agency shall be authorized to disclose the name and place of burial of the deceased sibling, if known, to the requesting party without the necessity of obtaining a court order.

(B)(i) If six months after receipt of the written request from an adopted ~~person~~ individual who has reached ~~24~~ 18 years of age or a ~~person~~ an individual who has reached ~~24~~ 18 years of age and who is the sibling of an adopted ~~person~~ individual, the ~~placement agency or the department has either~~ department or placement

agency has been unable to notify one or more of the siblings of the requesting party or has been able to notify a sibling of the requesting party but has not obtained a consent to disclosure from the notified sibling, then the identity of the siblings may only be disclosed as provided in division (ii) of this subparagraph.

(ii) ~~The adopted person individual~~ who has reached ~~24~~ 18 years of age or ~~a person~~ an individual who has reached ~~24~~ 18 years of age and who is the sibling of an adopted ~~person individual~~ may petition the Superior Court of Fulton County to seek the release of the last known name and address of each of the siblings of the petitioning sibling, ~~that~~ who are at least 18 years of age, from the department or placement agency. The court shall grant the petition if the court finds that the department or placement agency has made diligent efforts to locate such siblings pursuant to subparagraph (A) of this paragraph ~~either~~ without success or upon locating one or more of the siblings has not obtained a consent to disclosure from all the notified siblings and that failure to release the identity and last known address of said siblings would have an adverse impact upon the physical, mental, or emotional health of the petitioning sibling.

(C) If the adopted ~~person individual~~ is deceased and leaves a child, such child, upon reaching ~~24~~ 18 years of age, may obtain the name and other identifying information concerning the siblings of his or her deceased parent in the same manner that the deceased adopted ~~person individual~~ would be entitled to obtain such information pursuant to the procedures contained in this Code section.

(6)(A) Upon written request of a biological parent of an adopted ~~person individual~~ who has reached ~~24~~ 18 years of age, the department or a placement agency shall attempt to identify and notify the adopted ~~person individual~~. Upon locating the adopted ~~person individual~~, the department or ~~the~~ placement agency shall notify the adopted ~~person individual~~ of the inquiry. Upon the written consent of the adopted ~~person individual~~ so notified, the department or ~~the~~ placement agency shall forward ~~the~~ such biological parent's name and address to the adopted ~~person individual~~, together with a detailed summary of all information the department or placement agency has concerning the adoptee's birth, foster care, placement for adoption, and finalization of his or her adoption, and, upon further written consent of the adopted ~~person individual~~, shall divulge to ~~the~~ such requesting biological parent the present name and address of the adopted ~~person individual~~. If the adopted ~~person individual~~ is deceased, the department or placement agency shall be authorized to disclose the name and place of burial of the deceased adopted ~~person individual~~, if known, to ~~the~~ such requesting biological parent without the necessity of obtaining a court order.

(B)(i) If six months after receipt of the written request from a biological parent of an adopted ~~person individual~~ who has reached ~~24~~ 18 years of age, the ~~placement agency or the department has either~~ department or placement agency has been unable to notify the adopted ~~person individual~~ or has been able to notify the adopted ~~person individual~~ but has not obtained a consent to disclosure from the notified adopted ~~person individual~~, then the identity of the adopted ~~person individual~~ may only be disclosed as provided in division (ii) of this subparagraph.

(ii) ~~A~~ ~~The~~ biological parent of an adopted ~~person~~ individual who has reached 21 ~~18~~ years of age may petition the Superior Court of Fulton County to seek the release of the last known name and address of the adopted ~~person~~ individual from the department or placement agency. The court shall grant the petition if the court finds that the department or placement agency has made diligent efforts to locate such adopted ~~person~~ individual pursuant to subparagraph (A) of this paragraph ~~either~~ without success or upon locating the adopted ~~person~~ individual has not obtained a consent to disclosure from the adopted ~~person~~ individual and that failure to release the identity and last known address of said adopted ~~person~~ individual would have an adverse impact upon the physical, mental, or emotional health of the petitioning biological parent.

(C) If ~~the~~ a biological parent is deceased, a parent or sibling of the deceased biological parent, or both, may obtain the name and other identifying information concerning the adopted ~~person~~ individual in the same manner that the deceased biological parent would be entitled to obtain such information pursuant to the procedures contained in this Code section.

(7) If an adoptive parent or the sibling of an adopted ~~person~~ individual notifies the department or placement agency of the death of an adopted ~~person~~ individual, the department or placement agency shall add information regarding the date and circumstances of the death to its records so as to enable it to share such information with a biological parent or sibling of the adopted ~~person~~ individual if they make an inquiry pursuant to ~~the provisions of~~ this Code section.

(8) If a biological parent or his or her parent or sibling ~~of a biological parent~~ notifies the department or placement agency of the death of a biological parent or a sibling of an adopted ~~person~~ individual, the department or placement agency shall add information regarding the date and circumstances of the death to its records so as to enable it to share such information with an adopted ~~person~~ individual or sibling of the adopted ~~person~~ individual if they make an inquiry pursuant to ~~the provisions of~~ this Code section.

(9) ~~The Office of Adoptions~~ State Adoption Unit within the department shall maintain a registry for the recording of requests by adopted ~~persons~~ individuals for the name of any biological parent, for the recording of the written consent or the written objections of any biological parent to the release of that parent's identity to an adopted ~~person~~ individual upon the adopted ~~person's~~ individual's request, and for nonidentifying information regarding any biological parent which may be released pursuant to paragraph (2) of this subsection. The department and any placement agency which receives such requests, consents, or objections shall file a copy thereof with ~~that office~~ the State Adoption Unit.

(10) The department or placement agency may charge a reasonable fee to be determined by the department for the cost of conducting any search pursuant to this subsection.

(11) Nothing in this subsection shall be construed to require the department or placement agency to disclose to any party at interest, including but not limited to an

adopted ~~person~~ individual who has reached ~~21~~ 18 years of age, any information which is not kept by the department or ~~the~~ placement agency in its normal course of operations relating to adoption.

(12) Any department employee or employee of any placement agency who releases information or makes authorized contacts in good faith and in compliance with this subsection shall be immune from civil ~~or criminal~~ liability or criminal responsibility for such release of information or authorized contacts.

(13) Information authorized to be released pursuant to this subsection may be released under the conditions specified in this subsection, notwithstanding any other provisions of law to the contrary.

(14) A placement agency which demonstrates to the department by clear and convincing evidence that the requirement that such agency search for or notify any biological parent, sibling, or adopted ~~person~~ individual under subparagraph (A) ~~of paragraph (4) of this subsection or subparagraph (A) of paragraph (5) of this subsection or subparagraph (A) of paragraph (4), (5), or (6) of this subsection~~ will impose an undue hardship upon that agency shall be relieved from that responsibility, and the department shall assume that responsibility upon such finding by the department of undue hardship. The department's determination under this subsection shall be a contested case within the meaning of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(15) Whenever this subsection authorizes both the department and a placement agency to perform any function or requires the placement agency to perform any function which the department is also required to perform, the department or agency may designate an agent to perform that function and in so performing it the agent shall have the same authority, powers, duties, and immunities as an employee of the department or placement agency has with respect to performing that function.

19-8-24.

(a)(1) It shall be unlawful for any person, organization, corporation, hospital, facilitator, or association of any kind whatsoever which ~~has not been established as is not~~ a child-placing agency ~~by the department to~~, a prospective adoptive parent who has a valid, approved preplacement home study report, or an attorney who is a member of the State Bar of Georgia representing a prospective adoptive parent who has a valid, approved preplacement home study report to advertise,

~~(1) Advertise,~~ whether in a periodical, by television, by radio, or by any other public medium or by any private means, including, but not limited to, letters, circulars, handbills, Internet postings including social media, and oral statements, that the person, organization, corporation, hospital, facilitator, or association will adopt children or will arrange for or cause children to be adopted or placed for adoption; ~~or~~

~~(2) Directly or indirectly hold out inducements to parents to part with their children. As used in this subsection, 'inducements' shall include any financial assistance, either direct or indirect, from whatever source, except payment or reimbursement of the medical expenses directly related to the mother's pregnancy and hospitalization for the~~

~~birth of the child and medical care for the child.~~

(2)(A) Any person, organization, corporation, hospital, facilitator, or association of any kind which is not a child-placing agency that places an advertisement concerning adoption or prospective adoption shall include in such advertisement its license number issued by the department;

(B) Any attorney representing a prospective adoptive parent who has a valid, approved preplacement home study report who places an advertisement concerning adoption or prospective adoption shall include in such advertisement his or her State Bar of Georgia license number; and

(C) Any individual who places an advertisement concerning being an adoptive parent shall include in such advertisement that he or she has a valid, approved preplacement home study report.

(b) It shall be unlawful for any person, organization, corporation, hospital, facilitator, or association of any kind whatsoever to sell, offer to sell, or conspire with another to sell or offer to sell a child for money or anything of value, except as otherwise provided in this chapter article.

(c)(1) As used in this subsection, the term 'inducements' means any financial assistance, either direct or indirect, from whatever source, but shall expressly not include:

(A) The payment or reimbursement of the medical expenses directly related to the biological mother's pregnancy and hospitalization for the birth of the child and medical care for such child if paid by a licensed child-placing agency or an attorney;

(B) The payment or reimbursement of expenses for counseling services or legal services for a biological parent that are directly related to the placement by such parent of her or his child for adoption if paid by a licensed child-placing agency or an attorney;

(C) The payment or reimbursement of reasonable living expenses for the biological mother if paid by a licensed child-placing agency; or

(D) The payment or reimbursement of reasonable expenses for rent, utilities, food, maternity garments, and maternity accessories for the biological mother if paid from the trust account of an attorney who is a member of the State Bar of Georgia in good standing.

(2) It shall be unlawful for any person, organization, corporation, hospital, facilitator, or association of any kind whatsoever to directly or indirectly hold out inducements to any biological parent to part with his or her child.

(3) It shall be unlawful for any person, organization, corporation, hospital, facilitator, or association of any kind whatsoever to conspire with another to offer or provide inducements to a biological parent to part with his or her child.

(4) It shall be unlawful for an individual to knowingly make false representations in order to obtain inducements.

(5) The report and affidavit filed pursuant to subsections (c) and (d) of Code Section 19-8-13 shall include an itemized accounting of all expenses paid or reimbursed pursuant to this subsection.

(d)(1) It shall be unlawful for an individual to knowingly accept expenses as set forth in subparagraph (c)(1)(C) or (c)(1)(D) of this Code section for the adoption of her child or unborn child if she knows or should have known that she is not pregnant or is not a legal mother.

(2) It shall be unlawful for an individual to knowingly accept expenses as set forth in subparagraph (c)(1)(C) or (c)(1)(D) of this Code section from an adoption agency or an attorney without disclosing that he or she is receiving such expenses from another adoption agency or attorney in an effort to allow for the adoption of the same child or unborn child.

(3) It shall be unlawful for an individual to knowingly make false representations in order to obtain expenses as set forth in subparagraph (c)(1)(C) or (c)(1)(D) of this Code section.

~~(e)(e)~~ Any person who violates ~~subsection (a) or (b)~~ of this Code section shall be guilty of a felony and, upon conviction thereof, shall be punished by a fine not to exceed \$10,000.00, ~~or~~ imprisonment for not less than one nor more than ten years, or both, ~~in the discretion of the court.~~

~~(d)(f)(1)~~ Subsection Paragraph (1) of subsection (a) of this Code section shall not apply to communication by private means, including ~~only~~ written letters or oral statements, by an individual seeking to:

(A) Adopt a child or children; or

(B) Place that individual's child or children for adoption,

whether the communication occurs before or after the birth of such child or children.

(2) Subsection Paragraph (1) of subsection (a) of this Code section shall not apply to any communication described in paragraph (1) of this subsection which contains ~~any attorney's name, address, the name of an attorney who is a member of the State Bar of Georgia, his or her address, his or her telephone number, or any combination of such information and which requests any that the attorney named in such communication to be contacted to facilitate the carrying out of the purpose, as described in subparagraph (A) or (B) of paragraph (1) of this subsection, of the individual making such personal communication.~~

(g) Any child-placing agency or individual who is seeking to adopt or seeking to place a child for adoption who is damaged by a violation of this Code section may file a civil action to recover damages, treble damages, reasonable attorney's fees, and expenses of litigation.

19-8-25.

(a) A written consent or surrender of rights, executed on or before ~~June 30, 1990~~ August 31, 2018, shall, for purposes of an adoption proceeding commenced on or after ~~July 1, 1990~~ September 1, 2018, be deemed to satisfy the surrender requirements of this ~~chapter~~ article and it shall not be necessary to have any parent or guardian execute the documents required by Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7; however, all other applicable provisions of this ~~chapter~~ must article shall be complied with.

(b) It is the legislative intent of this subsection to clarify and not to change the

applicability of certain previously existing provisions of this ~~chapter~~ article to adoption proceedings pending on ~~July 1, 1990~~ August 31, 2018. Any decree of adoption issued in an adoption proceeding in which the adoption petition was filed in a superior court of this state prior to ~~July 1, 1990~~ September 1, 2018, shall be valid if the adoption conformed to the requirements of this ~~chapter~~ article either as they existed on ~~June 30, 1990~~ August 31, 2018, or on ~~July 1, 1990~~ September 1, 2018, and each such adoption decree is hereby ratified and confirmed.

19-8-26.

(a) The surrender of rights by a parent or guardian pursuant to paragraph (1) of subsection (e) of Code Section 19-8-4 shall conform substantially to the following form:

'SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION

NOTICE TO PARENT OR GUARDIAN:

This is an important legal document and by signing it, you are surrendering all of your ~~right, title, and claim~~ rights to the child identified ~~herein in this document~~, so as to ~~facilitate the child's placement~~ place the child for adoption. Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 5, you have the right to revoke this ~~You are to receive a copy of this document and as explained below have the right to withdraw your~~ surrender within ~~ten~~ four days from the date you sign it.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent or guardian) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, being ~~solicitous~~ mindful that my (male) (female) [circle one] child, born _____ (name of child) on (birthdate of child) at _____: _____ (A.M.) (P.M.) [circle one] (~~insert name of child~~) ~~on (insert birthdate of child)~~, should receive the benefits and advantages of a good home, to the end that (she) (he) [circle one] may be fitted for the requirements of life, consent to this surrender of my parental rights.

2.

I, the undersigned, _____ (relationship to child) (~~insert relationship to child~~) of the aforesaid child, do hereby surrender my rights to the child to _____ (name of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) (~~insert name of child placing agency or Department of Human Services, as applicable~~) and promise not to interfere in the management of the child in any respect whatever; and, in consideration of the benefits guaranteed by _____ (name of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) (~~insert name of child placing agency or Department of Human Services, as applicable~~) in thus providing for the child, I do relinquish all ~~right, title, and claim~~ rights to the child ~~herein~~ named in this document, it being my wish, intent, and purpose to relinquish absolutely all parental control over the child. Furthermore, I hereby agree that the _____ (name of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) (~~insert name of child placing agency or Department of Human Services, as applicable~~) may seek for the child a legal adoption by such ~~person or persons~~ individual or individuals as may be chosen by the _____ (name of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) (~~insert name of child placing agency or Department of Human Services, as applicable~~) or its authorized agents, without further notice to me. I do, furthermore, expressly waive any other notice or service in any of the legal proceedings for the adoption of the child.

3.

Furthermore, I understand that under Georgia law ~~the Department of Human Services or the child placing agency~~ an agent appointed by the court is required to conduct an investigation and render a report to the court in connection with the legal proceeding for the legal adoption of the child, and I hereby agree to cooperate fully with such ~~department or agency~~ agent in the conduct of its investigation.

4.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

5.

I understand that under Georgia law I have the unconditional right to a four-day revocation period.

Furthermore, I hereby certify that I have received a copy of this document and that I understand I may only ~~withdraw~~ revoke this surrender by giving written notice,

delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of child-placing agency, out-of-state licensed agency, or Department of Human Services, as applicable) ~~(insert name and address of child-placing agency or Department of Human Services, as applicable)~~ within ~~ten~~ four days from the date hereof; ~~of signing this document.~~ I understand that certified mail cannot be used for mail delivery of the notice to revoke this surrender. I understand that the ~~ten~~ four days ~~shall~~ will be counted consecutively beginning with the day immediately following the date hereof; ~~I sign this document;~~ provided, however, that, if the ~~tenth~~ fourth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the~~ this surrender may be ~~withdrawn shall~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday; ~~and I understand that it may NOT be withdrawn thereafter.~~ I understand that, if I deliver the notice to revoke this surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the fourth day. I understand that I CANNOT revoke this surrender after that time.

6.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

7.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this ~~surrender~~ document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

This _____ day of _____, _____.

(SEAL)
(Parent or guardian)

Unofficial witness

Adult witness

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)

My commission expires: _____.

(b) ~~Reserved.~~ The notice to revoke a surrender of rights pursuant to subsection (a) of Code Section 19-8-9 shall conform substantially to the following form:

'NOTICE TO REVOKE SURRENDER OF RIGHTS/
FINAL RELEASE FOR ADOPTION

I, the undersigned, executed a (SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION) (PRE-BIRTH SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION) [circle one] as to the child identified in the surrender of rights document on _____ (date). My relationship to the (child) (unborn child) [circle one] is that I am the (mother) (father) (alleged biological father) (guardian) [circle one].

(Complete this paragraph if the child has been born.) This notice to revoke my surrender of rights applies to the (female) (male) [circle one] child born _____ (name of child) on _____ (birthdate of child).

I now wish to exercise my right to revoke my surrender of rights.

I understand that for my revocation of surrender to be effective I must:

A. Deliver the original of this document in person to the address designated in the surrender of rights document no later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the fourth day of the revocation period specified in the surrender of rights document;

OR

B. Mail the original of this document by registered mail or by statutory overnight delivery to the address designated in the surrender of rights document no later than the fourth day of the revocation period specified in the surrender of rights document.

This _____ day of _____, _____.

(Parent, guardian, or alleged biological father)

Printed name

Adult witness'

(c) The surrender of rights by a parent or guardian pursuant to paragraph (1) of subsection (e) of Code Section 19-8-5 shall conform substantially to the following form:

**'SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION**

NOTICE TO PARENT OR GUARDIAN:

This is an important legal document and by signing it, you are surrendering all of your ~~right, title, and claim~~ rights to the child identified ~~herein~~ in this document, so as to ~~facilitate the child's placement~~ place the child for adoption. Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 8, you have the right to revoke this ~~You are to receive a copy of this document and as explained below have the right to withdraw your surrender within ten~~ four days from the date you sign it.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent or guardian) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, being ~~solicitous~~ mindful that my (male) (female) [circle one] child, born _____ (name of child) on (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] (~~insert name of child~~) ~~on (insert birthdate of child)~~, should receive the benefits and advantages of a good home, to the end that (she) (he) [circle one] may be fitted for the requirements of life, consent to this surrender of my parental rights.

2.

I, the undersigned, _____ (relationship to child) (~~insert relationship to child~~) of the aforesaid child, do hereby surrender my rights to the child to _____ (name, surname not required, of each individual to whom surrender is made) (insert name, surname not required, of each person to whom surrender is made), PROVIDED that each such ~~person~~ individual is named as petitioner in a petition for adoption of the child filed in accordance with Article 1 of Chapter 8 of Title 19 of the Official Code of Georgia Annotated within 60 days from the date ~~hereof~~ that I sign this document. Furthermore, I promise not to interfere in the management of the child in any

respect whatever; and, in consideration of the benefits guaranteed by _____ (name, surname not required, of each individual to whom surrender is made) ~~(insert name, surname not required, of each person to whom surrender is made)~~ in thus providing for the child, I do relinquish all ~~right, title, and claim~~ rights to the child ~~herein~~ named in this document, it being my wish, intent, and purpose to relinquish absolutely all parental control over the child.

3.

It is also my wish, intent, and purpose that if each such ~~person~~ individual identified in paragraph 2 is not named as petitioner in a petition for adoption as ~~provided for above~~ within the 60 day period, other than for ~~excusable neglect~~ justifiable good cause, or, if said petition for adoption is filed within 60 days but the adoption ~~action~~ proceeding is dismissed with prejudice or otherwise concluded without an order declaring the child to be the adopted child of each such ~~person~~ individual, then I do hereby surrender my rights to the child as follows:

(Mark one of the following as chosen)

Indicate your choice by signing ONE of the following statements (you may choose statement A, B, or C):

A. _____ (Signature) _____ I wish the child returned to me, as provided by subsection (j) of Code Section 19-8-5, and I expressly acknowledge that this provision applies only to the limited circumstance that the child is not adopted by the ~~person or persons~~ individual or individuals designated ~~herein~~ in this document and further that this provision does not impair the validity, absolute finality, or totality of this surrender under any circumstance other than the failure of the designated ~~person or persons~~ individual or individuals to adopt the child and that no other provision of this surrender impairs the validity, absolute finality, or totality of this surrender once the four-day revocation period has elapsed; ~~or~~

OR

B. _____ (Signature) _____ I surrender the child to _____ (name of child-placing agency or out-of-state licensed agency), as provided in subsection (j) of Code Section 19-8-5 ~~(insert name of designated licensed child placing agency)~~, a licensed child placing agency, for placement for adoption. I understand that if the child-placing agency or out-of-state licensed agency declines to accept the child for placement for adoption, this surrender will be in favor of the Department of Human Services for placement for adoption and _____ (name of child-placing agency or out-of-state licensed agency) or the Department of Human Services may petition the superior court for custody of the child in accordance with the terms of this surrender; ~~or~~

OR

C. _____ (Signature) _____ I surrender the child to the Department of Human Services, as provided by subsection ~~(k)~~ (j) of Code Section 19-8-5, for placement for adoption; and ~~(insert name of designated licensed child-placing agency)~~ or the Department of Human Services may petition the superior court for custody of the child in accordance with the terms of this surrender.

4.

~~Furthermore,~~ I hereby agree that the child is to be adopted either by each person named above individual named in paragraph 2 or by any other such person individual as may be chosen by the _____ (name of child-placing agency or out-of-state licensed agency) ~~(insert name of designated licensed child-placing agency)~~ or the Department of Human Services and I do expressly waive any other notice or service in any of the legal proceedings for the adoption of the child.

5.

~~Furthermore,~~ I understand that under Georgia law an evaluator is required to conduct and provide to the court a home study and make recommendations to the court regarding the qualification of each ~~person named above to adopt a~~ individual named in paragraph 2 to adopt the child concerning the circumstances of placement of my the child for adoption. ~~I hereby agree to cooperate fully with such investigations.~~

6.

~~Furthermore,~~ I understand that under Georgia law, an agent appointed by the court is required to conduct an investigation and render a report to the court in connection with the legal proceeding for the legal adoption of the child, and I hereby agree to cooperate fully with such agent in the conduct of ~~this~~ its investigation.

7.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

8.

I understand that under Georgia law I have the unconditional right to a four-day revocation period.

~~Furthermore, I hereby certify that I have received a copy of this document and that I understand I may only withdraw~~ revoke this surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of each individual to

whom surrender is made or his or her agent) (~~insert name and address of agent of each person to whom surrender is made~~) within ~~ten~~ four days from the date hereof; of signing this document. I understand that certified mail cannot be used for mail delivery of the notice to revoke this surrender. I understand that the ~~ten~~ four days ~~shall~~ will be counted consecutively beginning with the day immediately following the date hereof I sign this document; provided, however, that, if the ~~tenth~~ fourth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the~~ this surrender may be ~~withdrawn~~ shall be revoked will be the next day that is not a Saturday, Sunday, or legal holiday; ~~and I understand that it may NOT be withdrawn thereafter.~~ I understand that, if I deliver the notice to revoke this surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the fourth day. I understand that I CANNOT revoke this surrender after that time.

9.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

10.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this ~~surrender~~ document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

This _____ day of _____, ____.

(SEAL)
(Parent or guardian)

Unofficial witness

Adult witness

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)
My commission expires: _____!

(d) The surrender of rights by a biological father who is not ~~the~~ a legal father of the child pursuant to paragraph (2) of subsection (e) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 shall conform substantially to the following form:

'SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION

NOTICE TO ALLEGED BIOLOGICAL FATHER:

This is an important legal document and by signing it you are surrendering all of your ~~right, title, and claim~~ rights to the child identified ~~herein, so as to facilitate the child's~~ placement for adoption. ~~You are to receive a copy of this document and as explained below have the right to withdraw your surrender within ten days from the date you sign it in this document.~~ Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 4, you have the right to revoke this surrender within four days from the date you sign it.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of alleged biological father) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, alleged biological father of a (male) (female) [circle one] child, born _____ (name of child) to _____ (name of legal mother) on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one], being mindful that the ~~(insert name of child) to (insert name of mother) on (insert birthdate of child), being solicitous that said child should receive the benefits and advantages of a good home, to the end that (she) (he) [circle one] may be fitted for the requirements of life, consent to this surrender of my rights.~~ I, the undersigned, do hereby surrender my rights to the child. I promise not to interfere in the management of the child in any respect whatever; and, in consideration of the benefits provided to the child through adoption, I do relinquish all ~~right, title, and claim~~ rights to the child ~~herein~~ named in this document, it being my wish, intent, and purpose to relinquish absolutely all control over the child.

2.

~~Furthermore,~~ I hereby agree that the child is to be adopted and I do expressly waive any other notice or service in any of the legal proceedings for the adoption of the child. ~~Furthermore,~~ I understand that under Georgia law an agent appointed by the

court is required to conduct an investigation and render a report to the court in connection with the legal proceeding for the legal adoption of the child, and I hereby agree to cooperate fully with the such agent ~~appointed by the court~~ in the conduct of ~~this~~ its investigation.

3.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

4.

I understand that under Georgia law I have the unconditional right to a four-day revocation period.

~~Furthermore, I hereby certify that I have received a copy of this document and that I understand I may only withdraw~~ revoke this surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of child-placing agency representative, out-of-state licensed agency representative, Department of Human Services representative, individual to whom surrender is made or his or her agent, or petitioner's representative, as applicable) ~~(insert name and address of child placing agency representative, Department of Human Services representative, person to whom surrender is made, or petitioner's representative, as appropriate)~~ within ~~ten~~ four days from the date hereof; of signing this document. I understand that certified mail cannot be used for mail delivery of the notice to revoke this surrender. I understand that the ~~ten~~ four days ~~shall~~ will be counted consecutively beginning with the day immediately following the date hereof; I sign this document; provided, however, ~~that~~, if the ~~tenth~~ fourth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the~~ this surrender may be ~~withdrawn~~ shall ~~revoked~~ will be the next day that is not a Saturday, Sunday, or legal holiday; and I understand that it may NOT be withdrawn thereafter. I understand that, if I deliver the notice to revoke this surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the fourth day. I understand that I CANNOT revoke this surrender after that time.

5.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

6.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this ~~surrender~~ document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

This _____ day of _____, ____.

(SEAL)

(Alleged biological father)

Unofficial witness

Adult witness

Sworn to and subscribed

before me this _____

day of _____, ____.

Notary public (SEAL)

My commission expires: _____.

(e) The surrender of rights by a parent or guardian pursuant to paragraph (1) of subsection (e) of Code Section 19-8-6 or 19-8-7 shall conform substantially to the following form:

'SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION

NOTICE TO PARENT OR GUARDIAN:

This is an important legal document and by signing it, you are surrendering all of your ~~right, title, and claim~~ rights to the child identified ~~herein~~ in this document, so as to ~~facilitate the child's placement~~ place the child for adoption. Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 6, you have the right to revoke this ~~You are to receive a copy of this document and as explained below have the right to withdraw your surrender within ten~~ four days from the date you sign it.

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent or guardian) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, being solicitous ~~solicitous~~ mindful that my (male) (female) [circle one] child, born _____ (name of child) on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] ~~(insert name of child)~~ ~~on (insert birthdate of child)~~, should receive the benefits and advantages of a good home, to the end that (she) (he) [circle one] may be fitted for the requirements of life, consent to this surrender of my parental rights.

2.

I, the undersigned, _____ (relationship to child) ~~(insert relationship to child)~~ of the aforesaid child, do hereby surrender my rights to the child to _____ (name of each individual to whom surrender is made) ~~(insert name of each person to whom surrender is made)~~ and promise not to interfere in the management of the child in any respect whatever; and, in consideration of the benefits guaranteed by _____ (name of each individual to whom surrender is made) ~~(insert name of each person to whom surrender is made)~~ in ~~thus~~ providing for the child, I do relinquish all ~~right, title, and claim~~ rights to the child ~~herein~~ named in this document, it being my wish, intent, and purpose to relinquish absolutely all parental control over the child.

3.

~~Furthermore~~, I hereby agree that _____ (name of each individual to whom surrender is made) ~~(insert name of each person to whom surrender is made)~~ may initiate legal proceedings for the legal adoption of the child without further notice to me. I do, furthermore, expressly waive any other notice or service in any of the legal proceedings for the adoption of the child.

4.

~~Furthermore~~, I understand that under Georgia law ~~the Department of Human Services~~ an agent may be ~~required~~ appointed by the court to conduct an investigation and render a report to the court in connection with the legal proceeding for the legal adoption of the child, and I hereby agree to cooperate fully with ~~the department~~ such agent in the conduct of its investigation.

5.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

6.

I understand that under Georgia law I have the unconditional right to a four-day revocation period.

Furthermore, I hereby certify that I have received a copy of this document and that I understand I may only ~~withdraw~~ revoke this surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of each individual to whom surrender is made or petitioner's representative, as applicable) ~~(insert name and address of each person to whom surrender is made)~~ within ten ~~four~~ days from the date hereof; of signing this document. I understand that certified mail cannot be used for mail delivery of the notice to revoke this surrender. I understand that the ~~ten~~ four days ~~shall~~ will be counted consecutively beginning with the day immediately following the date hereof; I sign this document; provided, however, that, if the ~~tenth~~ fourth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the~~ this surrender may be ~~withdrawn shall~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday; ~~and I understand that it may NOT be withdrawn thereafter.~~ I understand that, if I deliver the notice to revoke my surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the fourth day. I understand that I CANNOT revoke this surrender after that time.

7.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

8.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this ~~surrender~~ document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~
This _____ day of _____, _____.

(SEAL)
(Parent or guardian)

Unofficial witness
Adult witness

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.

(f) The pre-birth surrender of rights by a biological father who is not ~~the~~ a legal father of the child pursuant to paragraph (3) of subsection (e) of Code Section 19-8-4, 19-8-5, or 19-8-7 shall conform substantially to the following form:

**'PRE-BIRTH SURRENDER OF RIGHTS
FINAL RELEASE FOR ADOPTION**

NOTICE TO ALLEGED BIOLOGICAL FATHER:

This is an important legal document and by signing it, you are surrendering any and all of your ~~right, title, and claim~~ rights to the child identified ~~herein~~ in this document, so as to ~~facilitate the child's placement~~ place the child for adoption. You have the right to wait to execute a ~~Surrender of Rights Final Release for Adoption~~ PRE-BIRTH SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION after the child is born, but by signing this document, you are electing to surrender your rights prior to the birth of this child. Understand that you are signing this document under oath and that if you knowingly and willfully make a false statement in this document you will be guilty of the crime of false swearing. As explained below in paragraph 6, you have the right to revoke this ~~You are to receive a copy of this document and as explained below have the right to withdraw your~~ pre-birth surrender within ~~ten~~ four days from the date you sign it.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of alleged biological father) who, after having been sworn, deposes and says as follows:

1.

I, the undersigned, understand that I have been named by _____, the biological mother of the child expected to be born in _____(city) _____(county) _____(state)

on or about the _____ day of _____ (month), _____ (year), as the biological father or possible biological father of her child. I further understand that the biological mother wishes to place this child for adoption.

2.

To the best of my knowledge and belief, the child has not been born as of the date I am signing this pre-birth surrender; however, if in fact the child has been born, this surrender shall have the same effect as if it were a surrender executed following the birth of the child.

3.

I understand that by signing this document I am not admitting that I am the biological father of this child, but if I am, I hereby agree that adoption is in this child's best interest. I consent to adoption of this child by any ~~person~~ individual chosen by the child's legal mother or by any public or private ~~child-placing~~ agency that places children without further notice to me. I expressly waive any other notice or service in any of the legal proceedings for the adoption of the child. I understand that I have the option to wait until after the child is born to execute a surrender of my rights (with a corresponding ~~ten-day~~ four-day right of ~~withdrawal~~ revocation) and, further, that by executing this document I am electing instead to surrender my rights before the child's birth.

4.

I ~~further~~ understand that ~~execution of signing~~ signing this document does not fully and finally terminate my rights and responsibilities until an order from a court of competent jurisdiction terminating my rights or a final order of adoption is entered. I understand that if the child is not adopted after I sign this document, legal proceedings can be brought to establish paternity, and I may become liable for financial obligations related to the birth and support of this child.

5.

I understand that I will receive a copy of this document after the witness and I have signed it and it has been notarized.

6.

I understand that under Georgia law I have the unconditional right to a four-day revocation period.

~~Furthermore, I hereby certify that I have received a copy of this document and that I understand that I may only withdraw~~ revoke this pre-birth surrender by giving written notice, delivered in person or ~~by statutory overnight delivery or registered mail, return receipt requested, to _____ within ten days from the date hereof;~~ mailed by registered mail or statutory overnight delivery, to

_____ (name and address of child-placing agency representative, out-of-state licensed agency representative, Department of Human Services representative, individual to whom surrender is made or his or her agent, or petitioner's representative, as applicable) within four days from the date of signing this document. I understand that certified mail cannot be used for mail delivery of the notice to revoke this pre-birth surrender. I understand that the ~~ten~~ four days ~~shall~~ will be counted consecutively beginning with the day immediately following the date hereof; ~~that, however, I sign this document; provided, however, that, if the tenth~~ fourth day falls on a Saturday, Sunday, or legal holiday, then the last day on which ~~the~~ this surrender may be ~~withdrawn shall~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday; ~~and that it may NOT be withdrawn thereafter. I understand that, if I deliver the notice to revoke this surrender in person, it must be delivered to~~ _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the fourth day. I understand that I CANNOT revoke this surrender after that time.

7.

If prior to my signing this pre-birth surrender I have registered on Georgia's putative father registry then, if I do not ~~withdraw~~ revoke this surrender within the time permitted, I waive the notice I would be entitled to receive pursuant to ~~the provisions of~~ Code Section 19-8-12 of the Official Code of Georgia Annotated because of my registration on the putative father registry.

8.

I understand that if I am not a resident of this state that I am agreeing to be subject to the jurisdiction of the courts of Georgia for any action filed in connection with the adoption of the child. I agree to be bound by a decree of adoption rendered as a result of this surrender of my parental rights.

9.

Furthermore, I hereby certify that I have not been subjected to any duress or undue pressure in the execution of this document and ~~do so~~ I am signing it freely and voluntarily.

~~Witness my hand and seal this~~

This _____ day of _____, _____.

(SEAL)
(Alleged biological father)

~~Unofficial Witness~~
Adult witness

Sworn to and subscribed
before me on this _____
day of _____, ____.

Notary public (SEAL)
~~Notary Public Seal~~

My commission expires: _____.

(g) The acknowledgment of surrender of rights pursuant to subsection (f) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 shall conform substantially to the following form:

ACKNOWLEDGMENT OF SURRENDER
OF RIGHTS

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent, guardian, or alleged biological father) who, after having been sworn, deposes and says as follows
By execution of this paragraph, the undersigned expressly acknowledges:

(A) That I have read the accompanying (PRE-BIRTH SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION) (SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION) [circle one] relating to ~~said minor~~ the child born _____ (name of child) (insert name of child), a (male) (female) [circle one] on _____ (birthdate of child) (insert birthdate of child);

(B) That I understand that this is a full, final, and complete surrender, release, and termination of all of my rights to the child;

(C) That I have chosen to retain the unconditional right to revoke the surrender by giving written notice, delivered in person or mailed by registered mail or statutory overnight delivery, to _____ (name and address of child-placing agency or its representative, out-of-state licensed agency or its representative, Department of Human Services or its representative, individual to whom surrender is made or his or her agent, or petitioner's representative, as applicable) (insert name and address of each person or entity to whom surrender is made) not later than within ten four days from the date of signing the surrender and that after such ten-day four-day revocation period I shall have no right to revoke the surrender;

~~(D) That I understand that certified mail cannot be used for mail delivery of the~~

notice to revoke the surrender of my rights. I understand that, if I deliver the notice to revoke my surrender in person, it must be delivered to _____ (name and address) not later than 5:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, on the fourth day. I understand that the ~~ten~~ four days ~~shall~~ will be counted consecutively beginning with the day immediately following the date I signed the surrender is ~~executed~~; provided, however, that, if the ~~tenth~~ fourth day falls on a Saturday, Sunday, or legal holiday, then the last day on which the surrender may be ~~withdrawn shall~~ revoked will be the next day that is not a Saturday, Sunday, or legal holiday;

~~(E)~~(D) That I have read the accompanying surrender of rights and received a copy thereof;

~~(F)~~(E) That any and all questions regarding the effect of ~~said~~ such surrender and its provisions have been satisfactorily explained to me;

~~(G)~~(F) That I have been ~~afforded~~ given an opportunity to consult with ~~counsel~~ an attorney of my choice ~~prior to execution of~~ before signing the surrender of my rights; and

~~(H)~~(G) That the surrender of my rights has been knowingly, intentionally, freely, and voluntarily made by me.

~~Witness my hand and seal this~~

This _____ day of _____, _____.

(SEAL)

(Parent, guardian, or alleged biological father)

Unofficial witness

Adult witness

Sworn to and subscribed

before me this _____

day of _____, _____.

Notary public (SEAL)

My commission expires: _____.

(h) The affidavit of a legal mother required by paragraph (1) of subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 for the surrender of her rights shall meet the following requirements:

(1) The affidavit shall set forth:

(A) Her name;

(B) Her relationship to the child;

- (C) Her age;
- (D) Her marital status at the time of conception and of the birth of the child;
- (E) The identity and last known address of ~~any~~ her spouse or former spouse and whether any such spouse is the biological father of the child;
- (F) The identity, last known address, and relationship to the legal mother of the biological father of ~~her~~ the child, provided that ~~the mother~~ she shall have the right not to disclose the name and address of the biological father of ~~her~~ the child should she so desire;
- (G) Whether or not she has consented to the appointment of a temporary guardian for the child and, if so, provide the name and address of the temporary guardian and the probate court in which the petition for temporary guardianship was filed;
- (H) Whether custody of the child has been awarded to another individual and, if so, provide the name of the child's custodian and the court in which custody was awarded;
- ~~(G)~~(I) Whether or not the biological father of the child has lived with the child, contributed to its support, provided for the mother's support or medical care during her pregnancy or during her hospitalization for the birth of the child, or made an attempt to legitimate the child; and is or was in a branch of the United States armed forces and, if so, provide details as to his military service;
- (J) Whether or not the biological mother or any member of her family is or was an enrolled member of a federally recognized American Indian tribe, is or was a resident of an American Indian reservation, or is or was an Alaskan native;
- (K) Whether or not the biological father of the child or any member of his family is or was an enrolled member of a federally recognized American Indian tribe, is or was a resident of an American Indian reservation, or is or was an Alaskan native;
- and
- ~~(H)~~(L) All financial assistance received by or promised her either directly or indirectly, from whatever source, in connection with her pregnancy, the birth of the child, or the placement or arranging for the placement of the child for adoption (including the date, amount or value, description, payor, and payee), provided that financial assistance provided directly by ~~the mother's~~ her husband, mother, father, sister, brother, aunt, uncle, grandfather, or grandmother need not be detailed and instead ~~the mother~~ she need only state the nature of the assistance received; and
- (2) The affidavit shall conform substantially to the following form:

LEGAL MOTHER'S AFFIDAVIT

NOTICE TO LEGAL MOTHER:

This is an important legal document which deals with ~~your~~ the child's right to have ~~its~~ his or her biological father's rights properly determined. You have the right not ~~If you decline~~ to disclose the name and address of the biological father of ~~your~~ the child, ~~understand that you may be required to appear in court to explain your refusal and that your name may be used in connection with the publication of notice to the biological father.~~ Understand that you are providing this affidavit under oath and

that ~~the~~ if you knowingly and willfully make a false statement in this affidavit you will be guilty of the crime of false swearing. The information ~~provided~~ you provide will be held in strict confidence and will be used only in connection with the adoption of ~~your~~ the child.

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That my name is _____.

That I am the legal mother of a (male) (female) [circle one] child born _____ (name of child) (~~insert name of child~~) in the State of _____, County of _____ on _____ (birthdate of child) at _____: _____ (A.M.) (P.M.) [circle one] (~~insert birthdate of child~~).

That I am _____ years of age, having been born in the State of _____, County of _____ on _____.

That my social security ~~accoun~~ number is _____.

That my marital status at the time of the conception of ~~my~~ the child was (check the status and complete the appropriate information):

() Single, never having been married.

() Separated but not legally divorced; the name of my spouse ~~is~~ (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; we were married in the State of _____, County of _____ on _____; we have been separated since _____; we last had sexual relations on _____ (date); my spouse (is) (is not) [circle one] the biological father of said child.

() Divorced; the name of my ~~previous~~ former spouse is _____; we were married in the State of _____, County of _____ on _____; we last had sexual relations on _____ (date); my former spouse's ~~his~~ last known address is _____; divorce granted in the State of _____, County of _____ on _____; my former spouse (is) (is not) [circle one] the biological father of said child.

() Legally married; the name of my spouse (was) (is) [circle one] _____; we were married in the State of _____, County of _____ on _____; and ~~his~~ my spouse's last known address is _____; my spouse (is) (is not) [circle one] the biological father of said child.

() Married through common-law marriage relationship prior to January 1, 1997; the name of my spouse (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; our relationship began in the State of _____, County of _____ on _____; my spouse (is) (is

not) [circle one] the biological father of said child.

() Widowed; the name of my deceased spouse was _____; we were married in the State of _____, County of _____ on _____; ~~and he~~ my spouse died on _____ in the County of _____, State of _____.

That my name and marital status at the time of the birth of ~~my~~ the child was (check the status and complete the appropriate information):

Name _____:

() Single, never having been married.

() Separated, but not legally divorced; the name of my spouse (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; we were married in the State of _____, County of _____ on _____; we have been separated since _____; we last had sexual relations on _____ (date); my spouse (is) (is not) [circle one] the biological father of said child.

() Divorced; the name of my former spouse is _____; we were married in the State of _____, County of _____ on _____; we last had sexual relations on _____ (date); my spouse's ~~his~~ last known address is _____; divorce granted in the State of _____, County of _____; my former spouse (is) (is not) [circle one] the biological father of said child.

() Legally ~~Married~~ married; the name of my spouse (was) (is) [circle one] _____; we were married in the State of _____, County of _____ on _____; ~~and his~~ my spouse's last known address is _____; my spouse (is) (is not) [circle one] the biological father of said child.

() Married through common-law relationship prior to January 1, 1997; the name of my spouse (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; our relationship began in the State of _____, County of _____ on _____; my spouse (is) (is not) [circle one] the biological father of said child.

() Widowed; the name of my deceased spouse was _____; we were married in the State of _____, County of _____ on _____; ~~and he~~ my spouse died on _____ in the County of _____, State of _____; he (was) (was not) [circle one] the biological father of said child.

That the name of the biological father of ~~my~~ the child is (complete appropriate response):

Known to me and is (_____);

Known to me but I expressly decline to identify him because _____; or

Unknown to me because _____.

That the last known address of the biological father of ~~my~~ the child is (complete appropriate response):

Known to me and is _____;

Known to me but I expressly decline to provide his address because _____; or

Unknown to me because _____.

That, to the best of my knowledge, I (am) (am not) [circle one] an enrolled member of a federally recognized American Indian tribe, (am) (am not) [circle one] a resident of an American Indian reservation, or (am) (am not) [circle one] an Alaskan native ~~of American Indian heritage~~. If so:

(A) The name of my American Indian tribe is _____ and the _____.

(B) The percentage of my American Indian blood is _____ percent.

That, to the best of my knowledge, a member of my family (is or was) (is not or was not) [circle one] an enrolled member of a federally recognized American Indian tribe, (is or was) (is not or was not) [circle one] a resident of an American Indian reservation, or (is or was) (is not or was not) [circle one] an Alaskan native.

If so:

(A) The name of the American Indian tribe is _____.

(B) The percentage of my American Indian blood is _____ percent.

~~(B)~~(C) My relatives with American Indian or Alaskan native blood are: _____.

~~(C)~~(D) I (am) (am not) a member of an American Indian tribe. If so, the The name of the American Indian tribe is _____.

(E) The name of each enrolled member is _____, and his or her corresponding registration or identification number is _____.

~~(D)~~ I (am) (am not) registered with an American Indian tribal registry. If so, the American Indian tribal registry is: _____ and my registration or identification number is: _____.

~~(E)~~ A member of my family (is) (is not) a member of an American Indian tribe. If so, the name of each such family member is: _____ and the name of the corresponding American Indian tribe is: _____.

~~(F)~~ A member of my family (is) (is not) registered with an American Indian tribal registry. If so, the name of each such family member is: _____ and the name of the corresponding American Indian tribal registry is: _____ and their corresponding registration or identification numbers are: _____.

That to the best of my knowledge, the biological father (is) (is not) ~~of American Indian heritage~~ or a member of his family (is or was) (is not or was not) [circle one] an enrolled member of a federally recognized American Indian tribe, (is or was) (is not or was not) [circle one] a resident of an American Indian reservation, or (is or was) (is not or was not) [circle one] an Alaskan native. If so:

(A) The name of his American Indian tribe is _____ and the.

(B) The percentage of his American Indian blood is _____ percent.

~~(B)~~(C) His relatives with American Indian or Alaskan native blood are: _____

~~(C) He (is) (is not) a member of an American Indian tribe. If so, the name of the tribe is: _____.~~

~~(D) He (is) (is not) registered with an American Indian tribal registry. If so, the American Indian tribal registry is: _____~~

~~and his registration or identification number is: _____~~

~~The name of each enrolled member is _____,~~

~~and his or her corresponding registration or identification number is _____.~~

That the date of birth of the biological father (~~was is~~ _____, _____) ~~or~~ (is not known to me) [circle one].

That the biological father (is) (is not) [circle one] on active duty in a branch of the United States armed forces. If so:

(A) The branch of his service is (Army) (Navy) (Marine) (Air Force) (Coast Guard) [circle one].

(B) His rank is _____.

(C) His duty station is _____.

If applicable, please provide any additional available information regarding his military service.

That the biological father of ~~my~~ the child, whether or not identified ~~herein (strike each inappropriate phrase)~~ in this document (circle the appropriate phrase):

(Was) (Was not) married to me at the time this child was conceived;

(Was) (Was not) married to me at any time during my pregnancy with this child;

(Was) (Was not) married to me at the time that this child was born;

(Did) (Did not) marry me after the child was born and recognize the child as his own;

(Has) (Has not) been determined to be the child's father by a final paternity order of a court;

(Has) (Has not) legitimated the child by a final court order;

(Has) (Has not) lived with the child;

(Has) (Has not) contributed to its support;

(Has) (Has not) provided for my support during my pregnancy or hospitalization for the birth of the child; and

(Has) (Has not) provided for my medical care during my pregnancy or hospitalization for the birth of the child; and

~~(Has) (Has not) made any attempt to legitimate the child.~~

That I (have) (have not) [circle one] consented to the appointment of a temporary guardian for the child. If so, the name of the temporary guardian is _____, and the probate court in which the petition for temporary guardianship was filed is _____.

That custody of the child has been awarded to _____ (name and address of custodian) by order of the _____ Court of _____ County, State of _____, entered on _____ (date).

That I have received or been promised the following financial assistance, either directly or indirectly, from whatever source, in connection with my pregnancy, the birth of ~~my~~ the child, and ~~it's~~ the child's placement for adoption:

That I recognize that if I knowingly and willfully make a false statement in this affidavit, I will be guilty of the crime of false swearing.

(~~Biological mother's signature~~)
(Legal mother)

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)

My ~~Commission Expires~~ commission expires: _____!

(i) The affidavit of an adoptive mother required by ~~subsection (a) of Code Section 19-8-9~~ paragraph (2) of subsection (g) of Code Section 19-8-4, 19-8-5, 19-8-6, or 19-8-7 for the surrender of her rights shall meet the following requirements:

(1) The affidavit shall set forth:

- (A) Her name;
- (B) Her relationship to the child;
- (C) Her age;
- (D) Her marital status;
- (E) The name and last known address of any spouse or former spouse at the time the child was adopted and whether any such spouse also adopted the child or ~~was~~ is the biological father of the child;
- (F) The circumstances surrounding her adoption of ~~her~~ the child, including the date the adoption was finalized, the state and county where finalized, and the name and address of the adoption agency, if any; ~~and~~
- (G) Whether or not she has consented to the appointment of a temporary guardian for the child and, if so, provide the name of the temporary guardian and the probate court in which the petition for temporary guardianship was filed;
- (H) Whether custody of the child has been awarded to another individual and, if so,

provide the name of the child's custodian and the court in which custody was awarded; and

~~(G)~~(I) All financial assistance received by or promised her either directly or indirectly, from whatever source, in connection with the placement or arranging for the placement of ~~her~~ the child for adoption (including the date, amount or value, description, payor, and payee), provided that financial assistance provided directly by ~~the adoptive mother's~~ her husband, mother, father, sister, brother, aunt, uncle, grandfather, or grandmother need not be detailed and instead ~~the adoptive mother~~ she need only state the nature of the assistance received.

(2) The affidavit shall be in substantially the following form:

'ADOPTIVE MOTHER'S AFFIDAVIT

NOTICE TO ADOPTIVE MOTHER:

This is an important legal document which deals with ~~your~~ the adopted child's right to have ~~its~~ his or her legal father's rights properly ~~terminated~~ determined. Understand that you are providing this affidavit under oath and that ~~the~~ if you knowingly and willfully make a false statement in this affidavit you will be guilty of the crime of false swearing. The information ~~provided~~ you provide will be held in strict confidence and will be used only in connection with the adoption of ~~your~~ the child.

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That my name is _____.

That I am the adoptive mother of a (male) (female) [circle one] child born _____ (name of child) ~~(insert name of child)~~ in the State of _____, County of _____ on _____ (birthdate of child) at _____: _____ (A.M.) (P.M.) [circle one] ~~(insert birthdate of child)~~.

That I am _____ years of age, having been born in the State of _____, County of _____ on _____.

That my social security number is _____.

That my marital status is (check the status and complete the appropriate information):

Single, never having been married.

Separated but not legally divorced; the name of my spouse ~~is~~ (was) (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; we were married in the State of _____, County of _____ on _____; we have been separated since _____; we last had sexual relations on _____ (date);

my spouse (did) (did not) [circle one] also adopt said child; my spouse (is) (is

not) [circle one] the biological father of said child.

() Divorced; the name of my ~~previous~~ former spouse is _____; we were married in the State of _____, County of _____ on _____; we last had sexual relations on _____ (date); my ~~former spouse's~~ his last known address is _____; divorce granted in the State of _____, County of _____ on _____; my ~~previous~~ former spouse (did) (did not) [circle one] also adopt said child; my ~~previous~~ former spouse (is) (is not) [circle one] the biological father of said child.

() Legally married; the name of my spouse is ~~(was)~~ (is) [circle one] _____; we were married in the State of _____, County of _____ on _____; ~~his~~ my spouse's last known address is _____; my spouse (did) (did not) [circle one] also adopt said child; my spouse (is) (is not) [circle one] the biological father of said child.

() Married through common-law marriage relationship prior to January 1, 1997; the name of my spouse is ~~(was)~~ (is) [circle one] _____; ~~his~~ my spouse's last known address is _____; ~~the date and place our relationship began is (date, county, state)~~ in the State of _____, County of _____ on _____; my spouse (did) (did not) [circle one] also adopt said child; my spouse (is) (is not) [circle one] the biological father of said child.

() Widowed; the name of my deceased spouse is ~~is~~ was _____; we were married in the State of _____, County of _____ on _____; ~~he~~ my spouse died on _____ in the County of _____, State of _____; he (did) (did not) [circle one] also adopt said child; ~~and~~ he (was) (was not) [circle one] the biological father of said child.

That I adopted ~~my~~ the child in the State of _____, County of _____.

That the final order of adoption was entered on _____.

That there (was) (was not) [circle one] an adoption agency involved in the placement of ~~my~~ the child with me for adoption; and if so its name was _____, and its address is _____.

That I (have) (have not) [circle one] consented to the appointment of a temporary guardian for the child. If so, the name of the temporary guardian is: _____, and the probate court in which the petition for temporary guardianship was filed is _____.

That custody of the child has been awarded to _____ (name and address of custodian) by order of the _____ Court of _____ County, State of _____, entered on _____ (date).

That I have received or been promised the following financial assistance, either directly or indirectly, from whatever source, in connection with ~~my~~ the child's placement for adoption: _____.

That I recognize that if I knowingly and willfully make a false statement in this affidavit, I will be guilty of the crime of false swearing.

(Adoptive mother)

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)
My commission expires: _____.'

(j) The affidavit of ~~an~~ a child-placing agency, out-of-state licensed agency, or department representative required by subsection (h) of Code Section 19-8-4 shall conform substantially to the following form:

'AFFIDAVIT OF CHILD-PLACING AGENCY,
OUT-OF-STATE LICENSED AGENCY, OR
DEPARTMENT REPRESENTATIVE

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That I am _____ (position) of _____ (name of department, child-placing agency, or out-of-state licensed agency) (~~department or agency~~).

That prior to the execution of the accompanying SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION by _____, releasing and surrendering all of (his) (her) [circle one] rights in a (male) (female) [circle one] ~~minor~~ child born _____ (name of child) on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] (~~insert name of child~~) on (~~insert birthdate of child~~), I reviewed with and explained to ~~said~~ such individual all of the provisions of the surrender of rights, and particularly the provisions which provide that the surrender is a full surrender of all rights to the child.

That based on my review and explanation to ~~said~~ such individual, it is my opinion that ~~said~~ such individual knowingly, intentionally, freely, and voluntarily executed the SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION.

(Agency representative)
(Representative)

(Department or agency name)

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)
My commission expires: _____.'

(k) The affidavit of a petitioner's representative or of the representative of the individual signing the surrender of rights required by subsection (h) of Code Section 19-8-5, 19-8-6, or 19-8-7 shall conform substantially to the following form:

'AFFIDAVIT OF PETITIONER'S REPRESENTATIVE

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That my name is _____.

That my address is _____.

That prior to the execution of the accompanying SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION by _____, releasing and surrendering all of (his) (her) [circle one] rights in a (male) (female) [circle one] ~~minor~~ child born _____ (name of child) on _____ (birthdate of child) at _____ : _____ (A.M.) (P.M.) [circle one] ~~(insert name of child)~~ on ~~(insert birthdate of child)~~, I reviewed with and explained to ~~said~~ such individual all of the provisions of the surrender of rights, and particularly the provisions which provide that the surrender is a full surrender of all rights to the child.

That based on my review and explanation to ~~said~~ such individual, it is my opinion that ~~said~~ such individual knowingly, intentionally, freely, and voluntarily executed the SURRENDER OF RIGHTS/FINAL RELEASE FOR ADOPTION.

~~(Petitioner's representative)~~
(Petitioner's representative or the representative of the individual signing the surrender)

Sworn to and subscribed
before me this _____
day of _____, ____.

Notary public (SEAL)
My commission expires: _____.'

(l) The parental consent to a stepparent adoption required by subsection (j) of Code Section 19-8-6 shall conform substantially to the following form:

PARENTAL CONSENT TO STEPPARENT ADOPTION

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent) who, after having been sworn, deposes and says as follows:

I, the undersigned, hereby consent that my spouse _____ (name of spouse) (~~insert name of spouse~~) adopt my (son) (daughter) [circle one], _____ (name of child) (~~insert name of child~~), whose date of birth is _____, and in so doing I in no way relinquish or surrender my parental rights to the child. I further acknowledge service of a copy of the petition for adoption of the child as filed on behalf of my spouse, and I hereby consent to the granting of the prayers of the petition for adoption. I also waive all other and further service and notice of any kind and nature in connection with the proceedings.

This _____ day of _____, _____.

(Parent)

~~Unofficial witness~~

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.'

(m) The sworn statement executed by the biological mother identifying an alleged biological father of her unborn child authorized and required by subparagraph (e)(3)(E) of Code Section 19-8-4, 19-8-5, or 19-8-7 shall conform substantially to the following form:

'NOTICE TO BIOLOGICAL MOTHER:

This is an important legal document which will enable the individual you identify as the biological father of your unborn child to sign a pre-birth surrender of his rights so as to place your child for adoption. Understand that you are signing this affidavit under oath and that the information you provide will be held in strict confidence and will be used only in connection with the adoption of your unborn child.

STATE OF GEORGIA
COUNTY OF _____

BIOLOGICAL MOTHER'S AFFIDAVIT IDENTIFYING
BIOLOGICAL FATHER OF HER UNBORN CHILD

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____, who, after having been sworn, deposes and says as follows:

That my name is _____.

That I am _____ years of age, having been born in the State of _____, County of _____ on _____.

That my social security number is _____.

That I am currently pregnant with a (male) (female) (sex unknown) [circle one] child who is expected to be born on _____ (due date of child).

That the name of any alleged biological father is _____, and his last known address is _____.

That I execute this affidavit so that any alleged biological father I have identified above can be asked to sign a pre-birth surrender of his rights to assist me in placing the child for adoption once the child is born.

That I recognize that if I knowingly and willfully make a false statement in this affidavit I will be guilty of the crime of false swearing.

(Biological mother)

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.

(n) The affidavit regarding Native American heritage and military service authorized and required by subsection (k) of Code Sections 19-8-4, 19-8-6, and 19-8-7 and subsection (o) of Code Section 19-8-5 shall conform substantially to the following form:

NOTICE TO BIOLOGICAL OR LEGAL FATHER:

This is an important legal document. Understand that you are providing this affidavit under oath and that if you knowingly and willfully make a false statement in this affidavit you will be guilty of the crime of false swearing.

AFFIDAVIT REGARDING NATIVE AMERICAN HERITAGE
AND MILITARY SERVICE

STATE OF GEORGIA

COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of affiant) who, after having been sworn, deposes and says as follows:

1. That my name is _____.
2. That I am the (biological) (legal) [circle one] father of a (male) (female) (sex unknown) [circle one] child (born) (yet to be born) [circle one] in the State of _____, County of _____ on _____.
3. That I am _____ years of age, having been born in the State of _____, County of _____ on _____.
4. That my social security number is _____.
5. That, to the best of my knowledge, I (am) (am not) [circle one] an enrolled member of a federally recognized American Indian tribe, (am) (am not) [circle one] a resident of an American Indian reservation, or (am) (am not) [circle one] an Alaskan native. If so:
 - (A) The name of my American Indian tribe is _____.
 - (B) My registration or identification number is _____.
 - (C) The percentage of my American Indian blood is _____ percent.
6. That, to the best of my knowledge, a member of my family (is or was) (is not or was not) [circle one] an enrolled member of a federally recognized American Indian tribe, (is or was) (is not or was not) [circle one] a resident of an American Indian reservation, or (is or was) (is not or was not) [circle one] an Alaskan native. If so:
 - (A) The name of the American Indian tribe is _____.
 - (B) The percentage of my American Indian blood is _____ percent.
 - (C) My relatives with American Indian or Alaskan native blood are _____

_____.
 - (D) The name of the American Indian tribe is _____.
 - (E) The name of each enrolled member is _____, and his or her corresponding registration or identification number is _____.
7. That I (am) (am not) [circle one] on active duty in a branch of the United States armed forces. If so:

(A) The branch of my service is (Army) (Navy) (Marine) (Air Force) (Coast Guard) [circle one].

(B) My rank is _____.

(C) My duty station is _____.

(D) Additional information regarding my military service is _____

_____.

8. That I have received or been promised the following financial assistance, either directly or indirectly, from whatever source, in connection with the birth of the child and the child's placement for adoption: _____.

9. That I recognize that if I knowingly and willfully make a false statement in this affidavit I will be guilty of the crime of false swearing.

(Biological or legal father)

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.'

19-8-27.

(a) As used in this Code section, the term 'birth relative' means:

(1) A parent, biological father who is not ~~the~~ a legal father, grandparent, brother, sister, half-brother, or half-sister who is related by blood or marriage to a child who is being adopted or who has been adopted; or

(2) A grandparent, brother, sister, half-brother, or half-sister who is related by adoption to a child who is being adopted or who has been adopted.

(b)(1) An adopting parent or parents and birth relatives or an adopting parent or parents, birth relatives, and a child who is 14 years of age or older who is being adopted or who has been adopted may voluntarily enter into a written postadoption contact agreement to permit continuing contact between such birth relatives and such child. A child who is 14 years of age or older shall be considered a party to a postadoption contact agreement.

(2) A postadoption contact agreement may provide for privileges regarding a child who is being adopted or who has been adopted, including, but not limited to, visitation with such child, contact with such child, sharing of information about such child, or sharing of information about birth relatives.

(3) In order to be an enforceable postadoption contact agreement, such agreement shall be in writing and signed by all of the parties to such agreement acknowledging

their consent to its terms and conditions.

(4) Enforcement, modification, or termination of a postadoption contact agreement shall be under the continuing jurisdiction of the court that granted the petition ~~of~~ for adoption; provided, however, that the parties to a postadoption contact agreement may expressly waive the right to enforce, modify, or terminate such agreement under this Code section.

(5) Any party to the postadoption contact agreement may, at any time, file the original postadoption contact agreement with the court that has or had jurisdiction over the adoption if such agreement provides for the court to enforce such agreement or such agreement is silent as to the issue of enforcement.

(c) A postadoption contact agreement shall contain the following warnings in at least 14 point boldface type:

(1) After the entry of a decree for adoption, an adoption cannot be set aside due to the failure of an adopting parent, a ~~birth~~ biological parent, a birth relative, or the child to follow the terms of this agreement or a later change to this agreement; and

(2) A disagreement between the parties or litigation brought to enforce, terminate, or modify this agreement shall not affect the validity of the adoption and shall not serve as a basis for orders affecting the custody of the child.

(d)(1) As used in this subsection, the term 'parties' means the individuals who signed the postadoption contact agreement currently in effect, including the child if he or she is 14 years of age or older at the time of the action regarding such agreement, but such term shall exclude any third-party beneficiary to such agreement.

(2) A postadoption contact agreement may always be modified or terminated if the parties have voluntarily signed a written modified postadoption contact agreement or termination of a postadoption contact agreement. A modified postadoption contact agreement may be filed with the court if such agreement provides for the court to enforce such agreement or such agreement is silent as to the issue of enforcement.

(e) With respect to postadoption contact agreements that provide for court enforcement or termination or are silent as to such matters, any party, as defined in paragraph (1) of subsection (d) of this Code section, may file a petition to enforce or terminate such agreement with the court that granted the petition ~~of~~ for adoption, and the court shall enforce the terms of such agreement or terminate such agreement if such court finds by a preponderance of the evidence that the enforcement or termination is necessary to serve the best interests of the child.

(f) With respect to postadoption contact agreements that provide for court modification or are silent as to modification, only the adopting parent or parents may file a petition seeking modification. Such petition shall be filed with the court that granted the petition ~~of~~ for adoption, and the court shall modify such agreement if such court finds by a preponderance of the evidence that the modification is necessary to serve the best interests of the child and there has been a material change of circumstances since the current postadoption contact agreement was executed.

(g) A court may require the party seeking modification, termination, or enforcement of a postadoption contact agreement to participate in mediation or other appropriate

alternative dispute resolution.

(h) All reasonable costs and expenses of mediation, alternative dispute resolution, and litigation shall be borne by the party, other than the child, filing the action to enforce, modify, or terminate a postadoption contact agreement when no party has been found by the court as failing to comply with an existing postadoption contact agreement. Otherwise, a party, other than the child, found by the court as failing to comply without good cause with an existing postadoption contact agreement shall bear all the costs and expenses of mediation, alternative dispute resolution, and litigation of the other party.

(i) A court shall not set aside a decree of adoption, rescind a surrender of rights, or modify an order to terminate parental rights or any other prior court order because of the failure of an adoptive parent, a birth relative, or the child to comply with any or all of the original terms of, or subsequent modifications to, a postadoption contact agreement.

19-8-28.

When a child is an orphan, the petitioner shall not be required to have a guardian appointed for such child in order for a guardian to execute a surrender of rights. Such child shall be adoptable without a surrender of rights."

SECTION 1-2.

Code Section 15-11-320 of the Official Code of Georgia Annotated, relating to termination of parental rights, is amended by revising subsection (d) as follows:

"(d) The court shall transmit a copy of every final order terminating the parental rights of a parent to the ~~Office of Adoptions~~ State Adoption Unit of the department within 15 days of the filing of such order."

PART II SECTION 2-1.

The General Assembly finds that:

- (1) From time to time, parents experience short-term difficulties that impair their ability to perform the regular and expected functions to provide care and support to their children;
- (2) Parents need a means to confer to a relative or other approved person the temporary authority to act on behalf of a child without the time and expense of a court proceeding or the involvement of the Division of Family and Children Services of the Department of Human Services; and
- (3) Providing a statutory mechanism for granting such authority enhances family preservation and stability.

SECTION 2-2.

Title 19 of the Official Code of Georgia Annotated, relating to domestic relations, is amended by repealing Article 4 of Chapter 9, relating to the power of attorney for the care of a minor child, and enacting a new Article 4 to read as follows:

"ARTICLE 419-9-120.

This article shall be known and may be cited as the 'Supporting and Strengthening Families Act.'

19-9-121.

As used in this article, the term:

(1) 'Child' means an unemancipated individual who is under 18 years of age.

(2) 'Child-placing agency' means an agency licensed as such pursuant to Chapter 5 of Title 49.

(3) 'Criminal background check' means the results of an unrestricted search of the criminal records maintained by the Georgia Crime Information Center and the Federal Bureau of Investigation pursuant to Code Section 35-3-34.

(4) 'Department' means the Department of Human Services.

(5) 'Nonprofit entity or faith based organization' means a business that provides child or family services and that is in good standing with the Internal Revenue Service, if applicable.

(6) 'Parent' shall have the same meaning as provided in Code Section 19-3-37.

19-9-122.

A parent of a child may delegate caregiving authority regarding such child to an individual who is an adult, who resides in this state, and who is the grandparent, great-grandparent, stepparent, former stepparent, step-grandparent, aunt, uncle, great aunt, great uncle, cousin, or sibling of such child or is a nonrelative who is approved as an agent by a child-placing agency or a nonprofit entity or faith based organization for a period not to exceed one year, except as provided in Code Section 19-9-132, by executing a power of attorney that substantially complies with this article.

19-9-123.

(a) A nonprofit entity or faith based organization that is not licensed by the department but is providing services under this article shall annually provide the department with the following information:

(1) Its legal name, address, telephone number, e-mail address, and any other contact information;

(2) The name of its director;

(3) The names and addresses of the officers and members of its governing body;

(4) The total number of approved volunteer families with which it works; and

(5) The total number of children served in the previous calendar year.

(b) The department shall maintain a list of nonprofit entities or faith based organizations for which it has been provided the information required by subsection (a) of this Code section.

(c) The department may refer an individual who is seeking to execute a power of

attorney under this article to a nonprofit entity or faith based organization if the information required by subsection (a) of this Code section has been provided. The department shall not be liable for civil damages or be subject to any claim, demand, cause of action, or proceeding of any nature as a result of referring such individual to a nonprofit entity or faith based organization.

(d) The department shall promulgate rules and regulations in order to implement this Code section.

19-9-124.

(a)(1) A parent of a child may delegate to an agent in a power of attorney any power and authority regarding the care and custody of such child, except the power to consent to the marriage or adoption of such child, the performance or inducement of an abortion on or for such child, or the termination of parental rights to such child. Such power and authority may be delegated without the approval of a court, provided that such delegation of power and authority shall not operate to change or modify any parental or legal rights, obligations, or authority established by an existing court order, including a standing order, or deprive a parent of a child of any parental or legal rights, obligations, or authority regarding the custody, parenting time, visitation, or support of such child. Such delegation of power and authority shall not deprive or limit any support for a child that should be received by such child pursuant to a court order or for any other reason. When support is being collected for the child by the Child Support Enforcement Agency of the department, such agency shall be authorized to redirect support payments to the agent for the duration of the power of attorney or until the power of attorney is revoked or superseded by a court order.

(2) A power of attorney executed under this article during the pendency of a divorce or custody action shall be void ab initio unless executed or agreed upon by both parties to such action, if both parties have custodial rights to the child or the court presiding over such divorce or custody action enters an order allowing the execution of the power of attorney as being in the best interests of such child.

(b) Except as limited by federal law, this article, or the direction of a parent of a child as expressed in the power of attorney, an agent shall have the same rights, duties, and responsibilities that would otherwise be exercised by such parent of a child pursuant to the laws of this state.

(c) An agent shall acknowledge in writing his or her acceptance of the responsibility for caring for a child for the duration of the power of attorney and, if applicable, shall identify his or her association with a child-placing agency or nonprofit entity or faith based organization.

(d) An agent shall certify that he or she is not currently on the state sexual offender registry or child abuse registry of this state or the sexual offender registry or child abuse registry for any other state, a United States territory, the District of Columbia, or any American Indian tribe nor has he or she ever been required to register for any such registry.

(e) The individual executing a power of attorney shall require a prospective agent to

provide him or her with a criminal background check if such agent is a nonrelative. At the time of executing such power of attorney, the individual executing it shall acknowledge having read and reviewed the prospective agent's criminal background check or shall waive such requirement if the prospective agent is the grandparent, great-grandparent, stepparent, former stepparent, step-grandparent, aunt, uncle, great aunt, great uncle, cousin, or sibling of such child.

(f) The agent under a power of attorney shall act in the best interests of the child. Such agent shall not be liable to the individual executing the power of attorney for consenting or refusing to consent to medical, dental, or mental health care for a child when such decision is made in good faith and is exercised in the best interests of the child.

(g) Each child-placing agency and nonprofit entity or faith based organization that assists with the execution of a power of attorney under this article shall maintain a record of all powers of attorney executed by agents approved by such agency, entity, or organization for at least five years after the expiration of such powers of attorney.

19-9-125.

(a) An individual with sole custody of a child who executes a power of attorney authorized under this article shall provide written notice of such execution to the noncustodial parent by certified mail, return receipt requested, or statutory overnight delivery within 15 days after the date upon which such power of attorney was executed.

(b) A noncustodial parent receiving the notice as set forth in subsection (a) of this Code section may object to the execution of such power of attorney within 21 days of the delivery of such notice and shall serve his or her objection on the individual who executed such power of attorney by certified mail, return receipt requested, or statutory overnight delivery. An objection shall prohibit the action of a power of attorney under this article and the child shall be returned to the individual with sole custody.

(c) In addition to the notice provided for in subsection (a) of this Code section, an individual with sole custody of a child who executes a power of attorney under this article shall comply with any applicable relocation notice requirements under subsection (f) of Code Section 19-9-3.

19-9-126.

(a) The execution of a power of attorney under this article shall, in the absence of other evidence, not constitute abandonment, abuse, neglect, or any indication of unfitness as a parent.

(b) An individual shall not execute a power of attorney under this article with the intention of divesting or negating another individual's legal responsibility for the care of a child.

(c) The parental obligations set forth in Chapter 7 of Title 19 to his or her child shall not be extinguished or serve as a defense when a parent executes a power of attorney. Any individual giving a power of attorney to a nonrelative shall carefully consider such agent's criminal background check, and such consideration shall not absolve the signer from liability.

(d) Nothing in this article shall prevent the Division of Family and Children Services of the department or law enforcement from investigating and taking appropriate action regarding allegations of abuse, neglect, abandonment, desertion, or other mistreatment of a child.

19-9-127.

Nothing in this article shall preclude a parent or agent from granting temporary written permission to seek emergency medical treatment or other services for a child while such child is in the custody of an adult who is not the parent or agent and who is temporarily supervising the child at the request of such parent or agent.

19-9-128.

An individual shall not execute a power of attorney under this article for the purpose of subverting an investigation of the child's welfare initiated by the Division of Family and Children Services of the department and shall not execute such power of attorney so long as the Division of Family and Children Services has an open child welfare and youth services case with regard to the child, his or her parent, or another child of the parent. Nothing in this article shall be construed to diminish or limit any rights, power, or authority of or by the Division of Family and Children Services for the protection of any child.

19-9-129.

(a) A power of attorney executed under this article shall be:

(1) Signed under oath and acknowledged before a notary public by the individual executing such power of attorney and by the agent accepting such delegation; and

(2) A copy of it shall be filed by the individual executing the power of attorney, or his or her designee, within ten days of the power of attorney being executed, in the probate court of the county in which the child resides. If the residence of the child changes to a different county during the term of the power of attorney, the agent shall file the power of attorney in the probate court of the county of the new residence and notify the original court in writing of such change.

(b) Each probate court shall maintain a docket in which a power of attorney will be registered. The docket shall include the name of the agent, the name of the child, the date the power of attorney was deposited with the court, and the date the power of attorney expires, if applicable. The power of attorney shall be confidential; provided, however, that the individual who executed the power of attorney or his or her legal representative shall have access to such power of attorney and the department and any local, state, or federal authority that is conducting an investigation involving the agent or the individual who executed such power of attorney may be granted access upon good cause shown to the court. The docket shall be publicly accessible as are other dockets for the probate court. Notwithstanding Article 3 of Chapter 9 of Title 15, the probate court shall not impose any filing fee for the depositing of a power of attorney under this Code section.

(c) Nothing in this Code section shall be construed so as to prohibit an individual from revoking a power of attorney or executing a subsequent power of attorney.

19-9-130.

(a)(1) An agent shall have the authority to act on behalf of the child on a continuous basis, without compensation:

(A) For the duration of the power of attorney so long as the duration does not exceed one year or the time period authorized in Code Section 19-9-132; or

(B) Until the individual who executed the power of attorney revokes the power of attorney in writing and provides notice of the revocation to the agent by certified mail, return receipt requested, or statutory overnight delivery. Upon receipt of such revocation, the agent shall cease to act as agent.

(2) The individual revoking the power of attorney shall send a copy of the revocation of the power of attorney to the agent within five days of executing such revocation. If an individual revokes a power of attorney, the child shall be returned to the custody of such individual who executed the power of attorney within 48 hours of receiving such revocation.

(3) The revoking individual shall notify schools, health care providers, the probate court where the power of attorney is filed, and others known to the revoking individual to have relied upon such power of attorney within 48 hours of submitting such resignation to the agent.

(b) A power of attorney executed under this article may be terminated by an order of a court of competent jurisdiction.

(c) Upon receipt of a revocation of a power of attorney, an agent shall notify schools, health care providers, and others known to the agent to have relied upon such power of attorney within 48 hours of receiving such revocation.

(d) An agent may resign by notifying the individual who appointed the agent in writing by certified mail, return receipt requested, or statutory overnight delivery and he or she shall notify schools, health care providers, the probate court where the power of attorney is filed, and others known to the agent to have relied upon such power of attorney within 48 hours of submitting such notification.

(e) Upon the death of an individual who executed a power of attorney, the agent shall notify the surviving parent of the child, if known, as soon as practicable.

(f) The authority to designate an agent to act on behalf of a child shall be in addition to any other lawful action a parent may take for the benefit of such child.

(g) A parent shall continue to have the right to receive medical, dental, mental health, and educational records pertaining to his or her child, even when a power of attorney has been executed under this article.

19-9-131.

(a) A child subject to a power of attorney executed under this article shall not be considered placed in foster care under Chapter 5 of Title 49, and the parties to the power of attorney shall not be subject to any of the requirements or licensing

regulations for foster care or other regulations relating to community care for children.

(b) Caregiving authority delegated under this article shall not constitute an out-of-home child placement.

(c) The execution of a power of attorney under this article shall not delegate caregiving authority for more than one child unless such power of attorney delegates caregiving authority for children who are siblings or stepsiblings.

19-9-132.

(a) When a power of attorney delegates caregiving authority to a grandparent of a child, it may have an unlimited duration.

(b) Except as limited by or in conflict with federal law regarding the armed forces of the United States, a parent who is a member of the armed forces of the United States, including any reserve component thereof, or the commissioned corps of the National Oceanic and Atmospheric Administration or the Public Health Service of the United States Department of Health and Human Services detailed by proper authority for duty with the armed forces of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the President of the United States or to serve on state active duty, may delegate caregiving authority for a period longer than one year if such parent is deployed as defined in Code Section 19-9-6. Such term of delegation, however, shall not exceed the term of deployment plus 30 days.

19-9-133.

This article shall not affect a power of attorney given to a grandparent prior to September 1, 2018, to which the provisions of former Code Sections 19-9-120 through 19-9-129, as such existed on August 30, 2018, shall continue to apply.

19-9-134.

(a) The power of attorney contained in this Code section may be used for the temporary delegation of caregiving authority to an agent. The form contained in this Code section shall be sufficient for the purpose of creating a power of attorney under this article, provided that nothing in this Code section shall be construed to require the use of this particular form.

(b) A power of attorney shall be legally sufficient if the form is properly completed and the signatures of the parties are notarized.

(c) The power of attorney delegating caregiving authority of a child shall be in substantially the following form:

FORM FOR POWER OF ATTORNEY TO DELEGATE
THE POWER AND AUTHORITY FOR THE CARE OF A CHILD

NOTICE:

(1) THE PURPOSE OF THIS POWER OF ATTORNEY IS TO GIVE THE INDIVIDUAL WHOM YOU DESIGNATE (THE AGENT) POWERS TO CARE

FOR YOUR CHILD, INCLUDING THE POWER TO: HAVE ACCESS TO EDUCATIONAL RECORDS AND DISCLOSE THE CONTENTS TO OTHERS; ARRANGE FOR AND CONSENT TO MEDICAL, DENTAL, AND MENTAL HEALTH TREATMENT FOR THE CHILD; HAVE ACCESS TO RECORDS RELATED TO SUCH TREATMENT OF THE CHILD AND DISCLOSE THE CONTENTS OF THOSE RECORDS TO OTHERS; PROVIDE FOR THE CHILD'S FOOD, LODGING, RECREATION, AND TRAVEL; AND HAVE ANY ADDITIONAL POWERS AS SPECIFIED BY THE INDIVIDUAL EXECUTING THIS POWER OF ATTORNEY.

(2) THE AGENT IS REQUIRED TO EXERCISE DUE CARE TO ACT IN THE CHILD'S BEST INTERESTS AND IN ACCORDANCE WITH THE GRANT OF AUTHORITY SPECIFIED IN THIS FORM.

(3) A COURT OF COMPETENT JURISDICTION MAY REVOKE THE POWERS OF THE AGENT.

(4) THE AGENT MAY EXERCISE THE POWERS GIVEN IN THIS POWER OF ATTORNEY FOR THE CARE OF A CHILD FOR THE PERIOD SET FORTH IN THIS FORM UNLESS THE INDIVIDUAL EXECUTING THIS POWER OF ATTORNEY REVOKES THIS POWER OF ATTORNEY AND PROVIDES NOTICE OF THE REVOCATION TO THE AGENT OR A COURT OF COMPETENT JURISDICTION TERMINATES THIS POWER OF ATTORNEY.

(5) THE AGENT MAY RESIGN AS AGENT AND MUST IMMEDIATELY COMMUNICATE SUCH RESIGNATION TO THE INDIVIDUAL EXECUTING THIS POWER OF ATTORNEY AND TO SCHOOLS, HEALTH CARE PROVIDERS, AND OTHERS KNOWN TO THE AGENT TO HAVE RELIED UPON SUCH POWER OF ATTORNEY.

(6) THIS POWER OF ATTORNEY MAY BE REVOKED IN WRITING. IF THIS POWER OF ATTORNEY IS REVOKED, THE REVOKING INDIVIDUAL SHALL NOTIFY THE AGENT, SCHOOLS, HEALTH CARE PROVIDERS, AND OTHERS KNOWN TO THE INDIVIDUAL EXECUTING THIS POWER OF ATTORNEY TO HAVE RELIED UPON SUCH POWER OF ATTORNEY.

(7) IF THERE IS ANYTHING ABOUT THIS FORM THAT YOU DO NOT UNDERSTAND, YOU SHOULD ASK AN ATTORNEY TO EXPLAIN IT TO YOU.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of parent) who, after having been sworn, deposes and says as follows:

1. I certify that I am the parent of:

(Full name of child)

(Date of birth)

2. I designate: _____,

(Full name of agent)

(Street address, city, state, and ZIP Code of agent)

(Personal and work telephone numbers of agent)

as the agent of the child named above.

3. The agent named above is related or known to me as follows (*write in your relationship to the agent; for example, aunt of the child, maternal grandparent of the child, sibling of the child, godparent of the child, associated with a nonprofit or faith based organization*):

4. Sign by the statement you wish to choose (*you may only choose one*):

(A) _____ (Signature) The agent named above is related to me by blood or marriage and I have elected not to have him or her obtain a criminal background check.

OR

(B) _____ (Signature) The agent named above is not related to me and I have reviewed his or her criminal background check. (*If the agent has a criminal conviction, complete the rest of this paragraph.*) I know that the agent has a conviction but I want him or her to be the agent because (*write in*):

5. Sign by the statement you wish to choose (*you may only choose one*):

(A) _____ (Signature) I delegate to the agent all my power and authority regarding the care and custody of the child named above,

including but not limited to the right to inspect and obtain copies of educational records and other records concerning the child, attend school activities and other functions concerning the child, and give or withhold any consent or waiver with respect to school activities, medical and dental treatment, and any other activity, function, or treatment that may concern the child. This delegation shall not include the power or authority to consent to the marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child.

OR

(B) _____ (Signature) I delegate to the agent the following specific powers and responsibilities (*write in*):

This delegation shall not include the power or authority to consent to the marriage or adoption of the child, the performance or inducement of an abortion on or for the child, or the termination of parental rights to the child.

6. Initial by the statement you wish to choose (*you may only choose one of the three options*) and complete the information in the paragraph:

(A) _____ (Initials) This power of attorney is effective for a period not to exceed one year, beginning _____, 2____, and ending _____, 2____. I reserve the right to revoke this power and authority at any time.

OR

(B) _____ (Initials) This power of attorney is being given to a grandparent of my child and is effective until I revoke this power of attorney.

OR

(C) _____ (Initials) I am a parent as described in O.C.G.A. § 19-9-130(b). My deployment is scheduled to begin on _____, 2____, and is estimated to end on _____, 2____. I acknowledge that in no event shall this delegation of power and authority last more than one year or the term of my deployment plus 30 days, whichever is longer. I reserve the right to revoke this power and authority at any time.

7. I hereby swear or affirm under penalty of law that I provided the notice required by O.C.G.A. § 19-9-125 and received no objection in the required time period.

By: _____
(Parent signature)

(Printed name)

(Street address, city, state, and ZIP Code of parent)

(Personal and work telephone numbers of parent)

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.

STATE OF GEORGIA
COUNTY OF _____

Personally appeared before me, the undersigned officer duly authorized to administer oaths, _____ (name of agent) who, after having been sworn, deposes and says as follows:

8. I hereby accept my designation as agent for the child specified in this power of attorney and by doing so acknowledge my acceptance of the responsibility for caring for such child for the duration of this power of attorney. Furthermore, I hereby certify that:

(A)(i) I am related to the individual giving me this power of attorney by blood or marriage as follows (write in your relationship to the individual designating you as agent; for example, sister, mother, father, etc.): _____

OR

(ii) I am not related to the individual giving me this power of attorney but was referred to him or her by: _____ (write in the name of the child-placing agency, nonprofit entity, or faith based organization).

(B) I am not currently on the state sexual offender registry or child abuse registry of this state or the sexual offender registry or child abuse registry for any other state, a United States territory, the District of Columbia, or any American Indian tribe nor have I ever been required to register for any such registry;

(C) I have provided a criminal background check to the individual designating me as an agent, if it was required;

(D) I understand that I have the authority to act on behalf of the child:

- For the period of time set forth in this form;
- Until the power of attorney is revoked in writing and notice is provided to me as required by O.C.G.A. § 19-9-130; or
- Until the power of attorney is terminated by order of a court;

(E) I understand that if I am made aware of the death of the individual who executed the power of attorney, I must notify the surviving parent of the child, if known, as soon as practicable; and

(F) I understand that I may resign as agent by notifying the individual who executed the power of attorney in writing by certified mail, return receipt requested, or statutory overnight delivery and I must also notify any schools, health care providers, and others to whom I give a copy of this power of attorney.

(Agent signature)

(Printed name)

Sworn to and subscribed
before me this _____
day of _____, _____.

Notary public (SEAL)
My commission expires: _____.

(Organization signature, if applicable)

(Printed name and title)'"

PART III
SECTION 3-1.

Part 4 of Article 17 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to sick, personal, and maternity leave for teachers and other school personnel, is amended by adding a new Code section to read as follows:

"20-2-852.1.

A local board of education that permits paternity or maternity time off for biological parents following the birth of a child shall, upon request, make such time off available for individuals adopting a child, in the same manner and utilizing the same type of leave. If the local board of education has established a policy providing time off for biological parents, that period of time shall be the minimum period of leave available for adoptive parents. Requests for additional leave due to the adoption of an ill child or a child with a disability shall be considered on the same basis as comparable cases of such complications accompanying the birth of such a child to an employee or employee's spouse. Any other benefits provided by the local board of education, such as job guarantee or pay, shall be available to both adoptive and biological parents on an equal basis. A local board of education shall not penalize an employee for exercising the rights provided by this Code section. The provisions of this Code section shall not apply to an adoption by the spouse of a custodial parent."

PART IV
SECTION 4-1.

This Act shall become effective on September 1, 2018.

SECTION 4-2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Stone of the 23rd moved that the Senate agree to the House amendment to the Senate substitute to HB 159.

Senator Heath of the 31st requested a parliamentary inquiry as to whether notice of intention to consider House action taken on the Senate substitute to HB 159, pursuant to Senate Rule 7-1.10(b), was provided.

The President ruled that sufficient notice was served.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 53, nays 2; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 159.

The following communication was received by the Secretary:

2/5/18

Due to business outside the Senate Chamber, I missed the vote on HB 159. Had I been present, I would have voted "yes".

/s/ Donzella J. James
District 35

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Tuesday, February 6, 2018.

The motion prevailed, and the President announced the Senate adjourned at 12:24 p.m.

Senate Chamber, Atlanta, Georgia
Tuesday, February 6, 2018
Sixteenth Legislative Day

The Senate met pursuant to adjournment at 10:10 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 701. By Representatives Tanner of the 9th, Cooper of the 43rd, Hitchens of the 161st, Newton of the 123rd and Powell of the 32nd:

A BILL to be entitled an Act to amend Code Section 45-20-110, relating to definitions for drug testing for state employment, so as to allow for testing for all forms of opioids; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 384. By Senators Williams of the 27th, McKoon of the 29th, Ligon, Jr. of the 3rd, Payne of the 54th, Millar of the 40th and others:

A BILL to be entitled an Act to amend Part 14 of Article 6 of Chapter 2 of Title 20 of the O.C.G.A., relating to other educational programs under the "Quality Basic Education Act," so as to authorize home study students to participate in extracurricular and interscholastic activities in the student's resident public school system; to provide for definitions; to provide eligibility requirements; to prohibit certain limitations by resident school systems, public schools, and athletic associations with respect to home study students

participating in extracurricular and interscholastic activities; to provide for participation at a particular public school; to provide for participation fees; to provide for a short title; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SB 385. By Senators Jones of the 25th, Black of the 8th, Harper of the 7th, Lucas of the 26th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost reimbursement fees and surcharges, so as to change the surcharge imposed by host local governments regarding solid waste disposal facilities operated by private enterprises; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SB 386. By Senators Beach of the 21st, Gooch of the 51st, Miller of the 49th, Cowsert of the 46th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the O.C.G.A., relating to sales and use taxes, so as to provide for an exception to the ceiling on local sales and use taxes; to provide for the imposition of a transit special purpose local option sales and use tax within special districts; to provide for other matters relative to the foregoing; to amend Chapter 32 of Title 50 of the O.C.G.A., relating to the Georgia Regional Transportation Authority, so as to create the Atlanta-region Transit Link "ATL" Commission to serve as a division within such authority; to provide for purposes of such commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

SR 699. By Senator Williams of the 27th:

A RESOLUTION urging and warning the men and women serving in the three branches of state and federal governments to prioritize the rights of the people above any and all other interests as the fundamental consideration for crafting legislation, formulating governmental policy, and reasoning judicial opinions and to subordinate any interests government may assert, at any and all times, to those of the people; and for other purposes.

Referred to the Committee on Judiciary.

SR 706. By Senators Jackson of the 2nd, Ligon, Jr. of the 3rd, Jones II of the 22nd, Watson of the 1st, Henson of the 41st and others:

A RESOLUTION supporting Georgia's coastal tourism and fisheries and opposing seismic testing and oil drilling activities off of Georgia's coast; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

The following House legislation was read the first time and referred to committee:

HB 701. By Representatives Tanner of the 9th, Cooper of the 43rd, Hitchens of the 161st, Newton of the 123rd and Powell of the 32nd:

A BILL to be entitled an Act to amend Code Section 45-20-110, relating to definitions for drug testing for state employment, so as to allow for testing for all forms of opioids; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 365 Do Pass
SB 373 Do Pass

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 682 Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

SB 330 SB 352 SB 357

Senator Rhett of the 33rd asked unanimous consent that Senator James of the 35th be excused. The consent was granted, and Senator James was excused.

Senator Hufstetler of the 52nd asked unanimous consent that Senator Ligon, Jr. of the 3rd be excused. The consent was granted, and Senator Ligon, Jr. was excused.

Senator Millar of the 40th asked unanimous consent that Senator McKoon of the 29th be excused. The consent was granted, and Senator McKoon was excused.

Senator Anderson of the 24th asked unanimous consent that Senator Brass of the 28th be excused. The consent was granted, and Senator Brass was excused.

Senator Jones of the 25th asked unanimous consent that Senator Harper of the 7th be excused. The consent was granted, and Senator Harper was excused.

Senator Harbin of the 16th asked unanimous consent that Senator Thompson of the 14th be excused. The consent was granted, and Senator Thompson was excused.

The following Senators were excused for business outside the Senate Chamber:

Tillery of the 19th Watson of the 1st

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Payne
Anderson, L	Jackson	Rhett
Anderson, T	Jones, B	Seay
Beach	Jones, E	Shafer
Burke	Jones, H	Sims
Butler	Jordan	Stone
Cowsert	Kennedy	Strickland
Davenport	Kirk	Tate
Dugan	Kirkpatrick	Thompson, C
Ginn	Lucas	Tippins
Gooch	Martin	Unterman
Harbin	Millar	Walker
Harbison	Miller	Wilkinson
Heath	Mullis	Williams, M
Henson	Orrock	Williams, N
Hill	Parent	

Not answering were Senators:

Black	Brass (Excused)	Harper (Excused)
James (Excused)	Ligon, Jr. (Excused)	McKoon (Excused)
Thompson, B. (Excused)	Tillery (Excused)	Watson (Excused)

Senator Black of the 8th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Anderson of the 43rd introduced the chaplain of the day, First Lady Morgan Dukes of Fayetteville, Georgia, who offered scripture reading and prayer.

Senator Kirkpatrick of the 32nd introduced the doctor of the day, Dr. Richisa Hamilton.

The following resolution was read and adopted:

SR 696. By Senator Miller of the 49th:

A RESOLUTION recognizing and commending the Georgia Science Teachers Association (GSTA); and for other purposes.

Senator Miller of the 49th recognized the Georgia Science Teachers Association. Dr. Donald W. White addressed the Senate briefly.

Senator Jackson of the 2nd recognized February 6, 2018, as Girl Scout Day at the state capitol, and declared Girl Scouts as a national leader in providing the best leadership development experience in the world to American girls, commended by SR 665, adopted previously. Senior Scout Sydney Roberts addressed the Senate briefly.

Senator Albers of the 56th honored the firefighters of Georgia and recognized February 6, 2018, as Firefighters Recognition Day at the state capitol, commended by SR 675, adopted previously. Chief Dwayne Jamison addressed the Senate briefly.

Senator Sims of the 12th honored Marine Corps Logistics Base Albany and Marine Corps Logistics Command, the military service members, the Department of Defense civilian employees, and their families and recognized February 6, 2018, as Marine Corps Logistics Base Albany and Marine Corps Logistics Command Day at the state capitol, commended by SR 659, adopted previously. Major General Craig C. Crenshaw addressed the Senate briefly.

The following resolutions were read and adopted:

SR 700. By Senators Millar of the 40th, Orrock of the 36th, Martin of the 9th and Strickland of the 17th:

A RESOLUTION commending the University of Georgia, Augusta University, the Georgia Institute of Technology, and Georgia State University for their contributions to higher education; and for other purposes.

SR 701. By Senator Millar of the 40th:

A RESOLUTION recognizing and commending the YMCA on the grand occasion of its 160th anniversary; and for other purposes.

SR 702. By Senators Harper of the 7th, Heath of the 31st, Brass of the 28th, Hill of the 4th, Ginn of the 47th and others:

A RESOLUTION commending Corporal Brian Adams of the Georgia Department of Natural Resources Law Enforcement Division on being named 2017 Game Warden of the Year; and for other purposes.

SR 703. By Senators Miller of the 49th, Burke of the 11th, Black of the 8th, Harper of the 7th, Anderson of the 24th and others:

A RESOLUTION recognizing February 8, 2018, as Youth Equine Championship Day at the state capitol; and for other purposes.

SR 704. By Senators Davenport of the 44th, Anderson of the 43rd, Butler of the 55th, Sims of the 12th, Williams of the 39th and others:

A RESOLUTION recognizing and commending the Atlanta chapter of World Wings International, Inc.; and for other purposes.

SR 705. By Senator Rhett of the 33rd:

A RESOLUTION commending and congratulating James C. Birdsong, Jr., on his numerous accomplishments; and for other purposes.

SR 707. By Senators Jackson of the 2nd, Jones of the 10th and Jones II of the 22nd:

A RESOLUTION commending Kappa Alpha Psi Fraternity, Inc., and recognizing February 22, 2018, as Kappa Alpha Psi Fraternity Day at the state capitol; and for other purposes.

SR 708. By Senators Gooch of the 51st, Wilkinson of the 50th and Miller of the 49th:

A RESOLUTION recognizing Leadership Dawson and the Leadership Dawson Class of 2018; and for other purposes.

SR 709. By Senators Gooch of the 51st, Wilkinson of the 50th, Miller of the 49th and Tippins of the 37th:

A RESOLUTION commending Woody Gap School and recognizing February 14, 2018, as Woody Gap School Day at the state capitol; and for other purposes.

SR 710. By Senator Kirkpatrick of the 32nd:

A RESOLUTION recognizing February 6, 2018, as X & Y Chromosome Variations Awareness Day at the state capitol; and for other purposes.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Tuesday February 6, 2018
Sixteenth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 682

Tillery of the 19th

LONG COUNTY BOARD OF COMMISSIONERS

A BILL to be entitled an Act to amend an Act to re-create and establish the Board of Commissioners of Long County, approved March 10, 1988 (Ga. L. 1988, p. 3755), as amended, so as to provide for staggering of terms of office for commissioner districts; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers

Y Hufstetler

Y Payne

Y Anderson, L

Y Jackson

Y Rhett

Y Anderson, T

Y James

Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	E Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 51, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

SENATE RULES CALENDAR
TUESDAY, FEBRUARY 6, 2018
SIXTEENTH LEGISLATIVE DAY

SB 315 Computer Crimes; create a new crime of unauthorized computer access; penalties; provide (Substitute)(PUB SAF-14th)

SB 333 Deferred Compensation Plans; governing authority of a municipality may pay costs/fees associated with employee's participation; provide (RET-43rd)

HB 38 Motor vehicles; issuance of a noncommercial Class C and Class M driver's license; provide (Substitute)(PUB SAF-56th) Powell-32nd

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 315. By Senators Thompson of the 14th, Albers of the 56th, Cowsert of the 46th, Miller of the 49th, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, so as to create the new crime of unauthorized computer access; to provide for penalties; to change provisions relating to venue for computer crimes; to provide for forfeiture; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Cowsert of the 46th asked unanimous consent that SB 315 be recommitted to the Rules Committee to be placed on the General Calendar. There was no objection and the consent was granted.

SB 333. By Senators Black of the 8th, Anderson of the 43rd, Watson of the 1st, Rhett of the 33rd and Burke of the 11th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the governing authority of a municipality may pay costs or fees associated with an employee's participation in a deferred compensation plan; to provide that certain public employees may be automatically enrolled in deferred compensation plans; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 16, 2018

The Honorable Ellis Black
State Senator
Coverdell Legislative Office Building, Room 303-B
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Senate Bill 333 (LC 43 0774)

Dear Senator Black:

This bill would amend provisions relating to deferred compensation plans. Specifically, this bill would allow the governing authority of a municipality to pay the costs or fees associated with an employee's participation in a deferred compensation plan, provided an ordinance or resolution authorizes such actions. Additionally, this bill would revise provisions relating to salary deductions. Currently, participation in a deferred compensation plan occurs at the request of the employee and the employee determines the level of participation. If this legislation is enacted, employers would be authorized establish an automatic enrollment arrangement permitted by and operated in accordance with applicable federal laws and regulations.

This is to certify that this bill is a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	E Watson

Y Harper
 Y Heath
 Y Henson
 Y Hill

Y Miller
 Y Mullis
 Y Orrock
 Y Parent

Y Wilkinson
 Y Williams, M
 Y Williams, N

On the passage of the bill, the yeas were 53, nays 0.

SB 333, having received the requisite constitutional majority, was passed.

Senator Harper of the 7th was excused for business outside the Senate Chamber.

HB 38. By Representatives Powell of the 32nd, Williams of the 145th and Price of the 48th:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for the issuance of a noncommercial Class C driver's license for the operation of three-wheeled motor vehicles equipped with a steering wheel for directional control; to provide for the issuance of a noncommercial Class M driver's license for the operation of motorcycles equipped with handlebars for directional control; to provide for the manner of riding a motorcycle; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Public Safety offered the following substitute to HB 38:

A BILL TO BE ENTITLED
 AN ACT

To amend Code Section 40-5-36 of the Official Code of Georgia Annotated, relating to veterans' licenses, honorary licenses, and other distinctive licenses, so as to revise to whom veterans' licenses may be issued; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Georgia Recognizing Veterans Act."

SECTION 2.

Code Section 40-5-36 of the Official Code of Georgia Annotated, relating to veterans' licenses, honorary licenses, and other distinctive licenses, is amended by revising subsection (c) as follows:

"(c) Veterans' licenses may be issued to:

- (1) ~~Veterans~~ veterans who ~~were~~ are residents of Georgia at the time of ~~enlistment or commissioning and are residents at the time of application for the license, or who have been residents of Georgia for at least two years immediately preceding the date of application for the license,~~ and who served ~~on active duty~~ in the armed forces of the United States or ~~on active duty~~ in a reserve component of the armed forces of the United States, including the National Guard of this state or any other state, ~~during wartime or any conflict when personnel were committed by the President of the United States, whether or not such veteran was assigned to a unit or division which directly participated in such war or conflict, except for periodic transfer from reserve status to active duty status for training purposes,~~ and who were discharged or separated under honorable conditions; and
- (2) ~~All members or former members of the National Guard or reserve forces who have 20 or more years' creditable service therein.~~ Any veteran making application for a license under this subsection shall submit or cause to be submitted to the department verification that he or she was discharged or separated from such service under honorable conditions by such means as required by rules and regulations of the department."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Unterman

Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	E Watson
E Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 38, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

February 6, 2018

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

Dear David:

In accordance with Senate Rules, the Senate Committee on Assignments hereby appoints Senator Tonya Anderson to serve as a permanent Ex-Officio member of the Senate Economic Development & Tourism Committee. This appointment is effective immediately.

Sincerely,

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

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Wednesday, February 7, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:51 a.m.

Senate Chamber, Atlanta, Georgia
Wednesday, February 7, 2018
Seventeenth Legislative Day

The Senate met pursuant to adjournment at 10:11 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 398. By Representatives Battles of the 15th and Burns of the 159th:

A BILL to be entitled an Act to amend Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to general provisions for the Peace Officers' Annuity and Benefit Fund, so as to update a cross-reference; to add a position eligible for membership in such fund; to provide for a certain employer's contribution to such fund; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 588. By Representatives Maxwell of the 17th, Coleman of the 97th, Benton of the 31st, Greene of the 151st and Battles of the 15th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to employee and employer contributions and creation of funds for contributions, benefits, and administrative expenses, so as to revise the method and manner by which a member of the Employees' Retirement System of Georgia may purchase an annuity; to authorize the board of trustees to offer a supplemental guaranteed lifetime annuity to certain retired members purchased by transfer of funds from the state sponsored deferred compensation plans; to

provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 683. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to amend an Act making and providing appropriations for the State Fiscal Year beginning July 1, 2017, and ending June 30, 2018, known as the "General Appropriations Act," Act No. 37, approved May 1, 2017 (Ga. L. 2017, Volume One, Appendix, commencing at page 1 of 249), to make, provide, and change certain appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 692. By Representatives Maxwell of the 17th, Greene of the 151st, Buckner of the 137th, Coleman of the 97th and Hawkins of the 27th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the governing authority of a municipality may pay costs or fees associated with an employee's participation in a deferred compensation plan; to provide that certain public employees may be automatically enrolled in deferred compensation plans; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 724. By Representative Holmes of the 129th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Monticello, approved March 10, 1959 (Ga. L. 1959, p. 2683), as amended, so as to change the corporate limits of the City of Monticello; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 729. By Representatives Harrell of the 106th, Frye of the 118th, Corbett of the 174th, Bentley of the 139th and Teasley of the 37th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions

regarding ad valorem taxation of property, so as to repeal certain provisions relating to state ad valorem tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 730. By Representatives Hawkins of the 27th, Dubnik of the 29th, Dunahoo of the 30th and Barr of the 103rd:

A BILL to be entitled an Act to amend an Act incorporating the Town of Clermont, approved May 6, 2015 (Ga. L. 2015, p. 3767), so as to provide for councilmember wards; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 771. By Representative Nix of the 69th:

A BILL to be entitled an Act to amend an Act providing for the Heard County Board of Education, approved March 28, 1985 (Ga. L. 1985, p. 5078), as amended, particularly by an Act approved April 4, 1997 (Ga. L. 1997, p. 3661), so as to provide a new method of compensating the members of the Heard County Board of Education; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 286. By Senators Brass of the 28th and McKoon of the 29th:

A BILL to be entitled an Act to amend an Act creating the State Court of Troup County (formerly the Civil and Criminal Court of Troup County), approved March 6, 1962 (Ga. L. 1962, p. 3020), as amended, so as to authorize the court to charge and collect a technology fee for certain filings; to specify the uses to which said technology fees may be put; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 387. By Senator Gooch of the 51st:

A BILL to be entitled an Act to amend an Act entitled "An Act to create a new charter for the City of Dahlonega in the County of Lumpkin," approved April 12, 1982 (Ga. L. 1982, p. 4353), as amended, particularly by an Act approved May 11, 2010 (Ga. L. 2010, p. 3522), so as to provide for the filling of vacancies; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 388. By Senators Jackson of the 2nd and Harbison of the 15th:

A BILL to be entitled an Act to amend Code Section 16-11-221 of the Official Code of Georgia Annotated, relating to penalties, so as to provide that no person who commits domestic terrorism shall have a cause of action for any injury proximately caused by his or her act of domestic terrorism; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 389. By Senators Walker III of the 20th, Kennedy of the 18th and Lucas of the 26th:

A BILL to be entitled an Act to amend an Act to create and establish the State Court of Houston County, approved February 28, 1975 (Ga. L. 1975, p. 2584), as amended, so as to provide for the location of the state court; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 390. By Senators Jackson of the 2nd, Henson of the 41st and Williams of the 39th:

A BILL to be entitled an Act to amend Code Section 16-11-127 of the Official Code of Georgia Annotated, relating to carrying weapons in unauthorized locations, so as to establish that public assemblies held during a St. Patrick's Day holiday period shall be unauthorized locations for the carrying of weapons and long guns; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 391. By Senator Beach of the 21st:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to general provisions relative to the State Road and Tollway Authority, so as to exempt transit service buses, motor vehicles, and rapid rail systems from requirements relating to identification and regulation of motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

SR 715. By Senators Jackson of the 2nd, Parent of the 42nd, Butler of the 55th, Williams of the 39th, Sims of the 12th and others:

A RESOLUTION honoring the life of Ms. Juliette Gordon Low and dedicating a bridge in her memory; and for other purposes.

Referred to the Committee on Transportation.

SR 716. By Senator Jackson of the 2nd:

A RESOLUTION encouraging the Board of Regents of the University System of Georgia to implement the "Rooney Rule" for member institutions in the consideration of candidates for head coaching and other senior operational positions; and for other purposes.

Referred to the Committee on Higher Education.

The following House legislation was read the first time and referred to committee:

HB 398. By Representatives Battles of the 15th and Burns of the 159th:

A BILL to be entitled an Act to amend Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to general provisions for the Peace Officers' Annuity and Benefit Fund, so as to update a cross-reference; to add a position eligible for membership in such fund; to provide for a certain employer's contribution to such fund; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 588. By Representatives Maxwell of the 17th, Coleman of the 97th, Benton of the 31st, Greene of the 151st and Battles of the 15th:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to employee and employer contributions and creation of funds for contributions, benefits, and administrative expenses, so as to revise the method and manner by which a member of the Employees' Retirement System of Georgia may purchase an annuity; to authorize the board of trustees to offer a supplemental guaranteed lifetime annuity to certain retired members purchased by transfer of funds from the state sponsored deferred compensation plans; to provide for related matters;

to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 683. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to amend an Act making and providing appropriations for the State Fiscal Year beginning July 1, 2017, and ending June 30, 2018, known as the "General Appropriations Act," Act No. 37, approved May 1, 2017 (Ga. L. 2017, Volume One, Appendix, commencing at page 1 of 249), to make, provide, and change certain appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Appropriations.

HB 692. By Representatives Maxwell of the 17th, Greene of the 151st, Buckner of the 137th, Coleman of the 97th and Hawkins of the 27th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the governing authority of a municipality may pay costs or fees associated with an employee's participation in a deferred compensation plan; to provide that certain public employees may be automatically enrolled in deferred compensation plans; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 724. By Representative Holmes of the 129th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Monticello, approved March 10, 1959 (Ga. L. 1959, p. 2683), as amended, so as to change the corporate limits of the City of Monticello; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 729. By Representatives Harrell of the 106th, Frye of the 118th, Corbett of the 174th, Bentley of the 139th and Teasley of the 37th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to repeal certain provisions relating to state ad valorem tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 730. By Representatives Hawkins of the 27th, Dubnik of the 29th, Dunahoo of the 30th and Barr of the 103rd:

A BILL to be entitled an Act to amend an Act incorporating the Town of Clermont, approved May 6, 2015 (Ga. L. 2015, p. 3767), so as to provide for councilmember wards; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 771. By Representative Nix of the 69th:

A BILL to be entitled an Act to amend an Act providing for the Heard County Board of Education, approved March 28, 1985 (Ga. L. 1985, p. 5078), as amended, particularly by an Act approved April 4, 1997 (Ga. L. 1997, p. 3661), so as to provide a new method of compensating the members of the Heard County Board of Education; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 364 Do Pass
SB 370 Do Pass by substitute

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Higher Education has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 448 Do Pass by substitute
SB 82 Do Pass by substitute
SB 354 Do Pass by substitute

Respectfully submitted,
Senator Millar of the 40th District, Chairman

Mr. President:

The Committee on Natural Resources and the Environment has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 275 Do Pass by substitute
SB 332 Do Pass by substitute

Respectfully submitted,
Senator Harper of the 7th District, Chairman

Mr. President:

The Committee on Regulated Industries and Utilities has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 17 Do Pass by substitute

Respectfully submitted,
Senator Ginn of the 47th District, Chairman

The following legislation was read the second time:

SB 365 SB 373

Senator Rhett of the 33rd asked unanimous consent that Senator Parent of the 42nd be excused. The consent was granted, and Senator Parent was excused.

Senator Albers of the 56th asked unanimous consent that Senator Thompson of the 14th be excused. The consent was granted, and Senator Thompson was excused.

Senator Brass of the 28th asked unanimous consent that Senator Williams of the 27th be excused. The consent was granted, and Senator Williams was excused.

Senator Strickland of the 17th asked unanimous consent that Senator Stone of the 23rd be excused. The consent was granted, and Senator Stone was excused.

Senator Seay of the 34th asked unanimous consent that Senators Orrock of the 36th and Jackson of the 2nd be excused. The consent was granted, and Senators Orrock and Jackson were excused.

Senator Jones of the 25th asked unanimous consent that Senator Dugan of the 30th be excused. The consent was granted, and Senator Dugan was excused.

The following Senators were excused for business outside the Senate Chamber:

Davenport of the 44th Thompson of the 5th

The roll was called and the following Senators answered to their names:

Albers	Hill	Mullis
Anderson, L	James	Payne
Anderson, T	Jones, B	Rhett
Beach	Jones, E	Seay
Black	Jones, H	Shafer
Brass	Jordan	Sims
Burke	Kennedy	Strickland
Butler	Kirk	Tate
Cowsert	Kirkpatrick	Tillery
Ginn	Ligon	Tippins
Harbin	Lucas	Unterman
Harbison	Martin	Walker
Harper	McKoon	Watson
Heath	Millar	Wilkinson
Henson	Miller	Williams, N

Not answering were Senators:

Davenport (Excused)	Dugan (Excused)	Gooch
Hufstetler	Jackson (Excused)	Orrock (Excused)
Parent (Excused)	Stone (Excused)	Thompson, B. (Excused)
Thompson, C. (Excused)	Williams, M. (Excused)	

The following members were off the floor of the Senate when the roll was called and wish to be recorded as present:

Senators: Gooch of the 51st Hufstetler of the 52nd Stone of the 23rd

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Henson of the 41st introduced the chaplain of the day, Pujari Yatin of Buford, Georgia, and Translator Rick Desai, who offered scripture reading and prayer.

Senator Henson of the 41st introduced the doctor of the day, Dr. Hugh Smith.

Senator Jones of the 25th recognized February 7, 2018, as National Girls and Women in Sports Day at the state capitol, commended by SR 658, adopted previously. Dr. Heather Stepp McCormick addressed the Senate briefly.

Senator Miller of the 49th recognized Captain Reuben Black for his work on the front lines in the battle against Georgia's opioid crisis, commended by SR 601, adopted previously. Captain Black addressed the Senate briefly.

Senators Harbison of the 15th and McKoon of the 29th recognized February 7, 2018, as Columbus Day at the state capitol, commended by SR 615, adopted previously. Mayor Teresa Tomlinson addressed the Senate briefly.

Senator Harbison of the 15th recognized the establishment of Fort Benning on its centennial anniversary, commended by SR 616, adopted previously. Major General Eric Wesley addressed the Senate briefly.

The following resolutions were read and adopted:

SR 711. By Senators Miller of the 49th, Unterman of the 45th, Orrock of the 36th, Dugan of the 30th, Brass of the 28th and others:

A RESOLUTION recognizing the handoff from the Minnesota Super Bowl Host Committee to the Atlanta Super Bowl LIII Host Committee, celebrating our status as the next Super Bowl city, and commending the Atlanta Falcons and the NFL for bringing its showcase event to the greatest football stadium in the nation; and for other purposes.

SR 712. By Senators Hufstetler of the 52nd, Kirkpatrick of the 32nd, Kirk of the 13th, Black of the 8th, Millar of the 40th and others:

A RESOLUTION recognizing February 13, 2018, as Math Day at the state capitol; and for other purposes.

SR 713. By Senators Albers of the 56th, Tippins of the 37th, Millar of the 40th, Miller of the 49th and Strickland of the 17th:

A RESOLUTION honoring Be THE Voice and their efforts toward bettering the lives of students through bringing awareness to bullying and taking preventative measures to stop it; and for other purposes.

SR 714. By Senator Jordan of the 6th:

A RESOLUTION recognizing February 7, 2018, as Dyslexia Day at the state capitol and urging schools, local educational agencies, and the state educational agency to address the profound educational impact of dyslexia; and for other purposes.

SR 717. By Senators Kirkpatrick of the 32nd, Hufstetler of the 52nd, Kirk of the 13th, Millar of the 40th, Albers of the 56th and others:

A RESOLUTION recognizing the Medical Association of Georgia Medical Reserve Corps and commending it for its 2017 emergency disaster response efforts in the State of Georgia; and for other purposes.

SR 718. By Senator Jackson of the 2nd:

A RESOLUTION expressing the State of Georgia's reaffirmation of the bonds of friendship and cooperation with the State of Israel on the occasion of its seventieth anniversary on April 19, 2018; and for other purposes.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

SENATE RULES CALENDAR
WEDNESDAY, FEBRUARY 7, 2018
SEVENTEENTH LEGISLATIVE DAY

SB 118 Autism; age limit for coverage for autism spectrum disorders for an individual covered under a policy or contract; change (Substitute) (I&L-45th)

SB 352 Health; general provisions; patient brokering; prohibit; Commission on Substance Abuse and Recovery; establish; fraudulent insurance act; provide (Substitute)(H&HS-45th)

SB 357 Health Coordination and Innovation Council of the State of Georgia; create (Substitute)(H&HS-11th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 118. By Senators Unterman of the 45th, Albers of the 56th, Beach of the 21st, Millar of the 40th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to coverage for autism, so as to change the age limit for coverage for autism spectrum disorders for an individual covered under a policy or contract; to repeal conflicting laws; and for other purposes.

The Senate Committee on Insurance and Labor offered the following substitute to SB 118:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to coverage for autism, so as to change the age limit for coverage for autism spectrum disorders for an individual covered under a policy or contract; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to coverage for autism, is amended by revising subsection (b) as follows:

"(b) Accident and sickness contracts, policies, or benefit plans shall provide coverage for autism spectrum disorders for an individual covered under a policy or contract who is ~~six~~ 12 years of age or under in accordance with the following:

(1) The policy or contract shall provide coverage for any assessments, evaluations, or tests by a licensed physician or licensed psychologist to diagnose whether an individual has an autism spectrum disorder;

(2) The policy or contract shall provide coverage for the treatment of autism spectrum disorders when it is determined by a licensed physician or licensed psychologist that the treatment is medically necessary health care. A licensed physician or licensed psychologist may be required to demonstrate ongoing medical necessity for coverage provided under this Code section at least annually;

- (3) The policy or contract shall not include any limits on the number of visits;
- (4) The policy or contract may limit coverage for applied behavior analysis to \$30,000.00 per year. An insurer shall not apply payments for coverage unrelated to autism spectrum disorders to any maximum benefit established under this paragraph; and
- (5) This subsection shall not be construed to require coverage for prescription drugs if prescription drug coverage is not provided by the policy or contract. Coverage for prescription drugs for the treatment of autism spectrum disorders shall be determined in the same manner as coverage for prescription drugs for the treatment of any other illness or condition is determined under the policy or contract."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
E Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
N Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	N Mullis	N Williams, M
Y Henson	Y Orrock	Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 3.

SB 118, having received the requisite constitutional majority, was passed by substitute.

Senator Jones of the 10th was excused for business outside the Senate Chamber.

SB 352. By Senators Unterman of the 45th, Burke of the 11th, Hufstetler of the 52nd, Kirkpatrick of the 32nd, Sims of the 12th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 1 of Title 31 of the O.C.G.A., relating to general provisions relative to health, so as to prohibit patient brokering; to create a director of Substance Abuse, Addiction, and Related Disorders; to provide for appointment; to provide for qualifications; to establish the Commission on Substance Abuse and Recovery; to provide for membership; to provide for duties; to amend Chapter 1 of Title 33 of the O.C.G.A., relating to general provisions relative to insurance, so as to provide for a fraudulent insurance act for the excessive, high-tech, or fraudulent drug testing of certain individuals; to provide for investigation by the Commissioner; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 352:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to health, so as to prohibit patient brokering; to provide for definitions; to provide for exceptions; to provide for penalties; to create an executive director of substance abuse, addiction, and related disorders; to provide for appointment; to provide for qualifications; to establish the Commission on Substance Abuse and Recovery; to provide for membership; to provide for duties; to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions relative to insurance, so as to provide for a fraudulent insurance act for the excessive, high-tech, or fraudulent drug testing of certain individuals; to provide for investigation by the Commissioner; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to health, is amended by adding a new Code section to read as follows:

"31-1-16.

(a) As used in this Code section, the term:

(1) 'Health care provider or health care facility' means:

(A) Any person licensed under Chapter 9, 10A, 11, 11A, 26, 28, 30, 33, 34, 35, 39, or 44 of Title 43 or any hospital, nursing home, home health agency, institution, or medical facility licensed or defined under Chapter 7 of Title 31. The term shall also include any corporation, professional corporation, partnership, limited liability company, limited liability partnership, authority, or other entity composed of such health care providers;

(B) Any state owned or state operated hospital, community mental health center, or other facility utilized for the diagnosis, care, treatment, or hospitalization of persons who are alcoholics, drug dependent individuals, or drug abusers and any other hospital or facility within the State of Georgia approved for such purposes by the Department of Behavioral Health and Developmental Disabilities;

(C) Community mental health center as defined in Code Section 37-7-1;

(D) Any Medicaid provider as defined in Code Section 49-4-146.1;

(E) A state or local health department;

(F) Any community service provider contracting with any state entity to furnish alcohol, drug abuse, or mental health services; and

(G) Any substance abuse service provider licensed under Chapter 5 of Title 26.

(2) 'Health care provider network entity' means a corporation, partnership, or limited liability company owned or operated by two or more health care providers or health care facilities and organized for the purpose of entering into agreements with health insurers, health care purchasing groups, or Medicaid or Medicare.

(3) 'Health insurer' means an accident and sickness insurer, health care corporation, health maintenance organization, provider sponsored health care corporation, or any similar entity regulated by the Commissioner of Insurance.

(b) It shall be unlawful for any person, including any health care provider or health care facility, to:

(1) Offer to pay a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, to induce the referral of a patient or patronage to or from a health care provider or health care facility;

(2) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, in return for the referral of a patient or patronage to or from a health care provider or health care facility;

(3) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, in return for the acceptance or acknowledgment of treatment from a health care provider or health care facility; or

(4) Aid, abet, advise, or otherwise participate in the conduct prohibited by this subsection.

(c) This Code section shall not apply to:

(1) Any discount, payment, waiver of payment, or payment practice not prohibited

by 42 U.S.C. Section 1320a-7b(b) or any fraternal benefit society providing health benefits to its members as authorized pursuant to Chapter 15 of Title 33;

(2) Any payment, compensation, or financial arrangement within a group practice as defined in Code Section 43-1B-3, provided such payment, compensation, or arrangement is not to or from persons who are not members of the group practice;

(3) Payments to a health care provider or health care facility for professional consultation services;

(4) Commissions, fees, or other remuneration lawfully paid to insurance agents as provided under Title 33;

(5) Payments by a health insurer who reimburses, provides, offers to provide, or administers health, mental health, or substance abuse goods or services under a health benefit plan;

(6) Payments to or by a health care provider or health care facility or a health care provider network entity that has contracted with a health insurer, a health care purchasing group, or the medicare or Medicaid program to provide health, mental health, or substance abuse goods or services under a health benefit plan when such payments are for goods or services under the plan. However, nothing in this Code section affects whether a health care provider network entity is an insurer required to be licensed under Title 33;

(7) Insurance advertising gifts lawfully permitted under Code Section 33-6-4; or

(8) Payments by a health care provider or health care facility to a health, mental health, or substance abuse information service that provides information upon request and without charge to consumers about providers of health care goods or services to enable consumers to select appropriate providers or facilities, provided that such information service:

(A) Does not attempt through its standard questions for solicitation of consumer criteria or through any other means to steer or lead a consumer to select or consider selection of a particular health care provider or health care facility;

(B) Does not provide or represent itself as providing diagnostic or counseling services or assessments of illness or injury and does not make any promises of cure or guarantees of treatment;

(C) Does not provide or arrange for transportation of a consumer to or from the location of a health care provider or health care facility; and

(D) Charges and collects fees from a health care provider or health care facility participating in its services that are set in advance, are consistent with the fair market value for those information services, and are not based on the potential value of a patient or patients to a health care provider or health care facility or of the goods or services provided by the health care provider or health care facility.

(d)(1) Any person, including an officer, partner, agent, attorney, or other representative of a firm, joint venture, partnership, business trust, syndicate, corporation, or other business entity, who violates any provision of this Code section, when the prohibited conduct involves less than ten patients, commits a felony and, upon conviction thereof, shall be punished by imprisonment for not more than five

years and by a fine of \$50,000.00 per violation.

(2) Any person, including an officer, partner, agent, attorney, or other representative of a firm, joint venture, partnership, business trust, syndicate, corporation, or other business entity, who violates any provision of this Code section, when the prohibited conduct involves ten or more patients but fewer than 20, commits a felony and, upon conviction thereof, shall be punished by imprisonment for not more than ten years and by a fine of not more than \$100,000.00 per violation.

(3) Any person, including an officer, partner, agent, attorney, or other representative of a firm, joint venture, partnership, business trust, syndicate, corporation, or other business entity, who violates any provision of this Code section, when the prohibited conduct involves 20 or more patients, commits a felony and, upon conviction thereof, shall be punished by imprisonment for 20 years and by a fine of not more than \$500,000.00 per violation.

(e) Notwithstanding any other law to the contrary, the Attorney General or district attorney of the judicial circuit in which any part of the violation occurred may maintain an action for injunctive relief or other process to enforce the provisions of this Code section.

(f) The party bringing an action under this Code section may recover reasonable expenses in obtaining injunctive relief, including, but not limited to, investigative costs, court costs, reasonable attorney's fees, witness costs, and deposition expenses.

(g) The provisions of this Code section are in addition to any other civil, administrative, or criminal actions provided by law and may be imposed against both corporate and individual defendants."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"31-1-17.

(a) The Governor shall appoint an executive director of substance abuse, addiction, and related disorders who shall serve at the pleasure of the Governor. The executive director shall be an employee of the Governor's Office of Planning and Budget and shall report directly to the Governor.

(b) The executive director shall have a college degree and at least one of the following qualifications:

(1) Educational background or work experience involving vulnerable populations relative to substance abuse, addiction, and related disorders with the ability to assess the impact of untreated mental illness and substance abuse disorders on state budgets, hospitals, emergency rooms, jails, prisons, law enforcement agencies, educational institutions, and related institutions and services;

(2) Work experience in a setting dealing with treatment and delivery of services for the safety or well-being of children and adults affected by substance abuse, addiction, and related disorders; or

(3) Experience working in or managing a complex, multidisciplinary business or government agency.

(c)(1) There is established the Commission on Substance Abuse and Recovery. The purpose of the commission is to create a coordinated and unified effort among state and local agencies to confront the state-wide addiction and substance abuse crisis.

(2) The executive director shall oversee the commission and be a voting member thereof.

(3) The commission shall consist of 15 members as follows:

(A) The commissioner of behavioral health and developmental disabilities;

(B) The commissioner of public health;

(C) The commissioner of community health;

(D) The commissioner of human services;

(E) The State School Superintendent;

(F) The commissioner of public safety;

(G) The Commissioner of Insurance;

(H) The Attorney General;

(I) The director of the Georgia Bureau of Investigation;

(J) The commissioner of community supervision;

(K) One representative of the judicial branch representing the accountability courts to be appointed by the Governor;

(L) Two representatives from the advocacy community to be appointed by the Governor;

(M) One member from the House of Representative to be appointed by the Speaker of the House of Representatives; and

(N) One member from the Senate to be appointed by the Lieutenant Governor.

(4) The executive director shall be the chairperson of the commission. The commission may elect such other officers and establish committees as it deems appropriate.

(5) Meetings of the commission shall be held quarterly, or more frequently, on the call of the chairperson. Meetings of the commission shall be held with not less than five days' public notice for regular meetings and with such notice as the bylaws may prescribe for special meetings. Each member shall be given written notice of all meetings. All meetings of the commission shall be subject to the provisions of Chapter 14 of Title 50. Minutes or transcripts shall be kept of all meetings of the commission and shall include a record of the votes of each member, specifying the yea or nay vote or the absence of each member, on all questions and matters coming before the commission. No member may abstain from a vote other than for reasons constituting disqualification to the satisfaction of a majority of a quorum of the commission on a recorded vote. No member of the commission shall be represented by a delegate or agent.

(6) Members shall serve without compensation, although each member of the commission shall be reimbursed for actual expenses incurred in the performance of his or her duties from funds available to the commission; provided, however, that any legislative member shall receive the allowances authorized by law for legislative members of interim legislative committees and any members who are state employees

shall be reimbursed for expenses incurred by them in the same manner as they are reimbursed for expenses in their capacities as state employees.

(d) The commission shall be vested with the following functions and authority:

(1) To coordinate overdose data and statistics between the prescription drug monitoring program data base, the Georgia Bureau of Investigation, the Federal Bureau of Investigation, and local governments;

(2) To consult on the implementation of the department's strategic plan on the opioid crisis;

(3) To consult with the Attorney General's task force on the opioid crisis;

(4) To work with advocacy groups to coordinate public education forums with the department and the Department of Behavioral Health and Developmental Disabilities;

(5) To consult with and provide recommendations to the Governor on a potential Medicaid waiver related to opioid abuse;

(6) To create a block grant program based on sliding scale needs that is strategically based on statistics and the needs of communities. The commission shall be responsible for accepting, reviewing, and making recommendations to the department on applicant awards;

(7) To consult with the Board of Education and the Department of Education to formulate strategies for a uniform state-wide network of education and substance abuse and addiction prevention pursuant to subsection (c) of Code Section 20-2-142;

(8) To develop a prevention education plan and to increase funding for local-level substance misuse prevention services in public schools, for law enforcement agencies, and for community organizations; and

(9) To expand access to appropriate prevention, treatment, and recovery support services."

SECTION 3.

Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions relative to insurance, is amended by adding a new Code section to read as follows:

"33-1-16.1.

(a) As used in this Code section, the term:

(1) 'High-tech drug testing' means when billing for drug tests is not limited and tests are ordered for a number of different substances whereby the health benefit plan is billed separately for each substance tested.

(2) 'Person' means an individual, any person who provides coverage under Code Section 33-1-14, and any owner, manager, medical practitioner, employee, or any other party involved in the fraudulent act.

(b)(1) For purposes of this Code section, a person commits a 'fraudulent insurance act' if he or she knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented, to or by an insurer, broker, or any agent thereof, or directly or indirectly to an insured or uninsured patient a bill for excessive, high-tech, or fraudulent drug testing in the treatment of the

elderly, the disabled, or any individual affected by pain, substance abuse, addiction, or any related disorder. Such person shall include, but shall not be limited to, any person who provides coverage in this state under subsection (a) of Code Section 33-1-14.

(2) Such drug testing shall include, but shall not be limited to:

(A) Upcoding that results in billing for more expensive services or procedures than were actually provided or performed;

(B) Unbundling of such billing whereby drug tests from a single blood sample that detect a variety of narcotics is separated into multiple tests and billed separately;

(C) Billing an individual for multiple co-pay amounts;

(D) Billing an individual for services that are covered by such individual's health benefit plan;

(E) Billing for drug testing that was not performed; or

(F) Billing for excessive numbers of drug tests that are found to be medically unnecessary for the treatment pursuant to this Code section.

(c) If, by his or her own inquiries or as a result of information received, the Commissioner has reason to believe that a person has engaged in or is engaging in a fraudulent insurance act under this Code section, the Commissioner shall have all the powers and duties pursuant to Code Section 33-1-16 to investigate such matter.

(d) A natural person convicted of a violation of this Code section shall be guilty of a felony and shall be punished by imprisonment for not less than ten years nor more than 20 years, or by a fine of not more than \$25,000.00 per violation, or both.

(e) This Code section shall not supersede any investigation audit which involves fraud, willful misrepresentation, or abuse under Article 7 of Chapter 4 of Title 49 or any other statutory provisions which authorize investigation relating to insurance."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland

Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
E Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 352, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/7/18

Due to business outside the Senate Chamber, I missed the vote on SB 352. Had I been present, I would have voted "yea".

/s/ David E. Lucas, Sr.
District 26

Senator Harper of the 7th recognized the Chattahoochee District on being named the Georgia Forestry Commission's 2017 District of the Year, the Bleckley-Pulaski Forestry Unit on being named the 2017 South Georgia Unit of the Year by the Georgia Forestry Commission, and the Pike-Spalding-Lamar-Upson-Clayton Forestry Unit on being named the Georgia Forestry Commission's 2017 North Georgia Unit of the Year, commended by SR 626, SR 627, and SR 628, respectively, which were adopted previously. Director Chuck Williams addressed the Senate briefly.

The Calendar was resumed.

SB 357. By Senators Burke of the 11th, Unterman of the 45th, Rhett of the 33rd, Hill of the 4th, Hufstetler of the 52nd and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to create the Health Coordination and Innovation Council of the State of Georgia; to amend other provisions of the Official Code of Georgia Annotated so as to provide for conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 357:

A BILL TO BE ENTITLED
AN ACT

To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to create the Health Coordination and Innovation Council of the State of Georgia; to provide for legislative findings and declarations; to create the council and assign for administrative purposes; to provide for membership, staggered terms, and vacancies; to provide for election of a chairperson and vice chairperson, meetings, minutes and records, and rules; to provide for member compensation and expense allowance; to provide for appointment of a director and powers and duties; to provide for functions and authority of the council; to provide for establishment of the Health System Innovation Center, its purpose, and call for proposals; to provide for preparation of budget requests, appropriations, gifts, grants, and donations of property and services; to establish an advisory board; to provide for membership and duties; to provide for reporting requirements of certain boards, commissions, committees, and offices and each entity's representation in an advisory capacity; to amend other provisions of the Official Code of Georgia Annotated so as to provide for conforming changes; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This act shall be known and may be cited as "The Health Act."

SECTION 2.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by adding a new chapter to read as follows:

"CHAPTER 53

31-53-1.

The General Assembly finds that Georgia's major health challenges affecting access, effectiveness, and cost of care are detrimental to the general welfare of the State of Georgia and its citizens, and all components of our health care system must be better coordinated, focused, and effective at all levels, including those of health agencies, academic institutions, and public and private sectors. The General Assembly, therefore, declares it to be the public policy of this state to unite the major stakeholders and components at all levels of the state's health system under a strategic vision for Georgia's future by establishing a state-wide coordinating platform.

31-53-2.

There is established the Health Coordination and Innovation Council of the State of Georgia which shall be assigned to the Office of Planning and Budget for administrative purposes only, as prescribed in Code Section 50-4-3.

31-53-3.

(a) The Health Coordination and Innovation Council of the State of Georgia shall consist of 18 members, as follows:

(1) The following or their designees shall be members of the council, by reason of their office or position:

(A) The director of health care policy and strategic planning;

(B) The commissioner of community health;

(C) The commissioner of public health;

(D) The commissioner of human services;

(E) The commissioner of behavioral health and developmental disabilities; and

(F) The executive director of substance abuse, addiction, and related disorders;

(2) Eight members shall be appointed by the Governor for terms of four years, with initial appointments, however, of four members serving four-year terms, two members serving three-year terms, and two members serving two-year terms. Appointments shall be made to ensure that the council always includes the following persons:

(A) Four representatives from medical schools, universities, and academia; and

(B) Four representatives from the private health care sector; and

(3) The following or their designees shall be ex officio members of the council by reason of their office:

(A) The Commissioner of Insurance;

(B) The commissioner of corrections;

(C) The commissioner of economic development; and

(D) The Attorney General.

No person shall serve beyond the time he or she holds an office, title, or affiliation that initially qualified him or her for appointment. Appointed members shall serve at the pleasure of the Governor.

(b) In the event of death, resignation, disqualification, or removal for any reason of any member of the council, vacancies shall be filled in the same manner as that of the original appointment and successors shall serve for the remainder of the unexpired term.

(c) The initial terms for all 18 original members of the council shall begin July 1, 2018.

31-53-4.

The business of the council shall be conducted in the following manner:

(1) The councilmembers pursuant to paragraph (1) of Code Section 31-53-3 shall adopt rules for the council's internal procedures, bylaws, and transaction of the council's business;

(2) The council shall maintain minutes of its meetings and such other records as it deems necessary; and

(3) The council shall produce and distribute a detailed annual report no later than December 1, 2018, and annually thereafter. The report shall be distributed to the Governor, General Assembly, and made publicly available.

31-53-5.

Members of the council shall serve without compensation but shall receive for each day of attendance at council meetings a daily expense allowance in the amount specified in subsection (b) of Code Section 45-7-21 plus reimbursement for actual transportation costs while traveling by public carrier, or the legal mileage rate for use of a personal car in connection with such attendance.

31-53-6.

(a) There is created the position of director of health care policy and strategic planning who shall be an employee of the Office of Planning and Budget and shall report directly to the Governor.

(b) The director shall have the following qualifications:

(1) Extensive experience in health care policy which shall include having held a position as a health care clinician and administrator; and

(2) Additional education, experience, and other qualifications as determined by the Governor.

(c) The director's duties shall include, but not be limited to:

(1) Management, oversight, and coordination of innovation within Georgia's health care system;

(2) In consultation with the Governor, identification of the health priorities of the state and adoption of strategies to ensure effective implementation of such priorities;

(3) Monitoring the effectiveness of adopted strategies to ensure appropriate models are utilized in consideration of local, regional, and state disparities;

(4) Oversight of the facilitation of partnerships to foster collaboration and efficient use of available resources at the federal, state, regional, and local levels; and

(5) Coordination of data-driven decision making in collaboration with the Health Coordination and Innovation Council of the State of Georgia and the Health System Innovation Center.

(d) The director may contract with other agencies, public and private, or persons as he or she deems necessary for the rendering and affording of such services, facilities, studies, research, and reports to the council as will provide the best assistance for carrying out its duties and responsibilities.

(e) The director may employ such other professional, technical, and clerical personnel as deemed necessary to carry out the purposes of this chapter.

31-53-7.

The council is vested with the following functions and authority:

- (1) To bring together experts from academic institutions and industry, as well as state elected and appointed leaders to provide a forum to share information, coordinate the major functions of the state's health care system, and develop innovative approaches for stabilizing costs while improving access to quality care;
- (2) To serve as a forum for identifying Georgia's specific health issues of greatest concern and to promote cooperation from both public and private agencies to test new and innovative ideas;
- (3) To evaluate the effectiveness of previously enacted and ongoing health programs and determine how best to achieve the goal of promoting innovation and improving Georgia's health care system;
- (4) To maximize the effectiveness of existing resources, expertise, and opportunities for improvement;
- (5) To create an organized approach to coordinating health care functions and programs;
- (6) To establish, administer, direct, and oversee the Health System Innovation Center;
- (7) To establish criteria for a competitive application submission process among individual institutions and partnership alliances for establishment of the Health System Innovation Center;
- (8) To carry out such duties that may be required by federal law or regulation so as to enable this state to receive and disburse federal funds for health care programs; and
- (9) To provide detailed and regular reports to the director.

31-53-8.

(a) The Health System Innovation Center shall be established as a research organization that utilizes Georgia's academic, public health policy, data, and workforce resources to develop new approaches for financing and delivering health care in this state.

(b) The Health System Innovation Center's purpose and duties are to:

- (1) Develop a research program to identify and analyze significant health system problems and to propose solutions and best practices to such problems;
- (2) Focus on access improvement to affordable health care in rural Georgia;
- (3) Set as its first priority to synthesize existing studies, reports, and data to provide a baseline assessment and set measurable goals as part of Georgia's strategic reform plan;
- (4) Incorporate recommendations from state reform efforts to build the state's reform plan;
- (5) Evaluate and make recommendations for the fiscal stabilization of rural health care delivery systems and ensure their design is appropriate for the community served by such systems;
- (6) Provide technical assistance and expertise to address immediate needs of rural communities;
- (7) Develop state-wide pilot projects, identify innovative approaches to funding these

projects, and track and evaluate the projects' performance; and

(8) Serve as a clearinghouse for data integration and analysis to produce studies that address cost-drivers and duplication to eliminate barriers to health care and reduce costs.

(c) Proposal criteria shall be established no later than December 1, 2018.

31-53-9.

(a) The council shall prepare a budget request in the same manner as that described under Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act,' and a separate appropriation shall be provided for the council in the General Appropriations Act.

(b) The council shall be authorized to accept and use gifts, grants, and donations for the purpose of carrying out the provisions of this chapter. The council shall also be authorized to accept and use property, both real and personal, and services for the purpose of carrying out the provisions of this chapter. Such funds, property, or services so received as gifts, grants, or donations shall be the property and funds of the council and, as such, shall not lapse at the end of each fiscal year but shall remain under the control of and subject to the direction of the council to carry out the provisions of this chapter.

31-53-10.

(a) There is established an advisory board to the council which shall consist of at least 13 and not more than 19 members appointed by the Governor who have training and experience that represent existing committees and areas of health care expertise with consideration of needs expressed by the council.

(b) A majority of the members of the advisory board, including the chairperson, shall not be full-time employees of the federal, state, or local government.

(c) Membership on the advisory board shall not constitute public office, and no member shall be disqualified from holding public office by reason of his or her membership.

(d) The advisory board shall elect a chairperson from among its membership. The advisory board may elect such other officers and committees as it deems appropriate.

(e) Members of the advisory board shall serve without compensation, although each member of the advisory board shall be reimbursed for actual expenses incurred in the performance of his or her duties from funds available to the office. Such reimbursement shall be limited to all travel and other expenses necessarily incurred through service on the advisory board, in compliance with this state's travel rules and regulations. However, in no case shall a member of the advisory board be reimbursed for expenses incurred in the member's capacity as the representative of another state agency.

31-53-11.

(a) The advisory board shall:

(1) Meet at such times and places as it shall determine necessary or convenient to

perform its duties. The advisory board shall also meet on the call of the director, the chairperson of the council, or the Governor;

(2) Maintain minutes of its meetings;

(3) Participate in the development and review of this state's health care plan prior to submission to the council for final action;

(4) Be afforded the opportunity to review and comment on all health care grant applications submitted to the council, not later than 30 days after their submission to the advisory board;

(5) Use the combined expertise and experience of its members to provide regular advice and counsel to the director to enable the council to carry out its statutory duties under this chapter; and

(6) Identify and report to the council any federal laws or regulations that may enable the state to receive and disburse federal funds for health care programs.

(b) The council shall not be limited or otherwise restricted in appointing other advisors as deemed necessary in pursuing the advisory board's duties under this chapter.

31-53-12.

(a) Each of the following boards, commissions, committees, councils, and offices shall provide their required reporting to the council:

(1) The Maternal Mortality Review Committee;

(2) The Office of Women's Health;

(3) The Commission on Men's Health;

(4) The Renal Dialysis Advisory Council;

(5) The Kidney Disease Advisory Committee;

(6) The Hemophilia Advisory Board;

(7) The Georgia Council on Lupus Education and Awareness;

(8) The Georgia Palliative Care and Quality of Life Advisory Council;

(9) The Georgia Trauma Care Network Commission;

(10) The Behavioral Health Coordinating Council;

(11) The Georgia Coverdell Acute Stroke Registry;

(12) The Office of Cardiac Care; and

(13) The Brain and Spinal Injury Trust Fund.

(b) The boards, commissions, committees, councils, and offices required to report to the council pursuant to this Code section shall have representation on the advisory board. Such entity's position on the advisory board shall not count against the overall board membership maximum requirement under Code Section 31-53-10."

SECTION 3.

Said title is further amended in Code Section 31-1-13, relating to the Hemophilia Advisory Board, by revising subsection (g) as follows:

"(g) The Hemophilia Advisory Board shall, no later than ~~January, 2012~~ October 1, 2018, and annually thereafter, submit to the ~~Governor and the General Assembly~~ Health Coordination and Innovation Council of the State of Georgia a report of its findings and

recommendations. Annually thereafter, the commissioner of public health, in consultation with the commissioner of community health, shall report to the Governor and the General Assembly on the status of implementing the recommendations as proposed by the Hemophilia Advisory Board. The reports shall be made public and shall be subject to public review and comment."

SECTION 4.

Said title is further amended in Code Section 31-2A-5, relating to the Office of Women's Health, by revising subsection (b) and adding a new subsection to read as follows:

"(b) The Office of Women's Health shall serve in an advisory capacity to the ~~Governor, the General Assembly, the board, the department, and all other state agencies in matters relating to women's health~~ Health Coordination and Innovation Council of the State of Georgia. In particular, the office shall:

- (1) Raise awareness of women's nonreproductive health issues;
- (2) Inform and engage in prevention and education activities relating to women's nonreproductive health issues;
- (3) Serve as a clearing-house for women's health information for purposes of planning and coordination;
- (4) Issue reports of the office's activities and findings; and
- (5) Develop and distribute a state comprehensive plan to address women's health issues."

"(d) The council, no later than October 1, 2018, and annually thereafter shall submit to the Health Coordination and Innovation Council of the State of Georgia a report of its findings and recommendations."

SECTION 5.

Said title is further amended in Code Section 31-2A-16, relating to the Maternal Mortality Review Committee, by revising subsection (g) as follows:

"(g) Reports of aggregated nonindividually identifiable data shall be compiled on a routine basis for distribution in an effort to further study the causes and problems associated with maternal deaths. A detailed annual report shall be submitted no later than October 1. Reports shall be distributed to the ~~General Assembly, health care providers and facilities, key government agencies, and others necessary to reduce the maternal death rate~~ Health Coordination and Innovation Council of the State of Georgia."

SECTION 6.

Said title is further amended in Code Section 31-7-192, relating to the Georgia Palliative Care and Quality of Life Advisory Council, by revising subsection (f) as follows:

"(f) The council, no later than ~~June 30, 2017~~ October 1, 2018, and annually thereafter shall submit to the ~~Governor and the General Assembly~~ Health Coordination and Innovation Council of the State of Georgia a report of its findings and recommendations."

SECTION 7.

Said title is further amended by repealing Article 9 of Chapter 8, relating to the Federal and State Funded Health Care Financing Programs Overview Committee, and designating said article as reserved.

SECTION 8.

Said title is further amended in Code Section 31-11-103, relating to the Georgia Trauma Trust Fund, by revising subsection (b) as follows:

"(b) The Georgia Trauma Care Network Commission shall report annually ~~to the House Committee on Health and Human Services and the Senate Health and Human Services Committee~~ no later than October 1 to the Health Coordination and Innovation Council of the State of Georgia. Such report shall provide an update on state-wide trauma system development and the impact of fund distribution on trauma patient care and outcomes."

SECTION 9.

Said title is further amended in Code Section 31-11-116, relating to annual reports relative to stroke centers, by revising subsection (b) as follows:

"(b) The department shall collect the information reported pursuant to subsection (a) of this Code section and shall post such information in the form of a report card annually on the department's website and present such report to the ~~Governor, the President of the Senate, and the Speaker of the House of Representatives~~ Health Coordination and Innovation Council of the State of Georgia. The results of this report card may be used by the department to conduct training with the identified facilities regarding best practices in the treatment of stroke."

SECTION 10.

Said title is further amended in Code Section 31-11-135, relating to grants to hospitals and reporting relative to the Office of Cardiac Care, by revising subsection (d) as follows:

"(d) The office shall annually prepare and submit to the ~~Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the House Committee on Health and Human Services and the Senate Health and Human Services Committee for distribution to its committee members~~ Health Coordination and Innovation Council of the State of Georgia a report indicating the total number of hospitals that have applied for grants pursuant to this Code section, the number of applicants that have been determined by the office to be eligible for such grants, the total number of grants to be awarded, the name and address of each grantee, and the amount of the award to each grantee."

SECTION 11.

Said title is further amended in Code Section 31-16-3, relating to the functions of the Kidney Disease Advisory Committee, membership, terms of office, vacancies, and compensation and reimbursement of expenses, by adding a new subsection to read as

follows:

"(f) The KDAC shall prepare and submit a complete and detailed report no later than October 1, 2018, and annually thereafter to the Health Coordination and Innovation Council of the State of Georgia concerning the impact of the program established pursuant to Code Section 31-16-2 on the treatment of chronic renal disease and the cost of such treatment."

SECTION 12.

Said title is further amended in Code Section 31-18-4, relating to duties of the Brain and Spinal Injury Trust Fund Commission, by revising subsection (b) as follows:

"(b) The Brain and Spinal Injury Trust Fund Commission shall maintain records of reports and notifications made under this chapter. The Brain and Spinal Injury Trust Fund Commission shall produce an annual report relating to information and data collected pursuant to this chapter and shall make such report available upon request. Such report shall be submitted annually no later than October 1 to the Health Coordination and Innovation Council of the State of Georgia."

SECTION 13.

Said title is further amended in Code Section 31-43-12, relating to duties and responsibilities of the Commission on Men's Health, by revising paragraph (6) as follows:

"(6) Submit a report of its findings and recommendations under this chapter to the Governor, the President of the Senate, and the Speaker of the House of Representatives not Health Coordination and Innovation Council of the State of Georgia no later than October 1 of each year."

SECTION 14.

Said title is further amended in Code Section 31-44-3, relating to adoption of rules, council established, and terms of councilmembers of the Renal Dialysis Advisory Council, by adding a new subsection to read as follows:

"(d) The council shall submit an annual report no later than October 1 of its recommendations and evaluation of their implementation to the Health Coordination and Innovation Council of the State of Georgia."

SECTION 15.

Said title is further amended by revising Code Section 31-49-5, relating to the annual report of the Georgia Council on Lupus Education and Awareness, as follows:

"31-49-5.

The council shall prepare annually a complete and detailed report to be submitted to the Governor, the chairperson of the House Committee on Health and Human Services, and the chairperson of the Senate Health and Human Services Committee no later than October 1 to the Health Coordination and Innovation Council of the State of Georgia detailing the activities of the council and may include any recommendations for legislative action it deems appropriate."

SECTION 16.

Code Section 37-2-4 of the Official Code of Georgia Annotated, relating to the Behavioral Health Coordinating Council, membership, meetings, and obligations, is amended by revising paragraph (1) of subsection (h) as follows:

"(h)(1) The council shall submit annual reports no later than October 1 of its recommendations and evaluation of their implementation to the ~~Governor and the General Assembly~~ Health Coordination and Innovation Council of the State of Georgia."

SECTION 17.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
E Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 1.

SB 357, having received the requisite constitutional majority, was passed by substitute.

Senator Hufstetler of the 52nd asked unanimous consent that the Senate adhere to its disagreement to the House amendment to the Senate substitute to HB 217 and that a Conference Committee be appointed.

HB 217. By Representatives Carson of the 46th, Kelley of the 16th, Knight of the 130th, Ehrhart of the 36th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income taxes, so as to increase the amount of the aggregate cap on contributions to certain scholarship organizations in order to receive income tax credits; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Heath of the 31st raised a point of order as to whether notice of intention to consider House action taken on the House amendment to the Senate substitute to HB 217, pursuant to Senate Rule 7-1.10(b), was provided.

The President noted that Senate Rule 7-1.10 (b) provides that during the first thirty five days of any regular session, one-legislative day notice must be given for any special action motion that requires a recorded vote for passage. Since the motion to adhere to the Senate position and appoint a conference committee does not require a recorded vote, the notice provision of Senate Rule 7-1.10 does not apply.

On the unanimous consent request to adhere and appoint, there was no objection. The consent was granted, and the President appointed as a Conference Committee the following Senators: Hufstetler of the 52nd, Beach of the 21st and Watson of the 1st.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

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

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Brandon Beach to serve as Ex-Officio for the Senate Insurance and Labor meeting on February 7, 2018. This appointment shall expire upon adjournment of the committee meeting.

Sincerely,

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

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Thursday, February 8, 2018.

The motion prevailed, and the President announced the Senate adjourned at 12:22 p.m.

Senate Chamber, Atlanta, Georgia
Thursday, February 8, 2018
Eighteenth Legislative Day

The Senate met pursuant to adjournment at 10:09 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 571. By Representatives Watson of the 172nd, Maxwell of the 17th, Battles of the 15th, Greene of the 151st and Corbett of the 174th:

A BILL to be entitled an Act to amend Chapter 25 of Title 47 of the Official Code of Georgia Annotated, relating to the Magistrates Retirement Fund, so as to provide that a member in arrears for dues payments for a period of 90 days shall be suspended from the fund and must apply for reinstatement; to provide for elections for designated survivor's benefits; to provide that certain retired members may become employed in a certain position and continue to receive benefits; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 700. By Representatives Belton of the 112th, Hitchens of the 161st, Bonner of the 72nd, Glanton of the 75th, Prince of the 127th and others:

A BILL to be entitled an Act to amend Code Section 20-3-374 of the Official Code of Georgia Annotated, relating to service cancelable loan fund and authorized types of service cancelable educational loans financed by state funds and issued by the Georgia Student Finance Authority, so as to include graduate degree programs; to require application for additional

educational assistance programs; to implement a two-year service requirement; to correct references; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 728. By Representatives Coleman of the 97th, Dickey of the 140th, Ehrhart of the 36th, Burns of the 159th and Nix of the 69th:

A BILL to be entitled an Act to amend an Act relating to education and to revenue and taxation authorizing the Public Education Innovation Fund Foundation to receive private donations to be used for grants to public schools and providing for an income tax credit for qualified education donations, approved April 27, 2017 (Ga. L. 2017, p. 100), so as to repeal an uncodified sunset provision; to repeal conflicting laws; and for other purposes.

HB 756. By Representatives Hilton of the 95th, Kelley of the 16th, Teasley of the 37th, Dreyer of the 59th and Harrell of the 106th:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to county special purpose local option sales tax (SPLOST), so as to revise the annual reporting requirements regarding projects and purposes using SPLOST funds; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 772. By Representative Powell of the 171st:

A BILL to be entitled an Act to provide a new charter for the City of Camilla; to provide for incorporation, boundaries, powers, and construction; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 777. By Representatives Greene of the 151st, Taylor of the 173rd and Pezold of the 133rd:

A BILL to be entitled an Act to repeal Article 5 of Chapter 10 of Title 12 of the Official Code of Georgia Annotated, relating to the Historic Chattahoochee Compact; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 392. By Senator Burke of the 11th:

A BILL to be entitled an Act to provide a new charter for the City of Doerun; to provide for incorporation boundaries, powers and construction; to provide for a governing authority and its membership, elections, and terms; to provide for other matters relative to the foregoing; to provide a specific repealer; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 393. By Senators Tippins of the 37th and Hufstetler of the 52nd:

A BILL to be entitled an Act to amend Code Section 46-2-25 of the Official Code of Georgia Annotated, relating to procedure for changing any rate, charge, classification, or service and recovery of financing costs, so as to prohibit the recovery of certain financing costs of the construction of nuclear generation plants from public schools; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

SB 394. By Senators Jackson of the 2nd, Anderson of the 43rd and Williams of the 39th:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 40 of the Official Code of Georgia Annotated, relating to motor vehicle certificates of title, so as to exempt a surviving spouse from motor vehicle certificate of title application fees when such spouse is removing a decedent joint owner from a certificate of title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SB 395. By Senators Watson of the 1st, Harbison of the 15th, Walker III of the 20th, Black of the 8th, Jones II of the 22nd and others:

A BILL to be entitled an Act to amend Article 10 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Defense Community Economic Development Fund, so as to create the Georgia Joint Defense Commission; to provide for the membership and purposes of such commission;

to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Veterans, Military and Homeland Security.

SB 396. By Senators Shafer of the 48th, Ginn of the 47th, Ligon, Jr. of the 3rd, Unterman of the 45th, Payne of the 54th and others:

A BILL to be entitled an Act to amend Part 1A of Article 2 of Chapter 5 of Title 46 of the O.C.G.A., relating to telephone system for the physically impaired, so as to change certain provisions relating to the establishment, administration, and operation of the state-wide dual party relay service and audible universal information access service; to change certain legislative findings and declarations; to modify the prohibition as to the distribution of telecommunications equipment under the telecommunications equipment distribution program based on a certain income level; to provide that wireless devices and applications may be distributed as part of the telecommunications equipment distribution program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

SB 397. By Senators Watson of the 1st, Stone of the 23rd, Cowser of the 46th, Hufstetler of the 52nd, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Chapter 37 of Title 36 of the Official Code of Georgia Annotated, relating to the acquisition and disposition of real and personal property generally, so as to allow municipalities to hire state licensed real estate brokers to assist in the sale of real property; to provide for the duties of the state licensed real estate broker; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SB 398. By Senator Harbison of the 15th:

A BILL to be entitled an Act to amend an Act reconstituting the Board of Education of Talbot County, approved April 5, 1993 (Ga. L. 1993, p. 4710), as amended, particularly by an Act approved March 27, 1995 (Ga. L. 1995, p. 3541), so as to provide for compensation of the members of the Board of Education of Talbot County; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 399. By Senator Williams of the 27th:

A BILL to be entitled an Act to amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to revise certain provisions relating to advanced nursing practice; to provide for changes to the roles and definitions of advanced nursing practice and advanced practice registered nurses; to provide for certain titles and abbreviations by licensed nurses; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 400. By Senator Williams of the 27th:

A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to repeal the Certificate of Need program; to amend other provisions in various titles of the Official Code of Georgia Annotated for purposes of conformity; to provide for legislative findings and intent; to amend Article 1 of Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation of hospitals and related institutions, so as to provide that certain requirements relating to charity and indigent care previously imposed as a condition for a certificate of need are imposed as a condition of licensure; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 401. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Tate of the 38th and others:

A BILL to be entitled an Act to amend Code Section 20-2-327 of the Official Code of Georgia Annotated, relating to recognition of advanced proficiency/honors courses and counseling and development of individual graduation plans, so as to provide for guidance in career oriented aptitudes and career interests in developing an individual graduation plan; to provide for a review and report of a school counselor's role, workload, program service delivery, and professional learning; to provide for legislative findings; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SB 402. By Senators Gooch of the 51st, Cowser of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

SR 725. By Senators Beach of the 21st, Jones of the 25th, Harper of the 7th, Brass of the 28th and Tillery of the 19th:

A RESOLUTION recognizing Honorable William "Bill" Jones and dedicating a road in his honor; and for other purposes.

Referred to the Committee on Transportation.

The following House legislation was read the first time and referred to committee:

HB 571. By Representatives Watson of the 172nd, Maxwell of the 17th, Battles of the 15th, Greene of the 151st and Corbett of the 174th:

A BILL to be entitled an Act to amend Chapter 25 of Title 47 of the Official Code of Georgia Annotated, relating to the Magistrates Retirement Fund, so as to provide that a member in arrears for dues payments for a period of 90 days shall be suspended from the fund and must apply for reinstatement; to provide for elections for designated survivor's benefits; to provide that certain retired members may become employed in a certain position and continue to receive benefits; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 700. By Representatives Belton of the 112th, Hitchens of the 161st, Bonner of the 72nd, Glanton of the 75th, Prince of the 127th and others:

A BILL to be entitled an Act to amend Code Section 20-3-374 of the Official Code of Georgia Annotated, relating to service cancelable loan fund and authorized types of service cancelable educational loans financed by state funds and issued by the Georgia Student Finance Authority, so as to include graduate degree programs; to require application for additional educational assistance programs; to implement a two-year service requirement; to correct references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Veterans, Military and Homeland Security.

HB 728. By Representatives Coleman of the 97th, Dickey of the 140th, Ehrhart of the 36th, Burns of the 159th and Nix of the 69th:

A BILL to be entitled an Act to amend an Act relating to education and to revenue and taxation authorizing the Public Education Innovation Fund Foundation to receive private donations to be used for grants to public schools and providing for an income tax credit for qualified education donations, approved April 27, 2017 (Ga. L. 2017, p. 100), so as to repeal an uncodified sunset provision; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 756. By Representatives Hilton of the 95th, Kelley of the 16th, Teasley of the 37th, Dreyer of the 59th and Harrell of the 106th:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to county special purpose local option sales tax (SPLOST), so as to revise the annual reporting requirements regarding projects and purposes using SPLOST funds; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 772. By Representative Powell of the 171st:

A BILL to be entitled an Act to provide a new charter for the City of Camilla; to provide for incorporation, boundaries, powers, and construction; to provide

for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 777. By Representatives Greene of the 151st, Taylor of the 173rd and Pezold of the 133rd:

A BILL to be entitled an Act to repeal Article 5 of Chapter 10 of Title 12 of the Official Code of Georgia Annotated, relating to the Historic Chattahoochee Compact; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Interstate Cooperation.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 362 Do Pass by substitute

Respectfully submitted,
Senator Tippins of the 37th District, Chairman

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 371 Do Pass

SB 378 Do Pass

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 381 Do Pass by substitute

Respectfully submitted,
Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 342	Do Pass	SB 366	Do Pass
SB 367	Do Pass	SB 368	Do Pass
SB 369	Do Pass by substitute		

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 301	Do Pass by substitute
SB 336	Do Pass by substitute
SB 337	Do Pass

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Transportation has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 324 Do Pass

Respectfully submitted,
Senator Beach of the 21st District, Chairman

Mr. President:

The Committee on Urban Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 356 Do Pass by substitute
SR 685 Do Pass

Respectfully submitted,
Senator Jackson of the 2nd District, Chairman

The following legislation was read the second time:

SB 82 SB 332 SB 354 SB 364 SB 370

Senator Kirk of the 13th asked unanimous consent that Senator Millar of the 40th be excused. The consent was granted, and Senator Millar was excused.

Senator Jackson of the 2nd asked unanimous consent that Senator Sims of the 12th be excused. The consent was granted, and Senator Sims was excused.

The roll was called and the following Senators answered to their names:

Albers	Henson	Payne
Anderson, L	Hill	Rhett
Anderson, T	Hufstetler	Seay
Beach	Jackson	Shafer
Black	James	Stone
Brass	Jones, E	Strickland
Burke	Jones, H	Tate
Butler	Jordan	Thompson, B
Cowsert	Kennedy	Tillery
Davenport	Kirk	Tippins
Dugan	Kirkpatrick	Unterman
Ginn	Ligon	Walker
Gooch	Lucas	Watson
Harbin	Martin	Wilkinson
Harbison	McKoon	Williams, M
Harper	Mullis	Williams, N
Heath	Parent	

Not answering were Senators:

Jones, B.	Millar (Excused)	Miller
Orrock	Sims (Excused)	Thompson, C.

Senator Jones of the 25th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Kennedy of the 18th introduced the chaplain of the day, Pastor Jerry Dingmore of Macon, Georgia, who offered scripture reading and prayer.

Senator Harper of the 7th recognized Corporal Brian Adams of the Georgia Department of Natural Resources Law Enforcement Division on being named 2017 Game Warden of the Year, commended by SR 702, adopted previously. Corporal Adams addressed the Senate briefly.

Senator Unterman of the 45th introduced the doctor of the day, Dr. Scott Pugel.

The following resolutions were read and adopted:

SR 719. By Senators Harbin of the 16th, Kirk of the 13th, Brass of the 28th, Stone of the 23rd, Anderson of the 43rd and others:

A RESOLUTION recognizing and commending Charles Ballard; and for other purposes.

SR 720. By Senators Wilkinson of the 50th, Anderson of the 24th, Black of the 8th, Heath of the 31st, Sims of the 12th and others:

A RESOLUTION commending Georgia's agriculture industry and recognizing January, 2018, as Agriculture Census Month in the State of Georgia; and for other purposes.

SR 721. By Senators Stone of the 23rd, Rhett of the 33rd, Jones II of the 22nd, Anderson of the 43rd and Anderson of the 24th:

A RESOLUTION recognizing February 15, 2018, as Augusta's Interfaith Coalition Day at the state capitol; and for other purposes.

SR 722. By Senators Miller of the 49th, Ginn of the 47th, Unterman of the 45th, Kirk of the 13th, Wilkinson of the 50th and others:

A RESOLUTION recognizing and commending the YMCAs of Georgia for the important work they do in communities across the state promoting a healthy spirit, mind, and body; and for other purposes.

SR 723. By Senators Thompson of the 5th, Millar of the 40th, Shafer of the 48th, Jackson of the 2nd, Butler of the 55th and others:

A RESOLUTION recognizing and commending Mayor Craig Newton on being the first African American mayor of Norcross and in Gwinnett County; and for other purposes.

SR 724. By Senators Martin of the 9th, Shafer of the 48th, Brass of the 28th, Thompson of the 5th, Unterman of the 45th and others:

A RESOLUTION commending the Georgia Swarm pro lacrosse team on becoming the 2017 National Lacrosse League (NLL) World Champions; and for other purposes.

SR 726. By Senators Jones of the 25th, Beach of the 21st, Stone of the 23rd, Williams of the 27th, Rhett of the 33rd and others:

A RESOLUTION recognizing February 21, 2018, as Jackson-Butts County Day at the state capitol; and for other purposes.

SR 727. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Tate of the 38th and others:

A RESOLUTION recognizing October 1-5, 2018, as Georgia Pre-K Week at the state capitol; and for other purposes.

Senator Cowser of the 46th moved to engross SB 328, which was on today's Senate Rules Calendar.

Senator Jones II of the 22nd objected.

On the motion, the yeas were 32, nays 15; the motion prevailed, and SB 328 was engrossed.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

SENATE RULES CALENDAR
THURSDAY, FEBRUARY 8, 2018
EIGHTEENTH LEGISLATIVE DAY

- SB 197 Employees' Retirement System of Georgia; chairperson of the board of trustees; provision; change (Substitute)(RET-8th)
- SB 328 Income Tax; expiration of certain income tax credits; provide (FIN-56th)
- SB 338 Administrative Procedure; agency rule making; modify requirements (Substitute)(JUDY-3rd)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 197. By Senator Black of the 8th:

A BILL to be entitled an Act to amend Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the Employees' Retirement System of Georgia, so as to change a certain provision relating to the chairperson of the board of trustees of such retirement system; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 14, 2017

The Honorable Ellis Black
State Senator
Coverdell Legislative Office Building, Room 304-A
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Senate Bill 197 (LC 43 0579)

Dear Senator Black:

This bill would amend provisions relating to the Employees' Retirement System of Georgia. Specifically, this bill would amend a provision relating to the chairperson of the board of trustees of the Employees' Retirement System.

This is to certify that this bill is a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The Senate Committee on Retirement offered the following substitute to SB 197:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 20 of Title 47 of the Official Code of Georgia Annotated, relating to general provisions of the Public Retirement Systems Standards Law, so as to provide that no law, rule, regulation, resolution, or ordinance shall pass allowing for creditable service in a retirement system that does not require an individual to pay the full actuarial cost associated with obtaining such creditable service; to provide for the amendment of existing laws; to provide for an exception; to provide for optional payment plans for creditable service; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 20 of Title 47 of the Official Code of Georgia Annotated, relating to general provisions of the Public Retirement Systems Standards Law, is amended by adding a new Code section to read as follows:

"47-20-6.

(a) After July 1, 2018, no law, rule, regulation, resolution, or ordinance shall pass that allows for any form of creditable service in any retirement system that does not require the individual obtaining such creditable service to pay to such retirement system an amount equal to the full actuarial cost of obtaining such creditable service.

(b) Existing laws, rules, regulations, resolutions, or ordinances that allow for any form of creditable service in any retirement system for an individual for an amount less than the full actuarial cost of obtaining such creditable service shall only be amended in a manner that does not increase the actuarial cost to any retirement system.

(c) This Code section shall not apply to credit for service in a retirement system that a member accrued while a contributing member of such retirement system."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"47-20-7.

(a) Any retirement system administrator may adopt a procedure for accepting payments for creditable service in accordance with subsections (b), (c), and (d) of this Code section, which shall only apply to those adopting retirement systems.

(b) Following its approval of an application for creditable service, a retirement system administrator shall certify to the applicant the amount of the payment to the retirement system required to earn the creditable service allowed.

(c) A member may make a one-time payment of the full amount established by the retirement system administrator under subsection (b) of this Code section within 90 days and thereafter receive such creditable service to which he or she is entitled or may elect to participate in a payment plan pursuant to subsection (d) of this Code section.

(d)(1)(A) A member may elect to make equal monthly payments to be deducted from such member's earnable compensation over a period of 12, 24, 36, 48, 60, or 120 months to be paid according to a schedule established by the retirement system administrator, which amortizes the full actuarial cost of obtaining the creditable service, over the elected period of time based on the retirement system's most recent valuation assumptions. Such schedule shall include a present accounting of the full amount necessary to complete the payments.

(B) Once a member makes an election for an eligible period of time, he or she shall not be permitted to change such election.

(2) At any time prior to retirement, a contributing member may make a one-time payment of the full amount necessary to complete the payments owed pursuant to the schedule established by the retirement system administrator pursuant to paragraph (1) of this subsection.

(3) Upon application for retirement, a member may make a one-time payment to the retirement system of the remaining amount owed pursuant to paragraph (1) of this subsection and shall be awarded such creditable service to which he or she is entitled.

(4) Upon retirement, if a member has not paid an amount constituting the full actuarial cost as amortized, he or she shall only be awarded only as many months of

creditable service on a whole month, pro rata basis as determined by the retirement system administrator from the original amortized payment schedule elected under paragraph (1) of this subsection as have been paid for in full.

(5) Within 30 days of a member ceasing to be an employee for a reason other than death or retirement such individual shall make a one-time payment to the retirement system of the remaining amount necessary to complete the payments owed in accordance with the schedule established pursuant to paragraph (1) of this subsection and be awarded such creditable service to which he or she is entitled. If he or she does not make such payment, the retirement system administrator shall issue to such individual a refund of payments made pursuant to this subsection, and he or she shall forfeit the related creditable service; provided, however, that if the individual is a vested member of the retirement system, he or she shall be awarded such creditable service allowed pursuant to paragraph (4) of this subsection. Such individual may reapply for the creditable service sought if eligible and in accordance with this Code section.

(6) Within 30 days of a member defaulting by failing to make his or her complete monthly payment in accordance with the schedule established pursuant to paragraph (1) of this subsection such individual shall make a one-time payment to the retirement system of the remaining amount necessary to complete the payments owed in accordance with the schedule established pursuant to paragraph (1) of this subsection and be awarded such creditable service to which he or she is entitled. If he or she does not make such payment, the retirement system administrator shall issue to such individual a refund of payments made pursuant to this subsection, and he or she shall forfeit the related creditable service. Such individual may reapply for the creditable service sought if eligible and in accordance with this Code section."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 23, 2018

The Honorable Ellis Black
 State Senator
 Coverdell Legislative Office Building, Room 303-B
 Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
 Substitute to Senate Bill 197
 (LC 43 0798S)

Dear Senator Black:

This substitute bill would amend general provisions of the Public Retirement Systems Standards Law. Specifically, this substitute bill provides that no law, rule, regulation, resolution, or ordinance shall pass allowing for creditable service in any retirement system unless the individual is required to pay the full actuarial cost of the service granted. This provision would not apply to credit for service in a retirement system that a member accrues while a contributing member of such system. This substitute bill also authorizes any retirement system to adopt a procedure allowing members to purchase such creditable service through a payment plan, not to exceed 120 months.

This is to certify that this substitute bill is a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
 State Auditor

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	E Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland

Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 197, having received the requisite constitutional majority, was passed by substitute.

Senator Mullis of the 53rd was excused as a Conferee.

SB 328. By Senators Albers of the 56th, Hufstetler of the 52nd, Cowsert of the 46th, Hill of the 4th, Watson of the 1st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain income tax credits; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C

Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	C Mullis	Y Williams, M
N Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 6.

SB 328, having received the requisite constitutional majority, was passed.

SB 338. By Senators Ligon, Jr. of the 3rd, Cowser of the 46th, McKoon of the 29th, Millar of the 40th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for administrative procedure, so as to modify requirements for agency rule making; to modify legislative objections to and staying of proposed agency rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 338:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for administrative procedure, so as to modify requirements for agency rule making; to modify legislative objections to and staying of proposed agency rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for administrative procedure, is amended by revising Code Section 50-13-4, relating to procedural requirements for adoption, amendment, or repeal of rules, emergency rules, limitation on action to contest rule, and legislative override, as follows:

"50-13-4.

(a) Prior to the adoption, which for the purposes of this Code section shall include the amendment, or repeal, of any rule, other than interpretive rules or general statements of policy, ~~the~~ each agency shall:

(1) File a notice of its intent to adopt a rule at least 30 days prior to the effective date of the proposed adoption. ~~Give at least 30 days' notice of its intended action.~~ The notice shall include ~~an~~:

(A) An exact copy of the proposed rule and a ~~if amending or repealing a rule the existing rule;~~

(B) A synopsis of the proposed rule. ~~The synopsis shall be distributed with and in the same manner as the proposed rule. The synopsis shall contain containing a statement of the purpose and the main features of the proposed rule, and, in the case of a proposed amendatory rule, the synopsis also shall indicate the differences between the existing rule and the proposed rule. The notice shall also include the exact date on which;~~

(C) The date, time, and location for when the agency shall consider the adoption of the rule and shall include the time and place in order that interested persons may present their views thereon. ~~The notice shall also contain a citation of the;~~ and

(D) A citation and concise explanation of the statutory or constitutional authority pursuant to which the rule is proposed for adoption and, if the proposal is an amendment or repeal of an existing rule, the rule shall be clearly identified.

The notice shall be mailed to all persons who have requested in writing that they be placed upon a mailing list which shall be maintained by the agency for advance notice of its rule-making proceedings and who have tendered the actual cost of such mailing as from time to time estimated by the agency;

(2)(A) Afford to all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing. ~~In the case of substantive rules, opportunity for oral hearing must be granted if~~

(B) Provide for an oral hearing if such an oral hearing is requested by 25 persons who will be directly affected by the proposed rule, by a governmental subdivision, or by an association having not less than 25 members. ~~The agency shall consider~~

(C) Consider fully all written and oral submissions respecting the proposed rule. Upon adoption of a rule, the agency, if requested to do so by an interested person either prior to adoption or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption;

(3) Reduce ~~In the formulation and adoption of any rule which will have an economic impact on businesses in the state,~~ reduce the economic impact of the rule on small businesses which are independently owned and operated, are not dominant in their field, and employ 100 employees or less by implementing one or more of the following actions when it is legal and feasible in meeting the stated objectives of the statutes which are the basis of the proposed rule:

(A) Establish differing compliance or reporting requirements or timetables for

small businesses;

(B) Clarify, consolidate, or simplify the compliance and reporting requirements under the rule for small businesses;

(C) Establish performance rather than design standards for small businesses; or

(D) Exempt small businesses from any or all requirements of the rules; and

(4) ~~Choose~~ In the formulation and adoption of any rule, an agency shall choose an alternative that does not impose excessive regulatory costs on any regulated person or entity which costs could be reduced by a less expensive alternative that fully accomplishes the stated objectives of the statutes which are the basis of the proposed rule.

(b)(1) If any agency finds that an imminent peril to the public health, safety, or welfare, including but not limited to, summary processes such as quarantines, contrabands, seizures, and the like authorized by law without notice, requires adoption of a rule upon fewer than 30 days' notice and states in writing its reasons for that finding, it may proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable to adopt an emergency rule.

(2) Any such rule adopted relative to a public health emergency shall be submitted as promptly as reasonably practicable to the House of Representatives and Senate Committees on Judiciary. ~~The rule may~~

(3) Emergency rules shall not be effective for a period ~~of not~~ longer than 120 days ~~but the~~; provided, however, that:

(A) The adoption of an identical rule under paragraphs (1) and (2) of subsection (a) of this Code section is not precluded; provided, however, that such a and

(B) An emergency rule adopted pursuant to discharge of responsibility under an executive order declaring a state of emergency or disaster exists as a result of a public health emergency, as defined in Code Section 38-3-3, shall be effective for the duration of the emergency or disaster and for a period of not more than 120 days thereafter.

(c) ~~It is the intent of this Code section to establish basic minimum procedural requirements for the adoption, amendment, or repeal of administrative rules.~~ Except for emergency rules which are provided for in subsection (b) of this Code section, the provisions of this Code section are applicable to the exercise of any rule-making authority conferred by any statute, but nothing in this Code section repeals or diminishes additional requirements imposed by law or diminishes or repeals any summary power granted by law to the state or any agency thereof.

(d) No rule adopted after April 3, 1978, shall be valid unless adopted in exact compliance with subsections (a) and (e) of this Code section and in substantial compliance with the remainder of this Code section.—A; provided, however, that a proceeding to contest any rule on the ground of noncompliance with the procedural requirements of this Code section must be commenced within two years from the effective date of the rule or the rule shall be deemed valid, for the purposes of this Code section, from its date of adoption.

(e)(1) Each ~~The~~ agency shall transmit a copy of the notice provided for in paragraph

(1) of subsection (a) of this Code section to the legislative counsel. ~~The notice shall be transmitted~~ at least 30 days prior to the date of the agency's intended action.

(2)(A) Within three days after receipt of the notice, if possible, the legislative counsel shall furnish the presiding officers of each ~~house~~ branch of the General Assembly with a copy of the notice, and the presiding officers shall assign the notice to the chairperson of the appropriate standing committee in each ~~house~~ branch for review and any member thereof who makes a standing written request. ~~If~~ In the event a presiding officer is unavailable for the purpose of making the assignment within the time limitations, the legislative counsel shall assign the notice to the chairperson of the appropriate standing committee.

(B) The legislative counsel shall also transmit within the time limitations provided in this subsection a notice of the assignment to the chairperson of the appropriate standing committee. Each standing committee of the Senate and the House of Representatives is granted all the rights provided for interested persons and governmental subdivisions in paragraph (2) of subsection (a) of this Code section.

(f)(1)(A) ~~Any~~ ~~In the event~~ a standing committee to which a notice is assigned as provided in subsection (e) of this Code section ~~files an objection~~ may, by a majority vote of the total number of members of such committee, object to a proposed rule prior to its adoption ~~and the agency adopts the proposed rule over the objection, the rule may be considered by the branch of the General Assembly whose committee objected to its adoption by the introduction of a resolution for the purpose of overriding the rule at any time within the first 30 days of the next regular session of the General Assembly.~~ Members may vote in person or by telephone.

(B) It shall be the duty of any agency which adopts a proposed rule over such objection so to notify the presiding officers of the Senate and the House of Representatives, the chairpersons of the Senate and House committees to which the rule was referred, and the legislative counsel within ten days after the adoption of the rule. ~~In the event~~

(C)(i) Such a rule adopted over objection may be considered by the branch of the General Assembly whose committee objected to its adoption by the introduction, prior to the adjournment of the next regular session, of a resolution for the purpose of overriding the rule.

(ii) If the resolution for the purpose of overriding the rule is adopted by such branch of the General Assembly, it shall be immediately transmitted to the other branch of the General Assembly.

(iii) It shall be the duty of the presiding officer of the other branch of the General Assembly to have such branch, within five days after ~~the~~ receipt of the resolution, to consider the resolution for the purpose of overriding the rule. ~~In the event the~~

(iv) If such resolution is adopted by two-thirds a majority of the votes of each branch of the General Assembly, the rule shall be void on the day after the adoption of the resolution by the second branch of the General Assembly. ~~In the event the resolution is ratified by less than two-thirds of the votes of either branch, the resolution shall be submitted to the Governor for his or her approval or veto.~~

~~In the event of his or her veto, the rule shall remain in effect. In the event of his or her approval, the rule shall be void on the day after the date of his or her approval.~~
 (2)(A) If ~~In the event~~ each standing committee to which a notice is assigned as provided in subsection (e) of this Code section ~~files an objection, by a majority vote of the total number of members of such committee, objects to a proposed rule prior to its adoption by a two-thirds' vote of the members of the committee who were voting members on the tenth day of the current session,~~ after having given public notice of the time, place, and purpose of such vote at least 48 hours in advance, ~~as well as the opportunity and allowing for members of the public including and the promulgating agency;~~ to have a reasonable time to comment on the proposed committee ~~action~~ objection at the hearing, the ~~effectiveness~~ adoption of such rule shall be stayed until the thirtieth legislative day of the next regular legislative session. Members may vote in person or by telephone. ~~at which time the rule may be considered by the~~

(B)(i) The General Assembly may, by the introduction of a resolution in either branch of the General Assembly ~~for the purpose of overriding, override~~ the rule at any time within the first 30 legislative days of the next regular session of the General Assembly. ~~In the event the~~

(ii) If such a resolution is adopted by the branch of the General Assembly in which it was introduced, it shall be immediately transmitted to the other branch of the General Assembly. ~~It and it shall be the duty of the presiding officer of the other branch of the General Assembly to have such branch, within five days after the receipt of the resolution, to consider the resolution for the purpose of overriding the rule. In the event~~

(iii) If the resolution is adopted by ~~two-thirds~~ a majority of the votes of each branch of the General Assembly, the rule shall be void on the day after the adoption of the resolution by the second branch of the General Assembly. ~~In the event the resolution is ratified by less than two-thirds of the votes of either branch, the resolution shall be submitted to the Governor for his or her approval or veto. In the event of his or her veto, the rule shall remain in effect. In the event of his or her approval, the rule shall be void on the day after the date of his or her approval.~~

(iv) If after the thirtieth legislative day of the legislative session of which the challenged rule was to be considered the General Assembly has not considered an override of the challenged rule pursuant to this subsection, the rule shall then immediately take effect.

(g)(1) Subsection (f) of this Code section shall not apply to the Environmental Protection Division of the Department of Natural Resources as to any rule for which, as part of the notice required by paragraph (1) of subsection (a) of this Code section, the director of the division certifies that such rule is required for compliance with federal statutes or regulations or to exercise certain powers delegated by the federal government to the state to implement federal statutes or regulations, but paragraph (2) of this subsection shall apply to the Environmental Protection Division of the Department of Natural Resources as to any rule so certified. As part of such

certification, the director shall cite the specific section or sections of federal statutes or regulations which the proposed rule is intended to comply with or implement. General references to the name or title of a federal statute or regulation shall not suffice for the purposes of this paragraph. Any proposed rule or rules that are subject to this paragraph shall be noticed separately from any proposed rule or rules that are not subject to this paragraph.

(2) ~~If in the event~~ the chairperson of any standing committee to which a proposed rule certified by the director of the division pursuant to paragraph (1) of this subsection is assigned notifies the director that the committee objects to the adoption of the rule or has questions concerning the purpose, nature, or necessity of such rule, it shall be the duty of the director to consult with the committee prior to the adoption of the rule.

(h) The provisions of subsections (e) and (f) of this Code section shall apply to any rule of the Department of Public Health that is promulgated pursuant to Code Section 31-2A-11 or 31-45-10, except that the presiding officer of the Senate is directed to assign the notice of such a rule to the chairperson of the Senate Science and Technology Committee and the presiding officer of the House of Representatives is directed to assign the notice of such a rule to the chairperson of the House Committee on Industry and Labor. As used in this subsection, the term 'rule' shall have the same meaning as provided in paragraph (6) of Code Section 50-13-2 and shall include interpretive rules and general statements of policy, notwithstanding any provision of subsection (a) of this Code section to the contrary.

(i) This Code section shall not apply to any comprehensive state-wide water management plan or revision thereof prepared by the Environmental Protection Division of the Department of Natural Resources and proposed, adopted, amended, or repealed pursuant to Article 8 of Chapter 5 of Title 12; provided, however, that this Code section shall apply to any rules or regulations implementing such a plan."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Tillery of the 19th, Cowser of the 46th, Parent of the 42nd, Ligon, Jr. of the 3rd, Mullis of the 53rd and others offered the following amendment #1:

Amend the Senate Judiciary Committee substitute to SB 338 (LC 43 0823S) by replacing "30" with "60" on lines 16 and 66.

By replacing lines 26 through 28 with the following:

(C) The date, time, and location of the public meeting at which the agency shall consider the adoption of the rule and shall include the time and place in order that interested persons may present their views thereon. The notice shall also contain a citation of the Such meeting shall occur at least 30 days after the filing of the notice required by this paragraph and at least 30 days prior to the effective date of the proposed rule; and

By replacing line 92 with the following:

be deemed valid, for the purposes of this Code section, from the effective date provided for when adopted.

By replacing line 95 with the following:

~~transmitted~~ at least ~~30~~ 60 days prior to the effective date of the agency's ~~intended action~~ proposed rule.

By replacing line 112 with the following:

to its ~~adoption and the agency adopts the proposed rule over the objection,~~ the rule ~~may~~ effective date

By striking "adoption" on line 141 and inserting "effective date" in lieu thereof.

By replacing line 146 with the following:

objection at the hearing, the effectiveness of such rule shall be stayed until the

By replacing "thirtieth" on line 147 with "fortieth".

By replacing line 151 with the following:

time within the first ~~30~~ 40 legislative days of the next regular session of the General

By replacing lines 166 through 169 with the following:

(iv) If after the thirtieth Upon adjournment of the fortieth legislative day of the legislative session ~~of~~ in which the challenged rule was to be considered, if the General Assembly has not considered an override of the challenged rule pursuant to this subsection, the rule shall then immediately take effect.

On the adoption of the amendment, there were no objections, and the Tillery, et al. amendment #1 to the committee substitute was adopted.

Senator Ligon, Jr. of the 3rd offered the following amendment #2:

Amend the committee substitute to SB 338 by:

Adding on line 116 after the word "telephone" the following "if permitted by rules of the Senate or House" and by

Adding on line 148 after the word "telephone" "if permitted by rules of the Senate or House"

On the adoption of the amendment, there were no objections, and the Ligon, Jr. amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 37, nays 18.

SB 338, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Monday, February 12, 2018

The motion prevailed, and the President announced the Senate adjourned at 12:16 p.m.

Senate Chamber, Atlanta, Georgia
Monday, February 12, 2018
Nineteenth Legislative Day

The Senate met pursuant to adjournment at 10:10 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House and Senate:

HB 538. By Representatives Willard of the 51st, Silcox of the 52nd, Golick of the 40th, Jones of the 25th, Cantrell of the 22nd and others:

A BILL to be entitled an Act to amend an Act providing in Fulton County a system for pension and retirement pay to teachers and employees of the Board of Education of Fulton County, approved February 2, 1945 (Ga. L. 1945, p. 528), as amended, particularly by an Act approved May 11, 2009 (Ga. L. 2009, p. 4004), an Act approved April 11, 2012 (Ga. L. 2012, p. 4982), an Act approved May 6, 2013 (Ga. L. 2013, p. 4026), and an Act approved April 21, 2014 (Ga. L. 2014, p. 4276) so as to authorize the Board of Education of Fulton County to create a system for pension and retirement pay to teachers and employees; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 618. By Representative Petrea of the 166th:

A BILL to be entitled an Act to incorporate the City of Skidaway Island; to provide for a charter for the City of Skidaway Island; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election,

terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

HB 626. By Representative Jones of the 25th:

A BILL to be entitled an Act to incorporate the City of Sharon Springs; to provide a charter; to provide for a referendum; to provide for prior ordinances and rules, pending matters, and existing personnel; to provide for penalties; to provide for definitions and construction; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 655. By Representatives Williams of the 145th, Chandler of the 105th, Epps of the 144th, Hill of the 3rd, Bonner of the 72nd and others:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to require every public school to post a sign containing the toll-free telephone number operated by the Division of Family and Children Services of the Department of Human Services to receive reports of child abuse or neglect; to provide for rules and regulations; to provide that no cause of action is created; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 699. By Representatives Belton of the 112th, Hitchens of the 161st, Blackmon of the 146th, Clark of the 98th, Corbett of the 174th and others:

A BILL to be entitled an Act to amend Code Section 25-4-9 of the Official Code of Georgia Annotated, relating to basic firefighter training courses and transfer of certification, so as to provide that military firefighter training may be accepted as required basic training; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 805. By Representative Greene of the 151st:

A BILL to be entitled an Act to abolish the office of county treasurer of Terrell County; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 806. By Representatives Benton of the 31st, England of the 116th and Barr of the 103rd:

A BILL to be entitled an Act to create the Town of Braselton Public Facilities Authority; to provide for a short title and purpose; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to provide for definitions; to provide for the issuance and sale of revenue bonds and their negotiability, sale, and use of proceeds from such sales; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 807. By Representatives Spencer of the 180th and Corbett of the 174th:

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in the City of St. Marys; to provide for a short title; to provide for the purposes of such districts; to provide for definitions; to provide for boards to administer said districts; to provide for the appointment and election of members of such boards; to provide for taxes, fees, and assessments; to provide for the boundaries of such districts; to provide for bonded indebtedness; to provide for cooperation with local governments; to provide for powers of such boards; to provide for construction; to provide that no notice, proceeding, publication, or referendum shall be required; to provide for dissolution; to provide the procedures connected with all of the foregoing; to repeal conflicting laws; and for other purposes.

HB 822. By Representatives Williamson of the 115th and Belton of the 112th:

A BILL to be entitled an Act to amend an Act to continue the charter for the Academy of Social Circle, to create a body politic known as the School District of Social Circle, and to provide for a board of education and matters relative thereto, approved April 29, 1997 (Ga. L. 1997, p. 4557), so as to modify provisions relating to the filling of vacancies on the Board of Education of Social Circle; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 828. By Representative Fleming of the 121st:

A BILL to be entitled an Act to authorize the City of Harlem to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the

"Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 829. By Representative Greene of the 151st:

A BILL to be entitled an Act to amend an Act reconstituting the Board of Education of Quitman County, approved March 16, 1994 (Ga. L. 1994, p. 3689), as amended, so as to change the compensation of the chairperson and members of the board; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 836. By Representatives Dukes of the 154th, Greene of the 151st and Ealum of the 153rd:

A BILL to be entitled an Act to amend an Act creating the Dougherty County School System, approved February 5, 1951 (Ga. L. 1951, p. 2233), as amended, particularly by an Act approved March 11, 1987 (Ga. L. 1987, p. 3843), so as to change the compensation of members of the board of education; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 838. By Representatives Bonner of the 72nd, Mathiak of the 73rd, Stover of the 71st, Bazemore of the 63rd and Jackson of the 64th:

A BILL to be entitled an Act to amend an Act creating the Peachtree City Water and Sewerage Authority, approved March 31, 1987 (Ga. L. 1987, p. 5085), as amended, particularly by an Act approved April 1, 1996 (Ga. L. 1996, p. 3828), so as to revise the membership of the authority; to provide for a quorum; to provide for the officers of the authority; to provide for certain rights and privileges of members of the authority; to provide for the approval of certain agreements; to provide for certain exemptions and the applicability of certain laws; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 278. By Senators Stone of the 23rd and Anderson of the 24th:

A BILL to be entitled an Act to authorize Columbia County to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 403. By Senators Thompson of the 14th, Brass of the 28th, Mullis of the 53rd, Albers of the 56th, Beach of the 21st and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide for uniform election equipment in this state; to provide that direct recording electronic voting systems shall not be used in primaries or elections in this state after January 1, 2024; to provide for definitions; to provide for ballot marking devices and standards and procedures for such devices; to provide for audits of election results and procedures therefor; to provide for conforming changes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 404. By Senators Brass of the 28th, Harper of the 7th, Albers of the 56th, Mullis of the 53rd, Jones of the 25th and others:

A BILL to be entitled an Act to amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to public water systems, so as to prohibit county, municipal, and other public water systems from charging or assessing a separate fee for standby water service for fire sprinkler system connections; to provide for a purpose; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SB 405. By Senators Millar of the 40th, Tippins of the 37th, Jackson of the 2nd, Cowser of the 46th and Harbin of the 16th:

A BILL to be entitled an Act to amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, so as to provide for grants for certain eligible students enrolled in an institution of the University System of Georgia; to define certain terms; to provide for application and administration; to provide for pro rata application; to provide for audits; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

SB 406. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to enact the "Georgia Long-term Care Background Check Program" and to promote public safety and provide for comprehensive criminal background checks for owners, applicants for employment, and employees providing care or owning a personal care home, assisted living community, private home care provider, home health agency, hospice care, nursing home, skilled nursing facility, or an adult day care as recommended by the Georgia Council on Criminal Justice from liability; to amend Article 1 of Chapter 2 of Title 49 of the O.C.G.A., relating to general provisions for the Department of Human Services; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 407. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to provide for comprehensive reform for offenders; to amend Title 15 and Chapter 6A of Title 35 of the O.C.G.A., relating to courts and the Criminal Justice Coordinating Council; to amend Title 17, Code Section 24-4-609, Chapter 5 of Title 40, Title 42, and Code Section 43-1-19 of the O.C.G.A., relating to criminal procedure, impeachment by evidence of conviction of a crime, drivers' licenses, penal institutions, and grounds for refusing to grant or revoking professional licenses; to amend Chapter 2 of Title 31 and Chapter 4 of Title 49 of the O.C.G.A., relating to the Department of Community Health and public assistance; to amend Title 16 of the O.C.G.A., relating to crimes and offenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 408. By Senator Jackson of the 2nd:

A BILL to be entitled an Act to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions regarding law enforcement officers and agencies, so as to require that a mental or behavioral health professional be present at any law enforcement officer's interview of an individual with autism or an autism spectrum disorder in certain circumstances; to require policies of law enforcement agencies; to provide that violations of such requirements shall not be the basis for suppression of evidence or a cause

of action; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 409. By Senators Harper of the 7th, Albers of the 56th, Mullis of the 53rd, Jones of the 25th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to negotiating railroad crossings and entering highways from private driveways, so as to require that persons driving vehicles shall exercise due care and caution for other on-track equipment, as for trains, at railroad grade crossings; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 410. By Senators Anderson of the 43rd and Strickland of the 17th:

A BILL to be entitled an Act to amend an Act creating the Board of Elections and Registration of Rockdale County, approved March 29, 1995 (Ga. L. 1995, p. 3929), as amended, particularly by an Act approved April 13, 2012 (Ga. L. 2012, p. 5484), so as to change provisions relating to the meetings of the board; to change compensation for members of the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 411. By Senators Jackson of the 2nd, Henson of the 41st and Jones of the 10th:

A BILL to be entitled an Act to amend Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, so as to create the Georgia Commission on African American History and Culture; to provide for duties and objectives; to provide for membership and terms of office; to provide for reporting; to provide for funding; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Urban Affairs.

SR 732. By Senators Millar of the 40th and Shafer of the 48th:

A RESOLUTION commending the Nation of Israel for its cordial and mutually

beneficial relationship with the United States and the State of Georgia; and for other purposes.

Referred to the Committee on Rules.

SR 745. By Senators Millar of the 40th, Shafer of the 48th, Henson of the 41st and Unterman of the 45th:

A RESOLUTION recognizing Robert H. "Bob" Bell and dedicating interchanges in his honor; and for other purposes.

Referred to the Committee on Transportation.

The following House legislation was read the first time and referred to committee:

HB 538. By Representatives Willard of the 51st, Silcox of the 52nd, Golick of the 40th, Jones of the 25th, Cantrell of the 22nd and others:

A BILL to be entitled an Act to amend an Act providing in Fulton County a system for pension and retirement pay to teachers and employees of the Board of Education of Fulton County, approved February 2, 1945 (Ga. L. 1945, p. 528), as amended, particularly by an Act approved May 11, 2009 (Ga. L. 2009, p. 4004), an Act approved April 11, 2012 (Ga. L. 2012, p. 4982), an Act approved May 6, 2013 (Ga. L. 2013, p. 4026), and an Act approved April 21, 2014 (Ga. L. 2014, p. 4276) so as to authorize the Board of Education of Fulton County to create a system for pension and retirement pay to teachers and employees; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 618. By Representative Petrea of the 166th:

A BILL to be entitled an Act to incorporate the City of Skidaway Island; to provide for a charter for the City of Skidaway Island; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 626. By Representative Jones of the 25th:

A BILL to be entitled an Act to incorporate the City of Sharon Springs; to provide a charter; to provide for a referendum; to provide for prior ordinances and rules, pending matters, and existing personnel; to provide for penalties; to provide for definitions and construction; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 655. By Representatives Williams of the 145th, Chandler of the 105th, Epps of the 144th, Hill of the 3rd, Bonner of the 72nd and others:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to require every public school to post a sign containing the toll-free telephone number operated by the Division of Family and Children Services of the Department of Human Services to receive reports of child abuse or neglect; to provide for rules and regulations; to provide that no cause of action is created; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 699. By Representatives Belton of the 112th, Hitchens of the 161st, Blackmon of the 146th, Clark of the 98th, Corbett of the 174th and others:

A BILL to be entitled an Act to amend Code Section 25-4-9 of the Official Code of Georgia Annotated, relating to basic firefighter training courses and transfer of certification, so as to provide that military firefighter training may be accepted as required basic training; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 805. By Representative Greene of the 151st:

A BILL to be entitled an Act to abolish the office of county treasurer of Terrell County; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 806. By Representatives Benton of the 31st, England of the 116th and Barr of the 103rd:

A BILL to be entitled an Act to create the Town of Braselton Public Facilities Authority; to provide for a short title and purpose; to confer powers and impose duties on the authority; to provide for the membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to provide for definitions; to provide for the issuance and sale of revenue bonds and their negotiability, sale, and use of proceeds from such sales; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 807. By Representatives Spencer of the 180th and Corbett of the 174th:

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in the City of St. Marys; to provide for a short title; to provide for the purposes of such districts; to provide for definitions; to provide for boards to administer said districts; to provide for the appointment and election of members of such boards; to provide for taxes, fees, and assessments; to provide for the boundaries of such districts; to provide for bonded indebtedness; to provide for cooperation with local governments; to provide for powers of such boards; to provide for construction; to provide that no notice, proceeding, publication, or referendum shall be required; to provide for dissolution; to provide the procedures connected with all of the foregoing; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 822. By Representatives Williamson of the 115th and Belton of the 112th:

A BILL to be entitled an Act to amend an Act to continue the charter for the Academy of Social Circle, to create a body politic known as the School District of Social Circle, and to provide for a board of education and matters relative thereto, approved April 29, 1997 (Ga. L. 1997, p. 4557), so as to modify provisions relating to the filling of vacancies on the Board of Education of Social Circle; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 828. By Representative Fleming of the 121st:

A BILL to be entitled an Act to authorize the City of Harlem to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 829. By Representative Greene of the 151st:

A BILL to be entitled an Act to amend an Act reconstituting the Board of Education of Quitman County, approved March 16, 1994 (Ga. L. 1994, p. 3689), as amended, so as to change the compensation of the chairperson and members of the board; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 836. By Representatives Dukes of the 154th, Greene of the 151st and Ealum of the 153rd:

A BILL to be entitled an Act to amend an Act creating the Dougherty County School System, approved February 5, 1951 (Ga. L. 1951, p. 2233), as amended, particularly by an Act approved March 11, 1987 (Ga. L. 1987, p. 3843), so as to change the compensation of members of the board of education; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 838. By Representatives Bonner of the 72nd, Mathiak of the 73rd, Stover of the 71st, Bazemore of the 63rd and Jackson of the 64th:

A BILL to be entitled an Act to amend an Act creating the Peachtree City Water and Sewerage Authority, approved March 31, 1987 (Ga. L. 1987, p. 5085), as amended, particularly by an Act approved April 1, 1996 (Ga. L. 1996, p. 3828), so as to revise the membership of the authority; to provide for a quorum; to provide for the officers of the authority; to provide for certain rights and privileges of members of the authority; to provide for the approval of certain agreements; to provide for certain exemptions and the applicability of

certain laws; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Ethics has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 107 Do Pass by substitute

Respectfully submitted,
Senator Burke of the 11th District, Chairman

Mr. President:

The Committee on Special Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 349 Do Pass

Respectfully submitted,
Senator Thompson of the 5th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 771 Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

SB 301	SB 324	SB 336	SB 337	SB 342	SB 356
SB 362	SB 366	SB 367	SB 368	SB 369	SB 371
SB 378	SB 381	SR 685			

Senator Harbison of the 15th asked unanimous consent that Senator Jackson of the 2nd be excused. The consent was granted, and Senator Jackson was excused.

Senator Dugan of the 30th asked unanimous consent that Senator Unterman of the 45th be excused. The consent was granted, and Senator Unterman was excused.

Senator Henson of the 41st asked unanimous consent that Senator Tate of the 38th be excused. The consent was granted, and Senator Tate was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Orrock
Anderson, L	Hufstetler	Parent
Anderson, T	James	Payne
Beach	Jones, B	Rhett
Black	Jones, E	Seay
Brass	Jones, H	Shafer
Burke	Jordan	Sims
Butler	Kennedy	Stone
Cowsert	Kirk	Strickland
Davenport	Kirkpatrick	Thompson, B
Dugan	Ligon	Tillery
Ginn	Lucas	Tippins
Gooch	Martin	Walker
Harbin	McKoon	Watson
Harbison	Millar	Wilkinson
Harper	Miller	Williams, M
Heath	Mullis	Williams, N
Henson		

Not answering were Senators:

Jackson (Excused)	Tate (Excused)	Thompson, C.
Unterman (Excused)		

Senator Thompson of the 5th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Gooch of the 51st introduced the chaplain of the day, Reverend Michael B. Rodgers of Dahlonega, Georgia, who offered scripture reading and prayer.

Senator Orrock of the 36th introduced the doctor of the day, Dr. Rasean Hodge.

The following resolution was read and adopted:

SR 742. By Senator Miller of the 49th:

A RESOLUTION recognizing February 12, 2018, as Lake Lanier Day at the state capitol; and for other purposes.

Senator Miller of the 49th recognized the Lake Lanier Association. Executive Director Joanna Cloud addressed the Senate briefly.

Senator Gooch of the 51st recognized Mountain Education Charter High School, commended by SR 692, adopted previously. Assistant Superintendent Mr. Tracy Sanford addressed the Senate briefly.

The following resolution was read and adopted:

SR 736. By Senators Harper of the 7th, Wilkinson of the 50th, Anderson of the 24th, Black of the 8th, Heath of the 31st and others:

A RESOLUTION commending the Georgia Young Farmers Association and recognizing February 13, 2018, as Young Farmers Day at the state capitol; and for other purposes.

Senator Harper of the 7th recognized the Georgia Young Farmers Association. President Blake Haley addressed the Senate briefly.

Senator Shafer of the 48th, in remembrance of Trey McKinley Grisham, honored the Georgia chapter of the American Foundation for Suicide Prevention and recognized February 12, 2018, as AFSP Georgia Suicide Prevention Day at the state capitol, commended by SR 693, adopted previously. AFSP Board of Directors Chairman Roland Behm and Mr. Jackson Peake addressed the Senate briefly.

The following resolutions were read and adopted:

SR 728. By Senator Unterman of the 45th:

A RESOLUTION recognizing September, 2018, as Childhood Cancer Awareness Month; and for other purposes.

SR 729. By Senators Tippins of the 37th, Payne of the 54th, Heath of the 31st, Dugan of the 30th, Harbin of the 16th and others:

A RESOLUTION honoring the life and memory of Allene Harris Magill; and for other purposes.

SR 730. By Senators Tillery of the 19th and Hill of the 4th:

A RESOLUTION recognizing and commending Rafael C. Nail for his dedicated and meritorious public service; and for other purposes.

SR 731. By Senators Thompson of the 14th, Shafer of the 48th, Dugan of the 30th, Cowser of the 46th, Harbin of the 16th and others:

A RESOLUTION recognizing and commending Stanton Gatewood; and for other purposes.

SR 733. By Senators Millar of the 40th and Anderson of the 24th:

A RESOLUTION recognizing and commending Ashley Strong-Green; and for other purposes.

SR 734. By Senators Millar of the 40th and Anderson of the 24th:

A RESOLUTION recognizing and commending Jonathan Swinsburg; and for other purposes.

SR 735. By Senators Millar of the 40th and Jackson of the 2nd:

A RESOLUTION recognizing and commending Skylar Huggett; and for other purposes.

SR 737. By Senators Seay of the 34th, Jones of the 10th, Butler of the 55th, Tate of the 38th, Williams of the 39th and others:

A RESOLUTION recognizing and commending Senator Nan Orrock for her induction into the National Center for Civil and Human Rights Museum Walk of Fame; and for other purposes.

SR 738. By Senators Jones of the 10th, Henson of the 41st, Jackson of the 2nd, Jordan of the 6th, Harbison of the 15th and others:

A RESOLUTION recognizing and commending Judge Matthew McCord on his outstanding public service as the chief judge of the Stockbridge Municipal Court and as the president-elect of the Georgia Municipal Court Judges Council; and for other purposes.

SR 739. By Senator Jackson of the 2nd:

A RESOLUTION recognizing and commending Aneesah Akbar-Uqdah; and for other purposes.

SR 740. By Senators Lucas of the 26th and Walker III of the 20th:

A RESOLUTION recognizing February 22, 2018, as Pearl Jackson Day at the state capitol; and for other purposes.

SR 741. By Senators Orrock of the 36th, Seay of the 34th, Jones of the 10th, Unterman of the 45th, Anderson of the 43rd and others:

A RESOLUTION commending Hannah Fazila Testa for her involvement in and commitment to environmental sustainability and recognizing February 15, 2018, as Plastic Pollution Awareness Day at the state capitol; and for other purposes.

SR 743. By Senators Stone of the 23rd, Kennedy of the 18th, Ligon, Jr. of the 3rd and McKoon of the 29th:

A RESOLUTION recognizing February 11-17, 2018, as Georgia Court Reporting and Captioning Week at the state capitol; and for other purposes.

SR 744. By Senators Jones of the 25th, Jordan of the 6th, Kirkpatrick of the 32nd, Williams of the 39th, Rhett of the 33rd and others:

A RESOLUTION honoring the life, memory, and legacy of Otis Redding, Jr., and recognizing February 15, 2018, as Otis Redding Day at the state capitol; and for other purposes.

Senator Williams of the 27th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Monday February 12, 2018
Nineteenth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 771 Brass of the 28th
HEARD COUNTY BOARD OF EDUCATION

A BILL to be entitled an Act to amend an Act providing for the Heard County Board of Education, approved March 28, 1985 (Ga. L.

1985, p. 5078), as amended, particularly by an Act approved April 4, 1997 (Ga. L. 1997, p. 3661), so as to provide a new method of compensating the members of the Heard County Board of Education; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 51, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

SENATE RULES CALENDAR
MONDAY, FEBRUARY 12, 2018
NINETEENTH LEGISLATIVE DAY

SB 31 Community Health Dept.; at least two members of board shall also be members of the state health benefit plan; State Health Benefit Plan Customer Advisory Council; create (Substitute)(H&HS-29th)

- SB 315 Computer Crimes; create a new crime of unauthorized computer access; penalties; provide (Substitute)(PUB SAF-14th)
- SB 353 Boilers and Pressure Vessels; violations concerning the regulation; civil enforcement and penalty authority in the Safety Fire Commissioner; establish (PUB SAF-24th)
- SB 370 Medical Assistance; commissioner of human services waives the first \$25,000 of any estate; provide (Substitute)(H&HS-50th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 31. By Senator McKoon of the 29th:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide that at least two members of the board shall also be members of the state health benefit plan; to provide that two members shall be members of certain retirement systems; to provide for duties of the Board of Community Health; to create the State Health Benefit Plan Customer Advisory Council; to provide for membership; to provide for duties of the commissioner of community health; to provide for duties of the council; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 31:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide that at least two members of the board shall also be members of the state health benefit plan; to provide that two members shall be members of certain retirement systems; to provide for duties of the Board of Community Health; to create the State Health Benefit Plan Customer Advisory Council; to provide for membership; to provide for duties of the commissioner of community health; to provide for duties of the council; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, is amended in Code Section 31-2-3, relating to the Board of Community Health, by revising subsections (a) and (b) as follows:

"(a) ~~There is reconstituted the~~ The Board of Community Health, ~~as of July 1, 2009, which~~ shall establish the general policy to be followed by the Department of Community Health. ~~The powers, functions, and duties of the Board of Community Health as they existed on June 30, 2009, are transferred to the reconstituted Board of Community Health effective July 1, 2009.~~ The board shall consist of nine members appointed by the Governor and confirmed by the Senate; provided, however, that at least two members of the board shall be active participants in the state health benefit plan, at least one of whom shall be a member of the Employees' Retirement System of Georgia and one of whom shall be a member of the Teachers Retirement System of Georgia; and provided, further, that of those two members, one shall be a retired member and one shall be an active member of the respective retirement system. For purposes of this subsection, the term 'state health benefit plan' shall have the same meaning provided by Code Section 31-2-2.

(b) ~~Board members in office on June 30, 2009, shall serve out the remainder of their respective terms and successors to these board seats shall be appointed in accordance with this Code section. Thereafter, all succeeding appointments~~ All appointments to the board shall be for three-year terms from the expiration of the previous term."

SECTION 2.

Said chapter is further amended in Code Section 31-2-4, relating to the department's powers, duties, functions, and responsibilities, divisions, directors, and contracts for health benefits, by revising paragraph (1) of subsection (d) as follows:

"(1) Shall be the lead agency in coordinating and purchasing health care benefit plans for state and public employees, dependents, and retirees and may also coordinate with the board of regents for the purchase and administration of such health care benefit plans for its members, employees, dependents, and retirees and shall seek the counsel of the State Health Benefit Plan Customer Advisory Council created by Code Section 31-2-15 in performing the duties imposed by this paragraph;"

SECTION 3.

Said chapter is further amended by adding a new Code section to read as follows:

"31-2-15.

(a) There is created the State Health Benefit Plan Customer Advisory Council to advise the commissioner on components, provisions, elements, strategies, marketing, and customer satisfaction of the state health benefit plan.

(b) The council shall be composed of 12 members, all of whom are participants in the state health benefit plan and each of whom is an active or retired member of the Employees' Retirement System of Georgia or the Teachers Retirement System of

Georgia. At least three members shall be retired members of the Teachers Retirement System of Georgia, and at least two members shall be retired members of the Employees' Retirement System of Georgia. Each member of the council shall be appointed by the commissioner from nominations provided by nonprofit associations and state department human resource units which represent at least 1,000 members of the state health benefit plan. The members shall serve without compensation or reimbursement of expenses.

(c) The commissioner shall select a chairperson and a vice chairperson. The council shall meet at least three times per year at the call of the commissioner or upon the call of the chairperson. The council may accept the assistance of the commissioner in administrative functions of the council.

(d) The commissioner shall meet with the council to solicit input and consult with its members in the development of changes to the state health benefit plan prior to presenting such changes to the board for approval.

(e) The commissioner shall present implementation strategies and logistics to the council for advice prior to the adoption and implementation of such strategies and logistics.

(f) The commissioner may solicit councilmembers' organizations in informing and educating active and retired state health benefit plan participants of changes in such plans or other issues prior to the adoption of such changes by the board.

(g) The commissioner shall provide the council with all departmental state health benefit plan recommendations to be made to the board and shall provide the council chairperson the opportunity on behalf of the council to make comments to the board prior to the board taking action on such recommendations."

SECTION 4.

This Act shall become effective on July 1, 2018; provided, however, that nothing in this Act shall affect the term of office of any member of the Board of Community Health in office on July 1, 2018, who shall serve out the remainder of his or her respective term.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 31, having received the requisite constitutional majority, was passed by substitute.

SB 315. By Senators Thompson of the 14th, Albers of the 56th, Cowsert of the 46th, Miller of the 49th, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, so as to create the new crime of unauthorized computer access; to provide for penalties; to change provisions relating to venue for computer crimes; to provide for forfeiture; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Public Safety offered the following substitute to SB 315:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, so as to create the new crime of unauthorized computer access; to provide for exceptions; to provide for penalties; to change provisions relating to venue for computer crimes; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, is amended by adding a new subsection to and revising paragraph (2) of subsection (h) of Code Section 16-9-93, relating to computer crimes defined, exclusivity of article, civil remedies, and criminal penalties, as follows:

"(b.1)(1) **Unauthorized Computer Access.** Any person who accesses a computer or computer network with knowledge that such access is without authority shall be guilty of the crime of unauthorized computer access.

(2) This subsection shall not prohibit:

(A) A parent or legal guardian of an individual who is under the age of 18 from monitoring computer usage, denying computer usage, or copying data from such individual's computer; or

(B) Access to a computer or computer network for a legitimate business activity."

"(2) Any person convicted of computer password disclosure or unauthorized computer access shall be ~~fin~~ed not more than \$5,000.00 or incarcerated for a period not to exceed one year, or both punished for a misdemeanor of a high and aggravated nature."

SECTION 2.

Said part is further amended by revising Code Section 16-9-94, relating to venue, as follows:

"16-9-94.

For the purpose of venue under this article, any violation of this article shall be considered to have been committed:

(1) In the county of the residence or principal place of business in this state of the owner or lessee of a computer, computer network, or any part thereof which has been the subject of such violation;

(2) In any county in which any person alleged to have violated any provision of this article had control or possession of any proceeds of the violation or of any books, records, documents, or property which were used in furtherance of the violation;

(3) In any county in which any act was performed in furtherance of any transaction which violated this article; ~~and~~

(4) In any county from which, to which, or through which any use of a computer or computer network was made, whether by wires, electromagnetic waves, microwaves, or any other means of communication;

(5) In any county in which an authorized computer user was denied service; and

(6) In any county in which an authorized computer user's service was interrupted."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senators Jordan of the 6th, Jones II of the 22nd, Henson of the 41st and Tillery of the 19th offered the following amendment # 1:

Amend CS to SB 315 by replacing lines 12 - 14 with the following:

(b.1) Unauthorized Computer Access. Any person who maliciously and intentionally accesses a computer or computer network by circumventing a computer code-based restriction, password gate, or other technical barrier shall be guilty of the crime of unauthorized computer access.

Senator McKoon of the 29th moved the previous question.

On the motion, the yeas were 30, nays 0; motion prevailed, and the previous question was ordered.

On the adoption of the amendment, Senator Brass of the 28th called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	N Jones, B	N Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	E Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
N Dugan	N Ligon	Y Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	N Martin	E Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	N Wilkinson
N Heath	N Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the adoption of the amendment, the yeas were 20, nays 33, and the Jordan, et al. amendment #1 to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	Y Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 41, nays 11.

SB 315, having received the requisite constitutional majority, was passed by substitute.

SB 353. By Senators Anderson of the 24th, Jones of the 25th, Stone of the 23rd, Albers of the 56th, Dugan of the 30th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 15 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of boilers and pressure vessels, so as to establish civil enforcement and penalty authority in the Safety Fire Commissioner for violations concerning the regulation of boilers and pressure vessels; to provide for conditions; to provide for a civil penalty; to provide for rules and regulations; to provide for authority to institute civil actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 353, having received the requisite constitutional majority, was passed.

SB 370. By Senators Wilkinson of the 50th, Hufstetler of the 52nd, Kirk of the 13th, Jackson of the 2nd, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide that the commissioner of human services waives the first \$25,000.00 of any estate; to provide for the submission of an amendment to the state plan; to provide for contingent repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 370:

A BILL TO BE ENTITLED
AN ACT

To amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide that the commissioner of

community health waives the first \$25,000.00 of any estate; to provide for the submission of an amendment to the state plan; to provide for contingent repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, is amended in Code Section 49-4-147.1, relating to claims by department against the estate of Medicaid recipients, by adding a new subsection to read as follows:

"(d) To prevent substantial and unreasonable hardship, the commissioner shall waive any claim against the first \$25,000.00 of any estate. No later than July 1, 2018, the department shall submit to the United States Department of Health and Human Services Centers for Medicare and Medicaid Services an amendment to the state plan reflecting the provisions of this subsection. In the event that such amendment to the state plan is not approved, this subsection shall stand repealed in its entirety."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison
Y Harper
Y Heath
Y Henson
Y Hill

Y Millar
Y Miller
Y Mullis
Y Orrock
Y Parent

Y Watson
Y Wilkinson
E Williams, M
Y Williams, N

On the passage of the bill, the yeas were 52, nays 0.

SB 370, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Tuesday, February 13, 2018.

The motion prevailed, and the President announced the Senate adjourned at 12:36 p.m.

Senate Chamber, Atlanta, Georgia
Tuesday, February 13, 2018
Twentieth Legislative Day

The Senate met pursuant to adjournment at 10:20 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 487. By Representatives Bonner of the 72nd, Taylor of the 79th, Rogers of the 10th, Hitchens of the 161st and Clark of the 98th:

A BILL to be entitled an Act to amend Article 6 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to the Disaster Volunteer Relief Act, so as to authorize certain employees of state agencies to be granted leave from work with pay in order to participate in specialized disaster relief services; to repeal conflicting laws; and for other purposes.

HB 592. By Representatives Lumsden of the 12th, Smith of the 134th, Maxwell of the 17th, Shaw of the 176th and Efstoration of the 104th:

A BILL to be entitled an Act to amend Code Section 33-2-34 of the Official Code of Georgia Annotated, relating to insurance compliance self-evaluative privilege, so as to repeal the applicability and sunset provisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 678. By Representatives Smith of the 134th, Meadows of the 5th, Hawkins of the 27th, Newton of the 123rd, Burns of the 159th and others:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide for consumer

protections regarding health insurance; to provide for definitions; to provide for disclosure requirements of providers, hospitals, and insurers; to provide for billing, reimbursement, and arbitration of certain services; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 723. By Representatives Watson of the 172nd, McCall of the 33rd, Jasperse of the 11th, Hawkins of the 27th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to create an exemption from state sales and use tax for certain veterinary diagnostic and disease monitoring services; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 734. By Representatives Smith of the 134th, Lumsden of the 12th, Taylor of the 173rd and Caldwell of the 131st:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide for modernization and updates; to amend various provisions of the Official Code of Georgia Annotated for purposes of conformity; to repeal Article 2 of Chapter 29A, relating to the Commission on the Georgia Health Insurance Risk Pool; to provide for any assets, liabilities, and obligations thereof; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 739. By Representatives Williams of the 168th, Belton of the 112th, Stephens of the 164th and Hitchens of the 161st:

A BILL to be entitled an Act to amend Subpart 1 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to employment of certificated professional personnel in elementary and secondary education, so as to give a short title to a Code section relating to qualification for certain certificates for military spouses; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 412. By Senator Orrock of the 36th:

A BILL to be entitled an Act to authorize the governing authority of the City of Hapeville to levy an excise tax pursuant to subsection (b) of Code Section 48-

13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 413. By Senator Williams of the 27th:

A BILL to be entitled an Act to amend Title 21 of the Official Code of Georgia Annotated, relating to elections, so as to prohibit certain individuals employed by the office of the Governor from registering and acting as a lobbyist and from being hired as a consultant by any agency or entity of the executive branch of state government for a period of two years following the termination of such individual's employment; to define a certain term; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

SB 414. By Senators Tippins of the 37th, Miller of the 49th, Kirk of the 13th, Shafer of the 48th, Black of the 8th and others:

A BILL to be entitled an Act to amend Chapter 17 of Title 43 of the O.C.G.A., relating to charitable solicitations, so as to allow local governing authorities to issue written notices for the failure to clean and maintain collection receptacles; to allow petition to superior court for an order for the removal of collection receptacles if the property owner or paid solicitor does not comply with violation notices for at least three occasions in one calendar year; to provide for a superior court to order collection receptacles to be removed at the cost of the paid solicitor or charitable organization; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SB 415. By Senators Tippins of the 37th, Miller of the 49th, Dugan of the 30th, Shafer of the 48th, Black of the 8th and others:

A BILL to be entitled an Act to amend Chapter 7 of Title 31 of the Official Code of Georgia Annotated, relating to regulation and construction of hospitals and other health care facilities, so as to require nursing homes in this state to have backup power sources in the event of power outages; to provide for requirements; to provide for the promulgation of rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

- SB 416. By Senators Jones of the 10th, Davenport of the 44th, Seay of the 34th, Williams of the 39th, Orrock of the 36th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, so as to provide that certain voter registration information shall be released only under certain conditions; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

- SB 417. By Senators McKoon of the 29th, Ligon, Jr. of the 3rd, Thompson of the 14th, Shafer of the 48th, Harbin of the 16th and others:

A BILL to be entitled an Act to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to clarify and provide for persons who may obtain certain licenses, permits, or cards; to provide for driving safety cards for persons who are current recipients of grants of deferred action on deportation which shall operate the same as drivers' licenses; to provide for exceptions; to provide for the design of driving safety cards; to provide for special identification cards for persons who are current recipients of grants of deferred action on deportation; to provide for the design of such special identification cards; to provide for criminal penalties; to provide for related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

- SB 418. By Senators Wilkinson of the 50th, Harper of the 7th, Mullis of the 53rd, Anderson of the 24th, Sims of the 12th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, so as to prohibit county, municipal, and consolidated governments from banning the sales of goods, products, or items regulated by the United States Department of Agriculture, the United States Food and Drug Administration, or the Georgia Department of Agriculture, which are sold at properly zoned retail establishments; to provide for definitions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

SR 748. By Senator Wilkinson of the 50th:

A RESOLUTION recognizing Mr. Troy Simpson and dedicating a bridge in his honor; and for other purposes.

Referred to the Committee on Transportation.

SR 749. By Senator Williams of the 27th:

A RESOLUTION proposing an amendment to the Constitution so as to provide that no person shall be eligible to serve more than two consecutive terms as Lieutenant Governor; to provide that certain executive officers shall not be eligible for reelection under certain conditions; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Rules.

SR 752. By Senators Harbin of the 16th, Ligon, Jr. of the 3rd, Stone of the 23rd, Williams of the 27th, Albers of the 56th and others:

A RESOLUTION encouraging the United States Congress to repeal the Johnson Amendment to the Internal Revenue Code; and for other purposes.

Referred to the Committee on Finance.

SR 761. By Senators Millar of the 40th, Cowser of the 46th, Albers of the 56th and Watson of the 1st:

A RESOLUTION creating the Senate Study Committee on Dyslexia; and for other purposes.

Referred to the Committee on Health and Human Services.

The following House legislation was read the first time and referred to committee:

HB 487. By Representatives Bonner of the 72nd, Taylor of the 79th, Rogers of the 10th, Hitchens of the 161st and Clark of the 98th:

A BILL to be entitled an Act to amend Article 6 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to the Disaster Volunteer Relief Act, so as to authorize certain employees of state agencies to be granted leave from work with pay in order to participate in specialized disaster relief services; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 592. By Representatives Lumsden of the 12th, Smith of the 134th, Maxwell of the 17th, Shaw of the 176th and Efstoration of the 104th:

A BILL to be entitled an Act to amend Code Section 33-2-34 of the Official Code of Georgia Annotated, relating to insurance compliance self-evaluative privilege, so as to repeal the applicability and sunset provisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 678. By Representatives Smith of the 134th, Meadows of the 5th, Hawkins of the 27th, Newton of the 123rd, Burns of the 159th and others:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide for consumer protections regarding health insurance; to provide for definitions; to provide for disclosure requirements of providers, hospitals, and insurers; to provide for billing, reimbursement, and arbitration of certain services; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 723. By Representatives Watson of the 172nd, McCall of the 33rd, Jasperse of the 11th, Hawkins of the 27th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to create an exemption from state sales and use tax for certain veterinary diagnostic and disease monitoring services; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 734. By Representatives Smith of the 134th, Lumsden of the 12th, Taylor of the 173rd and Caldwell of the 131st:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide for modernization and updates; to amend various provisions of the Official Code of Georgia Annotated for purposes of conformity; to repeal Article 2 of Chapter 29A, relating to the Commission on the Georgia Health Insurance Risk Pool; to

provide for any assets, liabilities, and obligations thereof; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 739. By Representatives Williams of the 168th, Belton of the 112th, Stephens of the 164th and Hitchens of the 161st:

A BILL to be entitled an Act to amend Subpart 1 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to employment of certificated professional personnel in elementary and secondary education, so as to give a short title to a Code section relating to qualification for certain certificates for military spouses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

The following communications were transmitted by the Secretary:



SECRETARY OF THE SENATE
353 STATE CAPITOL
ATLANTA, GEORGIA 30334

DAVID A. COOK
SECRETARY OF THE SENATE

(404) 656-5040
FAX (404) 656-5043
www.senate.ga.gov

MEMORANDUM

To: Members of the Senate
From: David Cook
Date: February 13, 2018
Re: Governor's Appointments

Pursuant to Senate Rule 3-3.1, I am notifying the Senate that the appointments made by the Governor that require Senate confirmation have been received and referred to the Committee on Assignments. They are attached for your review. The Committee on Assignments will report its recommendations on the appointments to the Senate after which the Senate may proceed to consider confirmation.

STATE OF GEORGIA
OFFICE OF THE GOVERNOR
ATLANTA 30334-0900

Nathan Deal
Governor

February 12, 2018

VIA HAND DELIVERY

The Honorable Casey Cagle
Lieutenant Governor of Georgia
240 State Capitol
Atlanta, Georgia 30334

Dear Governor Cagle:

Attached is the list of appointments to various boards, commission, authorities, and other entities requiring Senate confirmation. The list is submitted pursuant to Senate Rules 3-3.1, et seq. If we can provide you with any additional information to assist your office in the confirmation process, please let us know.

Thanks for your assistance.

Sincerely,

/s/ Nathan Deal

The Honorable Kevin Hagler of Gwinnett County, as a member of the Commissioner of the Georgia Department of Banking and Finance, for the term of office beginning 1/20/2016, and ending 1/20/2020.

The Honorable Antonio Rios of Hall County, as a member of the Georgia Board for Physician Workforce, for the term of office beginning 10/6/2016, and ending 10/6/2022.

The Honorable Robert D. Leebern, Jr. of Fulton County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable Lee Anne Cowart of McDuffie County, as a member of the State Board of Education, for the term of office beginning 1/1/2014, and ending 1/1/2021.

The Honorable Mike Cheokas of Sumter County, as a member of the State Board of Education, for the term of office beginning 1/1/2016, and ending 1/1/2023.

The Honorable Marian McCormick of Mitchel County, as a member of the Statewide Independent Living Council, for the term of office beginning 4/30/2016, and ending 4/30/2019.

The Honorable Philip E. Chase of Clarke County, as a member of the Statewide Independent Living Council, for the term of office beginning 4/30/2016, and ending 4/30/2019.

The Honorable Deborah K. McDonald of Dougherty County, as a member of the Statewide Independent Living Council, for the term of office beginning 4/30/2016, and ending 4/30/2019.

The Honorable William R. Kemp of Lowndes County, as a member of the Georgia Board for Physician Workforce, for the term of office beginning 10/6/2016, and ending 10/6/2022.

The Honorable Walt Farrell of Fulton County, as a member of the Board of Directors of the Georgia Lottery Corporation, for the term of office beginning 12/15/2016, and ending 12/15/2021.

The Honorable Philip A. Wilheit, Jr. of DeKalb County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable Duncan Johnson, Jr. of Richmond County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable Dwight Davis of DeKalb County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable Jeff B. "Bodine" Sinyard of Dougherty County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable David Barbee of Richmond County, as a member of the Board of Human Services, for the term of office beginning 7/1/2015, and ending 7/1/2018.

The Honorable Kacy K. Cronan of Hall County, as a member of the Board of Public Safety, for the term of office beginning 1/20/2017, and ending 1/20/2020.

The Honorable Ellison G. "Ellis" Wood of Bulloch County, as a member of the Board of Public Safety, for the term of office beginning 1/20/2017, and ending 1/20/2020.

The Honorable J. Craig Tully of Miller County, as a member of the Board of Public Safety, for the term of office beginning 1/20/2017, and ending 1/20/2020.

The Honorable Joseph M. Terrell of Habersham County, as a member of the Board of Public Safety, for the term of office beginning 1/20/2017, and ending 1/20/2020.

The Honorable Scott Murphy of Forsyth County, as a member of the Georgia Real Estate Appraisers Board, for the term of office beginning 7/1/2016, and ending 7/1/2021.

The Honorable Clayton Foster of Hall County, as a member of the Georgia Real Estate Commission, for the term of office beginning 1/29/2017, and ending 1/29/2022.

The Honorable Neil L. Pruitt, Jr. of Fulton County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable Sarah-Elizabeth Reed of Fulton County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable Scott Kroell of Thomas County, as a member of the State Board of Nursing Home Administrators, for the term of office beginning 12/29/2016, and ending 12/29/2019.

The Honorable Barby Simmons of Henry County, as a member of the Georgia Composite Medical Board, for the term of office beginning 7/1/2016, and ending 7/1/2020.

The Honorable Bart Gobeil of Chatham County, as a member of the Board of Directors of the Georgia Lottery Corporation, for the term of office beginning 12/15/2014, and ending 12/15/2021.

The Honorable Donald Wood of Macon-Bibb County, as a member of the Georgia Board of Massage Therapy, for the term of office beginning 7/1/2016, and ending 7/1/2020.

The Honorable William "Bill" Leahy of Fulton County, as a member of the Board of Economic Development, for the term of office beginning 7/1/2013, and ending 7/1/2018.

The Honorable Laura Morgan of Fulton County, as a member of the Board of Commissions of the Georgia Student Finance Commission, for the term of office beginning 3/15/2017, and ending 3/15/2023.

The Honorable Antonio Long of Fayette County, as a member of the Georgia Board of Private Detectives and Security Agencies, for the term of office beginning 7/1/2013, and ending 7/1/2017.

The Honorable W. Jeff Bishop of Coweta County, as a member of the Georgia Historical Records Advisory Council, for the term of office beginning 11/8/2014, and ending 11/8/2017.

The Honorable Beth English of Dooly County, as a member of the Georgia Historical Records Advisory Council, for the term of office beginning 11/8/2015, and ending 11/8/2018.

The Honorable Pamela Griggs of Gwinnett County, as a member of the Georgia Board of Private Detective and Security Agencies, for the term of office beginning 7/1/2016, and ending 7/1/2020.

The Honorable Mary Shotwell of Hall County, as a member of the State Board of Occupational Therapists, for the term of office beginning 12/31/2013, and ending 12/31/2017.

The Honorable Rick Story of Rabun County, as a member of the Georgia Historical Records Advisory Council, for the term of office beginning 11/8/2015, and ending 11/8/2018.

The Honorable Edmund Zammit of Houston County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2016, and ending 6/30/2020.

The Honorable Thomas Mash of Gwinnett County, as a member of the Veterans Service Board, for the term of office beginning 4/1/2017, and ending 4/1/2024.

The Honorable Michael Register of Paulding County, as a member of the Judicial Qualifications Commission, for the term of office beginning 7/1/2017, and ending 7/1/2021.

The Honorable Edward Tolley of Clarke County, as a member of the Judicial Qualifications Commission, for the term of office beginning 7/1/2017, and ending 7/1/2019.

The Honorable Peggy Venable of Grady County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Joy Norman of DeKalb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Lewis Wheaton of Cobb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Kenneth Slade of Fulton County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Chris Moder of Gwinnett County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Jennifer Page of Fulton County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Kayla Wilson of Columbia County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Steve Oldaker of Glynn County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Charles Cole of Forsyth County, as a member of the State Board of Accountancy, for the term of office beginning 6/30/2016, and ending 6/30/2020.

The Honorable Roland Weekley of Gwinnett County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2015, and ending 6/30/2019.

The Honorable Earl Graham of Barrow County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2015, and ending 6/30/2019.

The Honorable Jerry Hayes of Cobb County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2015, and ending 6/30/2019.

The Honorable Chris Joiner of Crawford County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2017, and ending 6/30/2021.

The Honorable Martha Martin of Jackson County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022.

The Honorable Ann Miller Hanlon of Fulton County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022.

The Honorable Charlotte Nash of Gwinnett County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022.

The Honorable Sonny Deriso of Fulton County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022.

The Honorable Narender Reddy of Gwinnett County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022.

The Honorable J.T. Williams of Henry County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022.

The Honorable Shaun Willie of Fulton County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022.

The Honorable Dawn Johnson of Barrow County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Justin Pressley of Hall County, as a member of the State Rehabilitation Council, for the term of office beginning 1/22/2016, and ending 1/22/2019.

The Honorable Carl McKinney of Spalding County, as a member of the State Rehabilitation Council, for the term of office beginning 1/22/2016, and ending 1/22/2019.

The Honorable Brenda Bentley-Parrish of DeKalb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Lisa Leiter of Cobb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Wina Low of Cobb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019.

The Honorable Roassany Rios of Henry County, as a member of the State Rehabilitation Council, for the term of office beginning 7/1/2016, and ending 7/1/2019.

The Honorable Bill Prather of Fannin County, as a member of the State Board of Pharmacy, for the term of office beginning 7/1/2017, and ending 7/1/2022.

The Honorable Bruce Faulk of Putnam County, as a member of the State Board of Pharmacy, for the term of office beginning 7/1/2017, and ending 7/1/2022.

The Honorable Sylvia Russell of Fulton County, as a member of the Technical College System of Georgia Board, for the term of office beginning 6/30/2017, and ending 6/30/2022.

The Honorable Ben Bryant of DeKalb County, as a member of the Technical College System of Georgia Board, for the term of office beginning 6/30/2017, and ending 6/30/2022.

The Honorable Buzz Law of Fulton County, as a member of the Technical College System of Georgia Board, for the term of office beginning 6/30/2017, and ending 6/30/2022.

The Honorable Jackie McDowell of Floyd County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Beth Townsend of Cherokee County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Danielle Bruce of Morgan County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable John Hauptert of Fulton County, as a member of the Board of Public Health, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Kathryn Cheek of Muscogee County, as a member of the Board of Public Health, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Phillip Williams of Oconee County, as a member of the Board of Public Health, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Kimberly Carroll-Hawkins of Cobb County, as a member of the Board of Behavioral Health and Developmental Disabilities, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Kenneth Holton of Lowndes County, as a member of the Board of Behavioral Health and Developmental Disabilities, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Albert Hodge of Floyd County, as a member of the Board of Community Affairs, for the term of office beginning 7/1/2017, and ending 7/1/2022.

The Honorable Adam Hatcher of Richmond County, as a member of the Board of Community Affairs, for the term of office beginning 7/1/2017, and ending 7/1/2022.

The Honorable Ruby Kaspers of Macon-Bibb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2019, and ending 4/16/2019.

The Honorable Karen Addams of Gwinnett County, as a member of the State Rehabilitation Council, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Thomas Harbin, Jr. of Fulton County, as a member of the Georgia Composite Medical Board, for the term of office beginning 7/1/2017, and ending 7/1/2021.

The Honorable Russell Crutchfield of Coweta County, as a member of the Board of Community Health, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Russ Childers of Sumter County, as a member of the Board of Community Health, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Kenneth Davis of Floyd County, as a member of the Board of Community Health, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Robert Law, Jr. of Fulton County, as a member of the Georgia Composite Medical Board, for the term of office beginning 7/1/2016, and ending 7/1/2020.

The Honorable Faye DiMassimo of Cobb County, as a member of the Board of Directors of the Georgia Regional Transpiration Authority, for the term of office beginning 6/1/2014, and ending 6/1/2019.

The Honorable Merry Fort of Bibb County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Darrell Thompson of Thompson County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Linda Floyd of Lowndes County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Tracey Blalock of Houston County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Tammy Bryant of Thomas County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Amy Hooper of Walton County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Blair K. Train of Bibb County, as a member of the Georgia Board of Nursing, for the term of office beginning 12/31/2016, and ending 12/31/2019.

The Honorable Katrina Young of Rockdale County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Susan Thayer of Cobb County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Chris Erwin of Banks County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Antonio Long of Fayette County, as a member of the Georgia Board of Private Detectives and Security Agencies, for the term of office beginning 7/1/2017, and ending 7/1/2021.

The Honorable Vernon Keenan of Cherokee County, as a member of the Georgia Board of Private Detectives and Security Agencies, for the term of office beginning 7/1/2017, and ending 7/1/2021.

The Honorable Andrea Phipps of Whitfield County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Bryant Hightower of Carroll County, as a member of the State Board of Funeral Service, for the term of office beginning 2/13/2017, and ending 2/13/2023.

The Honorable Lowery May of Floyd County, as a member of the Board of Commissioners of the Georgia Student Finance Commission, for the term of office beginning 3/15/2013, and ending 3/15/2019.

The Honorable Kelly Teague of Fulton County, as a member of the Georgia Board of Massage Therapy, for the term of office beginning 7/1/2014, and ending 7/1/2018.

The Honorable Leonard LaRussa of Sumter County, as a member of the State Board of Podiatry Examiners, for the term of office beginning 5/5/2017, and ending 5/5/2020.

The Honorable Joseph Giovinco of Fayette County, as a member of the State Board of Podiatry Examiners, for the term of office beginning 5/5/2016, and ending 5/5/2019.

The Honorable Barry Turner of Franklin County, as a member of the State Board of Podiatry Examiners, for the term of office beginning 5/5/2015, and ending 5/5/2018.

The Honorable Alisa Schultz of Athens Clarke County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Melanie Hudson of Cherokee County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2015, and ending 7/1/2018.

The Honorable Miranda Pritcher-Ross of Columbia County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2015, and ending 7/1/2018.

The Honorable Robin Alverson of Fayette County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 6/24/2016, and ending 6/24/2019.

The Honorable Holly Kaplan of Oconee County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2015, and ending 7/1/2018.

The Honorable Phyllis Kozarky of Fulton County, as a member of the Georgia Board of Physicians Workforce, for the term of office beginning 10/6/2014, and ending 10/6/2020.

The Honorable Edgar Clark of Whitfield County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2015, and ending 7/1/2018.

The Honorable June Wood of Henry County, as a member of the Georgia Board of Corrections, for the term of office beginning 7/1/2015, and ending 7/1/2020.

The Honorable John Mayes of Floyd County, as a member of the Georgia Board of Corrections, for the term of office beginning 7/1/2017, and ending 7/1/2022.

The Honorable Ember Bentley of Macon-Bibb County, as a member of the State Forestry Commission, for the term of office beginning 7/1/2016, and ending 7/1/2023.

The Honorable Cindy King of Jones County, as a member of the Georgia Board of Massage Therapy, for the term of office beginning 7/1/2016, and ending 7/1/2020.

The Honorable Paul Shailendra of Fulton County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Nancy Addison of Bryan County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Don Waters of Chatham County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Barbara Holmes of Dougherty County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Tommy Hopkins of Spalding County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable Allen Gudenrath of Macon-Bibb County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Erin Hames of Fulton County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2016, and ending 1/1/2023.

The Honorable Julia Ayers of Cobb County, as a member of the Board of Directors of the Georgia Lottery Corporation, for the term of office beginning 12/15/2017, and ending 12/15/2022.

The Honorable Teresa MacCartney of Fulton County, as a member of the Board of Directors of the Georgia Lottery Corporation, for the term of office beginning 12/15/2017, and ending 12/15/2022.

The Honorable Laurie McRae of Columbia County, as a member of the Georgia Board of Architects and Interior Designers, for the term of office beginning 7/1/2017, and ending 7/1/2022.

The Honorable Becky Langston of Harris County, as a member of the Board of the Georgia County Leadership Academy, for the term of office beginning 7/1/2014, and ending 7/1/2018.

The Honorable Heidi Altman of Hall County, as a member of the Council on American Indian Concerns, for the term of office beginning 7/1/2017, and ending 7/1/2020.

The Honorable Helen Rice of Troup County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Kenneth Mason of Fulton County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Barbara Hampton of Fulton County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Mike Royal of Gwinnett County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Scott Johnson of Cobb County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Jimmy Allen of Tift County, as a member of the State Forestry Commission, for the term of office beginning 1/1/2018, and ending 1/1/2025.

The Honorable Larry Spillers of Crawford County, as a member of the State Forestry Commission, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The Honorable Sandie Sparks of Gilmer County, as a member of the State Forestry Commission, for the term of office beginning 1/1/2017, and ending 1/1/2024.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Appropriations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 683 Do Pass by substitute

Respectfully submitted,
Senator Hill of the 4th District, Chairman

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 273 Do Pass by substitute
SB 235 Do Pass

Respectfully submitted,
Senator Tippins of the 37th District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 419 Do Pass by substitute
SB 319 Do Pass by substitute

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 618 Do Pass
HB 828 Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations (General) has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 262 Do Pass by substitute
SB 263 Do Pass by substitute

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

SB 349

Senator Harper of the 7th asked unanimous consent that Senators Martin of the 9th and Burke of the 11th be excused. The consent was granted, and Senators Martin and Burke were excused.

Senator Brass of the 28th asked unanimous consent that Senator Walker III of the 20th be excused. The consent was granted, and Senator Walker III was excused.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Payne
Anderson, L	Jackson	Rhett
Anderson, T	James	Seay
Beach	Jones, B	Shafer
Black	Jones, E	Sims
Brass	Jones, H	Stone
Butler	Jordan	Strickland
Cowsert	Kennedy	Tate
Davenport	Kirk	Thompson, B
Dugan	Kirkpatrick	Thompson, C
Ginn	Ligon	Tillery
Gooch	Lucas	Tippins
Harbin	McKoon	Unterman
Harbison	Millar	Watson
Harper	Miller	Wilkinson
Heath	Mullis	Williams, M
Henson	Orrock	Williams, N
Hill	Parent	

Not answering were Senators:

Burke (Excused)

Martin (Excused)

Walker III (Excused)

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Anderson of the 24th introduced the chaplain of the day, Sr. Pastor Dr. Brad Whitt of Martinez, Georgia, who offered scripture reading and prayer.

Senator Parent of the 42nd introduced the doctor of the day, Dr. Cathy Bonk.

Senator Wilkinson of the 50th recognized February 13, 2018, as Georgia Farm Bureau Federation Day at the state capitol, commended by SR 638, adopted previously. President Gerald Long addressed the Senate briefly.

Senator Ginn of the 47th recognized Family and Consumer Sciences, commended by SR 680, adopted previously. Dr. Linda Kirk Fox, Dean of the College of Family and Consumer Sciences at the University of Georgia, addressed the Senate briefly. Dedan McFadden, President of the Family, Career, and Community Leaders of America, addressed the Senate briefly.

Senator Tippins of the 37th recognized October 1-5, 2018, as Georgia Pre-K Week at the state capitol, commended by SR 727, adopted previously. Georgia Department of Early Care and Learning Commissioner Amy M. Jacobs addressed the Senate briefly.

Senator Hufstetler of the 52nd recognized February 13, 2018, as Math Day at the state capitol, commended by SR 712, adopted previously. Mathematics Consultant Bonnie Angel addressed the Senate briefly.

Senator Albers of the 56th recognized February 13, 2018, as Emergency Medical Services Recognition Day at the state capitol and honored the emergency medical services professionals of Georgia, commended by SR 674, adopted previously. Habersham EMS Director Chad Black addressed the Senate briefly.

Senator Seay of the 34th recognized and congratulated Delano Massey of Jacob's Eye, commended by SR 633, adopted previously. Delano Massey addressed the Senate briefly.

The following resolutions were read and adopted:

SR 746. By Senator Wilkinson of the 50th:

A RESOLUTION commending and congratulating Charles Madison "CJ" Ramsaur; and for other purposes.

SR 747. By Senator Wilkinson of the 50th:

A RESOLUTION commending and congratulating Hunter Andrew Weyrich; and for other purposes.

SR 750. By Senators Jones of the 10th, Butler of the 55th, Seay of the 34th, Jones II of the 22nd, Orrock of the 36th and others:

A RESOLUTION recognizing and commending Mrs. Carolyn Fuller; and for other purposes.

- SR 751. By Senators Jones of the 10th, Williams of the 39th, Seay of the 34th, Butler of the 55th, Parent of the 42nd and others:

A RESOLUTION recognizing and commending Dana Lemon; and for other purposes.

- SR 753. By Senators Kirkpatrick of the 32nd, Watson of the 1st, Kirk of the 13th, Hufstetler of the 52nd, Burke of the 11th and others:

A RESOLUTION urging the Department of Public Health to promote shingles vaccinations and recognizing August 2018, as Shingles Awareness and Improvement Month at the state capitol; and for other purposes.

- SR 754. By Senators Payne of the 54th, Ligon, Jr. of the 3rd, Mullis of the 53rd, Kirk of the 13th, Thompson of the 14th and others:

A RESOLUTION recognizing and commending Bethel African Methodist Episcopal Church (AMEC) on the grand occasion of its 150th anniversary; and for other purposes.

- SR 755. By Senators Hufstetler of the 52nd, Kirkpatrick of the 32nd and Albers of the 56th:

A RESOLUTION commending the Boy Scouts of America and recognizing February 28, 2018, as Boy Scout Day at the state capitol; and for other purposes.

- SR 756. By Senators Hufstetler of the 52nd, Watson of the 1st, Kirkpatrick of the 32nd, Kirk of the 13th, Mullis of the 53rd and others:

A RESOLUTION recognizing February 13, 2018, as Physical Therapy Day at the state capitol; and for other purposes.

- SR 757. By Senators James of the 35th, Dugan of the 30th, Brass of the 28th, Walker III of the 20th, Wilkinson of the 50th and others:

A RESOLUTION recognizing February, 2018, as Douglas County Arts, Culture, and Humanities Month; and for other purposes.

- SR 758. By Senators Butler of the 55th, Davenport of the 44th, Anderson of the 43rd, Seay of the 34th, Williams of the 39th and others:

A RESOLUTION recognizing February 26, 2018, as Delta Day at the state capitol and commending Delta Sigma Theta Sorority, Inc.; and for other purposes.

SR 759. By Senator Mullis of the 53rd:

A RESOLUTION designating September 1, 2018, as Childhood Cancer Awareness Day in Georgia; and for other purposes.

SR 760. By Senators Mullis of the 53rd, Albers of the 56th, Kennedy of the 18th, Cowsert of the 46th, Hill of the 4th and others:

A RESOLUTION commending the Gordon Lee softball team for winning the 2017 Class A Georgia High School Association Fast Pitch State Championship; and for other purposes.

SR 762. By Senator Millar of the 40th:

A RESOLUTION commending Furkids Animal Rescue and Shelters and recognizing February 22, 2018, as Furkids Day at the state capitol; and for other purposes.

SR 763. By Senators Millar of the 40th, Parent of the 42nd, Henson of the 41st and Butler of the 55th:

A RESOLUTION celebrating the 80th anniversary of the DeKalb Chamber of Commerce and recognizing all that they do in order to support, attract, and sustain business and economic development within DeKalb County and metro Atlanta; and for other purposes.

SR 764. By Senators Seay of the 34th and Davenport of the 44th:

A RESOLUTION commending Clayton County Public Schools for its achievements on behalf of Clayton County and recognizing February 23, 2018, as Clayton County Public Schools Day at the state capitol; and for other purposes.

SR 765. By Senators Martin of the 9th, Shafer of the 48th and Millar of the 40th:

A RESOLUTION recognizing the Lunar New Year Celebration; and for other purposes.

SR 766. By Senators Harbison of the 15th, Dugan of the 30th, Payne of the 54th, Rhett of the 33rd, Hill of the 4th and others:

A RESOLUTION recognizing and honoring the valiant service of the Special Forces soldiers who were sent to Afghanistan in the immediate aftermath of September 11; and for other purposes.

SR 767. By Senator Gooch of the 51st:

A RESOLUTION recognizing and commending the Lumpkin County Republican Party; and for other purposes.

SR 768. By Senators Gooch of the 51st, Miller of the 49th, Cowsert of the 46th, Kennedy of the 18th, Wilkinson of the 50th and others:

A RESOLUTION commending Georgia Court Appointed Special Advocates (Georgia CASA) and recognizing February 14, 2018, as CASA Day at the state capitol; and for other purposes.

The following Senators were excused for business outside the Senate Chamber:

Hufstetler of the 52nd Williams of the 27th

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Tuesday February 13, 2018
Twentieth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 618 Watson of the 1st

CITY OF SKIDAWAY ISLAND

A BILL to be entitled an Act to incorporate the City of Skidaway Island; to provide for a charter for the City of Skidaway Island; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

HB 828 Anderson of the 24th
Stone of the 23rd

CITY OF HARLEM

A BILL to be entitled an Act to authorize the City of Harlem to exercise all redevelopment and other powers under Article IX,

Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Pursuant to Senate Rule 4-2.9(b), Senator Watson of the 1st filed the following objection:

As provided in Senate Rule 4-2.9(b), we, the undersigned Senators, hereby file an objection to HB 618, which is on the Local Consent Calendar for today, and hereby request that it be moved to the Senate Local Contested Calendar.

/s/ Watson of the 1st

/s/ Ligon, Jr. of the 3rd

/s/ Hill of the 4th

Date: 2/13/18

Pursuant to Senate Rule 4-2.9(b), HB 618 was removed from the Senate Local Consent Calendar and placed on the Senate Local Contested Calendar for today.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 51, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

The following local, contested legislation, favorably reported by the committee as listed on the Local Contested Calendar, was put upon its passage:

SENATE LOCAL CONTESTED CALENDAR

Tuesday, February 13, 2018
Twentieth Legislative Day

HB 618. By Representative Petrea of the 166th:

A BILL to be entitled an Act to incorporate the City of Skidaway Island; to provide for a charter for the City of Skidaway Island; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Watson of the 1st.

Senator Watson of the 1st asked unanimous consent that HB 618 be placed on the Table. The consent was granted, and HB 618 was placed on the Table.

Senator Cowser of the 46th moved to engross SB 378, which was on today's Senate Rules Calendar.

Senator Jones II of the 22nd objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate

Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 35, nays 19; the motion prevailed, and SB 378 was engrossed.

SENATE RULES CALENDAR
TUESDAY, FEBRUARY 13, 2018
TWENTIETH LEGISLATIVE DAY

- SB 17 Alcoholic Beverages; provide governing authorities of counties in which the sale for consumption is lawful; authorize certain time on Sundays (Substitute)(RI&U-45th)
- SB 332 Department of Natural Resources; hunter mentor program; provide (Substitute)(NR&E-7th)
- SB 342 Licensing of Motor Vehicles; owner with valid license plate without the required revalidation decal to retain custody of vehicle under certain conditions; permit (PUB SAF-16th)
- SB 378 "Georgia Measuring Success Act" (FIN-56th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 17. By Senators Unterman of the 45th, Miller of the 49th, Ginn of the 47th, Mullis of the 53rd, Beach of the 21st and others:

A BILL to be entitled an Act to amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to provide that governing

authorities of counties and municipalities in which the sale of alcoholic beverages for consumption on the premises is lawful may authorize sales of such alcoholic beverages during a certain time on Sundays; to change the time on Sunday during which farm wineries may sell certain wine for consumption on the premises; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 17:

A BILL TO BE ENTITLED
AN ACT

To amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to provide that governing authorities of counties and municipalities may authorize sales of alcoholic beverages for consumption on the premises during certain times on Sundays subject to the passage of a referendum; to provide procedures; to change the time on Sundays during which farm wineries may sell certain wine for consumption on the premises; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, is amended in Code Section 3-3-7, relating to local authorization and regulation of sales of alcoholic beverages on Sunday, by revising subsection (j) and adding a new subsection to read as follows:

"(j)(1) Notwithstanding any other provisions of law, on and after the effective date of this Act, in all counties or municipalities in which the sale of alcoholic beverages is lawful for consumption on the premises, the governing authority of the county or municipality may, by resolution or ordinance conditioned on approval in a referendum, authorize the sale of alcoholic beverages for consumption on the premises on Sundays from ~~12:30 P.M.~~ 11:00 A.M. until 12:00 Midnight in any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging.

(2) Any governing authority desiring to permit and regulate Sunday sales pursuant to this subsection, but only after a referendum election, shall so provide by proper resolution or ordinance conditioned on a referendum. Not less than ten nor more than 60 days after the date of approval of such resolution or ordinance, it shall be the duty of the election superintendent of the county or municipality to issue the call for an

election for the purpose of submitting the question of Sunday sales to the electors of the county or municipality for approval or rejection. The superintendent shall set the date of the election for a day not less than 30 nor more than 60 days after the date of the issuance of the call. The superintendent shall cause the date and purpose of the election to be published in the official organ of the county once a week for two weeks immediately preceding the date thereof. The ballot shall have written or printed thereon the words:

- ' () YES Shall the governing authority of (name of municipality or county) be authorized to permit and regulate Sunday sales of distilled spirits or
 () NO alcoholic beverages for beverage purposes by the drink?'

All persons desiring to vote for approval of Sunday sales shall vote 'Yes,' and those persons desiring to vote for rejection of Sunday sales shall vote 'No.' If more than one-half of the votes cast on the question are for approval of Sunday sales, the governing authority may by appropriate resolution or ordinance permit and regulate Sunday sales by licensees. Otherwise, such Sunday sales shall not be permitted. The expense of the election shall be borne by the county or municipality in which the election is held. It shall be the duty of the superintendent to hold and conduct the election. It shall be his or her further duty to certify the result thereof to the Secretary of State.

(3) Notwithstanding this subsection or any other provision of law, all county or municipal resolutions or ordinances enacted prior to April 6, 1984, pursuant to the authorizations granted by subsections (a) through (i) of this Code section are declared to be valid and shall remain in full force and effect unless affirmatively repealed by the governing authority of the county or municipality.

"(j.1)(1) Notwithstanding any other provisions of law, all counties or municipalities in which the governing authority prior to the effective date of this Act has been authorized pursuant to a referendum to permit the sale of alcoholic beverages for consumption on the premises on Sundays from 12:30 P.M. until 12:00 Midnight in any licensed establishment which derives at least 50 percent of its total annual gross sales from the sale of prepared meals or food in all of the combined retail outlets of the individual establishment where food is served and in any licensed establishment which derives at least 50 percent of its total annual gross income from the rental of rooms for overnight lodging may, by resolution or ordinance conditioned on approval in a referendum, authorize the sale of alcoholic beverages for consumption on the premises of any such establishments on Sundays for an additional hour and a half during the time period of 11:00 A.M. until 12:30 P.M.

(2) Any governing authority desiring to permit and regulate Sunday sales pursuant to this subsection shall so provide by proper resolution or ordinance conditioned on approval in a referendum election. Not less than ten nor more than 60 days after the date of approval of such resolution or ordinance, it shall be the duty of the election superintendent of the county or municipality to issue the call for an election for the purpose of submitting the question of Sunday sales to the electors of the county or

municipality for approval or rejection. The superintendent shall set the date of the election for a day not less than 30 nor more than 60 days after the date of the issuance of the call. The superintendent shall cause the date and purpose of the election to be published in the official organ of the county once a week for two weeks immediately preceding the date thereof. The ballot shall have written or printed thereon the words:

- ' () YES Shall the governing authority of (name of municipality or county) be authorized to permit and regulate Sunday sales of distilled spirits or alcoholic beverages for beverage purposes by the drink from 11:00 A.M. to 12:30 P.M.?'
- () NO

All persons desiring to vote for approval of such Sunday sales shall vote 'Yes,' and those persons desiring to vote for rejection of such Sunday sales shall vote 'No.' If more than one-half of the votes cast on the question are for approval of such Sunday sales, the governing authority may by appropriate resolution or ordinance permit and regulate such Sunday sales by licensees. Otherwise, such Sunday sales shall not be permitted. The expense of the election shall be borne by the county or municipality in which the election is held. It shall be the duty of the superintendent to hold and conduct the election. It shall be his or her further duty to certify the result thereof to the Secretary of State.

(3) Notwithstanding this subsection or any other provision of law, all county or municipal resolutions or ordinances enacted prior to April 6, 1984, pursuant to the authorizations granted by subsections (a) through (i) of this Code section are declared to be valid and shall remain in full force and effect unless affirmatively repealed by the governing authority of the county or municipality."

SECTION 2.

Said title is further amended by revising Code Section 3-6-21.2, relating to Sunday sales on farm wineries, off-site sales, and sales in special entertainment districts, as follows:

"3-6-21.2.

Notwithstanding any other provisions of this title to the contrary, in all counties in which the sale of wine is lawful by a farm winery and in all municipalities in which the sale of wine is lawful by a farm winery, a farm winery which is licensed to sell its wine in a tasting room or other licensed farm winery facility within the county or municipality, as the case may be, for consumption on the premises or in closed packages for consumption off the premises shall be authorized to sell its wine and the wine of any other Georgia farm winery licensee on Sundays from 12:30 P.M. until 12:00 Midnight ~~in the~~ in a tasting room or other licensed farm winery facility, to the same extent as its county or municipal license would otherwise permit; provided, however, that if such sales of wine on Sundays are lawful at a time earlier than 12:30 P.M. within the county or municipality in which the licensed premises of the Georgia farm winery is located, the Georgia farm winery shall be authorized to sell its wine and the wine of any other Georgia farm winery licensee beginning at such earlier time. Nothing in this Code section shall be construed so as to authorize a farm winery to sell wine as

provided in this Code section on any other premises which are not actually located on the property where such farm wine is produced, except in special entertainment districts designated by the local governing authority of the county or municipality, as applicable."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	N Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	N Tillery
Y Ginn	Y Lucas	N Tippins
Y Gooch	Y Martin	Y Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
N Harper	Y Miller	N Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the passage of the bill, the yeas were 38, nays 18.

SB 17, having received the requisite constitutional majority, was passed by substitute.

SB 332. By Senators Harper of the 7th, Heath of the 31st, Brass of the 28th, Ginn of the 47th, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing, so as to provide for a hunter mentor program within the Department of Natural Resources; to provide for definitions; to provide for program criteria and terms and conditions; to provide for a special hunting passport for program participants; to provide for findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Natural Resources and the Environment offered the following substitute to SB 332:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing, so as to provide for an outdoor mentor program within the Department of Natural Resources; to provide for definitions; to provide for program criteria and terms and conditions; to provide for a special outdoor passport for program participants; to provide for findings; to amend Code Section 27-2-23 of the Official Code of Georgia Annotated, relating to hunting, trapping, and fishing licenses, permits, tags, and stamp fees, so as to provide for a fee for nonresident youth sportsman's licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing, is amended by adding a new Code section to read as follows:

"27-2-4.5.

(a) As used in this Code section, the term:

(1) 'Outdoor mentee' means any individual to whom the department has never issued a hunting or fishing license under this chapter.

(2) 'Outdoor mentor' means any individual who is 18 years of age or older and who has a current license issued pursuant to this chapter.

(3) 'Outdoor passport' means a reduced cost license issued by the department which licenses or permits noncommercial hunting and fishing privileges across all categories of hunting and fishing.

(b) The General Assembly finds that an outdoor mentor program can spark interest in hunting and fishing as lifelong activities; provide safe, memorable, and positive

introductions for first-time hunting and fishing experiences; and promote safe and ethical hunting and fishing practices.

(c) The department shall establish and maintain an outdoor mentor program that enables experienced hunters and fishers to mentor new hunters and fishers in safe, ethical, and responsible hunting and fishing practices. In furtherance of such outdoor mentor program, the department:

(1) Shall establish a mentor education course that provides instruction to outdoor mentors, the completion of which shall be required before he or she may mentor an outdoor mentee under the program;

(2) Shall work with partners to develop incentives for outdoor mentors and may include reduced license fees for an outdoor mentor participating in the program;

(3) Shall issue outdoor mentees participating in the program an outdoor passport which shall expire one year after issuance; and

(4) Shall prepare necessary applications and impose any further criteria and terms and conditions not inconsistent with this Code section for implementation of the program."

SECTION 2.

Code Section 27-2-23 of the Official Code of Georgia Annotated, relating to hunting, trapping, and fishing licenses, permits, tags, and stamp fees, is amended by adding a new subparagraph to paragraph (3) as follows:

"(H) Nonresident youth sportsman's license Annual \$50.00
for 15 years of age and under"

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate

Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 56, nays 0.

SB 332, having received the requisite constitutional majority, was passed by substitute.

SB 342. By Senators Harbin of the 16th, Albers of the 56th, Watson of the 1st, Thompson of the 14th, Brass of the 28th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, so as to permit the owner or operator of a vehicle which has a valid number license plate without the required revalidation decal affixed to the plate to retain custody of the vehicle under certain conditions; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins

Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 56, nays 0.

SB 342, having received the requisite constitutional majority, was passed.

SB 378. By Senators Albers of the 56th, Hufstetler of the 52nd, Dugan of the 30th, Hill of the 4th, Shafer of the 48th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to fiscal bills generally, so as to require an economic analysis prior to the introduction or amendment of legislation containing tax incentives or modifying or extending existing tax incentives; to provide for definitions; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

SB 378, having received the requisite constitutional majority, was passed.

Senator Lucas of the 26th asked unanimous consent to suspend the Senate Rules to first read legislation and assign to committee. There was no objection and the consent was granted.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 424. By Senators Lucas of the 26th, Harbison of the 15th, Hill of the 4th, Kirk of the 13th, Sims of the 12th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide for the establishment of the Center for Rural Health Innovation and Sustainability; to provide for requirements and purposes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Wednesday, February 14, 2018.

The motion prevailed, and the President announced the Senate adjourned at 12:41 p.m.

Senate Chamber, Atlanta, Georgia
Wednesday, February 14, 2018
Twenty-first Legislative Day

The Senate met pursuant to adjournment at 10:12 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following communications were received by the Secretary:

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Johnny Floyd was reelected as the member of the State Transportation Board from the 2nd Congressional District. He will serve for a term expiring April 15, 2023. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With all good wishes, I am,

Respectfully,

/s/ David Bundrick
Legislative Counsel

The General Assembly
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Johnny Floyd has been reelected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as a member of the State Transportation Board from the 2nd Congressional District for a term expiring April 15, 2023.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 13, 2018 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Johnny Floyd was reelected as the member of the State Transportation Board from the 2nd Congressional District to serve a term expiring April 15, 2023.

Respectfully submitted,

/s/ Calvin Smyre
Honorable Calvin Smyre
Representative, District 135
CHAIRMAN

/s/ Gerald Greene
Honorable Gerald Greene
Representative, District 151
SECRETARY

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Stacey Key was reelected as the member of the State Transportation Board from the 5th Congressional District. She will serve for a term expiring April 15, 2023. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With all good wishes, I am,

Respectfully,

/s/ David Bundrick
Legislative Counsel

The General Assembly
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Stacey Key has been reelected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as a member of the State Transportation Board from the 5th Congressional District for a term expiring April 15, 2023.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 13, 2018 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Stacey Key was reelected as the member of the State Transportation Board from the 5th Congressional District to serve a term expiring April 15, 2023.

Respectfully submitted,

/s/ Emanuel Jones
Honorable Emanuel Jones
Senator, District 10
CHAIRMAN

/s/ Elena Parent
Honorable Elena Parent
Senator, District 42
SECRETARY

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Dana Lemon was reelected as the member of

the State Transportation Board from the 13th Congressional District. She will serve for a term expiring April 15, 2023. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With all good wishes, I am,

Respectfully,

/s/ David Bundrick
Legislative Counsel

The General Assembly
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Dana Lemon has been reelected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as a member of the State Transportation Board from the 13th Congressional District for a term expiring April 15, 2023.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 13, 2018 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Dana L. Lemon was reelected as the member of the

State Transportation Board from the 13th Congressional District to serve a term expiring April 15, 2023.

Respectfully submitted,

/s/ Emanuel Jones
Honorable Emanuel Jones
Senator, District 10
CHAIRMAN

/s/ Micah Gravley
Honorable Micah Gravley
Representative, District 67
SECRETARY

Date: February 14, 2018

Hon. David Cook
Secretary of the Senate

Dear Mr. Secretary:

Please remove my name as a cosponsor of Senate Bill 418.

Signed: Freddie Powell Sims District: 12
Cc: Senator Wilkinson
 (Author)

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills and Resolution of the House:

HB 79. By Representatives Pezold of the 133rd, Powell of the 32nd, Caldwell of the 20th, Jasperse of the 11th, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions regarding law

enforcement officers and agencies, so as to prohibit law enforcement from retaining license plate data obtained from automated license plate recognition systems beyond a certain period; to provide for definitions; to provide for the exchange of data obtained from license plate recognition systems by law enforcement; to provide for criminal penalties for misuse of captured license plate data; to provide for policies; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 654. By Representatives Beskin of the 54th, Willard of the 51st, Oliver of the 82nd, Coomer of the 14th and Hanson of the 80th:

A BILL to be entitled an Act to amend Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, so as to enact reforms recommended by the Georgia Child Support Commission; to clarify and revise a definition; to clarify the process of calculating child support when there is more than one child for whom support is being determined under certain circumstances; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 665. By Representatives Lumsden of the 12th, Powell of the 32nd, Hitchens of the 161st, Welch of the 110th and Trammell of the 132nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to abandoned vessels, so as to revise notice requirements regarding abandoned vessels; to eliminate duplication of notices to the Department of Natural Resources and the Georgia Bureau of Investigation; to provide that such notice shall only be made to the Department of Natural Resources; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 668. By Representatives Price of the 48th, Willard of the 51st, Ballinger of the 23rd, Coomer of the 14th and Kelley of the 16th:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 29 of the Official Code of Georgia Annotated, relating to procedure for appointment, so as to provide for petitions for appointment of a guardian and orders of appointment for adult guardianship under certain circumstances where the proposed ward is at least 17 years of age but has not attained 18 years of age; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 751. By Representatives Powell of the 32nd, Rogers of the 10th, Rhodes of the 120th, Efstrotation of the 104th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 3 of Title 38 of the O.C.G.A., relating to emergency management, so as to establish the Georgia Emergency Communications Authority; to amend Title 46 of the O.C.G.A., relating to public utilities and public transportation, so as to revise the Georgia Emergency Telephone Number 9-1-1 Service Act of 1977 to account for the establishment of the authority; to amend Chapter 8 of Title 35, Title 45, and Article 1 of Chapter 2 of Title 48 of the O.C.G.A., relating to employment and training of peace officers, public officers and employees, and state administrative organization, respectively, so as to make conforming changes; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

HB 757. By Representatives Powell of the 32nd, Collins of the 68th, Taylor of the 173rd, Harrell of the 106th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to provide for the regulatory powers of cities and counties with certificate of public necessity and convenience or medallion programs; to provide that operation of a taxicab in such jurisdictions without a certificate of public necessity and convenience or medallion is illegal; to provide for identification of taxicab operators; to amend Part 4 of Article 3 of Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to ride share network services and transportation referral services, so as to provide definitions; to provide for the regulation of the age of motor vehicles used as taxicabs by certain jurisdictions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HR 943. By Representatives Morris of the 26th, Jones of the 47th, Tanner of the 9th, Stephens of the 164th, Clark of the 98th and others:

A RESOLUTION creating the Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 420. By Senators Rhett of the 33rd, Burke of the 11th, Jones II of the 22nd, Unterman of the 45th, Harbison of the 15th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, so as to require certain health clubs in this state to have at least one functional automated external defibrillator on site at such facility at all times for use during emergencies; to provide for definitions; to provide for requirements for maintaining and using the defibrillator; to provide for inspections; to provide for rules and regulations; to provide for penalties; to amend Code Section 51-1-29.3 of the Official Code of Georgia Annotated, relating to immunity for operators of external defibrillators, so as to provide tort immunity for individuals using a defibrillator at a health club; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 421. By Senators Jackson of the 2nd, Jones of the 10th and Tate of the 38th:

A BILL to be entitled an Act to amend Chapter 5 of Title 50 of the O.C.G.A., relating to the Department of Administrative Services, so as to define certain terms; to create the Division of Supplier Diversity; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Government Oversight.

SB 422. By Senators Unterman of the 45th, Walker III of the 20th and Orrock of the 36th:

A BILL to be entitled an Act to amend Chapter 22 of Title 31 of the Official Code of Georgia Annotated, relating to clinical laboratories, so as to provide for changes to provisions exempting pharmacists from provisions of said chapter when performing certain tests; to remove a cross-reference; to provide for reporting of tests and standards; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- SB 423. By Senators Parent of the 42nd, Millar of the 40th, Jones of the 10th, Butler of the 55th, Henson of the 41st and others:

A BILL to be entitled an Act to amend Chapter 36 of Title 36 of the Official Code of Georgia Annotated, relating to annexation of territory, so as to provide that the boundaries of certain independent school systems are not extended by annexation by a municipality unless expressly approved in a separate referendum; to provide for transfer of students; to provide for ownership of property and buildings; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

- SB 425. By Senators Gooch of the 51st, Walker III of the 20th, Miller of the 49th, Kirk of the 13th, Albers of the 56th and others:

A BILL to be entitled an Act to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to change provisions relating to professional land surveyors; to change and add certain defined terms; to provide for land surveyor interns; to change certain educational and examination requirements; to provide certain exceptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

- SB 426. By Senators Gooch of the 51st, Cowser of the 46th, Miller of the 49th, Kennedy of the 18th, Dugan of the 30th and others:

A BILL to be entitled an Act to amend Title 36 of the O.C.G.A., relating to local government, so as to streamline the deployment of wireless broadband in the public rights of way; to enact the "Broadband Infrastructure Leads to Development (BILD) Act" to limit the ability of local governing authorities to prohibit, regulate, or charge for use of public rights of way under certain circumstances; to provide a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

- SB 427. By Senators Kennedy of the 18th, Stone of the 23rd, Tillery of the 19th, Cowser of the 46th, Jones II of the 22nd and others:

A BILL to be entitled an Act to amend Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree,

guidelines for determining amount of award, continuation of duty to provide support, and duration of support, so as to change provisions relating to the court's discretion in making a final determination of support; to change provisions relating to reliable evidence of income, voluntary unemployment, and involuntary loss of income to account for a parent's incarceration; to change provisions relating to health insurance; to change provisions relating to specific and nonspecific deviations; to change provisions relating to work related child care costs; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SR 772. By Senators Thompson of the 14th, Kirk of the 13th, Martin of the 9th, Hufstetler of the 52nd, Parent of the 42nd and others:

A RESOLUTION creating the Joint Study Committee on Retrospective Emergency Room Policies; and for other purposes.

Referred to the Committee on Health and Human Services.

SR 774. By Senators Stone of the 23rd, Mullis of the 53rd, Miller of the 49th, Cowsert of the 46th, Gooch of the 51st and others:

A RESOLUTION creating the Joint Study Committee on Adoption Expenses; and for other purposes.

Referred to the Committee on Judiciary.

SR 778. By Senators Gooch of the 51st, Mullis of the 53rd, Wilkinson of the 50th, Shafer of the 48th, Payne of the 54th and others:

A RESOLUTION urging the United States Congress to create a reliable, predictable stream of resources to address deferred maintenance needs of the National Park Service; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

The following House legislation was read the first time and referred to committee:

HB 79. By Representatives Pezold of the 133rd, Powell of the 32nd, Caldwell of the 20th, Jasperse of the 11th, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions regarding law

enforcement officers and agencies, so as to prohibit law enforcement from retaining license plate data obtained from automated license plate recognition systems beyond a certain period; to provide for definitions; to provide for the exchange of data obtained from license plate recognition systems by law enforcement; to provide for criminal penalties for misuse of captured license plate data; to provide for policies; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 654. By Representatives Beskin of the 54th, Willard of the 51st, Oliver of the 82nd, Coomer of the 14th and Hanson of the 80th:

A BILL to be entitled an Act to amend Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, so as to enact reforms recommended by the Georgia Child Support Commission; to clarify and revise a definition; to clarify the process of calculating child support when there is more than one child for whom support is being determined under certain circumstances; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 665. By Representatives Lumsden of the 12th, Powell of the 32nd, Hitchens of the 161st, Welch of the 110th and Trammell of the 132nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to abandoned vessels, so as to revise notice requirements regarding abandoned vessels; to eliminate duplication of notices to the Department of Natural Resources and the Georgia Bureau of Investigation; to provide that such notice shall only be made to the Department of Natural Resources; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 668. By Representatives Price of the 48th, Willard of the 51st, Ballinger of the 23rd, Coomer of the 14th and Kelley of the 16th:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 29 of the Official Code of Georgia Annotated, relating to procedure for appointment, so

as to provide for petitions for appointment of a guardian and orders of appointment for adult guardianship under certain circumstances where the proposed ward is at least 17 years of age but has not attained 18 years of age; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 751. By Representatives Powell of the 32nd, Rogers of the 10th, Rhodes of the 120th, Efstration of the 104th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 3 of Title 38 of the O.C.G.A., relating to emergency management, so as to establish the Georgia Emergency Communications Authority; to amend Title 46 of the O.C.G.A., relating to public utilities and public transportation, so as to revise the Georgia Emergency Telephone Number 9-1-1 Service Act of 1977 to account for the establishment of the authority; to amend Chapter 8 of Title 35, Title 45, and Article 1 of Chapter 2 of Title 48 of the O.C.G.A., relating to employment and training of peace officers, public officers and employees, and state administrative organization, respectively, so as to make conforming changes; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 757. By Representatives Powell of the 32nd, Collins of the 68th, Taylor of the 173rd, Harrell of the 106th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to provide for the regulatory powers of cities and counties with certificate of public necessity and convenience or medallion programs; to provide that operation of a taxicab in such jurisdictions without a certificate of public necessity and convenience or medallion is illegal; to provide for identification of taxicab operators; to amend Part 4 of Article 3 of Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to ride share network services and transportation referral services, so as to provide definitions; to provide for the regulation of the age of motor vehicles used as taxicabs by certain jurisdictions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

HR 943. By Representatives Morris of the 26th, Jones of the 47th, Tanner of the 9th, Stephens of the 164th, Clark of the 98th and others:

A RESOLUTION creating the Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; and for other purposes.

Referred to the Committee on Rules.

The following communication was transmitted by the Secretary:



SECRETARY OF THE SENATE

353 STATE CAPITOL
ATLANTA, GEORGIA 30334

DAVID A. COOK
SECRETARY OF THE SENATE

(404) 656-5040
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MEMORANDUM

TO: MEMBERS OF THE SENATE
FROM: DAVID COOK
DATE: FEBRUARY 14, 2018
RE: JUDICIAL QUALIFICATION COMMISSION APPOINTMENTS

Today, the Committee on Assignments recommended that the names submitted to the Senate for appointment to the Judicial Qualifications Commission be confirmed as submitted. The appointments are attached for your convenient reference. The confirmation of appointments has been set as a special order of business for Thursday, February 15.

Judicial Qualifications Commission
Appointments to be Confirmed

- Mrs. Louisa Abbot-Supreme Court Nominee
-Term expires June 30, 2019

- Mr. James Balli-Speaker of the House Nominee
-Term expires June 30, 2020
- Mr. Richard Hyde-Speaker of the House Nominee
-Term expires June 30, 2019
- Mrs. Stacey Hydrick-Supreme Court Nominee
-Term expires June 30, 2021
- Mr. William Pope Langdale- Lt. Governor Nominee
-Term expires June 30, 2021
- Mr. Robert McBurney- Supreme Court Nominee
-Term expires June 30, 2020
- Mrs. Jamala McFadden-Supreme Court Nominee
-Term expires June 30, 2018
- Mr. Michael Register-Governor's Nominee
-Term expires June 30, 2021
- Mr. Warren Selby-Lt. Governor Nominee
-Term expires June 30, 2018
- Mr. Edward Tolley-Governor's Nominee
-Term Expires June 30, 2019

The following committee reports were read by the Secretary:

February 13, 2018

Mr. President,

The Senate Committee on Assignments has had under consideration the appointments to the Judicial Qualifications Commission made by the Governor, Lieutenant Governor, Speaker of the House of Representatives and Supreme Court of Georgia for various terms, and has instructed me to report the same back to the Senate with the following recommendation:

That the appointments be confirmed as submitted.

Respectfully submitted,

/s/ Casey Cagle
Hon. Casey Cagle, Chairman

Mr. President:

The Committee on Appropriations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 184 Do Pass by substitute

Respectfully submitted,
Senator Hill of the 4th District, Chairman

Mr. President:

The Committee on Natural Resources and the Environment has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 385 Do Pass by substitute

Respectfully submitted,
Senator Harper of the 7th District, Chairman

Mr. President:

The Committee on Retirement has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 135 Do Pass by substitute
SB 293 Do Pass by substitute
SB 294 Do Pass by substitute

Respectfully submitted,
Senator Black of the 8th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 730	Do Pass	HB 805	Do Pass
HB 806	Do Pass	HB 829	Do Pass
HB 836	Do Pass	SB 392	Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

HB 273	HB 419	HB 683	SB 262	SB 263	SB 319
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Senator Heath of the 31st asked unanimous consent that Senator Stone of the 23rd be excused. The consent was granted, and Senator Stone was excused.

Senator Albers of the 56th asked unanimous consent that Senator Gooch of the 51st be excused. The consent was granted, and Senator Gooch was excused.

Senator Millar of the 40th asked unanimous consent that Senator Tippins of the 37th be excused. The consent was granted, and Senator Tippins was excused.

The roll was called and the following Senators answered to their names:

Albers	James	Payne
Anderson, L	Jones, B	Rhett
Anderson, T	Jones, E	Seay
Beach	Jones, H	Shafer
Brass	Jordan	Sims
Burke	Kennedy	Strickland
Butler	Kirk	Tate
Cowsert	Kirkpatrick	Thompson, B
Davenport	Ligon	Thompson, C
Dugan	Martin	Tillery
Ginn	McKoon	Unterman
Harbin	Millar	Walker
Harper	Miller	Watson
Heath	Mullis	Wilkinson

Henson
Hill
Hufstetler

Orrock
Parent

Williams, M
Williams, N

Not answering were Senators:

Black
Jackson
Tippins (Excused)

Gooch (Excused)
Lucas

Harbison
Stone (Excused)

Senator Lucas of the 26th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator James of the 35th introduced the chaplain of the day, Dr. Bernice King of Atlanta, Georgia, who offered scripture reading and prayer.

The President recognized Atlanta Mayor Keisha Lance Bottoms who addressed the Senate briefly.

Senator Shafer of the 48th introduced the doctor of the day, Dr. Indran Indrakrishnan.

Senator Watson of the 1st recognized February 14, 2018, as Georgia Stop The Bleed Day at the state capitol, commended by SR 689, adopted previously. Dr. Dennis Ashley addressed the Senate briefly.

Senator Kirkpatrick of the 32nd recognized the Medical Association of Georgia Medical Reserve Corps and congratulated it for its 2017 emergency disaster response efforts in the State of Georgia, commended by SR 717, adopted previously. Director John S. Harvey addressed the Senate briefly.

Senator Gooch of the 51st honored Woody Gap School and recognized February 14, 2018, as Woody Gap School Day at the state capitol, commended by SR 709, adopted previously. Principal Carol Knight addressed the Senate briefly.

Senator Butch Miller, President Pro Tempore, assumed the Chair.

Senator Tate of the 38th recognized February 14, 2018, as Clark Atlanta University Day at the state capitol, commended by SR 687, adopted previously. President Ronald A. Johnson addressed the Senate briefly.

The following resolutions were read and adopted:

SR 769. By Senators Unterman of the 45th, Mullis of the 53rd, Orrock of the 36th and Miller of the 49th:

A RESOLUTION recognizing September, 2018, as Childhood Cancer Awareness Month; and for other purposes.

SR 770. By Senator Unterman of the 45th:

A RESOLUTION recognizing and commending Mr. Scott Keefer on the occasion of his retirement; and for other purposes.

SR 771. By Senators Unterman of the 45th and Orrock of the 36th:

A RESOLUTION recognizing May, 2018, as Lyme Disease Awareness Month at the state capitol; and for other purposes.

SR 773. By Senators Orrock of the 36th, Parent of the 42nd, Tate of the 38th, Butler of the 55th and Henson of the 41st:

A RESOLUTION honoring the life and memory of Ms. Ann Melissa Firestone; and for other purposes.

SR 775. By Senators Miller of the 49th, Unterman of the 45th, Shafer of the 48th, Ginn of the 47th, Mullis of the 53rd and others:

A RESOLUTION recognizing February 21, 2018, as State Restaurant Day at the state capitol and commending the restaurant industry of Georgia; and for other purposes.

SR 776. By Senators Kennedy of the 18th, Walker III of the 20th, Tippins of the 37th, Dugan of the 30th, Harbison of the 15th and others:

A RESOLUTION recognizing and commending Byron Elementary Navy Junior ROTC for its continued efforts in shaping youth leaders of the Peach County community; and for other purposes.

SR 777. By Senators Kennedy of the 18th, Lucas of the 26th, Walker III of the 20th, Jones of the 25th and Ligon, Jr. of the 3rd:

A RESOLUTION recognizing and commending Mercer University for its commitment to higher education; and for other purposes.

Senator Beach of the 21st was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Wednesday February 14, 2018
Twenty-first Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 392 Burke of the 11th
CITY OF DOERUN

A BILL to be entitled an Act to provide a new charter for the City of Doerun; to provide for incorporation boundaries, powers and construction; to provide for a governing authority and its membership, elections, and terms; to provide for other matters relative to the foregoing; to provide a specific repealer; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 730 Miller of the 49th
TOWN OF CLERMONT

A BILL to be entitled an Act to amend an Act incorporating the Town of Clermont, approved May 6, 2015 (Ga. L. 2015, p. 3767), so as to provide for councilmember wards; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 805 Sims of the 12th
TERRELL COUNTY

A BILL to be entitled an Act to abolish the office of county treasurer of Terrell County; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 806 Miller of the 49th
TOWN OF BRASELTON

A BILL to be entitled an Act to create the Town of Braselton Public Facilities Authority; to provide for a short title and purpose; to confer powers and impose duties on the authority; to provide for the

membership and the appointment of members of the authority and their terms of office, qualifications, duties, powers, and compensation; to provide for vacancies, organization, meetings, and expenses; to provide for definitions; to provide for the issuance and sale of revenue bonds and their negotiability, sale, and use of proceeds from such sales; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 829

Sims of the 12th

QUITMAN COUNTY

A BILL to be entitled an Act to amend an Act reconstituting the Board of Education of Quitman County, approved March 16, 1994 (Ga. L. 1994, p. 3689), as amended, so as to change the compensation of the chairperson and members of the board; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 836

Sims of the 12th

DOUGHERTY COUNTY

A BILL to be entitled an Act to amend an Act creating the Dougherty County School System, approved February 5, 1951 (Ga. L. 1951, p. 2233), as amended, particularly by an Act approved March 11, 1987 (Ga. L. 1987, p. 3843), so as to change the compensation of members of the board of education; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	James	Y Seay
E Beach	Y Jones, B	Y Shafer
Y Black	Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery

Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 46, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

Senator Cowsert of the 46th moved to engross SB 107, which was on today's Senate Rules Calendar.

Senator Jones II of the 22nd objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	N Rhett
N Anderson, T	James	N Seay
E Beach	Y Jones, B	Y Shafer
Y Black	Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Thompson, B
N Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 32, nays 15; the motion prevailed, and SB 107 was engrossed.

SENATE RULES CALENDAR
WEDNESDAY, FEBRUARY 14, 2018
TWENTY-FIRST LEGISLATIVE DAY

- SB 107 Ethics in Government; filing campaign financial disclosure reports; additional date prior to general primary; revise the dates (Substitute) (ETHICS-40th)
- SB 248 Life Insurance; life insurers' requirement to review the National Association of Insurance Commissioners life insurance policy locator; provide (Substitute)(I&L-16th)
- SB 348 Technical College System of Georgia; powers of arrest of campus policemen who are regular employees; revise (PUB SAF-7th)
- SB 367 Payment of Indemnification for Death or Disability; option of payment to an estate in the case of death; law enforcement officer; firefighter; emergency medical technician, emergency management specialist, state highway employee or prison guard; provide (PUB SAF-13th)
- SB 368 Criminal Justice Coordinating Council; functions and authority; add (PUB SAF-13th)
- SB 369 Revenues Collected from Fines and Fees; payments to Peace Officers' Annuity and Benefit Fund; fees collected in criminal and quasi-criminal cases prior to adjudication of guilt; provide (Substitute)(PUB SAF-13th)
- SB 366 Local Government; counties and municipal corporations to perform wage and compensation studies for employees of sheriff's office; require (PUB SAF-51st)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 107. By Senators Millar of the 40th, Shafer of the 48th, Cowsert of the 46th, McKoon of the 29th and Kirk of the 13th:

A BILL to be entitled an Act to amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to revise

the dates for the filing campaign financial disclosure reports to include an additional date prior to the general primary; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Ethics offered the following substitute to SB 107:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to revise the dates for the filing of campaign financial disclosure reports; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, is amended by revising subsections (c) and (e) of Code Section 21-5-34, relating to disclosure reports, as follows:

"(c) Candidates or campaign committees which accept contributions, make expenditures designed to bring about the nomination or election of a candidate, or have filed a declaration of intention to accept campaign contributions pursuant to subsection (g) of Code Section 21-5-30 shall file campaign contribution disclosure reports in compliance with the following schedule:

- (1) In each nonelection year on January 31 and June 30;
- (2) In each election year:
 - (A) On January 31, March 31, May 10, June 30, September 30, and October 25, ~~and December 31~~;
 - (B) Six days before any run-off primary or election in which the candidate is listed on the ballot; and
 - (C) During the period of time between the last report due prior to the date of any election for which the candidate is qualified and the date of such election, all contributions of \$1,000.00 or more shall be reported within two business days of receipt and also reported on the next succeeding regularly scheduled campaign contribution disclosure report;
- (3) If the candidate is a candidate in a special primary or special primary runoff, 15 days prior to the special primary and six days prior to the special primary runoff; and
- (4) If the candidate is a candidate in a special election or special election runoff, 15 days prior to the special election and six days prior to the special election runoff.

All persons or entities required to file reports shall have a five-day grace period in filing the required reports, except that the grace period shall be two days for required reports prior to run-off primaries or run-off elections, and no grace period shall apply to

contributions required to be reported within two business days. Reports required to be filed within two business days of a contribution shall be reported by facsimile or electronic transmission. Any facsimile filing shall also have an identical electronic filing within five business days following the transmission of such facsimile filing. Each report required in the election year shall contain cumulative totals of all contributions which have been received and all expenditures which have been made in support of the campaign in question and which are required, or previously have been required, to be reported."

"(e) Any person or political action committee, as defined in paragraph (20) of Code Section 21-5-3, who makes contributions to, accepts contributions for, or makes expenditures on behalf of candidates, and any independent committee, shall file a registration in the same manner as is required of campaign committees prior to accepting or making contributions or expenditures. Such persons and political action committees, other than independent committees, shall also file campaign contribution disclosure reports at the same times as required of the candidates they are supporting, and shall also file a final annual campaign contribution disclosure report on December 31. The following persons and political action committees shall be exempt from the foregoing registration and reporting requirements:

- (1) Individuals making aggregate contributions of \$25,000.00 or less directly to candidates or the candidates' campaign committees in one calendar year;
- (2) ~~Persons other than individuals~~ Political action committees making aggregate contributions and expenditures to or on behalf of candidates of \$25,000.00 or less in one calendar year; and
- (3) Contributors who make contributions to only one candidate during one calendar year."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
E Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone

Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 107, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2-14-18

Due to business outside the Senate Chamber, I missed the vote on SB 107. Had I been present, I would have voted "yes".

/s/ Brandon Beach
District 21

SB 248. By Senators Harbin of the 16th, Thompson of the 14th, Dugan of the 30th, Black of the 8th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Chapter 25 of Title 33 of the Official Code of Georgia Annotated, relating to life insurance, so as to provide for life insurers' requirement to review the National Association of Insurance Commissioners life insurance policy locator; to provide for reporting; to provide for Commissioner to prescribe reporting; to provide for enforcement; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Insurance and Labor offered the following substitute to SB 248:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 25 of Title 33 of the Official Code of Georgia Annotated, relating to life insurance, so as to provide for life insurers' requirement to review the National Association of Insurance Commissioners life insurance policy locator; to provide for reporting; to provide for Commissioner to prescribe reporting; to provide sunset provision for reporting requirements; to provide for enforcement; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 25 of Title 33 of the Official Code of Georgia Annotated, relating to life insurance, is amended by adding a new Code section to read as follows:

"33-25-16.

(a) Each insurer that issues or issues for delivery life insurance or annuities in this state shall, on at least a quarterly basis, review the National Association of Insurance Commissioners life insurance policy locator service for policyholder matches.

(b) Each insurer shall maintain policy locator service search reports required under subsection (a) of this Code section and submit such reports in the manner prescribed by the Commissioner. The provisions of this subsection shall stand repealed on December 31, 2022.

(c) The Commissioner is authorized to enforce this Code section and, in doing so, to exercise the powers granted to the Commissioner by Code Section 33-2-24 and any other provisions of this title."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
E Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims

Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 248, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2-14-18

Due to business outside the Senate Chamber, I missed the vote on SB 248. Had I been present, I would have voted “yes”.

/s/ Brandon Beach
District 21

At 12:00 p.m. Senator Butch Miller, President Pro Tempore, announced that the Senate would stand at ease until 1:15 p.m.

At 1:21 p.m. the President called the Senate to order.

The Calendar was resumed.

SB 348. By Senators Harper of the 7th, Albers of the 56th, Dugan of the 30th, Anderson of the 43rd, Brass of the 28th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 20 and Chapter 8 of Title 20 of the O.C.G.A., relating to technical and adult education and to campus policemen, respectively, so as to revise the powers of arrest of campus policemen who are regular employees of the Technical College

System of Georgia; to amend Title 36 of the O.C.G.A., relating to local government, so as to permit campus policemen of the Technical College System of Georgia to render mutual aid under certain conditions; to provide for the public safety director or chief of police of any institution within the Technical College System of Georgia to enter into mutual aid agreements with local governments under certain conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senators Cowsert of the 46th and Tillery of the 19th offered the following amendment #1:

Amend SB 348 (LC 41 1292) by replacing lines 1 through 3 with the following:

To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise the arrest powers jurisdiction of the campus policemen and other security personnel of the university system; to revise the powers of arrest of campus policemen who are regular

By redesignating Sections 3 and 4 as Sections 4 through 5, respectively, and replacing lines 13 through 14 with the following:

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by revising Code Section 20-3-72, relating to arrest powers of campus policemen and security personnel, as follows:

"20-3-72.

The campus policemen and other security personnel of the university system who are regular employees of the system shall have the power to make arrests for offenses committed upon any property under the jurisdiction of the board of regents and for offenses committed upon any public or private property within 500 ~~yards~~ feet of any property under the jurisdiction of the board."

SECTION 2.

Said title is further amended by adding a new Code section to Article 2 of Chapter 4, relating to technical and adult education, to read as follows:

By replacing "yards" with "feet" on line 22.

By replacing lines 24 and 25 with the following:

Said title is further amended by revising Code Section 20-8-4, relating to exemption of university

On the adoption of the amendment, there were no objections, and the Cowsert, Tillery amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 1.

SB 348, having received the requisite constitutional majority, was passed as amended.

The following communication was received by the Secretary:

2/14/18

Due to business outside the Senate Chamber, I missed the vote on SB 348. Had I been present, I would have voted "yea".

/s/ P.K. Martin
District 9

Senator Miller of the 49th was excused for business outside the Senate Chamber.

SB 367. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Harper of the 7th and others:

A BILL to be entitled an Act to amend Code Section 45-9-85 of the Official Code of Georgia Annotated, relating to payment of indemnification for death or disability, procedure for making payments, and appeal, so as to provide for the option of payment to an estate in the case of death suffered in the line of duty by a law enforcement officer, firefighter, emergency medical technician, emergency management specialist, state highway employee, or prison guard; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	E Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 0.

SB 367, having received the requisite constitutional majority, was passed.

SB 368. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Harper of the 7th and others:

A BILL to be entitled an Act to amend Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to the Criminal Justice Coordinating Council, so as to add to the functions and authority of the council; to enable the council to provide technical support and assistance to certain local law enforcement agencies in the attainment of certain grants; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	E Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 0.

SB 368, having received the requisite constitutional majority, was passed.

SB 369. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Anderson of the 43rd and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to revenues collected from

finances and fees, so as to provide for payments to the Peace Officers' Annuity and Benefit Fund from fees collected in criminal and quasi-criminal cases prior to adjudication of guilt; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 23, 2018

The Honorable Greg Kirk
State Senator
Coverdell Legislative Office Building, Room 320-A
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Senate Bill 369 (LC 43 0799)

Dear Senator Kirk:

This bill would amend provisions relating to payments from fines and bond forfeitures made to the Peace Officers' Annuity and Benefit Fund. Currently, the Fund receives a portion of fines and bond forfeitures collected in any criminal or quasi-criminal case for violation of state statutes, county ordinances, or municipal ordinances for cases before any court or tribunal in this state. If this legislation is enacted, the Fund would also receive \$5.00 of each fee collected prior to adjudication of guilt for purposes of pretrial diversion pertaining to any criminal or quasi-criminal case.

This is to certify that this bill is a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The Senate Committee on Public Safety offered the following substitute to SB 369:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 15-18-80 and Article 4 of Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to policy and procedure and revenues collected from fines and fees, respectively, so as to provide for payments to the Peace Officers' Annuity and Benefit Fund from fees collected in criminal and quasi-criminal cases prior to adjudication of guilt; to provide for collection and payments to the fund; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 15-18-80 of the Official Code of Georgia Annotated, relating to policy and procedure, is amended by revising subsection (f) as follows:

"(f) The prosecuting attorney shall be authorized to assess ~~and collect~~ from each offender who enters the program a fee not to exceed \$1,000.00 for the administration of the program. Such fee may be waived in part or in whole or made payable in monthly increments upon a showing of good cause to the prosecuting attorney. Any fee collected under this subsection shall be collected by the clerk of court and made payable to the general fund of the political subdivision in which the case is being prosecuted. For purposes of subsection (a.1) of Code Section 47-17-60, the clerk of court shall provide the political subdivision all relevant records and completed forms for compliance with such Code section."

SECTION 2.

Article 4 of Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to revenues collected from fines and fees, is amended by revising Code Section 47-17-60, relating to payments to the fund from fines and bonds collected in criminal and quasi-criminal cases, duty of collecting authority to record and remit sums collected, and penalty, as follows:

"47-17-60.

(a) A portion of each fine collected and each bond forfeited and collected in any criminal or quasi-criminal case for violation of state statutes, county ordinances, or municipal ordinances, which case is before any court or tribunal in this state, shall be paid to the secretary-treasurer according to the following schedule:

- (1) Three dollars for any fine or bond forfeiture of more than \$4.00, but not more than \$25.00;
- (2) Four dollars for any fine or bond forfeiture of more than \$25.00, but not more than \$50.00;
- (3) Five dollars for any fine or bond forfeiture of more than \$50.00, but not more

than \$100.00;

(4) Five percent of any fine or bond forfeiture of more than \$100.00.

For purposes of determining amounts to be paid to the secretary-treasurer, the amount of the fine or bond collected shall be deemed to include costs. The amounts provided for shall be paid to the secretary-treasurer before the payment of any costs or any claim whatsoever against such fine or forfeiture. The collecting authority shall pay such amounts to the secretary-treasurer on the first day of the month following that in which they were collected or at such other time as the board may provide. With such payment there shall be filed an acceptable form which shows the number of cases in each of the above categories and the amounts due in each category. It shall be the duty of the collecting authority to keep accurate records of the amounts due the board so that the records may be audited or inspected at any time by any representative of the board under its direction. Sums remitted to the secretary-treasurer under this Code section shall be used as provided for elsewhere in this chapter.

(a.1) Five dollars of each fee collected prior to adjudication of guilt for purposes of pretrial diversion pertaining to any criminal or quasi-criminal case for violation of state statutes, county ordinances, or municipal ordinances as provided for in subsection (f) of Code Section 15-18-80, which case is before any court or tribunal in this state, shall be paid to the secretary-treasurer. The political subdivision as provided for in subsection (f) of Code Section 15-18-80 shall pay such amounts to the secretary-treasurer on the first day of the month following that in which they were collected or at such other time as the board may provide. With such payment there shall be filed an acceptable form from the clerk of court which shows the number of cases in each of the above categories and the amounts due in each category. It shall be the duty of the clerk of court to keep accurate records of the amounts due the board so that the records may be audited or inspected at any time by any representative of the board under its direction. Sums remitted to the secretary-treasurer under this Code section shall be used as provided for elsewhere in this chapter.

(b) If the collecting authority fails to remit such amounts with an acceptable form properly filled out within 60 days of the date on which such remittal is due, the same shall be delinquent, and there shall be imposed, in addition to the principal amount due, a specific penalty in the amount of 5 percent of the principal amount per month for each month during which the funds continue to be delinquent, provided that such penalty shall not exceed 25 percent of the principal due. In addition to such penalty, interest shall be charged on delinquent amounts at the rate of 6 percent per annum from the date the funds become delinquent until they are paid. All funds due on or before April 1, 1966, and not paid shall be delinquent after the expiration of 60 days from that date. By affirmative vote of all members, the board, upon the payment of the delinquent funds together with interest and for good cause shown, may waive the specific penalty otherwise charged under this subsection."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 14, 2018

The Honorable Casey Cagle
Lieutenant Governor
State Capitol, Room 240
Atlanta, Georgia 30334

**SUBJECT: State Auditor's Certification
Substitute to Senate Bill 369
(LC 41 1382S)**

Dear Lieutenant Governor Cagle:

This substitute bill would amend provisions relating to payments from fines and bond forfeitures made to the Peace Officers' Annuity and Benefit Fund. Currently, the Fund receives a portion of fines and bond forfeitures collected in any criminal or quasi-criminal case for violation of state statutes, county ordinances, or municipal ordinances for cases before any court or tribunal in this state. If this legislation is enacted, the Fund would also receive \$5.00 of each fee collected prior to adjudication of guilt for purposes of pretrial diversion pertaining to any criminal or quasi-criminal case. If this legislation were enacted, the clerk of the court would be required to collect the assessed fees from offenders who enter the program. The clerk of the court would also be required to provide political subdivisions with relevant records and completed forms for compliance with the collection of payments due to the Peace Officers' Annuity and Benefit Fund.

This is to certify that this substitute bill is a nonfiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	E Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

SB 369, having received the requisite constitutional majority, was passed by substitute.

SB 366. By Senators Gooch of the 51st, Kirk of the 13th, Harper of the 7th, Anderson of the 43rd, Wilkinson of the 50th and others:

A BILL to be entitled an Act to amend Title 36 of the O.C.G.A., relating to local government, so as to require counties and municipal corporations to perform wage and compensation studies for employees of the sheriff's office and law enforcement agencies; to require certain agreement and consultations with sheriffs and chief executives of law enforcement agencies of the county or municipal corporation in conducting such studies; to guide the establishment of pay scales; to require the submission of certain pay scales to the Department of Community Affairs; to provide for rules and regulations; to establish within

the Department of Community Affairs a local law enforcement compensation grant program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senators Gooch of the 51st and Kirk of the 13th offered the following amendment #1:

Amend SB 366 (LC 41 1325) by replacing lines 2 through 9 with the following:

so as to require counties and municipal corporations to complete salary surveys for every employee of the sheriff's office and law enforcement agencies; to provide for definitions; to require certain consultations with sheriffs in conducting such surveys; to provide for procedures and guidelines; to provide for submissions to the Department of Community Affairs; to require the Department of Community Affairs to report annually on wages and salaries of employees of sheriffs' offices and county and municipal law enforcement agencies; to provide for

By replacing lines 19 through 21 with the following:

As used in this chapter, the term:

- (1) 'Law enforcement agency' means any sheriff's office or any department of a county or municipal corporation responsible for investigating crimes, arresting persons accused of crimes, or maintaining actual custody of persons accused or convicted of crimes.
- (2) 'Region' shall have the same meaning as provided in Code Section 50-8-2.
- (3) 'Salary survey' means a compilation of the actual salary or wages paid and corresponding job description and pay scale implemented for such job.

By replacing lines 23 through 78 with the following:

- (a)(1) The governing authority of each county of this state shall, in consultation with the sheriff, complete a salary survey for every employee of the sheriff's office and shall complete a salary survey for every employee of a law enforcement agency of the county.
- (2) The governing authority of each municipal corporation shall complete a salary survey for every employee of a law enforcement agency of the municipal corporation.
- (3) Any salary survey provided for under this subsection shall be submitted to the Department of Community Affairs as provided for under subsection (c) of this Code section.
- (b) Utilizing the data from salary surveys provided for under subsection (a) of this Code section and other available information of public record, including, but not limited to, population statistics, geographical location data, socioeconomic factors, and demographics, the Department of Community Affairs shall, beginning on July 1, 2019, prepare an annual report on salaries and wages paid to employees of law enforcement agencies in this state. The methodology of such report shall be based upon regions and any persons certified by the Georgia Peace Officer Standards and Training Council as a peace officer pursuant to Chapter 8 of Title 35 who are employed within each region by

law enforcement agencies of this state and colleges and universities. Such basis shall be of similar size, operations, or labor market to be equitably comparable. The Department of Community Affairs may use a center of research or fiscal or economic analysis of the university system or any qualified personnel or human resources consultant to prepare or assist in preparing reports required by this subsection.

(c)(1) The governing authority of each county and municipal corporation shall submit a salary survey provided for under subsection (a) of this Code section to the commissioner of community affairs in such form as he or she requires by December 31, 2018, and updated every three years thereafter. Submission of a salary survey completed on or after July 1, 2016, that meets the requirements of subsection (a) of this Code section shall satisfy the submission required by December 31, 2018.

(2) Any county or city not in existence on July 1, 2018, shall submit such salary survey with the next third year update as provided for in paragraph (1) of this subsection.

(3) Nothing in this subsection shall preclude the governing authority of a county or municipal corporation from completing an initial salary survey prior to the date provided for in paragraph (1) of this subsection.

By replacing lines 79 through 80 with the following:

(d) The governing authority of each county and municipal corporation and each sheriff of this state shall use the report provided for in subsection (b) of this Code section to inform

By deleting lines 86 through 90.

By replacing "(g)" with "(e)" in line 91.

By replacing line 99 with the following:

(f) Completed salary surveys and guidance pay scales

By replacing "(i)" with "(g)" in line 102.

On the adoption of the amendment, there were no objections, and the Gooch, Kirk amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	E Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 2.

SB 366, having received the requisite constitutional majority, was passed as amended.

Senator Watson of the 1st asked unanimous consent that the following bill, having been placed on the Table on Tuesday, February 13, 2018, be taken from the Table:

HB 618. By Representative Petrea of the 166th:

A BILL to be entitled an Act to incorporate the City of Skidaway Island; to provide for a charter for the City of Skidaway Island; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Watson of the 1st.

The consent was granted; HB 618 was taken from the Table and put upon its passage.

Senators Watson of the 1st, Gooch of the 51st, Cowsert of the 46th, Kirk of the 13th and McKoon of the 29th offered the following amendment #1:

Amend HB 618 (LC 28 8612S) by striking "At" at the end of line 236 and inserting in lieu thereof "Except for the initial election under this charter, at" and by striking lines 718 through 733 and inserting in lieu thereof the following:

(c)(1) Except for the initial election under this charter, when qualifying to seek election to the city council, the individual qualifying shall specify the position for which he or she is offering for election. Members of the city council and the mayor shall be elected by the voters of the city at-large. The member representing Council Post 1 shall be a resident of the portions of the city that are not contained in the subdivision known as "The Landings on Skidaway Island."

(2) In the initial election under this charter, all candidates shall qualify to seek election to the city council, but shall not be required to specify the post that they are seeking. The candidate who lives in the portions of the city that are not contained in the subdivision known as "The Landings on Skidaway Island" who receives the most votes shall be elected to Council Post 1. Of the remaining candidates, the two candidates who receive the highest numbers of votes shall be elected to Council Posts 2 and 3, respectively, and the three candidates who receive the next highest numbers of votes shall be elected to Posts 4, 5, and 6, respectively.

(d) In the initial election under this charter to be held on the third Tuesday in March 2019, the mayor and six council posts shall be filled. The initial terms of office for those individuals elected to the positions of mayor and Council Posts 1, 2, and 3 shall take office immediately upon the certification of the results of such initial election and shall serve until December 31, 2023, and until their respective successors are elected and qualified. The individuals elected to Council Posts 4, 5, and 6 shall take office immediately upon the certification of the results of such initial election and shall serve until December 31, 2021, and until their respective successors are elected and qualified. Thereafter, all members of the city council shall be elected in November immediately preceding the end of their respective terms of office and shall take office on January 1 immediately following such election for terms of office of four years and until their respective successors are elected and qualified.

On the adoption of the amendment, there were no objections, and the Watson, et al. amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate

Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	N Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	E Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	Y Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 43, nays 10.

HB 618, having received the requisite constitutional majority, was passed as amended.

The following communication was received by the Secretary:

2/14/18

I inadvertently voted “yes” on HB 618. Please reflect in the Journal that my intent was to vote “no”.

/s/ Jeff Mullis
District 53

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Thursday, February 15, 2018.

The motion prevailed, and the President announced the Senate adjourned at 2:18 p.m.

Senate Chamber, Atlanta, Georgia
Thursday, February 15, 2018
Twenty-second Legislative Day

The Senate met pursuant to adjournment at 10:05 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following communications were received by the Secretary:

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Emily Dunn was reelected as the member of the State Transportation Board from the 9th Congressional District. She will serve for a term expiring April 15, 2023. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With all good wishes, I am,

Respectfully,

/s/ David Bundrick
Legislative Counsel

The General Assembly
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Emily Dunn has been reelected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as a member of the State Transportation Board from the 9th Congressional District for a term expiring April 15, 2023.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 14, 2018 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Emily Dunn was reelected as the member of the State Transportation Board from the 9th Congressional District to serve a term expiring April 15, 2023.

Respectfully submitted,

/s/ David Ralston
Honorable David Ralston
Representative, District 7
CHAIRMAN

/s/ Steve Gooch
Honorable Steve Gooch
Senator, District 51
SECRETARY

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Jamie Boswell was reelected as the member of the State Transportation Board from the 10th Congressional District. He will serve for a term expiring April 15, 2023. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With all good wishes, I am,

Respectfully,

/s/ David Bundrick
Legislative Counsel

The General Assembly
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Jamie Boswell has been reelected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as a member of the State Transportation Board from the 10th Congressional District for a term expiring April 15, 2023.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 14, 2018 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Jamie Boswell was reelected as the member of the State Transportation Board from the 10th Congressional District to serve a term expiring April 15, 2023.

Respectfully submitted,

/s/ Bill Cowsert
Honorable Bill Cowsert
Senator, District 46
CHAIRMAN

/s/ Chuck Efstoration
Honorable Chuck Efstoration
Representative, District 104
SECRETARY

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

Honorable Brian P. Kemp
Secretary of State
214 State Capitol
Atlanta, GA 30334

Dear Secretary of State Kemp:

Enclosed is a certificate from the Lieutenant Governor and the Speaker of the House of Representatives certifying that Honorable Jerry Shearin was elected as the member of the State Transportation Board from the 14th Congressional District. He will serve for a

term expiring April 15, 2023. This certificate is furnished to you pursuant to the provisions of O.C.G.A. Section 32-2-20.

With all good wishes, I am,

Respectfully,

/s/ David Bundrick
Legislative Counsel

The General Assembly
Atlanta, Georgia 30334

TO: HONORABLE BRIAN KEMP
SECRETARY OF STATE

This is to certify that Honorable Jerry Shearin has been elected, pursuant to the provisions of O.C.G.A. Section 32-2-20, as a member of the State Transportation Board from the 14th Congressional District for a term expiring April 15, 2023.

/s/ Casey Cagle
HONORABLE CASEY CAGLE
LIEUTENANT GOVERNOR

/s/ David Ralston
HONORABLE DAVID RALSTON
SPEAKER, HOUSE OF REPRESENTATIVES

LEGISLATIVE SERVICES COMMITTEE

OFFICE OF LEGISLATIVE COUNSEL
316 STATE CAPITOL
ATLANTA, GEORGIA 30334
(404) 656-5000

CERTIFICATION OF CAUCUS ELECTION

Pursuant to the call for a caucus under the provisions of O.C.G.A. Section 32-2-20, a caucus was held on February 14, 2018 in the Senate Chamber of the State Capitol Building. At that caucus, Honorable Jerry Shearin was elected as the member of the State Transportation Board from the 14th Congressional District to serve a term expiring April 15, 2023.

Respectfully submitted,

/s/ Howard Maxwell
Honorable Howard Maxwell
Representative, District 17
CHAIRMAN

/s/ John Meadows
Honorable John Meadows
Representative, District 5
SECRETARY

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 190. By Representatives Hanson of the 80th, Quick of the 117th, Willard of the 51st, Oliver of the 82nd and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, so as to change provisions relating to marriage articles; to provide for a definition; to clarify provisions relating to antenuptial agreements; to repeal provisions relating to recording certain documents; to modernize terminology and repeal arcane concepts; to amend Title 13 of the Official Code of Georgia Annotated, relating to contracts, so as to change provisions relating to agreements required to be in writing; to conform cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 740. By Representatives Nix of the 69th, Howard of the 124th, Dempsey of the 13th, Chandler of the 105th, Trammell of the 132nd and others:

A BILL to be entitled an Act to amend Subpart 1A of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to improved student learning environment and discipline in elementary and secondary education, so as to require local school systems to conduct certain screenings, assessments, and reviews prior to expelling or assigning

a student in kindergarten through third grade to out-of-school suspension for five or more consecutive or cumulative days during a school year; to provide exceptions; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 749. By Representatives Blackmon of the 146th, Rutledge of the 109th, Stephens of the 164th, Smith of the 134th, Smyre of the 135th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, computation, and exemptions from state income tax, so as to clarify an exemption for retirement income is applicable to income received by a taxpayer as a retirement benefit from noncivilian service in the armed forces of the United States or the reserve components thereof; to provide an exemption for certain military retirement income for surviving family members; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

HB 789. By Representatives Fleming of the 121st, Werkheiser of the 157th and Shaw of the 176th:

A BILL to be entitled an Act to amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, so as to provide for marketplace contractors to be treated as independent contractors under state and local laws; to provide for definitions; to provide for conditions and exceptions; to specifically provide that as independent contractors of a marketplace platform marketplace contractors are not engaged in employment for purposes of the "Employment Security Law" and are not employees for purposes of workers' compensation; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 800. By Representatives Bonner of the 72nd, Werkheiser of the 157th, Shaw of the 176th and Carpenter of the 4th:

A BILL to be entitled an Act to amend Article 2 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to administration related to workers' compensation, so as to change certain provisions relating to the eligibility for appointment as director emeritus and administrative law judge emeritus of the State Board of Workers' Compensation; to provide for terms of office and salary for the office of director emeritus and office of administrative law judge emeritus; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 832. By Representatives Hilton of the 95th, Holcomb of the 81st and Marin of the 96th:

A BILL to be entitled an Act to provide a new charter for the City of Peachtree Corners; to provide for boundaries and powers of the city; to provide for definitions and construction; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 839. By Representatives Glanton of the 75th, Burnough of the 77th, Bazemore of the 63rd, Stovall of the 74th and Schofield of the 60th:

A BILL to be entitled an Act to amend an Act creating the Clayton County Water Authority, approved March 7, 1955 (Ga. L. 1955, p. 3344), as amended, particularly by an Act approved May 6, 2005 (Ga. L. 2005, p. 3827), so as to change the compensation of members of the authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 845. By Representative Gurtler of the 8th:

A BILL to be entitled an Act to provide a new charter for the City of Young Harris; to provide for incorporation, boundaries, and property of the city; to provide for other matters relative to the foregoing; to provide for severability; to provide a specific repealer; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 846. By Representatives Collins of the 68th and Gravley of the 67th:

A BILL to be entitled an Act to authorize the City of Villa Rica to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 864. By Representatives Glanton of the 75th, Douglas of the 78th, Burnough of the 77th and Bazemore of the 63rd:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Jonesboro, approved April 4, 1996 (Ga. L. 1996, p. 4056), as amended, so as to change the corporate limits of such municipality; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has adopted, by the requisite constitutional majority, the following Resolutions of the House:

HR 158. By Representatives Powell of the 171st, Abrams of the 89th, Welch of the 110th, Harrell of the 106th, Meadows of the 5th and others:

A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for the dedication of revenues derived from fees or taxes to the public purpose for which such fees or taxes were imposed; to provide for procedures, conditions, and limitations; to provide for the redesignation of a current subparagraph of the Constitution; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

HR 898. By Representatives Coleman of the 97th, Tanner of the 9th, Jones of the 47th, Dickey of the 140th, Nix of the 69th and others:

A RESOLUTION creating the Joint Study Committee on the Establishment of a State Accreditation Process; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 428. By Senators Brass of the 28th, Mullis of the 53rd, Beach of the 21st, Harper of the 7th and James of the 35th:

A BILL to be entitled an Act to amend Title 44 of the Official Code of Georgia Annotated, relating to property, so as to allow for vehicle immobilization devices or boots to be applied to trespassing vehicles on certain property; to provide for definitions; to provide for rules and standards of operation; to provide for booting fees; to provide for notice and sign requirements; to require registration with the Secretary of State for the lawful immobilization and booting of trespassing vehicles; to provide for registration fees; to provide for the issuance of vehicle immobilization registrations and renewal registrations; to provide for preemption of local regulation; to provide for criminal and administrative penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

SB 429. By Senators Brass of the 28th, Orrock of the 36th, Miller of the 49th, Watson of the 1st and Kirkpatrick of the 32nd:

A BILL to be entitled an Act to amend Code Section 50-5-69 of the Official Code of Georgia Annotated, relating to purchases without competitive bidding,

central bid registry, procurement cards, rules and regulations, applicability to emergency purchases, and Purchasing Advisory Council, so as to provide that the Department of Family and Children Services may contract for the purchase of or purchase services for children or families to whom it is providing child welfare services without competitive bidding; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 430. By Senators Brass of the 28th and Jones of the 25th:

A BILL to be entitled an Act to amend Title 15, Chapter 2 of Title 21, and Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to courts, primaries and elections generally, and ad valorem taxation of property, respectively, so as to modify the compensation of various local government officials; to provide a salary increase for various local government officials; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SB 431. By Senators Tillery of the 19th, Ligon, Jr. of the 3rd and McKoon of the 29th:

A BILL to be entitled an Act to amend Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, so as to clarify provisions relating to the effect of an owner of land charging an admission price or fee; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 432. By Senators Albers of the 56th, Hufstetler of the 52nd, Dugan of the 30th, Hill of the 4th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the O.C.G.A., relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain tax credits; to amend Code Section 48-8-3 of the O.C.G.A., relating to exemptions from state sales and use taxes, so as to repeal and reserve certain exemptions from state sales and use taxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SB 433. By Senator Tillery of the 19th:

A BILL to be entitled an Act to amend Chapter 7 of Title 33 of the Official Code of Georgia Annotated, relating to kinds of insurance, limits of risks, and reinsurance, so as to require occupational accident insurance policies to provide notice of certain matters; to provide for a definition; to provide certain coverages under occupational accident insurance policies if the required notice is not provided; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

SB 434. By Senators Unterman of the 45th, Burke of the 11th, Shafer of the 48th and Kirk of the 13th:

A BILL to be entitled an Act to amend Chapter 10 of Title 49 of the Official Code of Georgia Annotated, relating to the Georgia Board for Physician Workforce, so as to change the name of the Georgia Board for Physician Workforce to the Georgia Board of Health Care Workforce; to provide a definition; to add advanced practice registered nurses to the board's powers, duties, and responsibilities; to expand the board's membership; to amend the the Official Code of Georgia Annotated so as to conform cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 435. By Senators Beach of the 21st, Jones of the 25th, Watson of the 1st, Miller of the 49th and Jordan of the 6th:

A BILL to be entitled an Act to amend Article 8 of Chapter 6 of Title 40 of the O.C.G.A., relating to school buses, so as to revise the enforcement of civil monetary penalties regarding violations of the duties of a driver when meeting or overtaking a school bus; to amend Article 2 of Chapter 14 of Title 40 of the O.C.G.A., relating to speed detection devices, so as to provide for automated traffic enforcement safety devices in school zones; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 436. By Senators Strickland of the 17th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Chapter 9 of Title 15 of the O.C.G.A., relating to probate courts, so as to change and modernize certain general

provisions for probate courts; to amend Code Section 1-3-1, relating to construction of statutes generally, so as to conform a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 437. By Senators Payne of the 54th, Thompson of the 14th, Harbin of the 16th, Ligon, Jr. of the 3rd, Shafer of the 48th and others:

A BILL to be entitled an Act to amend Code Section 31-39-4 of the Official Code of Georgia Annotated, relating to persons authorized to issue order not to resuscitate, so as to revise parental requirement for consent; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 438. By Senators Harbin of the 16th, Albers of the 56th, Cowsert of the 46th, Shafer of the 48th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding state government, so as to provide that certain state offices provide callers with the opportunity to complete an automated satisfaction survey; to provide for the contents of such survey; to provide for certain reports and information; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Government Oversight.

SB 439. By Senators Sims of the 12th, Tippins of the 37th, Tate of the 38th, Parent of the 42nd, Williams of the 39th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to local boards of education, so as to provide for withholding of funds at the discretion of the State Board of Education for a local board of education that receives an audit report of findings of irregularities or budget deficits for three consecutive years or that fails to complete a corrective action plan; to provide for removal of members of a local board of education if a local board of education receives an audit report of findings of irregularities or budget deficits for three consecutive years; to provide for temporary replacement members; to provide for petitions for reinstatement; to provide for a hearing; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SR 783. By Senator Mullis of the 53rd:

A RESOLUTION creating the Joint Study Committee on Risks Associated with Kratom; and for other purposes.

Referred to the Committee on Rules.

SR 794. By Senators Miller of the 49th, Gooch of the 51st, Wilkinson of the 50th, Ginn of the 47th, Unterman of the 45th and others:

A RESOLUTION creating the Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; and for other purposes.

Referred to the Committee on Rules.

The following House legislation was read the first time and referred to committee:

HB 190. By Representatives Hanson of the 80th, Quick of the 117th, Willard of the 51st, Oliver of the 82nd and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, so as to change provisions relating to marriage articles; to provide for a definition; to clarify provisions relating to antenuptial agreements; to repeal provisions relating to recording certain documents; to modernize terminology and repeal arcane concepts; to amend Title 13 of the Official Code of Georgia Annotated, relating to contracts, so as to change provisions relating to agreements required to be in writing; to conform cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 740. By Representatives Nix of the 69th, Howard of the 124th, Dempsey of the 13th, Chandler of the 105th, Trammell of the 132nd and others:

A BILL to be entitled an Act to amend Subpart 1A of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to improved student learning environment and discipline in elementary and secondary education, so as to require local school systems to conduct certain screenings, assessments, and reviews prior to expelling or assigning a student in kindergarten through third grade to out-of-school suspension for five or more consecutive or cumulative days during a school year; to provide

exceptions; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 749. By Representatives Blackmon of the 146th, Rutledge of the 109th, Stephens of the 164th, Smith of the 134th, Smyre of the 135th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, computation, and exemptions from state income tax, so as to clarify an exemption for retirement income is applicable to income received by a taxpayer as a retirement benefit from noncivilian service in the armed forces of the United States or the reserve components thereof; to provide an exemption for certain military retirement income for surviving family members; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 789. By Representatives Fleming of the 121st, Werkheiser of the 157th and Shaw of the 176th:

A BILL to be entitled an Act to amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, so as to provide for marketplace contractors to be treated as independent contractors under state and local laws; to provide for definitions; to provide for conditions and exceptions; to specifically provide that as independent contractors of a marketplace platform marketplace contractors are not engaged in employment for purposes of the "Employment Security Law" and are not employees for purposes of workers' compensation; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 800. By Representatives Bonner of the 72nd, Werkheiser of the 157th, Shaw of the 176th and Carpenter of the 4th:

A BILL to be entitled an Act to amend Article 2 of Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to administration related to workers' compensation, so as to change certain provisions relating to the eligibility for appointment as director emeritus and administrative law judge emeritus of the State Board of Workers' Compensation; to provide for terms of

office and salary for the office of director emeritus and office of administrative law judge emeritus; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 832. By Representatives Hilton of the 95th, Holcomb of the 81st and Marin of the 96th:

A BILL to be entitled an Act to provide a new charter for the City of Peachtree Corners; to provide for boundaries and powers of the city; to provide for definitions and construction; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 839. By Representatives Glanton of the 75th, Burnough of the 77th, Bazemore of the 63rd, Stovall of the 74th and Schofield of the 60th:

A BILL to be entitled an Act to amend an Act creating the Clayton County Water Authority, approved March 7, 1955 (Ga. L. 1955, p. 3344), as amended, particularly by an Act approved May 6, 2005 (Ga. L. 2005, p. 3827), so as to change the compensation of members of the authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 845. By Representative Gurtler of the 8th:

A BILL to be entitled an Act to provide a new charter for the City of Young Harris; to provide for incorporation, boundaries, and property of the city; to provide for other matters relative to the foregoing; to provide for severability; to provide a specific repealer; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 846. By Representatives Collins of the 68th and Gravley of the 67th:

A BILL to be entitled an Act to authorize the City of Villa Rica to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the

"Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 864. By Representatives Glanton of the 75th, Douglas of the 78th, Burnough of the 77th and Bazemore of the 63rd:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Jonesboro, approved April 4, 1996 (Ga. L. 1996, p. 4056), as amended, so as to change the corporate limits of such municipality; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HR 158. By Representatives Powell of the 171st, Abrams of the 89th, Welch of the 110th, Harrell of the 106th, Meadows of the 5th and others:

A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for the dedication of revenues derived from fees or taxes to the public purpose for which such fees or taxes were imposed; to provide for procedures, conditions, and limitations; to provide for the redesignation of a current subparagraph of the Constitution; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Appropriations.

HR 898. By Representatives Coleman of the 97th, Tanner of the 9th, Jones of the 47th, Dickey of the 140th, Nix of the 69th and others:

A RESOLUTION creating the Joint Study Committee on the Establishment of a State Accreditation Process; and for other purposes.

Referred to the Committee on Education and Youth.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 401 Do Pass by substitute

Respectfully submitted,
Senator Tippins of the 37th District, Chairman

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 104 Do Pass

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 409 Do Pass

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 539 Do Pass

SR 629 Do Pass

SR 732 Do Pass

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 387 Do Pass
SB 398 Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Mr. President:

The Committee on Transportation has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 391 Do Pass

Respectfully submitted,
Senator Beach of the 21st District, Chairman

The following legislation was read the second time:

HB 135 SB 184 SB 293 SB 294 SB 385

Senator Albers of the 56th asked unanimous consent that Senator Ligon, Jr. of the 3rd be excused. The consent was granted, and Senator Ligon, Jr. was excused.

Senator Jones of the 25th asked unanimous consent that Senator Lucas of the 26th be excused. The consent was granted, and Senator Lucas was excused.

Senator Anderson of the 24th asked unanimous consent that Senators Stone of the 23rd and Martin of the 9th be excused. The consent was granted, and Senators Stone and Martin were excused.

The roll was called and the following Senators answered to their names:

Albers	Henson	Payne
Anderson, L	Hill	Rhett
Anderson, T	Hufstetler	Seay
Beach	Jackson	Shafer
Black	James	Sims
Brass	Jones, E	Strickland
Burke	Jones, H	Tate
Butler	Jordan	Thompson, B
Cowsert	Kennedy	Tillery
Davenport	Kirk	Tippins

Dugan	Kirkpatrick	Unterman
Ginn	McKoon	Walker
Gooch	Millar	Watson
Harbin	Miller	Wilkinson
Harbison	Mullis	Williams, M
Harper	Orrock	Williams, N
Heath	Parent	

Not answering were Senators:

Jones, B.	Ligon, Jr. (Excused)	Lucas (Excused)
Martin (Excused)	Stone (Excused)	Thompson, C.

The following members were off the floor of the Senate when the roll was called and wish to be recorded as present:

Senators: Jones of the 25th Thompson of the 5th

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Jackson of the 2nd introduced the chaplain of the day, Reverend Thurmond Tillman of Savannah, Georgia, who offered scripture reading and prayer.

Senators Wilkinson of the 50th and Miller of the 49th recognized Mr. John Berry for his many accomplishments and congratulated him on the 25th anniversary of his first major label recording contract, commended by SR 668, adopted previously. Mr. John Berry addressed the Senate briefly.

Senator Stone of the 23rd recognized February 15, 2018, as Augusta's Interfaith Coalition Day at the state capitol, commended by SR 721, adopted previously. Reverend Christopher G. Johnson addressed the Senate briefly.

Senator Orrock of the 36th honored Hannah Fazila Testa for her involvement in and commitment to environmental sustainability and recognized February 15, 2018, as Plastic Pollution Awareness Day at the state capitol, commended by SR 741, adopted previously. Hannah Fazila Testa addressed the Senate briefly.

Senator Jones of the 25th honored the life, memory, and legacy of Otis Redding, Jr., and recognized February 15, 2018, as Otis Redding Day at the state capitol, commended by SR 744, adopted previously. Carla Redding Andrews addressed the Senate briefly.

Senator Jones II of the 22nd introduced the doctor of the day, Dr. David Kriegel.

The following resolutions were read and adopted:

SR 779. By Senator James of the 35th:

A RESOLUTION recognizing and commending Paul Jenkins; and for other purposes.

SR 780. By Senator Albers of the 56th:

A RESOLUTION commending the Blessed Trinity High School swim and dive program for its state championship and continued success; and for other purposes.

SR 781. By Senator Mullis of the 53rd:

A RESOLUTION commending Michael Christopher McDowell; and for other purposes.

SR 782. By Senator Mullis of the 53rd:

A RESOLUTION recognizing and acknowledging September 1, 2018, as Childhood Cancer Awareness Day in Georgia; and for other purposes.

SR 784. By Senator Millar of the 40th:

A RESOLUTION commending the Atlanta Chi Omega Alumnae Association and recognizing February 8, 2018, as Chi Omega Alumnae Day at the state capitol; and for other purposes.

SR 785. By Senator Millar of the 40th:

A RESOLUTION celebrating the tenth anniversary of the Dunwoody Perimeter Chamber and recognizing February 20, 2018, as DeKalb Chamber of Commerce Day at the state capitol; and for other purposes

SR 786. By Senators Kirk of the 13th, Kennedy of the 18th, Albers of the 56th, Dugan of the 30th, Black of the 8th and others:

A RESOLUTION commending the Georgia Rural Health Association and recognizing March 1, 2018, as Rural Health Day at the state capitol; and for other purposes.

- SR 787. By Senators Black of the 8th, Burke of the 11th, Kirk of the 13th and Harper of the 7th:

A RESOLUTION recognizing March 12, 2018, as Valdosta State University Day at the state capitol and commending student leaders at Valdosta State University; and for other purposes.

- SR 788. By Senators Tippins of the 37th, Anderson of the 24th, Ginn of the 47th, Hufstetler of the 52nd, Thompson of the 14th and others:

A RESOLUTION commending the Georgia State University Panthers football team for its outstanding season; and for other purposes.

- SR 789. By Senators Kennedy of the 18th, Walker III of the 20th, Lucas of the 26th, Kirk of the 13th, Kirkpatrick of the 32nd and others:

A RESOLUTION recognizing and commending the Blue Bird Corporation for providing transportation solutions since 1927; and for other purposes.

- SR 790. By Senators Kennedy of the 18th, Mullis of the 53rd, Kirk of the 13th, Kirkpatrick of the 32nd and Tillery of the 19th:

A RESOLUTION recognizing and commending the Home Builders Association of Georgia; and for other purposes.

- SR 791. By Senator Harbison of the 15th:

A RESOLUTION recognizing and commending Dawnell Jacobs on her accomplishments as a teacher and author; and for other purposes.

- SR 792. By Senators James of the 35th and Rhett of the 33rd:

A RESOLUTION recognizing and commending Audraine Jackson; and for other purposes.

- SR 793. By Senators Davenport of the 44th, Tate of the 38th, Butler of the 55th, Seay of the 34th, Williams of the 39th and others:

A RESOLUTION recognizing the accomplishments of Mrs. Nancy G. McAllister; and for other purposes.

- SR 795. By Senator Jackson of the 2nd:

A RESOLUTION recognizing and commending Mayor Deana Holiday Ingraham; and for other purposes.

SR 796. By Senator Jackson of the 2nd:

A RESOLUTION recognizing and commending Atlanta Mayor Keisha Lance Bottoms; and for other purposes.

SR 797. By Senator Jackson of the 2nd:

A RESOLUTION recognizing and commending Reverend Johnny B. Curtis; and for other purposes.

SR 798. By Senator Jackson of the 2nd:

A RESOLUTION recognizing and commending Mayor Cornell Harvey; and for other purposes.

SR 799. By Senator Jackson of the 2nd:

A RESOLUTION recognizing February 15, 2018, as Alpha Phi Alpha Day at the state capitol; and for other purposes.

SR 800. By Senator Jackson of the 2nd:

A RESOLUTION recognizing and commending Mayor Jonathan McCollar; and for other purposes.

Senator Williams of the 27th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Thursday February 15, 2018
Twenty-second Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 387 Gooch of the 51st
CITY OF DAHLONEGA

A BILL to be entitled an Act to amend an Act entitled "An Act to create a new charter for the City of Dahlonega in the County of Lumpkin," approved April 12, 1982 (Ga. L. 1982, p. 4353), as amended, particularly by an Act approved May 11, 2010 (Ga. L.

2010, p. 3522), so as to provide for the filling of vacancies; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 398

Harbison of the 15th
TALBOT COUNTY

A BILL to be entitled an Act to amend an Act reconstituting the Board of Education of Talbot County, approved April 5, 1993 (Ga. L. 1993, p. 4710), as amended, particularly by an Act approved March 27, 1995 (Ga. L. 1995, p. 3541), so as to provide for compensation of the members of the Board of Education of Talbot County; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Mullis	E Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 50, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

The President announced that the next order of business was the confirmation of appointments to the Judicial Qualifications Commission.

Senator Cowser of the 46th asked unanimous consent that the reading of the names of appointments to the Judicial Qualifications Commission be dispensed with. There was no objection.

Senator Cowser of the 46th asked unanimous consent that one roll call suffice to confirm all appointments, unless any Senator designates an appointee be removed from the list and voted on individually. There was no such designation.

Senator Cowser of the 46th moved that the appointments to the Judicial Qualifications Commission be approved as submitted.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 53, nays 0; motion prevailed, and the Judicial Qualifications Commission nominees were confirmed as submitted.

The following communications were transmitted by the Secretary:



SECRETARY OF THE SENATE

353 STATE CAPITOL
ATLANTA, GEORGIA 30334

DAVID A. COOK
SECRETARY OF THE SENATE

(404) 656-5040
FAX (404) 656-5043
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February 15, 2018

Honorable Nathan Deal
Governor of Georgia
201 State Capitol
Atlanta, Georgia 30334

Dear Governor:

I have the honor to report to you that, on February 15, 2018, the following action was taken by the Georgia Senate on your appointments to the Judicial Qualifications Commission:

The Honorable Edward Tolley of Clarke County, as member of the Investigatory Panel of the Judicial Qualifications Commission, for the term expiring June 30, 2019. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

The Honorable Michael Register of Paulding County, as member of the Hearing Panel of the Judicial Qualifications Commission, for the term expiring June 30, 2021. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

Respectfully,

/s/ David A. Cook



SECRETARY OF THE SENATE

353 STATE CAPITOL
ATLANTA, GEORGIA 30334

DAVID A. COOK
SECRETARY OF THE SENATE

(404) 656-5040
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February 15, 2018

Honorable Casey Cagle
Lieutenant Governor of Georgia
240 State Capitol
Atlanta, Georgia 30334

Dear Lieutenant Governor:

I have the honor to report to you that, on February 15, 2018, the following actions were taken by the Georgia Senate on your appointments to the Judicial Qualifications Commission:

Mr. William Pope Langdale, as a member of the Investigatory Panel of the Judicial Qualifications Commission, for the term expiring June 30, 2021. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

Mr. Warren Selby, as a member of the Investigatory Panel of the Judicial Qualifications Commission, for the term expiring June 30, 2018. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

Respectfully,

/s/ David A. Cook



SECRETARY OF THE SENATE

353 STATE CAPITOL
ATLANTA, GEORGIA 30334

DAVID A. COOK
SECRETARY OF THE SENATE

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February 15, 2018

Honorable David Ralston
Speaker of the House of Representatives
332 State Capitol
Atlanta, Georgia 30334

Dear Mr. Speaker:

I have the honor to report to you that, on February 15, 2018, the following action was taken by the Georgia Senate on your appointments to the Judicial Qualifications Commission:

Mr. Richard Hyde, as a member of the Investigatory Panel of the Judicial Qualifications Commission, for the term expiring July 1, 2020. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

Mr. James Balli, as a member of the Investigatory Panel of the Judicial Qualifications Commission, for the term expiring July 1, 2019. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

Respectfully,

/s/ David A. Cook



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February 15, 2018

The Honorable Justice David E. Nahmais
Chief Justice, Supreme Court of Georgia
c/o Therese S. Barnes, Clerk
244 Washington Street, Rm. 572
Atlanta, Georgia 30334

Dear Justice Nahmais:

I have the honor to report to you that, on February 15, 2018, the following actions were taken by the Georgia Senate on the court's appointments to the Judicial Qualifications Commission:

The Honorable Stacey K. Hydrick, as a member of the Investigatory Panel of the Judicial Qualifications Commission, for the term expiring June 30, 2021. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

The Honorable Louisa Abbot, as a member of the Investigatory Panel of the Judicial Qualifications Commission, for the term expiring June 30, 2019. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

The Honorable Robert C.I. McBurney, as a member of the Hearing Panel of the Judicial Qualifications Commission, for the term expiring June 30, 2020. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

The Honorable Jamala S. McFadden, Esq., as a member of the Hearing Panel of the Judicial Qualifications Commission, for the term expiring June 30, 2018. The vote on this appointment was yeas 53, nays 0, and the appointment was confirmed.

Respectfully,

/s/ David A. Cook

SENATE RULES CALENDAR
THURSDAY, FEBRUARY 15, 2018
TWENTY-SECOND LEGISLATIVE DAY

SB 362 Education; establishment of an innovative assessment pilot program;
provide (Substitute)(ED&Y-37th)

HB 683 Supplemental appropriations; State Fiscal Year July 1, 2017 - June 30,
2018 (Substitute)(APPROP-4th) Ralston-7th

- SB 262 Stockbridge, City of; corporate boundaries of the city; revise (Substitute)
(SLGO(G)-17th)
- SB 263 City of Eagles Landing; incorporate; charter; provide (Substitute)
(SLGO(G)-17th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 362. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Stone of the 23rd and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to provide for the establishment of an innovative assessment pilot program; to provide for participating local school systems; to provide exemptions from certain state-wide assessment requirements; to provide for an annual report; to provide for revised accountability requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Education and Youth offered the following substitute to SB 362:

A BILL TO BE ENTITLED
AN ACT

To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to provide for the establishment of an innovative assessment pilot program; to provide for participating local school systems; to provide exemptions from certain state-wide assessment requirements; to provide for an annual report; to provide for revised accountability requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Code Section 20-2-281, relating to student assessments in elementary and secondary education, by revising subsection (a) as follows:

"(a) The State Board of Education shall adopt a student assessment program consisting of instruments, procedures, and policies necessary to implement the program and shall fund all costs of providing and scoring such instruments, subject to appropriation by the General Assembly. The student assessment program shall include a comprehensive summative assessment program for grades three through 12. In addition, each local school system shall administer, with state funding, a research based formative assessment with a summative component that is tied to performance indicators in English language arts/reading and mathematics in grades one and two, subject to available appropriations. Such research based assessment shall be selected, after consultation with local school systems. Such research based assessment shall provide for real-time data analysis for students, teachers, school leaders, and parents; allow flexible grouping of students based on skill level; and measure student progress toward ~~grade-level~~ grade-level expectations throughout the school year. Each local school system may elect to administer, with state funding, nationally ~~norm-referenced~~ norm referenced instruments in reading, mathematics, science, or social studies in grade three, four, or five and in grade six, seven, or eight, subject to available appropriations, with assistance to such local school systems by the State Board of Education with regard to administration guidance, scoring, and reporting of such instruments. Further, the State Board of Education shall adopt a school readiness assessment for students entering first grade and shall administer such assessment pursuant to paragraph (2) of subsection (b) of Code Section 20-2-151. Each local school system is strongly encouraged to develop and implement a program of multiple formative assessments in reading and mathematics for kindergarten through fifth grade to ensure that students entering sixth grade are on track to meet grade-level expectations, including mastery in reading by the end of third grade to prepare for the infusion of literacy in subsequent grades and mastery in basic mathematics skills by the end of fifth grade and in accordance with the local school system's five-year strategic plan, performance indicators, and, if applicable, flexibility contract or other agreement with the State Board of Education for local school systems that are not under a flexibility contract. The State Board of Education shall periodically review, revise, and upgrade the content standards. Following the adoption of such content standards, the State Board of Education shall contract for development of end-of-grade assessments to measure the content standards. As part of the comprehensive summative assessment program, end-of-grade assessments in English language arts/reading and mathematics shall be administered annually to students in grades three through eight, and such tests in science and social studies shall be administered annually to students in grades five and eight; provided, however, that each local school system participating in the innovative assessment pilot program established pursuant to Code Section 20-2-286 shall be required to administer only such end-of-grade assessments as specified in the local school system's flexibility contract, as amended for participation in the innovative assessment pilot program. These tests shall contain features that allow for comparability to other states with ~~whom~~ which establishing such comparison would be statistically sound; provided, however, that no such comparison shall be conducted

which would relinquish any measure of control over assessments to any individual or entity outside the state. Further, as part of the comprehensive summative assessment program, the State Board of Education shall adopt and administer, through the Department of Education, end-of-course assessments for students in grades nine through 12 for all core subjects, as determined by the state board; provided, however, that each local school system participating in the innovative assessment pilot program established pursuant to Code Section 20-2-286 shall be required to administer only such end-of-course assessments as specified in the local school system's flexibility contract, as amended for participation in the innovative assessment pilot program. Writing performance shall be assessed, at a minimum, for students in grades three, five, eight, and 11 and may be assessed for students in additional grade levels as designated by the State Board of Education. Such required writing performance assessment may be embedded within the assessments included in the comprehensive summative assessment program. Writing performance results shall be provided to students and their parents. If authorized to establish and operate an innovative assessment system pursuant to 34 C.F.R. Section 200.104, the Department of Education may establish a pilot program for local school systems that have an existing program of multiple formative assessments during the course of the academic year that result in a single summative score that is valid and reliable in measuring individual student achievement or growth and assessing individual student needs or deficiencies, to utilize such local assessments in place of end-of-grade or end-of-course assessments, if provided for in the terms of the local school system's flexibility contract. As used in this subsection, the term 'flexibility contract' means a charter for a charter system or a charter school or a contract entered into with the State Board of Education for a strategic waivers school system."

SECTION 2.

Said title is further amended in Part 12 of Article 6 of Chapter 2, relating to effectiveness of educational programs in elementary and secondary education, by adding a new Code section to read as follows:

"20-2-286.

(a) Beginning with the 2018-2019 school year, the State Board of Education shall establish an innovative assessment pilot program to examine one or more alternate assessment and accountability systems aligned with state academic content standards. The pilot program shall span from three to five years in duration, as determined by the state board and may include up to ten local school system participants. A consortium of local school systems implementing the same innovative alternate assessment may participate in the pilot program and shall be counted as one of the ten pilot program participants. The participating local school systems shall be selected by the state board in a competitive process and based on criteria established by the state board, including current compliance with the terms of their charter system contract or strategic waivers school system contract.

(b) The local school systems participating in the pilot program shall be authorized to

design and implement an innovative alternate assessment and accountability program which may include, but shall not be limited to, cumulative year-end assessments, competency based assessments, instructionally embedded assessments, interim assessments, performance based assessments, or other innovated assessment designs approved by the State Board of Education. In order to allow the time and resources for the participating local school systems to implement an innovative alternate assessment and accountability program, the state board shall be authorized to reduce the state-wide testing requirements for such local school systems for the duration of the pilot program for end-of-grade and end-of-course assessments as contained in Code Section 20-2-281.

(c) Notwithstanding Code Sections 20-2-82, 20-2-244, and 20-2-2065, the State Board of Education shall be authorized to waive, for the duration of the pilot program, all or a portion of the requirements of Part 3 of Article 2 of Chapter 14 of this title for local school systems participating in the pilot program, but may replace any such accountability requirements with alternate requirements as specified in the local school system's charter system contract or strategic waivers school system contract.

(d) Each local school system participating in the pilot program shall amend its charter system contract or strategic waivers school system contract to reflect the innovative alternate assessment and accountability system that will be utilized during the term of the pilot program. Any local school system in the pilot program that is not complying with the terms of its charter system contract or strategic waivers school system contract may be removed from the pilot program at the sole discretion of the state board and shall be subject to the state-wide assessment requirements contained in Code Section 20-2-281 and the accountability system provided for in Part 3 of Article 2 of Chapter 14 of this title.

(e) The State Board of Education shall take all reasonable steps to obtain any necessary waivers or approvals and maximum flexibility from the U.S. Department of Education to facilitate the implementation of the innovative assessment pilot program within the confines of federal law, including any appropriate changes to the state-wide accountability system established in the state plan for Georgia pursuant to the federal Every Student Succeeds Act that are necessary for the local school systems participating in the pilot program.

(f)(1) The State Board of Education may contract with an external, independent third party with expertise in innovative and flexible approaches to assessment systems to assist in the development and implementation of one or more innovative alternate assessment and accountability systems. Such independent third party shall have access to and expertise from external technical experts, including technical experts in states that have pursued innovative and flexible approaches, in state assessment and accountability systems as well as knowledge and experience in the federal Every Student Succeeds Act and its implementing regulations.

(2) The State Board of Education shall consult with and provide coordination with the Office of Student Achievement in the development and implementation of the pilot program established pursuant to this Code section.

(3) The State Board of Education and the Department of Education shall contract

with an external, independent third party to evaluate comparability between the innovative assessments, including norm referenced assessments, and the state-wide assessments, including for subgroups of students, and shall identify strategies that may be used to scale the innovative assessment to all local school systems state-wide. The State Board of Education shall determine initial performance based baselines and accountability requirements for local school systems participating in the pilot program.

(4) Local school systems participating in the pilot program shall be encouraged to collaborate amongst each other during the course of the pilot program.

(g) No later than December 31, 2019, and annually thereafter for the duration of the pilot program, the Department of Education shall submit a detailed written report, approved by the State Board of Education, on the implementation and effectiveness of the innovative assessment pilot program to the Governor, the Speaker of the House of Representatives, and the President of the Senate. The final report shall also include recommendations as to expansion of the pilot program state-wide and estimated costs of implementation."

SECTION 3.

Said title is further amended by revising Code Section 20-14-31, relating to establishing standard for satisfactory performance under the education accountability assessment, as follows:

"20-14-31.

Except as otherwise provided in this article, the office shall establish the levels of performance on each assessment instrument administered under Code Section 20-2-281 by establishing the standard that should be achieved by students in each subject area at each grade level. Data and information regarding the establishment of the standard shall be included in the annual report provided for in paragraph (2) of subsection (a) of Code Section 20-14-27; provided, however, that local school systems participating in the innovative assessment pilot program established pursuant to Code Section 20-2-286 shall only be measured on the reduced specific end-of-grade and end-of-course assessments as specified in the local school system's flexibility contract, as amended for participation in the innovative assessment pilot program."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 362, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/15/18

Due to business outside the Senate Chamber, I missed the vote on SB 362. Had I been present, I would have voted "yes".

/s/ Lee Anderson
District 24

HB 683. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to amend an Act making and providing appropriations for the State Fiscal Year beginning July 1, 2017, and ending June 30, 2018, known as the "General Appropriations Act," Act No. 37, approved May 1, 2017 (Ga. L. 2017, Volume One, Appendix, commencing at

page 1 of 249), to make, provide, and change certain appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Hill of the 4th.

**SENATE APPROPRIATIONS COMMITTEE SUBSTITUTE TO H.B. 683
A BILL TO BE ENTITLED AN ACT**

To amend an Act making and providing appropriations for the State Fiscal Year beginning July 1, 2017, and ending June 30, 2018, known as the "General Appropriations Act," Act No. 37, approved May 1, 2017 (Ga. L. 2017, Volume One, Appendix, commencing at page 1 of 249), so as to make, provide, and change certain appropriations for the operation of the State government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:
PART I**

An Act making and providing appropriations for the State Fiscal Year beginning July 1, 2017, and ending June 30, 2018, known as the "General Appropriations Act," Act No. 37, approved May 1, 2017 (Ga. L. 2017, Volume One, Appendix, commencing at Page 1 of 249), is amended by striking everything following the Part I designation up to but not including the Part II designation and by substituting in lieu thereof the following:

"The sums of money hereinafter provided are appropriated for the State Fiscal Year beginning July 1, 2017, and ending June 30, 2018, as prescribed hereinafter for such fiscal year:

HB 683 (FY 2018A)

	Governor	House	SAC
Revenue Sources Available for Appropriation			
TOTAL STATE FUNDS	\$25,304,031,207	\$25,304,031,207	\$25,304,031,207
State General Funds	\$21,527,689,387	\$21,527,689,387	\$21,527,689,387
Revenue Shortfall Reserve for K-12 Needs	\$232,684,215	\$232,684,215	\$232,684,215
State Motor Fuel Funds	\$1,798,850,000	\$1,798,850,000	\$1,798,850,000
Lottery Proceeds	\$1,139,168,280	\$1,139,168,280	\$1,139,168,280
Tobacco Settlement Funds	\$136,509,071	\$136,509,071	\$136,509,071
Brain & Spinal Injury Trust Fund	\$1,422,131	\$1,422,131	\$1,422,131
Nursing Home Provider Fees	\$156,055,589	\$156,055,589	\$156,055,589
Hospital Provider Fee	\$311,652,534	\$311,652,534	\$311,652,534

TOTAL FEDERAL FUNDS	\$13,957,014,994	\$13,956,145,325	\$13,956,053,325
Federal Funds Not Itemized	\$3,796,454,859	\$3,796,454,859	\$3,796,454,859
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$127,917,722	\$127,917,722	\$127,917,722
Community Mental Health Services Block Grant CFDA93.958	\$14,163,709	\$14,163,709	\$14,163,709
Community Services Block Grant CFDA93.569	\$16,844,514	\$16,844,514	\$16,844,514
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,528,196,404	\$1,528,196,404	\$1,528,196,404
Foster Care Title IV-E CFDA93.658	\$101,638,257	\$101,638,257	\$101,638,257
Low-Income Home Energy Assistance CFDA93.568	\$56,082,762	\$56,082,762	\$56,082,762
Maternal & Child Health Services Block Grant CFDA93.994	\$16,884,236	\$16,884,236	\$16,884,236
Medical Assistance Program CFDA93.778	\$7,306,933,120	\$7,306,063,451	\$7,305,971,451
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$48,000,973	\$48,000,973	\$48,000,973
Preventive Health & Health Services Block Grant CFDA93.991	\$2,206,829	\$2,206,829	\$2,206,829
Social Services Block Grant CFDA93.667	\$52,605,059	\$52,605,059	\$52,605,059
State Children's Insurance Program CFDA93.767	\$461,088,931	\$461,088,931	\$461,088,931
Temporary Assistance for Needy Families	\$330,379,531	\$330,379,531	\$330,379,531
Temporary Assistance for Needy Families Grant CFDA93.558	\$326,177,253	\$326,177,253	\$326,177,253
TANF Transfers to Social Services Block Grant per 42 USC 604	\$4,202,278	\$4,202,278	\$4,202,278
TOTAL AGENCY FUNDS	\$6,531,016,018	\$6,531,016,018	\$6,531,016,018
Contributions, Donations, and Forfeitures	\$2,024,223	\$2,024,223	\$2,024,223
Contributions, Donations, and Forfeitures Not Itemized	\$2,024,223	\$2,024,223	\$2,024,223
Reserved Fund Balances	\$1,015,020	\$1,015,020	\$1,015,020
Reserved Fund Balances Not Itemized	\$1,015,020	\$1,015,020	\$1,015,020
Interest and Investment Income	\$6,052,072	\$6,052,072	\$6,052,072
Interest and Investment Income Not Itemized	\$6,052,072	\$6,052,072	\$6,052,072
Intergovernmental Transfers	\$2,825,426,847	\$2,825,426,847	\$2,825,426,847
Hospital Authorities	\$306,429,552	\$306,429,552	\$306,429,552
University System of Georgia Research Funds	\$2,183,681,574	\$2,183,681,574	\$2,183,681,574
Intergovernmental Transfers Not Itemized	\$335,315,721	\$335,315,721	\$335,315,721
Rebates, Refunds, and Reimbursements	\$313,387,639	\$313,387,639	\$313,387,639
Rebates, Refunds, and Reimbursements Not Itemized	\$313,387,639	\$313,387,639	\$313,387,639
Royalties and Rents	\$936,985	\$936,985	\$936,985
Royalties and Rents Not Itemized	\$936,985	\$936,985	\$936,985

Sales and Services	\$3,377,989,293	\$3,377,989,293	\$3,377,989,293
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$839,396,386	\$839,396,386	\$839,396,386
Tuition and Fees for Higher Education	\$2,537,974,005	\$2,537,974,005	\$2,537,974,005
Sanctions, Fines, and Penalties	\$4,183,939	\$4,183,939	\$4,183,939
Sanctions, Fines, and Penalties Not Itemized	\$4,183,939	\$4,183,939	\$4,183,939
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$4,229,967,717	\$4,229,967,717	\$4,229,967,717
State Funds Transfers	\$4,211,200,383	\$4,211,200,383	\$4,211,200,383
State Fund Transfers Not Itemized	\$68,614,585	\$68,614,585	\$68,614,585
Accounting System Assessments	\$21,473,637	\$21,473,637	\$21,473,637
Agency to Agency Contracts	\$20,087,780	\$20,087,780	\$20,087,780
Health Insurance Payments	\$3,600,566,591	\$3,600,566,591	\$3,600,566,591
Liability Funds	\$39,992,570	\$39,992,570	\$39,992,570
Merit System Assessments	\$11,093,246	\$11,093,246	\$11,093,246
Optional Medicaid Services Payments	\$280,857,262	\$280,857,262	\$280,857,262
Retirement Payments	\$61,922,347	\$61,922,347	\$61,922,347
Unemployment Compensation Funds	\$4,499,794	\$4,499,794	\$4,499,794
Workers Compensation Funds	\$102,092,571	\$102,092,571	\$102,092,571
Agency Funds Transfers	\$16,335,402	\$16,335,402	\$16,335,402
Agency Fund Transfers Not Itemized	\$16,335,402	\$16,335,402	\$16,335,402
Federal Funds Transfers	\$2,431,932	\$2,431,932	\$2,431,932
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
FF Medical Assistance Program CFDA93.778	\$629,805	\$629,805	\$629,805
TOTAL PUBLIC FUNDS	\$45,792,062,219	\$45,791,192,550	\$45,791,100,550
Changes in Fund Availability			
TOTAL STATE FUNDS	\$306,679,972	\$306,679,972	\$306,679,972
State General Funds	\$80,351,576	\$80,351,576	\$80,351,576
Revenue Shortfall Reserve for K-12 Needs	\$232,684,215	\$232,684,215	\$232,684,215
Lottery Proceeds	\$8,203,129	\$8,203,129	\$8,203,129
Brain & Spinal Injury Trust Fund	\$96,196	\$96,196	\$96,196
Nursing Home Provider Fees	(\$15,413,791)	(\$15,413,791)	(\$15,413,791)
Hospital Provider Fee	\$758,647	\$758,647	\$758,647

TOTAL FEDERAL FUNDS	\$46,914,867	\$46,045,198	\$45,953,198
Federal Funds Not Itemized	(\$750,000)	(\$750,000)	(\$750,000)
Foster Care Title IV-E CFDA93.658	\$2,258,865	\$2,258,865	\$2,258,865
Medical Assistance Program CFDA93.778	\$45,406,002	\$44,536,333	\$44,444,333
TOTAL AGENCY FUNDS	(\$3,431,424)	(\$3,431,424)	(\$3,431,424)
Contributions, Donations, and Forfeitures	(\$4,236,754)	(\$4,236,754)	(\$4,236,754)
Contributions, Donations, and Forfeitures Not Itemized	(\$4,236,754)	(\$4,236,754)	(\$4,236,754)
Sales and Services	\$805,330	\$805,330	\$805,330
Sales and Services Not Itemized	\$805,330	\$805,330	\$805,330
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,644,544	\$147,644,544	\$147,644,544
State Funds Transfers	\$147,644,544	\$147,644,544	\$147,644,544
Health Insurance Payments	\$139,245,865	\$139,245,865	\$139,245,865
Liability Funds	\$8,500,000	\$8,500,000	\$8,500,000
Merit System Assessments	(\$2,101,321)	(\$2,101,321)	(\$2,101,321)
Unemployment Compensation Funds	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)
Workers Compensation Funds	\$3,000,000	\$3,000,000	\$3,000,000
TOTAL PUBLIC FUNDS	\$497,807,959	\$496,938,290	\$496,846,290

Reconciliation of Fund Availability to Fund Application

Section 1: Georgia Senate

	Section Total - Continuation		
TOTAL STATE FUNDS	\$11,653,062	\$11,653,062	\$11,653,062
State General Funds	\$11,653,062	\$11,653,062	\$11,653,062
TOTAL PUBLIC FUNDS	\$11,653,062	\$11,653,062	\$11,653,062

	Section Total - Final		
TOTAL STATE FUNDS	\$11,653,062	\$11,653,062	\$11,653,062
State General Funds	\$11,653,062	\$11,653,062	\$11,653,062
TOTAL PUBLIC FUNDS	\$11,653,062	\$11,653,062	\$11,653,062

Lieutenant Governor's Office

Continuation Budget

TOTAL STATE FUNDS	\$1,330,208	\$1,330,208	\$1,330,208
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State General Funds	\$1,330,208	\$1,330,208	\$1,330,208
TOTAL PUBLIC FUNDS	\$1,330,208	\$1,330,208	\$1,330,208

1.100 Lieutenant Governor's Office	Appropriation (HB 683)		
TOTAL STATE FUNDS	\$1,330,208	\$1,330,208	\$1,330,208
State General Funds	\$1,330,208	\$1,330,208	\$1,330,208
TOTAL PUBLIC FUNDS	\$1,330,208	\$1,330,208	\$1,330,208

Secretary of the Senate's Office

Continuation Budget

TOTAL STATE FUNDS	\$1,214,330	\$1,214,330	\$1,214,330
State General Funds	\$1,214,330	\$1,214,330	\$1,214,330
TOTAL PUBLIC FUNDS	\$1,214,330	\$1,214,330	\$1,214,330

2.1 *Transfer funds from the Senate program to the Secretary of the Senate's Office program.*

State General Funds			\$50,000
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2.100 Secretary of the Senate's Office	Appropriation (HB 683)		
TOTAL STATE FUNDS	\$1,214,330	\$1,214,330	\$1,264,330
State General Funds	\$1,214,330	\$1,214,330	\$1,264,330
TOTAL PUBLIC FUNDS	\$1,214,330	\$1,214,330	\$1,264,330

Senate

Continuation Budget

TOTAL STATE FUNDS	\$7,963,280	\$7,963,280	\$7,963,280
State General Funds	\$7,963,280	\$7,963,280	\$7,963,280
TOTAL PUBLIC FUNDS	\$7,963,280	\$7,963,280	\$7,963,280

3.1 *Transfer funds from the Senate program to the Secretary of the Senate's Office program.*

State General Funds			(\$50,000)
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3.100 Senate	Appropriation (HB 683)		
TOTAL STATE FUNDS	\$7,963,280	\$7,963,280	\$7,913,280
State General Funds	\$7,963,280	\$7,963,280	\$7,913,280
TOTAL PUBLIC FUNDS	\$7,963,280	\$7,963,280	\$7,913,280

Senate Budget and Evaluation Office**Continuation Budget**

The purpose of this appropriation is to provide budget development and evaluation expertise to the State Senate.

TOTAL STATE FUNDS	\$1,145,244	\$1,145,244	\$1,145,244
State General Funds	\$1,145,244	\$1,145,244	\$1,145,244
TOTAL PUBLIC FUNDS	\$1,145,244	\$1,145,244	\$1,145,244

4.100 Senate Budget and Evaluation Office	Appropriation (HB 683)		
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The purpose of this appropriation is to provide budget development and evaluation expertise to the State Senate.

TOTAL STATE FUNDS	\$1,145,244	\$1,145,244	\$1,145,244
State General Funds	\$1,145,244	\$1,145,244	\$1,145,244
TOTAL PUBLIC FUNDS	\$1,145,244	\$1,145,244	\$1,145,244

Section 2: Georgia House of Representatives**Section Total - Continuation**

TOTAL STATE FUNDS	\$19,627,875	\$19,627,875	\$19,627,875
State General Funds	\$19,627,875	\$19,627,875	\$19,627,875
TOTAL PUBLIC FUNDS	\$19,627,875	\$19,627,875	\$19,627,875

Section Total - Final

TOTAL STATE FUNDS	\$19,627,875	\$19,627,875	\$19,627,875
State General Funds	\$19,627,875	\$19,627,875	\$19,627,875
TOTAL PUBLIC FUNDS	\$19,627,875	\$19,627,875	\$19,627,875

House of Representatives**Continuation Budget**

TOTAL STATE FUNDS	\$19,627,875	\$19,627,875	\$19,627,875
State General Funds	\$19,627,875	\$19,627,875	\$19,627,875
TOTAL PUBLIC FUNDS	\$19,627,875	\$19,627,875	\$19,627,875

5.100 House of Representatives	Appropriation (HB 683)		
TOTAL STATE FUNDS	\$19,627,875	\$19,627,875	\$19,627,875
State General Funds	\$19,627,875	\$19,627,875	\$19,627,875
TOTAL PUBLIC FUNDS	\$19,627,875	\$19,627,875	\$19,627,875

Section 3: Georgia General Assembly Joint Offices

	Section Total - Continuation		
TOTAL STATE FUNDS	\$11,442,016	\$11,442,016	\$11,442,016
State General Funds	\$11,442,016	\$11,442,016	\$11,442,016
TOTAL PUBLIC FUNDS	\$11,442,016	\$11,442,016	\$11,442,016

	Section Total - Final		
TOTAL STATE FUNDS	\$11,442,016	\$11,848,537	\$12,261,841
State General Funds	\$11,442,016	\$11,848,537	\$12,261,841
TOTAL PUBLIC FUNDS	\$11,442,016	\$11,848,537	\$12,261,841

Ancillary Activities

Continuation Budget

The purpose of this appropriation is to provide services for the legislative branch of government.

TOTAL STATE FUNDS	\$6,038,968	\$6,038,968	\$6,038,968
State General Funds	\$6,038,968	\$6,038,968	\$6,038,968
TOTAL PUBLIC FUNDS	\$6,038,968	\$6,038,968	\$6,038,968

6.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,243	\$2,243
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6.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$9,027)	(\$9,027)
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6.3 *Increase funds for operations.*

State General Funds	\$173,505	\$347,009
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6.100 Ancillary Activities	Appropriation (HB 683)		
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The purpose of this appropriation is to provide services for the legislative branch of government.

TOTAL STATE FUNDS	\$6,038,968	\$6,205,689	\$6,379,193
State General Funds	\$6,038,968	\$6,205,689	\$6,379,193
TOTAL PUBLIC FUNDS	\$6,038,968	\$6,205,689	\$6,379,193

Legislative Fiscal Office**Continuation Budget**

The purpose of this appropriation is to act as the bookkeeper-comptroller for the legislative branch of government and maintain an account of legislative expenditures and commitments.

TOTAL STATE FUNDS	\$1,337,944	\$1,337,944	\$1,337,944
State General Funds	\$1,337,944	\$1,337,944	\$1,337,944
TOTAL PUBLIC FUNDS	\$1,337,944	\$1,337,944	\$1,337,944

7.1 Increase funds for operations.

State General Funds		\$239,800	\$479,600
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7.100 Legislative Fiscal Office	Appropriation (HB 683)		
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The purpose of this appropriation is to act as the bookkeeper-comptroller for the legislative branch of government and maintain an account of legislative expenditures and commitments.

TOTAL STATE FUNDS	\$1,337,944	\$1,577,744	\$1,817,544
State General Funds	\$1,337,944	\$1,577,744	\$1,817,544
TOTAL PUBLIC FUNDS	\$1,337,944	\$1,577,744	\$1,817,544

Office of Legislative Counsel**Continuation Budget**

The purpose of this appropriation is to provide bill-drafting services, advice and counsel for members of the General Assembly.

TOTAL STATE FUNDS	\$4,065,104	\$4,065,104	\$4,065,104
State General Funds	\$4,065,104	\$4,065,104	\$4,065,104
TOTAL PUBLIC FUNDS	\$4,065,104	\$4,065,104	\$4,065,104

8.100 Office of Legislative Counsel	Appropriation (HB 683)		
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The purpose of this appropriation is to provide bill-drafting services, advice and counsel for members of the General Assembly.

TOTAL STATE FUNDS	\$4,065,104	\$4,065,104	\$4,065,104
State General Funds	\$4,065,104	\$4,065,104	\$4,065,104
TOTAL PUBLIC FUNDS	\$4,065,104	\$4,065,104	\$4,065,104

Section 4: Audits and Accounts, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$36,213,602	\$36,213,602	\$36,213,602
State General Funds	\$36,213,602	\$36,213,602	\$36,213,602
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$36,363,602	\$36,363,602	\$36,363,602

Section Total - Final

TOTAL STATE FUNDS	\$36,213,602	\$36,204,953	\$36,204,953
State General Funds	\$36,213,602	\$36,204,953	\$36,204,953
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$36,363,602	\$36,354,953	\$36,354,953

Audit and Assurance Services

Continuation Budget

The purpose of this appropriation is to provide audit and assurance services for State Agencies, Authorities, Commissions, Bureaus, and higher education systems to facilitate Auditor's reports for the State of Georgia Comprehensive Annual Financial Report, the State of Georgia Single Audit Report, and the State of Georgia Budgetary Compliance Report; to conduct audits of public school systems in Georgia; to perform special examinations and investigations; to conduct performance audits and evaluations at the request of the General Assembly; to conduct reviews of audits reports conducted by other independent auditors of local governments and non-profit organizations contracting with the State; to audit Medicaid provider claims; and to provide state financial information online to promote transparency in government.

TOTAL STATE FUNDS	\$30,893,316	\$30,893,316	\$30,893,316
State General Funds	\$30,893,316	\$30,893,316	\$30,893,316
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000

Intergovernmental Transfers	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$31,043,316	\$31,043,316	\$31,043,316

9.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$4,181	\$4,181
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9.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$13,410)	(\$13,410)
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9.100 Audit and Assurance Services	Appropriation (HB 683)
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The purpose of this appropriation is to provide audit and assurance services for State Agencies, Authorities, Commissions, Bureaus, and higher education systems to facilitate Auditor's reports for the State of Georgia Comprehensive Annual Financial Report, the State of Georgia Single Audit Report, and the State of Georgia Budgetary Compliance Report; to conduct audits of public school systems in Georgia; to perform special examinations and investigations; to conduct performance audits and evaluations at the request of the General Assembly; to conduct reviews of audits reports conducted by other independent auditors of local governments and non-profit organizations contracting with the State; to audit Medicaid provider claims; and to provide state financial information online to promote transparency in government.

TOTAL STATE FUNDS	\$30,893,316	\$30,884,087	\$30,884,087
State General Funds	\$30,893,316	\$30,884,087	\$30,884,087
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$31,043,316	\$31,034,087	\$31,034,087

Departmental Administration (DOAA)

Continuation Budget

The purpose of this appropriation is to provide administrative support to all Department programs.

TOTAL STATE FUNDS	\$2,515,699	\$2,515,699	\$2,515,699
State General Funds	\$2,515,699	\$2,515,699	\$2,515,699
TOTAL PUBLIC FUNDS	\$2,515,699	\$2,515,699	\$2,515,699

10.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$240	\$240
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10.100 Departmental Administration (DOAA)	Appropriation (HB 683)		
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The purpose of this appropriation is to provide administrative support to all Department programs.

TOTAL STATE FUNDS	\$2,515,699	\$2,515,939	\$2,515,939
State General Funds	\$2,515,699	\$2,515,939	\$2,515,939
TOTAL PUBLIC FUNDS	\$2,515,699	\$2,515,939	\$2,515,939

Immigration Enforcement Review Board

Continuation Budget

The purpose of this appropriation is to reimburse members of the Immigration Enforcement Review Board for expenses incurred in connection with the investigation and review of complaints alleging failure of public agencies or employees to properly adhere to federal and state laws related to the federal work authorization program E-Verify.

TOTAL STATE FUNDS	\$20,000	\$20,000	\$20,000
State General Funds	\$20,000	\$20,000	\$20,000
TOTAL PUBLIC FUNDS	\$20,000	\$20,000	\$20,000

11.100 Immigration Enforcement Review Board	Appropriation (HB 683)		
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The purpose of this appropriation is to reimburse members of the Immigration Enforcement Review Board for expenses incurred in connection with the investigation and review of complaints alleging failure of public agencies or employees to properly adhere to federal and state laws related to the federal work authorization program E-Verify.

TOTAL STATE FUNDS	\$20,000	\$20,000	\$20,000
State General Funds	\$20,000	\$20,000	\$20,000
TOTAL PUBLIC FUNDS	\$20,000	\$20,000	\$20,000

Legislative Services

Continuation Budget

The purpose of this appropriation is to analyze proposed legislation affecting state retirement systems for fiscal impact and review actuarial investigations and to prepare fiscal notes upon request on other legislation having a significant impact on state revenues and/or expenditures.

TOTAL STATE FUNDS	\$256,600	\$256,600	\$256,600
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State General Funds	\$256,600	\$256,600	\$256,600
TOTAL PUBLIC FUNDS	\$256,600	\$256,600	\$256,600

12.100 Legislative Services**Appropriation (HB 683)**

The purpose of this appropriation is to analyze proposed legislation affecting state retirement systems for fiscal impact and review actuarial investigations and to prepare fiscal notes upon request on other legislation having a significant impact on state revenues and/or expenditures.

TOTAL STATE FUNDS	\$256,600	\$256,600	\$256,600
State General Funds	\$256,600	\$256,600	\$256,600
TOTAL PUBLIC FUNDS	\$256,600	\$256,600	\$256,600

Statewide Equalized Adjusted Property Tax Digest**Continuation Budget**

The purpose of this appropriation is to establish an equalized adjusted property tax digest for each county and for the State as a whole for use in allocating state funds for public school systems and equalizing property tax digests for collection of the State 1/4 mill; to provide the Revenue Commissioner statistical data regarding county Tax Assessor compliance with requirements for both uniformity of assessment and level of assessment; and to establish the appropriate level of assessment for centrally assessed public utility companies.

TOTAL STATE FUNDS	\$2,527,987	\$2,527,987	\$2,527,987
State General Funds	\$2,527,987	\$2,527,987	\$2,527,987
TOTAL PUBLIC FUNDS	\$2,527,987	\$2,527,987	\$2,527,987

13.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$340	\$340
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13.100 Statewide Equalized Adjusted Property Tax Digest**Appropriation (HB 683)**

The purpose of this appropriation is to establish an equalized adjusted property tax digest for each county and for the State as a whole for use in allocating state funds for public school systems and equalizing property tax digests for collection of the State 1/4 mill; to provide the Revenue Commissioner statistical data regarding county Tax Assessor compliance with requirements for both uniformity of assessment and level of assessment; and to establish the appropriate level of assessment for centrally assessed public utility companies.

TOTAL STATE FUNDS	\$2,527,987	\$2,528,327	\$2,528,327
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State General Funds	\$2,527,987	\$2,528,327	\$2,528,327
TOTAL PUBLIC FUNDS	\$2,527,987	\$2,528,327	\$2,528,327

Section 5: Appeals, Court of

Section Total - Continuation

TOTAL STATE FUNDS	\$21,231,636	\$21,231,636	\$21,231,636
State General Funds	\$21,231,636	\$21,231,636	\$21,231,636
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$21,381,636	\$21,381,636	\$21,381,636

Section Total - Final

TOTAL STATE FUNDS	\$21,252,396	\$21,191,223	\$21,191,223
State General Funds	\$21,252,396	\$21,191,223	\$21,191,223
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$21,402,396	\$21,341,223	\$21,341,223

Court of Appeals

Continuation Budget

The purpose of this appropriation is for this court to review and exercise appellate and certiorari jurisdiction pursuant to the Constitution of the State of Georgia, Art. VI, Section V, Para. III, in all cases not reserved to the Supreme Court of Georgia or conferred on other courts by law.

TOTAL STATE FUNDS	\$21,231,636	\$21,231,636	\$21,231,636
State General Funds	\$21,231,636	\$21,231,636	\$21,231,636
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$21,381,636	\$21,381,636	\$21,381,636

14.1 *Increase funds for personnel to reflect increased daily allowance days for judges who reside 50 or more miles from the Judicial Building in accordance with HB5 (2017 Session).*

State General Funds	\$20,760	\$20,760	\$20,760
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14.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$1,414	\$1,414
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14.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$8,835)	(\$8,835)
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14.4 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$53,752)	(\$53,752)
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14.100 Court of Appeals

Appropriation (HB 683)

The purpose of this appropriation is for this court to review and exercise appellate and certiorari jurisdiction pursuant to the Constitution of the State of Georgia, Art. VI, Section V, Para. III, in all cases not reserved to the Supreme Court of Georgia or conferred on other courts by law.

TOTAL STATE FUNDS	\$21,252,396	\$21,191,223	\$21,191,223
State General Funds	\$21,252,396	\$21,191,223	\$21,191,223
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$21,402,396	\$21,341,223	\$21,341,223

Section 6: Judicial Council

Section Total - Continuation

TOTAL STATE FUNDS	\$15,586,915	\$15,586,915	\$15,586,915
State General Funds	\$15,586,915	\$15,586,915	\$15,586,915
TOTAL FEDERAL FUNDS	\$1,627,367	\$1,627,367	\$1,627,367
Federal Funds Not Itemized	\$1,627,367	\$1,627,367	\$1,627,367
TOTAL AGENCY FUNDS	\$1,906,311	\$1,906,311	\$1,906,311

Sales and Services	\$1,906,311	\$1,906,311	\$1,906,311
Sales and Services Not Itemized	\$1,906,311	\$1,906,311	\$1,906,311
TOTAL PUBLIC FUNDS	\$19,120,593	\$19,120,593	\$19,120,593

Section Total - Final

TOTAL STATE FUNDS	\$15,586,915	\$15,579,797	\$15,479,797
State General Funds	\$15,586,915	\$15,579,797	\$15,479,797
TOTAL FEDERAL FUNDS	\$1,627,367	\$1,627,367	\$1,627,367
Federal Funds Not Itemized	\$1,627,367	\$1,627,367	\$1,627,367
TOTAL AGENCY FUNDS	\$1,906,311	\$1,906,311	\$1,906,311
Sales and Services	\$1,906,311	\$1,906,311	\$1,906,311
Sales and Services Not Itemized	\$1,906,311	\$1,906,311	\$1,906,311
TOTAL PUBLIC FUNDS	\$19,120,593	\$19,113,475	\$19,013,475

Council of Accountability Court Judges

Continuation Budget

The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

TOTAL STATE FUNDS	\$659,516	\$659,516	\$659,516
State General Funds	\$659,516	\$659,516	\$659,516
TOTAL PUBLIC FUNDS	\$659,516	\$659,516	\$659,516

15.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$86)	(\$86)
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15.100 Council of Accountability Court Judges	Appropriation (HB 683)
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The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

TOTAL STATE FUNDS	\$659,516	\$659,430	\$659,430
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State General Funds	\$659,516	\$659,430	\$659,430
TOTAL PUBLIC FUNDS	\$659,516	\$659,430	\$659,430

Georgia Office of Dispute Resolution**Continuation Budget**

The purpose of this appropriation is to oversee the state's court-connected alternative dispute resolution (ADR) services by promoting the establishment of new ADR court programs, providing support to existing programs, establishing and enforcing qualifications and ethical standards, registering ADR professionals and volunteers, providing training, administering statewide grants, and collecting statistical data to monitor program effectiveness.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$314,203	\$314,203	\$314,203
Sales and Services	\$314,203	\$314,203	\$314,203
Sales and Services Not Itemized	\$314,203	\$314,203	\$314,203
TOTAL PUBLIC FUNDS	\$314,203	\$314,203	\$314,203

16.100 Georgia Office of Dispute Resolution**Appropriation (HB 683)**

The purpose of this appropriation is to oversee the state's court-connected alternative dispute resolution (ADR) services by promoting the establishment of new ADR court programs, providing support to existing programs, establishing and enforcing qualifications and ethical standards, registering ADR professionals and volunteers, providing training, administering statewide grants, and collecting statistical data to monitor program effectiveness.

TOTAL AGENCY FUNDS	\$314,203	\$314,203	\$314,203
Sales and Services	\$314,203	\$314,203	\$314,203
Sales and Services Not Itemized	\$314,203	\$314,203	\$314,203
TOTAL PUBLIC FUNDS	\$314,203	\$314,203	\$314,203

Institute of Continuing Judicial Education**Continuation Budget**

The purpose of this appropriation is to provide basic training and continuing education for Superior Court Judges, Juvenile Court Judges, State Court Judges, Probate Court Judges, Magistrate Court Judges, Municipal Court Judges, Superior Court Clerks, Juvenile Court Clerks, Municipal Court Clerks, and other court personnel.

TOTAL STATE FUNDS	\$565,452	\$565,452	\$565,452
State General Funds	\$565,452	\$565,452	\$565,452
TOTAL AGENCY FUNDS	\$703,203	\$703,203	\$703,203
Sales and Services	\$703,203	\$703,203	\$703,203
Sales and Services Not Itemized	\$703,203	\$703,203	\$703,203
TOTAL PUBLIC FUNDS	\$1,268,655	\$1,268,655	\$1,268,655

17.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$460)	(\$460)
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17.2 *Reduce funds to reflect savings.*

State General Funds		(\$12,617)	(\$12,617)
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17.100 Institute of Continuing Judicial Education	Appropriation (HB 683)
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The purpose of this appropriation is to provide basic training and continuing education for Superior Court Judges, Juvenile Court Judges, State Court Judges, Probate Court Judges, Magistrate Court Judges, Municipal Court Judges, Superior Court Clerks, Juvenile Court Clerks, Municipal Court Clerks, and other court personnel.

TOTAL STATE FUNDS	\$565,452	\$552,375	\$552,375
State General Funds	\$565,452	\$552,375	\$552,375
TOTAL AGENCY FUNDS	\$703,203	\$703,203	\$703,203
Sales and Services	\$703,203	\$703,203	\$703,203
Sales and Services Not Itemized	\$703,203	\$703,203	\$703,203
TOTAL PUBLIC FUNDS	\$1,268,655	\$1,255,578	\$1,255,578

Judicial Council

Continuation Budget

The purpose of the appropriation is to support the Administrative Office of the Courts; to provide administrative support for the councils of the Magistrate Court Judges, the Municipal Court Judges, the Probate Court Judges, the State Court Judges, and the Georgia Council of Court Administrators; to operate the Child Support E-Filing system, the Child Support Guidelines Commission, and the Commission on Interpreters; and to support the Committee on Justice for Children.

TOTAL STATE FUNDS	\$12,742,081	\$12,742,081	\$12,742,081
State General Funds	\$12,742,081	\$12,742,081	\$12,742,081
TOTAL FEDERAL FUNDS	\$1,627,367	\$1,627,367	\$1,627,367

Federal Funds Not Itemized	\$1,627,367	\$1,627,367	\$1,627,367
TOTAL AGENCY FUNDS	\$888,905	\$888,905	\$888,905
Sales and Services	\$888,905	\$888,905	\$888,905
Sales and Services Not Itemized	\$888,905	\$888,905	\$888,905
TOTAL PUBLIC FUNDS	\$15,258,353	\$15,258,353	\$15,258,353

18.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$7,875	\$7,875
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18.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$1,735)	(\$1,735)
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18.100 Judicial Council

Appropriation (HB 683)

The purpose of the appropriation is to support the Administrative Office of the Courts; to provide administrative support for the councils of the Magistrate Court Judges, the Municipal Court Judges, the Probate Court Judges, the State Court Judges, and the Georgia Council of Court Administrators; to operate the Child Support E-Filing system, the Child Support Guidelines Commission, and the Commission on Interpreters; and to support the Committee on Justice for Children.

TOTAL STATE FUNDS	\$12,742,081	\$12,748,221	\$12,748,221
State General Funds	\$12,742,081	\$12,748,221	\$12,748,221
TOTAL FEDERAL FUNDS	\$1,627,367	\$1,627,367	\$1,627,367
Federal Funds Not Itemized	\$1,627,367	\$1,627,367	\$1,627,367
TOTAL AGENCY FUNDS	\$888,905	\$888,905	\$888,905
Sales and Services	\$888,905	\$888,905	\$888,905
Sales and Services Not Itemized	\$888,905	\$888,905	\$888,905
TOTAL PUBLIC FUNDS	\$15,258,353	\$15,264,493	\$15,264,493

Judicial Qualifications Commission

Continuation Budget

The purpose of this appropriation is to investigate complaints filed against a judicial officer, impose and recommend disciplinary sanctions against any judicial officer, and when necessary, file formal charges against that officer and provide a formal trial or hearing. The purpose of this appropriation is also to produce formal and informal advisory opinions; provide training and guidance to judicial candidates regarding the Code of Judicial Conduct; and investigate allegations of unethical campaign practices.

TOTAL STATE FUNDS	\$819,866	\$819,866	\$819,866
State General Funds	\$819,866	\$819,866	\$819,866
TOTAL PUBLIC FUNDS	\$819,866	\$819,866	\$819,866

19.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$95)	(\$95)
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19.2 *Reduce funds to reflect projected expenditures.*

State General Funds			(\$100,000)
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19.100 Judicial Qualifications Commission	Appropriation (HB 683)
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The purpose of this appropriation is to investigate complaints filed against a judicial officer, impose and recommend disciplinary sanctions against any judicial officer, and when necessary, file formal charges against that officer and provide a formal trial or hearing. The purpose of this appropriation is also to produce formal and informal advisory opinions; provide training and guidance to judicial candidates regarding the Code of Judicial Conduct; and investigate allegations of unethical campaign practices.

TOTAL STATE FUNDS	\$819,866	\$819,771	\$719,771
State General Funds	\$819,866	\$819,771	\$719,771
TOTAL PUBLIC FUNDS	\$819,866	\$819,771	\$719,771

Resource Center

Continuation Budget

The purpose of this appropriation is to provide direct representation to death penalty sentenced inmates and to recruit and assist private attorneys to represent plaintiffs in habeas corpus proceedings.

TOTAL STATE FUNDS	\$800,000	\$800,000	\$800,000
State General Funds	\$800,000	\$800,000	\$800,000
TOTAL PUBLIC FUNDS	\$800,000	\$800,000	\$800,000

20.100 Resource Center	Appropriation (HB 683)
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The purpose of this appropriation is to provide direct representation to death penalty sentenced inmates and to recruit and assist private attorneys to represent plaintiffs in habeas corpus proceedings.

TOTAL STATE FUNDS	\$800,000	\$800,000	\$800,000
State General Funds	\$800,000	\$800,000	\$800,000
TOTAL PUBLIC FUNDS	\$800,000	\$800,000	\$800,000

Section 7: Juvenile Courts

	Section Total - Continuation		
TOTAL STATE FUNDS	\$8,242,585	\$8,242,585	\$8,242,585
State General Funds	\$8,242,585	\$8,242,585	\$8,242,585
TOTAL AGENCY FUNDS	\$67,486	\$67,486	\$67,486
Sales and Services	\$67,486	\$67,486	\$67,486
Sales and Services Not Itemized	\$67,486	\$67,486	\$67,486
TOTAL PUBLIC FUNDS	\$8,310,071	\$8,310,071	\$8,310,071

	Section Total - Final		
TOTAL STATE FUNDS	\$8,242,585	\$8,241,981	\$8,241,981
State General Funds	\$8,242,585	\$8,241,981	\$8,241,981
TOTAL AGENCY FUNDS	\$67,486	\$67,486	\$67,486
Sales and Services	\$67,486	\$67,486	\$67,486
Sales and Services Not Itemized	\$67,486	\$67,486	\$67,486
TOTAL PUBLIC FUNDS	\$8,310,071	\$8,309,467	\$8,309,467

Council of Juvenile Court Judges

Continuation Budget

The purpose of this appropriation is for the Council of Juvenile Court Judges to represent all the juvenile judges in Georgia. Jurisdiction in cases involving children includes delinquencies, status offenses, and deprivation.

TOTAL STATE FUNDS	\$1,701,331	\$1,701,331	\$1,701,331
State General Funds	\$1,701,331	\$1,701,331	\$1,701,331
TOTAL AGENCY FUNDS	\$67,486	\$67,486	\$67,486
Sales and Services	\$67,486	\$67,486	\$67,486
Sales and Services Not Itemized	\$67,486	\$67,486	\$67,486
TOTAL PUBLIC FUNDS	\$1,768,817	\$1,768,817	\$1,768,817

21.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$604)	(\$604)
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21.100 Council of Juvenile Court Judges	Appropriation (HB 683)
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The purpose of this appropriation is for the Council of Juvenile Court Judges to represent all the juvenile judges in Georgia. Jurisdiction in cases involving children includes delinquencies, status offenses, and deprivation.

TOTAL STATE FUNDS	\$1,701,331	\$1,700,727	\$1,700,727
State General Funds	\$1,701,331	\$1,700,727	\$1,700,727
TOTAL AGENCY FUNDS	\$67,486	\$67,486	\$67,486
Sales and Services	\$67,486	\$67,486	\$67,486
Sales and Services Not Itemized	\$67,486	\$67,486	\$67,486
TOTAL PUBLIC FUNDS	\$1,768,817	\$1,768,213	\$1,768,213

Grants to Counties for Juvenile Court Judges

Continuation Budget

The purpose of this appropriation is for payment of state funds to circuits to pay for juvenile court judges salaries.

TOTAL STATE FUNDS	\$6,541,254	\$6,541,254	\$6,541,254
State General Funds	\$6,541,254	\$6,541,254	\$6,541,254
TOTAL PUBLIC FUNDS	\$6,541,254	\$6,541,254	\$6,541,254

22.100 Grants to Counties for Juvenile Court Judges

Appropriation (HB 683)

The purpose of this appropriation is for payment of state funds to circuits to pay for juvenile court judges salaries.

TOTAL STATE FUNDS	\$6,541,254	\$6,541,254	\$6,541,254
State General Funds	\$6,541,254	\$6,541,254	\$6,541,254
TOTAL PUBLIC FUNDS	\$6,541,254	\$6,541,254	\$6,541,254

Section 8: Prosecuting Attorneys

Section Total - Continuation

TOTAL STATE FUNDS	\$80,428,877	\$80,428,877	\$80,428,877
State General Funds	\$80,428,877	\$80,428,877	\$80,428,877
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,021,640	\$2,021,640	\$2,021,640
State Funds Transfers	\$219,513	\$219,513	\$219,513
Agency to Agency Contracts	\$219,513	\$219,513	\$219,513
Federal Funds Transfers	\$1,802,127	\$1,802,127	\$1,802,127
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
TOTAL PUBLIC FUNDS	\$82,450,517	\$82,450,517	\$82,450,517

Section Total - Final

TOTAL STATE FUNDS	\$80,441,900	\$80,483,527	\$80,488,411
State General Funds	\$80,441,900	\$80,483,527	\$80,488,411

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,021,640	\$2,021,640	\$2,021,640
State Funds Transfers	\$219,513	\$219,513	\$219,513
Agency to Agency Contracts	\$219,513	\$219,513	\$219,513
Federal Funds Transfers	\$1,802,127	\$1,802,127	\$1,802,127
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
TOTAL PUBLIC FUNDS	\$82,463,540	\$82,505,167	\$82,510,051

Council of Superior Court Clerks**Continuation Budget**

The purpose of this appropriation is to assist superior court clerks throughout the state in the execution of their duties and to promote and assist in the training of superior court clerks.

TOTAL STATE FUNDS	\$185,580	\$185,580	\$185,580
State General Funds	\$185,580	\$185,580	\$185,580
TOTAL PUBLIC FUNDS	\$185,580	\$185,580	\$185,580

23.100 Council of Superior Court Clerks**Appropriation (HB 683)**

The purpose of this appropriation is to assist superior court clerks throughout the state in the execution of their duties and to promote and assist in the training of superior court clerks.

TOTAL STATE FUNDS	\$185,580	\$185,580	\$185,580
State General Funds	\$185,580	\$185,580	\$185,580
TOTAL PUBLIC FUNDS	\$185,580	\$185,580	\$185,580

District Attorneys**Continuation Budget**

The purpose of this appropriation is for the District Attorney to represent the State of Georgia in the trial and appeal of criminal cases in the Superior Court for the judicial circuit and delinquency cases in the juvenile courts per Ga. Const., Art. VI, Sec. VIII. Para I and OCGA 15-18.

TOTAL STATE FUNDS	\$73,126,870	\$73,126,870	\$73,126,870
State General Funds	\$73,126,870	\$73,126,870	\$73,126,870
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,021,640	\$2,021,640	\$2,021,640
State Funds Transfers	\$219,513	\$219,513	\$219,513
Agency to Agency Contracts	\$219,513	\$219,513	\$219,513
Federal Funds Transfers	\$1,802,127	\$1,802,127	\$1,802,127

Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
TOTAL PUBLIC FUNDS	\$75,148,510	\$75,148,510	\$75,148,510

24.1 *Increase funds to provide an accountability court supplement for district attorneys in newly established accountability courts in the Lookout Mountain (October 1, 2017) and Oconee (December 1, 2017) Judicial Circuits. (S:Increase funds to provide an accountability court supplement for district attorneys in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges)*

State General Funds	\$13,023	\$0	\$4,884
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24.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$7,619	\$102,431
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24.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$2,170)	(\$29,169)
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24.100 District Attorneys	Appropriation (HB 683)
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The purpose of this appropriation is for the District Attorney to represent the State of Georgia in the trial and appeal of criminal cases in the Superior Court for the judicial circuit and delinquency cases in the juvenile courts per Ga. Const., Art. VI, Sec. VIII. Para I and OCGA 15-18.

TOTAL STATE FUNDS	\$73,139,893	\$73,132,319	\$73,205,016
State General Funds	\$73,139,893	\$73,132,319	\$73,205,016
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,021,640	\$2,021,640	\$2,021,640
State Funds Transfers	\$219,513	\$219,513	\$219,513
Agency to Agency Contracts	\$219,513	\$219,513	\$219,513
Federal Funds Transfers	\$1,802,127	\$1,802,127	\$1,802,127
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
TOTAL PUBLIC FUNDS	\$75,161,533	\$75,153,959	\$75,226,656

Prosecuting Attorneys' Council

Continuation Budget

The purpose of this appropriation is to assist Georgia's District Attorneys and State Court Solicitors.

TOTAL STATE FUNDS	\$7,116,427	\$7,116,427	\$7,116,427
State General Funds	\$7,116,427	\$7,116,427	\$7,116,427
TOTAL PUBLIC FUNDS	\$7,116,427	\$7,116,427	\$7,116,427

25.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$102,431	\$7,619
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25.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$29,169)	(\$2,170)
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25.3 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$24,061)	(\$24,061)
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25.100 Prosecuting Attorneys' Council	Appropriation (HB 683)		
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The purpose of this appropriation is to assist Georgia's District Attorneys and State Court Solicitors.

TOTAL STATE FUNDS	\$7,116,427	\$7,165,628	\$7,097,815
State General Funds	\$7,116,427	\$7,165,628	\$7,097,815
TOTAL PUBLIC FUNDS	\$7,116,427	\$7,165,628	\$7,097,815

Section 9: Superior Courts

Section Total - Continuation

TOTAL STATE FUNDS	\$72,758,445	\$72,758,445	\$72,758,445
State General Funds	\$72,758,445	\$72,758,445	\$72,758,445
TOTAL AGENCY FUNDS	\$137,170	\$137,170	\$137,170
Intergovernmental Transfers	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers Not Itemized	\$17,170	\$17,170	\$17,170
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$72,895,615	\$72,895,615	\$72,895,615

	Section Total - Final		
TOTAL STATE FUNDS	\$72,836,148	\$72,729,368	\$72,745,898
State General Funds	\$72,836,148	\$72,729,368	\$72,745,898
TOTAL AGENCY FUNDS	\$137,170	\$137,170	\$137,170
Intergovernmental Transfers	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers Not Itemized	\$17,170	\$17,170	\$17,170
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$72,973,318	\$72,866,538	\$72,883,068

Council of Superior Court Judges

Continuation Budget

The purpose of this appropriation is for the operations of the Council of Superior Court Judges and is to further the improvement of the Superior Court in the administration of justice through leadership, training, policy development and budgetary and fiscal administration.

TOTAL STATE FUNDS	\$1,552,750	\$1,552,750	\$1,552,750
State General Funds	\$1,552,750	\$1,552,750	\$1,552,750
TOTAL AGENCY FUNDS	\$120,000	\$120,000	\$120,000
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$1,672,750	\$1,672,750	\$1,672,750

26.100 Council of Superior Court Judges

Appropriation (HB 683)

The purpose of this appropriation is for the operations of the Council of Superior Court Judges and is to further the improvement of the Superior Court in the administration of justice through leadership, training, policy development and budgetary and fiscal administration.

TOTAL STATE FUNDS	\$1,552,750	\$1,552,750	\$1,552,750
State General Funds	\$1,552,750	\$1,552,750	\$1,552,750
TOTAL AGENCY FUNDS	\$120,000	\$120,000	\$120,000
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$1,672,750	\$1,672,750	\$1,672,750

Judicial Administrative Districts

Continuation Budget

The purpose of this appropriation is to provide regional administrative support to the judges of the superior court. This support includes managing budgets, policy, procedure, and providing a liaison between local and state courts.

TOTAL STATE FUNDS	\$2,724,847	\$2,724,847	\$2,724,847
State General Funds	\$2,724,847	\$2,724,847	\$2,724,847
TOTAL AGENCY FUNDS	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers Not Itemized	\$17,170	\$17,170	\$17,170
TOTAL PUBLIC FUNDS	\$2,742,017	\$2,742,017	\$2,742,017

27.100 Judicial Administrative Districts

Appropriation (HB 683)

The purpose of this appropriation is to provide regional administrative support to the judges of the superior court. This support includes managing budgets, policy, procedure, and providing a liaison between local and state courts.

TOTAL STATE FUNDS	\$2,724,847	\$2,724,847	\$2,724,847
State General Funds	\$2,724,847	\$2,724,847	\$2,724,847
TOTAL AGENCY FUNDS	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers Not Itemized	\$17,170	\$17,170	\$17,170
TOTAL PUBLIC FUNDS	\$2,742,017	\$2,742,017	\$2,742,017

Superior Court Judges

Continuation Budget

The purpose of this appropriation is to enable Georgia's Superior Courts to be the general jurisdiction trial court and exercise exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land, provided that law clerks over the fifty provided by law are to be allocated back to the circuits by caseload ranks.

TOTAL STATE FUNDS	\$68,480,848	\$68,480,848	\$68,480,848
State General Funds	\$68,480,848	\$68,480,848	\$68,480,848
TOTAL PUBLIC FUNDS	\$68,480,848	\$68,480,848	\$68,480,848

28.1 Increase funds for county reimbursement of Habeas Corpus court costs pursuant to HB319 (2017 Session).

State General Funds	\$50,000	\$30,000	\$30,000
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28.2 *Increase funds for the accountability court supplement in the Lookout Mountain Circuit effective October 1, 2017 and the Oconee Circuit effective December 1, 2017. (S:Increase funds to provide an accountability court supplement for judges in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges)*

State General Funds	\$42,828	\$0	\$16,530
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28.3 *Eliminate funds for one-time funding for equipment for the Clayton Circuit judgeship created in HB804 (2016 Session).*

State General Funds	(\$15,125)	(\$15,125)	(\$15,125)
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28.4 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$29,900	\$29,900
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28.5 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$29,039)	(\$29,039)
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28.6 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$44,813)	(\$44,813)
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28.100 Superior Court Judges

Appropriation (HB 683)

The purpose of this appropriation is to enable Georgia's Superior Courts to be the general jurisdiction trial court and exercise exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land, provided that law clerks over the fifty provided by law are to be allocated back to the circuits by caseload ranks.

TOTAL STATE FUNDS	\$68,558,551	\$68,451,771	\$68,468,301
State General Funds	\$68,558,551	\$68,451,771	\$68,468,301
TOTAL PUBLIC FUNDS	\$68,558,551	\$68,451,771	\$68,468,301

Section 10: Supreme Court

Section Total - Continuation

TOTAL STATE FUNDS	\$13,106,211	\$13,106,211	\$13,106,211
State General Funds	\$13,106,211	\$13,106,211	\$13,106,211
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823	\$1,859,823

Sales and Services	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services Not Itemized	\$1,859,823	\$1,859,823	\$1,859,823
TOTAL PUBLIC FUNDS	\$14,966,034	\$14,966,034	\$14,966,034

Section Total - Final

TOTAL STATE FUNDS	\$13,110,069	\$13,106,746	\$13,106,746
State General Funds	\$13,110,069	\$13,106,746	\$13,106,746
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services Not Itemized	\$1,859,823	\$1,859,823	\$1,859,823
TOTAL PUBLIC FUNDS	\$14,969,892	\$14,966,569	\$14,966,569

Supreme Court of Georgia**Continuation Budget**

The purpose of this appropriation is to support the Supreme Court of Georgia which exercises exclusive appellate jurisdiction in all cases involving: the construction of a treaty, the Constitution of the State of Georgia or of the United States, the constitutionality of a law, ordinance, or constitutional provision that has been drawn in question, and all cases of election contest per Ga. Const. Art. VI, Section VI, Para. II. The purpose of this appropriation is also to support the Supreme Court of Georgia in its exercise of jurisdiction in cases per Ga. Const. Art. VI, Section VI, Para. III and its administration of the Bar Exam and oversight of the Office of Reporter of Decisions.

TOTAL STATE FUNDS	\$13,106,211	\$13,106,211	\$13,106,211
State General Funds	\$13,106,211	\$13,106,211	\$13,106,211
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services Not Itemized	\$1,859,823	\$1,859,823	\$1,859,823
TOTAL PUBLIC FUNDS	\$14,966,034	\$14,966,034	\$14,966,034

29.1 *Increase funds for a salary adjustment for the Georgia State Patrol trooper assigned to the Supreme Court.*

State General Funds	\$1,263	\$1,263	\$1,263
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29.2 *Increase funds for personnel to reflect increased daily allowance days for judges who reside 50 miles or more from the Judicial Building in accordance with HB5 (2017 Session).*

State General Funds	\$2,595	\$2,595	\$2,595
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29.3 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$591	\$591
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29.4 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,914)	(\$3,914)
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29.100 Supreme Court of Georgia	Appropriation (HB 683)
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The purpose of this appropriation is to support the Supreme Court of Georgia which exercises exclusive appellate jurisdiction in all cases involving: the construction of a treaty, the Constitution of the State of Georgia or of the United States, the constitutionality of a law, ordinance, or constitutional provision that has been drawn in question, and all cases of election contest per Ga. Const. Art. VI, Section VI, Para. II. The purpose of this appropriation is also to support the Supreme Court of Georgia in its exercise of jurisdiction in cases per Ga. Const. Art. VI, Section VI, Para. III and its administration of the Bar Exam and oversight of the Office of Reporter of Decisions.

TOTAL STATE FUNDS	\$13,110,069	\$13,106,746	\$13,106,746
State General Funds	\$13,110,069	\$13,106,746	\$13,106,746
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services Not Itemized	\$1,859,823	\$1,859,823	\$1,859,823
TOTAL PUBLIC FUNDS	\$14,969,892	\$14,966,569	\$14,966,569

Section 11: Accounting Office, State

Section Total - Continuation

TOTAL STATE FUNDS	\$7,843,381	\$7,843,381	\$7,843,381
State General Funds	\$7,843,381	\$7,843,381	\$7,843,381
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$22,291,573	\$22,291,573	\$22,291,573
State Funds Transfers	\$22,291,573	\$22,291,573	\$22,291,573
Accounting System Assessments	\$21,473,637	\$21,473,637	\$21,473,637
Agency to Agency Contracts	\$817,936	\$817,936	\$817,936
TOTAL PUBLIC FUNDS	\$30,134,954	\$30,134,954	\$30,134,954

Section Total - Final

TOTAL STATE FUNDS	\$8,071,044	\$8,071,044	\$8,071,044
State General Funds	\$8,071,044	\$8,071,044	\$8,071,044

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$22,291,573	\$22,291,573	\$22,291,573
State Funds Transfers	\$22,291,573	\$22,291,573	\$22,291,573
Accounting System Assessments	\$21,473,637	\$21,473,637	\$21,473,637
Agency to Agency Contracts	\$817,936	\$817,936	\$817,936
TOTAL PUBLIC FUNDS	\$30,362,617	\$30,362,617	\$30,362,617

Administration (SAO)

Continuation Budget

The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$338,689	\$338,689	\$338,689
State General Funds	\$338,689	\$338,689	\$338,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$919,137	\$919,137	\$919,137
State Funds Transfers	\$919,137	\$919,137	\$919,137
Accounting System Assessments	\$919,137	\$919,137	\$919,137
TOTAL PUBLIC FUNDS	\$1,257,826	\$1,257,826	\$1,257,826

30.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$18	\$18	\$18
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30.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$84)	(\$84)	(\$84)
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30.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,941	\$3,941	\$3,941
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30.100 Administration (SAO)	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$342,564	\$342,564	\$342,564
State General Funds	\$342,564	\$342,564	\$342,564
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$919,137	\$919,137	\$919,137
State Funds Transfers	\$919,137	\$919,137	\$919,137

Accounting System Assessments	\$919,137	\$919,137	\$919,137
TOTAL PUBLIC FUNDS	\$1,261,701	\$1,261,701	\$1,261,701

Financial Systems

Continuation Budget

The purpose of this appropriation is to operate, support, monitor, and improve the State's enterprise financial accounting, payroll, and human capital management systems.

TOTAL STATE FUNDS	\$164,000	\$164,000	\$164,000
State General Funds	\$164,000	\$164,000	\$164,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$19,154,002	\$19,154,002	\$19,154,002
State Funds Transfers	\$19,154,002	\$19,154,002	\$19,154,002
Accounting System Assessments	\$19,154,002	\$19,154,002	\$19,154,002
TOTAL PUBLIC FUNDS	\$19,318,002	\$19,318,002	\$19,318,002

31.100 Financial Systems	Appropriation (HB 683)		
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The purpose of this appropriation is to operate, support, monitor, and improve the State's enterprise financial accounting, payroll, and human capital management systems.

TOTAL STATE FUNDS	\$164,000	\$164,000	\$164,000
State General Funds	\$164,000	\$164,000	\$164,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$19,154,002	\$19,154,002	\$19,154,002
State Funds Transfers	\$19,154,002	\$19,154,002	\$19,154,002
Accounting System Assessments	\$19,154,002	\$19,154,002	\$19,154,002
TOTAL PUBLIC FUNDS	\$19,318,002	\$19,318,002	\$19,318,002

Shared Services

Continuation Budget

The purpose of this appropriation is to support client agencies in processing payroll and other financial transactions and to implement and support the Statewide Travel Consolidation Program.

TOTAL STATE FUNDS	\$853,712	\$853,712	\$853,712
State General Funds	\$853,712	\$853,712	\$853,712
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,089,442	\$2,089,442	\$2,089,442
State Funds Transfers	\$2,089,442	\$2,089,442	\$2,089,442
Accounting System Assessments	\$1,271,506	\$1,271,506	\$1,271,506

Agency to Agency Contracts	\$817,936	\$817,936	\$817,936
TOTAL PUBLIC FUNDS	\$2,943,154	\$2,943,154	\$2,943,154

32.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$62	\$62	\$62
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32.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$289)	(\$289)	(\$289)
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32.100 Shared Services

Appropriation (HB 683)

The purpose of this appropriation is to support client agencies in processing payroll and other financial transactions and to implement and support the Statewide Travel Consolidation Program.

TOTAL STATE FUNDS	\$853,485	\$853,485	\$853,485
State General Funds	\$853,485	\$853,485	\$853,485
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,089,442	\$2,089,442	\$2,089,442
State Funds Transfers	\$2,089,442	\$2,089,442	\$2,089,442
Accounting System Assessments	\$1,271,506	\$1,271,506	\$1,271,506
Agency to Agency Contracts	\$817,936	\$817,936	\$817,936
TOTAL PUBLIC FUNDS	\$2,942,927	\$2,942,927	\$2,942,927

Statewide Accounting and Reporting

Continuation Budget

The purpose of this appropriation is to provide financial reporting, accounting policy, business process improvement, and compliance with state and federal fiscal reporting requirements.

TOTAL STATE FUNDS	\$2,599,133	\$2,599,133	\$2,599,133
State General Funds	\$2,599,133	\$2,599,133	\$2,599,133
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$128,992	\$128,992	\$128,992
State Funds Transfers	\$128,992	\$128,992	\$128,992
Accounting System Assessments	\$128,992	\$128,992	\$128,992
TOTAL PUBLIC FUNDS	\$2,728,125	\$2,728,125	\$2,728,125

33.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$207	\$207	\$207
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33.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$964)	(\$964)	(\$964)
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33.100 Statewide Accounting and Reporting	Appropriation (HB 683)
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The purpose of this appropriation is to provide financial reporting, accounting policy, business process improvement, and compliance with state and federal fiscal reporting requirements.

TOTAL STATE FUNDS	\$2,598,376	\$2,598,376	\$2,598,376
State General Funds	\$2,598,376	\$2,598,376	\$2,598,376
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$128,992	\$128,992	\$128,992
State Funds Transfers	\$128,992	\$128,992	\$128,992
Accounting System Assessments	\$128,992	\$128,992	\$128,992
TOTAL PUBLIC FUNDS	\$2,727,368	\$2,727,368	\$2,727,368

**Government Transparency and Campaign Finance Commission,
Georgia**

Continuation Budget

The purpose of this appropriation is to protect the integrity of the democratic process and ensure compliance by candidates, public officials, non-candidate campaign committees, lobbyists and vendors with Georgia's Campaign and Financial Disclosure requirements.

TOTAL STATE FUNDS	\$3,080,329	\$3,080,329	\$3,080,329
State General Funds	\$3,080,329	\$3,080,329	\$3,080,329
TOTAL PUBLIC FUNDS	\$3,080,329	\$3,080,329	\$3,080,329

34.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$221,881	\$221,881	\$221,881
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34.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$654)	(\$654)	(\$654)
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34.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,726	\$3,726	\$3,726
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34.100 Government Transparency and Campaign Finance Commission, Georgia	Appropriation (HB 683)		
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The purpose of this appropriation is to protect the integrity of the democratic process and ensure compliance by candidates, public officials, non-candidate campaign committees, lobbyists and vendors with Georgia's Campaign and Financial Disclosure requirements.

TOTAL STATE FUNDS	\$3,305,282	\$3,305,282	\$3,305,282
State General Funds	\$3,305,282	\$3,305,282	\$3,305,282
TOTAL PUBLIC FUNDS	\$3,305,282	\$3,305,282	\$3,305,282

Georgia State Board of Accountancy**Continuation Budget**

The purpose of this appropriation is to protect public financial, fiscal, and economic interests by licensing certified public accountants and public accountancy firms; regulating public accountancy practices; and investigating complaints and taking appropriate legal and disciplinary actions when warranted.

TOTAL STATE FUNDS	\$807,518	\$807,518	\$807,518
State General Funds	\$807,518	\$807,518	\$807,518
TOTAL PUBLIC FUNDS	\$807,518	\$807,518	\$807,518

35.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$181)	(\$181)	(\$181)
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35.100 Georgia State Board of Accountancy	Appropriation (HB 683)		
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The purpose of this appropriation is to protect public financial, fiscal, and economic interests by licensing certified public accountants and public accountancy firms; regulating public accountancy practices; and investigating complaints and taking appropriate legal and disciplinary actions when warranted.

TOTAL STATE FUNDS	\$807,337	\$807,337	\$807,337
State General Funds	\$807,337	\$807,337	\$807,337
TOTAL PUBLIC FUNDS	\$807,337	\$807,337	\$807,337

Section 12: Administrative Services, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$3,732,118	\$3,732,118	\$3,732,118
State General Funds	\$3,732,118	\$3,732,118	\$3,732,118
TOTAL AGENCY FUNDS	\$31,853,222	\$31,853,222	\$31,853,222
Interest and Investment Income	\$5,712,072	\$5,712,072	\$5,712,072
Interest and Investment Income Not Itemized	\$5,712,072	\$5,712,072	\$5,712,072
Intergovernmental Transfers	\$2,950,204	\$2,950,204	\$2,950,204
Intergovernmental Transfers Not Itemized	\$2,950,204	\$2,950,204	\$2,950,204
Rebates, Refunds, and Reimbursements	\$18,997,635	\$18,997,635	\$18,997,635
Rebates, Refunds, and Reimbursements Not Itemized	\$18,997,635	\$18,997,635	\$18,997,635
Sales and Services	\$4,193,311	\$4,193,311	\$4,193,311
Sales and Services Not Itemized	\$4,193,311	\$4,193,311	\$4,193,311
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$176,888,953	\$176,888,953	\$176,888,953
State Funds Transfers	\$176,888,953	\$176,888,953	\$176,888,953
State Fund Transfers Not Itemized	\$27,609,451	\$27,609,451	\$27,609,451
Liability Funds	\$31,492,570	\$31,492,570	\$31,492,570
Merit System Assessments	\$13,194,567	\$13,194,567	\$13,194,567
Unemployment Compensation Funds	\$5,499,794	\$5,499,794	\$5,499,794
Workers Compensation Funds	\$99,092,571	\$99,092,571	\$99,092,571
TOTAL PUBLIC FUNDS	\$212,474,293	\$212,474,293	\$212,474,293

	Section Total - Final		
TOTAL STATE FUNDS	\$8,629,102	\$8,629,102	\$8,629,102
State General Funds	\$8,629,102	\$8,629,102	\$8,629,102
TOTAL AGENCY FUNDS	\$31,853,222	\$31,853,222	\$31,853,222
Interest and Investment Income	\$5,712,072	\$5,712,072	\$5,712,072
Interest and Investment Income Not Itemized	\$5,712,072	\$5,712,072	\$5,712,072
Intergovernmental Transfers	\$2,950,204	\$2,950,204	\$2,950,204
Intergovernmental Transfers Not Itemized	\$2,950,204	\$2,950,204	\$2,950,204
Rebates, Refunds, and Reimbursements	\$18,997,635	\$18,997,635	\$18,997,635
Rebates, Refunds, and Reimbursements Not Itemized	\$18,997,635	\$18,997,635	\$18,997,635
Sales and Services	\$4,193,311	\$4,193,311	\$4,193,311

Sales and Services Not Itemized	\$4,193,311	\$4,193,311	\$4,193,311
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$185,287,632	\$185,287,632	\$185,287,632
State Funds Transfers	\$185,287,632	\$185,287,632	\$185,287,632
State Fund Transfers Not Itemized	\$27,609,451	\$27,609,451	\$27,609,451
Liability Funds	\$39,992,570	\$39,992,570	\$39,992,570
Merit System Assessments	\$11,093,246	\$11,093,246	\$11,093,246
Unemployment Compensation Funds	\$4,499,794	\$4,499,794	\$4,499,794
Workers Compensation Funds	\$102,092,571	\$102,092,571	\$102,092,571
TOTAL PUBLIC FUNDS	\$225,769,956	\$225,769,956	\$225,769,956

Certificate of Need Appeal Panel**Continuation Budget**

The purpose of this appropriation is to review decisions made by the Department of Community Health on Certificate of Need applications.

TOTAL STATE FUNDS	\$39,506	\$39,506	\$39,506
State General Funds	\$39,506	\$39,506	\$39,506
TOTAL PUBLIC FUNDS	\$39,506	\$39,506	\$39,506

36.100 Certificate of Need Appeal Panel**Appropriation (HB 683)**

The purpose of this appropriation is to review decisions made by the Department of Community Health on Certificate of Need applications.

TOTAL STATE FUNDS	\$39,506	\$39,506	\$39,506
State General Funds	\$39,506	\$39,506	\$39,506
TOTAL PUBLIC FUNDS	\$39,506	\$39,506	\$39,506

Departmental Administration (DOAS)**Continuation Budget**

The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$3,600,241	\$3,600,241	\$3,600,241
Intergovernmental Transfers	\$126,452	\$126,452	\$126,452
Intergovernmental Transfers Not Itemized	\$126,452	\$126,452	\$126,452

Rebates, Refunds, and Reimbursements	\$2,923,623	\$2,923,623	\$2,923,623
Rebates, Refunds, and Reimbursements Not Itemized	\$2,923,623	\$2,923,623	\$2,923,623
Sales and Services	\$550,166	\$550,166	\$550,166
Sales and Services Not Itemized	\$550,166	\$550,166	\$550,166
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,020,283	\$3,020,283	\$3,020,283
State Funds Transfers	\$3,020,283	\$3,020,283	\$3,020,283
State Fund Transfers Not Itemized	\$1,537,948	\$1,537,948	\$1,537,948
Merit System Assessments	\$1,482,335	\$1,482,335	\$1,482,335
TOTAL PUBLIC FUNDS	\$6,620,524	\$6,620,524	\$6,620,524

37.100 Departmental Administration (DOAS)	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL AGENCY FUNDS	\$3,600,241	\$3,600,241	\$3,600,241
Intergovernmental Transfers	\$126,452	\$126,452	\$126,452
Intergovernmental Transfers Not Itemized	\$126,452	\$126,452	\$126,452
Rebates, Refunds, and Reimbursements	\$2,923,623	\$2,923,623	\$2,923,623
Rebates, Refunds, and Reimbursements Not Itemized	\$2,923,623	\$2,923,623	\$2,923,623
Sales and Services	\$550,166	\$550,166	\$550,166
Sales and Services Not Itemized	\$550,166	\$550,166	\$550,166
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,020,283	\$3,020,283	\$3,020,283
State Funds Transfers	\$3,020,283	\$3,020,283	\$3,020,283
State Fund Transfers Not Itemized	\$1,537,948	\$1,537,948	\$1,537,948
Merit System Assessments	\$1,482,335	\$1,482,335	\$1,482,335
TOTAL PUBLIC FUNDS	\$6,620,524	\$6,620,524	\$6,620,524

Fleet Management

Continuation Budget

The purpose of this appropriation is to provide and manage a fuel card program for state and local governments, to implement the Motor Vehicle Contract Maintenance Program to provide repairs, roadside assistance, and maintenance for state and local government fleets, and to establish a motor pool for traveling state employees.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0

TOTAL AGENCY FUNDS	\$1,369,646	\$1,369,646	\$1,369,646
Rebates, Refunds, and Reimbursements	\$1,369,646	\$1,369,646	\$1,369,646
Rebates, Refunds, and Reimbursements Not Itemized	\$1,369,646	\$1,369,646	\$1,369,646
TOTAL PUBLIC FUNDS	\$1,369,646	\$1,369,646	\$1,369,646

38.100 Fleet Management**Appropriation (HB 683)**

The purpose of this appropriation is to provide and manage a fuel card program for state and local governments, to implement the Motor Vehicle Contract Maintenance Program to provide repairs, roadside assistance, and maintenance for state and local government fleets, and to establish a motor pool for traveling state employees.

TOTAL AGENCY FUNDS	\$1,369,646	\$1,369,646	\$1,369,646
Rebates, Refunds, and Reimbursements	\$1,369,646	\$1,369,646	\$1,369,646
Rebates, Refunds, and Reimbursements Not Itemized	\$1,369,646	\$1,369,646	\$1,369,646
TOTAL PUBLIC FUNDS	\$1,369,646	\$1,369,646	\$1,369,646

Human Resources Administration**Continuation Budget**

The purpose of this appropriation is to provide centralized services for statewide human resources in support of state agencies, the State Personnel Board, and employees; develop human resource policies, create job descriptions and classification, develop fair and consistent compensation practices, and administer the employee benefits program.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$11,712,232	\$11,712,232	\$11,712,232
State Funds Transfers	\$11,712,232	\$11,712,232	\$11,712,232
Merit System Assessments	\$11,712,232	\$11,712,232	\$11,712,232
TOTAL PUBLIC FUNDS	\$11,712,232	\$11,712,232	\$11,712,232

39.1 Reduce funds to recognize adjustment in merit system assessments.

Merit System Assessments	(\$2,101,321)	(\$2,101,321)	(\$2,101,321)
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39.100 Human Resources Administration**Appropriation (HB 683)**

The purpose of this appropriation is to provide centralized services for statewide human resources in support of state agencies, the State Personnel Board, and employees; develop human resource policies, create job descriptions and classification, develop fair and consistent compensation practices, and administer the employee benefits program.

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$9,610,911	\$9,610,911	\$9,610,911
State Funds Transfers	\$9,610,911	\$9,610,911	\$9,610,911
Merit System Assessments	\$9,610,911	\$9,610,911	\$9,610,911
TOTAL PUBLIC FUNDS	\$9,610,911	\$9,610,911	\$9,610,911

Risk Management

Continuation Budget

The purpose of this appropriation is to administer a liability insurance program to protect state government and employees from work-related claims, to provide indemnification funds for public officers and public school personnel in case of disability or death, to identify and control risks and hazards to minimize loss, to insure state-owned buildings and property against damage or destruction, to partner with the Department of Labor in administering unemployment claims, and to administer the Workers' Compensation Program.

TOTAL STATE FUNDS	\$430,000	\$430,000	\$430,000
State General Funds	\$430,000	\$430,000	\$430,000
TOTAL AGENCY FUNDS	\$2,823,752	\$2,823,752	\$2,823,752
Intergovernmental Transfers	\$2,823,752	\$2,823,752	\$2,823,752
Intergovernmental Transfers Not Itemized	\$2,823,752	\$2,823,752	\$2,823,752
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$159,406,395	\$159,406,395	\$159,406,395
State Funds Transfers	\$159,406,395	\$159,406,395	\$159,406,395
State Fund Transfers Not Itemized	\$23,321,460	\$23,321,460	\$23,321,460
Liability Funds	\$31,492,570	\$31,492,570	\$31,492,570
Unemployment Compensation Funds	\$5,499,794	\$5,499,794	\$5,499,794
Workers Compensation Funds	\$99,092,571	\$99,092,571	\$99,092,571
TOTAL PUBLIC FUNDS	\$162,660,147	\$162,660,147	\$162,660,147

40.1 *Increase funds for billings for workers' compensation premiums to reflect claims expenses.*

State General Funds	\$4,893,863	\$4,893,863	\$4,893,863
Workers Compensation Funds	\$3,000,000	\$3,000,000	\$3,000,000
Total Public Funds:	\$7,893,863	\$7,893,863	\$7,893,863

40.2 *Reduce funds for billings for unemployment insurance to reflect claims expenses.*

Unemployment Compensation Funds	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)
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40.3 *Increase funds for billings for liability insurance premiums to reflect claims expenses.*

Liability Funds	\$8,500,000	\$8,500,000	\$8,500,000
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40.100 Risk Management**Appropriation (HB 683)**

The purpose of this appropriation is to administer a liability insurance program to protect state government and employees from work-related claims, to provide indemnification funds for public officers and public school personnel in case of disability or death, to identify and control risks and hazards to minimize loss, to insure state-owned buildings and property against damage or destruction, to partner with the Department of Labor in administering unemployment claims, and to administer the Workers' Compensation Program.

TOTAL STATE FUNDS	\$5,323,863	\$5,323,863	\$5,323,863
State General Funds	\$5,323,863	\$5,323,863	\$5,323,863
TOTAL AGENCY FUNDS	\$2,823,752	\$2,823,752	\$2,823,752
Intergovernmental Transfers	\$2,823,752	\$2,823,752	\$2,823,752
Intergovernmental Transfers Not Itemized	\$2,823,752	\$2,823,752	\$2,823,752
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$169,906,395	\$169,906,395	\$169,906,395
State Funds Transfers	\$169,906,395	\$169,906,395	\$169,906,395
State Fund Transfers Not Itemized	\$23,321,460	\$23,321,460	\$23,321,460
Liability Funds	\$39,992,570	\$39,992,570	\$39,992,570
Unemployment Compensation Funds	\$4,499,794	\$4,499,794	\$4,499,794
Workers Compensation Funds	\$102,092,571	\$102,092,571	\$102,092,571
TOTAL PUBLIC FUNDS	\$178,054,010	\$178,054,010	\$178,054,010

State Purchasing**Continuation Budget**

The purpose of this appropriation is to publicize government contract opportunities on the Georgia Procurement Registry; to maintain a comprehensive listing of all agency contracts; to manage bids, Requests For Proposals, and Requests For Quotes; to provide and oversee Purchasing Cards; to conduct reverse auctions for non-construction goods and services valued above \$100,000; to leverage the state's purchasing power in obtaining contracts; to train vendors seeking contract opportunities; and to certify Small and/or Minority Business Vendors.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$14,559,366	\$14,559,366	\$14,559,366
Rebates, Refunds, and Reimbursements	\$14,559,366	\$14,559,366	\$14,559,366

Rebates, Refunds, and Reimbursements Not Itemized	\$14,559,366	\$14,559,366	\$14,559,366
TOTAL PUBLIC FUNDS	\$14,559,366	\$14,559,366	\$14,559,366

41.100 State Purchasing

Appropriation (HB 683)

The purpose of this appropriation is to publicize government contract opportunities on the Georgia Procurement Registry; to maintain a comprehensive listing of all agency contracts; to manage bids, Requests For Proposals, and Requests For Quotes; to provide and oversee Purchasing Cards; to conduct reverse auctions for non-construction goods and services valued above \$100,000; to leverage the state's purchasing power in obtaining contracts; to train vendors seeking contract opportunities; and to certify Small and/or Minority Business Vendors.

TOTAL AGENCY FUNDS	\$14,559,366	\$14,559,366	\$14,559,366
Rebates, Refunds, and Reimbursements	\$14,559,366	\$14,559,366	\$14,559,366
Rebates, Refunds, and Reimbursements Not Itemized	\$14,559,366	\$14,559,366	\$14,559,366
TOTAL PUBLIC FUNDS	\$14,559,366	\$14,559,366	\$14,559,366

Surplus Property

Continuation Budget

The purpose of this appropriation is to reduce cost through maximization of the useful life of state-owned equipment and redistribution of property to state and local governments, qualifying non-profits, and to the public through auction.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$2,180,145	\$2,180,145	\$2,180,145
Sales and Services	\$2,180,145	\$2,180,145	\$2,180,145
Sales and Services Not Itemized	\$2,180,145	\$2,180,145	\$2,180,145
TOTAL PUBLIC FUNDS	\$2,180,145	\$2,180,145	\$2,180,145

42.100 Surplus Property

Appropriation (HB 683)

The purpose of this appropriation is to reduce cost through maximization of the useful life of state-owned equipment and redistribution of property to state and local governments, qualifying non-profits, and to the public through auction.

TOTAL AGENCY FUNDS	\$2,180,145	\$2,180,145	\$2,180,145
Sales and Services	\$2,180,145	\$2,180,145	\$2,180,145
Sales and Services Not Itemized	\$2,180,145	\$2,180,145	\$2,180,145
TOTAL PUBLIC FUNDS	\$2,180,145	\$2,180,145	\$2,180,145

Administrative Hearings, Office of State**Continuation Budget**

The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies.

TOTAL STATE FUNDS	\$3,262,612	\$3,262,612	\$3,262,612
State General Funds	\$3,262,612	\$3,262,612	\$3,262,612
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,750,043	\$2,750,043	\$2,750,043
State Funds Transfers	\$2,750,043	\$2,750,043	\$2,750,043
State Fund Transfers Not Itemized	\$2,750,043	\$2,750,043	\$2,750,043
TOTAL PUBLIC FUNDS	\$6,012,655	\$6,012,655	\$6,012,655

43.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,311	\$1,311	\$1,311
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43.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,210)	(\$1,210)	(\$1,210)
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43.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,020	\$3,020	\$3,020
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43.99 *SAC: The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.*

House: *The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.*

Governor: *The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.*

State General Funds	\$0	\$0	\$0
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43.100 Administrative Hearings, Office of State **Appropriation (HB 683)**

The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.

TOTAL STATE FUNDS	\$3,265,733	\$3,265,733	\$3,265,733
State General Funds	\$3,265,733	\$3,265,733	\$3,265,733
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,750,043	\$2,750,043	\$2,750,043
State Funds Transfers	\$2,750,043	\$2,750,043	\$2,750,043
State Fund Transfers Not Itemized	\$2,750,043	\$2,750,043	\$2,750,043
TOTAL PUBLIC FUNDS	\$6,015,776	\$6,015,776	\$6,015,776

State Treasurer, Office of the

Continuation Budget

The purpose of this appropriation is to set cash management policies for state agencies; assist agencies with bank services and accounts; monitor agency deposits and disbursement patterns; to invest funds for state and local entities; to track warrants, fund agency allotments, and pay state debt service; and to manage state revenue collections; and to manage the Path2College 529 Plan.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$7,320,072	\$7,320,072	\$7,320,072
Interest and Investment Income	\$5,712,072	\$5,712,072	\$5,712,072
Interest and Investment Income Not Itemized	\$5,712,072	\$5,712,072	\$5,712,072
Rebates, Refunds, and Reimbursements	\$145,000	\$145,000	\$145,000
Rebates, Refunds, and Reimbursements Not Itemized	\$145,000	\$145,000	\$145,000
Sales and Services	\$1,463,000	\$1,463,000	\$1,463,000
Sales and Services Not Itemized	\$1,463,000	\$1,463,000	\$1,463,000
TOTAL PUBLIC FUNDS	\$7,320,072	\$7,320,072	\$7,320,072

44.100 State Treasurer, Office of the **Appropriation (HB 683)**

The purpose of this appropriation is to set cash management policies for state agencies; assist agencies with bank services and accounts; monitor agency deposits and disbursement patterns; to invest funds for state and local entities; to track warrants, fund agency allotments, and pay state debt service; and to manage state revenue collections; and to manage the Path2College 529 Plan.

TOTAL AGENCY FUNDS	\$7,320,072	\$7,320,072	\$7,320,072
Interest and Investment Income	\$5,712,072	\$5,712,072	\$5,712,072

Interest and Investment Income Not Itemized	\$5,712,072	\$5,712,072	\$5,712,072
Rebates, Refunds, and Reimbursements	\$145,000	\$145,000	\$145,000
Rebates, Refunds, and Reimbursements Not Itemized	\$145,000	\$145,000	\$145,000
Sales and Services	\$1,463,000	\$1,463,000	\$1,463,000
Sales and Services Not Itemized	\$1,463,000	\$1,463,000	\$1,463,000
TOTAL PUBLIC FUNDS	\$7,320,072	\$7,320,072	\$7,320,072

The Department is authorized to assess state agencies the equivalent of .132% of salaries for the cost of departmental operations and may roll forward any unexpended prior years Merit System Assessment balance to be expended in the current fiscal year.

Section 13: Agriculture, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$48,172,806	\$48,172,806	\$48,172,806
State General Funds	\$48,172,806	\$48,172,806	\$48,172,806
TOTAL FEDERAL FUNDS	\$5,768,157	\$5,768,157	\$5,768,157
Federal Funds Not Itemized	\$5,768,157	\$5,768,157	\$5,768,157
TOTAL AGENCY FUNDS	\$2,241,171	\$2,241,171	\$2,241,171
Contributions, Donations, and Forfeitures	\$705,000	\$705,000	\$705,000
Contributions, Donations, and Forfeitures Not Itemized	\$705,000	\$705,000	\$705,000
Sales and Services	\$1,536,171	\$1,536,171	\$1,536,171
Sales and Services Not Itemized	\$1,536,171	\$1,536,171	\$1,536,171
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$230,930	\$230,930	\$230,930
State Funds Transfers	\$230,930	\$230,930	\$230,930
State Fund Transfers Not Itemized	\$230,930	\$230,930	\$230,930
TOTAL PUBLIC FUNDS	\$56,413,064	\$56,413,064	\$56,413,064

	Section Total - Final		
TOTAL STATE FUNDS	\$48,349,956	\$48,191,814	\$48,191,814
State General Funds	\$48,349,956	\$48,191,814	\$48,191,814
TOTAL FEDERAL FUNDS	\$5,768,157	\$5,768,157	\$5,768,157
Federal Funds Not Itemized	\$5,768,157	\$5,768,157	\$5,768,157
TOTAL AGENCY FUNDS	\$2,241,171	\$2,241,171	\$2,241,171
Contributions, Donations, and Forfeitures	\$705,000	\$705,000	\$705,000

Contributions, Donations, and Forfeitures Not Itemized	\$705,000	\$705,000	\$705,000
Sales and Services	\$1,536,171	\$1,536,171	\$1,536,171
Sales and Services Not Itemized	\$1,536,171	\$1,536,171	\$1,536,171
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$230,930	\$230,930	\$230,930
State Funds Transfers	\$230,930	\$230,930	\$230,930
State Fund Transfers Not Itemized	\$230,930	\$230,930	\$230,930
TOTAL PUBLIC FUNDS	\$56,590,214	\$56,432,072	\$56,432,072

Athens and Tifton Veterinary Laboratories

Continuation Budget

The purpose of this appropriation is to provide payment to the Board of Regents for diagnostic laboratory testing, for veterinary consultation and assistance, for disease surveillance, and for outreach to veterinarians, animal industries, and pet owners within the State of Georgia.

TOTAL STATE FUNDS	\$3,464,688	\$3,464,688	\$3,464,688
State General Funds	\$3,464,688	\$3,464,688	\$3,464,688
TOTAL PUBLIC FUNDS	\$3,464,688	\$3,464,688	\$3,464,688

45.100 Athens and Tifton Veterinary Laboratories

Appropriation (HB 683)

The purpose of this appropriation is to provide payment to the Board of Regents for diagnostic laboratory testing, for veterinary consultation and assistance, for disease surveillance, and for outreach to veterinarians, animal industries, and pet owners within the State of Georgia.

TOTAL STATE FUNDS	\$3,464,688	\$3,464,688	\$3,464,688
State General Funds	\$3,464,688	\$3,464,688	\$3,464,688
TOTAL PUBLIC FUNDS	\$3,464,688	\$3,464,688	\$3,464,688

Consumer Protection

Continuation Budget

The purpose of this appropriation is to provide for public health and safety by monitoring, inspecting and regulating the cultivation, processing, and production of livestock, meat, poultry, and other food products; by inspecting establishments that sell food for offsite consumption, food warehouses, wholesale and mobile meat and seafood vendors, dairy farms, and food banks; by certifying organic products, shellfish, and bottled water; by monitoring, inspecting, and regulating the companion animal, bird, and equine industries (including reports of abuse by private owners); by monitoring, inspecting, and regulating the plant and apiary industries including performing phytosanitary inspections; by monitoring, inspecting, and regulating the pesticide and wood treatment industries; and by monitoring, inspecting, and regulating animal feed, pet food, and grains. The purpose of this appropriation is also to ensure accurate commercial transactions by monitoring, inspecting, and regulating weights and measures and fuel sales.

TOTAL STATE FUNDS	\$27,824,221	\$27,824,221	\$27,824,221
State General Funds	\$27,824,221	\$27,824,221	\$27,824,221
TOTAL FEDERAL FUNDS	\$5,708,844	\$5,708,844	\$5,708,844
Federal Funds Not Itemized	\$5,708,844	\$5,708,844	\$5,708,844
TOTAL AGENCY FUNDS	\$1,830,000	\$1,830,000	\$1,830,000
Contributions, Donations, and Forfeitures	\$705,000	\$705,000	\$705,000
Contributions, Donations, and Forfeitures Not Itemized	\$705,000	\$705,000	\$705,000
Sales and Services	\$1,125,000	\$1,125,000	\$1,125,000
Sales and Services Not Itemized	\$1,125,000	\$1,125,000	\$1,125,000
TOTAL PUBLIC FUNDS	\$35,363,065	\$35,363,065	\$35,363,065

46.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$17,553	\$17,553	\$17,553
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46.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$9,487)	(\$9,487)	(\$9,487)
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46.3 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$158,142)	(\$158,142)
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46.100 Consumer Protection

Appropriation (HB 683)

The purpose of this appropriation is to provide for public health and safety by monitoring, inspecting and regulating the cultivation, processing, and production of livestock, meat, poultry, and other food products; by inspecting establishments that sell food for offsite consumption, food warehouses, wholesale and mobile meat and seafood vendors, dairy farms, and food banks; by certifying organic products, shellfish, and bottled water; by monitoring, inspecting, and regulating the companion animal, bird, and equine industries (including reports of abuse by private owners); by monitoring, inspecting, and regulating the plant and apiary industries including performing phytosanitary inspections; by monitoring, inspecting, and regulating the pesticide and wood treatment industries; and by monitoring, inspecting, and regulating animal feed, pet food, and grains. The purpose of this appropriation is also to ensure accurate commercial transactions by monitoring, inspecting, and regulating weights and measures and fuel sales.

TOTAL STATE FUNDS	\$27,832,287	\$27,674,145	\$27,674,145
State General Funds	\$27,832,287	\$27,674,145	\$27,674,145

TOTAL FEDERAL FUNDS	\$5,708,844	\$5,708,844	\$5,708,844
Federal Funds Not Itemized	\$5,708,844	\$5,708,844	\$5,708,844
TOTAL AGENCY FUNDS	\$1,830,000	\$1,830,000	\$1,830,000
Contributions, Donations, and Forfeitures	\$705,000	\$705,000	\$705,000
Contributions, Donations, and Forfeitures Not Itemized	\$705,000	\$705,000	\$705,000
Sales and Services	\$1,125,000	\$1,125,000	\$1,125,000
Sales and Services Not Itemized	\$1,125,000	\$1,125,000	\$1,125,000
TOTAL PUBLIC FUNDS	\$35,371,131	\$35,212,989	\$35,212,989

Departmental Administration (DOA)

Continuation Budget

The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$4,904,386	\$4,904,386	\$4,904,386
State General Funds	\$4,904,386	\$4,904,386	\$4,904,386
TOTAL PUBLIC FUNDS	\$4,904,386	\$4,904,386	\$4,904,386

47.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,217	\$3,217	\$3,217
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47.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,739)	(\$1,739)	(\$1,739)
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47.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$701	\$701	\$701
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47.100 Departmental Administration (DOA)	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$4,906,565	\$4,906,565	\$4,906,565
State General Funds	\$4,906,565	\$4,906,565	\$4,906,565
TOTAL PUBLIC FUNDS	\$4,906,565	\$4,906,565	\$4,906,565

Marketing and Promotion**Continuation Budget**

The purpose of this appropriation is to manage the state's farmers markets, to promote Georgia's agricultural products domestically and internationally, to administer relevant certification marks, to provide poultry and livestock commodity data, to administer surety bonds, to provide information to the public, and to publish the Market Bulletin.

TOTAL STATE FUNDS	\$6,043,246	\$6,043,246	\$6,043,246
State General Funds	\$6,043,246	\$6,043,246	\$6,043,246
TOTAL AGENCY FUNDS	\$411,171	\$411,171	\$411,171
Sales and Services	\$411,171	\$411,171	\$411,171
Sales and Services Not Itemized	\$411,171	\$411,171	\$411,171
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$230,930	\$230,930	\$230,930
State Funds Transfers	\$230,930	\$230,930	\$230,930
State Fund Transfers Not Itemized	\$230,930	\$230,930	\$230,930
TOTAL PUBLIC FUNDS	\$6,685,347	\$6,685,347	\$6,685,347

48.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,416	\$2,416	\$2,416
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48.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,305)	(\$1,305)	(\$1,305)
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48.100 Marketing and Promotion**Appropriation (HB 683)**

The purpose of this appropriation is to manage the state's farmers markets, to promote Georgia's agricultural products domestically and internationally, to administer relevant certification marks, to provide poultry and livestock commodity data, to administer surety bonds, to provide information to the public, and to publish the Market Bulletin.

TOTAL STATE FUNDS	\$6,044,357	\$6,044,357	\$6,044,357
State General Funds	\$6,044,357	\$6,044,357	\$6,044,357
TOTAL AGENCY FUNDS	\$411,171	\$411,171	\$411,171
Sales and Services	\$411,171	\$411,171	\$411,171
Sales and Services Not Itemized	\$411,171	\$411,171	\$411,171
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$230,930	\$230,930	\$230,930
State Funds Transfers	\$230,930	\$230,930	\$230,930

State Fund Transfers Not Itemized	\$230,930	\$230,930	\$230,930
TOTAL PUBLIC FUNDS	\$6,686,458	\$6,686,458	\$6,686,458

Poultry Veterinary Diagnostic Labs

Continuation Budget

The purpose of this appropriation is to pay for operation of the Poultry Diagnostic Veterinary Labs, which conduct disease diagnoses and monitoring.

TOTAL STATE FUNDS	\$2,911,399	\$2,911,399	\$2,911,399
State General Funds	\$2,911,399	\$2,911,399	\$2,911,399
TOTAL PUBLIC FUNDS	\$2,911,399	\$2,911,399	\$2,911,399

49.1 *Increase funds for one-time funding for facility improvements.*

State General Funds	\$69,985	\$69,985	\$69,985
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49.100 Poultry Veterinary Diagnostic Labs

Appropriation (HB 683)

The purpose of this appropriation is to pay for operation of the Poultry Diagnostic Veterinary Labs, which conduct disease diagnoses and monitoring.

TOTAL STATE FUNDS	\$2,981,384	\$2,981,384	\$2,981,384
State General Funds	\$2,981,384	\$2,981,384	\$2,981,384
TOTAL PUBLIC FUNDS	\$2,981,384	\$2,981,384	\$2,981,384

Payments to Georgia Agricultural Exposition Authority

Continuation Budget

The purpose of this appropriation is to reduce the rates charged by the Georgia Agricultural Exposition Authority for youth and livestock events.

TOTAL STATE FUNDS	\$1,001,346	\$1,001,346	\$1,001,346
State General Funds	\$1,001,346	\$1,001,346	\$1,001,346
TOTAL PUBLIC FUNDS	\$1,001,346	\$1,001,346	\$1,001,346

50.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$165	\$165	\$165
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50.2 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$315	\$315	\$315
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50.100 Payments to Georgia Agricultural Exposition Authority **Appropriation (HB 683)**

The purpose of this appropriation is to reduce the rates charged by the Georgia Agricultural Exposition Authority for youth and livestock events.

TOTAL STATE FUNDS	\$1,001,826	\$1,001,826	\$1,001,826
State General Funds	\$1,001,826	\$1,001,826	\$1,001,826
TOTAL PUBLIC FUNDS	\$1,001,826	\$1,001,826	\$1,001,826

State Soil and Water Conservation Commission**Continuation Budget**

The purpose of this appropriation is to protect, conserve, and improve the soil and water resources of the State of Georgia; conserve ground and surface water in Georgia by increasing the uniformity and efficiency of agricultural water irrigation systems, by installing meters on sites with permits for agricultural use to obtain data on agricultural water usage, and by administering the use of federal funds to construct and renovate agricultural water catchments; inspect, maintain and provide assistance to owners of USDA flood control structures so that they comply with the state Safe Dams Act; and to provide funds for planning and research on water management, erosion and sedimentation control.

TOTAL STATE FUNDS	\$2,023,520	\$2,023,520	\$2,023,520
State General Funds	\$2,023,520	\$2,023,520	\$2,023,520
TOTAL FEDERAL FUNDS	\$59,313	\$59,313	\$59,313
Federal Funds Not Itemized	\$59,313	\$59,313	\$59,313
TOTAL PUBLIC FUNDS	\$2,082,833	\$2,082,833	\$2,082,833

51.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$248	\$248	\$248
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51.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$522)	(\$522)	(\$522)
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51.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,246	\$4,246	\$4,246
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51.4 *Increase funds for one-time funding to replace four vehicles.*

State General Funds	\$91,357	\$91,357	\$91,357
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51.100 State Soil and Water Conservation Commission	Appropriation (HB 683)
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The purpose of this appropriation is to protect, conserve, and improve the soil and water resources of the State of Georgia; conserve ground and surface water in Georgia by increasing the uniformity and efficiency of agricultural water irrigation systems, by installing meters on sites with permits for agricultural use to obtain data on agricultural water usage, and by administering the use of federal funds to construct and renovate agricultural water catchments; inspect, maintain and provide assistance to owners of USDA flood control structures so that they comply with the state Safe Dams Act; and to provide funds for planning and research on water management, erosion and sedimentation control.

TOTAL STATE FUNDS	\$2,118,849	\$2,118,849	\$2,118,849
State General Funds	\$2,118,849	\$2,118,849	\$2,118,849
TOTAL FEDERAL FUNDS	\$59,313	\$59,313	\$59,313
Federal Funds Not Itemized	\$59,313	\$59,313	\$59,313
TOTAL PUBLIC FUNDS	\$2,178,162	\$2,178,162	\$2,178,162

Section 14: Banking and Finance, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$13,294,660	\$13,294,660	\$13,294,660
State General Funds	\$13,294,660	\$13,294,660	\$13,294,660
TOTAL PUBLIC FUNDS	\$13,294,660	\$13,294,660	\$13,294,660

Section Total - Final

TOTAL STATE FUNDS	\$13,306,008	\$13,252,755	\$13,252,755
State General Funds	\$13,306,008	\$13,252,755	\$13,252,755
TOTAL PUBLIC FUNDS	\$13,306,008	\$13,252,755	\$13,252,755

Departmental Administration (DBF)

Continuation Budget

The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$2,833,525	\$2,833,525	\$2,833,525
State General Funds	\$2,833,525	\$2,833,525	\$2,833,525
TOTAL PUBLIC FUNDS	\$2,833,525	\$2,833,525	\$2,833,525

52.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$318	\$318	\$318
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52.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$880)	(\$880)	(\$880)
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52.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$14,086	\$14,086	\$14,086
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52.100 Departmental Administration (DBF)	Appropriation (HB 683)		
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The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$2,847,049	\$2,847,049	\$2,847,049
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State General Funds	\$2,847,049	\$2,847,049	\$2,847,049
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TOTAL PUBLIC FUNDS	\$2,847,049	\$2,847,049	\$2,847,049
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Financial Institution Supervision

Continuation Budget

The purpose of this appropriation is to examine and regulate depository financial institutions, state-chartered banks, trust companies, credit unions, bank holding companies, and international banking organizations; to track performance of financial service providers operating in Georgia, to monitor industry trends, respond to negative trends, and establish operating guidelines; and to collaborate with law enforcement, federal regulators, and other regulatory agencies on examination findings.

TOTAL STATE FUNDS	\$8,132,200	\$8,132,200	\$8,132,200
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State General Funds	\$8,132,200	\$8,132,200	\$8,132,200
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TOTAL PUBLIC FUNDS	\$8,132,200	\$8,132,200	\$8,132,200
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53.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$973	\$973	\$973
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53.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,696)	(\$2,696)	(\$2,696)
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53.100 Financial Institution Supervision **Appropriation (HB 683)**

The purpose of this appropriation is to examine and regulate depository financial institutions, state-chartered banks, trust companies, credit unions, bank holding companies, and international banking organizations; to track performance of financial service providers operating in Georgia, to monitor industry trends, respond to negative trends, and establish operating guidelines; and to collaborate with law enforcement, federal regulators, and other regulatory agencies on examination findings.

TOTAL STATE FUNDS	\$8,130,477	\$8,130,477	\$8,130,477
State General Funds	\$8,130,477	\$8,130,477	\$8,130,477
TOTAL PUBLIC FUNDS	\$8,130,477	\$8,130,477	\$8,130,477

Non-Depository Financial Institution Supervision

Continuation Budget

The purpose of this appropriation is to protect consumers from unfair, deceptive, or fraudulent residential mortgage lending practices and money service businesses, protect consumers by licensing, regulating, and enforcing applicable laws and regulations, and provide efficient and flexible application, registrations, and notification procedures for non-depository financial institutions.

TOTAL STATE FUNDS	\$2,328,935	\$2,328,935	\$2,328,935
State General Funds	\$2,328,935	\$2,328,935	\$2,328,935
TOTAL PUBLIC FUNDS	\$2,328,935	\$2,328,935	\$2,328,935

54.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$257	\$257	\$257
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54.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$710)	(\$710)	(\$710)
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54.3 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$53,253)	(\$53,253)
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54.100 Non-Depository Financial Institution Supervision **Appropriation (HB 683)**

The purpose of this appropriation is to protect consumers from unfair, deceptive, or fraudulent residential mortgage lending practices and money service businesses, protect consumers by licensing, regulating, and enforcing applicable laws and regulations, and provide efficient and flexible application, registrations, and notification procedures for non-depository financial institutions.

TOTAL STATE FUNDS	\$2,328,482	\$2,275,229	\$2,275,229
State General Funds	\$2,328,482	\$2,275,229	\$2,275,229
TOTAL PUBLIC FUNDS	\$2,328,482	\$2,275,229	\$2,275,229

Section 15: Behavioral Health and Developmental Disabilities, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$1,096,247,908	\$1,096,247,908	\$1,096,247,908
State General Funds	\$1,085,992,770	\$1,085,992,770	\$1,085,992,770
Tobacco Settlement Funds	\$10,255,138	\$10,255,138	\$10,255,138
TOTAL FEDERAL FUNDS	\$144,666,334	\$144,666,334	\$144,666,334
Federal Funds Not Itemized	\$5,081,397	\$5,081,397	\$5,081,397
Community Mental Health Services Block Grant CFDA93.958	\$14,163,709	\$14,163,709	\$14,163,709
Medical Assistance Program CFDA93.778	\$25,361,291	\$25,361,291	\$25,361,291
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$47,482,075	\$47,482,075	\$47,482,075
Social Services Block Grant CFDA93.667	\$40,481,142	\$40,481,142	\$40,481,142
Temporary Assistance for Needy Families	\$12,096,720	\$12,096,720	\$12,096,720
Temporary Assistance for Needy Families Grant CFDA93.558	\$12,096,720	\$12,096,720	\$12,096,720
TOTAL AGENCY FUNDS	\$25,771,962	\$25,771,962	\$25,771,962
Intergovernmental Transfers	\$200,000	\$200,000	\$200,000
Intergovernmental Transfers Not Itemized	\$200,000	\$200,000	\$200,000
Rebates, Refunds, and Reimbursements	\$257,036	\$257,036	\$257,036
Rebates, Refunds, and Reimbursements Not Itemized	\$257,036	\$257,036	\$257,036
Royalties and Rents	\$668,024	\$668,024	\$668,024
Royalties and Rents Not Itemized	\$668,024	\$668,024	\$668,024
Sales and Services	\$24,646,902	\$24,646,902	\$24,646,902
Sales and Services Not Itemized	\$24,646,902	\$24,646,902	\$24,646,902
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,419,710	\$2,419,710	\$2,419,710
State Funds Transfers	\$2,419,710	\$2,419,710	\$2,419,710
State Fund Transfers Not Itemized	\$2,357,130	\$2,357,130	\$2,357,130
Agency to Agency Contracts	\$62,580	\$62,580	\$62,580
TOTAL PUBLIC FUNDS	\$1,269,105,914	\$1,269,105,914	\$1,269,105,914

	Section Total - Final		
TOTAL STATE FUNDS	\$1,099,127,717	\$1,100,537,717	\$1,099,373,717
State General Funds	\$1,088,872,579	\$1,090,282,579	\$1,089,118,579
Tobacco Settlement Funds	\$10,255,138	\$10,255,138	\$10,255,138
TOTAL FEDERAL FUNDS	\$144,666,334	\$144,666,334	\$144,666,334
Federal Funds Not Itemized	\$5,081,397	\$5,081,397	\$5,081,397
Community Mental Health Services Block Grant CFDA93.958	\$14,163,709	\$14,163,709	\$14,163,709
Medical Assistance Program CFDA93.778	\$25,361,291	\$25,361,291	\$25,361,291
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$47,482,075	\$47,482,075	\$47,482,075
Social Services Block Grant CFDA93.667	\$40,481,142	\$40,481,142	\$40,481,142
Temporary Assistance for Needy Families	\$12,096,720	\$12,096,720	\$12,096,720
Temporary Assistance for Needy Families Grant CFDA93.558	\$12,096,720	\$12,096,720	\$12,096,720
TOTAL AGENCY FUNDS	\$25,771,962	\$25,771,962	\$25,771,962
Intergovernmental Transfers	\$200,000	\$200,000	\$200,000
Intergovernmental Transfers Not Itemized	\$200,000	\$200,000	\$200,000
Rebates, Refunds, and Reimbursements	\$257,036	\$257,036	\$257,036
Rebates, Refunds, and Reimbursements Not Itemized	\$257,036	\$257,036	\$257,036
Royalties and Rents	\$668,024	\$668,024	\$668,024
Royalties and Rents Not Itemized	\$668,024	\$668,024	\$668,024
Sales and Services	\$24,646,902	\$24,646,902	\$24,646,902
Sales and Services Not Itemized	\$24,646,902	\$24,646,902	\$24,646,902
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,419,710	\$2,419,710	\$2,419,710
State Funds Transfers	\$2,419,710	\$2,419,710	\$2,419,710
State Fund Transfers Not Itemized	\$2,357,130	\$2,357,130	\$2,357,130
Agency to Agency Contracts	\$62,580	\$62,580	\$62,580
TOTAL PUBLIC FUNDS	\$1,271,985,723	\$1,273,395,723	\$1,272,231,723

Adult Addictive Diseases Services

Continuation Budget

The purpose of this appropriation is to provide a continuum of programs, services and supports for adults who abuse alcohol and other drugs, have a chemical dependency and who need assistance for compulsive gambling.

TOTAL STATE FUNDS	\$45,531,362	\$45,531,362	\$45,531,362
State General Funds	\$45,531,362	\$45,531,362	\$45,531,362

TOTAL FEDERAL FUNDS	\$44,254,231	\$44,254,231	\$44,254,231
Medical Assistance Program CFDA93.778	\$50,000	\$50,000	\$50,000
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$29,607,511	\$29,607,511	\$29,607,511
Social Services Block Grant CFDA93.667	\$2,500,000	\$2,500,000	\$2,500,000
Temporary Assistance for Needy Families	\$12,096,720	\$12,096,720	\$12,096,720
Temporary Assistance for Needy Families Grant CFDA93.558	\$12,096,720	\$12,096,720	\$12,096,720
TOTAL AGENCY FUNDS	\$434,903	\$434,903	\$434,903
Intergovernmental Transfers	\$200,000	\$200,000	\$200,000
Intergovernmental Transfers Not Itemized	\$200,000	\$200,000	\$200,000
Rebates, Refunds, and Reimbursements	\$234,903	\$234,903	\$234,903
Rebates, Refunds, and Reimbursements Not Itemized	\$234,903	\$234,903	\$234,903
TOTAL PUBLIC FUNDS	\$90,220,496	\$90,220,496	\$90,220,496

55.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$755	\$755	\$755
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55.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$151)	(\$151)	(\$151)
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55.100 Adult Addictive Diseases Services

Appropriation (HB 683)

The purpose of this appropriation is to provide a continuum of programs, services and supports for adults who abuse alcohol and other drugs, have a chemical dependency and who need assistance for compulsive gambling.

TOTAL STATE FUNDS	\$45,531,966	\$45,531,966	\$45,531,966
State General Funds	\$45,531,966	\$45,531,966	\$45,531,966
TOTAL FEDERAL FUNDS	\$44,254,231	\$44,254,231	\$44,254,231
Medical Assistance Program CFDA93.778	\$50,000	\$50,000	\$50,000
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$29,607,511	\$29,607,511	\$29,607,511
Social Services Block Grant CFDA93.667	\$2,500,000	\$2,500,000	\$2,500,000
Temporary Assistance for Needy Families	\$12,096,720	\$12,096,720	\$12,096,720
Temporary Assistance for Needy Families Grant CFDA93.558	\$12,096,720	\$12,096,720	\$12,096,720
TOTAL AGENCY FUNDS	\$434,903	\$434,903	\$434,903
Intergovernmental Transfers	\$200,000	\$200,000	\$200,000

Intergovernmental Transfers Not Itemized	\$200,000	\$200,000	\$200,000
Rebates, Refunds, and Reimbursements	\$234,903	\$234,903	\$234,903
Rebates, Refunds, and Reimbursements Not Itemized	\$234,903	\$234,903	\$234,903
TOTAL PUBLIC FUNDS	\$90,221,100	\$90,221,100	\$90,221,100

Adult Developmental Disabilities Services

Continuation Budget

The purpose of this appropriation is to promote independence of adults with significant development disabilities through institutional care, community support and respite, job readiness, training, and a crisis and access line.

TOTAL STATE FUNDS	\$340,426,629	\$340,426,629	\$340,426,629
State General Funds	\$330,171,491	\$330,171,491	\$330,171,491
Tobacco Settlement Funds	\$10,255,138	\$10,255,138	\$10,255,138
TOTAL FEDERAL FUNDS	\$42,980,753	\$42,980,753	\$42,980,753
Medical Assistance Program CFDA93.778	\$12,336,582	\$12,336,582	\$12,336,582
Social Services Block Grant CFDA93.667	\$30,644,171	\$30,644,171	\$30,644,171
TOTAL AGENCY FUNDS	\$12,960,000	\$12,960,000	\$12,960,000
Sales and Services	\$12,960,000	\$12,960,000	\$12,960,000
Sales and Services Not Itemized	\$12,960,000	\$12,960,000	\$12,960,000
TOTAL PUBLIC FUNDS	\$396,367,382	\$396,367,382	\$396,367,382

56.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$224,751	\$224,751	\$224,751
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56.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$98,446)	(\$98,446)	(\$98,446)
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56.3 *Increase funds for the Albany Advocacy Resource Center.*

State General Funds			\$220,000
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56.100 Adult Developmental Disabilities Services	Appropriation (HB 683)
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The purpose of this appropriation is to promote independence of adults with significant development disabilities through institutional care, community support and respite, job readiness, training, and a crisis and access line.

TOTAL STATE FUNDS	\$340,552,934	\$340,552,934	\$340,772,934
State General Funds	\$330,297,796	\$330,297,796	\$330,517,796
Tobacco Settlement Funds	\$10,255,138	\$10,255,138	\$10,255,138
TOTAL FEDERAL FUNDS	\$42,980,753	\$42,980,753	\$42,980,753
Medical Assistance Program CFDA93.778	\$12,336,582	\$12,336,582	\$12,336,582
Social Services Block Grant CFDA93.667	\$30,644,171	\$30,644,171	\$30,644,171
TOTAL AGENCY FUNDS	\$12,960,000	\$12,960,000	\$12,960,000
Sales and Services	\$12,960,000	\$12,960,000	\$12,960,000
Sales and Services Not Itemized	\$12,960,000	\$12,960,000	\$12,960,000
TOTAL PUBLIC FUNDS	\$396,493,687	\$396,493,687	\$396,713,687

Adult Forensic Services**Continuation Budget**

The purpose of this appropriation is to provide psychological evaluations of defendants, mental health screening and evaluations, inpatient mental health treatment, competency remediation, forensic evaluation services, and supportive housing for forensic consumers.

TOTAL STATE FUNDS	\$98,625,855	\$98,625,855	\$98,625,855
State General Funds	\$98,625,855	\$98,625,855	\$98,625,855
TOTAL AGENCY FUNDS	\$26,500	\$26,500	\$26,500
Sales and Services	\$26,500	\$26,500	\$26,500
Sales and Services Not Itemized	\$26,500	\$26,500	\$26,500
TOTAL PUBLIC FUNDS	\$98,652,355	\$98,652,355	\$98,652,355

57.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$153,691	\$153,691	\$153,691
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57.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$30,739)	(\$30,739)	(\$30,739)
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57.100 Adult Forensic Services**Appropriation (HB 683)**

The purpose of this appropriation is to provide psychological evaluations of defendants, mental health screening and evaluations, inpatient mental health treatment, competency remediation, forensic evaluation services, and supportive housing for forensic consumers.

TOTAL STATE FUNDS	\$98,748,807	\$98,748,807	\$98,748,807
State General Funds	\$98,748,807	\$98,748,807	\$98,748,807
TOTAL AGENCY FUNDS	\$26,500	\$26,500	\$26,500
Sales and Services	\$26,500	\$26,500	\$26,500
Sales and Services Not Itemized	\$26,500	\$26,500	\$26,500
TOTAL PUBLIC FUNDS	\$98,775,307	\$98,775,307	\$98,775,307

Adult Mental Health Services

Continuation Budget

The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to facilitate rehabilitation and recovery for adults with mental illnesses.

TOTAL STATE FUNDS	\$385,793,209	\$385,793,209	\$385,793,209
State General Funds	\$385,793,209	\$385,793,209	\$385,793,209
TOTAL FEDERAL FUNDS	\$11,858,953	\$11,858,953	\$11,858,953
Federal Funds Not Itemized	\$3,062,355	\$3,062,355	\$3,062,355
Community Mental Health Services Block Grant CFDA93.958	\$6,726,178	\$6,726,178	\$6,726,178
Medical Assistance Program CFDA93.778	\$2,070,420	\$2,070,420	\$2,070,420
TOTAL AGENCY FUNDS	\$1,090,095	\$1,090,095	\$1,090,095
Sales and Services	\$1,090,095	\$1,090,095	\$1,090,095
Sales and Services Not Itemized	\$1,090,095	\$1,090,095	\$1,090,095
TOTAL PUBLIC FUNDS	\$398,742,257	\$398,742,257	\$398,742,257

58.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$243,746	\$243,746	\$243,746
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58.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$117,103)	(\$117,103)	(\$117,103)
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58.3 *Increase funds to design the kitchen renovation at East Central Regional Hospital, Augusta, Richmond County.*

State General Funds		\$410,000	\$0
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58.4 *Increase funds for one-time funding for establishing additional Behavioral Health Crisis Center beds. (S:Implement plan to prioritize new additional Behavioral Health Crisis Center beds in FY2019)*

State General Funds		\$1,000,000	\$0
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58.100 Adult Mental Health Services

Appropriation (HB 683)

The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to facilitate rehabilitation and recovery for adults with mental illnesses.

TOTAL STATE FUNDS	\$385,919,852	\$387,329,852	\$385,919,852
State General Funds	\$385,919,852	\$387,329,852	\$385,919,852
TOTAL FEDERAL FUNDS	\$11,858,953	\$11,858,953	\$11,858,953
Federal Funds Not Itemized	\$3,062,355	\$3,062,355	\$3,062,355
Community Mental Health Services Block Grant CFDA93.958	\$6,726,178	\$6,726,178	\$6,726,178
Medical Assistance Program CFDA93.778	\$2,070,420	\$2,070,420	\$2,070,420
TOTAL AGENCY FUNDS	\$1,090,095	\$1,090,095	\$1,090,095
Sales and Services	\$1,090,095	\$1,090,095	\$1,090,095
Sales and Services Not Itemized	\$1,090,095	\$1,090,095	\$1,090,095
TOTAL PUBLIC FUNDS	\$398,868,900	\$400,278,900	\$398,868,900

Child and Adolescent Addictive Diseases Services

Continuation Budget

The purpose of this appropriation is to provide services to children and adolescents for the safe withdrawal from abused substances and promote a transition to productive living.

TOTAL STATE FUNDS	\$3,307,854	\$3,307,854	\$3,307,854
State General Funds	\$3,307,854	\$3,307,854	\$3,307,854
TOTAL FEDERAL FUNDS	\$7,928,149	\$7,928,149	\$7,928,149
Medical Assistance Program CFDA93.778	\$50,000	\$50,000	\$50,000
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$7,878,149	\$7,878,149	\$7,878,149
TOTAL PUBLIC FUNDS	\$11,236,003	\$11,236,003	\$11,236,003

59.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$197	\$197	\$197
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59.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$39)	(\$39)	(\$39)
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59.100 Child and Adolescent Addictive Diseases Services	Appropriation (HB 683)
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The purpose of this appropriation is to provide services to children and adolescents for the safe withdrawal from abused substances and promote a transition to productive living.

TOTAL STATE FUNDS	\$3,308,012	\$3,308,012	\$3,308,012
State General Funds	\$3,308,012	\$3,308,012	\$3,308,012
TOTAL FEDERAL FUNDS	\$7,928,149	\$7,928,149	\$7,928,149
Medical Assistance Program CFDA93.778	\$50,000	\$50,000	\$50,000
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$7,878,149	\$7,878,149	\$7,878,149
TOTAL PUBLIC FUNDS	\$11,236,161	\$11,236,161	\$11,236,161

Child and Adolescent Developmental Disabilities

Continuation Budget

The purpose of this appropriation is to provide evaluation, residential, support, and education services to promote independence for children and adolescents with developmental disabilities.

TOTAL STATE FUNDS	\$9,011,788	\$9,011,788	\$9,011,788
State General Funds	\$9,011,788	\$9,011,788	\$9,011,788
TOTAL FEDERAL FUNDS	\$3,588,692	\$3,588,692	\$3,588,692
Medical Assistance Program CFDA93.778	\$3,588,692	\$3,588,692	\$3,588,692
TOTAL PUBLIC FUNDS	\$12,600,480	\$12,600,480	\$12,600,480

60.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,368	\$3,368	\$3,368
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60.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$674)	(\$674)	(\$674)
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60.3 *Increase funds for crisis services for children under 21 who are diagnosed as autistic.*

State General Funds	\$1,250,000	\$1,250,000	\$1,250,000
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60.4 *Increase funds to develop capacity for behavioral health services for children under 21 who are diagnosed as autistic.*
 State General Funds \$1,153,042 \$1,153,042 \$1,153,042

60.5 *Utilize \$128,292 in existing funds for telehealth services and three positions for behavioral health services for children under 21 who are diagnosed as autistic (Total Funds: \$157,584). (G: YES)(H: YES)(S: YES)*
 State General Funds \$0 \$0 \$0

60.100 Child and Adolescent Developmental Disabilities **Appropriation (HB 683)**

The purpose of this appropriation is to provide evaluation, residential, support, and education services to promote independence for children and adolescents with developmental disabilities.

TOTAL STATE FUNDS	\$11,417,524	\$11,417,524	\$11,417,524
State General Funds	\$11,417,524	\$11,417,524	\$11,417,524
TOTAL FEDERAL FUNDS	\$3,588,692	\$3,588,692	\$3,588,692
Medical Assistance Program CFDA93.778	\$3,588,692	\$3,588,692	\$3,588,692
TOTAL PUBLIC FUNDS	\$15,006,216	\$15,006,216	\$15,006,216

Child and Adolescent Forensic Services **Continuation Budget**

The purpose of this appropriation is to provide evaluation, treatment and residential services to children and adolescents clients referred by Georgia's criminal justice or corrections system.

TOTAL STATE FUNDS	\$6,510,580	\$6,510,580	\$6,510,580
State General Funds	\$6,510,580	\$6,510,580	\$6,510,580
TOTAL PUBLIC FUNDS	\$6,510,580	\$6,510,580	\$6,510,580

61.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$5,961	\$5,961	\$5,961
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61.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,192)	(\$1,192)	(\$1,192)
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61.100 Child and Adolescent Forensic Services **Appropriation (HB 683)**

The purpose of this appropriation is to provide evaluation, treatment and residential services to children and adolescents clients referred by Georgia's criminal justice or corrections system.

TOTAL STATE FUNDS	\$6,515,349	\$6,515,349	\$6,515,349
State General Funds	\$6,515,349	\$6,515,349	\$6,515,349
TOTAL PUBLIC FUNDS	\$6,515,349	\$6,515,349	\$6,515,349

Child and Adolescent Mental Health Services **Continuation Budget**

The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to children and adolescents with mental illness.

TOTAL STATE FUNDS	\$50,298,582	\$50,298,582	\$50,298,582
State General Funds	\$50,298,582	\$50,298,582	\$50,298,582
TOTAL FEDERAL FUNDS	\$10,324,515	\$10,324,515	\$10,324,515
Community Mental Health Services Block Grant CFDA93.958	\$7,437,531	\$7,437,531	\$7,437,531
Medical Assistance Program CFDA93.778	\$2,886,984	\$2,886,984	\$2,886,984
TOTAL AGENCY FUNDS	\$85,000	\$85,000	\$85,000
Sales and Services	\$85,000	\$85,000	\$85,000
Sales and Services Not Itemized	\$85,000	\$85,000	\$85,000
TOTAL PUBLIC FUNDS	\$60,708,097	\$60,708,097	\$60,708,097

62.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,928	\$2,928	\$2,928
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62.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$586)	(\$586)	(\$586)
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62.100 Child and Adolescent Mental Health Services **Appropriation (HB 683)**

The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to children and adolescents with mental illness.

TOTAL STATE FUNDS	\$50,300,924	\$50,300,924	\$50,300,924
State General Funds	\$50,300,924	\$50,300,924	\$50,300,924

TOTAL FEDERAL FUNDS	\$10,324,515	\$10,324,515	\$10,324,515
Community Mental Health Services Block Grant CFDA93.958	\$7,437,531	\$7,437,531	\$7,437,531
Medical Assistance Program CFDA93.778	\$2,886,984	\$2,886,984	\$2,886,984
TOTAL AGENCY FUNDS	\$85,000	\$85,000	\$85,000
Sales and Services	\$85,000	\$85,000	\$85,000
Sales and Services Not Itemized	\$85,000	\$85,000	\$85,000
TOTAL PUBLIC FUNDS	\$60,710,439	\$60,710,439	\$60,710,439

Departmental Administration (DBHDD)**Continuation Budget**

The purpose of this appropriation is to provide administrative support for all mental health, developmental disabilities and addictive diseases programs of the department.

TOTAL STATE FUNDS	\$38,659,933	\$38,659,933	\$38,659,933
State General Funds	\$38,659,933	\$38,659,933	\$38,659,933
TOTAL FEDERAL FUNDS	\$11,715,584	\$11,715,584	\$11,715,584
Medical Assistance Program CFDA93.778	\$4,378,613	\$4,378,613	\$4,378,613
Social Services Block Grant CFDA93.667	\$7,336,971	\$7,336,971	\$7,336,971
TOTAL AGENCY FUNDS	\$22,133	\$22,133	\$22,133
Rebates, Refunds, and Reimbursements	\$22,133	\$22,133	\$22,133
Rebates, Refunds, and Reimbursements Not Itemized	\$22,133	\$22,133	\$22,133
TOTAL PUBLIC FUNDS	\$50,397,650	\$50,397,650	\$50,397,650

63.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$53,688	\$53,688	\$53,688
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63.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$10,738)	(\$10,738)	(\$10,738)
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63.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$73,345)	(\$73,345)	(\$73,345)
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63.100 Departmental Administration (DBHDD) Appropriation (HB 683)

The purpose of this appropriation is to provide administrative support for all mental health, developmental disabilities and addictive diseases programs of the department.

TOTAL STATE FUNDS	\$38,629,538	\$38,629,538	\$38,629,538
State General Funds	\$38,629,538	\$38,629,538	\$38,629,538
TOTAL FEDERAL FUNDS	\$11,715,584	\$11,715,584	\$11,715,584
Medical Assistance Program CFDA93.778	\$4,378,613	\$4,378,613	\$4,378,613
Social Services Block Grant CFDA93.667	\$7,336,971	\$7,336,971	\$7,336,971
TOTAL AGENCY FUNDS	\$22,133	\$22,133	\$22,133
Rebates, Refunds, and Reimbursements	\$22,133	\$22,133	\$22,133
Rebates, Refunds, and Reimbursements Not Itemized	\$22,133	\$22,133	\$22,133
TOTAL PUBLIC FUNDS	\$50,367,255	\$50,367,255	\$50,367,255

Direct Care Support Services

Continuation Budget

The purpose of this appropriation is to operate five state-owned and operated hospitals.

TOTAL STATE FUNDS	\$116,977,011	\$116,977,011	\$116,977,011
State General Funds	\$116,977,011	\$116,977,011	\$116,977,011
TOTAL AGENCY FUNDS	\$11,153,331	\$11,153,331	\$11,153,331
Royalties and Rents	\$668,024	\$668,024	\$668,024
Royalties and Rents Not Itemized	\$668,024	\$668,024	\$668,024
Sales and Services	\$10,485,307	\$10,485,307	\$10,485,307
Sales and Services Not Itemized	\$10,485,307	\$10,485,307	\$10,485,307
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,419,710	\$2,419,710	\$2,419,710
State Funds Transfers	\$2,419,710	\$2,419,710	\$2,419,710
State Fund Transfers Not Itemized	\$2,357,130	\$2,357,130	\$2,357,130
Agency to Agency Contracts	\$62,580	\$62,580	\$62,580
TOTAL PUBLIC FUNDS	\$130,550,052	\$130,550,052	\$130,550,052

64.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$151,079	\$151,079	\$151,079
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64.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$30,217)	(\$30,217)	(\$30,217)
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64.100 Direct Care Support Services**Appropriation (HB 683)**

The purpose of this appropriation is to operate five state-owned and operated hospitals.

TOTAL STATE FUNDS	\$117,097,873	\$117,097,873	\$117,097,873
State General Funds	\$117,097,873	\$117,097,873	\$117,097,873
TOTAL AGENCY FUNDS	\$11,153,331	\$11,153,331	\$11,153,331
Royalties and Rents	\$668,024	\$668,024	\$668,024
Royalties and Rents Not Itemized	\$668,024	\$668,024	\$668,024
Sales and Services	\$10,485,307	\$10,485,307	\$10,485,307
Sales and Services Not Itemized	\$10,485,307	\$10,485,307	\$10,485,307
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,419,710	\$2,419,710	\$2,419,710
State Funds Transfers	\$2,419,710	\$2,419,710	\$2,419,710
State Fund Transfers Not Itemized	\$2,357,130	\$2,357,130	\$2,357,130
Agency to Agency Contracts	\$62,580	\$62,580	\$62,580
TOTAL PUBLIC FUNDS	\$130,670,914	\$130,670,914	\$130,670,914

Substance Abuse Prevention**Continuation Budget**

The purpose of this appropriation is to promote the health and well-being of children, youth, families and communities through preventing the use and/or abuse of alcohol, tobacco and drugs.

TOTAL STATE FUNDS	\$236,479	\$236,479	\$236,479
State General Funds	\$236,479	\$236,479	\$236,479
TOTAL FEDERAL FUNDS	\$9,996,415	\$9,996,415	\$9,996,415
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$9,996,415	\$9,996,415	\$9,996,415
TOTAL PUBLIC FUNDS	\$10,232,894	\$10,232,894	\$10,232,894

65.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$122	\$122	\$122
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65.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$25)	(\$25)	(\$25)
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65.100 Substance Abuse Prevention **Appropriation (HB 683)**

The purpose of this appropriation is to promote the health and well-being of children, youth, families and communities through preventing the use and/or abuse of alcohol, tobacco and drugs.

TOTAL STATE FUNDS	\$236,576	\$236,576	\$236,576
State General Funds	\$236,576	\$236,576	\$236,576
TOTAL FEDERAL FUNDS	\$9,996,415	\$9,996,415	\$9,996,415
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$9,996,415	\$9,996,415	\$9,996,415
TOTAL PUBLIC FUNDS	\$10,232,991	\$10,232,991	\$10,232,991

Developmental Disabilities, Georgia Council on **Continuation Budget**

The purpose of this appropriation is to promote quality services and support for people with developmental disabilities and their families.

TOTAL STATE FUNDS	\$75,821	\$75,821	\$75,821
State General Funds	\$75,821	\$75,821	\$75,821
TOTAL FEDERAL FUNDS	\$2,019,042	\$2,019,042	\$2,019,042
Federal Funds Not Itemized	\$2,019,042	\$2,019,042	\$2,019,042
TOTAL PUBLIC FUNDS	\$2,094,863	\$2,094,863	\$2,094,863

66.1 Increase funds for the Equal Access to Gainful Learning and Employment program.

State General Funds	\$26,000
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66.100 Developmental Disabilities, Georgia Council on **Appropriation (HB 683)**

The purpose of this appropriation is to promote quality services and support for people with developmental disabilities and their families.

TOTAL STATE FUNDS	\$75,821	\$75,821	\$101,821
State General Funds	\$75,821	\$75,821	\$101,821
TOTAL FEDERAL FUNDS	\$2,019,042	\$2,019,042	\$2,019,042
Federal Funds Not Itemized	\$2,019,042	\$2,019,042	\$2,019,042
TOTAL PUBLIC FUNDS	\$2,094,863	\$2,094,863	\$2,120,863

Sexual Offender Review Board **Continuation Budget**

The purpose of this appropriation is to protect Georgia's children by identifying convicted sexual offenders that present the greatest risk of sexually reoffending.

TOTAL STATE FUNDS	\$792,805	\$792,805	\$792,805
State General Funds	\$792,805	\$792,805	\$792,805
TOTAL PUBLIC FUNDS	\$792,805	\$792,805	\$792,805

67.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$264)	(\$264)	(\$264)
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67.100 Sexual Offender Review Board

Appropriation (HB 683)

The purpose of this appropriation is to protect Georgia's children by identifying convicted sexual offenders that present the greatest risk of sexually reoffending.

TOTAL STATE FUNDS	\$792,541	\$792,541	\$792,541
State General Funds	\$792,541	\$792,541	\$792,541
TOTAL PUBLIC FUNDS	\$792,541	\$792,541	\$792,541

Section 16: Community Affairs, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$72,720,610	\$72,720,610	\$72,720,610
State General Funds	\$72,720,610	\$72,720,610	\$72,720,610
TOTAL FEDERAL FUNDS	\$183,720,001	\$183,720,001	\$183,720,001
Federal Funds Not Itemized	\$183,720,001	\$183,720,001	\$183,720,001
TOTAL AGENCY FUNDS	\$17,147,250	\$17,147,250	\$17,147,250
Reserved Fund Balances	\$515,020	\$515,020	\$515,020
Reserved Fund Balances Not Itemized	\$515,020	\$515,020	\$515,020
Intergovernmental Transfers	\$15,108,386	\$15,108,386	\$15,108,386
Intergovernmental Transfers Not Itemized	\$15,108,386	\$15,108,386	\$15,108,386
Sales and Services	\$1,523,844	\$1,523,844	\$1,523,844
Sales and Services Not Itemized	\$1,523,844	\$1,523,844	\$1,523,844
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$58,933	\$58,933	\$58,933
State Funds Transfers	\$58,933	\$58,933	\$58,933
Agency to Agency Contracts	\$58,933	\$58,933	\$58,933
TOTAL PUBLIC FUNDS	\$273,646,794	\$273,646,794	\$273,646,794

	Section Total - Final		
TOTAL STATE FUNDS	\$82,745,145	\$82,745,145	\$82,745,145
State General Funds	\$82,745,145	\$82,745,145	\$82,745,145
TOTAL FEDERAL FUNDS	\$183,720,001	\$183,720,001	\$183,720,001
Federal Funds Not Itemized	\$183,720,001	\$183,720,001	\$183,720,001
TOTAL AGENCY FUNDS	\$17,147,250	\$17,147,250	\$17,147,250
Reserved Fund Balances	\$515,020	\$515,020	\$515,020
Reserved Fund Balances Not Itemized	\$515,020	\$515,020	\$515,020
Intergovernmental Transfers	\$15,108,386	\$15,108,386	\$15,108,386
Intergovernmental Transfers Not Itemized	\$15,108,386	\$15,108,386	\$15,108,386
Sales and Services	\$1,523,844	\$1,523,844	\$1,523,844
Sales and Services Not Itemized	\$1,523,844	\$1,523,844	\$1,523,844
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$58,933	\$58,933	\$58,933
State Funds Transfers	\$58,933	\$58,933	\$58,933
Agency to Agency Contracts	\$58,933	\$58,933	\$58,933
TOTAL PUBLIC FUNDS	\$283,671,329	\$283,671,329	\$283,671,329

Building Construction

Continuation Budget

The purpose of this appropriation is to maintain up-to-date minimum building construction standards for all new structures built in the state; to inspect factory built (modular) buildings to ensure Georgia's minimum construction codes are met; to review proposed enhancements to local government construction codes; and to provide professional training to building inspectors and builders on Georgia's construction codes.

TOTAL STATE FUNDS	\$258,702	\$258,702	\$258,702
State General Funds	\$258,702	\$258,702	\$258,702
TOTAL AGENCY FUNDS	\$197,823	\$197,823	\$197,823
Sales and Services	\$197,823	\$197,823	\$197,823
Sales and Services Not Itemized	\$197,823	\$197,823	\$197,823
TOTAL PUBLIC FUNDS	\$456,525	\$456,525	\$456,525

68.100 Building Construction

Appropriation (HB 683)

The purpose of this appropriation is to maintain up-to-date minimum building construction standards for all new structures built in the state; to inspect factory built (modular) buildings to ensure Georgia's minimum construction codes are met; to review proposed

enhancements to local government construction codes; and to provide professional training to building inspectors and builders on Georgia's construction codes.

TOTAL STATE FUNDS	\$258,702	\$258,702	\$258,702
State General Funds	\$258,702	\$258,702	\$258,702
TOTAL AGENCY FUNDS	\$197,823	\$197,823	\$197,823
Sales and Services	\$197,823	\$197,823	\$197,823
Sales and Services Not Itemized	\$197,823	\$197,823	\$197,823
TOTAL PUBLIC FUNDS	\$456,525	\$456,525	\$456,525

Coordinated Planning

Continuation Budget

The purpose of this appropriation is to ensure that county and city governments meet the requirements of the Georgia Planning Act of 1989 by establishing standards and procedures for comprehensive plans and reviewing plans submitted by local governments; to provide training and assistance to local governments in completing comprehensive plans for quality growth by offering mapping and Geographical Information System (GIS) services, online planning tools, and resource teams, and funding the regional planning efforts of Regional Commissions; and to provide annexation reports from Georgia cities to the U.S. Census Bureau.

TOTAL STATE FUNDS	\$4,024,780	\$4,024,780	\$4,024,780
State General Funds	\$4,024,780	\$4,024,780	\$4,024,780
TOTAL FEDERAL FUNDS	\$242,503	\$242,503	\$242,503
Federal Funds Not Itemized	\$242,503	\$242,503	\$242,503
TOTAL PUBLIC FUNDS	\$4,267,283	\$4,267,283	\$4,267,283

69.100 Coordinated Planning

Appropriation (HB 683)

The purpose of this appropriation is to ensure that county and city governments meet the requirements of the Georgia Planning Act of 1989 by establishing standards and procedures for comprehensive plans and reviewing plans submitted by local governments; to provide training and assistance to local governments in completing comprehensive plans for quality growth by offering mapping and Geographical Information System (GIS) services, online planning tools, and resource teams, and funding the regional planning efforts of Regional Commissions; and to provide annexation reports from Georgia cities to the U.S. Census Bureau.

TOTAL STATE FUNDS	\$4,024,780	\$4,024,780	\$4,024,780
State General Funds	\$4,024,780	\$4,024,780	\$4,024,780
TOTAL FEDERAL FUNDS	\$242,503	\$242,503	\$242,503
Federal Funds Not Itemized	\$242,503	\$242,503	\$242,503
TOTAL PUBLIC FUNDS	\$4,267,283	\$4,267,283	\$4,267,283

Departmental Administration (DCA)

Continuation Budget

The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$1,460,957	\$1,460,957	\$1,460,957
State General Funds	\$1,460,957	\$1,460,957	\$1,460,957
TOTAL FEDERAL FUNDS	\$3,270,989	\$3,270,989	\$3,270,989
Federal Funds Not Itemized	\$3,270,989	\$3,270,989	\$3,270,989
TOTAL AGENCY FUNDS	\$3,323,852	\$3,323,852	\$3,323,852
Reserved Fund Balances	\$119,179	\$119,179	\$119,179
Reserved Fund Balances Not Itemized	\$119,179	\$119,179	\$119,179
Intergovernmental Transfers	\$3,079,268	\$3,079,268	\$3,079,268
Intergovernmental Transfers Not Itemized	\$3,079,268	\$3,079,268	\$3,079,268
Sales and Services	\$125,405	\$125,405	\$125,405
Sales and Services Not Itemized	\$125,405	\$125,405	\$125,405
TOTAL PUBLIC FUNDS	\$8,055,798	\$8,055,798	\$8,055,798

70.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,068	\$1,068	\$1,068
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70.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,363)	(\$2,363)	(\$2,363)
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70.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$830	\$830	\$830
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70.4 *Increase funds for the Martin Luther King Jr. Advisory Council.*

State General Funds	\$25,000	\$25,000	\$25,000
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70.100 Departmental Administration (DCA)	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$1,485,492	\$1,485,492	\$1,485,492
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State General Funds	\$1,485,492	\$1,485,492	\$1,485,492
TOTAL FEDERAL FUNDS	\$3,270,989	\$3,270,989	\$3,270,989
Federal Funds Not Itemized	\$3,270,989	\$3,270,989	\$3,270,989
TOTAL AGENCY FUNDS	\$3,323,852	\$3,323,852	\$3,323,852
Reserved Fund Balances	\$119,179	\$119,179	\$119,179
Reserved Fund Balances Not Itemized	\$119,179	\$119,179	\$119,179
Intergovernmental Transfers	\$3,079,268	\$3,079,268	\$3,079,268
Intergovernmental Transfers Not Itemized	\$3,079,268	\$3,079,268	\$3,079,268
Sales and Services	\$125,405	\$125,405	\$125,405
Sales and Services Not Itemized	\$125,405	\$125,405	\$125,405
TOTAL PUBLIC FUNDS	\$8,080,333	\$8,080,333	\$8,080,333

Federal Community and Economic Development Programs

Continuation Budget

The purpose of this appropriation is to administer federal grant and loan programs to promote volunteerism and community and economic development among local governments, development authorities, and private entities.

TOTAL STATE FUNDS	\$1,672,252	\$1,672,252	\$1,672,252
State General Funds	\$1,672,252	\$1,672,252	\$1,672,252
TOTAL FEDERAL FUNDS	\$47,920,748	\$47,920,748	\$47,920,748
Federal Funds Not Itemized	\$47,920,748	\$47,920,748	\$47,920,748
TOTAL AGENCY FUNDS	\$269,629	\$269,629	\$269,629
Intergovernmental Transfers	\$68,629	\$68,629	\$68,629
Intergovernmental Transfers Not Itemized	\$68,629	\$68,629	\$68,629
Sales and Services	\$201,000	\$201,000	\$201,000
Sales and Services Not Itemized	\$201,000	\$201,000	\$201,000
TOTAL PUBLIC FUNDS	\$49,862,629	\$49,862,629	\$49,862,629

71.100 Federal Community and Economic Development Programs

Appropriation (HB 683)

The purpose of this appropriation is to administer federal grant and loan programs to promote volunteerism and community and economic development among local governments, development authorities, and private entities.

TOTAL STATE FUNDS	\$1,672,252	\$1,672,252	\$1,672,252
State General Funds	\$1,672,252	\$1,672,252	\$1,672,252
TOTAL FEDERAL FUNDS	\$47,920,748	\$47,920,748	\$47,920,748

Federal Funds Not Itemized	\$47,920,748	\$47,920,748	\$47,920,748
TOTAL AGENCY FUNDS	\$269,629	\$269,629	\$269,629
Intergovernmental Transfers	\$68,629	\$68,629	\$68,629
Intergovernmental Transfers Not Itemized	\$68,629	\$68,629	\$68,629
Sales and Services	\$201,000	\$201,000	\$201,000
Sales and Services Not Itemized	\$201,000	\$201,000	\$201,000
TOTAL PUBLIC FUNDS	\$49,862,629	\$49,862,629	\$49,862,629

Homeownership Programs

Continuation Budget

The purpose of this appropriation is to expand the supply of affordable housing through rehabilitation and construction financing, and to promote homeownership for low and moderate-income individuals by providing sustainable housing grants to local governments, administering mortgage and down payment assistance programs for low and moderate-income homebuyers, and offering homeownership counseling and home buyer education programs through a partnership with private providers.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$3,839,989	\$3,839,989	\$3,839,989
Federal Funds Not Itemized	\$3,839,989	\$3,839,989	\$3,839,989
TOTAL AGENCY FUNDS	\$5,947,852	\$5,947,852	\$5,947,852
Intergovernmental Transfers	\$5,947,852	\$5,947,852	\$5,947,852
Intergovernmental Transfers Not Itemized	\$5,947,852	\$5,947,852	\$5,947,852
TOTAL PUBLIC FUNDS	\$9,787,841	\$9,787,841	\$9,787,841

72.100 Homeownership Programs

Appropriation (HB 683)

The purpose of this appropriation is to expand the supply of affordable housing through rehabilitation and construction financing, and to promote homeownership for low and moderate-income individuals by providing sustainable housing grants to local governments, administering mortgage and down payment assistance programs for low and moderate-income homebuyers, and offering homeownership counseling and home buyer education programs through a partnership with private providers.

TOTAL FEDERAL FUNDS	\$3,839,989	\$3,839,989	\$3,839,989
Federal Funds Not Itemized	\$3,839,989	\$3,839,989	\$3,839,989
TOTAL AGENCY FUNDS	\$5,947,852	\$5,947,852	\$5,947,852
Intergovernmental Transfers	\$5,947,852	\$5,947,852	\$5,947,852

Intergovernmental Transfers Not Itemized	\$5,947,852	\$5,947,852	\$5,947,852
TOTAL PUBLIC FUNDS	\$9,787,841	\$9,787,841	\$9,787,841

Regional Services**Continuation Budget**

The purpose of this appropriation is to promote access to Department services and assistance through a statewide network of regional representatives, to provide technical assistance and grants to local communities to achieve goals relating to housing and community and economic development projects and services that are in-line with the community's comprehensive plan, and to develop leadership infrastructure across local governments.

TOTAL STATE FUNDS	\$1,105,561	\$1,105,561	\$1,105,561
State General Funds	\$1,105,561	\$1,105,561	\$1,105,561
TOTAL FEDERAL FUNDS	\$200,000	\$200,000	\$200,000
Federal Funds Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL AGENCY FUNDS	\$259,052	\$259,052	\$259,052
Intergovernmental Transfers	\$146,374	\$146,374	\$146,374
Intergovernmental Transfers Not Itemized	\$146,374	\$146,374	\$146,374
Sales and Services	\$112,678	\$112,678	\$112,678
Sales and Services Not Itemized	\$112,678	\$112,678	\$112,678
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$10,000	\$10,000	\$10,000
State Funds Transfers	\$10,000	\$10,000	\$10,000
Agency to Agency Contracts	\$10,000	\$10,000	\$10,000
TOTAL PUBLIC FUNDS	\$1,574,613	\$1,574,613	\$1,574,613

73.100 Regional Services**Appropriation (HB 683)**

The purpose of this appropriation is to promote access to Department services and assistance through a statewide network of regional representatives, to provide technical assistance and grants to local communities to achieve goals relating to housing and community and economic development projects and services that are in-line with the community's comprehensive plan, and to develop leadership infrastructure across local governments.

TOTAL STATE FUNDS	\$1,105,561	\$1,105,561	\$1,105,561
State General Funds	\$1,105,561	\$1,105,561	\$1,105,561
TOTAL FEDERAL FUNDS	\$200,000	\$200,000	\$200,000
Federal Funds Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL AGENCY FUNDS	\$259,052	\$259,052	\$259,052

Intergovernmental Transfers	\$146,374	\$146,374	\$146,374
Intergovernmental Transfers Not Itemized	\$146,374	\$146,374	\$146,374
Sales and Services	\$112,678	\$112,678	\$112,678
Sales and Services Not Itemized	\$112,678	\$112,678	\$112,678
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$10,000	\$10,000	\$10,000
State Funds Transfers	\$10,000	\$10,000	\$10,000
Agency to Agency Contracts	\$10,000	\$10,000	\$10,000
TOTAL PUBLIC FUNDS	\$1,574,613	\$1,574,613	\$1,574,613

Rental Housing Programs

Continuation Budget

The purpose of this appropriation is to provide affordable rental housing to very low, and moderate-income households by allocating federal and state housing tax credits on a competitive basis, by administering low-interest loans for affordable rental housing, by researching affordable housing issues, and by providing tenant-based assistance to low-income individuals and families allowing them to rent safe, decent, and sanitary dwelling units in the private rental market.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$125,867,471	\$125,867,471	\$125,867,471
Federal Funds Not Itemized	\$125,867,471	\$125,867,471	\$125,867,471
TOTAL AGENCY FUNDS	\$5,158,849	\$5,158,849	\$5,158,849
Reserved Fund Balances	\$83,232	\$83,232	\$83,232
Reserved Fund Balances Not Itemized	\$83,232	\$83,232	\$83,232
Intergovernmental Transfers	\$4,379,617	\$4,379,617	\$4,379,617
Intergovernmental Transfers Not Itemized	\$4,379,617	\$4,379,617	\$4,379,617
Sales and Services	\$696,000	\$696,000	\$696,000
Sales and Services Not Itemized	\$696,000	\$696,000	\$696,000
TOTAL PUBLIC FUNDS	\$131,026,320	\$131,026,320	\$131,026,320

74.100 Rental Housing Programs

Appropriation (HB 683)

The purpose of this appropriation is to provide affordable rental housing to very low, and moderate-income households by allocating federal and state housing tax credits on a competitive basis, by administering low-interest loans for affordable rental housing, by researching affordable housing issues, and by providing tenant-based assistance to low-income individuals and families allowing them to rent safe, decent, and sanitary dwelling units in the private rental market.

TOTAL FEDERAL FUNDS	\$125,867,471	\$125,867,471	\$125,867,471
Federal Funds Not Itemized	\$125,867,471	\$125,867,471	\$125,867,471
TOTAL AGENCY FUNDS	\$5,158,849	\$5,158,849	\$5,158,849
Reserved Fund Balances	\$83,232	\$83,232	\$83,232
Reserved Fund Balances Not Itemized	\$83,232	\$83,232	\$83,232
Intergovernmental Transfers	\$4,379,617	\$4,379,617	\$4,379,617
Intergovernmental Transfers Not Itemized	\$4,379,617	\$4,379,617	\$4,379,617
Sales and Services	\$696,000	\$696,000	\$696,000
Sales and Services Not Itemized	\$696,000	\$696,000	\$696,000
TOTAL PUBLIC FUNDS	\$131,026,320	\$131,026,320	\$131,026,320

Research and Surveys**Continuation Budget**

The purpose of this appropriation is to conduct surveys and collect financial and management data from local governments and authorities in accordance with Georgia law.

TOTAL STATE FUNDS	\$415,170	\$415,170	\$415,170
State General Funds	\$415,170	\$415,170	\$415,170
TOTAL PUBLIC FUNDS	\$415,170	\$415,170	\$415,170

75.100 Research and Surveys**Appropriation (HB 683)**

The purpose of this appropriation is to conduct surveys and collect financial and management data from local governments and authorities in accordance with Georgia law.

TOTAL STATE FUNDS	\$415,170	\$415,170	\$415,170
State General Funds	\$415,170	\$415,170	\$415,170
TOTAL PUBLIC FUNDS	\$415,170	\$415,170	\$415,170

Special Housing Initiatives**Continuation Budget**

The purpose of this appropriation is to fund the State Housing Trust Fund; to provide grants for providers of shelter and services to the homeless; to administer loans and grants for affordable housing; to offer local communities collaboration and technical assistance in the development and implementation of an affordable housing plan; and to provide for other special housing initiatives.

TOTAL STATE FUNDS	\$3,062,892	\$3,062,892	\$3,062,892
State General Funds	\$3,062,892	\$3,062,892	\$3,062,892

TOTAL FEDERAL FUNDS	\$2,378,301	\$2,378,301	\$2,378,301
Federal Funds Not Itemized	\$2,378,301	\$2,378,301	\$2,378,301
TOTAL AGENCY FUNDS	\$999,490	\$999,490	\$999,490
Reserved Fund Balances	\$312,609	\$312,609	\$312,609
Reserved Fund Balances Not Itemized	\$312,609	\$312,609	\$312,609
Intergovernmental Transfers	\$686,881	\$686,881	\$686,881
Intergovernmental Transfers Not Itemized	\$686,881	\$686,881	\$686,881
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$48,933	\$48,933	\$48,933
State Funds Transfers	\$48,933	\$48,933	\$48,933
Agency to Agency Contracts	\$48,933	\$48,933	\$48,933
TOTAL PUBLIC FUNDS	\$6,489,616	\$6,489,616	\$6,489,616

76.100 Special Housing Initiatives

Appropriation (HB 683)

The purpose of this appropriation is to fund the State Housing Trust Fund; to provide grants for providers of shelter and services to the homeless; to administer loans and grants for affordable housing; to offer local communities collaboration and technical assistance in the development and implementation of an affordable housing plan; and to provide for other special housing initiatives.

TOTAL STATE FUNDS	\$3,062,892	\$3,062,892	\$3,062,892
State General Funds	\$3,062,892	\$3,062,892	\$3,062,892
TOTAL FEDERAL FUNDS	\$2,378,301	\$2,378,301	\$2,378,301
Federal Funds Not Itemized	\$2,378,301	\$2,378,301	\$2,378,301
TOTAL AGENCY FUNDS	\$999,490	\$999,490	\$999,490
Reserved Fund Balances	\$312,609	\$312,609	\$312,609
Reserved Fund Balances Not Itemized	\$312,609	\$312,609	\$312,609
Intergovernmental Transfers	\$686,881	\$686,881	\$686,881
Intergovernmental Transfers Not Itemized	\$686,881	\$686,881	\$686,881
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$48,933	\$48,933	\$48,933
State Funds Transfers	\$48,933	\$48,933	\$48,933
Agency to Agency Contracts	\$48,933	\$48,933	\$48,933
TOTAL PUBLIC FUNDS	\$6,489,616	\$6,489,616	\$6,489,616

State Community Development Programs

Continuation Budget

The purpose of this appropriation is to assist Georgia cities, small towns, and neighborhoods in the development of their core commercial areas, and to champion new development opportunities for rural Georgia.

TOTAL STATE FUNDS	\$1,021,165	\$1,021,165	\$1,021,165
State General Funds	\$1,021,165	\$1,021,165	\$1,021,165
TOTAL AGENCY FUNDS	\$197,650	\$197,650	\$197,650
Intergovernmental Transfers	\$190,000	\$190,000	\$190,000
Intergovernmental Transfers Not Itemized	\$190,000	\$190,000	\$190,000
Sales and Services	\$7,650	\$7,650	\$7,650
Sales and Services Not Itemized	\$7,650	\$7,650	\$7,650
TOTAL PUBLIC FUNDS	\$1,218,815	\$1,218,815	\$1,218,815

77.100 State Community Development Programs**Appropriation (HB 683)**

The purpose of this appropriation is to assist Georgia cities, small towns, and neighborhoods in the development of their core commercial areas, and to champion new development opportunities for rural Georgia.

TOTAL STATE FUNDS	\$1,021,165	\$1,021,165	\$1,021,165
State General Funds	\$1,021,165	\$1,021,165	\$1,021,165
TOTAL AGENCY FUNDS	\$197,650	\$197,650	\$197,650
Intergovernmental Transfers	\$190,000	\$190,000	\$190,000
Intergovernmental Transfers Not Itemized	\$190,000	\$190,000	\$190,000
Sales and Services	\$7,650	\$7,650	\$7,650
Sales and Services Not Itemized	\$7,650	\$7,650	\$7,650
TOTAL PUBLIC FUNDS	\$1,218,815	\$1,218,815	\$1,218,815

State Economic Development Programs**Continuation Budget**

The purpose of this appropriation is to provide grants and loans to local governments and businesses and to leverage private investment in order to attract and promote economic development and job creation.

TOTAL STATE FUNDS	\$26,101,351	\$26,101,351	\$26,101,351
State General Funds	\$26,101,351	\$26,101,351	\$26,101,351
TOTAL AGENCY FUNDS	\$647,532	\$647,532	\$647,532
Intergovernmental Transfers	\$464,244	\$464,244	\$464,244
Intergovernmental Transfers Not Itemized	\$464,244	\$464,244	\$464,244
Sales and Services	\$183,288	\$183,288	\$183,288
Sales and Services Not Itemized	\$183,288	\$183,288	\$183,288
TOTAL PUBLIC FUNDS	\$26,748,883	\$26,748,883	\$26,748,883

78.100 State Economic Development Programs **Appropriation (HB 683)**

The purpose of this appropriation is to provide grants and loans to local governments and businesses and to leverage private investment in order to attract and promote economic development and job creation.

TOTAL STATE FUNDS	\$26,101,351	\$26,101,351	\$26,101,351
State General Funds	\$26,101,351	\$26,101,351	\$26,101,351
TOTAL AGENCY FUNDS	\$647,532	\$647,532	\$647,532
Intergovernmental Transfers	\$464,244	\$464,244	\$464,244
Intergovernmental Transfers Not Itemized	\$464,244	\$464,244	\$464,244
Sales and Services	\$183,288	\$183,288	\$183,288
Sales and Services Not Itemized	\$183,288	\$183,288	\$183,288
TOTAL PUBLIC FUNDS	\$26,748,883	\$26,748,883	\$26,748,883

Payments to Georgia Environmental Finance Authority

Continuation Budget

The purpose of this appropriation is to provide funds for water, wastewater, solid waste, energy, and land conservation projects.

TOTAL STATE FUNDS	\$788,495	\$788,495	\$788,495
State General Funds	\$788,495	\$788,495	\$788,495
TOTAL PUBLIC FUNDS	\$788,495	\$788,495	\$788,495

79.100 Payments to Georgia Environmental Finance Authority **Appropriation (HB 683)**

The purpose of this appropriation is to provide funds for water, wastewater, solid waste, energy, and land conservation projects.

TOTAL STATE FUNDS	\$788,495	\$788,495	\$788,495
State General Funds	\$788,495	\$788,495	\$788,495
TOTAL PUBLIC FUNDS	\$788,495	\$788,495	\$788,495

Payments to Georgia Regional Transportation Authority

Continuation Budget

The purpose of this appropriation is to improve Georgia's mobility, air quality, and land use practices by operating the Xpress bus service, conducting transportation improvement studies, producing an annual Air Quality Report, and reviewing Developments of Regional Impact.

TOTAL STATE FUNDS	\$12,809,285	\$12,809,285	\$12,809,285
State General Funds	\$12,809,285	\$12,809,285	\$12,809,285
TOTAL PUBLIC FUNDS	\$12,809,285	\$12,809,285	\$12,809,285

80.100 Payments to Georgia Regional Transportation Authority **Appropriation (HB 683)**

The purpose of this appropriation is to improve Georgia's mobility, air quality, and land use practices by operating the Xpress bus service, conducting transportation improvement studies, producing an annual Air Quality Report, and reviewing Developments of Regional Impact.

TOTAL STATE FUNDS	\$12,809,285	\$12,809,285	\$12,809,285
State General Funds	\$12,809,285	\$12,809,285	\$12,809,285
TOTAL PUBLIC FUNDS	\$12,809,285	\$12,809,285	\$12,809,285

Payments to OneGeorgia Authority

Continuation Budget

The purpose of this appropriation is to provide funds for the OneGeorgia Authority.

TOTAL STATE FUNDS	\$20,000,000	\$20,000,000	\$20,000,000
State General Funds	\$20,000,000	\$20,000,000	\$20,000,000
TOTAL AGENCY FUNDS	\$145,521	\$145,521	\$145,521
Intergovernmental Transfers	\$145,521	\$145,521	\$145,521
Intergovernmental Transfers Not Itemized	\$145,521	\$145,521	\$145,521
TOTAL PUBLIC FUNDS	\$20,145,521	\$20,145,521	\$20,145,521

81.1 *Increase funds for beach nourishment projects.*

State General Funds	\$10,000,000	\$10,000,000	\$10,000,000
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81.2 *Provide \$250,000 for the Community Defense Initiative grant. (G:YES)(H and S:YES; Provide \$250,000 for the Defense Community Economic Development Fund per HB470 (2017 Session))*

State General Funds	\$0	\$0	\$0
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81.100 Payments to OneGeorgia Authority **Appropriation (HB 683)**

The purpose of this appropriation is to provide funds for the OneGeorgia Authority.

TOTAL STATE FUNDS	\$30,000,000	\$30,000,000	\$30,000,000
State General Funds	\$30,000,000	\$30,000,000	\$30,000,000
TOTAL AGENCY FUNDS	\$145,521	\$145,521	\$145,521
Intergovernmental Transfers	\$145,521	\$145,521	\$145,521
Intergovernmental Transfers Not Itemized	\$145,521	\$145,521	\$145,521
TOTAL PUBLIC FUNDS	\$30,145,521	\$30,145,521	\$30,145,521

Section 17: Community Health, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$3,137,475,963	\$3,137,475,963	\$3,137,475,963
State General Funds	\$2,543,010,406	\$2,543,010,406	\$2,543,010,406
Tobacco Settlement Funds	\$112,102,290	\$112,102,290	\$112,102,290
Nursing Home Provider Fees	\$171,469,380	\$171,469,380	\$171,469,380
Hospital Provider Fee	\$310,893,887	\$310,893,887	\$310,893,887
TOTAL FEDERAL FUNDS	\$7,615,227,599	\$7,615,227,599	\$7,615,227,599
Federal Funds Not Itemized	\$26,643,401	\$26,643,401	\$26,643,401
Medical Assistance Program CFDA93.778	\$7,127,495,267	\$7,127,495,267	\$7,127,495,267
State Children's Insurance Program CFDA93.767	\$461,088,931	\$461,088,931	\$461,088,931
TOTAL AGENCY FUNDS	\$313,145,802	\$313,145,802	\$313,145,802
Intergovernmental Transfers	\$306,429,552	\$306,429,552	\$306,429,552
Hospital Authorities	\$306,429,552	\$306,429,552	\$306,429,552
Sales and Services	\$3,600,000	\$3,600,000	\$3,600,000
Sales and Services Not Itemized	\$3,600,000	\$3,600,000	\$3,600,000
Sanctions, Fines, and Penalties	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties Not Itemized	\$3,116,250	\$3,116,250	\$3,116,250
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,743,676,507	\$3,743,676,507	\$3,743,676,507
State Funds Transfers	\$3,743,346,507	\$3,743,346,507	\$3,743,346,507
Agency to Agency Contracts	\$1,168,519	\$1,168,519	\$1,168,519
Health Insurance Payments	\$3,461,320,726	\$3,461,320,726	\$3,461,320,726
Optional Medicaid Services Payments	\$280,857,262	\$280,857,262	\$280,857,262
Federal Funds Transfers	\$330,000	\$330,000	\$330,000
FF Medical Assistance Program CFDA93.778	\$330,000	\$330,000	\$330,000
TOTAL PUBLIC FUNDS	\$14,809,525,871	\$14,809,525,871	\$14,809,525,871

	Section Total - Final		
TOTAL STATE FUNDS	\$3,172,799,386	\$3,172,764,386	\$3,173,764,386
State General Funds	\$2,592,988,973	\$2,592,953,973	\$2,593,953,973
Tobacco Settlement Funds	\$112,102,290	\$112,102,290	\$112,102,290
Nursing Home Provider Fees	\$156,055,589	\$156,055,589	\$156,055,589
Hospital Provider Fee	\$311,652,534	\$311,652,534	\$311,652,534

TOTAL FEDERAL FUNDS	\$7,660,633,601	\$7,659,763,932	\$7,659,671,932
Federal Funds Not Itemized	\$26,643,401	\$26,643,401	\$26,643,401
Medical Assistance Program CFDA93.778	\$7,172,901,269	\$7,172,031,600	\$7,171,939,600
State Children's Insurance Program CFDA93.767	\$461,088,931	\$461,088,931	\$461,088,931
TOTAL AGENCY FUNDS	\$313,145,802	\$313,145,802	\$313,145,802
Intergovernmental Transfers	\$306,429,552	\$306,429,552	\$306,429,552
Hospital Authorities	\$306,429,552	\$306,429,552	\$306,429,552
Sales and Services	\$3,600,000	\$3,600,000	\$3,600,000
Sales and Services Not Itemized	\$3,600,000	\$3,600,000	\$3,600,000
Sanctions, Fines, and Penalties	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties Not Itemized	\$3,116,250	\$3,116,250	\$3,116,250
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,882,922,372	\$3,882,922,372	\$3,882,922,372
State Funds Transfers	\$3,882,592,372	\$3,882,592,372	\$3,882,592,372
Agency to Agency Contracts	\$1,168,519	\$1,168,519	\$1,168,519
Health Insurance Payments	\$3,600,566,591	\$3,600,566,591	\$3,600,566,591
Optional Medicaid Services Payments	\$280,857,262	\$280,857,262	\$280,857,262
Federal Funds Transfers	\$330,000	\$330,000	\$330,000
FF Medical Assistance Program CFDA93.778	\$330,000	\$330,000	\$330,000
TOTAL PUBLIC FUNDS	\$15,029,501,161	\$15,028,596,492	\$15,029,504,492

Departmental Administration (DCH)**Continuation Budget**

The purpose of this appropriation is to provide administrative support to all departmental programs.

TOTAL STATE FUNDS	\$64,613,086	\$64,613,086	\$64,613,086
State General Funds	\$64,613,086	\$64,613,086	\$64,613,086
TOTAL FEDERAL FUNDS	\$304,869,072	\$304,869,072	\$304,869,072
Federal Funds Not Itemized	\$1,921,233	\$1,921,233	\$1,921,233
Medical Assistance Program CFDA93.778	\$268,755,764	\$268,755,764	\$268,755,764
State Children's Insurance Program CFDA93.767	\$34,192,075	\$34,192,075	\$34,192,075
TOTAL AGENCY FUNDS	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties Not Itemized	\$3,116,250	\$3,116,250	\$3,116,250
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$22,810,104	\$22,810,104	\$22,810,104

State Funds Transfers	\$22,480,104	\$22,480,104	\$22,480,104
Agency to Agency Contracts	\$1,168,519	\$1,168,519	\$1,168,519
Health Insurance Payments	\$21,311,585	\$21,311,585	\$21,311,585
Federal Funds Transfers	\$330,000	\$330,000	\$330,000
FF Medical Assistance Program CFDA93.778	\$330,000	\$330,000	\$330,000
TOTAL PUBLIC FUNDS	\$395,408,512	\$395,408,512	\$395,408,512

82.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,770	\$3,770	\$3,770
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82.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$9,283)	(\$9,283)	(\$9,283)
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82.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,314	\$3,314	\$3,314
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82.4 *Increase funds for an electronic visit verification system for home and community-based services.*

State General Funds	\$1,043,766	\$1,043,766	\$1,043,766
Medical Assistance Program CFDA93.778	\$8,187,897	\$8,187,897	\$8,187,897
Total Public Funds:	\$9,231,663	\$9,231,663	\$9,231,663

82.5 *Increase funds for procurement of third party liability services.*

State General Funds	\$2,380,161	\$2,380,161	\$2,380,161
Medical Assistance Program CFDA93.778	\$8,506,846	\$8,506,846	\$8,506,846
Total Public Funds:	\$10,887,007	\$10,887,007	\$10,887,007

82.6 *Increase funds for the development, design, and implementation of an Enterprise Data Solution.*

State General Funds	\$1,742,280	\$1,742,280	\$1,742,280
Medical Assistance Program CFDA93.778	\$15,680,520	\$15,680,520	\$15,680,520
Total Public Funds:	\$17,422,800	\$17,422,800	\$17,422,800

82.7 *Increase funds to develop capacity for behavioral health services for children under 21 who are diagnosed as autistic.*

State General Funds	\$1,118,589	\$1,118,589	\$1,118,589
Medical Assistance Program CFDA93.778	\$118,589	\$118,589	\$118,589
Total Public Funds:	\$1,237,178	\$1,237,178	\$1,237,178

82.8 *Utilize \$452,900 in existing funds for Medicaid Information Technology Architecture (Total Funds: \$4,037,000).
(G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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82.9 *Utilize \$260,000 in existing funds for the replacement of the Medicaid Management Information System (Total Funds: \$2,600,000). (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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82.10 *Utilize \$12,675 in existing funds for one program coordinator position for children under 21 who are diagnosed as autistic (Total Funds: \$25,350). (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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82.11 *Increase funds for the analysis of the Medicaid delivery system for the purposes of identifying efficiencies and service delivery improvement opportunities.*

State General Funds		\$750,000	\$658,000
Medical Assistance Program CFDA93.778		\$750,000	\$658,000
Total Public Funds:		\$1,500,000	\$1,316,000

82.100 Departmental Administration (DCH)

Appropriation (HB 683)

The purpose of this appropriation is to provide administrative support to all departmental programs.

TOTAL STATE FUNDS	\$70,895,683	\$71,645,683	\$71,553,683
State General Funds	\$70,895,683	\$71,645,683	\$71,553,683
TOTAL FEDERAL FUNDS	\$337,362,924	\$338,112,924	\$338,020,924
Federal Funds Not Itemized	\$1,921,233	\$1,921,233	\$1,921,233
Medical Assistance Program CFDA93.778	\$301,249,616	\$301,999,616	\$301,907,616
State Children's Insurance Program CFDA93.767	\$34,192,075	\$34,192,075	\$34,192,075
TOTAL AGENCY FUNDS	\$3,116,250	\$3,116,250	\$3,116,250

Sanctions, Fines, and Penalties	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties Not Itemized	\$3,116,250	\$3,116,250	\$3,116,250
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$22,810,104	\$22,810,104	\$22,810,104
State Funds Transfers	\$22,480,104	\$22,480,104	\$22,480,104
Agency to Agency Contracts	\$1,168,519	\$1,168,519	\$1,168,519
Health Insurance Payments	\$21,311,585	\$21,311,585	\$21,311,585
Federal Funds Transfers	\$330,000	\$330,000	\$330,000
FF Medical Assistance Program CFDA93.778	\$330,000	\$330,000	\$330,000
TOTAL PUBLIC FUNDS	\$434,184,961	\$435,684,961	\$435,500,961

Georgia Board of Dentistry

Continuation Budget

The purpose of this appropriation is to protect public health by licensing qualified applicants as dentists and dental hygienists, regulating the practice of dentistry, investigating complaints, and taking appropriate disciplinary action when warranted.

TOTAL STATE FUNDS	\$833,125	\$833,125	\$833,125
State General Funds	\$833,125	\$833,125	\$833,125
TOTAL PUBLIC FUNDS	\$833,125	\$833,125	\$833,125

83.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$102	\$102	\$102
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83.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$252)	(\$252)	(\$252)
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83.100 Georgia Board of Dentistry	Appropriation (HB 683)
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The purpose of this appropriation is to protect public health by licensing qualified applicants as dentists and dental hygienists, regulating the practice of dentistry, investigating complaints, and taking appropriate disciplinary action when warranted.

TOTAL STATE FUNDS	\$832,975	\$832,975	\$832,975
State General Funds	\$832,975	\$832,975	\$832,975
TOTAL PUBLIC FUNDS	\$832,975	\$832,975	\$832,975

Georgia State Board of Pharmacy**Continuation Budget**

The purpose of this appropriation is to protect public health by licensing qualified pharmacists and pharmacies, regulating the practice of pharmacy, investigating complaints, and taking appropriate disciplinary actions when warranted.

TOTAL STATE FUNDS	\$768,932	\$768,932	\$768,932
State General Funds	\$768,932	\$768,932	\$768,932
TOTAL PUBLIC FUNDS	\$768,932	\$768,932	\$768,932

84.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$110	\$110	\$110
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84.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$271)	(\$271)	(\$271)
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84.100 Georgia State Board of Pharmacy**Appropriation (HB 683)**

The purpose of this appropriation is to protect public health by licensing qualified pharmacists and pharmacies, regulating the practice of pharmacy, investigating complaints, and taking appropriate disciplinary actions when warranted.

TOTAL STATE FUNDS	\$768,771	\$768,771	\$768,771
State General Funds	\$768,771	\$768,771	\$768,771
TOTAL PUBLIC FUNDS	\$768,771	\$768,771	\$768,771

Health Care Access and Improvement**Continuation Budget**

The purpose of this appropriation is to provide grants and other support services for programs that seek to improve health access and outcomes in rural and underserved areas of Georgia through the State Office of Rural Health, the various commissions of the Office of Health Improvement, and the Office of Health Information Technology and Transparency.

TOTAL STATE FUNDS	\$12,265,461	\$12,265,461	\$12,265,461
State General Funds	\$12,265,461	\$12,265,461	\$12,265,461
TOTAL FEDERAL FUNDS	\$16,446,551	\$16,446,551	\$16,446,551
Federal Funds Not Itemized	\$16,030,301	\$16,030,301	\$16,030,301
Medical Assistance Program CFDA93.778	\$416,250	\$416,250	\$416,250
TOTAL PUBLIC FUNDS	\$28,712,012	\$28,712,012	\$28,712,012

85.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$121	\$121	\$121
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85.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$299)	(\$299)	(\$299)
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85.3 *Increase funds for the Healthcare for the Homeless grant program.*

State General Funds	\$66,371	\$66,371	\$66,371
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85.4 *Utilize \$200,000 in existing funds to support the Rural Swing-Bed Management grant program. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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85.5 *Utilize \$150,000 in existing funds to support the Rural Hospital External Peer Review Network grant program. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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85.6 *Increase funds for the State Office of Rural Health to conduct a request for proposal process to identify a postsecondary institution within the state as an appropriate location for the Rural Center for Health Care Innovation and Sustainability as recommended by the House Rural Development Council. (S:Increase funds to develop plans to establish and implement the Health Coordination and Innovation Council of the State of Georgia and Health System Innovation Center as outlined in SB357 (2018 Session))*

State General Funds		\$75,000	\$100,000
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85.7 *Increase funds to the State Office of Rural Health to fund a grant program, as proposed in SB14 (2017 Session), for the purpose of encouraging health systems or primary care providers to purchase data analytic or electronic/digital population health tools to improve health outcomes in rural Georgia.*

State General Funds			\$1,000,000
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85.100 Health Care Access and Improvement	Appropriation (HB 683)
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The purpose of this appropriation is to provide grants and other support services for programs that seek to improve health access and outcomes in rural and underserved areas of Georgia through the State Office of Rural Health, the various commissions of the Office of Health Improvement, and the Office of Health Information Technology and Transparency.

TOTAL STATE FUNDS	\$12,331,654	\$12,406,654	\$13,431,654
State General Funds	\$12,331,654	\$12,406,654	\$13,431,654
TOTAL FEDERAL FUNDS	\$16,446,551	\$16,446,551	\$16,446,551
Federal Funds Not Itemized	\$16,030,301	\$16,030,301	\$16,030,301
Medical Assistance Program CFDA93.778	\$416,250	\$416,250	\$416,250
TOTAL PUBLIC FUNDS	\$28,778,205	\$28,853,205	\$29,878,205

Healthcare Facility Regulation**Continuation Budget**

The purpose of this appropriation is to inspect and license long term care and health care facilities.

TOTAL STATE FUNDS	\$13,215,132	\$13,215,132	\$13,215,132
State General Funds	\$13,215,132	\$13,215,132	\$13,215,132
TOTAL FEDERAL FUNDS	\$11,948,252	\$11,948,252	\$11,948,252
Federal Funds Not Itemized	\$5,904,653	\$5,904,653	\$5,904,653
Medical Assistance Program CFDA93.778	\$6,043,599	\$6,043,599	\$6,043,599
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$25,263,384	\$25,263,384	\$25,263,384

86.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,733	\$1,733	\$1,733
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86.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,265)	(\$4,265)	(\$4,265)
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86.100 Healthcare Facility Regulation**Appropriation (HB 683)**

The purpose of this appropriation is to inspect and license long term care and health care facilities.

TOTAL STATE FUNDS	\$13,212,600	\$13,212,600	\$13,212,600
State General Funds	\$13,212,600	\$13,212,600	\$13,212,600
TOTAL FEDERAL FUNDS	\$11,948,252	\$11,948,252	\$11,948,252
Federal Funds Not Itemized	\$5,904,653	\$5,904,653	\$5,904,653

Medical Assistance Program CFDA93.778	\$6,043,599	\$6,043,599	\$6,043,599
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$25,260,852	\$25,260,852	\$25,260,852

Indigent Care Trust Fund

Continuation Budget

The purpose of this appropriation is to support rural and other healthcare providers, primarily hospitals that serve medically indigent Georgians.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$257,075,969	\$257,075,969	\$257,075,969
Medical Assistance Program CFDA93.778	\$257,075,969	\$257,075,969	\$257,075,969
TOTAL AGENCY FUNDS	\$142,586,524	\$142,586,524	\$142,586,524
Intergovernmental Transfers	\$139,386,524	\$139,386,524	\$139,386,524
Hospital Authorities	\$139,386,524	\$139,386,524	\$139,386,524
Sales and Services	\$3,200,000	\$3,200,000	\$3,200,000
Sales and Services Not Itemized	\$3,200,000	\$3,200,000	\$3,200,000
TOTAL PUBLIC FUNDS	\$399,662,493	\$399,662,493	\$399,662,493

87.1 *Increase funds to provide the state match for Disproportionate Share Hospital (DSH) payments for private deemed and non-deemed hospitals.*

State General Funds	\$23,000,000	\$23,000,000	\$23,000,000
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87.100 Indigent Care Trust Fund

Appropriation (HB 683)

The purpose of this appropriation is to support rural and other healthcare providers, primarily hospitals that serve medically indigent Georgians.

TOTAL STATE FUNDS	\$23,000,000	\$23,000,000	\$23,000,000
State General Funds	\$23,000,000	\$23,000,000	\$23,000,000
TOTAL FEDERAL FUNDS	\$257,075,969	\$257,075,969	\$257,075,969
Medical Assistance Program CFDA93.778	\$257,075,969	\$257,075,969	\$257,075,969
TOTAL AGENCY FUNDS	\$142,586,524	\$142,586,524	\$142,586,524

Intergovernmental Transfers	\$139,386,524	\$139,386,524	\$139,386,524
Hospital Authorities	\$139,386,524	\$139,386,524	\$139,386,524
Sales and Services	\$3,200,000	\$3,200,000	\$3,200,000
Sales and Services Not Itemized	\$3,200,000	\$3,200,000	\$3,200,000
TOTAL PUBLIC FUNDS	\$422,662,493	\$422,662,493	\$422,662,493

Medicaid: Aged, Blind, and Disabled**Continuation Budget**

The purpose of this appropriation is to provide health care access primarily to elderly and disabled individuals. There is also hereby appropriated to the Department of Community Health a specific sum of money equal to all the provider fees paid to the Indigent Care Trust Fund created pursuant to Article 6A of chapter 8 of Title 31. The sum of money is appropriated for payments for nursing homes pursuant to Article 6A.

TOTAL STATE FUNDS	\$1,662,343,191	\$1,662,343,191	\$1,662,343,191
State General Funds	\$1,451,975,968	\$1,451,975,968	\$1,451,975,968
Tobacco Settlement Funds	\$6,191,806	\$6,191,806	\$6,191,806
Nursing Home Provider Fees	\$171,469,380	\$171,469,380	\$171,469,380
Hospital Provider Fee	\$32,706,037	\$32,706,037	\$32,706,037
TOTAL FEDERAL FUNDS	\$3,604,559,302	\$3,604,559,302	\$3,604,559,302
Federal Funds Not Itemized	\$2,787,214	\$2,787,214	\$2,787,214
Medical Assistance Program CFDA93.778	\$3,601,772,088	\$3,601,772,088	\$3,601,772,088
TOTAL AGENCY FUNDS	\$110,182,092	\$110,182,092	\$110,182,092
Intergovernmental Transfers	\$110,182,092	\$110,182,092	\$110,182,092
Hospital Authorities	\$110,182,092	\$110,182,092	\$110,182,092
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$267,288,632	\$267,288,632	\$267,288,632
State Funds Transfers	\$267,288,632	\$267,288,632	\$267,288,632
Optional Medicaid Services Payments	\$267,288,632	\$267,288,632	\$267,288,632
TOTAL PUBLIC FUNDS	\$5,644,373,217	\$5,644,373,217	\$5,644,373,217

88.1 *Increase funds for growth in Medicaid based on projected need.*

State General Funds	\$26,978,627	\$26,228,627	\$26,228,627
Medical Assistance Program CFDA93.778	\$58,261,901	\$56,642,232	\$56,642,232
Total Public Funds:	\$85,240,528	\$82,870,859	\$82,870,859

88.2 *Reduce funds to reflect projected revenue from the nursing home provider fee.*

Medical Assistance Program CFDA93.778	(\$33,286,970)	(\$33,286,970)	(\$33,286,970)
Nursing Home Provider Fees	(\$15,413,791)	(\$15,413,791)	(\$15,413,791)
Total Public Funds:	(\$48,700,761)	(\$48,700,761)	(\$48,700,761)

88.100 Medicaid: Aged, Blind, and Disabled **Appropriation (HB 683)**

The purpose of this appropriation is to provide health care access primarily to elderly and disabled individuals. There is also hereby appropriated to the Department of Community Health a specific sum of money equal to all the provider fees paid to the Indigent Care Trust Fund created pursuant to Article 6A of chapter 8 of Title 31. The sum of money is appropriated for payments for nursing homes pursuant to Article 6A.

TOTAL STATE FUNDS	\$1,673,908,027	\$1,673,158,027	\$1,673,158,027
State General Funds	\$1,478,954,595	\$1,478,204,595	\$1,478,204,595
Tobacco Settlement Funds	\$6,191,806	\$6,191,806	\$6,191,806
Nursing Home Provider Fees	\$156,055,589	\$156,055,589	\$156,055,589
Hospital Provider Fee	\$32,706,037	\$32,706,037	\$32,706,037
TOTAL FEDERAL FUNDS	\$3,629,534,233	\$3,627,914,564	\$3,627,914,564
Federal Funds Not Itemized	\$2,787,214	\$2,787,214	\$2,787,214
Medical Assistance Program CFDA93.778	\$3,626,747,019	\$3,625,127,350	\$3,625,127,350
TOTAL AGENCY FUNDS	\$110,182,092	\$110,182,092	\$110,182,092
Intergovernmental Transfers	\$110,182,092	\$110,182,092	\$110,182,092
Hospital Authorities	\$110,182,092	\$110,182,092	\$110,182,092
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$267,288,632	\$267,288,632	\$267,288,632
State Funds Transfers	\$267,288,632	\$267,288,632	\$267,288,632
Optional Medicaid Services Payments	\$267,288,632	\$267,288,632	\$267,288,632
TOTAL PUBLIC FUNDS	\$5,680,912,984	\$5,678,543,315	\$5,678,543,315

Medicaid: Low-Income Medicaid

Continuation Budget

The purpose of this appropriation is to provide healthcare access primarily to low-income individuals.

TOTAL STATE FUNDS	\$1,311,837,601	\$1,311,837,601	\$1,311,837,601
State General Funds	\$927,739,267	\$927,739,267	\$927,739,267
Tobacco Settlement Funds	\$105,910,484	\$105,910,484	\$105,910,484
Hospital Provider Fee	\$278,187,850	\$278,187,850	\$278,187,850

TOTAL FEDERAL FUNDS	\$2,993,431,597	\$2,993,431,597	\$2,993,431,597
Medical Assistance Program CFDA93.778	\$2,993,431,597	\$2,993,431,597	\$2,993,431,597
TOTAL AGENCY FUNDS	\$56,860,936	\$56,860,936	\$56,860,936
Intergovernmental Transfers	\$56,860,936	\$56,860,936	\$56,860,936
Hospital Authorities	\$56,860,936	\$56,860,936	\$56,860,936
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$13,416,847	\$13,416,847	\$13,416,847
State Funds Transfers	\$13,416,847	\$13,416,847	\$13,416,847
Optional Medicaid Services Payments	\$13,416,847	\$13,416,847	\$13,416,847
TOTAL PUBLIC FUNDS	\$4,375,546,981	\$4,375,546,981	\$4,375,546,981

89.1 *Reduce funds for growth in Medicaid based on projected need.*

State General Funds	(\$6,344,412)	(\$6,344,412)	(\$6,344,412)
Medical Assistance Program CFDA93.778	(\$13,701,123)	(\$13,701,123)	(\$13,701,123)
Total Public Funds:	(\$20,045,535)	(\$20,045,535)	(\$20,045,535)

89.2 *Increase funds to reflect additional revenue from hospital provider payments.*

Medical Assistance Program CFDA93.778	\$1,638,342	\$1,638,342	\$1,638,342
Hospital Provider Fee	\$758,647	\$758,647	\$758,647
Total Public Funds:	\$2,396,989	\$2,396,989	\$2,396,989

89.100 Medicaid: Low-Income Medicaid

Appropriation (HB 683)

The purpose of this appropriation is to provide healthcare access primarily to low-income individuals.

TOTAL STATE FUNDS	\$1,306,251,836	\$1,306,251,836	\$1,306,251,836
State General Funds	\$921,394,855	\$921,394,855	\$921,394,855
Tobacco Settlement Funds	\$105,910,484	\$105,910,484	\$105,910,484
Hospital Provider Fee	\$278,946,497	\$278,946,497	\$278,946,497
TOTAL FEDERAL FUNDS	\$2,981,368,816	\$2,981,368,816	\$2,981,368,816
Medical Assistance Program CFDA93.778	\$2,981,368,816	\$2,981,368,816	\$2,981,368,816
TOTAL AGENCY FUNDS	\$56,860,936	\$56,860,936	\$56,860,936
Intergovernmental Transfers	\$56,860,936	\$56,860,936	\$56,860,936
Hospital Authorities	\$56,860,936	\$56,860,936	\$56,860,936
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$13,416,847	\$13,416,847	\$13,416,847
State Funds Transfers	\$13,416,847	\$13,416,847	\$13,416,847

Optional Medicaid Services Payments	\$13,416,847	\$13,416,847	\$13,416,847
TOTAL PUBLIC FUNDS	\$4,357,898,435	\$4,357,898,435	\$4,357,898,435

PeachCare

Continuation Budget

The purpose of this appropriation is to provide health insurance coverage for qualified low-income Georgia children.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$426,896,856	\$426,896,856	\$426,896,856
State Children's Insurance Program CFDA93.767	\$426,896,856	\$426,896,856	\$426,896,856
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$151,783	\$151,783	\$151,783
State Funds Transfers	\$151,783	\$151,783	\$151,783
Optional Medicaid Services Payments	\$151,783	\$151,783	\$151,783
TOTAL PUBLIC FUNDS	\$427,048,639	\$427,048,639	\$427,048,639

90.100 PeachCare

Appropriation (HB 683)

The purpose of this appropriation is to provide health insurance coverage for qualified low-income Georgia children.

TOTAL FEDERAL FUNDS	\$426,896,856	\$426,896,856	\$426,896,856
State Children's Insurance Program CFDA93.767	\$426,896,856	\$426,896,856	\$426,896,856
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$151,783	\$151,783	\$151,783
State Funds Transfers	\$151,783	\$151,783	\$151,783
Optional Medicaid Services Payments	\$151,783	\$151,783	\$151,783
TOTAL PUBLIC FUNDS	\$427,048,639	\$427,048,639	\$427,048,639

State Health Benefit Plan

Continuation Budget

The purpose of this appropriation is to provide a healthcare benefit for teachers and state employees that is competitive with other commercial benefit plans in quality of care and access to providers; and to provide for the efficient management of provider fees and utilization rates.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,440,009,141	\$3,440,009,141	\$3,440,009,141

State Funds Transfers	\$3,440,009,141	\$3,440,009,141	\$3,440,009,141
Health Insurance Payments	\$3,440,009,141	\$3,440,009,141	\$3,440,009,141
TOTAL PUBLIC FUNDS	\$3,440,009,141	\$3,440,009,141	\$3,440,009,141

91.1 *Increase funds to reflect updated projections for membership, medical services utilization, and medical trend changes.*
Health Insurance Payments \$158,747,365 \$158,747,365 \$158,747,365

91.2 *Increase funds to reflect enrollment growth to match Medicaid age requirements for the treatment of autism spectrum disorders (ASDs).*
Health Insurance Payments \$1,100,000 \$1,100,000 \$1,100,000

91.3 *Reduce funds to reflect Plan Year 2018 Health Maintenance Organization (HMO) procurement savings.*
Health Insurance Payments (\$2,478,000) (\$2,478,000) (\$2,478,000)

91.4 *Reduce funds to reflect savings attributable to Medicare Advantage (MA) rates in Plan Year 2018.*
Health Insurance Payments (\$32,541,000) (\$32,541,000) (\$32,541,000)

91.5 *Increase funds to reflect 3.7% average increase in employee premiums for non-Medicare Advantage plans, effective January 1, 2018.*
Health Insurance Payments \$12,100,000 \$12,100,000 \$12,100,000

91.6 *Increase funds to reflect \$20.57 premium increase for Medicare Advantage (MA) premium plan members, effective January 1, 2018.*
Health Insurance Payments \$5,499,500 \$5,499,500 \$5,499,500

91.7 *Reduce funds to reflect savings associated with the procurement of a pharmacy benefit manager in Plan Year 2018.*
Health Insurance Payments (\$3,182,000) (\$3,182,000) (\$3,182,000)

91.100 State Health Benefit Plan

Appropriation (HB 683)

The purpose of this appropriation is to provide a healthcare benefit for teachers and state employees that is competitive with other commercial benefit plans in quality of care and access to providers; and to provide for the efficient management of provider fees and utilization rates.

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,579,255,006	\$3,579,255,006	\$3,579,255,006
State Funds Transfers	\$3,579,255,006	\$3,579,255,006	\$3,579,255,006
Health Insurance Payments	\$3,579,255,006	\$3,579,255,006	\$3,579,255,006
TOTAL PUBLIC FUNDS	\$3,579,255,006	\$3,579,255,006	\$3,579,255,006

Physician Workforce, Georgia Board for: Board Administration

Continuation Budget

The purpose of this appropriation is to provide administrative support to all agency programs.

TOTAL STATE FUNDS	\$1,191,967	\$1,191,967	\$1,191,967
State General Funds	\$1,191,967	\$1,191,967	\$1,191,967
TOTAL PUBLIC FUNDS	\$1,191,967	\$1,191,967	\$1,191,967

92.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$211)	(\$211)	(\$211)
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92.100 Physician Workforce, Georgia Board for: Board Administration	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support to all agency programs.

TOTAL STATE FUNDS	\$1,191,756	\$1,191,756	\$1,191,756
State General Funds	\$1,191,756	\$1,191,756	\$1,191,756
TOTAL PUBLIC FUNDS	\$1,191,756	\$1,191,756	\$1,191,756

Physician Workforce, Georgia Board for: Graduate Medical Education

Continuation Budget

The purpose of this appropriation is to address the physician workforce needs of Georgia communities through the support and development of medical education programs.

TOTAL STATE FUNDS	\$13,296,798	\$13,296,798	\$13,296,798
State General Funds	\$13,296,798	\$13,296,798	\$13,296,798
TOTAL PUBLIC FUNDS	\$13,296,798	\$13,296,798	\$13,296,798

93.1 *Increase funds for a statewide residency recruitment fair as recommended by the House Rural Development Council.*

(S: Increase funds for two statewide residency recruitment fairs)

State General Funds		\$40,000	\$80,000
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93.2 *Increase funds for the Georgia Board for Physician Workforce to coordinate with the University System of Georgia and the State Office of Rural Health to develop a one-stop shop residency website as recommended by the House Rural Development Council.*

State General Funds		\$60,000	\$60,000
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93.3 *Reduce funds for the Gateway Behavioral Health psychiatry residency program to reflect actual expenditures.*

State General Funds		(\$110,000)	(\$110,000)
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93.4 *Reduce funds for the Accelerated Track program at Memorial Health to reflect actual expenditures.*

State General Funds		(\$100,000)	(\$100,000)
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93.100 Physician Workforce, Georgia Board for: Graduate Medical Education	Appropriation (HB 683)		
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The purpose of this appropriation is to address the physician workforce needs of Georgia communities through the support and development of medical education programs.

TOTAL STATE FUNDS	\$13,296,798	\$13,186,798	\$13,226,798
State General Funds	\$13,296,798	\$13,186,798	\$13,226,798
TOTAL PUBLIC FUNDS	\$13,296,798	\$13,186,798	\$13,226,798

Physician Workforce, Georgia Board for: Mercer School of Medicine Grant

Continuation Budget

The purpose of this appropriation is to provide funding for the Mercer University School of Medicine to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

TOTAL STATE FUNDS	\$24,039,911	\$24,039,911	\$24,039,911
State General Funds	\$24,039,911	\$24,039,911	\$24,039,911
TOTAL PUBLIC FUNDS	\$24,039,911	\$24,039,911	\$24,039,911

94.100 Physician Workforce, Georgia Board for: Mercer School of Medicine Grant	Appropriation (HB 683)		
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The purpose of this appropriation is to provide funding for the Mercer University School of Medicine to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

TOTAL STATE FUNDS	\$24,039,911	\$24,039,911	\$24,039,911
State General Funds	\$24,039,911	\$24,039,911	\$24,039,911
TOTAL PUBLIC FUNDS	\$24,039,911	\$24,039,911	\$24,039,911

Physician Workforce, Georgia Board for: Morehouse School of Medicine Grant

Continuation Budget

The purpose of this appropriation is to provide funding for the Morehouse School of Medicine and affiliated hospitals to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

TOTAL STATE FUNDS	\$23,360,975	\$23,360,975	\$23,360,975
State General Funds	\$23,360,975	\$23,360,975	\$23,360,975
TOTAL PUBLIC FUNDS	\$23,360,975	\$23,360,975	\$23,360,975

95.100 Physician Workforce, Georgia Board for: Morehouse School of Medicine Grant	Appropriation (HB 683)
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The purpose of this appropriation is to provide funding for the Morehouse School of Medicine and affiliated hospitals to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

TOTAL STATE FUNDS	\$23,360,975	\$23,360,975	\$23,360,975
State General Funds	\$23,360,975	\$23,360,975	\$23,360,975
TOTAL PUBLIC FUNDS	\$23,360,975	\$23,360,975	\$23,360,975

Physician Workforce, Georgia Board for: Physicians for Rural Areas

Continuation Budget

The purpose of this appropriation is to ensure an adequate supply of physicians in rural areas of the state, and to provide a program of aid to promising medical students.

TOTAL STATE FUNDS	\$1,910,000	\$1,910,000	\$1,910,000
State General Funds	\$1,910,000	\$1,910,000	\$1,910,000
TOTAL PUBLIC FUNDS	\$1,910,000	\$1,910,000	\$1,910,000

96.100 Physician Workforce, Georgia Board for: Physicians for Rural Areas	Appropriation (HB 683)
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The purpose of this appropriation is to ensure an adequate supply of physicians in rural areas of the state, and to provide a program of aid to promising medical students.

TOTAL STATE FUNDS	\$1,910,000	\$1,910,000	\$1,910,000
State General Funds	\$1,910,000	\$1,910,000	\$1,910,000
TOTAL PUBLIC FUNDS	\$1,910,000	\$1,910,000	\$1,910,000

Physician Workforce, Georgia Board for: Undergraduate Medical Education

Continuation Budget

The purpose of this appropriation is to ensure an adequate supply of primary care and other needed physician specialists through a public/private partnership with medical schools in Georgia.

TOTAL STATE FUNDS	\$3,048,113	\$3,048,113	\$3,048,113
State General Funds	\$3,048,113	\$3,048,113	\$3,048,113
TOTAL PUBLIC FUNDS	\$3,048,113	\$3,048,113	\$3,048,113

97.100 Physician Workforce, Georgia Board for: Undergraduate Medical Education

Appropriation (HB 683)

The purpose of this appropriation is to ensure an adequate supply of primary care and other needed physician specialists through a public/private partnership with medical schools in Georgia.

TOTAL STATE FUNDS	\$3,048,113	\$3,048,113	\$3,048,113
State General Funds	\$3,048,113	\$3,048,113	\$3,048,113
TOTAL PUBLIC FUNDS	\$3,048,113	\$3,048,113	\$3,048,113

Georgia Composite Medical Board

Continuation Budget

The purpose of this appropriation is to license qualified applicants as physicians, physician's assistants, respiratory care professionals, perfusionists, acupuncturists, orthotists, prosthetists, and auricular (ear) detoxification specialists. Also, investigate complaints and discipline those who violate the Medical Practice Act or other laws governing the professional behavior of the Board licensees.

TOTAL STATE FUNDS	\$2,481,625	\$2,481,625	\$2,481,625
State General Funds	\$2,481,625	\$2,481,625	\$2,481,625
TOTAL AGENCY FUNDS	\$300,000	\$300,000	\$300,000
Sales and Services	\$300,000	\$300,000	\$300,000
Sales and Services Not Itemized	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$2,781,625	\$2,781,625	\$2,781,625

98.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$761)	(\$761)	(\$761)
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98.2 *Increase funds to promulgate rules and ensure provider compliance with the physician registration and use requirements in HB249 (2017 Session), and report to the House and Senate Appropriations Subcommittees on Health and Community Health the compliance rates and any enforcement actions taken for non-compliance after the July 1, 2018 deadline and again at six month intervals.*

State General Funds			\$27,000
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98.100 Georgia Composite Medical Board	Appropriation (HB 683)
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The purpose of this appropriation is to license qualified applicants as physicians, physician's assistants, respiratory care professionals, perfusionists, acupuncturists, orthotists, prosthetists, and auricular (ear) detoxification specialists. Also, investigate complaints and discipline those who violate the Medical Practice Act or other laws governing the professional behavior of the Board licensees.

TOTAL STATE FUNDS	\$2,480,864	\$2,480,864	\$2,507,864
State General Funds	\$2,480,864	\$2,480,864	\$2,507,864
TOTAL AGENCY FUNDS	\$300,000	\$300,000	\$300,000
Sales and Services	\$300,000	\$300,000	\$300,000
Sales and Services Not Itemized	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$2,780,864	\$2,780,864	\$2,807,864

Drugs and Narcotics Agency, Georgia

Continuation Budget

The purpose of this appropriation is to protect the health, safety, and welfare of the general public by providing an enforcement presence to oversee all laws and regulations pertaining to controlled substances and dangerous drugs.

TOTAL STATE FUNDS	\$2,270,046	\$2,270,046	\$2,270,046
State General Funds	\$2,270,046	\$2,270,046	\$2,270,046
TOTAL PUBLIC FUNDS	\$2,270,046	\$2,270,046	\$2,270,046

99.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$623)	(\$623)	(\$623)
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99.100 Drugs and Narcotics Agency, Georgia **Appropriation (HB 683)**

The purpose of this appropriation is to protect the health, safety, and welfare of the general public by providing an enforcement presence to oversee all laws and regulations pertaining to controlled substances and dangerous drugs.

TOTAL STATE FUNDS	\$2,269,423	\$2,269,423	\$2,269,423
State General Funds	\$2,269,423	\$2,269,423	\$2,269,423
TOTAL PUBLIC FUNDS	\$2,269,423	\$2,269,423	\$2,269,423

Section 18: Community Supervision, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$182,431,330	\$182,431,330	\$182,431,330
State General Funds	\$182,431,330	\$182,431,330	\$182,431,330
TOTAL FEDERAL FUNDS	\$125,000	\$125,000	\$125,000
Federal Funds Not Itemized	\$125,000	\$125,000	\$125,000
TOTAL AGENCY FUNDS	\$120,000	\$120,000	\$120,000
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$182,676,330	\$182,676,330	\$182,676,330

Section Total - Final

TOTAL STATE FUNDS	\$182,371,924	\$182,371,924	\$182,371,924
State General Funds	\$182,371,924	\$182,371,924	\$182,371,924
TOTAL FEDERAL FUNDS	\$125,000	\$125,000	\$125,000
Federal Funds Not Itemized	\$125,000	\$125,000	\$125,000
TOTAL AGENCY FUNDS	\$120,000	\$120,000	\$120,000
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$182,616,924	\$182,616,924	\$182,616,924

Departmental Administration (DCS)

Continuation Budget

The purpose of this appropriation is to provide administrative support for the agency.

TOTAL STATE FUNDS	\$9,406,532	\$9,406,532	\$9,406,532
State General Funds	\$9,406,532	\$9,406,532	\$9,406,532

TOTAL PUBLIC FUNDS	\$9,406,532	\$9,406,532	\$9,406,532
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100.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,673	\$1,673	\$1,673
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100.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,796)	(\$2,796)	(\$2,796)
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100.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$43,242)	(\$43,242)	(\$43,242)
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100.100 Departmental Administration (DCS)	Appropriation (HB 683)		
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The purpose of this appropriation is to provide administrative support for the agency.

TOTAL STATE FUNDS	\$9,362,167	\$9,362,167	\$9,362,167
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State General Funds	\$9,362,167	\$9,362,167	\$9,362,167
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TOTAL PUBLIC FUNDS	\$9,362,167	\$9,362,167	\$9,362,167
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Field Services

Continuation Budget

The purpose of this appropriation is to protect and serve Georgia citizens through effective and efficient offender supervision in communities, while providing opportunities for successful outcomes.

TOTAL STATE FUNDS	\$166,664,371	\$166,664,371	\$166,664,371
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State General Funds	\$166,664,371	\$166,664,371	\$166,664,371
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TOTAL AGENCY FUNDS	\$10,000	\$10,000	\$10,000
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Sales and Services	\$10,000	\$10,000	\$10,000
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Sales and Services Not Itemized	\$10,000	\$10,000	\$10,000
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TOTAL PUBLIC FUNDS	\$166,674,371	\$166,674,371	\$166,674,371
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101.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$30,935	\$30,935	\$30,935
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101.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$51,701)	(\$51,701)	(\$51,701)
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101.100 Field Services**Appropriation (HB 683)**

The purpose of this appropriation is to protect and serve Georgia citizens through effective and efficient offender supervision in communities, while providing opportunities for successful outcomes.

TOTAL STATE FUNDS	\$166,643,605	\$166,643,605	\$166,643,605
State General Funds	\$166,643,605	\$166,643,605	\$166,643,605
TOTAL AGENCY FUNDS	\$10,000	\$10,000	\$10,000
Sales and Services	\$10,000	\$10,000	\$10,000
Sales and Services Not Itemized	\$10,000	\$10,000	\$10,000
TOTAL PUBLIC FUNDS	\$166,653,605	\$166,653,605	\$166,653,605

Misdemeanor Probation**Continuation Budget**

The purpose of this appropriation is to provide regulation of all governmental and private misdemeanor probation providers through inspection and investigation.

TOTAL STATE FUNDS	\$639,159	\$639,159	\$639,159
State General Funds	\$639,159	\$639,159	\$639,159
TOTAL PUBLIC FUNDS	\$639,159	\$639,159	\$639,159

102.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$126	\$126	\$126
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102.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$211)	(\$211)	(\$211)
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102.100 Misdemeanor Probation**Appropriation (HB 683)**

The purpose of this appropriation is to provide regulation of all governmental and private misdemeanor probation providers through inspection and investigation.

TOTAL STATE FUNDS	\$639,074	\$639,074	\$639,074
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State General Funds	\$639,074	\$639,074	\$639,074
TOTAL PUBLIC FUNDS	\$639,074	\$639,074	\$639,074

Governor’s Office of Transition, Support and Reentry

Continuation Budget

The purpose of this appropriation is to provide a collaboration of governmental and nongovernmental stakeholders to develop and execute a systematic reentry plan for Georgia offenders and ensure the delivery of services to reduce recidivism and support the success of returning citizens.

TOTAL STATE FUNDS	\$5,186,691	\$5,186,691	\$5,186,691
State General Funds	\$5,186,691	\$5,186,691	\$5,186,691
TOTAL PUBLIC FUNDS	\$5,186,691	\$5,186,691	\$5,186,691

103.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$620	\$620	\$620
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103.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,556)	(\$1,556)	(\$1,556)
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103.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,079	\$4,079	\$4,079
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103.100 Governor’s Office of Transition, Support and Reentry	Appropriation (HB 683)		
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The purpose of this appropriation is to provide a collaboration of governmental and nongovernmental stakeholders to develop and execute a systematic reentry plan for Georgia offenders and ensure the delivery of services to reduce recidivism and support the success of returning citizens.

TOTAL STATE FUNDS	\$5,189,834	\$5,189,834	\$5,189,834
State General Funds	\$5,189,834	\$5,189,834	\$5,189,834
TOTAL PUBLIC FUNDS	\$5,189,834	\$5,189,834	\$5,189,834

Family Violence, Georgia Commission on

Continuation Budget

The purpose of this appropriation is to provide for the study and evaluation of needs and services relating to family violence in

Georgia, develop models for community task forces on family violence, provide training and continuing education on the dynamics of family violence, and develop standards to be used in the certification and regulation of Family Violence Intervention Programs.

TOTAL STATE FUNDS	\$534,577	\$534,577	\$534,577
State General Funds	\$534,577	\$534,577	\$534,577
TOTAL FEDERAL FUNDS	\$125,000	\$125,000	\$125,000
Federal Funds Not Itemized	\$125,000	\$125,000	\$125,000
TOTAL AGENCY FUNDS	\$110,000	\$110,000	\$110,000
Sales and Services	\$110,000	\$110,000	\$110,000
Sales and Services Not Itemized	\$110,000	\$110,000	\$110,000
TOTAL PUBLIC FUNDS	\$769,577	\$769,577	\$769,577

104.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$71	\$71	\$71
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104.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$192)	(\$192)	(\$192)
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104.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,788	\$2,788	\$2,788
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104.100 Family Violence, Georgia Commission on

Appropriation (HB 683)

The purpose of this appropriation is to provide for the study and evaluation of needs and services relating to family violence in Georgia, develop models for community task forces on family violence, provide training and continuing education on the dynamics of family violence, and develop standards to be used in the certification and regulation of Family Violence Intervention Programs.

TOTAL STATE FUNDS	\$537,244	\$537,244	\$537,244
State General Funds	\$537,244	\$537,244	\$537,244
TOTAL FEDERAL FUNDS	\$125,000	\$125,000	\$125,000
Federal Funds Not Itemized	\$125,000	\$125,000	\$125,000
TOTAL AGENCY FUNDS	\$110,000	\$110,000	\$110,000
Sales and Services	\$110,000	\$110,000	\$110,000

Sales and Services Not Itemized	\$110,000	\$110,000	\$110,000
TOTAL PUBLIC FUNDS	\$772,244	\$772,244	\$772,244

Section 19: Corrections, Department of

TOTAL STATE FUNDS	\$1,178,092,379	\$1,178,092,379	\$1,178,092,379
State General Funds	\$1,178,092,379	\$1,178,092,379	\$1,178,092,379
TOTAL FEDERAL FUNDS	\$170,555	\$170,555	\$170,555
Federal Funds Not Itemized	\$170,555	\$170,555	\$170,555
TOTAL AGENCY FUNDS	\$13,564,603	\$13,564,603	\$13,564,603
Sales and Services	\$13,564,603	\$13,564,603	\$13,564,603
Sales and Services Not Itemized	\$13,564,603	\$13,564,603	\$13,564,603
TOTAL PUBLIC FUNDS	\$1,191,827,537	\$1,191,827,537	\$1,191,827,537

Section Total - Continuation

Section Total - Final

TOTAL STATE FUNDS	\$1,179,495,349	\$1,179,483,364	\$1,179,483,364
State General Funds	\$1,179,495,349	\$1,179,483,364	\$1,179,483,364
TOTAL FEDERAL FUNDS	\$170,555	\$170,555	\$170,555
Federal Funds Not Itemized	\$170,555	\$170,555	\$170,555
TOTAL AGENCY FUNDS	\$13,564,603	\$13,564,603	\$13,564,603
Sales and Services	\$13,564,603	\$13,564,603	\$13,564,603
Sales and Services Not Itemized	\$13,564,603	\$13,564,603	\$13,564,603
TOTAL PUBLIC FUNDS	\$1,193,230,507	\$1,193,218,522	\$1,193,218,522

County Jail Subsidy

Continuation Budget

The purpose of this appropriation is to reimburse counties for the costs of incarcerating state prisoners in their local facilities after sentencing.

TOTAL STATE FUNDS	\$5,000	\$5,000	\$5,000
State General Funds	\$5,000	\$5,000	\$5,000
TOTAL PUBLIC FUNDS	\$5,000	\$5,000	\$5,000

105.100 County Jail Subsidy	Appropriation (HB 683)
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The purpose of this appropriation is to reimburse counties for the costs of incarcerating state prisoners in their local facilities after sentencing.

TOTAL STATE FUNDS	\$5,000	\$5,000	\$5,000
State General Funds	\$5,000	\$5,000	\$5,000
TOTAL PUBLIC FUNDS	\$5,000	\$5,000	\$5,000

Departmental Administration (DOC)

Continuation Budget

The purpose of this appropriation is to protect and serve the citizens of Georgia by providing an effective and efficient department that administers a balanced correctional system.

TOTAL STATE FUNDS	\$37,548,448	\$37,548,448	\$37,548,448
State General Funds	\$37,548,448	\$37,548,448	\$37,548,448
TOTAL PUBLIC FUNDS	\$37,548,448	\$37,548,448	\$37,548,448

106.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$71,700	\$71,700	\$71,700
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106.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$10,014)	(\$10,014)	(\$10,014)
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106.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$83,181)	(\$83,181)	(\$83,181)
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106.100 Departmental Administration (DOC)	Appropriation (HB 683)
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The purpose of this appropriation is to protect and serve the citizens of Georgia by providing an effective and efficient department that administers a balanced correctional system.

TOTAL STATE FUNDS	\$37,526,953	\$37,526,953	\$37,526,953
State General Funds	\$37,526,953	\$37,526,953	\$37,526,953
TOTAL PUBLIC FUNDS	\$37,526,953	\$37,526,953	\$37,526,953

Detention Centers

Continuation Budget

The purpose of this appropriation is to provide housing, academic education, vocational training, work details, counseling, and substance abuse treatment for probationers who require more security or supervision than provided by regular community supervision.

TOTAL STATE FUNDS	\$39,218,080	\$39,218,080	\$39,218,080
State General Funds	\$39,218,080	\$39,218,080	\$39,218,080
TOTAL AGENCY FUNDS	\$450,000	\$450,000	\$450,000
Sales and Services	\$450,000	\$450,000	\$450,000
Sales and Services Not Itemized	\$450,000	\$450,000	\$450,000
TOTAL PUBLIC FUNDS	\$39,668,080	\$39,668,080	\$39,668,080

107.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$98,967	\$98,967	\$98,967
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107.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$13,823)	(\$13,823)	(\$13,823)
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107.100 Detention Centers

Appropriation (HB 683)

The purpose of this appropriation is to provide housing, academic education, vocational training, work details, counseling, and substance abuse treatment for probationers who require more security or supervision than provided by regular community supervision.

TOTAL STATE FUNDS	\$39,303,224	\$39,303,224	\$39,303,224
State General Funds	\$39,303,224	\$39,303,224	\$39,303,224
TOTAL AGENCY FUNDS	\$450,000	\$450,000	\$450,000
Sales and Services	\$450,000	\$450,000	\$450,000
Sales and Services Not Itemized	\$450,000	\$450,000	\$450,000
TOTAL PUBLIC FUNDS	\$39,753,224	\$39,753,224	\$39,753,224

Food and Farm Operations

Continuation Budget

The purpose of this appropriation is to manage timber, raise crops and livestock, and produce dairy items used in preparing meals for offenders.

TOTAL STATE FUNDS	\$27,608,063	\$27,608,063	\$27,608,063
State General Funds	\$27,608,063	\$27,608,063	\$27,608,063
TOTAL PUBLIC FUNDS	\$27,608,063	\$27,608,063	\$27,608,063

108.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,496	\$3,496	\$3,496
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108.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$488)	(\$488)	(\$488)
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108.100 Food and Farm Operations

Appropriation (HB 683)

The purpose of this appropriation is to manage timber, raise crops and livestock, and produce dairy items used in preparing meals for offenders.

TOTAL STATE FUNDS	\$27,611,071	\$27,611,071	\$27,611,071
State General Funds	\$27,611,071	\$27,611,071	\$27,611,071
TOTAL PUBLIC FUNDS	\$27,611,071	\$27,611,071	\$27,611,071

Health

Continuation Budget

The purpose of this appropriation is to provide the required constitutional level of physical, dental, and mental health care to all inmates of the state correctional system.

TOTAL STATE FUNDS	\$237,745,725	\$237,745,725	\$237,745,725
State General Funds	\$237,745,725	\$237,745,725	\$237,745,725
TOTAL FEDERAL FUNDS	\$70,555	\$70,555	\$70,555
Federal Funds Not Itemized	\$70,555	\$70,555	\$70,555
TOTAL AGENCY FUNDS	\$390,000	\$390,000	\$390,000
Sales and Services	\$390,000	\$390,000	\$390,000
Sales and Services Not Itemized	\$390,000	\$390,000	\$390,000
TOTAL PUBLIC FUNDS	\$238,206,280	\$238,206,280	\$238,206,280

109.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$24,866	\$24,866	\$24,866
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109.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,473)	(\$3,473)	(\$3,473)
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109.100 Health	Appropriation (HB 683)		
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The purpose of this appropriation is to provide the required constitutional level of physical, dental, and mental health care to all inmates of the state correctional system.

TOTAL STATE FUNDS	\$237,767,118	\$237,767,118	\$237,767,118
State General Funds	\$237,767,118	\$237,767,118	\$237,767,118
TOTAL FEDERAL FUNDS	\$70,555	\$70,555	\$70,555
Federal Funds Not Itemized	\$70,555	\$70,555	\$70,555
TOTAL AGENCY FUNDS	\$390,000	\$390,000	\$390,000
Sales and Services	\$390,000	\$390,000	\$390,000
Sales and Services Not Itemized	\$390,000	\$390,000	\$390,000
TOTAL PUBLIC FUNDS	\$238,227,673	\$238,227,673	\$238,227,673

Offender Management

Continuation Budget

The purpose of this appropriation is to coordinate and operate the following agency-wide support services to ensure public safety: canine units, the County Correctional Institutions program, Correctional Emergency Response Teams, inmate classification, inmate diagnostics, the jail coordination unit, the release and agreements unit, and tactical squads.

TOTAL STATE FUNDS	\$43,614,610	\$43,614,610	\$43,614,610
State General Funds	\$43,614,610	\$43,614,610	\$43,614,610
TOTAL AGENCY FUNDS	\$30,000	\$30,000	\$30,000
Sales and Services	\$30,000	\$30,000	\$30,000
Sales and Services Not Itemized	\$30,000	\$30,000	\$30,000
TOTAL PUBLIC FUNDS	\$43,644,610	\$43,644,610	\$43,644,610

110.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$10,114	\$10,114	\$10,114
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110.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,413)	(\$1,413)	(\$1,413)
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110.100 Offender Management	Appropriation (HB 683)
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The purpose of this appropriation is to coordinate and operate the following agency-wide support services to ensure public safety: canine units, the County Correctional Institutions program, Correctional Emergency Response Teams, inmate classification, inmate diagnostics, the jail coordination unit, the release and agreements unit, and tactical squads.

TOTAL STATE FUNDS	\$43,623,311	\$43,623,311	\$43,623,311
State General Funds	\$43,623,311	\$43,623,311	\$43,623,311
TOTAL AGENCY FUNDS	\$30,000	\$30,000	\$30,000
Sales and Services	\$30,000	\$30,000	\$30,000
Sales and Services Not Itemized	\$30,000	\$30,000	\$30,000
TOTAL PUBLIC FUNDS	\$43,653,311	\$43,653,311	\$43,653,311

Private Prisons	Continuation Budget
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The purpose of this appropriation is to contract with private companies to provide cost effective prison facilities that ensure public safety.

TOTAL STATE FUNDS	\$135,395,608	\$135,395,608	\$135,395,608
State General Funds	\$135,395,608	\$135,395,608	\$135,395,608
TOTAL PUBLIC FUNDS	\$135,395,608	\$135,395,608	\$135,395,608

111.100 Private Prisons	Appropriation (HB 683)
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The purpose of this appropriation is to contract with private companies to provide cost effective prison facilities that ensure public safety.

TOTAL STATE FUNDS	\$135,395,608	\$135,395,608	\$135,395,608
State General Funds	\$135,395,608	\$135,395,608	\$135,395,608
TOTAL PUBLIC FUNDS	\$135,395,608	\$135,395,608	\$135,395,608

State Prisons	Continuation Budget
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The purpose of this appropriation is to provide housing, academic education, religious support, vocational training, counseling, and substance abuse treatment for violent and/or repeat offenders, or nonviolent offenders who have exhausted all other forms of punishment in a secure, well supervised setting; to assist in the reentry of these offenders back into society; and to provide fire services and work details to the Department, state agencies, and local communities.

TOTAL STATE FUNDS	\$624,472,456	\$624,472,456	\$624,472,456
State General Funds	\$624,472,456	\$624,472,456	\$624,472,456
TOTAL FEDERAL FUNDS	\$100,000	\$100,000	\$100,000
Federal Funds Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL AGENCY FUNDS	\$12,694,603	\$12,694,603	\$12,694,603
Sales and Services	\$12,694,603	\$12,694,603	\$12,694,603
Sales and Services Not Itemized	\$12,694,603	\$12,694,603	\$12,694,603
TOTAL PUBLIC FUNDS	\$637,267,059	\$637,267,059	\$637,267,059

112.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,443,062	\$1,443,062	\$1,443,062
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112.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$201,552)	(\$201,552)	(\$201,552)
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112.3 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$11,985)	(\$11,985)
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112.100 State Prisons	Appropriation (HB 683)
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The purpose of this appropriation is to provide housing, academic education, religious support, vocational training, counseling, and substance abuse treatment for violent and/or repeat offenders, or nonviolent offenders who have exhausted all other forms of punishment in a secure, well supervised setting; to assist in the reentry of these offenders back into society; and to provide fire services and work details to the Department, state agencies, and local communities.

TOTAL STATE FUNDS	\$625,713,966	\$625,701,981	\$625,701,981
State General Funds	\$625,713,966	\$625,701,981	\$625,701,981
TOTAL FEDERAL FUNDS	\$100,000	\$100,000	\$100,000
Federal Funds Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL AGENCY FUNDS	\$12,694,603	\$12,694,603	\$12,694,603
Sales and Services	\$12,694,603	\$12,694,603	\$12,694,603
Sales and Services Not Itemized	\$12,694,603	\$12,694,603	\$12,694,603
TOTAL PUBLIC FUNDS	\$638,508,569	\$638,496,584	\$638,496,584

Transition Centers**Continuation Budget**

The purpose of this appropriation is to provide "work release," allowing inmates to obtain and maintain a paying job in the community, while still receiving housing, academic education, counseling, and substance abuse treatment in a structured center.

TOTAL STATE FUNDS	\$32,484,389	\$32,484,389	\$32,484,389
State General Funds	\$32,484,389	\$32,484,389	\$32,484,389
TOTAL PUBLIC FUNDS	\$32,484,389	\$32,484,389	\$32,484,389

113.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$75,214	\$75,214	\$75,214
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113.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$10,505)	(\$10,505)	(\$10,505)
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113.100 Transition Centers**Appropriation (HB 683)**

The purpose of this appropriation is to provide "work release," allowing inmates to obtain and maintain a paying job in the community, while still receiving housing, academic education, counseling, and substance abuse treatment in a structured center.

TOTAL STATE FUNDS	\$32,549,098	\$32,549,098	\$32,549,098
State General Funds	\$32,549,098	\$32,549,098	\$32,549,098
TOTAL PUBLIC FUNDS	\$32,549,098	\$32,549,098	\$32,549,098

Section 20: Defense, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$12,060,034	\$12,060,034	\$12,060,034
State General Funds	\$12,060,034	\$12,060,034	\$12,060,034
TOTAL FEDERAL FUNDS	\$53,204,273	\$53,204,273	\$53,204,273
Federal Funds Not Itemized	\$53,204,273	\$53,204,273	\$53,204,273
TOTAL AGENCY FUNDS	\$3,262,875	\$3,262,875	\$3,262,875
Intergovernmental Transfers	\$1,881,548	\$1,881,548	\$1,881,548
Intergovernmental Transfers Not Itemized	\$1,881,548	\$1,881,548	\$1,881,548
Royalties and Rents	\$171,171	\$171,171	\$171,171
Royalties and Rents Not Itemized	\$171,171	\$171,171	\$171,171

Sales and Services	\$1,210,156	\$1,210,156	\$1,210,156
Sales and Services Not Itemized	\$1,210,156	\$1,210,156	\$1,210,156
TOTAL PUBLIC FUNDS	\$68,527,182	\$68,527,182	\$68,527,182

Section Total - Final

TOTAL STATE FUNDS	\$11,890,865	\$11,890,865	\$11,890,865
State General Funds	\$11,890,865	\$11,890,865	\$11,890,865
TOTAL FEDERAL FUNDS	\$52,454,273	\$52,454,273	\$52,454,273
Federal Funds Not Itemized	\$52,454,273	\$52,454,273	\$52,454,273
TOTAL AGENCY FUNDS	\$3,262,875	\$3,262,875	\$3,262,875
Intergovernmental Transfers	\$1,881,548	\$1,881,548	\$1,881,548
Intergovernmental Transfers Not Itemized	\$1,881,548	\$1,881,548	\$1,881,548
Royalties and Rents	\$171,171	\$171,171	\$171,171
Royalties and Rents Not Itemized	\$171,171	\$171,171	\$171,171
Sales and Services	\$1,210,156	\$1,210,156	\$1,210,156
Sales and Services Not Itemized	\$1,210,156	\$1,210,156	\$1,210,156
TOTAL PUBLIC FUNDS	\$67,608,013	\$67,608,013	\$67,608,013

Departmental Administration (DOD)

Continuation Budget

The purpose of this appropriation is to provide administration to the organized militia in the State of Georgia.

TOTAL STATE FUNDS	\$1,199,217	\$1,199,217	\$1,199,217
State General Funds	\$1,199,217	\$1,199,217	\$1,199,217
TOTAL FEDERAL FUNDS	\$723,528	\$723,528	\$723,528
Federal Funds Not Itemized	\$723,528	\$723,528	\$723,528
TOTAL PUBLIC FUNDS	\$1,922,745	\$1,922,745	\$1,922,745

114.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,976	\$2,976	\$2,976
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114.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$437)	(\$437)	(\$437)
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114.3 *Increase funds for operations.*

State General Funds	\$65,000	\$65,000	\$65,000
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114.100 Departmental Administration (DOD)**Appropriation (HB 683)**

The purpose of this appropriation is to provide administration to the organized militia in the State of Georgia.

TOTAL STATE FUNDS	\$1,266,756	\$1,266,756	\$1,266,756
State General Funds	\$1,266,756	\$1,266,756	\$1,266,756
TOTAL FEDERAL FUNDS	\$723,528	\$723,528	\$723,528
Federal Funds Not Itemized	\$723,528	\$723,528	\$723,528
TOTAL PUBLIC FUNDS	\$1,990,284	\$1,990,284	\$1,990,284

Military Readiness**Continuation Budget**

The purpose of this appropriation is to provide and maintain facilities for the training of Army National Guard, Air National Guard, and State Defense Force personnel, and to provide an organized militia that can be activated and deployed at the direction of the President or Governor for a man-made crisis or natural disaster.

TOTAL STATE FUNDS	\$5,253,863	\$5,253,863	\$5,253,863
State General Funds	\$5,253,863	\$5,253,863	\$5,253,863
TOTAL FEDERAL FUNDS	\$34,639,522	\$34,639,522	\$34,639,522
Federal Funds Not Itemized	\$34,639,522	\$34,639,522	\$34,639,522
TOTAL AGENCY FUNDS	\$3,258,997	\$3,258,997	\$3,258,997
Intergovernmental Transfers	\$1,881,548	\$1,881,548	\$1,881,548
Intergovernmental Transfers Not Itemized	\$1,881,548	\$1,881,548	\$1,881,548
Royalties and Rents	\$171,171	\$171,171	\$171,171
Royalties and Rents Not Itemized	\$171,171	\$171,171	\$171,171
Sales and Services	\$1,206,278	\$1,206,278	\$1,206,278
Sales and Services Not Itemized	\$1,206,278	\$1,206,278	\$1,206,278
TOTAL PUBLIC FUNDS	\$43,152,382	\$43,152,382	\$43,152,382

115.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$6,972	\$6,972	\$6,972
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115.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,025)	(\$1,025)	(\$1,025)
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115.100 Military Readiness	Appropriation (HB 683)
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The purpose of this appropriation is to provide and maintain facilities for the training of Army National Guard, Air National Guard, and State Defense Force personnel, and to provide an organized militia that can be activated and deployed at the direction of the President or Governor for a man-made crisis or natural disaster.

TOTAL STATE FUNDS	\$5,259,810	\$5,259,810	\$5,259,810
State General Funds	\$5,259,810	\$5,259,810	\$5,259,810
TOTAL FEDERAL FUNDS	\$34,639,522	\$34,639,522	\$34,639,522
Federal Funds Not Itemized	\$34,639,522	\$34,639,522	\$34,639,522
TOTAL AGENCY FUNDS	\$3,258,997	\$3,258,997	\$3,258,997
Intergovernmental Transfers	\$1,881,548	\$1,881,548	\$1,881,548
Intergovernmental Transfers Not Itemized	\$1,881,548	\$1,881,548	\$1,881,548
Royalties and Rents	\$171,171	\$171,171	\$171,171
Royalties and Rents Not Itemized	\$171,171	\$171,171	\$171,171
Sales and Services	\$1,206,278	\$1,206,278	\$1,206,278
Sales and Services Not Itemized	\$1,206,278	\$1,206,278	\$1,206,278
TOTAL PUBLIC FUNDS	\$43,158,329	\$43,158,329	\$43,158,329

Youth Educational Services

Continuation Budget

The purpose of this appropriation is to provide educational and vocational opportunities to at-risk youth through Youth Challenge Academies and Starbase programs.

TOTAL STATE FUNDS	\$5,606,954	\$5,606,954	\$5,606,954
State General Funds	\$5,606,954	\$5,606,954	\$5,606,954
TOTAL FEDERAL FUNDS	\$17,841,223	\$17,841,223	\$17,841,223
Federal Funds Not Itemized	\$17,841,223	\$17,841,223	\$17,841,223
TOTAL AGENCY FUNDS	\$3,878	\$3,878	\$3,878
Sales and Services	\$3,878	\$3,878	\$3,878
Sales and Services Not Itemized	\$3,878	\$3,878	\$3,878
TOTAL PUBLIC FUNDS	\$23,452,055	\$23,452,055	\$23,452,055

116.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$8,610	\$8,610	\$8,610
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116.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,265)	(\$1,265)	(\$1,265)
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116.3 *Reduce funds for the Milledgeville Youth Challenge Academy.*

State General Funds	(\$250,000)	(\$250,000)	(\$250,000)
Federal Funds Not Itemized	(\$750,000)	(\$750,000)	(\$750,000)
Total Public Funds:	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)

116.100 Youth Educational Services

Appropriation (HB 683)

The purpose of this appropriation is to provide educational and vocational opportunities to at-risk youth through Youth Challenge Academies and Starbase programs.

TOTAL STATE FUNDS	\$5,364,299	\$5,364,299	\$5,364,299
State General Funds	\$5,364,299	\$5,364,299	\$5,364,299
TOTAL FEDERAL FUNDS	\$17,091,223	\$17,091,223	\$17,091,223
Federal Funds Not Itemized	\$17,091,223	\$17,091,223	\$17,091,223
TOTAL AGENCY FUNDS	\$3,878	\$3,878	\$3,878
Sales and Services	\$3,878	\$3,878	\$3,878
Sales and Services Not Itemized	\$3,878	\$3,878	\$3,878
TOTAL PUBLIC FUNDS	\$22,459,400	\$22,459,400	\$22,459,400

Section 21: Driver Services, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$69,104,175	\$69,104,175	\$69,104,175
State General Funds	\$69,104,175	\$69,104,175	\$69,104,175
TOTAL AGENCY FUNDS	\$2,844,121	\$2,844,121	\$2,844,121
Sales and Services	\$2,844,121	\$2,844,121	\$2,844,121
Sales and Services Not Itemized	\$2,844,121	\$2,844,121	\$2,844,121
TOTAL PUBLIC FUNDS	\$71,948,296	\$71,948,296	\$71,948,296

	Section Total - Final		
TOTAL STATE FUNDS	\$69,138,746	\$69,138,746	\$69,138,746
State General Funds	\$69,138,746	\$69,138,746	\$69,138,746
TOTAL AGENCY FUNDS	\$2,844,121	\$2,844,121	\$2,844,121
Sales and Services	\$2,844,121	\$2,844,121	\$2,844,121
Sales and Services Not Itemized	\$2,844,121	\$2,844,121	\$2,844,121
TOTAL PUBLIC FUNDS	\$71,982,867	\$71,982,867	\$71,982,867

Departmental Administration (DDS)

Continuation Budget

The purpose of this appropriation is for administration of license issuance, motor vehicle registration, and commercial truck compliance.

TOTAL STATE FUNDS	\$9,804,165	\$9,804,165	\$9,804,165
State General Funds	\$9,804,165	\$9,804,165	\$9,804,165
TOTAL AGENCY FUNDS	\$500,857	\$500,857	\$500,857
Sales and Services	\$500,857	\$500,857	\$500,857
Sales and Services Not Itemized	\$500,857	\$500,857	\$500,857
TOTAL PUBLIC FUNDS	\$10,305,022	\$10,305,022	\$10,305,022

117.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$5,577	\$5,577	\$5,577
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117.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,161)	(\$2,161)	(\$2,161)
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117.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$9,687	\$9,687	\$9,687
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117.100 Departmental Administration (DDS)	Appropriation (HB 683)
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The purpose of this appropriation is for administration of license issuance, motor vehicle registration, and commercial truck compliance.

TOTAL STATE FUNDS	\$9,817,268	\$9,817,268	\$9,817,268
State General Funds	\$9,817,268	\$9,817,268	\$9,817,268
TOTAL AGENCY FUNDS	\$500,857	\$500,857	\$500,857
Sales and Services	\$500,857	\$500,857	\$500,857
Sales and Services Not Itemized	\$500,857	\$500,857	\$500,857
TOTAL PUBLIC FUNDS	\$10,318,125	\$10,318,125	\$10,318,125

License Issuance**Continuation Budget**

The purpose of this appropriation is to issue and renew drivers' licenses, maintain driver records, operate Customer Service Centers, provide online access to services, provide motorcycle safety instruction, produce driver manuals, and investigate driver's license fraud.

TOTAL STATE FUNDS	\$58,350,846	\$58,350,846	\$58,350,846
State General Funds	\$58,350,846	\$58,350,846	\$58,350,846
TOTAL AGENCY FUNDS	\$1,827,835	\$1,827,835	\$1,827,835
Sales and Services	\$1,827,835	\$1,827,835	\$1,827,835
Sales and Services Not Itemized	\$1,827,835	\$1,827,835	\$1,827,835
TOTAL PUBLIC FUNDS	\$60,178,681	\$60,178,681	\$60,178,681

118.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$34,316	\$34,316	\$34,316
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118.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$13,294)	(\$13,294)	(\$13,294)
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118.100 License Issuance**Appropriation (HB 683)**

The purpose of this appropriation is to issue and renew drivers' licenses, maintain driver records, operate Customer Service Centers, provide online access to services, provide motorcycle safety instruction, produce driver manuals, and investigate driver's license fraud.

TOTAL STATE FUNDS	\$58,371,868	\$58,371,868	\$58,371,868
State General Funds	\$58,371,868	\$58,371,868	\$58,371,868
TOTAL AGENCY FUNDS	\$1,827,835	\$1,827,835	\$1,827,835

Sales and Services	\$1,827,835	\$1,827,835	\$1,827,835
Sales and Services Not Itemized	\$1,827,835	\$1,827,835	\$1,827,835
TOTAL PUBLIC FUNDS	\$60,199,703	\$60,199,703	\$60,199,703

Regulatory Compliance

Continuation Budget

The purpose of this appropriation is to regulate driver safety and education programs for both novice and problem drivers by approving driver education curricula and auditing third-party driver education providers for compliance with state laws and regulations; and to certify ignition interlock device providers.

TOTAL STATE FUNDS	\$949,164	\$949,164	\$949,164
State General Funds	\$949,164	\$949,164	\$949,164
TOTAL AGENCY FUNDS	\$515,429	\$515,429	\$515,429
Sales and Services	\$515,429	\$515,429	\$515,429
Sales and Services Not Itemized	\$515,429	\$515,429	\$515,429
TOTAL PUBLIC FUNDS	\$1,464,593	\$1,464,593	\$1,464,593

119.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$728	\$728	\$728
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119.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$282)	(\$282)	(\$282)
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119.100 Regulatory Compliance	Appropriation (HB 683)
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The purpose of this appropriation is to regulate driver safety and education programs for both novice and problem drivers by approving driver education curricula and auditing third-party driver education providers for compliance with state laws and regulations; and to certify ignition interlock device providers.

TOTAL STATE FUNDS	\$949,610	\$949,610	\$949,610
State General Funds	\$949,610	\$949,610	\$949,610
TOTAL AGENCY FUNDS	\$515,429	\$515,429	\$515,429
Sales and Services	\$515,429	\$515,429	\$515,429
Sales and Services Not Itemized	\$515,429	\$515,429	\$515,429
TOTAL PUBLIC FUNDS	\$1,465,039	\$1,465,039	\$1,465,039

Section 22: Early Care and Learning, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$426,360,460	\$426,360,460	\$426,360,460
State General Funds	\$61,514,847	\$61,514,847	\$61,514,847
Lottery Proceeds	\$364,845,613	\$364,845,613	\$364,845,613
TOTAL FEDERAL FUNDS	\$389,573,759	\$389,573,759	\$389,573,759
Federal Funds Not Itemized	\$166,259,624	\$166,259,624	\$166,259,624
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$125,696,047	\$125,696,047	\$125,696,047
TOTAL AGENCY FUNDS	\$160,000	\$160,000	\$160,000
Rebates, Refunds, and Reimbursements	\$155,000	\$155,000	\$155,000
Rebates, Refunds, and Reimbursements Not Itemized	\$155,000	\$155,000	\$155,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,000,000	\$2,000,000	\$2,000,000
State Funds Transfers	\$2,000,000	\$2,000,000	\$2,000,000
Agency to Agency Contracts	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL PUBLIC FUNDS	\$818,094,219	\$818,094,219	\$818,094,219

	Section Total - Final		
TOTAL STATE FUNDS	\$426,360,793	\$426,317,684	\$426,317,684
State General Funds	\$61,515,180	\$61,472,071	\$61,472,071
Lottery Proceeds	\$364,845,613	\$364,845,613	\$364,845,613
TOTAL FEDERAL FUNDS	\$389,573,759	\$389,573,759	\$389,573,759
Federal Funds Not Itemized	\$166,259,624	\$166,259,624	\$166,259,624
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$125,696,047	\$125,696,047	\$125,696,047
TOTAL AGENCY FUNDS	\$160,000	\$160,000	\$160,000
Rebates, Refunds, and Reimbursements	\$155,000	\$155,000	\$155,000
Rebates, Refunds, and Reimbursements Not Itemized	\$155,000	\$155,000	\$155,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,000,000	\$2,000,000	\$2,000,000

State Funds Transfers	\$2,000,000	\$2,000,000	\$2,000,000
Agency to Agency Contracts	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL PUBLIC FUNDS	\$818,094,552	\$818,051,443	\$818,051,443

Child Care Services

Continuation Budget

The purpose of this appropriation is to regulate, license, and train child care providers; to support the infant and toddler and afterschool networks; and to provide inclusion services for children with disabilities.

TOTAL STATE FUNDS	\$61,514,847	\$61,514,847	\$61,514,847
State General Funds	\$61,514,847	\$61,514,847	\$61,514,847
TOTAL FEDERAL FUNDS	\$204,020,984	\$204,020,984	\$204,020,984
Federal Funds Not Itemized	\$4,388,964	\$4,388,964	\$4,388,964
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$102,013,932	\$102,013,932	\$102,013,932
TOTAL AGENCY FUNDS	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements Not Itemized	\$25,000	\$25,000	\$25,000
TOTAL PUBLIC FUNDS	\$265,560,831	\$265,560,831	\$265,560,831

120.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$70	\$70	\$70
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120.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$177)	(\$177)	(\$177)
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120.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$440	\$440	\$440
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120.4 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$43,109)	(\$43,109)
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120.100 Child Care Services	Appropriation (HB 683)		
<i>The purpose of this appropriation is to regulate, license, and train child care providers; to support the infant and toddler and afterschool networks; and to provide inclusion services for children with disabilities.</i>			
TOTAL STATE FUNDS	\$61,515,180	\$61,472,071	\$61,472,071
State General Funds	\$61,515,180	\$61,472,071	\$61,472,071
TOTAL FEDERAL FUNDS	\$204,020,984	\$204,020,984	\$204,020,984
Federal Funds Not Itemized	\$4,388,964	\$4,388,964	\$4,388,964
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$102,013,932	\$102,013,932	\$102,013,932
TOTAL AGENCY FUNDS	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements Not Itemized	\$25,000	\$25,000	\$25,000
TOTAL PUBLIC FUNDS	\$265,561,164	\$265,518,055	\$265,518,055

Nutrition Services	Continuation Budget		
<i>The purpose of this appropriation is to ensure that USDA-compliant meals are served to eligible children and adults in day care settings and to eligible youth during the summer.</i>			
TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$148,000,000	\$148,000,000	\$148,000,000
Federal Funds Not Itemized	\$148,000,000	\$148,000,000	\$148,000,000
TOTAL PUBLIC FUNDS	\$148,000,000	\$148,000,000	\$148,000,000

121.98 *Change the name of the Nutrition program to the Nutrition Services program. (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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121.100 Nutrition Services	Appropriation (HB 683)		
<i>The purpose of this appropriation is to ensure that USDA-compliant meals are served to eligible children and adults in day care settings and to eligible youth during the summer.</i>			
TOTAL FEDERAL FUNDS	\$148,000,000	\$148,000,000	\$148,000,000
Federal Funds Not Itemized	\$148,000,000	\$148,000,000	\$148,000,000
TOTAL PUBLIC FUNDS	\$148,000,000	\$148,000,000	\$148,000,000

Pre-Kindergarten Program

Continuation Budget

The purpose of this appropriation is to provide funding, training, technical assistance, and oversight of Pre-Kindergarten programs operated by public and private providers throughout the state and to improve the quality of early learning and increase school readiness for Georgia's four-year-olds.

TOTAL STATE FUNDS	\$364,845,613	\$364,845,613	\$364,845,613
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$364,845,613	\$364,845,613	\$364,845,613
TOTAL FEDERAL FUNDS	\$175,000	\$175,000	\$175,000
Federal Funds Not Itemized	\$175,000	\$175,000	\$175,000
TOTAL PUBLIC FUNDS	\$365,020,613	\$365,020,613	\$365,020,613

122.1 *Reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs. (G:YES)(H:YES)(S:YES)*

Lottery Proceeds	\$0	\$0	\$0
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122.2 *Reflect an adjustment in merit system assessments. (G:YES)(H:YES)(S:YES)*

Lottery Proceeds	\$0	\$0	\$0
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122.3 *Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services. (G:YES)(H:YES)(S:YES)*

Lottery Proceeds	\$0	\$0	\$0
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122.100 Pre-Kindergarten Program

Appropriation (HB 683)

The purpose of this appropriation is to provide funding, training, technical assistance, and oversight of Pre-Kindergarten programs operated by public and private providers throughout the state and to improve the quality of early learning and increase school readiness for Georgia's four-year-olds.

TOTAL STATE FUNDS	\$364,845,613	\$364,845,613	\$364,845,613
Lottery Proceeds	\$364,845,613	\$364,845,613	\$364,845,613
TOTAL FEDERAL FUNDS	\$175,000	\$175,000	\$175,000
Federal Funds Not Itemized	\$175,000	\$175,000	\$175,000
TOTAL PUBLIC FUNDS	\$365,020,613	\$365,020,613	\$365,020,613

Quality Initiatives**Continuation Budget**

The purpose of this appropriation is to implement innovative strategies and programs that focus on improving the quality of and access to early education, child care, and nutrition for Georgia's children and families.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$37,377,775	\$37,377,775	\$37,377,775
Federal Funds Not Itemized	\$13,695,660	\$13,695,660	\$13,695,660
Child Care & Development Block Grant CFDA93.575	\$23,682,115	\$23,682,115	\$23,682,115
TOTAL AGENCY FUNDS	\$135,000	\$135,000	\$135,000
Rebates, Refunds, and Reimbursements	\$130,000	\$130,000	\$130,000
Rebates, Refunds, and Reimbursements Not Itemized	\$130,000	\$130,000	\$130,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,000,000	\$2,000,000	\$2,000,000
State Funds Transfers	\$2,000,000	\$2,000,000	\$2,000,000
Agency to Agency Contracts	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL PUBLIC FUNDS	\$39,512,775	\$39,512,775	\$39,512,775

123.100 Quality Initiatives**Appropriation (HB 683)**

The purpose of this appropriation is to implement innovative strategies and programs that focus on improving the quality of and access to early education, child care, and nutrition for Georgia's children and families.

TOTAL FEDERAL FUNDS	\$37,377,775	\$37,377,775	\$37,377,775
Federal Funds Not Itemized	\$13,695,660	\$13,695,660	\$13,695,660
Child Care & Development Block Grant CFDA93.575	\$23,682,115	\$23,682,115	\$23,682,115
TOTAL AGENCY FUNDS	\$135,000	\$135,000	\$135,000
Rebates, Refunds, and Reimbursements	\$130,000	\$130,000	\$130,000
Rebates, Refunds, and Reimbursements Not Itemized	\$130,000	\$130,000	\$130,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,000,000	\$2,000,000	\$2,000,000
State Funds Transfers	\$2,000,000	\$2,000,000	\$2,000,000

Agency to Agency Contracts	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL PUBLIC FUNDS	\$39,512,775	\$39,512,775	\$39,512,775

Section 23: Economic Development, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$33,293,859	\$33,293,859	\$33,293,859
State General Funds	\$33,293,859	\$33,293,859	\$33,293,859
TOTAL FEDERAL FUNDS	\$74,021,318	\$74,021,318	\$74,021,318
Federal Funds Not Itemized	\$74,021,318	\$74,021,318	\$74,021,318
TOTAL PUBLIC FUNDS	\$107,315,177	\$107,315,177	\$107,315,177

Section Total - Final

TOTAL STATE FUNDS	\$33,302,252	\$33,272,693	\$33,272,693
State General Funds	\$33,302,252	\$33,272,693	\$33,272,693
TOTAL FEDERAL FUNDS	\$74,021,318	\$74,021,318	\$74,021,318
Federal Funds Not Itemized	\$74,021,318	\$74,021,318	\$74,021,318
TOTAL PUBLIC FUNDS	\$107,323,570	\$107,294,011	\$107,294,011

Departmental Administration (DEcD)

Continuation Budget

The purpose of this appropriation is to influence, affect, and enhance economic development in Georgia and provide information to people and companies to promote the state.

TOTAL STATE FUNDS	\$4,683,930	\$4,683,930	\$4,683,930
State General Funds	\$4,683,930	\$4,683,930	\$4,683,930
TOTAL PUBLIC FUNDS	\$4,683,930	\$4,683,930	\$4,683,930

124.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,889	\$1,889	\$1,889
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124.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$6,801)	(\$6,801)	(\$6,801)
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124.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$13,305	\$13,305	\$13,305
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124.100 Departmental Administration (DEcD)**Appropriation (HB 683)**

The purpose of this appropriation is to influence, affect, and enhance economic development in Georgia and provide information to people and companies to promote the state.

TOTAL STATE FUNDS	\$4,692,323	\$4,692,323	\$4,692,323
State General Funds	\$4,692,323	\$4,692,323	\$4,692,323
TOTAL PUBLIC FUNDS	\$4,692,323	\$4,692,323	\$4,692,323

Film, Video, and Music**Continuation Budget**

The purpose of this appropriation is to increase industry awareness of Georgia business opportunities, financial incentives, infrastructure resources, and natural resources in order to attract film, video, music, and electronic gaming industry projects and businesses to the state.

TOTAL STATE FUNDS	\$1,131,962	\$1,131,962	\$1,131,962
State General Funds	\$1,131,962	\$1,131,962	\$1,131,962
TOTAL PUBLIC FUNDS	\$1,131,962	\$1,131,962	\$1,131,962

125.100 Film, Video, and Music**Appropriation (HB 683)**

The purpose of this appropriation is to increase industry awareness of Georgia business opportunities, financial incentives, infrastructure resources, and natural resources in order to attract film, video, music, and electronic gaming industry projects and businesses to the state.

TOTAL STATE FUNDS	\$1,131,962	\$1,131,962	\$1,131,962
State General Funds	\$1,131,962	\$1,131,962	\$1,131,962
TOTAL PUBLIC FUNDS	\$1,131,962	\$1,131,962	\$1,131,962

Arts, Georgia Council for the**Continuation Budget**

The purpose of this appropriation is to provide for Council operations and maintain the Georgia State Art Collection and Capitol Galleries.

TOTAL STATE FUNDS	\$535,145	\$535,145	\$535,145
State General Funds	\$535,145	\$535,145	\$535,145
TOTAL PUBLIC FUNDS	\$535,145	\$535,145	\$535,145

126.100 Arts, Georgia Council for the **Appropriation (HB 683)**

The purpose of this appropriation is to provide for Council operations and maintain the Georgia State Art Collection and Capitol Galleries.

TOTAL STATE FUNDS	\$535,145	\$535,145	\$535,145
State General Funds	\$535,145	\$535,145	\$535,145
TOTAL PUBLIC FUNDS	\$535,145	\$535,145	\$535,145

Georgia Council for the Arts - Special Project

Continuation Budget

The purpose of this appropriation is to increase arts participation and support throughout the state with grants for non-profit arts and cultural organizations through Partner Grants, Project Grants, Education Grants and the 'Grassroots' arts program.

TOTAL STATE FUNDS	\$576,356	\$576,356	\$576,356
State General Funds	\$576,356	\$576,356	\$576,356
TOTAL FEDERAL FUNDS	\$659,400	\$659,400	\$659,400
Federal Funds Not Itemized	\$659,400	\$659,400	\$659,400
TOTAL PUBLIC FUNDS	\$1,235,756	\$1,235,756	\$1,235,756

127.100 Georgia Council for the Arts - Special Project **Appropriation (HB 683)**

The purpose of this appropriation is to increase arts participation and support throughout the state with grants for non-profit arts and cultural organizations through Partner Grants, Project Grants, Education Grants and the 'Grassroots' arts program.

TOTAL STATE FUNDS	\$576,356	\$576,356	\$576,356
State General Funds	\$576,356	\$576,356	\$576,356
TOTAL FEDERAL FUNDS	\$659,400	\$659,400	\$659,400
Federal Funds Not Itemized	\$659,400	\$659,400	\$659,400
TOTAL PUBLIC FUNDS	\$1,235,756	\$1,235,756	\$1,235,756

International Relations and Trade

Continuation Budget

The purpose of this appropriation is to develop international markets for Georgia products and to attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing technical and educational assistance to businesses.

TOTAL STATE FUNDS	\$2,842,845	\$2,842,845	\$2,842,845
State General Funds	\$2,842,845	\$2,842,845	\$2,842,845
TOTAL PUBLIC FUNDS	\$2,842,845	\$2,842,845	\$2,842,845

128.1 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$22,634)	(\$22,634)
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128.100 International Relations and Trade**Appropriation (HB 683)**

The purpose of this appropriation is to develop international markets for Georgia products and to attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing technical and educational assistance to businesses.

TOTAL STATE FUNDS	\$2,842,845	\$2,820,211	\$2,820,211
State General Funds	\$2,842,845	\$2,820,211	\$2,820,211
TOTAL PUBLIC FUNDS	\$2,842,845	\$2,820,211	\$2,820,211

Global Commerce**Continuation Budget**

The purpose of this appropriation is to promote Georgia as a state that is appealing to businesses along with being competitive in the international trade market; recruit, retain, and expand businesses in Georgia through a network of statewide and regional project managers, foreign and domestic marketing, and participation in Georgia Allies; help develop international markets for Georgia products and attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing international technical and educational assistance to businesses.

TOTAL STATE FUNDS	\$10,671,979	\$10,671,979	\$10,671,979
State General Funds	\$10,671,979	\$10,671,979	\$10,671,979
TOTAL PUBLIC FUNDS	\$10,671,979	\$10,671,979	\$10,671,979

129.1 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$6,925)	(\$6,925)
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129.100 Global Commerce**Appropriation (HB 683)**

The purpose of this appropriation is to promote Georgia as a state that is appealing to businesses along with being competitive in the international trade market; recruit, retain, and expand businesses in Georgia through a network of statewide and regional project managers, foreign and domestic marketing, and participation in Georgia Allies; help develop international markets for Georgia products and attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing international technical and educational assistance to businesses.

TOTAL STATE FUNDS	\$10,671,979	\$10,665,054	\$10,665,054
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State General Funds	\$10,671,979	\$10,665,054	\$10,665,054
TOTAL PUBLIC FUNDS	\$10,671,979	\$10,665,054	\$10,665,054

Governor's Office of Workforce Development

Continuation Budget

The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$73,361,918	\$73,361,918	\$73,361,918
Federal Funds Not Itemized	\$73,361,918	\$73,361,918	\$73,361,918
TOTAL PUBLIC FUNDS	\$73,361,918	\$73,361,918	\$73,361,918

130.100 Governor's Office of Workforce Development	Appropriation (HB 683)		
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The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.

TOTAL FEDERAL FUNDS	\$73,361,918	\$73,361,918	\$73,361,918
Federal Funds Not Itemized	\$73,361,918	\$73,361,918	\$73,361,918
TOTAL PUBLIC FUNDS	\$73,361,918	\$73,361,918	\$73,361,918

Small and Minority Business Development

Continuation Budget

The purpose of this appropriation is to assist entrepreneurs and small and minority businesses by providing technical assistance on planning, advocacy, business needs, and identifying potential markets and suppliers, and to provide assistance to local communities in growing small businesses.

TOTAL STATE FUNDS	\$990,990	\$990,990	\$990,990
State General Funds	\$990,990	\$990,990	\$990,990
TOTAL PUBLIC FUNDS	\$990,990	\$990,990	\$990,990

131.100 Small and Minority Business Development	Appropriation (HB 683)		
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The purpose of this appropriation is to assist entrepreneurs and small and minority businesses by providing technical assistance on planning, advocacy, business needs, and identifying potential markets and suppliers, and to provide assistance to local communities in growing small businesses.

TOTAL STATE FUNDS	\$990,990	\$990,990	\$990,990
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State General Funds	\$990,990	\$990,990	\$990,990
TOTAL PUBLIC FUNDS	\$990,990	\$990,990	\$990,990

Tourism**Continuation Budget**

The purpose of this appropriation is to provide information to visitors about tourism opportunities throughout the state, operate and maintain state welcome centers, fund the Georgia Historical Society and Georgia Humanities Council, and work with communities to develop and market tourism products in order to attract more tourism to the state.

TOTAL STATE FUNDS	\$11,860,652	\$11,860,652	\$11,860,652
State General Funds	\$11,860,652	\$11,860,652	\$11,860,652
TOTAL PUBLIC FUNDS	\$11,860,652	\$11,860,652	\$11,860,652

132.100 Tourism**Appropriation (HB 683)**

The purpose of this appropriation is to provide information to visitors about tourism opportunities throughout the state, operate and maintain state welcome centers, fund the Georgia Historical Society and Georgia Humanities Council, and work with communities to develop and market tourism products in order to attract more tourism to the state.

TOTAL STATE FUNDS	\$11,860,652	\$11,860,652	\$11,860,652
State General Funds	\$11,860,652	\$11,860,652	\$11,860,652
TOTAL PUBLIC FUNDS	\$11,860,652	\$11,860,652	\$11,860,652

Section 24: Education, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$9,427,358,368	\$9,427,358,368	\$9,427,358,368
State General Funds	\$9,427,358,368	\$9,427,358,368	\$9,427,358,368
TOTAL FEDERAL FUNDS	\$1,919,608,728	\$1,919,608,728	\$1,919,608,728
Federal Funds Not Itemized	\$1,919,589,098	\$1,919,589,098	\$1,919,589,098
Maternal & Child Health Services Block Grant CFDA93.994	\$19,630	\$19,630	\$19,630
TOTAL AGENCY FUNDS	\$44,329,264	\$44,329,264	\$44,329,264
Contributions, Donations, and Forfeitures	\$323,291	\$323,291	\$323,291
Contributions, Donations, and Forfeitures Not Itemized	\$323,291	\$323,291	\$323,291
Intergovernmental Transfers	\$31,128,887	\$31,128,887	\$31,128,887
Intergovernmental Transfers Not Itemized	\$31,128,887	\$31,128,887	\$31,128,887
Rebates, Refunds, and Reimbursements	\$433,536	\$433,536	\$433,536

Rebates, Refunds, and Reimbursements Not Itemized	\$433,536	\$433,536	\$433,536
Sales and Services	\$12,443,550	\$12,443,550	\$12,443,550
Sales and Services Not Itemized	\$12,443,550	\$12,443,550	\$12,443,550
TOTAL PUBLIC FUNDS	\$11,391,296,360	\$11,391,296,360	\$11,391,296,360

Section Total - Final

TOTAL STATE FUNDS	\$9,544,471,620	\$9,544,846,620	\$9,544,973,661
State General Funds	\$9,311,787,405	\$9,312,162,405	\$9,312,289,446
Revenue Shortfall Reserve for K-12 Needs	\$232,684,215	\$232,684,215	\$232,684,215
TOTAL FEDERAL FUNDS	\$1,919,608,728	\$1,919,608,728	\$1,919,608,728
Federal Funds Not Itemized	\$1,919,589,098	\$1,919,589,098	\$1,919,589,098
Maternal & Child Health Services Block Grant CFDA93.994	\$19,630	\$19,630	\$19,630
TOTAL AGENCY FUNDS	\$44,329,264	\$44,329,264	\$44,329,264
Contributions, Donations, and Forfeitures	\$323,291	\$323,291	\$323,291
Contributions, Donations, and Forfeitures Not Itemized	\$323,291	\$323,291	\$323,291
Intergovernmental Transfers	\$31,128,887	\$31,128,887	\$31,128,887
Intergovernmental Transfers Not Itemized	\$31,128,887	\$31,128,887	\$31,128,887
Rebates, Refunds, and Reimbursements	\$433,536	\$433,536	\$433,536
Rebates, Refunds, and Reimbursements Not Itemized	\$433,536	\$433,536	\$433,536
Sales and Services	\$12,443,550	\$12,443,550	\$12,443,550
Sales and Services Not Itemized	\$12,443,550	\$12,443,550	\$12,443,550
TOTAL PUBLIC FUNDS	\$11,508,409,612	\$11,508,784,612	\$11,508,911,653

Agricultural Education

Continuation Budget

The purpose of this appropriation is to assist local school systems with developing and funding agricultural education programs, and to provide afterschool and summer educational and leadership opportunities for students.

TOTAL STATE FUNDS	\$9,894,334	\$9,894,334	\$9,894,334
State General Funds	\$9,894,334	\$9,894,334	\$9,894,334
TOTAL FEDERAL FUNDS	\$360,289	\$360,289	\$360,289
Federal Funds Not Itemized	\$360,289	\$360,289	\$360,289
TOTAL AGENCY FUNDS	\$1,566,000	\$1,566,000	\$1,566,000
Intergovernmental Transfers	\$1,566,000	\$1,566,000	\$1,566,000

Intergovernmental Transfers Not Itemized	\$1,566,000	\$1,566,000	\$1,566,000
TOTAL PUBLIC FUNDS	\$11,820,623	\$11,820,623	\$11,820,623

133.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$52	\$52	\$52
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133.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$146)	(\$146)	(\$146)
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133.100 Agricultural Education

Appropriation (HB 683)

The purpose of this appropriation is to assist local school systems with developing and funding agricultural education programs, and to provide afterschool and summer educational and leadership opportunities for students.

TOTAL STATE FUNDS	\$9,894,240	\$9,894,240	\$9,894,240
State General Funds	\$9,894,240	\$9,894,240	\$9,894,240
TOTAL FEDERAL FUNDS	\$360,289	\$360,289	\$360,289
Federal Funds Not Itemized	\$360,289	\$360,289	\$360,289
TOTAL AGENCY FUNDS	\$1,566,000	\$1,566,000	\$1,566,000
Intergovernmental Transfers	\$1,566,000	\$1,566,000	\$1,566,000
Intergovernmental Transfers Not Itemized	\$1,566,000	\$1,566,000	\$1,566,000
TOTAL PUBLIC FUNDS	\$11,820,529	\$11,820,529	\$11,820,529

Audio-Video Technology and Film Grants

Continuation Budget

The purpose of this appropriation is to provide funds for grants for film and audio-video equipment to local school systems.

TOTAL STATE FUNDS	\$2,500,000	\$2,500,000	\$2,500,000
State General Funds	\$2,500,000	\$2,500,000	\$2,500,000
TOTAL PUBLIC FUNDS	\$2,500,000	\$2,500,000	\$2,500,000

134.1 *Transfer funds from the Audio-Video Technology and Film Grants program to the Technology/Career Education program to provide funds for equipment grants to local school systems, and for grants for middle school STEM coding.*

State General Funds			(\$1,500,000)
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134.100 Audio-Video Technology and Film Grants **Appropriation (HB 683)**

The purpose of this appropriation is to provide funds for grants for film and audio-video equipment to local school systems.

TOTAL STATE FUNDS	\$2,500,000	\$2,500,000	\$1,000,000
State General Funds	\$2,500,000	\$2,500,000	\$1,000,000
TOTAL PUBLIC FUNDS	\$2,500,000	\$2,500,000	\$1,000,000

Business and Finance Administration

Continuation Budget

The purpose of this appropriation is to provide administrative support for business, finance, facilities, and pupil transportation.

TOTAL STATE FUNDS	\$7,832,150	\$7,832,150	\$7,832,150
State General Funds	\$7,832,150	\$7,832,150	\$7,832,150
TOTAL FEDERAL FUNDS	\$779,512	\$779,512	\$779,512
Federal Funds Not Itemized	\$779,512	\$779,512	\$779,512
TOTAL AGENCY FUNDS	\$20,000,000	\$20,000,000	\$20,000,000
Intergovernmental Transfers	\$19,287,104	\$19,287,104	\$19,287,104
Intergovernmental Transfers Not Itemized	\$19,287,104	\$19,287,104	\$19,287,104
Rebates, Refunds, and Reimbursements	\$143,810	\$143,810	\$143,810
Rebates, Refunds, and Reimbursements Not Itemized	\$143,810	\$143,810	\$143,810
Sales and Services	\$569,086	\$569,086	\$569,086
Sales and Services Not Itemized	\$569,086	\$569,086	\$569,086
TOTAL PUBLIC FUNDS	\$28,611,662	\$28,611,662	\$28,611,662

135.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,005	\$1,005	\$1,005
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135.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,792)	(\$2,792)	(\$2,792)
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135.3 *Increase funds to purchase 194 school buses statewide. (H:Increase funds to purchase 200 school buses statewide)(S:Increase funds to purchase 204 school buses statewide)*

State General Funds	\$15,000,000	\$15,500,000	\$15,750,000
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135.100 Business and Finance Administration	Appropriation (HB 683)		
<i>The purpose of this appropriation is to provide administrative support for business, finance, facilities, and pupil transportation.</i>			
TOTAL STATE FUNDS	\$22,830,363	\$23,330,363	\$23,580,363
State General Funds	\$22,830,363	\$23,330,363	\$23,580,363
TOTAL FEDERAL FUNDS	\$779,512	\$779,512	\$779,512
Federal Funds Not Itemized	\$779,512	\$779,512	\$779,512
TOTAL AGENCY FUNDS	\$20,000,000	\$20,000,000	\$20,000,000
Intergovernmental Transfers	\$19,287,104	\$19,287,104	\$19,287,104
Intergovernmental Transfers Not Itemized	\$19,287,104	\$19,287,104	\$19,287,104
Rebates, Refunds, and Reimbursements	\$143,810	\$143,810	\$143,810
Rebates, Refunds, and Reimbursements Not Itemized	\$143,810	\$143,810	\$143,810
Sales and Services	\$569,086	\$569,086	\$569,086
Sales and Services Not Itemized	\$569,086	\$569,086	\$569,086
TOTAL PUBLIC FUNDS	\$43,609,875	\$44,109,875	\$44,359,875

Central Office**Continuation Budget**

The purpose of this appropriation is to provide administrative support to the State Board of Education, Departmental programs, and local school systems.

TOTAL STATE FUNDS	\$5,482,592	\$5,482,592	\$5,482,592
State General Funds	\$5,482,592	\$5,482,592	\$5,482,592
TOTAL FEDERAL FUNDS	\$17,074,592	\$17,074,592	\$17,074,592
Federal Funds Not Itemized	\$17,074,592	\$17,074,592	\$17,074,592
TOTAL AGENCY FUNDS	\$382,929	\$382,929	\$382,929
Sales and Services	\$382,929	\$382,929	\$382,929
Sales and Services Not Itemized	\$382,929	\$382,929	\$382,929
TOTAL PUBLIC FUNDS	\$22,940,113	\$22,940,113	\$22,940,113

136.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$437	\$437	\$437
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136.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,213)	(\$1,213)	(\$1,213)
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136.3 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds (\$75,000)

136.100 Central Office	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support to the State Board of Education, Departmental programs, and local school systems.

TOTAL STATE FUNDS	\$5,481,816	\$5,481,816	\$5,406,816
State General Funds	\$5,481,816	\$5,481,816	\$5,406,816
TOTAL FEDERAL FUNDS	\$17,074,592	\$17,074,592	\$17,074,592
Federal Funds Not Itemized	\$17,074,592	\$17,074,592	\$17,074,592
TOTAL AGENCY FUNDS	\$382,929	\$382,929	\$382,929
Sales and Services	\$382,929	\$382,929	\$382,929
Sales and Services Not Itemized	\$382,929	\$382,929	\$382,929
TOTAL PUBLIC FUNDS	\$22,939,337	\$22,939,337	\$22,864,337

Charter Schools

Continuation Budget

The purpose of this appropriation is to authorize charter schools and charter systems and to provide funds for competitive grants for planning, implementation, facilities, and operations of those entities.

TOTAL STATE FUNDS	\$2,172,010	\$2,172,010	\$2,172,010
State General Funds	\$2,172,010	\$2,172,010	\$2,172,010
TOTAL FEDERAL FUNDS	\$426,125	\$426,125	\$426,125
Federal Funds Not Itemized	\$426,125	\$426,125	\$426,125
TOTAL PUBLIC FUNDS	\$2,598,135	\$2,598,135	\$2,598,135

137.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds \$77

137.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds (\$213)

137.100 Charter Schools**Appropriation (HB 683)**

The purpose of this appropriation is to authorize charter schools and charter systems and to provide funds for competitive grants for planning, implementation, facilities, and operations of those entities.

TOTAL STATE FUNDS	\$2,171,874	\$2,171,874	\$2,171,874
State General Funds	\$2,171,874	\$2,171,874	\$2,171,874
TOTAL FEDERAL FUNDS	\$426,125	\$426,125	\$426,125
Federal Funds Not Itemized	\$426,125	\$426,125	\$426,125
TOTAL PUBLIC FUNDS	\$2,597,999	\$2,597,999	\$2,597,999

Communities in Schools**Continuation Budget**

The purpose of this appropriation is to support Performance Learning Centers and maintain a network of local affiliate organizations across the state, and to partner with other state and national organizations to support student success in school and beyond.

TOTAL STATE FUNDS	\$1,228,100	\$1,228,100	\$1,228,100
State General Funds	\$1,228,100	\$1,228,100	\$1,228,100
TOTAL PUBLIC FUNDS	\$1,228,100	\$1,228,100	\$1,228,100

138.100 Communities in Schools**Appropriation (HB 683)**

The purpose of this appropriation is to support Performance Learning Centers and maintain a network of local affiliate organizations across the state, and to partner with other state and national organizations to support student success in school and beyond.

TOTAL STATE FUNDS	\$1,228,100	\$1,228,100	\$1,228,100
State General Funds	\$1,228,100	\$1,228,100	\$1,228,100
TOTAL PUBLIC FUNDS	\$1,228,100	\$1,228,100	\$1,228,100

Curriculum Development**Continuation Budget**

The purpose of this appropriation is to develop a statewide, standards-based curriculum to guide instruction and assessment, and to provide training and instructional resources to teachers for implementing this curriculum.

TOTAL STATE FUNDS	\$3,815,117	\$3,815,117	\$3,815,117
State General Funds	\$3,815,117	\$3,815,117	\$3,815,117
TOTAL FEDERAL FUNDS	\$2,955,489	\$2,955,489	\$2,955,489
Federal Funds Not Itemized	\$2,955,489	\$2,955,489	\$2,955,489
TOTAL AGENCY FUNDS	\$38,036	\$38,036	\$38,036

Contributions, Donations, and Forfeitures	\$38,036	\$38,036	\$38,036
Contributions, Donations, and Forfeitures Not Itemized	\$38,036	\$38,036	\$38,036
TOTAL PUBLIC FUNDS	\$6,808,642	\$6,808,642	\$6,808,642

139.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$407	\$407	\$407
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139.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,130)	(\$1,130)	(\$1,130)
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139.100 Curriculum Development	Appropriation (HB 683)
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The purpose of this appropriation is to develop a statewide, standards-based curriculum to guide instruction and assessment, and to provide training and instructional resources to teachers for implementing this curriculum.

TOTAL STATE FUNDS	\$3,814,394	\$3,814,394	\$3,814,394
State General Funds	\$3,814,394	\$3,814,394	\$3,814,394
TOTAL FEDERAL FUNDS	\$2,955,489	\$2,955,489	\$2,955,489
Federal Funds Not Itemized	\$2,955,489	\$2,955,489	\$2,955,489
TOTAL AGENCY FUNDS	\$38,036	\$38,036	\$38,036
Contributions, Donations, and Forfeitures	\$38,036	\$38,036	\$38,036
Contributions, Donations, and Forfeitures Not Itemized	\$38,036	\$38,036	\$38,036
TOTAL PUBLIC FUNDS	\$6,807,919	\$6,807,919	\$6,807,919

Federal Programs

Continuation Budget

The purpose of this appropriation is to coordinate federally funded programs and allocate federal funds to school systems.

TOTAL STATE FUNDS	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$993,010,318	\$993,010,318	\$993,010,318
Federal Funds Not Itemized	\$993,010,318	\$993,010,318	\$993,010,318
TOTAL PUBLIC FUNDS	\$993,010,318	\$993,010,318	\$993,010,318

140.100 Federal Programs	Appropriation (HB 683)
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The purpose of this appropriation is to coordinate federally funded programs and allocate federal funds to school systems.

TOTAL FEDERAL FUNDS	\$993,010,318	\$993,010,318	\$993,010,318
Federal Funds Not Itemized	\$993,010,318	\$993,010,318	\$993,010,318
TOTAL PUBLIC FUNDS	\$993,010,318	\$993,010,318	\$993,010,318

Georgia Network for Educational and Therapeutic Support (GNETS)

Continuation Budget

The purpose of this appropriation is to fund the Georgia Network for Educational and Therapeutic Support (GNETS), which provides services, education, and resources for students ages three to twenty-one with autism or severe emotional behavioral problems and their families.

TOTAL STATE FUNDS	\$66,142,788	\$66,142,788	\$66,142,788
State General Funds	\$66,142,788	\$66,142,788	\$66,142,788
TOTAL FEDERAL FUNDS	\$8,260,042	\$8,260,042	\$8,260,042
Federal Funds Not Itemized	\$8,260,042	\$8,260,042	\$8,260,042
TOTAL PUBLIC FUNDS	\$74,402,830	\$74,402,830	\$74,402,830

141.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$25	\$25	\$25
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141.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$70)	(\$70)	(\$70)
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141.100 Georgia Network for Educational and Therapeutic Support (GNETS)	Appropriation (HB 683)
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The purpose of this appropriation is to fund the Georgia Network for Educational and Therapeutic Support (GNETS), which provides services, education, and resources for students ages three to twenty-one with autism or severe emotional behavioral problems and their families.

TOTAL STATE FUNDS	\$66,142,743	\$66,142,743	\$66,142,743
State General Funds	\$66,142,743	\$66,142,743	\$66,142,743
TOTAL FEDERAL FUNDS	\$8,260,042	\$8,260,042	\$8,260,042
Federal Funds Not Itemized	\$8,260,042	\$8,260,042	\$8,260,042
TOTAL PUBLIC FUNDS	\$74,402,785	\$74,402,785	\$74,402,785

Georgia Virtual School

Continuation Budget

The purpose of this appropriation is to expand the accessibility and breadth of course offerings so that Georgia students can recover credits, access supplementary resources, enhance their studies, or earn additional credits in a manner not involving on-site interaction with a teacher.

TOTAL STATE FUNDS	\$3,072,052	\$3,072,052	\$3,072,052
State General Funds	\$3,072,052	\$3,072,052	\$3,072,052
TOTAL AGENCY FUNDS	\$7,109,476	\$7,109,476	\$7,109,476
Sales and Services	\$7,109,476	\$7,109,476	\$7,109,476
Sales and Services Not Itemized	\$7,109,476	\$7,109,476	\$7,109,476
TOTAL PUBLIC FUNDS	\$10,181,528	\$10,181,528	\$10,181,528

142.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$458	\$458	\$458
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142.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,272)	(\$1,272)	(\$1,272)
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142.100 Georgia Virtual School	Appropriation (HB 683)
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The purpose of this appropriation is to expand the accessibility and breadth of course offerings so that Georgia students can recover credits, access supplementary resources, enhance their studies, or earn additional credits in a manner not involving on-site interaction with a teacher.

TOTAL STATE FUNDS	\$3,071,238	\$3,071,238	\$3,071,238
State General Funds	\$3,071,238	\$3,071,238	\$3,071,238
TOTAL AGENCY FUNDS	\$7,109,476	\$7,109,476	\$7,109,476
Sales and Services	\$7,109,476	\$7,109,476	\$7,109,476
Sales and Services Not Itemized	\$7,109,476	\$7,109,476	\$7,109,476
TOTAL PUBLIC FUNDS	\$10,180,714	\$10,180,714	\$10,180,714

Information Technology Services

Continuation Budget

The purpose of this appropriation is to manage enterprise technology for the department, provide internet access to local school systems, support data collection and reporting needs, and support technology programs that assist local school systems.

TOTAL STATE FUNDS	\$21,776,586	\$21,776,586	\$21,776,586
State General Funds	\$21,776,586	\$21,776,586	\$21,776,586
TOTAL FEDERAL FUNDS	\$106,825	\$106,825	\$106,825
Federal Funds Not Itemized	\$106,825	\$106,825	\$106,825
TOTAL AGENCY FUNDS	\$558,172	\$558,172	\$558,172
Intergovernmental Transfers	\$558,172	\$558,172	\$558,172
Intergovernmental Transfers Not Itemized	\$558,172	\$558,172	\$558,172
TOTAL PUBLIC FUNDS	\$22,441,583	\$22,441,583	\$22,441,583

143.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,599	\$1,599	\$1,599
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143.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,443)	(\$4,443)	(\$4,443)
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143.100 Information Technology Services	Appropriation (HB 683)
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The purpose of this appropriation is to manage enterprise technology for the department, provide internet access to local school systems, support data collection and reporting needs, and support technology programs that assist local school systems.

TOTAL STATE FUNDS	\$21,773,742	\$21,773,742	\$21,773,742
State General Funds	\$21,773,742	\$21,773,742	\$21,773,742
TOTAL FEDERAL FUNDS	\$106,825	\$106,825	\$106,825
Federal Funds Not Itemized	\$106,825	\$106,825	\$106,825
TOTAL AGENCY FUNDS	\$558,172	\$558,172	\$558,172
Intergovernmental Transfers	\$558,172	\$558,172	\$558,172
Intergovernmental Transfers Not Itemized	\$558,172	\$558,172	\$558,172
TOTAL PUBLIC FUNDS	\$22,438,739	\$22,438,739	\$22,438,739

Non Quality Basic Education Formula Grants

Continuation Budget

The purpose of this appropriation is to fund specific initiatives, including children in residential education facilities and sparsity grants.

TOTAL STATE FUNDS	\$11,744,265	\$11,744,265	\$11,744,265
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State General Funds	\$11,744,265	\$11,744,265	\$11,744,265
TOTAL PUBLIC FUNDS	\$11,744,265	\$11,744,265	\$11,744,265

144.1 *Reduce funds for the unfilled Residential Treatment Center program manager position with the expectation that the Department will fill the full-time position by July 1, 2018.*

State General Funds		(\$125,000)	\$0
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144.2 *Reduce funds for Residential Treatment Facilities based on attendance.*

State General Funds			(\$110,579)
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144.99 SAC: *The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.*

House: *The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.*

Governor: *The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.*

State General Funds	\$0	\$0	\$0
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144.100 Non Quality Basic Education Formula Grants	Appropriation (HB 683)
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The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.

TOTAL STATE FUNDS	\$11,744,265	\$11,619,265	\$11,633,686
State General Funds	\$11,744,265	\$11,619,265	\$11,633,686
TOTAL PUBLIC FUNDS	\$11,744,265	\$11,619,265	\$11,633,686

Nutrition

Continuation Budget

The purpose of this appropriation is to provide leadership, training, technical assistance, and resources, so local program personnel can deliver meals that support nutritional well-being and performance at school and comply with federal standards.

TOTAL STATE FUNDS	\$24,073,489	\$24,073,489	\$24,073,489
State General Funds	\$24,073,489	\$24,073,489	\$24,073,489
TOTAL FEDERAL FUNDS	\$830,187,832	\$830,187,832	\$830,187,832

Federal Funds Not Itemized	\$830,187,832	\$830,187,832	\$830,187,832
TOTAL AGENCY FUNDS	\$108,824	\$108,824	\$108,824
Intergovernmental Transfers	\$108,824	\$108,824	\$108,824
Intergovernmental Transfers Not Itemized	\$108,824	\$108,824	\$108,824
TOTAL PUBLIC FUNDS	\$854,370,145	\$854,370,145	\$854,370,145

145.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$52	\$52	\$52
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145.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$145)	(\$145)	(\$145)
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145.100 Nutrition

Appropriation (HB 683)

The purpose of this appropriation is to provide leadership, training, technical assistance, and resources, so local program personnel can deliver meals that support nutritional well-being and performance at school and comply with federal standards.

TOTAL STATE FUNDS	\$24,073,396	\$24,073,396	\$24,073,396
State General Funds	\$24,073,396	\$24,073,396	\$24,073,396
TOTAL FEDERAL FUNDS	\$830,187,832	\$830,187,832	\$830,187,832
Federal Funds Not Itemized	\$830,187,832	\$830,187,832	\$830,187,832
TOTAL AGENCY FUNDS	\$108,824	\$108,824	\$108,824
Intergovernmental Transfers	\$108,824	\$108,824	\$108,824
Intergovernmental Transfers Not Itemized	\$108,824	\$108,824	\$108,824
TOTAL PUBLIC FUNDS	\$854,370,052	\$854,370,052	\$854,370,052

Preschool Disabilities Services

Continuation Budget

The purpose of this appropriation is to provide early educational services to three- and four-year-old students with disabilities so that they enter school better prepared to succeed.

TOTAL STATE FUNDS	\$35,563,132	\$35,563,132	\$35,563,132
State General Funds	\$35,563,132	\$35,563,132	\$35,563,132
TOTAL PUBLIC FUNDS	\$35,563,132	\$35,563,132	\$35,563,132

146.100 Preschool Disabilities Services **Appropriation (HB 683)**

The purpose of this appropriation is to provide early educational services to three- and four-year-old students with disabilities so that they enter school better prepared to succeed.

TOTAL STATE FUNDS	\$35,563,132	\$35,563,132	\$35,563,132
State General Funds	\$35,563,132	\$35,563,132	\$35,563,132
TOTAL PUBLIC FUNDS	\$35,563,132	\$35,563,132	\$35,563,132

Quality Basic Education Equalization **Continuation Budget**

The purpose of this appropriation is to provide additional financial assistance to local school systems ranking below the statewide average of per pupil tax wealth as outlined in O.C.G.A. 20-2-165.

TOTAL STATE FUNDS	\$584,562,416	\$584,562,416	\$584,562,416
State General Funds	\$584,562,416	\$584,562,416	\$584,562,416
TOTAL PUBLIC FUNDS	\$584,562,416	\$584,562,416	\$584,562,416

147.100 Quality Basic Education Equalization **Appropriation (HB 683)**

The purpose of this appropriation is to provide additional financial assistance to local school systems ranking below the statewide average of per pupil tax wealth as outlined in O.C.G.A. 20-2-165.

TOTAL STATE FUNDS	\$584,562,416	\$584,562,416	\$584,562,416
State General Funds	\$584,562,416	\$584,562,416	\$584,562,416
TOTAL PUBLIC FUNDS	\$584,562,416	\$584,562,416	\$584,562,416

Quality Basic Education Local Five Mill Share **Continuation Budget**

The purpose of this program is to recognize the required local portion of the Quality Basic Education program as outlined in O.C.G.A. 20-2-164.

TOTAL STATE FUNDS	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)
State General Funds	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)
TOTAL PUBLIC FUNDS	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)

148.100 Quality Basic Education Local Five Mill Share **Appropriation (HB 683)**

The purpose of this program is to recognize the required local portion of the Quality Basic Education program as outlined in O.C.G.A. 20-2-164.

TOTAL STATE FUNDS	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)
State General Funds	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)
TOTAL PUBLIC FUNDS	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)

Quality Basic Education Program

Continuation Budget

The purpose of this appropriation is to provide formula funds to school systems based on full time equivalent students for the instruction of students in grades K-12 as outlined in O.C.G.A. 20-2-161.

TOTAL STATE FUNDS	\$10,330,098,597	\$10,330,098,597	\$10,330,098,597
State General Funds	\$10,330,098,597	\$10,330,098,597	\$10,330,098,597
TOTAL PUBLIC FUNDS	\$10,330,098,597	\$10,330,098,597	\$10,330,098,597

149.1 *Increase funds for a midterm adjustment.*

State General Funds	\$86,614,105	\$86,614,105	\$86,801,725
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149.2 *Increase funds for the State Commission Charter School supplement.*

State General Funds	\$16,367,387	\$16,367,387	\$16,367,387
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149.3 *Increase funds for a midterm adjustment to charter system grant.*

State General Funds	\$155,075	\$155,075	\$155,075
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149.4 *Reduce funds for a midterm adjustment for the Special Needs Scholarship.*

State General Funds	(\$1,006,923)	(\$1,006,923)	(\$1,006,923)
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149.5 *Replace funds.*

State General Funds	(\$232,684,215)	(\$232,684,215)	(\$232,684,215)
Revenue Shortfall Reserve for K-12 Needs	\$232,684,215	\$232,684,215	\$232,684,215
Total Public Funds:	\$0	\$0	\$0

149.100 Quality Basic Education Program	Appropriation (HB 683)
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The purpose of this appropriation is to provide formula funds to school systems based on full time equivalent students for the instruction of students in grades K-12 as outlined in O.C.G.A. 20-2-161.

TOTAL STATE FUNDS	\$10,432,228,241	\$10,432,228,241	\$10,432,415,861
State General Funds	\$10,199,544,026	\$10,199,544,026	\$10,199,731,646
Revenue Shortfall Reserve for K-12 Needs	\$232,684,215	\$232,684,215	\$232,684,215
TOTAL PUBLIC FUNDS	\$10,432,228,241	\$10,432,228,241	\$10,432,415,861

Regional Education Service Agencies (RESAs)

Continuation Budget

The purpose of this appropriation is to provide Georgia's sixteen Regional Education Service Agencies with funds to assist local school systems with improving the effectiveness of their educational programs by providing curriculum consultation, skill enhancement, professional development, technology training, and other shared services.

TOTAL STATE FUNDS	\$12,233,109	\$12,233,109	\$12,233,109
State General Funds	\$12,233,109	\$12,233,109	\$12,233,109
TOTAL PUBLIC FUNDS	\$12,233,109	\$12,233,109	\$12,233,109

150.98 *Change the name of the Regional Education Service Agencies program to the Regional Education Service Agencies (RESAs) program. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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150.100 Regional Education Service Agencies (RESAs)	Appropriation (HB 683)
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The purpose of this appropriation is to provide Georgia's sixteen Regional Education Service Agencies with funds to assist local school systems with improving the effectiveness of their educational programs by providing curriculum consultation, skill enhancement, professional development, technology training, and other shared services.

TOTAL STATE FUNDS	\$12,233,109	\$12,233,109	\$12,233,109
State General Funds	\$12,233,109	\$12,233,109	\$12,233,109
TOTAL PUBLIC FUNDS	\$12,233,109	\$12,233,109	\$12,233,109

School Improvement

Continuation Budget

The purpose of this appropriation is to provide research, technical assistance, resources, teacher professional learning, and leadership training for low- performing schools and local educational agencies to help them design and implement school improvement strategies to improve graduation rates and overall student achievement.

TOTAL STATE FUNDS	\$9,584,743	\$9,584,743	\$9,584,743
State General Funds	\$9,584,743	\$9,584,743	\$9,584,743

TOTAL FEDERAL FUNDS	\$6,869,144	\$6,869,144	\$6,869,144
Federal Funds Not Itemized	\$6,869,144	\$6,869,144	\$6,869,144
TOTAL AGENCY FUNDS	\$16,050	\$16,050	\$16,050
Contributions, Donations, and Forfeitures	\$16,050	\$16,050	\$16,050
Contributions, Donations, and Forfeitures Not Itemized	\$16,050	\$16,050	\$16,050
TOTAL PUBLIC FUNDS	\$16,469,937	\$16,469,937	\$16,469,937

151.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,217	\$1,217	\$1,217
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151.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,382)	(\$3,382)	(\$3,382)
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151.100 School Improvement

Appropriation (HB 683)

The purpose of this appropriation is to provide research, technical assistance, resources, teacher professional learning, and leadership training for low- performing schools and local educational agencies to help them design and implement school improvement strategies to improve graduation rates and overall student achievement.

TOTAL STATE FUNDS	\$9,582,578	\$9,582,578	\$9,582,578
State General Funds	\$9,582,578	\$9,582,578	\$9,582,578
TOTAL FEDERAL FUNDS	\$6,869,144	\$6,869,144	\$6,869,144
Federal Funds Not Itemized	\$6,869,144	\$6,869,144	\$6,869,144
TOTAL AGENCY FUNDS	\$16,050	\$16,050	\$16,050
Contributions, Donations, and Forfeitures	\$16,050	\$16,050	\$16,050
Contributions, Donations, and Forfeitures Not Itemized	\$16,050	\$16,050	\$16,050
TOTAL PUBLIC FUNDS	\$16,467,772	\$16,467,772	\$16,467,772

State Charter School Commission Administration

Continuation Budget

The purpose of this appropriation is to focus on the development and support of state charter schools in order to better meet the growing and diverse needs of students in this state and to further ensure that state charter schools of the highest academic quality are approved and supported throughout the state in an efficient manner.

TOTAL STATE FUNDS	\$0	\$0	\$0
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State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$4,156,309	\$4,156,309	\$4,156,309
Sales and Services	\$4,156,309	\$4,156,309	\$4,156,309
Sales and Services Not Itemized	\$4,156,309	\$4,156,309	\$4,156,309
TOTAL PUBLIC FUNDS	\$4,156,309	\$4,156,309	\$4,156,309

152.100 State Charter School Commission Administration	Appropriation (HB 683)
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The purpose of this appropriation is to focus on the development and support of state charter schools in order to better meet the growing and diverse needs of students in this state and to further ensure that state charter schools of the highest academic quality are approved and supported throughout the state in an efficient manner.

TOTAL AGENCY FUNDS	\$4,156,309	\$4,156,309	\$4,156,309
Sales and Services	\$4,156,309	\$4,156,309	\$4,156,309
Sales and Services Not Itemized	\$4,156,309	\$4,156,309	\$4,156,309
TOTAL PUBLIC FUNDS	\$4,156,309	\$4,156,309	\$4,156,309

State Schools

Continuation Budget

The purpose of this appropriation is to prepare sensory-impaired and multi-disabled students to become productive citizens by providing a learning environment addressing their academic, vocational, and social development.

TOTAL STATE FUNDS	\$28,391,944	\$28,391,944	\$28,391,944
State General Funds	\$28,391,944	\$28,391,944	\$28,391,944
TOTAL FEDERAL FUNDS	\$939,499	\$939,499	\$939,499
Federal Funds Not Itemized	\$919,869	\$919,869	\$919,869
Maternal & Child Health Services Block Grant CFDA93.994	\$19,630	\$19,630	\$19,630
TOTAL AGENCY FUNDS	\$714,444	\$714,444	\$714,444
Contributions, Donations, and Forfeitures	\$269,205	\$269,205	\$269,205
Contributions, Donations, and Forfeitures Not Itemized	\$269,205	\$269,205	\$269,205
Intergovernmental Transfers	\$155,513	\$155,513	\$155,513
Intergovernmental Transfers Not Itemized	\$155,513	\$155,513	\$155,513
Rebates, Refunds, and Reimbursements	\$289,726	\$289,726	\$289,726
Rebates, Refunds, and Reimbursements Not Itemized	\$289,726	\$289,726	\$289,726
TOTAL PUBLIC FUNDS	\$30,045,887	\$30,045,887	\$30,045,887

153.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,279	\$3,279	\$3,279
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153.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$9,109)	(\$9,109)	(\$9,109)
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153.100 State Schools

Appropriation (HB 683)

The purpose of this appropriation is to prepare sensory-impaired and multi-disabled students to become productive citizens by providing a learning environment addressing their academic, vocational, and social development.

TOTAL STATE FUNDS	\$28,386,114	\$28,386,114	\$28,386,114
State General Funds	\$28,386,114	\$28,386,114	\$28,386,114
TOTAL FEDERAL FUNDS	\$939,499	\$939,499	\$939,499
Federal Funds Not Itemized	\$919,869	\$919,869	\$919,869
Maternal & Child Health Services Block Grant CFDA93.994	\$19,630	\$19,630	\$19,630
TOTAL AGENCY FUNDS	\$714,444	\$714,444	\$714,444
Contributions, Donations, and Forfeitures	\$269,205	\$269,205	\$269,205
Contributions, Donations, and Forfeitures Not Itemized	\$269,205	\$269,205	\$269,205
Intergovernmental Transfers	\$155,513	\$155,513	\$155,513
Intergovernmental Transfers Not Itemized	\$155,513	\$155,513	\$155,513
Rebates, Refunds, and Reimbursements	\$289,726	\$289,726	\$289,726
Rebates, Refunds, and Reimbursements Not Itemized	\$289,726	\$289,726	\$289,726
TOTAL PUBLIC FUNDS	\$30,040,057	\$30,040,057	\$30,040,057

Technology/Career Education

Continuation Budget

The purpose of this appropriation is to equip students with academic, vocational, technical, and leadership skills and to extend learning opportunities beyond the traditional school day and year.

TOTAL STATE FUNDS	\$17,990,799	\$17,990,799	\$17,990,799
State General Funds	\$17,990,799	\$17,990,799	\$17,990,799
TOTAL FEDERAL FUNDS	\$40,668,080	\$40,668,080	\$40,668,080
Federal Funds Not Itemized	\$40,668,080	\$40,668,080	\$40,668,080
TOTAL AGENCY FUNDS	\$9,679,024	\$9,679,024	\$9,679,024

Intergovernmental Transfers	\$9,453,274	\$9,453,274	\$9,453,274
Intergovernmental Transfers Not Itemized	\$9,453,274	\$9,453,274	\$9,453,274
Sales and Services	\$225,750	\$225,750	\$225,750
Sales and Services Not Itemized	\$225,750	\$225,750	\$225,750
TOTAL PUBLIC FUNDS	\$68,337,903	\$68,337,903	\$68,337,903

154.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$247	\$247	\$247
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154.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$686)	(\$686)	(\$686)
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154.3 *Transfer funds from the Audio-Video Technology and Film Grants program to the Technology/Career Education program and increase funds for equipment grants to local school systems.*

State General Funds			\$1,250,000
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154.4 *Transfer funds from the Audio-Video Technology and Film Grants program to the Technology/Career Education program for enhancing needed STEM preparation in rural communities by providing middle school coding (7th and 8th grade) grants for equipment and teacher professional development in the use of technology, coding and computing, based on findings from the Senate Information Technology Corridors in Georgia Study Committee.*

State General Funds			\$500,000
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154.100 Technology/Career Education	Appropriation (HB 683)
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The purpose of this appropriation is to equip students with academic, vocational, technical, and leadership skills and to extend learning opportunities beyond the traditional school day and year.

TOTAL STATE FUNDS	\$17,990,360	\$17,990,360	\$19,740,360
State General Funds	\$17,990,360	\$17,990,360	\$19,740,360
TOTAL FEDERAL FUNDS	\$40,668,080	\$40,668,080	\$40,668,080
Federal Funds Not Itemized	\$40,668,080	\$40,668,080	\$40,668,080
TOTAL AGENCY FUNDS	\$9,679,024	\$9,679,024	\$9,679,024
Intergovernmental Transfers	\$9,453,274	\$9,453,274	\$9,453,274

Intergovernmental Transfers Not Itemized	\$9,453,274	\$9,453,274	\$9,453,274
Sales and Services	\$225,750	\$225,750	\$225,750
Sales and Services Not Itemized	\$225,750	\$225,750	\$225,750
TOTAL PUBLIC FUNDS	\$68,337,464	\$68,337,464	\$70,087,464

Testing**Continuation Budget**

The purpose of this appropriation is to administer the statewide student assessment program and provide related testing instruments and training to local schools.

TOTAL STATE FUNDS	\$24,812,520	\$24,812,520	\$24,812,520
State General Funds	\$24,812,520	\$24,812,520	\$24,812,520
TOTAL FEDERAL FUNDS	\$17,970,981	\$17,970,981	\$17,970,981
Federal Funds Not Itemized	\$17,970,981	\$17,970,981	\$17,970,981
TOTAL PUBLIC FUNDS	\$42,783,501	\$42,783,501	\$42,783,501

155.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$364	\$364	\$364
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155.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,010)	(\$1,010)	(\$1,010)
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155.3 *Reduce funds to reflect projected expenditures and carryover funds.*

State General Funds			(\$500,000)
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155.100 Testing**Appropriation (HB 683)**

The purpose of this appropriation is to administer the statewide student assessment program and provide related testing instruments and training to local schools.

TOTAL STATE FUNDS	\$24,811,874	\$24,811,874	\$24,311,874
State General Funds	\$24,811,874	\$24,811,874	\$24,311,874
TOTAL FEDERAL FUNDS	\$17,970,981	\$17,970,981	\$17,970,981
Federal Funds Not Itemized	\$17,970,981	\$17,970,981	\$17,970,981
TOTAL PUBLIC FUNDS	\$42,782,855	\$42,782,855	\$42,282,855

Tuition for Multiple Disability Students

Continuation Budget

The purpose of this appropriation is to partially reimburse school systems for private residential placements when the school system is unable to provide an appropriate program for a multi-disabled student.

TOTAL STATE FUNDS	\$1,551,946	\$1,551,946	\$1,551,946
State General Funds	\$1,551,946	\$1,551,946	\$1,551,946
TOTAL PUBLIC FUNDS	\$1,551,946	\$1,551,946	\$1,551,946

156.100 Tuition for Multiple Disability Students

Appropriation (HB 683)

The purpose of this appropriation is to partially reimburse school systems for private residential placements when the school system is unable to provide an appropriate program for a multi-disabled student.

TOTAL STATE FUNDS	\$1,551,946	\$1,551,946	\$1,551,946
State General Funds	\$1,551,946	\$1,551,946	\$1,551,946
TOTAL PUBLIC FUNDS	\$1,551,946	\$1,551,946	\$1,551,946

The formula calculation for Quality Basic Education funding assumes a base unit cost of \$2,541.56. In addition, all local school system allotments for Quality Basic Education shall be made in accordance with funds appropriated by this Act.

Section 25: Employees' Retirement System of Georgia

Section Total - Continuation

TOTAL STATE FUNDS	\$31,663,712	\$31,663,712	\$31,663,712
State General Funds	\$31,663,712	\$31,663,712	\$31,663,712
TOTAL AGENCY FUNDS	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services Not Itemized	\$4,592,288	\$4,592,288	\$4,592,288
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$21,939,700	\$21,939,700	\$21,939,700
State Funds Transfers	\$21,939,700	\$21,939,700	\$21,939,700
Retirement Payments	\$21,939,700	\$21,939,700	\$21,939,700
TOTAL PUBLIC FUNDS	\$58,195,700	\$58,195,700	\$58,195,700

Section Total - Final

TOTAL STATE FUNDS	\$31,663,712	\$31,663,712	\$31,663,712
State General Funds	\$31,663,712	\$31,663,712	\$31,663,712

TOTAL AGENCY FUNDS	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services Not Itemized	\$4,592,288	\$4,592,288	\$4,592,288
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$21,939,700	\$21,939,700	\$21,939,700
State Funds Transfers	\$21,939,700	\$21,939,700	\$21,939,700
Retirement Payments	\$21,939,700	\$21,939,700	\$21,939,700
TOTAL PUBLIC FUNDS	\$58,195,700	\$58,195,700	\$58,195,700

Deferred Compensation**Continuation Budget**

The purpose of this appropriation is to provide excellent service to participants in the deferred compensation program for all employees of the state, giving them an effective supplement for their retirement planning.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services Not Itemized	\$4,592,288	\$4,592,288	\$4,592,288
TOTAL PUBLIC FUNDS	\$4,592,288	\$4,592,288	\$4,592,288

157.100 Deferred Compensation**Appropriation (HB 683)**

The purpose of this appropriation is to provide excellent service to participants in the deferred compensation program for all employees of the state, giving them an effective supplement for their retirement planning.

TOTAL AGENCY FUNDS	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services Not Itemized	\$4,592,288	\$4,592,288	\$4,592,288
TOTAL PUBLIC FUNDS	\$4,592,288	\$4,592,288	\$4,592,288

Georgia Military Pension Fund**Continuation Budget**

The purpose of this appropriation is to provide retirement allowances and other benefits for members of the Georgia National Guard.

TOTAL STATE FUNDS	\$2,377,312	\$2,377,312	\$2,377,312
State General Funds	\$2,377,312	\$2,377,312	\$2,377,312
TOTAL PUBLIC FUNDS	\$2,377,312	\$2,377,312	\$2,377,312

158.100 Georgia Military Pension Fund **Appropriation (HB 683)**

The purpose of this appropriation is to provide retirement allowances and other benefits for members of the Georgia National Guard.

TOTAL STATE FUNDS	\$2,377,312	\$2,377,312	\$2,377,312
State General Funds	\$2,377,312	\$2,377,312	\$2,377,312
TOTAL PUBLIC FUNDS	\$2,377,312	\$2,377,312	\$2,377,312

Public School Employees Retirement System

Continuation Budget

The purpose of this appropriation is to account for the receipt of retirement contributions, ensure sound investing of system funds, and provide timely and accurate payment of retirement benefits.

TOTAL STATE FUNDS	\$29,276,000	\$29,276,000	\$29,276,000
State General Funds	\$29,276,000	\$29,276,000	\$29,276,000
TOTAL PUBLIC FUNDS	\$29,276,000	\$29,276,000	\$29,276,000

159.100 Public School Employees Retirement System **Appropriation (HB 683)**

The purpose of this appropriation is to account for the receipt of retirement contributions, ensure sound investing of system funds, and provide timely and accurate payment of retirement benefits.

TOTAL STATE FUNDS	\$29,276,000	\$29,276,000	\$29,276,000
State General Funds	\$29,276,000	\$29,276,000	\$29,276,000
TOTAL PUBLIC FUNDS	\$29,276,000	\$29,276,000	\$29,276,000

System Administration (ERS)

Continuation Budget

The purpose of this appropriation is to collect employee and employer contributions, invest the accumulated funds, and disburse retirement benefits to members and beneficiaries.

TOTAL STATE FUNDS	\$10,400	\$10,400	\$10,400
State General Funds	\$10,400	\$10,400	\$10,400
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$21,939,700	\$21,939,700	\$21,939,700
State Funds Transfers	\$21,939,700	\$21,939,700	\$21,939,700
Retirement Payments	\$21,939,700	\$21,939,700	\$21,939,700
TOTAL PUBLIC FUNDS	\$21,950,100	\$21,950,100	\$21,950,100

160.100 System Administration (ERS)	Appropriation (HB 683)		
<i>The purpose of this appropriation is to collect employee and employer contributions, invest the accumulated funds, and disburse retirement benefits to members and beneficiaries.</i>			
TOTAL STATE FUNDS	\$10,400	\$10,400	\$10,400
State General Funds	\$10,400	\$10,400	\$10,400
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$21,939,700	\$21,939,700	\$21,939,700
State Funds Transfers	\$21,939,700	\$21,939,700	\$21,939,700
Retirement Payments	\$21,939,700	\$21,939,700	\$21,939,700
TOTAL PUBLIC FUNDS	\$21,950,100	\$21,950,100	\$21,950,100

It is the intent of the General Assembly that the employer contribution rate for the Employees' Retirement System shall not exceed 24.81% for New Plan employees and 20.06% for Old Plan employees. For the GSEPS employees, the employer contribution rate shall not exceed 21.78% for the pension portion of the benefit and 3.0% in employer match contributions for the 401(k) portion of the benefit. It is the intent of the General Assembly that the employer contribution for Public School Employees' Retirement System shall not exceed \$780.92 per member for State Fiscal Year 2018.

Section 26: Forestry Commission, State

	Section Total - Continuation		
TOTAL STATE FUNDS	\$36,875,232	\$36,875,232	\$36,875,232
State General Funds	\$36,875,232	\$36,875,232	\$36,875,232
TOTAL FEDERAL FUNDS	\$6,074,349	\$6,074,349	\$6,074,349
Federal Funds Not Itemized	\$6,074,349	\$6,074,349	\$6,074,349
TOTAL AGENCY FUNDS	\$6,941,687	\$6,941,687	\$6,941,687
Intergovernmental Transfers	\$2,572,500	\$2,572,500	\$2,572,500
Intergovernmental Transfers Not Itemized	\$2,572,500	\$2,572,500	\$2,572,500
Royalties and Rents	\$33,000	\$33,000	\$33,000
Royalties and Rents Not Itemized	\$33,000	\$33,000	\$33,000
Sales and Services	\$4,286,187	\$4,286,187	\$4,286,187
Sales and Services Not Itemized	\$4,286,187	\$4,286,187	\$4,286,187
Sanctions, Fines, and Penalties	\$50,000	\$50,000	\$50,000
Sanctions, Fines, and Penalties Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$210,500	\$210,500	\$210,500
State Funds Transfers	\$210,500	\$210,500	\$210,500

Agency to Agency Contracts	\$210,500	\$210,500	\$210,500
TOTAL PUBLIC FUNDS	\$50,101,768	\$50,101,768	\$50,101,768

Section Total - Final

TOTAL STATE FUNDS	\$40,456,415	\$40,456,415	\$40,456,415
State General Funds	\$40,456,415	\$40,456,415	\$40,456,415
TOTAL FEDERAL FUNDS	\$6,074,349	\$6,074,349	\$6,074,349
Federal Funds Not Itemized	\$6,074,349	\$6,074,349	\$6,074,349
TOTAL AGENCY FUNDS	\$6,941,687	\$6,941,687	\$6,941,687
Intergovernmental Transfers	\$2,572,500	\$2,572,500	\$2,572,500
Intergovernmental Transfers Not Itemized	\$2,572,500	\$2,572,500	\$2,572,500
Royalties and Rents	\$33,000	\$33,000	\$33,000
Royalties and Rents Not Itemized	\$33,000	\$33,000	\$33,000
Sales and Services	\$4,286,187	\$4,286,187	\$4,286,187
Sales and Services Not Itemized	\$4,286,187	\$4,286,187	\$4,286,187
Sanctions, Fines, and Penalties	\$50,000	\$50,000	\$50,000
Sanctions, Fines, and Penalties Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$210,500	\$210,500	\$210,500
State Funds Transfers	\$210,500	\$210,500	\$210,500
Agency to Agency Contracts	\$210,500	\$210,500	\$210,500
TOTAL PUBLIC FUNDS	\$53,682,951	\$53,682,951	\$53,682,951

Commission Administration (SFC)

Continuation Budget

The purpose of this appropriation is to administer work force needs, handle purchasing, accounts receivable and payable, meet information technology needs, and provide oversight that emphasizes customer values and process innovation.

TOTAL STATE FUNDS	\$3,793,828	\$3,793,828	\$3,793,828
State General Funds	\$3,793,828	\$3,793,828	\$3,793,828
TOTAL FEDERAL FUNDS	\$48,800	\$48,800	\$48,800
Federal Funds Not Itemized	\$48,800	\$48,800	\$48,800
TOTAL AGENCY FUNDS	\$182,780	\$182,780	\$182,780
Sales and Services	\$182,780	\$182,780	\$182,780
Sales and Services Not Itemized	\$182,780	\$182,780	\$182,780

TOTAL PUBLIC FUNDS	\$4,025,408	\$4,025,408	\$4,025,408
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161.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,996	\$1,996	\$1,996
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161.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,047)	(\$1,047)	(\$1,047)
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161.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$130)	(\$130)	(\$130)
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161.4 *Increase funds for one deputy director position.*

State General Funds	\$89,603	\$89,603	\$89,603
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161.100 Commission Administration (SFC)	Appropriation (HB 683)		
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The purpose of this appropriation is to administer work force needs, handle purchasing, accounts receivable and payable, meet information technology needs, and provide oversight that emphasizes customer values and process innovation.

TOTAL STATE FUNDS	\$3,884,250	\$3,884,250	\$3,884,250
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State General Funds	\$3,884,250	\$3,884,250	\$3,884,250
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TOTAL FEDERAL FUNDS	\$48,800	\$48,800	\$48,800
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Federal Funds Not Itemized	\$48,800	\$48,800	\$48,800
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TOTAL AGENCY FUNDS	\$182,780	\$182,780	\$182,780
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Sales and Services	\$182,780	\$182,780	\$182,780
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Sales and Services Not Itemized	\$182,780	\$182,780	\$182,780
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TOTAL PUBLIC FUNDS	\$4,115,830	\$4,115,830	\$4,115,830
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Forest Management

Continuation Budget

The purpose of this appropriation is to ensure the stewardship of forest lands; to collect and analyze state forestry inventory data; to administer federal forestry cost share assistance programs; to study forest health and invasive species control issues; to manage state-owned forests; to educate private forest landowners and timber harvesters about best management practices; to assist communities with management of forested greenspace; to promote and obtain conservation easements; to manage Georgia's Carbon Registry; to

promote retention, investment, and/or expansion of new emerging and existing forest and forest biomass industries, and, during extreme fire danger, to provide logistical, overhead, and direct fire suppression assistance to the Forest Protection program.

TOTAL STATE FUNDS	\$2,901,933	\$2,901,933	\$2,901,933
State General Funds	\$2,901,933	\$2,901,933	\$2,901,933
TOTAL FEDERAL FUNDS	\$3,645,151	\$3,645,151	\$3,645,151
Federal Funds Not Itemized	\$3,645,151	\$3,645,151	\$3,645,151
TOTAL AGENCY FUNDS	\$950,732	\$950,732	\$950,732
Intergovernmental Transfers	\$187,000	\$187,000	\$187,000
Intergovernmental Transfers Not Itemized	\$187,000	\$187,000	\$187,000
Sales and Services	\$763,732	\$763,732	\$763,732
Sales and Services Not Itemized	\$763,732	\$763,732	\$763,732
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$189,000	\$189,000	\$189,000
State Funds Transfers	\$189,000	\$189,000	\$189,000
Agency to Agency Contracts	\$189,000	\$189,000	\$189,000
TOTAL PUBLIC FUNDS	\$7,686,816	\$7,686,816	\$7,686,816

162.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,224	\$2,224	\$2,224
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162.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,166)	(\$1,166)	(\$1,166)
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162.100 Forest Management	Appropriation (HB 683)
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The purpose of this appropriation is to ensure the stewardship of forest lands; to collect and analyze state forestry inventory data; to administer federal forestry cost share assistance programs; to study forest health and invasive species control issues; to manage state-owned forests; to educate private forest landowners and timber harvesters about best management practices; to assist communities with management of forested greenspace; to promote and obtain conservation easements; to manage Georgia's Carbon Registry; to promote retention, investment, and/or expansion of new emerging and existing forest and forest biomass industries, and, during extreme fire danger, to provide logistical, overhead, and direct fire suppression assistance to the Forest Protection program.

TOTAL STATE FUNDS	\$2,902,991	\$2,902,991	\$2,902,991
State General Funds	\$2,902,991	\$2,902,991	\$2,902,991

TOTAL FEDERAL FUNDS	\$3,645,151	\$3,645,151	\$3,645,151
Federal Funds Not Itemized	\$3,645,151	\$3,645,151	\$3,645,151
TOTAL AGENCY FUNDS	\$950,732	\$950,732	\$950,732
Intergovernmental Transfers	\$187,000	\$187,000	\$187,000
Intergovernmental Transfers Not Itemized	\$187,000	\$187,000	\$187,000
Sales and Services	\$763,732	\$763,732	\$763,732
Sales and Services Not Itemized	\$763,732	\$763,732	\$763,732
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$189,000	\$189,000	\$189,000
State Funds Transfers	\$189,000	\$189,000	\$189,000
Agency to Agency Contracts	\$189,000	\$189,000	\$189,000
TOTAL PUBLIC FUNDS	\$7,687,874	\$7,687,874	\$7,687,874

Forest Protection**Continuation Budget**

The purpose of this appropriation is to ensure an aggressive and efficient response and suppression of forest fires in the unincorporated areas of the State; to mitigate hazardous forest fuels; to issue burn permits, to provide statewide education in the prevention of wildfires; to perform wildfire arson investigations; to promote community wildland fire planning and protection through cooperative agreements with fire departments; to train and certify firefighters in wildland firefighting; to provide assistance and support to rural fire departments including selling wildland fire engines and tankers; and to support the Forest Management program during periods of low fire danger.

TOTAL STATE FUNDS	\$30,179,471	\$30,179,471	\$30,179,471
State General Funds	\$30,179,471	\$30,179,471	\$30,179,471
TOTAL FEDERAL FUNDS	\$2,246,681	\$2,246,681	\$2,246,681
Federal Funds Not Itemized	\$2,246,681	\$2,246,681	\$2,246,681
TOTAL AGENCY FUNDS	\$4,741,312	\$4,741,312	\$4,741,312
Intergovernmental Transfers	\$2,385,500	\$2,385,500	\$2,385,500
Intergovernmental Transfers Not Itemized	\$2,385,500	\$2,385,500	\$2,385,500
Royalties and Rents	\$33,000	\$33,000	\$33,000
Royalties and Rents Not Itemized	\$33,000	\$33,000	\$33,000
Sales and Services	\$2,272,812	\$2,272,812	\$2,272,812
Sales and Services Not Itemized	\$2,272,812	\$2,272,812	\$2,272,812
Sanctions, Fines, and Penalties	\$50,000	\$50,000	\$50,000
Sanctions, Fines, and Penalties Not Itemized	\$50,000	\$50,000	\$50,000

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$15,000	\$15,000	\$15,000
State Funds Transfers	\$15,000	\$15,000	\$15,000
Agency to Agency Contracts	\$15,000	\$15,000	\$15,000
TOTAL PUBLIC FUNDS	\$37,182,464	\$37,182,464	\$37,182,464

163.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$20,403	\$20,403	\$20,403
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163.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$10,700)	(\$10,700)	(\$10,700)
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163.3 *Increase funds for one-time funding for equipment to aid in preventing and combating wildfires.*

State General Funds	\$3,000,000	\$3,000,000	\$3,000,000
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163.4 *Increase funds for one-time funding for district office improvements and repairs.*

State General Funds	\$330,000	\$330,000	\$330,000
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163.5 *Increase funds for one-time funding for the planning, design, and construction of additional space for the Macon hangar.*

State General Funds	\$150,000	\$150,000	\$150,000
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163.100 Forest Protection	Appropriation (HB 683)
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The purpose of this appropriation is to ensure an aggressive and efficient response and suppression of forest fires in the unincorporated areas of the State; to mitigate hazardous forest fuels; to issue burn permits, to provide statewide education in the prevention of wildfires; to perform wildfire arson investigations; to promote community wildland fire planning and protection through cooperative agreements with fire departments; to train and certify firefighters in wildland firefighting; to provide assistance and support to rural fire departments including selling wildland fire engines and tankers; and to support the Forest Management program during periods of low fire danger.

TOTAL STATE FUNDS	\$33,669,174	\$33,669,174	\$33,669,174
State General Funds	\$33,669,174	\$33,669,174	\$33,669,174
TOTAL FEDERAL FUNDS	\$2,246,681	\$2,246,681	\$2,246,681
Federal Funds Not Itemized	\$2,246,681	\$2,246,681	\$2,246,681

TOTAL AGENCY FUNDS	\$4,741,312	\$4,741,312	\$4,741,312
Intergovernmental Transfers	\$2,385,500	\$2,385,500	\$2,385,500
Intergovernmental Transfers Not Itemized	\$2,385,500	\$2,385,500	\$2,385,500
Royalties and Rents	\$33,000	\$33,000	\$33,000
Royalties and Rents Not Itemized	\$33,000	\$33,000	\$33,000
Sales and Services	\$2,272,812	\$2,272,812	\$2,272,812
Sales and Services Not Itemized	\$2,272,812	\$2,272,812	\$2,272,812
Sanctions, Fines, and Penalties	\$50,000	\$50,000	\$50,000
Sanctions, Fines, and Penalties Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$15,000	\$15,000	\$15,000
State Funds Transfers	\$15,000	\$15,000	\$15,000
Agency to Agency Contracts	\$15,000	\$15,000	\$15,000
TOTAL PUBLIC FUNDS	\$40,672,167	\$40,672,167	\$40,672,167

Tree Seedling Nursery

Continuation Budget

The purpose of this appropriation is to produce an adequate quantity of high quality forest tree seedlings for sale at reasonable cost to Georgia landowners.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$133,717	\$133,717	\$133,717
Federal Funds Not Itemized	\$133,717	\$133,717	\$133,717
TOTAL AGENCY FUNDS	\$1,066,863	\$1,066,863	\$1,066,863
Sales and Services	\$1,066,863	\$1,066,863	\$1,066,863
Sales and Services Not Itemized	\$1,066,863	\$1,066,863	\$1,066,863
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$6,500	\$6,500	\$6,500
State Funds Transfers	\$6,500	\$6,500	\$6,500
Agency to Agency Contracts	\$6,500	\$6,500	\$6,500
TOTAL PUBLIC FUNDS	\$1,207,080	\$1,207,080	\$1,207,080

164.100 Tree Seedling Nursery

Appropriation (HB 683)

The purpose of this appropriation is to produce an adequate quantity of high quality forest tree seedlings for sale at reasonable cost to Georgia landowners.

TOTAL FEDERAL FUNDS	\$133,717	\$133,717	\$133,717
Federal Funds Not Itemized	\$133,717	\$133,717	\$133,717
TOTAL AGENCY FUNDS	\$1,066,863	\$1,066,863	\$1,066,863
Sales and Services	\$1,066,863	\$1,066,863	\$1,066,863
Sales and Services Not Itemized	\$1,066,863	\$1,066,863	\$1,066,863
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$6,500	\$6,500	\$6,500
State Funds Transfers	\$6,500	\$6,500	\$6,500
Agency to Agency Contracts	\$6,500	\$6,500	\$6,500
TOTAL PUBLIC FUNDS	\$1,207,080	\$1,207,080	\$1,207,080

Section 27: Governor, Office of the

Section Total - Continuation

TOTAL STATE FUNDS	\$61,269,172	\$61,269,172	\$61,269,172
State General Funds	\$61,269,172	\$61,269,172	\$61,269,172
TOTAL FEDERAL FUNDS	\$30,115,112	\$30,115,112	\$30,115,112
Federal Funds Not Itemized	\$30,115,112	\$30,115,112	\$30,115,112
TOTAL AGENCY FUNDS	\$660,531	\$660,531	\$660,531
Reserved Fund Balances	\$500,000	\$500,000	\$500,000
Reserved Fund Balances Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$160,531	\$160,531	\$160,531
Sales and Services Not Itemized	\$160,531	\$160,531	\$160,531
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,325	\$147,325	\$147,325
State Funds Transfers	\$147,325	\$147,325	\$147,325
Agency to Agency Contracts	\$147,325	\$147,325	\$147,325
TOTAL PUBLIC FUNDS	\$92,192,140	\$92,192,140	\$92,192,140

Section Total - Final

TOTAL STATE FUNDS	\$71,309,732	\$72,087,350	\$72,087,350
State General Funds	\$71,309,732	\$72,087,350	\$72,087,350
TOTAL FEDERAL FUNDS	\$30,115,112	\$30,115,112	\$30,115,112
Federal Funds Not Itemized	\$30,115,112	\$30,115,112	\$30,115,112
TOTAL AGENCY FUNDS	\$660,531	\$660,531	\$660,531
Reserved Fund Balances	\$500,000	\$500,000	\$500,000

Reserved Fund Balances Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$160,531	\$160,531	\$160,531
Sales and Services Not Itemized	\$160,531	\$160,531	\$160,531
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,325	\$147,325	\$147,325
State Funds Transfers	\$147,325	\$147,325	\$147,325
Agency to Agency Contracts	\$147,325	\$147,325	\$147,325
TOTAL PUBLIC FUNDS	\$102,232,700	\$103,010,318	\$103,010,318

Governor's Emergency Fund**Continuation Budget**

The purpose of this appropriation is to provide emergency funds to draw on when disasters create extraordinary demands on government.

TOTAL STATE FUNDS	\$11,062,041	\$11,062,041	\$11,062,041
State General Funds	\$11,062,041	\$11,062,041	\$11,062,041
TOTAL PUBLIC FUNDS	\$11,062,041	\$11,062,041	\$11,062,041

165.1 Increase funds to meet projected expenditures.

State General Funds	\$10,000,000	\$10,000,000	\$10,000,000
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165.100 Governor's Emergency Fund**Appropriation (HB 683)**

The purpose of this appropriation is to provide emergency funds to draw on when disasters create extraordinary demands on government.

TOTAL STATE FUNDS	\$21,062,041	\$21,062,041	\$21,062,041
State General Funds	\$21,062,041	\$21,062,041	\$21,062,041
TOTAL PUBLIC FUNDS	\$21,062,041	\$21,062,041	\$21,062,041

Governor's Office**Continuation Budget**

The purpose of this appropriation is to provide numerous duties including, but not limited to: granting commissions, appointments and vacancies, maintaining order, and temporary transfer of institutions between departments or agencies. The Mansion allowance per O.C.G.A. 45-7-4 shall be \$40,000.

TOTAL STATE FUNDS	\$6,760,258	\$6,760,258	\$6,760,258
State General Funds	\$6,760,258	\$6,760,258	\$6,760,258

TOTAL PUBLIC FUNDS	\$6,760,258	\$6,760,258	\$6,760,258
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166.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,308	\$2,308	\$2,308
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166.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,316)	(\$2,316)	(\$2,316)
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166.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,534	\$4,534	\$4,534
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166.100 Governor's Office	Appropriation (HB 683)
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The purpose of this appropriation is to provide numerous duties including, but not limited to: granting commissions, appointments and vacancies, maintaining order, and temporary transfer of institutions between departments or agencies. The Mansion allowance per O.C.G.A. 45-7-4 shall be \$40,000.

TOTAL STATE FUNDS	\$6,764,784	\$6,764,784	\$6,764,784
State General Funds	\$6,764,784	\$6,764,784	\$6,764,784
TOTAL PUBLIC FUNDS	\$6,764,784	\$6,764,784	\$6,764,784

Planning and Budget, Governor's Office of

Continuation Budget

The purpose of this appropriation is to improve state government operations and services by leading and assisting in the evaluation, development, and implementation of budgets, plans, programs, and policies.

TOTAL STATE FUNDS	\$8,842,879	\$8,842,879	\$8,842,879
State General Funds	\$8,842,879	\$8,842,879	\$8,842,879
TOTAL PUBLIC FUNDS	\$8,842,879	\$8,842,879	\$8,842,879

167.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,865)	(\$1,865)	(\$1,865)
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167.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,220)	(\$2,220)	(\$2,220)
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167.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$5,182	\$5,182	\$5,182
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167.100 Planning and Budget, Governor's Office of**Appropriation (HB 683)**

The purpose of this appropriation is to improve state government operations and services by leading and assisting in the evaluation, development, and implementation of budgets, plans, programs, and policies.

TOTAL STATE FUNDS	\$8,843,976	\$8,843,976	\$8,843,976
State General Funds	\$8,843,976	\$8,843,976	\$8,843,976
TOTAL PUBLIC FUNDS	\$8,843,976	\$8,843,976	\$8,843,976

Child Advocate, Office of the**Continuation Budget**

The purpose of this appropriation is to provide independent oversight of persons, organizations, and agencies responsible for the protection and well-being of children.

TOTAL STATE FUNDS	\$1,019,322	\$1,019,322	\$1,019,322
State General Funds	\$1,019,322	\$1,019,322	\$1,019,322
TOTAL PUBLIC FUNDS	\$1,019,322	\$1,019,322	\$1,019,322

168.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$132	\$132	\$132
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168.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$321)	(\$321)	(\$321)
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168.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,941	\$4,941	\$4,941
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168.100 Child Advocate, Office of the	Appropriation (HB 683)		
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The purpose of this appropriation is to provide independent oversight of persons, organizations, and agencies responsible for the protection and well-being of children.

TOTAL STATE FUNDS	\$1,024,074	\$1,024,074	\$1,024,074
State General Funds	\$1,024,074	\$1,024,074	\$1,024,074
TOTAL PUBLIC FUNDS	\$1,024,074	\$1,024,074	\$1,024,074

Emergency Management and Homeland Security Agency, Georgia

Continuation Budget

The purpose of this appropriation is to provide a disaster, mitigation, preparedness, response, and recovery program by coordinating federal, state, and other resources and supporting local governments to respond to major disasters and emergency events, and to coordinate state resources for the preparation and prevention of threats and acts of terrorism and to serve as the State's point of contact for the federal Department of Homeland Security.

TOTAL STATE FUNDS	\$2,963,269	\$2,963,269	\$2,963,269
State General Funds	\$2,963,269	\$2,963,269	\$2,963,269
TOTAL FEDERAL FUNDS	\$29,703,182	\$29,703,182	\$29,703,182
Federal Funds Not Itemized	\$29,703,182	\$29,703,182	\$29,703,182
TOTAL AGENCY FUNDS	\$660,531	\$660,531	\$660,531
Reserved Fund Balances	\$500,000	\$500,000	\$500,000
Reserved Fund Balances Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$160,531	\$160,531	\$160,531
Sales and Services Not Itemized	\$160,531	\$160,531	\$160,531
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,325	\$147,325	\$147,325
State Funds Transfers	\$147,325	\$147,325	\$147,325
Agency to Agency Contracts	\$147,325	\$147,325	\$147,325
TOTAL PUBLIC FUNDS	\$33,474,307	\$33,474,307	\$33,474,307

169.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$363	\$363	\$363
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169.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,043)	(\$1,043)	(\$1,043)
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169.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,951	\$2,951	\$2,951
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169.4 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$30,497)	(\$30,497)
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169.100 Emergency Management and Homeland Security Agency, Georgia	Appropriation (HB 683)
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The purpose of this appropriation is to provide a disaster, mitigation, preparedness, response, and recovery program by coordinating federal, state, and other resources and supporting local governments to respond to major disasters and emergency events, and to coordinate state resources for the preparation and prevention of threats and acts of terrorism and to serve as the State's point of contact for the federal Department of Homeland Security.

TOTAL STATE FUNDS	\$2,965,540	\$2,935,043	\$2,935,043
State General Funds	\$2,965,540	\$2,935,043	\$2,935,043
TOTAL FEDERAL FUNDS	\$29,703,182	\$29,703,182	\$29,703,182
Federal Funds Not Itemized	\$29,703,182	\$29,703,182	\$29,703,182
TOTAL AGENCY FUNDS	\$660,531	\$660,531	\$660,531
Reserved Fund Balances	\$500,000	\$500,000	\$500,000
Reserved Fund Balances Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$160,531	\$160,531	\$160,531
Sales and Services Not Itemized	\$160,531	\$160,531	\$160,531
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,325	\$147,325	\$147,325
State Funds Transfers	\$147,325	\$147,325	\$147,325
Agency to Agency Contracts	\$147,325	\$147,325	\$147,325
TOTAL PUBLIC FUNDS	\$33,476,578	\$33,446,081	\$33,446,081

Equal Opportunity, Georgia Commission on

Continuation Budget

The purpose of this appropriation is to enforce the Georgia Fair Employment Practices Act of 1978, as amended, and the Fair Housing Act, which makes it unlawful to discriminate against any individual.

TOTAL STATE FUNDS	\$701,501	\$701,501	\$701,501
State General Funds	\$701,501	\$701,501	\$701,501
TOTAL PUBLIC FUNDS	\$701,501	\$701,501	\$701,501

170.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$109	\$109	\$109
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170.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$236)	(\$236)	(\$236)
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170.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,892	\$4,892	\$4,892
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170.100 Equal Opportunity, Georgia Commission on	Appropriation (HB 683)
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The purpose of this appropriation is to enforce the Georgia Fair Employment Practices Act of 1978, as amended, and the Fair Housing Act, which makes it unlawful to discriminate against any individual.

TOTAL STATE FUNDS	\$706,266	\$706,266	\$706,266
State General Funds	\$706,266	\$706,266	\$706,266
TOTAL PUBLIC FUNDS	\$706,266	\$706,266	\$706,266

Professional Standards Commission, Georgia

Continuation Budget

The purpose of this appropriation is to direct the preparation of, certify, recognize, and recruit Georgia educators, and to enforce standards regarding educator professional preparation, performance, and ethics.

TOTAL STATE FUNDS	\$7,288,063	\$7,288,063	\$7,288,063
State General Funds	\$7,288,063	\$7,288,063	\$7,288,063
TOTAL FEDERAL FUNDS	\$411,930	\$411,930	\$411,930
Federal Funds Not Itemized	\$411,930	\$411,930	\$411,930
TOTAL PUBLIC FUNDS	\$7,699,993	\$7,699,993	\$7,699,993

171.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,103	\$1,103	\$1,103
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171.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,543)	(\$2,543)	(\$2,543)
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171.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,698	\$3,698	\$3,698
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171.100 Professional Standards Commission, Georgia **Appropriation (HB 683)**

The purpose of this appropriation is to direct the preparation of, certify, recognize, and recruit Georgia educators, and to enforce standards regarding educator professional preparation, performance, and ethics.

TOTAL STATE FUNDS	\$7,290,321	\$7,290,321	\$7,290,321
State General Funds	\$7,290,321	\$7,290,321	\$7,290,321
TOTAL FEDERAL FUNDS	\$411,930	\$411,930	\$411,930
Federal Funds Not Itemized	\$411,930	\$411,930	\$411,930
TOTAL PUBLIC FUNDS	\$7,702,251	\$7,702,251	\$7,702,251

Office of the State Inspector General**Continuation Budget**

The purpose of this appropriation is to foster and promote accountability and integrity in state government by investigating and preventing fraud, waste, and abuse.

TOTAL STATE FUNDS	\$701,154	\$701,154	\$701,154
State General Funds	\$701,154	\$701,154	\$701,154
TOTAL PUBLIC FUNDS	\$701,154	\$701,154	\$701,154

172.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$98	\$98	\$98
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172.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$257)	(\$257)	(\$257)
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172.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$15,666	\$15,666	\$15,666
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172.100 Office of the State Inspector General **Appropriation (HB 683)**

The purpose of this appropriation is to foster and promote accountability and integrity in state government by investigating and preventing fraud, waste, and abuse.

TOTAL STATE FUNDS	\$716,661	\$716,661	\$716,661
State General Funds	\$716,661	\$716,661	\$716,661
TOTAL PUBLIC FUNDS	\$716,661	\$716,661	\$716,661

Student Achievement, Office of

Continuation Budget

The purpose of this appropriation is to support educational accountability, evaluation, and reporting efforts, establishment of standards on state assessments, the preparation and release of the state's education report card and scoreboard, and education research to inform policy and budget efforts.

TOTAL STATE FUNDS	\$21,930,685	\$21,930,685	\$21,930,685
State General Funds	\$21,930,685	\$21,930,685	\$21,930,685
TOTAL PUBLIC FUNDS	\$21,930,685	\$21,930,685	\$21,930,685

173.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$785	\$785	\$785
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173.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,668)	(\$2,668)	(\$2,668)
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173.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$7,267	\$7,267	\$7,267
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173.4 *Increase funds for one non-STEM AP exam for low-income students.*

State General Funds		\$408,115	\$408,115
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173.5 *Increase funds for start-up funds to establish a statewide leadership academy for principals per HB338 (2017 Session).*

State General Funds		\$400,000	\$400,000
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173.100 Student Achievement, Office of	Appropriation (HB 683)
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The purpose of this appropriation is to support educational accountability, evaluation, and reporting efforts, establishment of standards on state assessments, the preparation and release of the state's education report card and scoreboard, and education research to inform policy and budget efforts.

TOTAL STATE FUNDS	\$21,936,069	\$22,744,184	\$22,744,184
State General Funds	\$21,936,069	\$22,744,184	\$22,744,184
TOTAL PUBLIC FUNDS	\$21,936,069	\$22,744,184	\$22,744,184

The Mansion allowance shall be \$40,000.

Section 28: Human Services, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$757,325,486	\$757,325,486	\$757,325,486
State General Funds	\$757,325,486	\$757,325,486	\$757,325,486
TOTAL FEDERAL FUNDS	\$1,111,083,936	\$1,111,083,936	\$1,111,083,936
Federal Funds Not Itemized	\$511,811,903	\$511,811,903	\$511,811,903
Community Services Block Grant CFDA93.569	\$16,844,514	\$16,844,514	\$16,844,514
Foster Care Title IV-E CFDA93.658	\$97,884,214	\$97,884,214	\$97,884,214
Low-Income Home Energy Assistance CFDA93.568	\$56,082,762	\$56,082,762	\$56,082,762
Medical Assistance Program CFDA93.778	\$108,670,560	\$108,670,560	\$108,670,560
Social Services Block Grant CFDA93.667	\$12,123,917	\$12,123,917	\$12,123,917
Temporary Assistance for Needy Families	\$307,666,066	\$307,666,066	\$307,666,066
Temporary Assistance for Needy Families Grant CFDA93.558	\$303,463,788	\$303,463,788	\$303,463,788
TANF Transfers to Social Services Block Grant per 42 USC 604	\$4,202,278	\$4,202,278	\$4,202,278
TOTAL AGENCY FUNDS	\$27,109,096	\$27,109,096	\$27,109,096
Rebates, Refunds, and Reimbursements	\$1,500,000	\$1,500,000	\$1,500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services	\$25,609,096	\$25,609,096	\$25,609,096
Sales and Services Not Itemized	\$25,609,096	\$25,609,096	\$25,609,096
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,874,360	\$2,874,360	\$2,874,360
State Funds Transfers	\$1,415,147	\$1,415,147	\$1,415,147
Agency to Agency Contracts	\$1,415,147	\$1,415,147	\$1,415,147
Agency Funds Transfers	\$1,459,213	\$1,459,213	\$1,459,213
Agency Fund Transfers Not Itemized	\$1,459,213	\$1,459,213	\$1,459,213
TOTAL PUBLIC FUNDS	\$1,898,392,878	\$1,898,392,878	\$1,898,392,878

	Section Total - Final		
TOTAL STATE FUNDS	\$772,346,217	\$770,376,344	\$771,341,844
State General Funds	\$772,346,217	\$770,376,344	\$771,341,844
TOTAL FEDERAL FUNDS	\$1,113,342,801	\$1,113,342,801	\$1,113,342,801
Federal Funds Not Itemized	\$511,811,903	\$511,811,903	\$511,811,903
Community Services Block Grant CFDA93.569	\$16,844,514	\$16,844,514	\$16,844,514
Foster Care Title IV-E CFDA93.658	\$100,143,079	\$100,143,079	\$100,143,079
Low-Income Home Energy Assistance CFDA93.568	\$56,082,762	\$56,082,762	\$56,082,762
Medical Assistance Program CFDA93.778	\$108,670,560	\$108,670,560	\$108,670,560
Social Services Block Grant CFDA93.667	\$12,123,917	\$12,123,917	\$12,123,917
Temporary Assistance for Needy Families	\$307,666,066	\$307,666,066	\$307,666,066
Temporary Assistance for Needy Families Grant CFDA93.558	\$303,463,788	\$303,463,788	\$303,463,788
TANF Transfers to Social Services Block Grant per 42 USC 604	\$4,202,278	\$4,202,278	\$4,202,278
TOTAL AGENCY FUNDS	\$27,109,096	\$27,109,096	\$27,109,096
Rebates, Refunds, and Reimbursements	\$1,500,000	\$1,500,000	\$1,500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services	\$25,609,096	\$25,609,096	\$25,609,096
Sales and Services Not Itemized	\$25,609,096	\$25,609,096	\$25,609,096
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,874,360	\$2,874,360	\$2,874,360
State Funds Transfers	\$1,415,147	\$1,415,147	\$1,415,147
Agency to Agency Contracts	\$1,415,147	\$1,415,147	\$1,415,147
Agency Funds Transfers	\$1,459,213	\$1,459,213	\$1,459,213
Agency Fund Transfers Not Itemized	\$1,459,213	\$1,459,213	\$1,459,213
TOTAL PUBLIC FUNDS	\$1,915,672,474	\$1,913,702,601	\$1,914,668,101

Adoptions Services

Continuation Budget

The purpose of this appropriation is to support and facilitate the safe permanent placement of children by prescreening families and providing support and financial services after adoption.

TOTAL STATE FUNDS	\$33,305,979	\$33,305,979	\$33,305,979
State General Funds	\$33,305,979	\$33,305,979	\$33,305,979
TOTAL FEDERAL FUNDS	\$61,901,518	\$61,901,518	\$61,901,518
Federal Funds Not Itemized	\$45,501,518	\$45,501,518	\$45,501,518

Temporary Assistance for Needy Families	\$16,400,000	\$16,400,000	\$16,400,000
Temporary Assistance for Needy Families Grant CFDA93.558	\$16,400,000	\$16,400,000	\$16,400,000
TOTAL PUBLIC FUNDS	\$95,207,497	\$95,207,497	\$95,207,497

174.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$75	\$75	\$75
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174.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$789)	(\$789)	(\$789)
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174.3 *Replace Temporary Assistance for Needy Families Block Grant (TANF) funds with state general funds to reflect projected expenditures.*

State General Funds	\$2,106,505	\$2,106,505	\$2,106,505
Temporary Assistance for Needy Families Grant CFDA93.558	(\$2,106,505)	(\$2,106,505)	(\$2,106,505)
Total Public Funds:	\$0	\$0	\$0

174.100 Adoptions Services

Appropriation (HB 683)

The purpose of this appropriation is to support and facilitate the safe permanent placement of children by prescreening families and providing support and financial services after adoption.

TOTAL STATE FUNDS	\$35,411,770	\$35,411,770	\$35,411,770
State General Funds	\$35,411,770	\$35,411,770	\$35,411,770
TOTAL FEDERAL FUNDS	\$59,795,013	\$59,795,013	\$59,795,013
Federal Funds Not Itemized	\$45,501,518	\$45,501,518	\$45,501,518
Temporary Assistance for Needy Families	\$14,293,495	\$14,293,495	\$14,293,495
Temporary Assistance for Needy Families Grant CFDA93.558	\$14,293,495	\$14,293,495	\$14,293,495
TOTAL PUBLIC FUNDS	\$95,206,783	\$95,206,783	\$95,206,783

After School Care

Continuation Budget

The purpose of this appropriation is to expand the provision of after school care services and draw down TANF maintenance of effort funds.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$15,500,000	\$15,500,000	\$15,500,000
Temporary Assistance for Needy Families	\$15,500,000	\$15,500,000	\$15,500,000
Temporary Assistance for Needy Families Grant CFDA93.558	\$15,500,000	\$15,500,000	\$15,500,000
TOTAL PUBLIC FUNDS	\$15,500,000	\$15,500,000	\$15,500,000

175.100 After School Care	Appropriation (HB 683)
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The purpose of this appropriation is to expand the provision of after school care services and draw down TANF maintenance of effort funds.

TOTAL FEDERAL FUNDS	\$15,500,000	\$15,500,000	\$15,500,000
Temporary Assistance for Needy Families	\$15,500,000	\$15,500,000	\$15,500,000
Temporary Assistance for Needy Families Grant CFDA93.558	\$15,500,000	\$15,500,000	\$15,500,000
TOTAL PUBLIC FUNDS	\$15,500,000	\$15,500,000	\$15,500,000

Child Abuse and Neglect Prevention

Continuation Budget

The purpose of this appropriation is to promote child abuse and neglect prevention programs and support child victims of abuse.

TOTAL STATE FUNDS	\$1,334,765	\$1,334,765	\$1,334,765
State General Funds	\$1,334,765	\$1,334,765	\$1,334,765
TOTAL FEDERAL FUNDS	\$6,563,416	\$6,563,416	\$6,563,416
Federal Funds Not Itemized	\$3,490,746	\$3,490,746	\$3,490,746
Temporary Assistance for Needy Families	\$3,072,670	\$3,072,670	\$3,072,670
Temporary Assistance for Needy Families Grant CFDA93.558	\$3,072,670	\$3,072,670	\$3,072,670
TOTAL PUBLIC FUNDS	\$7,898,181	\$7,898,181	\$7,898,181

176.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$18	\$18	\$18
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176.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$185)	(\$185)	(\$185)
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176.100 Child Abuse and Neglect Prevention	Appropriation (HB 683)		
<i>The purpose of this appropriation is to promote child abuse and neglect prevention programs and support child victims of abuse.</i>			
TOTAL STATE FUNDS	\$1,334,598	\$1,334,598	\$1,334,598
State General Funds	\$1,334,598	\$1,334,598	\$1,334,598
TOTAL FEDERAL FUNDS	\$6,563,416	\$6,563,416	\$6,563,416
Federal Funds Not Itemized	\$3,490,746	\$3,490,746	\$3,490,746
Temporary Assistance for Needy Families	\$3,072,670	\$3,072,670	\$3,072,670
Temporary Assistance for Needy Families Grant CFDA93.558	\$3,072,670	\$3,072,670	\$3,072,670
TOTAL PUBLIC FUNDS	\$7,898,014	\$7,898,014	\$7,898,014

Child Care Assistance**Continuation Budget**

The purpose of this appropriation is to permit low-income families to be self-reliant while protecting the safety and well-being of their children by ensuring access to child care.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$9,777,346	\$9,777,346	\$9,777,346
Federal Funds Not Itemized	\$9,777,346	\$9,777,346	\$9,777,346
TOTAL PUBLIC FUNDS	\$9,777,346	\$9,777,346	\$9,777,346

177.98 *Change the name of the Child Care Services program to the Child Care Assistance program. (S:YES)*

State General Funds \$0

177.100 Child Care Assistance	Appropriation (HB 683)		
<i>The purpose of this appropriation is to permit low-income families to be self-reliant while protecting the safety and well-being of their children by ensuring access to child care.</i>			
TOTAL FEDERAL FUNDS	\$9,777,346	\$9,777,346	\$9,777,346
Federal Funds Not Itemized	\$9,777,346	\$9,777,346	\$9,777,346
TOTAL PUBLIC FUNDS	\$9,777,346	\$9,777,346	\$9,777,346

Child Support Services**Continuation Budget**

The purpose of this appropriation is to encourage and enforce the parental responsibility of paying financial support.

TOTAL STATE FUNDS	\$29,694,795	\$29,694,795	\$29,694,795
State General Funds	\$29,694,795	\$29,694,795	\$29,694,795
TOTAL FEDERAL FUNDS	\$76,285,754	\$76,285,754	\$76,285,754
Federal Funds Not Itemized	\$76,285,754	\$76,285,754	\$76,285,754
TOTAL AGENCY FUNDS	\$2,841,500	\$2,841,500	\$2,841,500
Sales and Services	\$2,841,500	\$2,841,500	\$2,841,500
Sales and Services Not Itemized	\$2,841,500	\$2,841,500	\$2,841,500
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$395,760	\$395,760	\$395,760
State Funds Transfers	\$395,760	\$395,760	\$395,760
Agency to Agency Contracts	\$395,760	\$395,760	\$395,760
TOTAL PUBLIC FUNDS	\$109,217,809	\$109,217,809	\$109,217,809

178.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$489	\$489	\$489
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178.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$5,109)	(\$5,109)	(\$5,109)
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178.100 Child Support Services	Appropriation (HB 683)
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The purpose of this appropriation is to encourage and enforce the parental responsibility of paying financial support.

TOTAL STATE FUNDS	\$29,690,175	\$29,690,175	\$29,690,175
State General Funds	\$29,690,175	\$29,690,175	\$29,690,175
TOTAL FEDERAL FUNDS	\$76,285,754	\$76,285,754	\$76,285,754
Federal Funds Not Itemized	\$76,285,754	\$76,285,754	\$76,285,754
TOTAL AGENCY FUNDS	\$2,841,500	\$2,841,500	\$2,841,500
Sales and Services	\$2,841,500	\$2,841,500	\$2,841,500
Sales and Services Not Itemized	\$2,841,500	\$2,841,500	\$2,841,500
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$395,760	\$395,760	\$395,760
State Funds Transfers	\$395,760	\$395,760	\$395,760
Agency to Agency Contracts	\$395,760	\$395,760	\$395,760
TOTAL PUBLIC FUNDS	\$109,213,189	\$109,213,189	\$109,213,189

Child Welfare Services**Continuation Budget**

The purpose of this appropriation is to investigate allegations of child abuse, abandonment, and neglect, and to provide services to protect the child and strengthen the family.

TOTAL STATE FUNDS	\$193,338,758	\$193,338,758	\$193,338,758
State General Funds	\$193,338,758	\$193,338,758	\$193,338,758
TOTAL FEDERAL FUNDS	\$201,282,274	\$201,282,274	\$201,282,274
Federal Funds Not Itemized	\$28,930,766	\$28,930,766	\$28,930,766
Foster Care Title IV-E CFDA93.658	\$39,911,718	\$39,911,718	\$39,911,718
Medical Assistance Program CFDA93.778	\$264,879	\$264,879	\$264,879
Social Services Block Grant CFDA93.667	\$2,871,034	\$2,871,034	\$2,871,034
Temporary Assistance for Needy Families	\$129,303,877	\$129,303,877	\$129,303,877
Temporary Assistance for Needy Families Grant CFDA93.558	\$125,101,599	\$125,101,599	\$125,101,599
TANF Transfers to Social Services Block Grant per 42 USC 604	\$4,202,278	\$4,202,278	\$4,202,278
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$134,930	\$134,930	\$134,930
State Funds Transfers	\$134,930	\$134,930	\$134,930
Agency to Agency Contracts	\$134,930	\$134,930	\$134,930
TOTAL PUBLIC FUNDS	\$394,755,962	\$394,755,962	\$394,755,962

179.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$108,567	\$108,567	\$108,567
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179.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$69,597)	(\$69,597)	(\$69,597)
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179.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$104,078)	(\$104,078)	(\$104,078)
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179.4 *Replace state general funds with Temporary Assistance for Needy Families Block Grant (TANF) funds to reflect projected expenditures.*

State General Funds	(\$2,106,505)	(\$2,106,505)	(\$2,106,505)
Temporary Assistance for Needy Families Grant CFDA93.558	\$2,106,505	\$2,106,505	\$2,106,505
Total Public Funds:	\$0	\$0	\$0

179.5 *Reduce funds for personnel based on actual start dates for caregiver support positions.*

State General Funds	(\$1,273,754)	(\$1,273,754)
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179.6 *Reduce funds for personnel based on actual start dates for supervisor mentor positions.*

State General Funds	(\$1,010,590)	(\$1,010,590)
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179.7 *Increase funds for design, construction and equipment for the new Division of Family and Children Services Building, Fitzgerald, Ben Hill County.*

State General Funds	\$550,000	\$0
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179.8 *Increase funds for legal services.*

State General Funds		\$1,615,500
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179.100 Child Welfare Services	Appropriation (HB 683)
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The purpose of this appropriation is to investigate allegations of child abuse, abandonment, and neglect, and to provide services to protect the child and strengthen the family.

TOTAL STATE FUNDS	\$191,167,145	\$189,432,801	\$190,498,301
State General Funds	\$191,167,145	\$189,432,801	\$190,498,301
TOTAL FEDERAL FUNDS	\$203,388,779	\$203,388,779	\$203,388,779
Federal Funds Not Itemized	\$28,930,766	\$28,930,766	\$28,930,766
Foster Care Title IV-E CFDA93.658	\$39,911,718	\$39,911,718	\$39,911,718
Medical Assistance Program CFDA93.778	\$264,879	\$264,879	\$264,879
Social Services Block Grant CFDA93.667	\$2,871,034	\$2,871,034	\$2,871,034
Temporary Assistance for Needy Families	\$131,410,382	\$131,410,382	\$131,410,382
Temporary Assistance for Needy Families Grant CFDA93.558	\$127,208,104	\$127,208,104	\$127,208,104
TANF Transfers to Social Services Block Grant per 42 USC 604	\$4,202,278	\$4,202,278	\$4,202,278
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$134,930	\$134,930	\$134,930
State Funds Transfers	\$134,930	\$134,930	\$134,930
Agency to Agency Contracts	\$134,930	\$134,930	\$134,930
TOTAL PUBLIC FUNDS	\$394,690,854	\$392,956,510	\$394,022,010

Community Services**Continuation Budget**

The purpose of this appropriation is to provide services and activities through local agencies to assist low-income Georgians with employment, education, nutrition, and housing services.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$16,110,137	\$16,110,137	\$16,110,137
Community Services Block Grant CFDA93.569	\$16,110,137	\$16,110,137	\$16,110,137
TOTAL PUBLIC FUNDS	\$16,110,137	\$16,110,137	\$16,110,137

180.100 Community Services**Appropriation (HB 683)**

The purpose of this appropriation is to provide services and activities through local agencies to assist low-income Georgians with employment, education, nutrition, and housing services.

TOTAL FEDERAL FUNDS	\$16,110,137	\$16,110,137	\$16,110,137
Community Services Block Grant CFDA93.569	\$16,110,137	\$16,110,137	\$16,110,137
TOTAL PUBLIC FUNDS	\$16,110,137	\$16,110,137	\$16,110,137

Departmental Administration (DHS)**Continuation Budget**

The purpose of this appropriation is to provide administration and support for the Divisions and Operating Office in meeting the needs of the people of Georgia.

TOTAL STATE FUNDS	\$54,731,421	\$54,731,421	\$54,731,421
State General Funds	\$54,731,421	\$54,731,421	\$54,731,421
TOTAL FEDERAL FUNDS	\$80,633,308	\$80,633,308	\$80,633,308
Federal Funds Not Itemized	\$28,437,694	\$28,437,694	\$28,437,694
Community Services Block Grant CFDA93.569	\$474,379	\$474,379	\$474,379
Foster Care Title IV-E CFDA93.658	\$6,195,093	\$6,195,093	\$6,195,093
Low-Income Home Energy Assistance CFDA93.568	\$346,481	\$346,481	\$346,481
Medical Assistance Program CFDA93.778	\$37,419,688	\$37,419,688	\$37,419,688
Social Services Block Grant CFDA93.667	\$23,001	\$23,001	\$23,001
Temporary Assistance for Needy Families	\$7,736,972	\$7,736,972	\$7,736,972
Temporary Assistance for Needy Families Grant CFDA93.558	\$7,736,972	\$7,736,972	\$7,736,972

TOTAL AGENCY FUNDS	\$12,824,744	\$12,824,744	\$12,824,744
Rebates, Refunds, and Reimbursements	\$1,500,000	\$1,500,000	\$1,500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services	\$11,324,744	\$11,324,744	\$11,324,744
Sales and Services Not Itemized	\$11,324,744	\$11,324,744	\$11,324,744
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$100,543	\$100,543	\$100,543
State Funds Transfers	\$100,543	\$100,543	\$100,543
Agency to Agency Contracts	\$100,543	\$100,543	\$100,543
TOTAL PUBLIC FUNDS	\$148,290,016	\$148,290,016	\$148,290,016

181.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,642	\$1,642	\$1,642
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181.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$17,162)	(\$17,162)	(\$17,162)
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181.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$8,983)	(\$8,983)	(\$8,983)
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181.4 *Reduce funds for personnel based on actual start dates for 25 human resources positions.*

State General Funds		(\$235,529)	(\$235,529)
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181.100 Departmental Administration (DHS)	Appropriation (HB 683)
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The purpose of this appropriation is to provide administration and support for the Divisions and Operating Office in meeting the needs of the people of Georgia.

TOTAL STATE FUNDS	\$54,706,918	\$54,471,389	\$54,471,389
State General Funds	\$54,706,918	\$54,471,389	\$54,471,389
TOTAL FEDERAL FUNDS	\$80,633,308	\$80,633,308	\$80,633,308
Federal Funds Not Itemized	\$28,437,694	\$28,437,694	\$28,437,694
Community Services Block Grant CFDA93.569	\$474,379	\$474,379	\$474,379
Foster Care Title IV-E CFDA93.658	\$6,195,093	\$6,195,093	\$6,195,093

Low-Income Home Energy Assistance CFDA93.568	\$346,481	\$346,481	\$346,481
Medical Assistance Program CFDA93.778	\$37,419,688	\$37,419,688	\$37,419,688
Social Services Block Grant CFDA93.667	\$23,001	\$23,001	\$23,001
Temporary Assistance for Needy Families	\$7,736,972	\$7,736,972	\$7,736,972
Temporary Assistance for Needy Families Grant CFDA93.558	\$7,736,972	\$7,736,972	\$7,736,972
TOTAL AGENCY FUNDS	\$12,824,744	\$12,824,744	\$12,824,744
Rebates, Refunds, and Reimbursements	\$1,500,000	\$1,500,000	\$1,500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services	\$11,324,744	\$11,324,744	\$11,324,744
Sales and Services Not Itemized	\$11,324,744	\$11,324,744	\$11,324,744
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$100,543	\$100,543	\$100,543
State Funds Transfers	\$100,543	\$100,543	\$100,543
Agency to Agency Contracts	\$100,543	\$100,543	\$100,543
TOTAL PUBLIC FUNDS	\$148,265,513	\$148,029,984	\$148,029,984

Elder Abuse Investigations and Prevention**Continuation Budget**

The purpose of this appropriation is to prevent disabled adults and elder persons from abuse, exploitation and neglect, and investigate situations where it might have occurred.

TOTAL STATE FUNDS	\$20,556,335	\$20,556,335	\$20,556,335
State General Funds	\$20,556,335	\$20,556,335	\$20,556,335
TOTAL FEDERAL FUNDS	\$3,868,926	\$3,868,926	\$3,868,926
Federal Funds Not Itemized	\$1,589,387	\$1,589,387	\$1,589,387
Social Services Block Grant CFDA93.667	\$2,279,539	\$2,279,539	\$2,279,539
TOTAL PUBLIC FUNDS	\$24,425,261	\$24,425,261	\$24,425,261

182.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$584	\$584	\$584
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182.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$6,103)	(\$6,103)	(\$6,103)
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182.100 Elder Abuse Investigations and Prevention **Appropriation (HB 683)**

The purpose of this appropriation is to prevent disabled adults and elder persons from abuse, exploitation and neglect, and investigate situations where it might have occurred.

TOTAL STATE FUNDS	\$20,550,816	\$20,550,816	\$20,550,816
State General Funds	\$20,550,816	\$20,550,816	\$20,550,816
TOTAL FEDERAL FUNDS	\$3,868,926	\$3,868,926	\$3,868,926
Federal Funds Not Itemized	\$1,589,387	\$1,589,387	\$1,589,387
Social Services Block Grant CFDA93.667	\$2,279,539	\$2,279,539	\$2,279,539
TOTAL PUBLIC FUNDS	\$24,419,742	\$24,419,742	\$24,419,742

Elder Community Living Services

Continuation Budget

The purpose of this appropriation is to provide Georgians who need nursing home level of care the option of remaining in their own communities.

TOTAL STATE FUNDS	\$25,939,397	\$25,939,397	\$25,939,397
State General Funds	\$25,939,397	\$25,939,397	\$25,939,397
TOTAL FEDERAL FUNDS	\$30,929,341	\$30,929,341	\$30,929,341
Federal Funds Not Itemized	\$24,728,998	\$24,728,998	\$24,728,998
Social Services Block Grant CFDA93.667	\$6,200,343	\$6,200,343	\$6,200,343
TOTAL PUBLIC FUNDS	\$56,868,738	\$56,868,738	\$56,868,738

183.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$11	\$11	\$11
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183.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$118)	(\$118)	(\$118)
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183.100 Elder Community Living Services **Appropriation (HB 683)**

The purpose of this appropriation is to provide Georgians who need nursing home level of care the option of remaining in their own communities.

TOTAL STATE FUNDS	\$25,939,290	\$25,939,290	\$25,939,290
State General Funds	\$25,939,290	\$25,939,290	\$25,939,290

TOTAL FEDERAL FUNDS	\$30,929,341	\$30,929,341	\$30,929,341
Federal Funds Not Itemized	\$24,728,998	\$24,728,998	\$24,728,998
Social Services Block Grant CFDA93.667	\$6,200,343	\$6,200,343	\$6,200,343
TOTAL PUBLIC FUNDS	\$56,868,631	\$56,868,631	\$56,868,631

Elder Support Services

Continuation Budget

The purpose of this appropriation is to assist older Georgians, so that they may live in their homes and communities, by providing health, employment, nutrition, and other support and education services.

TOTAL STATE FUNDS	\$4,143,424	\$4,143,424	\$4,143,424
State General Funds	\$4,143,424	\$4,143,424	\$4,143,424
TOTAL FEDERAL FUNDS	\$6,737,729	\$6,737,729	\$6,737,729
Federal Funds Not Itemized	\$5,987,729	\$5,987,729	\$5,987,729
Social Services Block Grant CFDA93.667	\$750,000	\$750,000	\$750,000
TOTAL PUBLIC FUNDS	\$10,881,153	\$10,881,153	\$10,881,153

184.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$18	\$18	\$18
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184.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$188)	(\$188)	(\$188)
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184.100 Elder Support Services	Appropriation (HB 683)
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The purpose of this appropriation is to assist older Georgians, so that they may live in their homes and communities, by providing health, employment, nutrition, and other support and education services.

TOTAL STATE FUNDS	\$4,143,254	\$4,143,254	\$4,143,254
State General Funds	\$4,143,254	\$4,143,254	\$4,143,254
TOTAL FEDERAL FUNDS	\$6,737,729	\$6,737,729	\$6,737,729
Federal Funds Not Itemized	\$5,987,729	\$5,987,729	\$5,987,729
Social Services Block Grant CFDA93.667	\$750,000	\$750,000	\$750,000
TOTAL PUBLIC FUNDS	\$10,880,983	\$10,880,983	\$10,880,983

Energy Assistance

Continuation Budget

The purpose of this appropriation is to assist low-income households in meeting their immediate home energy needs.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$55,320,027	\$55,320,027	\$55,320,027
Low-Income Home Energy Assistance CFDA93.568	\$55,320,027	\$55,320,027	\$55,320,027
TOTAL PUBLIC FUNDS	\$55,320,027	\$55,320,027	\$55,320,027

185.100 Energy Assistance

Appropriation (HB 683)

The purpose of this appropriation is to assist low-income households in meeting their immediate home energy needs.

TOTAL FEDERAL FUNDS	\$55,320,027	\$55,320,027	\$55,320,027
Low-Income Home Energy Assistance CFDA93.568	\$55,320,027	\$55,320,027	\$55,320,027
TOTAL PUBLIC FUNDS	\$55,320,027	\$55,320,027	\$55,320,027

Federal Eligibility Benefit Services

Continuation Budget

The purpose of this appropriation is to verify eligibility and provide support services for Medicaid, Food Stamp, and Temporary Assistance for Needy Families (TANF).

TOTAL STATE FUNDS	\$119,357,699	\$119,357,699	\$119,357,699
State General Funds	\$119,357,699	\$119,357,699	\$119,357,699
TOTAL FEDERAL FUNDS	\$196,903,657	\$196,903,657	\$196,903,657
Federal Funds Not Itemized	\$95,115,064	\$95,115,064	\$95,115,064
Community Services Block Grant CFDA93.569	\$259,998	\$259,998	\$259,998
Foster Care Title IV-E CFDA93.658	\$5,282,954	\$5,282,954	\$5,282,954
Low-Income Home Energy Assistance CFDA93.568	\$416,254	\$416,254	\$416,254
Medical Assistance Program CFDA93.778	\$69,813,174	\$69,813,174	\$69,813,174
Temporary Assistance for Needy Families	\$26,016,213	\$26,016,213	\$26,016,213
Temporary Assistance for Needy Families Grant CFDA93.558	\$26,016,213	\$26,016,213	\$26,016,213
TOTAL PUBLIC FUNDS	\$316,261,356	\$316,261,356	\$316,261,356

186.1 Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.

State General Funds	\$44,325	\$44,325	\$44,325
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186.2 Reduce funds to reflect an adjustment in merit system assessments.

State General Funds	(\$28,413)	(\$28,413)	(\$28,413)
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186.100 Federal Eligibility Benefit Services

Appropriation (HB 683)

The purpose of this appropriation is to verify eligibility and provide support services for Medicaid, Food Stamp, and Temporary Assistance for Needy Families (TANF).

TOTAL STATE FUNDS	\$119,373,611	\$119,373,611	\$119,373,611
State General Funds	\$119,373,611	\$119,373,611	\$119,373,611
TOTAL FEDERAL FUNDS	\$196,903,657	\$196,903,657	\$196,903,657
Federal Funds Not Itemized	\$95,115,064	\$95,115,064	\$95,115,064
Community Services Block Grant CFDA93.569	\$259,998	\$259,998	\$259,998
Foster Care Title IV-E CFDA93.658	\$5,282,954	\$5,282,954	\$5,282,954
Low-Income Home Energy Assistance CFDA93.568	\$416,254	\$416,254	\$416,254
Medical Assistance Program CFDA93.778	\$69,813,174	\$69,813,174	\$69,813,174
Temporary Assistance for Needy Families	\$26,016,213	\$26,016,213	\$26,016,213
Temporary Assistance for Needy Families Grant CFDA93.558	\$26,016,213	\$26,016,213	\$26,016,213
TOTAL PUBLIC FUNDS	\$316,277,268	\$316,277,268	\$316,277,268

Out-of-Home Care

Continuation Budget

The purpose of this appropriation is to provide safe and appropriate temporary homes for children removed from their families due to neglect, abuse, or abandonment.

TOTAL STATE FUNDS	\$239,298,714	\$239,298,714	\$239,298,714
State General Funds	\$239,298,714	\$239,298,714	\$239,298,714
TOTAL FEDERAL FUNDS	\$94,965,282	\$94,965,282	\$94,965,282
Federal Funds Not Itemized	\$239,636	\$239,636	\$239,636
Foster Care Title IV-E CFDA93.658	\$45,875,186	\$45,875,186	\$45,875,186
Temporary Assistance for Needy Families	\$48,850,460	\$48,850,460	\$48,850,460
Temporary Assistance for Needy Families Grant CFDA93.558	\$48,850,460	\$48,850,460	\$48,850,460

TOTAL PUBLIC FUNDS	\$334,263,996	\$334,263,996	\$334,263,996
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187.1 *Increase funds for growth in Out-of-Home Care utilization.*

State General Funds	\$15,104,050	\$15,104,050	\$15,104,050
Foster Care Title IV-E CFDA93.658	\$2,258,865	\$2,258,865	\$2,258,865
Total Public Funds:	\$17,362,915	\$17,362,915	\$17,362,915

187.100 Out-of-Home Care	Appropriation (HB 683)		
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The purpose of this appropriation is to provide safe and appropriate temporary homes for children removed from their families due to neglect, abuse, or abandonment.

TOTAL STATE FUNDS	\$254,402,764	\$254,402,764	\$254,402,764
State General Funds	\$254,402,764	\$254,402,764	\$254,402,764
TOTAL FEDERAL FUNDS	\$97,224,147	\$97,224,147	\$97,224,147
Federal Funds Not Itemized	\$239,636	\$239,636	\$239,636
Foster Care Title IV-E CFDA93.658	\$48,134,051	\$48,134,051	\$48,134,051
Temporary Assistance for Needy Families	\$48,850,460	\$48,850,460	\$48,850,460
Temporary Assistance for Needy Families Grant CFDA93.558	\$48,850,460	\$48,850,460	\$48,850,460
TOTAL PUBLIC FUNDS	\$351,626,911	\$351,626,911	\$351,626,911

Refugee Assistance

Continuation Budget

The purpose of this appropriation is to provide employment, health screening, medical, cash, and social services assistance to refugees.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$11,388,225	\$11,388,225	\$11,388,225
Federal Funds Not Itemized	\$11,388,225	\$11,388,225	\$11,388,225
TOTAL PUBLIC FUNDS	\$11,388,225	\$11,388,225	\$11,388,225

188.100 Refugee Assistance	Appropriation (HB 683)		
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The purpose of this appropriation is to provide employment, health screening, medical, cash, and social services assistance to refugees.

TOTAL FEDERAL FUNDS	\$11,388,225	\$11,388,225	\$11,388,225
Federal Funds Not Itemized	\$11,388,225	\$11,388,225	\$11,388,225
TOTAL PUBLIC FUNDS	\$11,388,225	\$11,388,225	\$11,388,225

Residential Child Care Licensing

Continuation Budget

The purpose of this appropriation is to protect the health and safety of children who receive full-time care outside of their homes by licensing, monitoring, and inspecting residential care providers.

TOTAL STATE FUNDS	\$1,684,640	\$1,684,640	\$1,684,640
State General Funds	\$1,684,640	\$1,684,640	\$1,684,640
TOTAL FEDERAL FUNDS	\$619,263	\$619,263	\$619,263
Foster Care Title IV-E CFDA93.658	\$619,263	\$619,263	\$619,263
TOTAL PUBLIC FUNDS	\$2,303,903	\$2,303,903	\$2,303,903

189.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$82	\$82	\$82
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189.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$859)	(\$859)	(\$859)
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189.100 Residential Child Care Licensing	Appropriation (HB 683)
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The purpose of this appropriation is to protect the health and safety of children who receive full-time care outside of their homes by licensing, monitoring, and inspecting residential care providers.

TOTAL STATE FUNDS	\$1,683,863	\$1,683,863	\$1,683,863
State General Funds	\$1,683,863	\$1,683,863	\$1,683,863
TOTAL FEDERAL FUNDS	\$619,263	\$619,263	\$619,263
Foster Care Title IV-E CFDA93.658	\$619,263	\$619,263	\$619,263
TOTAL PUBLIC FUNDS	\$2,303,126	\$2,303,126	\$2,303,126

Support for Needy Families - Basic Assistance

Continuation Budget

The purpose of this appropriation is to provide cash assistance to needy families in compliance with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

TOTAL STATE FUNDS	\$100,000	\$100,000	\$100,000
State General Funds	\$100,000	\$100,000	\$100,000
TOTAL FEDERAL FUNDS	\$43,453,008	\$43,453,008	\$43,453,008
Temporary Assistance for Needy Families	\$43,453,008	\$43,453,008	\$43,453,008
Temporary Assistance for Needy Families Grant CFDA93.558	\$43,453,008	\$43,453,008	\$43,453,008
TOTAL PUBLIC FUNDS	\$43,553,008	\$43,553,008	\$43,553,008

190.100 Support for Needy Families - Basic Assistance **Appropriation (HB 683)**

The purpose of this appropriation is to provide cash assistance to needy families in compliance with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

TOTAL STATE FUNDS	\$100,000	\$100,000	\$100,000
State General Funds	\$100,000	\$100,000	\$100,000
TOTAL FEDERAL FUNDS	\$43,453,008	\$43,453,008	\$43,453,008
Temporary Assistance for Needy Families	\$43,453,008	\$43,453,008	\$43,453,008
Temporary Assistance for Needy Families Grant CFDA93.558	\$43,453,008	\$43,453,008	\$43,453,008
TOTAL PUBLIC FUNDS	\$43,553,008	\$43,553,008	\$43,553,008

Support for Needy Families - Work Assistance

Continuation Budget

The purpose of this appropriation is to assist needy Georgian families in achieving self-sufficiency by obtaining and keeping employment as well as complying with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

TOTAL STATE FUNDS	\$100,000	\$100,000	\$100,000
State General Funds	\$100,000	\$100,000	\$100,000
TOTAL FEDERAL FUNDS	\$25,567,755	\$25,567,755	\$25,567,755
Federal Funds Not Itemized	\$8,234,889	\$8,234,889	\$8,234,889
Temporary Assistance for Needy Families	\$17,332,866	\$17,332,866	\$17,332,866
Temporary Assistance for Needy Families Grant CFDA93.558	\$17,332,866	\$17,332,866	\$17,332,866
TOTAL PUBLIC FUNDS	\$25,667,755	\$25,667,755	\$25,667,755

191.100 Support for Needy Families - Work Assistance **Appropriation (HB 683)**

The purpose of this appropriation is to assist needy Georgian families in achieving self-sufficiency by obtaining and keeping employment as well as complying with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

TOTAL STATE FUNDS	\$100,000	\$100,000	\$100,000
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State General Funds	\$100,000	\$100,000	\$100,000
TOTAL FEDERAL FUNDS	\$25,567,755	\$25,567,755	\$25,567,755
Federal Funds Not Itemized	\$8,234,889	\$8,234,889	\$8,234,889
Temporary Assistance for Needy Families	\$17,332,866	\$17,332,866	\$17,332,866
Temporary Assistance for Needy Families Grant CFDA93.558	\$17,332,866	\$17,332,866	\$17,332,866
TOTAL PUBLIC FUNDS	\$25,667,755	\$25,667,755	\$25,667,755

Council On Aging

Continuation Budget

The purpose of this appropriation is to assist older individuals, at-risk adults, persons with disabilities, their families and caregivers in achieving safe, healthy, independent and self-reliant lives.

TOTAL STATE FUNDS	\$252,157	\$252,157	\$252,157
State General Funds	\$252,157	\$252,157	\$252,157
TOTAL PUBLIC FUNDS	\$252,157	\$252,157	\$252,157

192.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$73)	(\$73)	(\$73)
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192.100 Council On Aging

Appropriation (HB 683)

The purpose of this appropriation is to assist older individuals, at-risk adults, persons with disabilities, their families and caregivers in achieving safe, healthy, independent and self-reliant lives.

TOTAL STATE FUNDS	\$252,084	\$252,084	\$252,084
State General Funds	\$252,084	\$252,084	\$252,084
TOTAL PUBLIC FUNDS	\$252,084	\$252,084	\$252,084

Family Connection

Continuation Budget

The purpose of this appropriation is to provide a statewide network of county collaboratives that work to improve conditions for children and families.

TOTAL STATE FUNDS	\$9,061,648	\$9,061,648	\$9,061,648
State General Funds	\$9,061,648	\$9,061,648	\$9,061,648
TOTAL FEDERAL FUNDS	\$1,172,819	\$1,172,819	\$1,172,819
Medical Assistance Program CFDA93.778	\$1,172,819	\$1,172,819	\$1,172,819
TOTAL PUBLIC FUNDS	\$10,234,467	\$10,234,467	\$10,234,467

193.100 Family Connection **Appropriation (HB 683)**

The purpose of this appropriation is to provide a statewide network of county collaboratives that work to improve conditions for children and families.

TOTAL STATE FUNDS	\$9,061,648	\$9,061,648	\$9,061,648
State General Funds	\$9,061,648	\$9,061,648	\$9,061,648
TOTAL FEDERAL FUNDS	\$1,172,819	\$1,172,819	\$1,172,819
Medical Assistance Program CFDA93.778	\$1,172,819	\$1,172,819	\$1,172,819
TOTAL PUBLIC FUNDS	\$10,234,467	\$10,234,467	\$10,234,467

Georgia Vocational Rehabilitation Agency: Business Enterprise Program

Continuation Budget

The purpose of this appropriation is to assist people who are blind in becoming successful contributors to the state's economy.

TOTAL STATE FUNDS	\$290,866	\$290,866	\$290,866
State General Funds	\$290,866	\$290,866	\$290,866
TOTAL FEDERAL FUNDS	\$2,436,357	\$2,436,357	\$2,436,357
Federal Funds Not Itemized	\$2,436,357	\$2,436,357	\$2,436,357
TOTAL PUBLIC FUNDS	\$2,727,223	\$2,727,223	\$2,727,223

194.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$83	\$83	\$83
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194.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$97)	(\$97)	(\$97)
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194.100 Georgia Vocational Rehabilitation Agency: Business Enterprise Program **Appropriation (HB 683)**

The purpose of this appropriation is to assist people who are blind in becoming successful contributors to the state's economy.

TOTAL STATE FUNDS	\$290,852	\$290,852	\$290,852
State General Funds	\$290,852	\$290,852	\$290,852
TOTAL FEDERAL FUNDS	\$2,436,357	\$2,436,357	\$2,436,357
Federal Funds Not Itemized	\$2,436,357	\$2,436,357	\$2,436,357
TOTAL PUBLIC FUNDS	\$2,727,209	\$2,727,209	\$2,727,209

Georgia Vocational Rehabilitation Agency: Departmental Administration**Continuation Budget**

The purpose of this appropriation is to help people with disabilities to become fully productive members of society by achieving independence and meaningful employment.

TOTAL STATE FUNDS	\$1,413,785	\$1,413,785	\$1,413,785
State General Funds	\$1,413,785	\$1,413,785	\$1,413,785
TOTAL FEDERAL FUNDS	\$11,078,328	\$11,078,328	\$11,078,328
Federal Funds Not Itemized	\$11,078,328	\$11,078,328	\$11,078,328
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$12,592,113	\$12,592,113	\$12,592,113

195.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,858	\$2,858	\$2,858
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195.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,380)	(\$3,380)	(\$3,380)
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195.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,717	\$3,717	\$3,717
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195.100 Georgia Vocational Rehabilitation Agency: Departmental Administration	Appropriation (HB 683)		
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The purpose of this appropriation is to help people with disabilities to become fully productive members of society by achieving independence and meaningful employment.

TOTAL STATE FUNDS	\$1,416,980	\$1,416,980	\$1,416,980
State General Funds	\$1,416,980	\$1,416,980	\$1,416,980
TOTAL FEDERAL FUNDS	\$11,078,328	\$11,078,328	\$11,078,328
Federal Funds Not Itemized	\$11,078,328	\$11,078,328	\$11,078,328

TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$12,595,308	\$12,595,308	\$12,595,308

Georgia Vocational Rehabilitation Agency: Disability Adjudication Services

Continuation Budget

The purpose of this appropriation is to efficiently process applications for federal disability programs so that eligible Georgia citizens can obtain support.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$75,429,922	\$75,429,922	\$75,429,922
Federal Funds Not Itemized	\$75,429,922	\$75,429,922	\$75,429,922
TOTAL PUBLIC FUNDS	\$75,429,922	\$75,429,922	\$75,429,922

196.100 Georgia Vocational Rehabilitation Agency: Disability Adjudication Services	Appropriation (HB 683)
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The purpose of this appropriation is to efficiently process applications for federal disability programs so that eligible Georgia citizens can obtain support.

TOTAL FEDERAL FUNDS	\$75,429,922	\$75,429,922	\$75,429,922
Federal Funds Not Itemized	\$75,429,922	\$75,429,922	\$75,429,922
TOTAL PUBLIC FUNDS	\$75,429,922	\$75,429,922	\$75,429,922

Georgia Vocational Rehabilitation Agency: Georgia Industries for the Blind

Continuation Budget

The purpose of this appropriation is to employ people who are blind in manufacturing and packaging facilities in Bainbridge and Griffin.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$6,845,755	\$6,845,755	\$6,845,755

Sales and Services	\$6,845,755	\$6,845,755	\$6,845,755
Sales and Services Not Itemized	\$6,845,755	\$6,845,755	\$6,845,755
TOTAL PUBLIC FUNDS	\$6,845,755	\$6,845,755	\$6,845,755

197.100 Georgia Vocational Rehabilitation Agency: Georgia Industries for the Blind	Appropriation (HB 683)
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The purpose of this appropriation is to employ people who are blind in manufacturing and packaging facilities in Bainbridge and Griffin.

TOTAL AGENCY FUNDS	\$6,845,755	\$6,845,755	\$6,845,755
Sales and Services	\$6,845,755	\$6,845,755	\$6,845,755
Sales and Services Not Itemized	\$6,845,755	\$6,845,755	\$6,845,755
TOTAL PUBLIC FUNDS	\$6,845,755	\$6,845,755	\$6,845,755

Georgia Vocational Rehabilitation Agency: Roosevelt Warm Springs Medical Hospital	Continuation Budget
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The purpose of this appropriation is to provide rehabilitative and medical care for individuals to return to the most independent lifestyle possible.

TOTAL STATE FUNDS	\$1,600,000	\$1,600,000	\$1,600,000
State General Funds	\$1,600,000	\$1,600,000	\$1,600,000
TOTAL PUBLIC FUNDS	\$1,600,000	\$1,600,000	\$1,600,000

198.100 Georgia Vocational Rehabilitation Agency: Roosevelt Warm Springs Medical Hospital	Appropriation (HB 683)
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The purpose of this appropriation is to provide rehabilitative and medical care for individuals to return to the most independent lifestyle possible.

TOTAL STATE FUNDS	\$1,600,000	\$1,600,000	\$1,600,000
State General Funds	\$1,600,000	\$1,600,000	\$1,600,000
TOTAL PUBLIC FUNDS	\$1,600,000	\$1,600,000	\$1,600,000

Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program	Continuation Budget
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The purpose of this appropriation is to assist people with disabilities so that they may go to work.

TOTAL STATE FUNDS	\$21,121,103	\$21,121,103	\$21,121,103
State General Funds	\$21,121,103	\$21,121,103	\$21,121,103
TOTAL FEDERAL FUNDS	\$83,159,544	\$83,159,544	\$83,159,544
Federal Funds Not Itemized	\$83,159,544	\$83,159,544	\$83,159,544
TOTAL AGENCY FUNDS	\$4,497,097	\$4,497,097	\$4,497,097
Sales and Services	\$4,497,097	\$4,497,097	\$4,497,097
Sales and Services Not Itemized	\$4,497,097	\$4,497,097	\$4,497,097
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,243,127	\$2,243,127	\$2,243,127
State Funds Transfers	\$783,914	\$783,914	\$783,914
Agency to Agency Contracts	\$783,914	\$783,914	\$783,914
Agency Funds Transfers	\$1,459,213	\$1,459,213	\$1,459,213
Agency Fund Transfers Not Itemized	\$1,459,213	\$1,459,213	\$1,459,213
TOTAL PUBLIC FUNDS	\$111,020,871	\$111,020,871	\$111,020,871

199.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,574	\$3,574	\$3,574
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199.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,228)	(\$4,228)	(\$4,228)
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199.3 *Reduce funds for the Warrior Alliance.*

State General Funds			(\$100,000)
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199.100 Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program	Appropriation (HB 683)
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The purpose of this appropriation is to assist people with disabilities so that they may go to work.

TOTAL STATE FUNDS	\$21,120,449	\$21,120,449	\$21,020,449
State General Funds	\$21,120,449	\$21,120,449	\$21,020,449
TOTAL FEDERAL FUNDS	\$83,159,544	\$83,159,544	\$83,159,544
Federal Funds Not Itemized	\$83,159,544	\$83,159,544	\$83,159,544
TOTAL AGENCY FUNDS	\$4,497,097	\$4,497,097	\$4,497,097

Sales and Services	\$4,497,097	\$4,497,097	\$4,497,097
Sales and Services Not Itemized	\$4,497,097	\$4,497,097	\$4,497,097
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,243,127	\$2,243,127	\$2,243,127
State Funds Transfers	\$783,914	\$783,914	\$783,914
Agency to Agency Contracts	\$783,914	\$783,914	\$783,914
Agency Funds Transfers	\$1,459,213	\$1,459,213	\$1,459,213
Agency Fund Transfers Not Itemized	\$1,459,213	\$1,459,213	\$1,459,213
TOTAL PUBLIC FUNDS	\$111,020,217	\$111,020,217	\$110,920,217

All Temporary Assistance for Needy Families benefit payments are calculated utilizing a factor of 66.0% of the standards of need; such payments shall be made from the date of certification and not from the date of application; and the following maximum benefits and maximum standards of need shall apply:

For an assistance group of one, the standard of need is \$235, and the maximum monthly amount is \$155.

For an assistance group of two, the standard of need is \$356, and the maximum monthly amount is \$235.

For an assistance group of three, the standard of need is \$424, and the maximum monthly amount is \$280.

For an assistance group of four, the standard of need is \$500, and the maximum monthly amount is \$330.

For an assistance group of five, the standard of need is \$573, and the maximum monthly amount is \$378.

For an assistance group of six, the standard of need is \$621, and the maximum monthly amount is \$410.

For an assistance group of seven, the standard of need is \$672, and the maximum monthly amount is \$444.

For an assistance group of eight, the standard of need is \$713, and the maximum monthly amount is \$470.

For an assistance group of nine, the standard of need is \$751, and the maximum monthly amount is \$496.

For an assistance group of ten, the standard of need is \$804, and the maximum monthly amount is \$530.

For an assistance group of eleven, the standard of need is \$860, and the maximum monthly amount is \$568.

Provided, the Department of Human Services is authorized to make supplemental payments on these maximum monthly amounts up to the amount that is equal to the minimum hourly wage for clients who are enrolled in subsidized work experience and subsidized employment.

Section 29: Insurance, Office of the Commissioner of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$20,806,940	\$20,806,940	\$20,806,940
State General Funds	\$20,806,940	\$20,806,940	\$20,806,940
TOTAL FEDERAL FUNDS	\$425,368	\$425,368	\$425,368
Federal Funds Not Itemized	\$425,368	\$425,368	\$425,368

TOTAL AGENCY FUNDS	\$5,000	\$5,000	\$5,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$334,026	\$334,026	\$334,026
State Funds Transfers	\$334,026	\$334,026	\$334,026
Agency to Agency Contracts	\$334,026	\$334,026	\$334,026
TOTAL PUBLIC FUNDS	\$21,571,334	\$21,571,334	\$21,571,334

Section Total - Final

TOTAL STATE FUNDS	\$20,813,650	\$20,721,459	\$20,721,459
State General Funds	\$20,813,650	\$20,721,459	\$20,721,459
TOTAL FEDERAL FUNDS	\$425,368	\$425,368	\$425,368
Federal Funds Not Itemized	\$425,368	\$425,368	\$425,368
TOTAL AGENCY FUNDS	\$5,000	\$5,000	\$5,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$334,026	\$334,026	\$334,026
State Funds Transfers	\$334,026	\$334,026	\$334,026
Agency to Agency Contracts	\$334,026	\$334,026	\$334,026
TOTAL PUBLIC FUNDS	\$21,578,044	\$21,485,853	\$21,485,853

Departmental Administration (COI)

Continuation Budget

The purpose of this appropriation is to be responsible for protecting the rights of Georgia citizens in insurance and industrial loan transactions and maintain a fire-safe environment.

TOTAL STATE FUNDS	\$1,969,256	\$1,969,256	\$1,969,256
State General Funds	\$1,969,256	\$1,969,256	\$1,969,256
TOTAL PUBLIC FUNDS	\$1,969,256	\$1,969,256	\$1,969,256

200.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,190	\$2,190	\$2,190
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200.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,574)	(\$1,574)	(\$1,574)
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200.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,416	\$3,416	\$3,416
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200.4 *Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to align budget with program expenditures.*

State General Funds	\$1,700,000	\$1,607,809	\$1,607,809
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200.5 *Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to meet projected program expenditures.*

State General Funds			\$111,753
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200.100 Departmental Administration (COI)**Appropriation (HB 683)**

The purpose of this appropriation is to be responsible for protecting the rights of Georgia citizens in insurance and industrial loan transactions and maintain a fire-safe environment.

TOTAL STATE FUNDS	\$3,673,288	\$3,581,097	\$3,692,850
State General Funds	\$3,673,288	\$3,581,097	\$3,692,850
TOTAL PUBLIC FUNDS	\$3,673,288	\$3,581,097	\$3,692,850

Enforcement**Continuation Budget**

The purpose of this appropriation is to provide legal advice and to initiate legal proceedings with regard to enforcement of specific provisions of state law relating to insurance, industrial loan, fire safety, and fraud.

TOTAL STATE FUNDS	\$823,783	\$823,783	\$823,783
State General Funds	\$823,783	\$823,783	\$823,783
TOTAL PUBLIC FUNDS	\$823,783	\$823,783	\$823,783

201.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$465	\$465	\$465
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201.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$334)	(\$334)	(\$334)
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201.100 Enforcement

Appropriation (HB 683)

The purpose of this appropriation is to provide legal advice and to initiate legal proceedings with regard to enforcement of specific provisions of state law relating to insurance, industrial loan, fire safety, and fraud.

TOTAL STATE FUNDS	\$823,914	\$823,914	\$823,914
State General Funds	\$823,914	\$823,914	\$823,914
TOTAL PUBLIC FUNDS	\$823,914	\$823,914	\$823,914

Fire Safety

Continuation Budget

The purpose of this appropriation is to promote fire safety awareness through education and training, and to protect the public from fire and limit the loss of life and property by setting the minimum fire safety standards in the state, enforcing and regulating fire safety rules for public buildings and manufactured housing, and regulating the storage, transportation, and handling of hazardous materials.

TOTAL STATE FUNDS	\$7,198,381	\$7,198,381	\$7,198,381
State General Funds	\$7,198,381	\$7,198,381	\$7,198,381
TOTAL FEDERAL FUNDS	\$425,368	\$425,368	\$425,368
Federal Funds Not Itemized	\$425,368	\$425,368	\$425,368
TOTAL AGENCY FUNDS	\$5,000	\$5,000	\$5,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$334,026	\$334,026	\$334,026
State Funds Transfers	\$334,026	\$334,026	\$334,026
Agency to Agency Contracts	\$334,026	\$334,026	\$334,026
TOTAL PUBLIC FUNDS	\$7,962,775	\$7,962,775	\$7,962,775

202.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$4,216	\$4,216	\$4,216
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202.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,029)	(\$3,029)	(\$3,029)
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202.100 Fire Safety **Appropriation (HB 683)**

The purpose of this appropriation is to promote fire safety awareness through education and training, and to protect the public from fire and limit the loss of life and property by setting the minimum fire safety standards in the state, enforcing and regulating fire safety rules for public buildings and manufactured housing, and regulating the storage, transportation, and handling of hazardous materials.

TOTAL STATE FUNDS	\$7,199,568	\$7,199,568	\$7,199,568
State General Funds	\$7,199,568	\$7,199,568	\$7,199,568
TOTAL FEDERAL FUNDS	\$425,368	\$425,368	\$425,368
Federal Funds Not Itemized	\$425,368	\$425,368	\$425,368
TOTAL AGENCY FUNDS	\$5,000	\$5,000	\$5,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$334,026	\$334,026	\$334,026
State Funds Transfers	\$334,026	\$334,026	\$334,026
Agency to Agency Contracts	\$334,026	\$334,026	\$334,026
TOTAL PUBLIC FUNDS	\$7,963,962	\$7,963,962	\$7,963,962

Industrial Loan

Continuation Budget

The purpose of this appropriation is to protect consumers by licensing, regulating, and examining finance companies that provide consumer loans of \$3,000 or less.

TOTAL STATE FUNDS	\$697,288	\$697,288	\$697,288
State General Funds	\$697,288	\$697,288	\$697,288
TOTAL PUBLIC FUNDS	\$697,288	\$697,288	\$697,288

203.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$404	\$404	\$404
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203.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$290)	(\$290)	(\$290)
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203.100 Industrial Loan	Appropriation (HB 683)		
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The purpose of this appropriation is to protect consumers by licensing, regulating, and examining finance companies that provide consumer loans of \$3,000 or less.

TOTAL STATE FUNDS	\$697,402	\$697,402	\$697,402
State General Funds	\$697,402	\$697,402	\$697,402
TOTAL PUBLIC FUNDS	\$697,402	\$697,402	\$697,402

Insurance Regulation

Continuation Budget

The purpose of this appropriation is to ensure that licensed insurance entities maintain solvency and conform to state law by conducting financial and market examinations, investigating policyholder complaints, monitoring for compliance with state laws and regulations, reviewing and approving premium rates, and disseminating information to the public and the insurance industry about the state's insurance laws and regulations.

TOTAL STATE FUNDS	\$10,118,232	\$10,118,232	\$10,118,232
State General Funds	\$10,118,232	\$10,118,232	\$10,118,232
TOTAL PUBLIC FUNDS	\$10,118,232	\$10,118,232	\$10,118,232

204.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$4,429	\$4,429	\$4,429
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204.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,183)	(\$3,183)	(\$3,183)
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204.3 *Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to align budget with program expenditures.*

State General Funds	(\$1,700,000)	(\$1,700,000)	(\$1,700,000)
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204.4 *Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to meet projected program expenditures.*

State General Funds			(\$111,753)
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204.100 Insurance Regulation **Appropriation (HB 683)**

The purpose of this appropriation is to ensure that licensed insurance entities maintain solvency and conform to state law by conducting financial and market examinations, investigating policyholder complaints, monitoring for compliance with state laws and regulations, reviewing and approving premium rates, and disseminating information to the public and the insurance industry about the state's insurance laws and regulations.

TOTAL STATE FUNDS	\$8,419,478	\$8,419,478	\$8,307,725
State General Funds	\$8,419,478	\$8,419,478	\$8,307,725
TOTAL PUBLIC FUNDS	\$8,419,478	\$8,419,478	\$8,307,725

Section 30: Investigation, Georgia Bureau of

Section Total - Continuation

TOTAL STATE FUNDS	\$145,180,783	\$145,180,783	\$145,180,783
State General Funds	\$145,180,783	\$145,180,783	\$145,180,783
TOTAL FEDERAL FUNDS	\$62,177,241	\$62,177,241	\$62,177,241
Federal Funds Not Itemized	\$61,965,025	\$61,965,025	\$61,965,025
Temporary Assistance for Needy Families	\$212,216	\$212,216	\$212,216
Temporary Assistance for Needy Families Grant CFDA93.558	\$212,216	\$212,216	\$212,216
TOTAL AGENCY FUNDS	\$31,735,144	\$31,735,144	\$31,735,144
Intergovernmental Transfers	\$1,727,772	\$1,727,772	\$1,727,772
Intergovernmental Transfers Not Itemized	\$1,727,772	\$1,727,772	\$1,727,772
Sales and Services	\$30,007,372	\$30,007,372	\$30,007,372
Sales and Services Not Itemized	\$30,007,372	\$30,007,372	\$30,007,372
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$120,594	\$120,594	\$120,594
State Funds Transfers	\$120,594	\$120,594	\$120,594
Agency to Agency Contracts	\$120,594	\$120,594	\$120,594
TOTAL PUBLIC FUNDS	\$239,213,762	\$239,213,762	\$239,213,762

Section Total - Final

TOTAL STATE FUNDS	\$151,790,494	\$151,768,651	\$151,768,651
State General Funds	\$151,790,494	\$151,768,651	\$151,768,651
TOTAL FEDERAL FUNDS	\$62,177,241	\$62,177,241	\$62,177,241
Federal Funds Not Itemized	\$61,965,025	\$61,965,025	\$61,965,025
Temporary Assistance for Needy Families	\$212,216	\$212,216	\$212,216

Temporary Assistance for Needy Families Grant CFDA93.558	\$212,216	\$212,216	\$212,216
TOTAL AGENCY FUNDS	\$31,735,144	\$31,735,144	\$31,735,144
Intergovernmental Transfers	\$1,727,772	\$1,727,772	\$1,727,772
Intergovernmental Transfers Not Itemized	\$1,727,772	\$1,727,772	\$1,727,772
Sales and Services	\$30,007,372	\$30,007,372	\$30,007,372
Sales and Services Not Itemized	\$30,007,372	\$30,007,372	\$30,007,372
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$120,594	\$120,594	\$120,594
State Funds Transfers	\$120,594	\$120,594	\$120,594
Agency to Agency Contracts	\$120,594	\$120,594	\$120,594
TOTAL PUBLIC FUNDS	\$245,823,473	\$245,801,630	\$245,801,630

Bureau Administration**Continuation Budget**

The purpose of this appropriation is to provide the highest quality investigative, scientific, information services, and resources for the purpose of maintaining law and order and protecting life and property.

TOTAL STATE FUNDS	\$8,302,577	\$8,302,577	\$8,302,577
State General Funds	\$8,302,577	\$8,302,577	\$8,302,577
TOTAL FEDERAL FUNDS	\$12,600	\$12,600	\$12,600
Federal Funds Not Itemized	\$12,600	\$12,600	\$12,600
TOTAL AGENCY FUNDS	\$45,000	\$45,000	\$45,000
Intergovernmental Transfers	\$45,000	\$45,000	\$45,000
Intergovernmental Transfers Not Itemized	\$45,000	\$45,000	\$45,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$120,594	\$120,594	\$120,594
State Funds Transfers	\$120,594	\$120,594	\$120,594
Agency to Agency Contracts	\$120,594	\$120,594	\$120,594
TOTAL PUBLIC FUNDS	\$8,480,771	\$8,480,771	\$8,480,771

205.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,437	\$1,437	\$1,437
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205.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,666)	(\$1,666)	(\$1,666)
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205.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$12,619	\$12,619	\$12,619
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205.100 Bureau Administration**Appropriation (HB 683)**

The purpose of this appropriation is to provide the highest quality investigative, scientific, information services, and resources for the purpose of maintaining law and order and protecting life and property.

TOTAL STATE FUNDS	\$8,314,967	\$8,314,967	\$8,314,967
State General Funds	\$8,314,967	\$8,314,967	\$8,314,967
TOTAL FEDERAL FUNDS	\$12,600	\$12,600	\$12,600
Federal Funds Not Itemized	\$12,600	\$12,600	\$12,600
TOTAL AGENCY FUNDS	\$45,000	\$45,000	\$45,000
Intergovernmental Transfers	\$45,000	\$45,000	\$45,000
Intergovernmental Transfers Not Itemized	\$45,000	\$45,000	\$45,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$120,594	\$120,594	\$120,594
State Funds Transfers	\$120,594	\$120,594	\$120,594
Agency to Agency Contracts	\$120,594	\$120,594	\$120,594
TOTAL PUBLIC FUNDS	\$8,493,161	\$8,493,161	\$8,493,161

Criminal Justice Information Services**Continuation Budget**

The purpose of this appropriation is to provide the State of Georgia with essential information and identification services through the operation of the Automated Fingerprint Identification System, Criminal History System, Criminal Justice Information Services network, Protective Order Registry, Sexual Violent Offender Registry, and the Uniform Crime Reporting Program.

TOTAL STATE FUNDS	\$4,684,496	\$4,684,496	\$4,684,496
State General Funds	\$4,684,496	\$4,684,496	\$4,684,496
TOTAL AGENCY FUNDS	\$6,308,894	\$6,308,894	\$6,308,894
Sales and Services	\$6,308,894	\$6,308,894	\$6,308,894
Sales and Services Not Itemized	\$6,308,894	\$6,308,894	\$6,308,894
TOTAL PUBLIC FUNDS	\$10,993,390	\$10,993,390	\$10,993,390

206.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,236	\$1,236	\$1,236
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206.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,435)	(\$1,435)	(\$1,435)
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206.100 Criminal Justice Information Services	Appropriation (HB 683)
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The purpose of this appropriation is to provide the State of Georgia with essential information and identification services through the operation of the Automated Fingerprint Identification System, Criminal History System, Criminal Justice Information Services network, Protective Order Registry, Sexual Violent Offender Registry, and the Uniform Crime Reporting Program.

TOTAL STATE FUNDS	\$4,684,297	\$4,684,297	\$4,684,297
State General Funds	\$4,684,297	\$4,684,297	\$4,684,297
TOTAL AGENCY FUNDS	\$6,308,894	\$6,308,894	\$6,308,894
Sales and Services	\$6,308,894	\$6,308,894	\$6,308,894
Sales and Services Not Itemized	\$6,308,894	\$6,308,894	\$6,308,894
TOTAL PUBLIC FUNDS	\$10,993,191	\$10,993,191	\$10,993,191

Forensic Scientific Services

Continuation Budget

The purpose of this appropriation is to provide forensic analysis and testimony in the areas of chemistry (drug identification), firearms, digital imaging, forensic biology (serology/DNA), latent prints, pathology, questioned documents, photography, toxicology, implied consent, and trace evidence in support of the criminal justice system; to provide medical examiner (autopsy) services; and to analyze and enter samples into national databases such as AFIS, CODIS, and NIBIN.

TOTAL STATE FUNDS	\$38,217,548	\$38,217,548	\$38,217,548
State General Funds	\$38,217,548	\$38,217,548	\$38,217,548
TOTAL FEDERAL FUNDS	\$1,766,684	\$1,766,684	\$1,766,684
Federal Funds Not Itemized	\$1,766,684	\$1,766,684	\$1,766,684
TOTAL AGENCY FUNDS	\$157,865	\$157,865	\$157,865
Sales and Services	\$157,865	\$157,865	\$157,865
Sales and Services Not Itemized	\$157,865	\$157,865	\$157,865
TOTAL PUBLIC FUNDS	\$40,142,097	\$40,142,097	\$40,142,097

207.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$10,001	\$10,001	\$10,001
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207.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$11,591)	(\$11,591)	(\$11,591)
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207.3 *Increase funds for DNA sexual assault kit supplies per SB304 (2016 Session).*

State General Funds	\$500,000	\$500,000	\$500,000
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207.100 Forensic Scientific Services**Appropriation (HB 683)**

The purpose of this appropriation is to provide forensic analysis and testimony in the areas of chemistry (drug identification), firearms, digital imaging, forensic biology (serology/DNA), latent prints, pathology, questioned documents, photography, toxicology, implied consent, and trace evidence in support of the criminal justice system; to provide medical examiner (autopsy) services; and to analyze and enter samples into national databases such as AFIS, CODIS, and NIBIN.

TOTAL STATE FUNDS	\$38,715,958	\$38,715,958	\$38,715,958
State General Funds	\$38,715,958	\$38,715,958	\$38,715,958
TOTAL FEDERAL FUNDS	\$1,766,684	\$1,766,684	\$1,766,684
Federal Funds Not Itemized	\$1,766,684	\$1,766,684	\$1,766,684
TOTAL AGENCY FUNDS	\$157,865	\$157,865	\$157,865
Sales and Services	\$157,865	\$157,865	\$157,865
Sales and Services Not Itemized	\$157,865	\$157,865	\$157,865
TOTAL PUBLIC FUNDS	\$40,640,507	\$40,640,507	\$40,640,507

Regional Investigative Services**Continuation Budget**

The purpose of this appropriation is to identify, collect, preserve, and process evidence located during crime scene investigations, and to assist in the investigation, identification, arrest and prosecution of individuals. The purpose of this appropriation is also to coordinate and operate the following specialized units: bingo unit, anti-terrorist team, forensic art, bomb disposal unit, high technology investigations unit, communications center, regional drug enforcement, and polygraph examinations.

TOTAL STATE FUNDS	\$45,621,793	\$45,621,793	\$45,621,793
State General Funds	\$45,621,793	\$45,621,793	\$45,621,793
TOTAL FEDERAL FUNDS	\$1,515,073	\$1,515,073	\$1,515,073
Federal Funds Not Itemized	\$1,515,073	\$1,515,073	\$1,515,073
TOTAL AGENCY FUNDS	\$1,724,650	\$1,724,650	\$1,724,650
Intergovernmental Transfers	\$1,653,451	\$1,653,451	\$1,653,451
Intergovernmental Transfers Not Itemized	\$1,653,451	\$1,653,451	\$1,653,451

Sales and Services	\$71,199	\$71,199	\$71,199
Sales and Services Not Itemized	\$71,199	\$71,199	\$71,199
TOTAL PUBLIC FUNDS	\$48,861,516	\$48,861,516	\$48,861,516

208.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$12,651	\$12,651	\$12,651
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208.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$14,661)	(\$14,661)	(\$14,661)
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208.3 *Increase funds for one-time funding to purchase furniture and equipment for the Hull McKnight Georgia Cyber Innovation and Training Center which will open July 2018.*

State General Funds	\$1,101,616	\$1,101,616	\$1,101,616
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208.100 Regional Investigative Services	Appropriation (HB 683)
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The purpose of this appropriation is to identify, collect, preserve, and process evidence located during crime scene investigations, and to assist in the investigation, identification, arrest and prosecution of individuals. The purpose of this appropriation is also to coordinate and operate the following specialized units: bingo unit, anti-terrorist team, forensic art, bomb disposal unit, high technology investigations unit, communications center, regional drug enforcement, and polygraph examinations.

TOTAL STATE FUNDS	\$46,721,399	\$46,721,399	\$46,721,399
State General Funds	\$46,721,399	\$46,721,399	\$46,721,399
TOTAL FEDERAL FUNDS	\$1,515,073	\$1,515,073	\$1,515,073
Federal Funds Not Itemized	\$1,515,073	\$1,515,073	\$1,515,073
TOTAL AGENCY FUNDS	\$1,724,650	\$1,724,650	\$1,724,650
Intergovernmental Transfers	\$1,653,451	\$1,653,451	\$1,653,451
Intergovernmental Transfers Not Itemized	\$1,653,451	\$1,653,451	\$1,653,451
Sales and Services	\$71,199	\$71,199	\$71,199
Sales and Services Not Itemized	\$71,199	\$71,199	\$71,199
TOTAL PUBLIC FUNDS	\$49,961,122	\$49,961,122	\$49,961,122

Criminal Justice Coordinating Council**Continuation Budget**

The purpose of this appropriation is to improve and coordinate criminal justice efforts throughout Georgia, help create safe and secure communities, and award grants.

TOTAL STATE FUNDS	\$35,184,102	\$35,184,102	\$35,184,102
State General Funds	\$35,184,102	\$35,184,102	\$35,184,102
TOTAL FEDERAL FUNDS	\$58,882,884	\$58,882,884	\$58,882,884
Federal Funds Not Itemized	\$58,670,668	\$58,670,668	\$58,670,668
Temporary Assistance for Needy Families	\$212,216	\$212,216	\$212,216
Temporary Assistance for Needy Families Grant CFDA93.558	\$212,216	\$212,216	\$212,216
TOTAL AGENCY FUNDS	\$23,498,735	\$23,498,735	\$23,498,735
Intergovernmental Transfers	\$29,321	\$29,321	\$29,321
Intergovernmental Transfers Not Itemized	\$29,321	\$29,321	\$29,321
Sales and Services	\$23,469,414	\$23,469,414	\$23,469,414
Sales and Services Not Itemized	\$23,469,414	\$23,469,414	\$23,469,414
TOTAL PUBLIC FUNDS	\$117,565,721	\$117,565,721	\$117,565,721

209.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$496)	(\$496)	(\$496)
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209.2 *Increase funds for the statewide criminal justice e-filing implementation.*

State General Funds	\$5,000,000	\$5,000,000	\$5,000,000
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209.3 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$11,667)	(\$11,667)
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209.100 Criminal Justice Coordinating Council**Appropriation (HB 683)**

The purpose of this appropriation is to improve and coordinate criminal justice efforts throughout Georgia, help create safe and secure communities, and award grants.

TOTAL STATE FUNDS	\$40,183,606	\$40,171,939	\$40,171,939
State General Funds	\$40,183,606	\$40,171,939	\$40,171,939
TOTAL FEDERAL FUNDS	\$58,882,884	\$58,882,884	\$58,882,884

Federal Funds Not Itemized	\$58,670,668	\$58,670,668	\$58,670,668
Temporary Assistance for Needy Families	\$212,216	\$212,216	\$212,216
Temporary Assistance for Needy Families Grant CFDA93.558	\$212,216	\$212,216	\$212,216
TOTAL AGENCY FUNDS	\$23,498,735	\$23,498,735	\$23,498,735
Intergovernmental Transfers	\$29,321	\$29,321	\$29,321
Intergovernmental Transfers Not Itemized	\$29,321	\$29,321	\$29,321
Sales and Services	\$23,469,414	\$23,469,414	\$23,469,414
Sales and Services Not Itemized	\$23,469,414	\$23,469,414	\$23,469,414
TOTAL PUBLIC FUNDS	\$122,565,225	\$122,553,558	\$122,553,558

**Criminal Justice Coordinating Council: Council of Accountability
Court Judges**

Continuation Budget

The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

TOTAL STATE FUNDS	\$489,344	\$489,344	\$489,344
State General Funds	\$489,344	\$489,344	\$489,344
TOTAL PUBLIC FUNDS	\$489,344	\$489,344	\$489,344

210.1 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$10,176)	(\$10,176)
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210.100 Criminal Justice Coordinating Council: Council of Accountability Court Judges	Appropriation (HB 683)
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The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

TOTAL STATE FUNDS	\$489,344	\$479,168	\$479,168
State General Funds	\$489,344	\$479,168	\$479,168
TOTAL PUBLIC FUNDS	\$489,344	\$479,168	\$479,168

Criminal Justice Coordinating Council: Family Violence**Continuation Budget**

The purpose of this appropriation is to provide safe shelter and related services for victims of family violence and their dependent children and to provide education about family violence to communities across the state.

TOTAL STATE FUNDS	\$12,680,923	\$12,680,923	\$12,680,923
State General Funds	\$12,680,923	\$12,680,923	\$12,680,923
TOTAL PUBLIC FUNDS	\$12,680,923	\$12,680,923	\$12,680,923

211.100 Criminal Justice Coordinating Council: Family Violence**Appropriation (HB 683)**

The purpose of this appropriation is to provide safe shelter and related services for victims of family violence and their dependent children and to provide education about family violence to communities across the state.

TOTAL STATE FUNDS	\$12,680,923	\$12,680,923	\$12,680,923
State General Funds	\$12,680,923	\$12,680,923	\$12,680,923
TOTAL PUBLIC FUNDS	\$12,680,923	\$12,680,923	\$12,680,923

Section 31: Juvenile Justice, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$337,154,387	\$337,154,387	\$337,154,387
State General Funds	\$337,154,387	\$337,154,387	\$337,154,387
TOTAL FEDERAL FUNDS	\$7,804,205	\$7,804,205	\$7,804,205
Federal Funds Not Itemized	\$6,309,027	\$6,309,027	\$6,309,027
Foster Care Title IV-E CFDA93.658	\$1,495,178	\$1,495,178	\$1,495,178
TOTAL AGENCY FUNDS	\$40,502	\$40,502	\$40,502
Sales and Services	\$40,502	\$40,502	\$40,502
Sales and Services Not Itemized	\$40,502	\$40,502	\$40,502
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$299,805	\$299,805	\$299,805
Federal Funds Transfers	\$299,805	\$299,805	\$299,805
FF Medical Assistance Program CFDA93.778	\$299,805	\$299,805	\$299,805
TOTAL PUBLIC FUNDS	\$345,298,899	\$345,298,899	\$345,298,899

Section Total - Final

TOTAL STATE FUNDS	\$339,925,746	\$339,534,388	\$339,663,388
State General Funds	\$339,925,746	\$339,534,388	\$339,663,388

TOTAL FEDERAL FUNDS	\$7,804,205	\$7,804,205	\$7,804,205
Federal Funds Not Itemized	\$6,309,027	\$6,309,027	\$6,309,027
Foster Care Title IV-E CFDA93.658	\$1,495,178	\$1,495,178	\$1,495,178
TOTAL AGENCY FUNDS	\$40,502	\$40,502	\$40,502
Sales and Services	\$40,502	\$40,502	\$40,502
Sales and Services Not Itemized	\$40,502	\$40,502	\$40,502
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$299,805	\$299,805	\$299,805
Federal Funds Transfers	\$299,805	\$299,805	\$299,805
FF Medical Assistance Program CFDA93.778	\$299,805	\$299,805	\$299,805
TOTAL PUBLIC FUNDS	\$348,070,258	\$347,678,900	\$347,807,900

Community Services

Continuation Budget

The purpose of this appropriation is to protect the public, hold youth accountable for their actions, assist youth in becoming law-abiding citizens and transition youth from secure detention, and provide the following alternative detention options: non-secure detention shelters, housebound detention, emergency shelters, a short-term stay in a residential placement, tracking services, wraparound services, electronic monitoring, or detention in an alternative program. Additionally, Community Supervision supervises youth directly in the community according to their risk and need levels, provides transitional and treatment services to those youth either directly or by brokering or making appropriate referrals for services, and provides agency-wide services, including intake, court services, and case management.

TOTAL STATE FUNDS	\$95,391,548	\$95,391,548	\$95,391,548
State General Funds	\$95,391,548	\$95,391,548	\$95,391,548
TOTAL FEDERAL FUNDS	\$1,541,798	\$1,541,798	\$1,541,798
Federal Funds Not Itemized	\$46,620	\$46,620	\$46,620
Foster Care Title IV-E CFDA93.658	\$1,495,178	\$1,495,178	\$1,495,178
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$299,805	\$299,805	\$299,805
Federal Funds Transfers	\$299,805	\$299,805	\$299,805
FF Medical Assistance Program CFDA93.778	\$299,805	\$299,805	\$299,805
TOTAL PUBLIC FUNDS	\$97,233,151	\$97,233,151	\$97,233,151

212.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$183,833	\$183,833	\$183,833
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212.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$20,600)	(\$20,600)	(\$20,600)
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212.3 *Increase funds to provide for youth who pose a public safety risk during determination of competency as provided in SB175 (2017 Session).*

State General Funds	\$1,302,914	\$911,556	\$911,556
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212.4 *Redirect \$402,726 in state funds from CSEC operations to youth competency determination. (G:YES)(H and S:YES; Redirect \$402,726 in state funds from Commercial Sexual Exploitation of Children (CSEC) Victims' Facility operations to youth competency determination)*

State General Funds	\$0	\$0	\$0
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212.100 Community Services**Appropriation (HB 683)**

The purpose of this appropriation is to protect the public, hold youth accountable for their actions, assist youth in becoming law-abiding citizens and transition youth from secure detention, and provide the following alternative detention options: non-secure detention shelters, housebound detention, emergency shelters, a short-term stay in a residential placement, tracking services, wraparound services, electronic monitoring, or detention in an alternative program. Additionally, Community Supervision supervises youth directly in the community according to their risk and need levels, provides transitional and treatment services to those youth either directly or by brokering or making appropriate referrals for services, and provides agency-wide services, including intake, court services, and case management.

TOTAL STATE FUNDS	\$96,857,695	\$96,466,337	\$96,466,337
State General Funds	\$96,857,695	\$96,466,337	\$96,466,337
TOTAL FEDERAL FUNDS	\$1,541,798	\$1,541,798	\$1,541,798
Federal Funds Not Itemized	\$46,620	\$46,620	\$46,620
Foster Care Title IV-E CFDA93.658	\$1,495,178	\$1,495,178	\$1,495,178
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$299,805	\$299,805	\$299,805
Federal Funds Transfers	\$299,805	\$299,805	\$299,805
FF Medical Assistance Program CFDA93.778	\$299,805	\$299,805	\$299,805
TOTAL PUBLIC FUNDS	\$98,699,298	\$98,307,940	\$98,307,940

Departmental Administration (DJJ)**Continuation Budget**

The purpose of this appropriation is to protect and serve the citizens of Georgia by holding youthful offenders accountable for their actions through the delivery of effective services in appropriate settings.

TOTAL STATE FUNDS	\$24,819,289	\$24,819,289	\$24,819,289
State General Funds	\$24,819,289	\$24,819,289	\$24,819,289
TOTAL AGENCY FUNDS	\$18,130	\$18,130	\$18,130
Sales and Services	\$18,130	\$18,130	\$18,130
Sales and Services Not Itemized	\$18,130	\$18,130	\$18,130
TOTAL PUBLIC FUNDS	\$24,837,419	\$24,837,419	\$24,837,419

213.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$55,177	\$55,177	\$55,177
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213.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$6,183)	(\$6,183)	(\$6,183)
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213.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$6,937)	(\$6,937)	(\$6,937)
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213.100 Departmental Administration (DJJ)	Appropriation (HB 683)
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The purpose of this appropriation is to protect and serve the citizens of Georgia by holding youthful offenders accountable for their actions through the delivery of effective services in appropriate settings.

TOTAL STATE FUNDS	\$24,861,346	\$24,861,346	\$24,861,346
State General Funds	\$24,861,346	\$24,861,346	\$24,861,346
TOTAL AGENCY FUNDS	\$18,130	\$18,130	\$18,130
Sales and Services	\$18,130	\$18,130	\$18,130
Sales and Services Not Itemized	\$18,130	\$18,130	\$18,130
TOTAL PUBLIC FUNDS	\$24,879,476	\$24,879,476	\$24,879,476

Secure Commitment (YDCs)

Continuation Budget

The purpose of this appropriation is to protect the public and hold youth accountable for their actions, and provide secure care and supervision of youth including academic, recreational, vocational, medical, mental health, counseling, and religious services for those youth committed to the Department's custody, or convicted of an offense under Senate Bill 440.

TOTAL STATE FUNDS	\$94,034,131	\$94,034,131	\$94,034,131
State General Funds	\$94,034,131	\$94,034,131	\$94,034,131
TOTAL FEDERAL FUNDS	\$4,554,231	\$4,554,231	\$4,554,231
Federal Funds Not Itemized	\$4,554,231	\$4,554,231	\$4,554,231
TOTAL AGENCY FUNDS	\$8,949	\$8,949	\$8,949
Sales and Services	\$8,949	\$8,949	\$8,949
Sales and Services Not Itemized	\$8,949	\$8,949	\$8,949
TOTAL PUBLIC FUNDS	\$98,597,311	\$98,597,311	\$98,597,311

214.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$239,726	\$239,726	\$239,726
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214.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$26,863)	(\$26,863)	(\$26,863)
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214.3 *Increase funds for one-time funding for startup costs for the culinary vocational program at Macon YDC.*

State General Funds			\$129,000
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214.100 Secure Commitment (YDCs)

Appropriation (HB 683)

The purpose of this appropriation is to protect the public and hold youth accountable for their actions, and provide secure care and supervision of youth including academic, recreational, vocational, medical, mental health, counseling, and religious services for those youth committed to the Department's custody, or convicted of an offense under Senate Bill 440.

TOTAL STATE FUNDS	\$94,246,994	\$94,246,994	\$94,375,994
State General Funds	\$94,246,994	\$94,246,994	\$94,375,994
TOTAL FEDERAL FUNDS	\$4,554,231	\$4,554,231	\$4,554,231
Federal Funds Not Itemized	\$4,554,231	\$4,554,231	\$4,554,231
TOTAL AGENCY FUNDS	\$8,949	\$8,949	\$8,949
Sales and Services	\$8,949	\$8,949	\$8,949
Sales and Services Not Itemized	\$8,949	\$8,949	\$8,949
TOTAL PUBLIC FUNDS	\$98,810,174	\$98,810,174	\$98,939,174

Secure Detention (RYDCs)

Continuation Budget

The purpose of this appropriation is to protect the public and hold youth accountable for their actions and, provide temporary, secure care, and supervision of youth who are charged with crimes or who have been found guilty of crimes and are awaiting disposition of their cases by juvenile courts or awaiting placement in one of the Department's treatment programs or facilities, or sentenced to the Short Term Program.

TOTAL STATE FUNDS	\$122,909,419	\$122,909,419	\$122,909,419
State General Funds	\$122,909,419	\$122,909,419	\$122,909,419
TOTAL FEDERAL FUNDS	\$1,708,176	\$1,708,176	\$1,708,176
Federal Funds Not Itemized	\$1,708,176	\$1,708,176	\$1,708,176
TOTAL AGENCY FUNDS	\$13,423	\$13,423	\$13,423
Sales and Services	\$13,423	\$13,423	\$13,423
Sales and Services Not Itemized	\$13,423	\$13,423	\$13,423
TOTAL PUBLIC FUNDS	\$124,631,018	\$124,631,018	\$124,631,018

215.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$338,189	\$338,189	\$338,189
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215.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$37,897)	(\$37,897)	(\$37,897)
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215.3 *Increase funds for equipment for the conversion of Central PDC to a 56 bed Cadwell Regional Youth Detention Center.*

State General Funds	\$750,000	\$750,000	\$750,000
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215.100 Secure Detention (RYDCs)

Appropriation (HB 683)

The purpose of this appropriation is to protect the public and hold youth accountable for their actions and, provide temporary, secure care, and supervision of youth who are charged with crimes or who have been found guilty of crimes and are awaiting disposition of their cases by juvenile courts or awaiting placement in one of the Department's treatment programs or facilities, or sentenced to the Short Term Program.

TOTAL STATE FUNDS	\$123,959,711	\$123,959,711	\$123,959,711
State General Funds	\$123,959,711	\$123,959,711	\$123,959,711

TOTAL FEDERAL FUNDS	\$1,708,176	\$1,708,176	\$1,708,176
Federal Funds Not Itemized	\$1,708,176	\$1,708,176	\$1,708,176
TOTAL AGENCY FUNDS	\$13,423	\$13,423	\$13,423
Sales and Services	\$13,423	\$13,423	\$13,423
Sales and Services Not Itemized	\$13,423	\$13,423	\$13,423
TOTAL PUBLIC FUNDS	\$125,681,310	\$125,681,310	\$125,681,310

Section 32: Labor, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$13,516,194	\$13,516,194	\$13,516,194
State General Funds	\$13,516,194	\$13,516,194	\$13,516,194
TOTAL FEDERAL FUNDS	\$104,179,469	\$104,179,469	\$104,179,469
Federal Funds Not Itemized	\$104,179,469	\$104,179,469	\$104,179,469
TOTAL AGENCY FUNDS	\$3,016,413	\$3,016,413	\$3,016,413
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
Intergovernmental Transfers Not Itemized	\$600,000	\$600,000	\$600,000
Sales and Services	\$2,416,413	\$2,416,413	\$2,416,413
Sales and Services Not Itemized	\$2,416,413	\$2,416,413	\$2,416,413
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$7,218,987	\$7,218,987	\$7,218,987
State Funds Transfers	\$5,659,769	\$5,659,769	\$5,659,769
Agency to Agency Contracts	\$5,659,769	\$5,659,769	\$5,659,769
Agency Funds Transfers	\$1,559,218	\$1,559,218	\$1,559,218
Agency Fund Transfers Not Itemized	\$1,559,218	\$1,559,218	\$1,559,218
TOTAL PUBLIC FUNDS	\$127,931,063	\$127,931,063	\$127,931,063

Section Total - Final

TOTAL STATE FUNDS	\$13,514,634	\$13,514,634	\$13,514,634
State General Funds	\$13,514,634	\$13,514,634	\$13,514,634
TOTAL FEDERAL FUNDS	\$104,179,469	\$104,179,469	\$104,179,469
Federal Funds Not Itemized	\$104,179,469	\$104,179,469	\$104,179,469
TOTAL AGENCY FUNDS	\$3,016,413	\$3,016,413	\$3,016,413
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
Intergovernmental Transfers Not Itemized	\$600,000	\$600,000	\$600,000

Sales and Services	\$2,416,413	\$2,416,413	\$2,416,413
Sales and Services Not Itemized	\$2,416,413	\$2,416,413	\$2,416,413
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$7,218,987	\$7,218,987	\$7,218,987
State Funds Transfers	\$5,659,769	\$5,659,769	\$5,659,769
Agency to Agency Contracts	\$5,659,769	\$5,659,769	\$5,659,769
Agency Funds Transfers	\$1,559,218	\$1,559,218	\$1,559,218
Agency Fund Transfers Not Itemized	\$1,559,218	\$1,559,218	\$1,559,218
TOTAL PUBLIC FUNDS	\$127,929,503	\$127,929,503	\$127,929,503

Departmental Administration (DOL)**Continuation Budget**

The purpose of this appropriation is to work with public and private partners in building a world-class workforce system that contributes to Georgia's economic prosperity.

TOTAL STATE FUNDS	\$1,731,339	\$1,731,339	\$1,731,339
State General Funds	\$1,731,339	\$1,731,339	\$1,731,339
TOTAL FEDERAL FUNDS	\$25,411,990	\$25,411,990	\$25,411,990
Federal Funds Not Itemized	\$25,411,990	\$25,411,990	\$25,411,990
TOTAL AGENCY FUNDS	\$3,016,413	\$3,016,413	\$3,016,413
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
Intergovernmental Transfers Not Itemized	\$600,000	\$600,000	\$600,000
Sales and Services	\$2,416,413	\$2,416,413	\$2,416,413
Sales and Services Not Itemized	\$2,416,413	\$2,416,413	\$2,416,413
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$275,769	\$275,769	\$275,769
State Funds Transfers	\$275,769	\$275,769	\$275,769
Agency to Agency Contracts	\$275,769	\$275,769	\$275,769
TOTAL PUBLIC FUNDS	\$30,435,511	\$30,435,511	\$30,435,511

216.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$7,528	\$7,528	\$7,528
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216.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,568)	(\$4,568)	(\$4,568)
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216.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$4,520)	(\$4,520)	(\$4,520)
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216.100 Departmental Administration (DOL)	Appropriation (HB 683)
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The purpose of this appropriation is to work with public and private partners in building a world-class workforce system that contributes to Georgia's economic prosperity.

TOTAL STATE FUNDS	\$1,729,779	\$1,729,779	\$1,729,779
State General Funds	\$1,729,779	\$1,729,779	\$1,729,779
TOTAL FEDERAL FUNDS	\$25,411,990	\$25,411,990	\$25,411,990
Federal Funds Not Itemized	\$25,411,990	\$25,411,990	\$25,411,990
TOTAL AGENCY FUNDS	\$3,016,413	\$3,016,413	\$3,016,413
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
Intergovernmental Transfers Not Itemized	\$600,000	\$600,000	\$600,000
Sales and Services	\$2,416,413	\$2,416,413	\$2,416,413
Sales and Services Not Itemized	\$2,416,413	\$2,416,413	\$2,416,413
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$275,769	\$275,769	\$275,769
State Funds Transfers	\$275,769	\$275,769	\$275,769
Agency to Agency Contracts	\$275,769	\$275,769	\$275,769
TOTAL PUBLIC FUNDS	\$30,433,951	\$30,433,951	\$30,433,951

Labor Market Information

Continuation Budget

The purpose of this appropriation is to collect, analyze, and publish a wide array of information about the state's labor market.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$2,532,139	\$2,532,139	\$2,532,139
Federal Funds Not Itemized	\$2,532,139	\$2,532,139	\$2,532,139
TOTAL PUBLIC FUNDS	\$2,532,139	\$2,532,139	\$2,532,139

217.100 Labor Market Information	Appropriation (HB 683)
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The purpose of this appropriation is to collect, analyze, and publish a wide array of information about the state's labor market.

TOTAL FEDERAL FUNDS	\$2,532,139	\$2,532,139	\$2,532,139
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Federal Funds Not Itemized	\$2,532,139	\$2,532,139	\$2,532,139
TOTAL PUBLIC FUNDS	\$2,532,139	\$2,532,139	\$2,532,139

Unemployment Insurance

Continuation Budget

The purpose of this appropriation is to enhance Georgia's economic strength by collecting unemployment insurance taxes from Georgia's employers and distributing unemployment benefits to eligible claimants.

TOTAL STATE FUNDS	\$4,385,121	\$4,385,121	\$4,385,121
State General Funds	\$4,385,121	\$4,385,121	\$4,385,121
TOTAL FEDERAL FUNDS	\$31,646,176	\$31,646,176	\$31,646,176
Federal Funds Not Itemized	\$31,646,176	\$31,646,176	\$31,646,176
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$150,000	\$150,000	\$150,000
State Funds Transfers	\$150,000	\$150,000	\$150,000
Agency to Agency Contracts	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$36,181,297	\$36,181,297	\$36,181,297

218.1 *Utilize existing state funds for the collection of administrative assessments. (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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218.100 Unemployment Insurance

Appropriation (HB 683)

The purpose of this appropriation is to enhance Georgia's economic strength by collecting unemployment insurance taxes from Georgia's employers and distributing unemployment benefits to eligible claimants.

TOTAL STATE FUNDS	\$4,385,121	\$4,385,121	\$4,385,121
State General Funds	\$4,385,121	\$4,385,121	\$4,385,121
TOTAL FEDERAL FUNDS	\$31,646,176	\$31,646,176	\$31,646,176
Federal Funds Not Itemized	\$31,646,176	\$31,646,176	\$31,646,176
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$150,000	\$150,000	\$150,000
State Funds Transfers	\$150,000	\$150,000	\$150,000
Agency to Agency Contracts	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$36,181,297	\$36,181,297	\$36,181,297

Workforce Solutions

Continuation Budget

The purpose of this appropriation is to assist employers and job seekers with job matching services and to promote economic growth and development.

TOTAL STATE FUNDS	\$7,399,734	\$7,399,734	\$7,399,734
State General Funds	\$7,399,734	\$7,399,734	\$7,399,734
TOTAL FEDERAL FUNDS	\$44,589,164	\$44,589,164	\$44,589,164
Federal Funds Not Itemized	\$44,589,164	\$44,589,164	\$44,589,164
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$6,793,218	\$6,793,218	\$6,793,218
State Funds Transfers	\$5,234,000	\$5,234,000	\$5,234,000
Agency to Agency Contracts	\$5,234,000	\$5,234,000	\$5,234,000
Agency Funds Transfers	\$1,559,218	\$1,559,218	\$1,559,218
Agency Fund Transfers Not Itemized	\$1,559,218	\$1,559,218	\$1,559,218
TOTAL PUBLIC FUNDS	\$58,782,116	\$58,782,116	\$58,782,116

219.100 Workforce Solutions	Appropriation (HB 683)
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The purpose of this appropriation is to assist employers and job seekers with job matching services and to promote economic growth and development.

TOTAL STATE FUNDS	\$7,399,734	\$7,399,734	\$7,399,734
State General Funds	\$7,399,734	\$7,399,734	\$7,399,734
TOTAL FEDERAL FUNDS	\$44,589,164	\$44,589,164	\$44,589,164
Federal Funds Not Itemized	\$44,589,164	\$44,589,164	\$44,589,164
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$6,793,218	\$6,793,218	\$6,793,218
State Funds Transfers	\$5,234,000	\$5,234,000	\$5,234,000
Agency to Agency Contracts	\$5,234,000	\$5,234,000	\$5,234,000
Agency Funds Transfers	\$1,559,218	\$1,559,218	\$1,559,218
Agency Fund Transfers Not Itemized	\$1,559,218	\$1,559,218	\$1,559,218
TOTAL PUBLIC FUNDS	\$58,782,116	\$58,782,116	\$58,782,116

Section 33: Law, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$32,001,062	\$32,001,062	\$32,001,062
State General Funds	\$32,001,062	\$32,001,062	\$32,001,062
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990	\$3,597,990
Federal Funds Not Itemized	\$3,597,990	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$939,740	\$939,740	\$939,740
Sales and Services	\$772,051	\$772,051	\$772,051

Sales and Services Not Itemized	\$772,051	\$772,051	\$772,051
Sanctions, Fines, and Penalties	\$167,689	\$167,689	\$167,689
Sanctions, Fines, and Penalties Not Itemized	\$167,689	\$167,689	\$167,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074	\$36,317,074
State Fund Transfers Not Itemized	\$36,317,074	\$36,317,074	\$36,317,074
TOTAL PUBLIC FUNDS	\$72,855,866	\$72,855,866	\$72,855,866

Section Total - Final

TOTAL STATE FUNDS	\$32,012,327	\$31,963,494	\$31,963,494
State General Funds	\$32,012,327	\$31,963,494	\$31,963,494
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990	\$3,597,990
Federal Funds Not Itemized	\$3,597,990	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$939,740	\$939,740	\$939,740
Sales and Services	\$772,051	\$772,051	\$772,051
Sales and Services Not Itemized	\$772,051	\$772,051	\$772,051
Sanctions, Fines, and Penalties	\$167,689	\$167,689	\$167,689
Sanctions, Fines, and Penalties Not Itemized	\$167,689	\$167,689	\$167,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074	\$36,317,074
State Fund Transfers Not Itemized	\$36,317,074	\$36,317,074	\$36,317,074
TOTAL PUBLIC FUNDS	\$72,867,131	\$72,818,298	\$72,818,298

Law, Department of

Continuation Budget

The purpose of this appropriation is to serve as the attorney and legal advisor for all state agencies, departments, authorities, and the Governor; to provide binding opinions on legal questions concerning the state of Georgia and its agencies; and to prepare all contracts and agreements regarding any matter in which the state of Georgia is involved.

TOTAL STATE FUNDS	\$30,638,648	\$30,638,648	\$30,638,648
State General Funds	\$30,638,648	\$30,638,648	\$30,638,648
TOTAL AGENCY FUNDS	\$937,629	\$937,629	\$937,629
Sales and Services	\$769,940	\$769,940	\$769,940
Sales and Services Not Itemized	\$769,940	\$769,940	\$769,940

Sanctions, Fines, and Penalties	\$167,689	\$167,689	\$167,689
Sanctions, Fines, and Penalties Not Itemized	\$167,689	\$167,689	\$167,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074	\$36,317,074
State Fund Transfers Not Itemized	\$36,317,074	\$36,317,074	\$36,317,074
TOTAL PUBLIC FUNDS	\$67,893,351	\$67,893,351	\$67,893,351

220.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$22,548	\$22,548	\$22,548
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220.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$13,810)	(\$13,810)	(\$13,810)
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220.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,010	\$3,010	\$3,010
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220.4 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$48,833)	(\$48,833)
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220.100 Law, Department of	Appropriation (HB 683)
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The purpose of this appropriation is to serve as the attorney and legal advisor for all state agencies, departments, authorities, and the Governor; to provide binding opinions on legal questions concerning the state of Georgia and its agencies; and to prepare all contracts and agreements regarding any matter in which the state of Georgia is involved.

TOTAL STATE FUNDS	\$30,650,396	\$30,601,563	\$30,601,563
State General Funds	\$30,650,396	\$30,601,563	\$30,601,563
TOTAL AGENCY FUNDS	\$937,629	\$937,629	\$937,629
Sales and Services	\$769,940	\$769,940	\$769,940
Sales and Services Not Itemized	\$769,940	\$769,940	\$769,940
Sanctions, Fines, and Penalties	\$167,689	\$167,689	\$167,689
Sanctions, Fines, and Penalties Not Itemized	\$167,689	\$167,689	\$167,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074	\$36,317,074

State Fund Transfers Not Itemized	\$36,317,074	\$36,317,074	\$36,317,074
TOTAL PUBLIC FUNDS	\$67,905,099	\$67,856,266	\$67,856,266

Medicaid Fraud Control Unit

Continuation Budget

The purpose of this appropriation is to serve as the center for the identification, arrest, and prosecution of providers of health services and patients who defraud the Medicaid Program.

TOTAL STATE FUNDS	\$1,362,414	\$1,362,414	\$1,362,414
State General Funds	\$1,362,414	\$1,362,414	\$1,362,414
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990	\$3,597,990
Federal Funds Not Itemized	\$3,597,990	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$2,111	\$2,111	\$2,111
Sales and Services	\$2,111	\$2,111	\$2,111
Sales and Services Not Itemized	\$2,111	\$2,111	\$2,111
TOTAL PUBLIC FUNDS	\$4,962,515	\$4,962,515	\$4,962,515

221.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$483)	(\$483)	(\$483)
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221.100 Medicaid Fraud Control Unit

Appropriation (HB 683)

The purpose of this appropriation is to serve as the center for the identification, arrest, and prosecution of providers of health services and patients who defraud the Medicaid Program.

TOTAL STATE FUNDS	\$1,361,931	\$1,361,931	\$1,361,931
State General Funds	\$1,361,931	\$1,361,931	\$1,361,931
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990	\$3,597,990
Federal Funds Not Itemized	\$3,597,990	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$2,111	\$2,111	\$2,111
Sales and Services	\$2,111	\$2,111	\$2,111
Sales and Services Not Itemized	\$2,111	\$2,111	\$2,111
TOTAL PUBLIC FUNDS	\$4,962,032	\$4,962,032	\$4,962,032

There is hereby appropriated to the Department of Law the sum of \$500,000 of the moneys collected in accordance with O.C.G.A. Title 10, Chapter 1, Article 28. The sum of money is appropriated for use by the Department of Law for consumer protection for all the purposes for which such moneys may be appropriated pursuant to Article 28.

Section 34: Natural Resources, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$110,593,079	\$110,593,079	\$110,593,079
State General Funds	\$110,593,079	\$110,593,079	\$110,593,079
TOTAL FEDERAL FUNDS	\$64,264,463	\$64,264,463	\$64,264,463
Federal Funds Not Itemized	\$62,353,000	\$62,353,000	\$62,353,000
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,911,463	\$1,911,463	\$1,911,463
TOTAL AGENCY FUNDS	\$96,669,289	\$96,669,289	\$96,669,289
Contributions, Donations, and Forfeitures	\$605,932	\$605,932	\$605,932
Contributions, Donations, and Forfeitures Not Itemized	\$605,932	\$605,932	\$605,932
Intergovernmental Transfers	\$2,930	\$2,930	\$2,930
Intergovernmental Transfers Not Itemized	\$2,930	\$2,930	\$2,930
Rebates, Refunds, and Reimbursements	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements Not Itemized	\$3,657	\$3,657	\$3,657
Royalties and Rents	\$64,790	\$64,790	\$64,790
Royalties and Rents Not Itemized	\$64,790	\$64,790	\$64,790
Sales and Services	\$95,991,980	\$95,991,980	\$95,991,980
Sales and Services Not Itemized	\$95,991,980	\$95,991,980	\$95,991,980
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$239,782	\$239,782	\$239,782
State Funds Transfers	\$239,782	\$239,782	\$239,782
Agency to Agency Contracts	\$239,782	\$239,782	\$239,782
TOTAL PUBLIC FUNDS	\$271,766,613	\$271,766,613	\$271,766,613

	Section Total - Final		
TOTAL STATE FUNDS	\$117,358,833	\$117,281,789	\$117,281,789
State General Funds	\$117,358,833	\$117,281,789	\$117,281,789
TOTAL FEDERAL FUNDS	\$64,264,463	\$64,264,463	\$64,264,463
Federal Funds Not Itemized	\$62,353,000	\$62,353,000	\$62,353,000
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,911,463	\$1,911,463	\$1,911,463
TOTAL AGENCY FUNDS	\$96,669,289	\$96,669,289	\$96,669,289
Contributions, Donations, and Forfeitures	\$605,932	\$605,932	\$605,932
Contributions, Donations, and Forfeitures Not Itemized	\$605,932	\$605,932	\$605,932
Intergovernmental Transfers	\$2,930	\$2,930	\$2,930

Intergovernmental Transfers Not Itemized	\$2,930	\$2,930	\$2,930
Rebates, Refunds, and Reimbursements	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements Not Itemized	\$3,657	\$3,657	\$3,657
Royalties and Rents	\$64,790	\$64,790	\$64,790
Royalties and Rents Not Itemized	\$64,790	\$64,790	\$64,790
Sales and Services	\$95,991,980	\$95,991,980	\$95,991,980
Sales and Services Not Itemized	\$95,991,980	\$95,991,980	\$95,991,980
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$239,782	\$239,782	\$239,782
State Funds Transfers	\$239,782	\$239,782	\$239,782
Agency to Agency Contracts	\$239,782	\$239,782	\$239,782
TOTAL PUBLIC FUNDS	\$278,532,367	\$278,455,323	\$278,455,323

Coastal Resources

Continuation Budget

The purpose of this appropriation is to preserve the natural, environmental, historic, archaeological, and recreational resources of the state's coastal zone by balancing economic development with resource preservation and improvement by assessing and restoring coastal wetlands, by regulating development within the coastal zone, by promulgating and enforcing rules and regulations to protect the coastal wetlands, by monitoring the population status of commercially and recreationally fished species and developing fishery management plans, by providing fishing education, and by constructing and maintaining artificial reefs.

TOTAL STATE FUNDS	\$2,221,884	\$2,221,884	\$2,221,884
State General Funds	\$2,221,884	\$2,221,884	\$2,221,884
TOTAL FEDERAL FUNDS	\$5,054,621	\$5,054,621	\$5,054,621
Federal Funds Not Itemized	\$5,054,621	\$5,054,621	\$5,054,621
TOTAL AGENCY FUNDS	\$107,925	\$107,925	\$107,925
Contributions, Donations, and Forfeitures	\$70,760	\$70,760	\$70,760
Contributions, Donations, and Forfeitures Not Itemized	\$70,760	\$70,760	\$70,760
Royalties and Rents	\$37,165	\$37,165	\$37,165
Royalties and Rents Not Itemized	\$37,165	\$37,165	\$37,165
TOTAL PUBLIC FUNDS	\$7,384,430	\$7,384,430	\$7,384,430

222.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,834	\$1,834	\$1,834
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222.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$663)	(\$663)	(\$663)
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222.3 *Increase funds to utilize increased revenues per HB208 (2017 Session) for public access and offshore fishery habitat maintenance.*

State General Funds	\$450,000	\$450,000	\$450,000
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222.4 *Increase funds for one-time funding to replace one vehicle.*

State General Funds	\$30,000	\$30,000	\$30,000
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222.100 Coastal Resources**Appropriation (HB 683)**

The purpose of this appropriation is to preserve the natural, environmental, historic, archaeological, and recreational resources of the state's coastal zone by balancing economic development with resource preservation and improvement by assessing and restoring coastal wetlands, by regulating development within the coastal zone, by promulgating and enforcing rules and regulations to protect the coastal wetlands, by monitoring the population status of commercially and recreationally fished species and developing fishery management plans, by providing fishing education, and by constructing and maintaining artificial reefs.

TOTAL STATE FUNDS	\$2,703,055	\$2,703,055	\$2,703,055
State General Funds	\$2,703,055	\$2,703,055	\$2,703,055
TOTAL FEDERAL FUNDS	\$5,054,621	\$5,054,621	\$5,054,621
Federal Funds Not Itemized	\$5,054,621	\$5,054,621	\$5,054,621
TOTAL AGENCY FUNDS	\$107,925	\$107,925	\$107,925
Contributions, Donations, and Forfeitures	\$70,760	\$70,760	\$70,760
Contributions, Donations, and Forfeitures Not Itemized	\$70,760	\$70,760	\$70,760
Royalties and Rents	\$37,165	\$37,165	\$37,165
Royalties and Rents Not Itemized	\$37,165	\$37,165	\$37,165
TOTAL PUBLIC FUNDS	\$7,865,601	\$7,865,601	\$7,865,601

Departmental Administration (DNR)**Continuation Budget**

The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$12,269,341	\$12,269,341	\$12,269,341
State General Funds	\$12,269,341	\$12,269,341	\$12,269,341

TOTAL AGENCY FUNDS	\$39,065	\$39,065	\$39,065
Sales and Services	\$39,065	\$39,065	\$39,065
Sales and Services Not Itemized	\$39,065	\$39,065	\$39,065
TOTAL PUBLIC FUNDS	\$12,308,406	\$12,308,406	\$12,308,406

223.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$6,419	\$6,419	\$6,419
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223.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,319)	(\$2,319)	(\$2,319)
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223.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$20,869)	(\$20,869)	(\$20,869)
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223.4 *Increase funds to utilize increased revenues per HB208 (2017 Session) for additional reporting and processing.*

State General Funds	\$150,000	\$150,000	\$150,000
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223.100 Departmental Administration (DNR)	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$12,402,572	\$12,402,572	\$12,402,572
State General Funds	\$12,402,572	\$12,402,572	\$12,402,572
TOTAL AGENCY FUNDS	\$39,065	\$39,065	\$39,065
Sales and Services	\$39,065	\$39,065	\$39,065
Sales and Services Not Itemized	\$39,065	\$39,065	\$39,065
TOTAL PUBLIC FUNDS	\$12,441,637	\$12,441,637	\$12,441,637

Environmental Protection

Continuation Budget

The purpose of this appropriation is to protect the quality of Georgia's air by controlling, monitoring and regulating pollution from large, small, mobile, and area sources (including pollution from motor vehicle emissions) by performing ambient air monitoring, and by participating in the Clean Air Campaign; to protect Georgia's land by permitting, managing, and planning for solid waste facilities, by implementing waste reduction strategies, by administering the Solid Waste Trust Fund and the Underground Storage

Tank program, by cleaning up scrap tire piles, and by permitting and regulating surface mining operations; to protect Georgia and its citizens from hazardous materials by investigating and remediating hazardous sites, and by utilizing the Hazardous Waste Trust Fund to manage the state's hazardous sites inventory, to oversee site cleanup and brownfield remediation, to remediate abandoned sites, to respond to environmental emergencies, and to monitor and regulate the hazardous materials industry in Georgia. The purpose of this appropriation is also to ensure the quality and quantity of Georgia's water supplies by managing floodplains, by ensuring the safety of dams, by monitoring, regulating, and certifying water quality, and by regulating the amount of water used.

TOTAL STATE FUNDS	\$30,819,868	\$30,819,868	\$30,819,868
State General Funds	\$30,819,868	\$30,819,868	\$30,819,868
TOTAL FEDERAL FUNDS	\$31,869,796	\$31,869,796	\$31,869,796
Federal Funds Not Itemized	\$29,969,940	\$29,969,940	\$29,969,940
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,899,856	\$1,899,856	\$1,899,856
TOTAL AGENCY FUNDS	\$55,584,073	\$55,584,073	\$55,584,073
Contributions, Donations, and Forfeitures	\$16,571	\$16,571	\$16,571
Contributions, Donations, and Forfeitures Not Itemized	\$16,571	\$16,571	\$16,571
Sales and Services	\$55,567,502	\$55,567,502	\$55,567,502
Sales and Services Not Itemized	\$55,567,502	\$55,567,502	\$55,567,502
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$209,782	\$209,782	\$209,782
State Funds Transfers	\$209,782	\$209,782	\$209,782
Agency to Agency Contracts	\$209,782	\$209,782	\$209,782
TOTAL PUBLIC FUNDS	\$118,483,519	\$118,483,519	\$118,483,519

224.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$19,475	\$19,475	\$19,475
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224.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$7,034)	(\$7,034)	(\$7,034)
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224.3 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$36,482)	(\$36,482)
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224.100 Environmental Protection **Appropriation (HB 683)**

The purpose of this appropriation is to protect the quality of Georgia's air by controlling, monitoring and regulating pollution from large, small, mobile, and area sources (including pollution from motor vehicle emissions) by performing ambient air monitoring, and by participating in the Clean Air Campaign; to protect Georgia's land by permitting, managing, and planning for solid waste facilities, by implementing waste reduction strategies, by administering the Solid Waste Trust Fund and the Underground Storage Tank program, by cleaning up scrap tire piles, and by permitting and regulating surface mining operations; to protect Georgia and its citizens from hazardous materials by investigating and remediating hazardous sites, and by utilizing the Hazardous Waste Trust Fund to manage the state's hazardous sites inventory, to oversee site cleanup and brownfield remediation, to remediate abandoned sites, to respond to environmental emergencies, and to monitor and regulate the hazardous materials industry in Georgia. The purpose of this appropriation is also to ensure the quality and quantity of Georgia's water supplies by managing floodplains, by ensuring the safety of dams, by monitoring, regulating, and certifying water quality, and by regulating the amount of water used.

TOTAL STATE FUNDS	\$30,832,309	\$30,795,827	\$30,795,827
State General Funds	\$30,832,309	\$30,795,827	\$30,795,827
TOTAL FEDERAL FUNDS	\$31,869,796	\$31,869,796	\$31,869,796
Federal Funds Not Itemized	\$29,969,940	\$29,969,940	\$29,969,940
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,899,856	\$1,899,856	\$1,899,856
TOTAL AGENCY FUNDS	\$55,584,073	\$55,584,073	\$55,584,073
Contributions, Donations, and Forfeitures	\$16,571	\$16,571	\$16,571
Contributions, Donations, and Forfeitures Not Itemized	\$16,571	\$16,571	\$16,571
Sales and Services	\$55,567,502	\$55,567,502	\$55,567,502
Sales and Services Not Itemized	\$55,567,502	\$55,567,502	\$55,567,502
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$209,782	\$209,782	\$209,782
State Funds Transfers	\$209,782	\$209,782	\$209,782
Agency to Agency Contracts	\$209,782	\$209,782	\$209,782
TOTAL PUBLIC FUNDS	\$118,495,960	\$118,459,478	\$118,459,478

Hazardous Waste Trust Fund **Continuation Budget**

The purpose of this appropriation is to fund investigations and cleanup of abandoned landfills and other hazardous sites, to meet cost-sharing requirements for Superfund sites identified by the US Environmental Protection Agency, to fund related operations and oversight positions within the Environmental Protection Division, and to reimburse local governments for landfill remediation.

TOTAL STATE FUNDS	\$4,027,423	\$4,027,423	\$4,027,423
State General Funds	\$4,027,423	\$4,027,423	\$4,027,423
TOTAL PUBLIC FUNDS	\$4,027,423	\$4,027,423	\$4,027,423

225.100 Hazardous Waste Trust Fund **Appropriation (HB 683)**

The purpose of this appropriation is to fund investigations and cleanup of abandoned landfills and other hazardous sites, to meet cost-sharing requirements for Superfund sites identified by the US Environmental Protection Agency, to fund related operations and oversight positions within the Environmental Protection Division, and to reimburse local governments for landfill remediation.

TOTAL STATE FUNDS	\$4,027,423	\$4,027,423	\$4,027,423
State General Funds	\$4,027,423	\$4,027,423	\$4,027,423
TOTAL PUBLIC FUNDS	\$4,027,423	\$4,027,423	\$4,027,423

Historic Preservation

Continuation Budget

The purpose of this appropriation is to identify, protect, and preserve Georgia's historical sites by administering historic preservation grants, by cataloging all historic resources statewide, by providing research and planning required to list a site on the state and national historic registries, by working with building owners to ensure that renovation plans comply with historic preservation standards, and by executing and sponsoring archaeological research.

TOTAL STATE FUNDS	\$1,830,590	\$1,830,590	\$1,830,590
State General Funds	\$1,830,590	\$1,830,590	\$1,830,590
TOTAL FEDERAL FUNDS	\$1,020,787	\$1,020,787	\$1,020,787
Federal Funds Not Itemized	\$1,009,180	\$1,009,180	\$1,009,180
Federal Highway Admin.-Planning & Construction CFDA20.205	\$11,607	\$11,607	\$11,607
TOTAL PUBLIC FUNDS	\$2,851,377	\$2,851,377	\$2,851,377

226.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,199	\$1,199	\$1,199
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226.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$433)	(\$433)	(\$433)
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226.3 *Increase funds for one-time funding to replace one vehicle.*

State General Funds	\$30,000	\$30,000	\$30,000
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226.4 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$40,562)	(\$40,562)
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226.100 Historic Preservation **Appropriation (HB 683)**

The purpose of this appropriation is to identify, protect, and preserve Georgia's historical sites by administering historic preservation grants, by cataloging all historic resources statewide, by providing research and planning required to list a site on the state and national historic registries, by working with building owners to ensure that renovation plans comply with historic preservation standards, and by executing and sponsoring archaeological research.

TOTAL STATE FUNDS	\$1,861,356	\$1,820,794	\$1,820,794
State General Funds	\$1,861,356	\$1,820,794	\$1,820,794
TOTAL FEDERAL FUNDS	\$1,020,787	\$1,020,787	\$1,020,787
Federal Funds Not Itemized	\$1,009,180	\$1,009,180	\$1,009,180
Federal Highway Admin.-Planning & Construction CFDA20.205	\$11,607	\$11,607	\$11,607
TOTAL PUBLIC FUNDS	\$2,882,143	\$2,841,581	\$2,841,581

Law Enforcement

Continuation Budget

The purpose of this appropriation is to enforce all state and federal laws and departmental regulations relative to protecting Georgia's wildlife, natural, archeological, and cultural resources, DNR properties, boating safety, and litter and waste laws; to teach hunter and boater education classes; and to assist other law enforcement agencies upon request in providing public safety for the citizens and visitors of Georgia.

TOTAL STATE FUNDS	\$22,873,096	\$22,873,096	\$22,873,096
State General Funds	\$22,873,096	\$22,873,096	\$22,873,096
TOTAL FEDERAL FUNDS	\$3,001,293	\$3,001,293	\$3,001,293
Federal Funds Not Itemized	\$3,001,293	\$3,001,293	\$3,001,293
TOTAL AGENCY FUNDS	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements Not Itemized	\$3,657	\$3,657	\$3,657
TOTAL PUBLIC FUNDS	\$25,878,046	\$25,878,046	\$25,878,046

227.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$17,922	\$17,922	\$17,922
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227.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$6,474)	(\$6,474)	(\$6,474)
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227.3 *Increase funds to utilize increased revenues per HB208 (2017 Session) for additional law enforcement rangers to address high-demand areas of the state.*

State General Funds	\$1,700,000	\$1,700,000	\$1,700,000
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227.100 Law Enforcement

Appropriation (HB 683)

The purpose of this appropriation is to enforce all state and federal laws and departmental regulations relative to protecting Georgia's wildlife, natural, archeological, and cultural resources, DNR properties, boating safety, and litter and waste laws; to teach hunter and boater education classes; and to assist other law enforcement agencies upon request in providing public safety for the citizens and visitors of Georgia.

TOTAL STATE FUNDS	\$24,584,544	\$24,584,544	\$24,584,544
State General Funds	\$24,584,544	\$24,584,544	\$24,584,544
TOTAL FEDERAL FUNDS	\$3,001,293	\$3,001,293	\$3,001,293
Federal Funds Not Itemized	\$3,001,293	\$3,001,293	\$3,001,293
TOTAL AGENCY FUNDS	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements Not Itemized	\$3,657	\$3,657	\$3,657
TOTAL PUBLIC FUNDS	\$27,589,494	\$27,589,494	\$27,589,494

Parks, Recreation and Historic Sites

Continuation Budget

The purpose of this appropriation is to manage, operate, market, and maintain the state's golf courses, parks, lodges, conference centers, and historic sites.

TOTAL STATE FUNDS	\$15,171,556	\$15,171,556	\$15,171,556
State General Funds	\$15,171,556	\$15,171,556	\$15,171,556
TOTAL FEDERAL FUNDS	\$3,204,029	\$3,204,029	\$3,204,029
Federal Funds Not Itemized	\$3,204,029	\$3,204,029	\$3,204,029
TOTAL AGENCY FUNDS	\$32,391,791	\$32,391,791	\$32,391,791
Contributions, Donations, and Forfeitures	\$518,601	\$518,601	\$518,601
Contributions, Donations, and Forfeitures Not Itemized	\$518,601	\$518,601	\$518,601
Sales and Services	\$31,873,190	\$31,873,190	\$31,873,190
Sales and Services Not Itemized	\$31,873,190	\$31,873,190	\$31,873,190
TOTAL PUBLIC FUNDS	\$50,767,376	\$50,767,376	\$50,767,376

228.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$13,202	\$13,202	\$13,202
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228.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,769)	(\$4,769)	(\$4,769)
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228.3 *Increase funds for one-time funding to replace seven vehicles.*

State General Funds	\$220,000	\$220,000	\$220,000
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228.100 Parks, Recreation and Historic Sites	Appropriation (HB 683)
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The purpose of this appropriation is to manage, operate, market, and maintain the state's golf courses, parks, lodges, conference centers, and historic sites.

TOTAL STATE FUNDS	\$15,399,989	\$15,399,989	\$15,399,989
State General Funds	\$15,399,989	\$15,399,989	\$15,399,989
TOTAL FEDERAL FUNDS	\$3,204,029	\$3,204,029	\$3,204,029
Federal Funds Not Itemized	\$3,204,029	\$3,204,029	\$3,204,029
TOTAL AGENCY FUNDS	\$32,391,791	\$32,391,791	\$32,391,791
Contributions, Donations, and Forfeitures	\$518,601	\$518,601	\$518,601
Contributions, Donations, and Forfeitures Not Itemized	\$518,601	\$518,601	\$518,601
Sales and Services	\$31,873,190	\$31,873,190	\$31,873,190
Sales and Services Not Itemized	\$31,873,190	\$31,873,190	\$31,873,190
TOTAL PUBLIC FUNDS	\$50,995,809	\$50,995,809	\$50,995,809

Solid Waste Trust Fund

Continuation Budget

The purpose of this appropriation is to fund the administration of the Scrap Tire Management Program; to enable emergency, preventative, and corrective actions at solid waste disposal facilities; to assist local governments with the development of solid waste management plans; and to promote statewide recycling and waste reduction programs.

TOTAL STATE FUNDS	\$2,790,775	\$2,790,775	\$2,790,775
State General Funds	\$2,790,775	\$2,790,775	\$2,790,775
TOTAL PUBLIC FUNDS	\$2,790,775	\$2,790,775	\$2,790,775

229.100 Solid Waste Trust Fund**Appropriation (HB 683)**

The purpose of this appropriation is to fund the administration of the Scrap Tire Management Program; to enable emergency, preventative, and corrective actions at solid waste disposal facilities; to assist local governments with the development of solid waste management plans; and to promote statewide recycling and waste reduction programs.

TOTAL STATE FUNDS	\$2,790,775	\$2,790,775	\$2,790,775
State General Funds	\$2,790,775	\$2,790,775	\$2,790,775
TOTAL PUBLIC FUNDS	\$2,790,775	\$2,790,775	\$2,790,775

Wildlife Resources**Continuation Budget**

The purpose of this appropriation is to regulate hunting, fishing, and the operation of watercraft in Georgia; to provide hunter and boating education; to protect non-game and endangered wildlife; to promulgate statewide hunting, fishing, trapping, and coastal commercial fishing regulations; to operate the state's archery and shooting ranges; to license hunters and anglers; and to register boats.

TOTAL STATE FUNDS	\$18,588,546	\$18,588,546	\$18,588,546
State General Funds	\$18,588,546	\$18,588,546	\$18,588,546
TOTAL FEDERAL FUNDS	\$20,113,937	\$20,113,937	\$20,113,937
Federal Funds Not Itemized	\$20,113,937	\$20,113,937	\$20,113,937
TOTAL AGENCY FUNDS	\$8,542,778	\$8,542,778	\$8,542,778
Intergovernmental Transfers	\$2,930	\$2,930	\$2,930
Intergovernmental Transfers Not Itemized	\$2,930	\$2,930	\$2,930
Royalties and Rents	\$27,625	\$27,625	\$27,625
Royalties and Rents Not Itemized	\$27,625	\$27,625	\$27,625
Sales and Services	\$8,512,223	\$8,512,223	\$8,512,223
Sales and Services Not Itemized	\$8,512,223	\$8,512,223	\$8,512,223
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$30,000	\$30,000	\$30,000
State Funds Transfers	\$30,000	\$30,000	\$30,000
Agency to Agency Contracts	\$30,000	\$30,000	\$30,000
TOTAL PUBLIC FUNDS	\$47,275,261	\$47,275,261	\$47,275,261

230.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$13,328	\$13,328	\$13,328
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230.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,814)	(\$4,814)	(\$4,814)
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230.3 *Increase funds to utilize increased revenues per HB208 (2017 Session) for additional public access and land management activities.*

State General Funds	\$2,700,000	\$2,700,000	\$2,700,000
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230.4 *Increase funds for the Wildlife Endowment Fund based on actual lifetime sportsman's license revenues in FY2017.*

State General Funds	\$1,239,750	\$1,239,750	\$1,239,750
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230.5 *Increase funds for one-time funding to replace seven vehicles.*

State General Funds	\$220,000	\$220,000	\$220,000
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230.100 Wildlife Resources	Appropriation (HB 683)
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The purpose of this appropriation is to regulate hunting, fishing, and the operation of watercraft in Georgia; to provide hunter and boating education; to protect non-game and endangered wildlife; to promulgate statewide hunting, fishing, trapping, and coastal commercial fishing regulations; to operate the state's archery and shooting ranges; to license hunters and anglers; and to register boats.

TOTAL STATE FUNDS	\$22,756,810	\$22,756,810	\$22,756,810
State General Funds	\$22,756,810	\$22,756,810	\$22,756,810
TOTAL FEDERAL FUNDS	\$20,113,937	\$20,113,937	\$20,113,937
Federal Funds Not Itemized	\$20,113,937	\$20,113,937	\$20,113,937
TOTAL AGENCY FUNDS	\$8,542,778	\$8,542,778	\$8,542,778
Intergovernmental Transfers	\$2,930	\$2,930	\$2,930
Intergovernmental Transfers Not Itemized	\$2,930	\$2,930	\$2,930
Royalties and Rents	\$27,625	\$27,625	\$27,625
Royalties and Rents Not Itemized	\$27,625	\$27,625	\$27,625
Sales and Services	\$8,512,223	\$8,512,223	\$8,512,223
Sales and Services Not Itemized	\$8,512,223	\$8,512,223	\$8,512,223
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$30,000	\$30,000	\$30,000
State Funds Transfers	\$30,000	\$30,000	\$30,000
Agency to Agency Contracts	\$30,000	\$30,000	\$30,000
TOTAL PUBLIC FUNDS	\$51,443,525	\$51,443,525	\$51,443,525

Provided, that to the extent State Parks and Historic Sites receipts are realized in excess of the amount of such funds contemplated in this Act, the Office of Planning and Budget is authorized to use up to 50 percent of the excess receipts to supplant State funds and the balance may be amended into the budget of the Parks, Recreation and Historic Sites Division for the most critical needs of the Division. This provision shall not apply to revenues collected from a state park's parking pass implemented by the Department.

Section 35: Pardons and Paroles, State Board of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$17,604,724	\$17,604,724	\$17,604,724
State General Funds	\$17,604,724	\$17,604,724	\$17,604,724
TOTAL PUBLIC FUNDS	\$17,604,724	\$17,604,724	\$17,604,724
	Section Total - Final		
TOTAL STATE FUNDS	\$17,607,028	\$17,585,140	\$17,585,140
State General Funds	\$17,607,028	\$17,585,140	\$17,585,140
TOTAL PUBLIC FUNDS	\$17,607,028	\$17,585,140	\$17,585,140

Board Administration (SBPP)

Continuation Budget

The purpose of this appropriation is to provide administrative support for the agency.

TOTAL STATE FUNDS	\$1,121,049	\$1,121,049	\$1,121,049
State General Funds	\$1,121,049	\$1,121,049	\$1,121,049
TOTAL PUBLIC FUNDS	\$1,121,049	\$1,121,049	\$1,121,049

231.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$336	\$336	\$336
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231.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$273)	(\$273)	(\$273)
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231.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$860	\$860	\$860
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231.100 Board Administration (SBPP) Appropriation (HB 683)

The purpose of this appropriation is to provide administrative support for the agency.

TOTAL STATE FUNDS	\$1,121,972	\$1,121,972	\$1,121,972
State General Funds	\$1,121,972	\$1,121,972	\$1,121,972
TOTAL PUBLIC FUNDS	\$1,121,972	\$1,121,972	\$1,121,972

Clemency Decisions

Continuation Budget

The purpose of this appropriation is to support the Board in exercising its constitutional authority over executive clemency. This includes setting tentative parole dates for offenders in the correctional system and all aspects of parole status of offenders in the community including warrants, violations, commutations, and revocations. The Board coordinates all interstate compact release matters regarding the acceptance and placement of parolees into and from the State of Georgia and administers the pardon process by reviewing all applications and granting or denying these applications based on specific criteria.

TOTAL STATE FUNDS	\$15,978,980	\$15,978,980	\$15,978,980
State General Funds	\$15,978,980	\$15,978,980	\$15,978,980
TOTAL PUBLIC FUNDS	\$15,978,980	\$15,978,980	\$15,978,980

232.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$7,200	\$7,200	\$7,200
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232.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$5,859)	(\$5,859)	(\$5,859)
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232.3 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$21,888)	(\$21,888)
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232.100 Clemency Decisions Appropriation (HB 683)

The purpose of this appropriation is to support the Board in exercising its constitutional authority over executive clemency. This includes setting tentative parole dates for offenders in the correctional system and all aspects of parole status of offenders in the community including warrants, violations, commutations, and revocations. The Board coordinates all interstate compact release matters regarding the acceptance and placement of parolees into and from the State of Georgia and administers the pardon process by reviewing all applications and granting or denying these applications based on specific criteria.

TOTAL STATE FUNDS	\$15,980,321	\$15,958,433	\$15,958,433
State General Funds	\$15,980,321	\$15,958,433	\$15,958,433
TOTAL PUBLIC FUNDS	\$15,980,321	\$15,958,433	\$15,958,433

Victim Services

Continuation Budget

The purpose of this appropriation is to provide notification to victims of changes in offender status or placement through the Victim Information Program, to conduct outreach and information gathering from victims during clemency proceedings, to host victim and visitor days, and act as a liaison for victims to the state corrections system.

TOTAL STATE FUNDS	\$504,695	\$504,695	\$504,695
State General Funds	\$504,695	\$504,695	\$504,695
TOTAL PUBLIC FUNDS	\$504,695	\$504,695	\$504,695

233.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$220	\$220	\$220
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233.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$180)	(\$180)	(\$180)
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233.100 Victim Services

Appropriation (HB 683)

The purpose of this appropriation is to provide notification to victims of changes in offender status or placement through the Victim Information Program, to conduct outreach and information gathering from victims during clemency proceedings, to host victim and visitor days, and act as a liaison for victims to the state corrections system.

TOTAL STATE FUNDS	\$504,735	\$504,735	\$504,735
State General Funds	\$504,735	\$504,735	\$504,735
TOTAL PUBLIC FUNDS	\$504,735	\$504,735	\$504,735

Section 36: Properties Commission, State

Section Total - Continuation

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,100,000	\$2,100,000	\$2,100,000
State Funds Transfers	\$2,100,000	\$2,100,000	\$2,100,000

State Fund Transfers Not Itemized	\$2,100,000	\$2,100,000	\$2,100,000
TOTAL PUBLIC FUNDS	\$2,100,000	\$2,100,000	\$2,100,000

Section Total - Final

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,100,000	\$2,100,000	\$2,100,000
State Funds Transfers	\$2,100,000	\$2,100,000	\$2,100,000
State Fund Transfers Not Itemized	\$2,100,000	\$2,100,000	\$2,100,000
TOTAL PUBLIC FUNDS	\$2,100,000	\$2,100,000	\$2,100,000

Properties Commission, State

Continuation Budget

The purpose of this appropriation is to maintain long-term plans for state buildings and land; to compile an accessible database of state-owned and leased real property with information about utilization, demand management, and space standards; and to negotiate better rates in the leasing market and property acquisitions and dispositions.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,100,000	\$2,100,000	\$2,100,000
State Funds Transfers	\$2,100,000	\$2,100,000	\$2,100,000
State Fund Transfers Not Itemized	\$2,100,000	\$2,100,000	\$2,100,000
TOTAL PUBLIC FUNDS	\$2,100,000	\$2,100,000	\$2,100,000

234.100 Properties Commission, State

Appropriation (HB 683)

The purpose of this appropriation is to maintain long-term plans for state buildings and land; to compile an accessible database of state-owned and leased real property with information about utilization, demand management, and space standards; and to negotiate better rates in the leasing market and property acquisitions and dispositions.

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,100,000	\$2,100,000	\$2,100,000
State Funds Transfers	\$2,100,000	\$2,100,000	\$2,100,000
State Fund Transfers Not Itemized	\$2,100,000	\$2,100,000	\$2,100,000
TOTAL PUBLIC FUNDS	\$2,100,000	\$2,100,000	\$2,100,000

Section 37: Public Defender Council, Georgia

	Section Total - Continuation		
TOTAL STATE FUNDS	\$58,266,540	\$58,266,540	\$58,266,540
State General Funds	\$58,266,540	\$58,266,540	\$58,266,540
TOTAL FEDERAL FUNDS	\$68,300	\$68,300	\$68,300
Federal Funds Not Itemized	\$68,300	\$68,300	\$68,300
TOTAL AGENCY FUNDS	\$33,340,000	\$33,340,000	\$33,340,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000
Intergovernmental Transfers	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers Not Itemized	\$31,500,000	\$31,500,000	\$31,500,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$91,674,840	\$91,674,840	\$91,674,840

	Section Total - Final		
TOTAL STATE FUNDS	\$58,279,651	\$58,187,694	\$58,192,487
State General Funds	\$58,279,651	\$58,187,694	\$58,192,487
TOTAL FEDERAL FUNDS	\$68,300	\$68,300	\$68,300
Federal Funds Not Itemized	\$68,300	\$68,300	\$68,300
TOTAL AGENCY FUNDS	\$33,340,000	\$33,340,000	\$33,340,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000
Intergovernmental Transfers	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers Not Itemized	\$31,500,000	\$31,500,000	\$31,500,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$91,687,951	\$91,595,994	\$91,600,787

Public Defender Council**Continuation Budget**

The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, Central Office, and the administration of the Conflict Division.

TOTAL STATE FUNDS	\$8,111,445	\$8,111,445	\$8,111,445
State General Funds	\$8,111,445	\$8,111,445	\$8,111,445
TOTAL FEDERAL FUNDS	\$68,300	\$68,300	\$68,300
Federal Funds Not Itemized	\$68,300	\$68,300	\$68,300
TOTAL AGENCY FUNDS	\$1,840,000	\$1,840,000	\$1,840,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$10,019,745	\$10,019,745	\$10,019,745

235.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,029	\$3,029	\$3,029
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235.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,765)	(\$2,765)	(\$2,765)
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235.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$1,475)	(\$1,475)	(\$1,475)
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235.4 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$23,745)	(\$23,745)
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235.100 Public Defender Council	Appropriation (HB 683)
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The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, Central Office, and the administration of the Conflict Division.

TOTAL STATE FUNDS	\$8,110,234	\$8,086,489	\$8,086,489
State General Funds	\$8,110,234	\$8,086,489	\$8,086,489
TOTAL FEDERAL FUNDS	\$68,300	\$68,300	\$68,300
Federal Funds Not Itemized	\$68,300	\$68,300	\$68,300
TOTAL AGENCY FUNDS	\$1,840,000	\$1,840,000	\$1,840,000

Interest and Investment Income	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$10,018,534	\$9,994,789	\$9,994,789

Public Defenders

Continuation Budget

The purpose of this appropriation is to assure that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter; provided that staffing for circuits are based on O.C.G.A. 17-12; including providing representation to clients in cases where the Capital Defender or a circuit public defender has a conflict of interest.

TOTAL STATE FUNDS	\$50,155,095	\$50,155,095	\$50,155,095
State General Funds	\$50,155,095	\$50,155,095	\$50,155,095
TOTAL AGENCY FUNDS	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers Not Itemized	\$31,500,000	\$31,500,000	\$31,500,000
TOTAL PUBLIC FUNDS	\$81,655,095	\$81,655,095	\$81,655,095

236.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$17,652	\$17,652	\$17,652
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236.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$16,111)	(\$16,111)	(\$16,111)
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236.3 *Increase funds to reflect an accountability court supplement for circuit public defenders for two newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits. (S:Increase funds to provide an accountability court supplement for circuit public defenders in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges)*

State General Funds	\$12,781	\$0	\$4,793
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236.4 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$55,431)	(\$55,431)
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236.100 Public Defenders **Appropriation (HB 683)**

The purpose of this appropriation is to assure that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter; provided that staffing for circuits are based on O.C.G.A. 17-12; including providing representation to clients in cases where the Capital Defender or a circuit public defender has a conflict of interest.

TOTAL STATE FUNDS	\$50,169,417	\$50,101,205	\$50,105,998
State General Funds	\$50,169,417	\$50,101,205	\$50,105,998
TOTAL AGENCY FUNDS	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers Not Itemized	\$31,500,000	\$31,500,000	\$31,500,000
TOTAL PUBLIC FUNDS	\$81,669,417	\$81,601,205	\$81,605,998

Section 38: Public Health, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$275,275,331	\$275,275,331	\$275,275,331
State General Funds	\$260,231,536	\$260,231,536	\$260,231,536
Tobacco Settlement Funds	\$13,717,860	\$13,717,860	\$13,717,860
Brain & Spinal Injury Trust Fund	\$1,325,935	\$1,325,935	\$1,325,935
TOTAL FEDERAL FUNDS	\$395,951,809	\$395,951,809	\$395,951,809
Federal Funds Not Itemized	\$366,475,845	\$366,475,845	\$366,475,845
Maternal & Child Health Services Block Grant CFDA93.994	\$16,864,606	\$16,864,606	\$16,864,606
Preventive Health & Health Services Block Grant CFDA93.991	\$2,206,829	\$2,206,829	\$2,206,829
Temporary Assistance for Needy Families	\$10,404,529	\$10,404,529	\$10,404,529
Temporary Assistance for Needy Families Grant CFDA93.558	\$10,404,529	\$10,404,529	\$10,404,529
TOTAL AGENCY FUNDS	\$9,575,836	\$9,575,836	\$9,575,836
Contributions, Donations, and Forfeitures	\$370,000	\$370,000	\$370,000
Contributions, Donations, and Forfeitures Not Itemized	\$370,000	\$370,000	\$370,000
Rebates, Refunds, and Reimbursements	\$8,594,702	\$8,594,702	\$8,594,702
Rebates, Refunds, and Reimbursements Not Itemized	\$8,594,702	\$8,594,702	\$8,594,702
Sales and Services	\$611,134	\$611,134	\$611,134
Sales and Services Not Itemized	\$611,134	\$611,134	\$611,134
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$581,976	\$581,976	\$581,976
State Funds Transfers	\$581,976	\$581,976	\$581,976

Agency to Agency Contracts	\$581,976	\$581,976	\$581,976
TOTAL PUBLIC FUNDS	\$681,384,952	\$681,384,952	\$681,384,952

Section Total - Final

TOTAL STATE FUNDS	\$281,502,311	\$281,502,311	\$281,329,163
State General Funds	\$266,362,320	\$266,362,320	\$266,189,172
Tobacco Settlement Funds	\$13,717,860	\$13,717,860	\$13,717,860
Brain & Spinal Injury Trust Fund	\$1,422,131	\$1,422,131	\$1,422,131
TOTAL FEDERAL FUNDS	\$395,951,809	\$395,951,809	\$395,951,809
Federal Funds Not Itemized	\$366,475,845	\$366,475,845	\$366,475,845
Maternal & Child Health Services Block Grant CFDA93.994	\$16,864,606	\$16,864,606	\$16,864,606
Preventive Health & Health Services Block Grant CFDA93.991	\$2,206,829	\$2,206,829	\$2,206,829
Temporary Assistance for Needy Families	\$10,404,529	\$10,404,529	\$10,404,529
Temporary Assistance for Needy Families Grant CFDA93.558	\$10,404,529	\$10,404,529	\$10,404,529
TOTAL AGENCY FUNDS	\$9,575,836	\$9,575,836	\$9,575,836
Contributions, Donations, and Forfeitures	\$370,000	\$370,000	\$370,000
Contributions, Donations, and Forfeitures Not Itemized	\$370,000	\$370,000	\$370,000
Rebates, Refunds, and Reimbursements	\$8,594,702	\$8,594,702	\$8,594,702
Rebates, Refunds, and Reimbursements Not Itemized	\$8,594,702	\$8,594,702	\$8,594,702
Sales and Services	\$611,134	\$611,134	\$611,134
Sales and Services Not Itemized	\$611,134	\$611,134	\$611,134
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$581,976	\$581,976	\$581,976
State Funds Transfers	\$581,976	\$581,976	\$581,976
Agency to Agency Contracts	\$581,976	\$581,976	\$581,976
TOTAL PUBLIC FUNDS	\$687,611,932	\$687,611,932	\$687,438,784

Adolescent and Adult Health Promotion**Continuation Budget**

The purpose of this appropriation is to provide education and services to promote the health and well-being of Georgians. Activities include preventing teenage pregnancies, tobacco use prevention, cancer screening and prevention, and family planning services.

TOTAL STATE FUNDS	\$14,812,115	\$14,812,115	\$14,812,115
State General Funds	\$7,954,936	\$7,954,936	\$7,954,936
Tobacco Settlement Funds	\$6,857,179	\$6,857,179	\$6,857,179

TOTAL FEDERAL FUNDS	\$19,467,781	\$19,467,781	\$19,467,781
Federal Funds Not Itemized	\$8,397,424	\$8,397,424	\$8,397,424
Maternal & Child Health Services Block Grant CFDA93.994	\$516,828	\$516,828	\$516,828
Preventive Health & Health Services Block Grant CFDA93.991	\$149,000	\$149,000	\$149,000
Temporary Assistance for Needy Families	\$10,404,529	\$10,404,529	\$10,404,529
Temporary Assistance for Needy Families Grant CFDA93.558	\$10,404,529	\$10,404,529	\$10,404,529
TOTAL AGENCY FUNDS	\$335,000	\$335,000	\$335,000
Contributions, Donations, and Forfeitures	\$285,000	\$285,000	\$285,000
Contributions, Donations, and Forfeitures Not Itemized	\$285,000	\$285,000	\$285,000
Sales and Services	\$50,000	\$50,000	\$50,000
Sales and Services Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$410,000	\$410,000	\$410,000
State Funds Transfers	\$410,000	\$410,000	\$410,000
Agency to Agency Contracts	\$410,000	\$410,000	\$410,000
TOTAL PUBLIC FUNDS	\$35,024,896	\$35,024,896	\$35,024,896

237.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,437	\$1,437	\$1,437
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237.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$343)	(\$343)	(\$343)
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237.3 *Increase funds for the Office of Cardiac Care pursuant to the passage of SB102 (2017 Session).*

State General Funds	\$193,500	\$193,500	\$193,500
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237.100 Adolescent and Adult Health Promotion	Appropriation (HB 683)
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The purpose of this appropriation is to provide education and services to promote the health and well-being of Georgians. Activities include preventing teenage pregnancies, tobacco use prevention, cancer screening and prevention, and family planning services.

TOTAL STATE FUNDS	\$15,006,709	\$15,006,709	\$15,006,709
State General Funds	\$8,149,530	\$8,149,530	\$8,149,530
Tobacco Settlement Funds	\$6,857,179	\$6,857,179	\$6,857,179

TOTAL FEDERAL FUNDS	\$19,467,781	\$19,467,781	\$19,467,781
Federal Funds Not Itemized	\$8,397,424	\$8,397,424	\$8,397,424
Maternal & Child Health Services Block Grant CFDA93.994	\$516,828	\$516,828	\$516,828
Preventive Health & Health Services Block Grant CFDA93.991	\$149,000	\$149,000	\$149,000
Temporary Assistance for Needy Families	\$10,404,529	\$10,404,529	\$10,404,529
Temporary Assistance for Needy Families Grant CFDA93.558	\$10,404,529	\$10,404,529	\$10,404,529
TOTAL AGENCY FUNDS	\$335,000	\$335,000	\$335,000
Contributions, Donations, and Forfeitures	\$285,000	\$285,000	\$285,000
Contributions, Donations, and Forfeitures Not Itemized	\$285,000	\$285,000	\$285,000
Sales and Services	\$50,000	\$50,000	\$50,000
Sales and Services Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$410,000	\$410,000	\$410,000
State Funds Transfers	\$410,000	\$410,000	\$410,000
Agency to Agency Contracts	\$410,000	\$410,000	\$410,000
TOTAL PUBLIC FUNDS	\$35,219,490	\$35,219,490	\$35,219,490

Adult Essential Health Treatment Services**Continuation Budget**

The purpose of this appropriation is to provide treatment and services to low-income Georgians with cancer, and Georgians at risk of stroke or heart attacks.

TOTAL STATE FUNDS	\$6,613,249	\$6,613,249	\$6,613,249
State General Funds	\$0	\$0	\$0
Tobacco Settlement Funds	\$6,613,249	\$6,613,249	\$6,613,249
TOTAL FEDERAL FUNDS	\$300,000	\$300,000	\$300,000
Preventive Health & Health Services Block Grant CFDA93.991	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$6,913,249	\$6,913,249	\$6,913,249

238.100 Adult Essential Health Treatment Services**Appropriation (HB 683)**

The purpose of this appropriation is to provide treatment and services to low-income Georgians with cancer, and Georgians at risk of stroke or heart attacks.

TOTAL STATE FUNDS	\$6,613,249	\$6,613,249	\$6,613,249
Tobacco Settlement Funds	\$6,613,249	\$6,613,249	\$6,613,249
TOTAL FEDERAL FUNDS	\$300,000	\$300,000	\$300,000

Preventive Health & Health Services Block Grant CFDA93.991	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$6,913,249	\$6,913,249	\$6,913,249

Departmental Administration (DPH)

Continuation Budget

The purpose of this appropriation is to provide administrative support to all departmental programs.

TOTAL STATE FUNDS	\$23,247,220	\$23,247,220	\$23,247,220
State General Funds	\$23,115,425	\$23,115,425	\$23,115,425
Tobacco Settlement Funds	\$131,795	\$131,795	\$131,795
TOTAL FEDERAL FUNDS	\$8,312,856	\$8,312,856	\$8,312,856
Federal Funds Not Itemized	\$7,045,918	\$7,045,918	\$7,045,918
Preventive Health & Health Services Block Grant CFDA93.991	\$1,266,938	\$1,266,938	\$1,266,938
TOTAL AGENCY FUNDS	\$3,945,000	\$3,945,000	\$3,945,000
Rebates, Refunds, and Reimbursements	\$3,945,000	\$3,945,000	\$3,945,000
Rebates, Refunds, and Reimbursements Not Itemized	\$3,945,000	\$3,945,000	\$3,945,000
TOTAL PUBLIC FUNDS	\$35,505,076	\$35,505,076	\$35,505,076

239.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$40,732	\$40,732	\$40,732
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239.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$9,736)	(\$9,736)	(\$9,736)
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239.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$79,077)	(\$79,077)	(\$79,077)
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239.100 Departmental Administration (DPH)	Appropriation (HB 683)		
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The purpose of this appropriation is to provide administrative support to all departmental programs.

TOTAL STATE FUNDS	\$23,199,139	\$23,199,139	\$23,199,139
State General Funds	\$23,067,344	\$23,067,344	\$23,067,344
Tobacco Settlement Funds	\$131,795	\$131,795	\$131,795

TOTAL FEDERAL FUNDS	\$8,312,856	\$8,312,856	\$8,312,856
Federal Funds Not Itemized	\$7,045,918	\$7,045,918	\$7,045,918
Preventive Health & Health Services Block Grant CFDA93.991	\$1,266,938	\$1,266,938	\$1,266,938
TOTAL AGENCY FUNDS	\$3,945,000	\$3,945,000	\$3,945,000
Rebates, Refunds, and Reimbursements	\$3,945,000	\$3,945,000	\$3,945,000
Rebates, Refunds, and Reimbursements Not Itemized	\$3,945,000	\$3,945,000	\$3,945,000
TOTAL PUBLIC FUNDS	\$35,456,995	\$35,456,995	\$35,456,995

Emergency Preparedness / Trauma System Improvement

Continuation Budget

The purpose of this appropriation is to prepare for natural disasters, bioterrorism, and other emergencies, as well as improving the capacity of the state's trauma system.

TOTAL STATE FUNDS	\$2,782,367	\$2,782,367	\$2,782,367
State General Funds	\$2,782,367	\$2,782,367	\$2,782,367
TOTAL FEDERAL FUNDS	\$23,675,473	\$23,675,473	\$23,675,473
Federal Funds Not Itemized	\$23,125,473	\$23,125,473	\$23,125,473
Maternal & Child Health Services Block Grant CFDA93.994	\$350,000	\$350,000	\$350,000
Preventive Health & Health Services Block Grant CFDA93.991	\$200,000	\$200,000	\$200,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$171,976	\$171,976	\$171,976
State Funds Transfers	\$171,976	\$171,976	\$171,976
Agency to Agency Contracts	\$171,976	\$171,976	\$171,976
TOTAL PUBLIC FUNDS	\$26,629,816	\$26,629,816	\$26,629,816

240.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,510	\$3,510	\$3,510
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240.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$839)	(\$839)	(\$839)
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240.100 Emergency Preparedness / Trauma System Improvement

Appropriation (HB 683)

The purpose of this appropriation is to prepare for natural disasters, bioterrorism, and other emergencies, as well as improving the capacity of the state's trauma system.

TOTAL STATE FUNDS	\$2,785,038	\$2,785,038	\$2,785,038
State General Funds	\$2,785,038	\$2,785,038	\$2,785,038
TOTAL FEDERAL FUNDS	\$23,675,473	\$23,675,473	\$23,675,473
Federal Funds Not Itemized	\$23,125,473	\$23,125,473	\$23,125,473
Maternal & Child Health Services Block Grant CFDA93.994	\$350,000	\$350,000	\$350,000
Preventive Health & Health Services Block Grant CFDA93.991	\$200,000	\$200,000	\$200,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$171,976	\$171,976	\$171,976
State Funds Transfers	\$171,976	\$171,976	\$171,976
Agency to Agency Contracts	\$171,976	\$171,976	\$171,976
TOTAL PUBLIC FUNDS	\$26,632,487	\$26,632,487	\$26,632,487

Epidemiology

Continuation Budget

The purpose of this appropriation is to monitor, investigate, and respond to disease, injury, and other events of public health concern.

TOTAL STATE FUNDS	\$4,777,155	\$4,777,155	\$4,777,155
State General Funds	\$4,661,518	\$4,661,518	\$4,661,518
Tobacco Settlement Funds	\$115,637	\$115,637	\$115,637
TOTAL FEDERAL FUNDS	\$6,552,593	\$6,552,593	\$6,552,593
Federal Funds Not Itemized	\$6,552,593	\$6,552,593	\$6,552,593
TOTAL PUBLIC FUNDS	\$11,329,748	\$11,329,748	\$11,329,748

241.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,723	\$2,723	\$2,723
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241.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$651)	(\$651)	(\$651)
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241.3 *Increase funds for the prescription drug monitoring program pursuant to the passage of HB249 (2017 Session).*

State General Funds	\$582,892	\$582,892	\$582,892
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241.100 Epidemiology	Appropriation (HB 683)		
<i>The purpose of this appropriation is to monitor, investigate, and respond to disease, injury, and other events of public health concern.</i>			
TOTAL STATE FUNDS	\$5,362,119	\$5,362,119	\$5,362,119
State General Funds	\$5,246,482	\$5,246,482	\$5,246,482
Tobacco Settlement Funds	\$115,637	\$115,637	\$115,637
TOTAL FEDERAL FUNDS	\$6,552,593	\$6,552,593	\$6,552,593
Federal Funds Not Itemized	\$6,552,593	\$6,552,593	\$6,552,593
TOTAL PUBLIC FUNDS	\$11,914,712	\$11,914,712	\$11,914,712

Immunization	Continuation Budget		
<i>The purpose of this appropriation is to provide immunization, consultation, training, assessment, vaccines, and technical assistance.</i>			
TOTAL STATE FUNDS	\$2,553,457	\$2,553,457	\$2,553,457
State General Funds	\$2,553,457	\$2,553,457	\$2,553,457
TOTAL FEDERAL FUNDS	\$2,061,486	\$2,061,486	\$2,061,486
Federal Funds Not Itemized	\$2,061,486	\$2,061,486	\$2,061,486
TOTAL AGENCY FUNDS	\$4,649,702	\$4,649,702	\$4,649,702
Rebates, Refunds, and Reimbursements	\$4,649,702	\$4,649,702	\$4,649,702
Rebates, Refunds, and Reimbursements Not Itemized	\$4,649,702	\$4,649,702	\$4,649,702
TOTAL PUBLIC FUNDS	\$9,264,645	\$9,264,645	\$9,264,645

242.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$389	\$389	\$389
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242.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$93)	(\$93)	(\$93)
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242.100 Immunization	Appropriation (HB 683)		
<i>The purpose of this appropriation is to provide immunization, consultation, training, assessment, vaccines, and technical assistance.</i>			
TOTAL STATE FUNDS	\$2,553,753	\$2,553,753	\$2,553,753
State General Funds	\$2,553,753	\$2,553,753	\$2,553,753
TOTAL FEDERAL FUNDS	\$2,061,486	\$2,061,486	\$2,061,486

Federal Funds Not Itemized	\$2,061,486	\$2,061,486	\$2,061,486
TOTAL AGENCY FUNDS	\$4,649,702	\$4,649,702	\$4,649,702
Rebates, Refunds, and Reimbursements	\$4,649,702	\$4,649,702	\$4,649,702
Rebates, Refunds, and Reimbursements Not Itemized	\$4,649,702	\$4,649,702	\$4,649,702
TOTAL PUBLIC FUNDS	\$9,264,941	\$9,264,941	\$9,264,941

Infant and Child Essential Health Treatment Services

Continuation Budget

The purpose of this appropriation is to avoid unnecessary health problems in later life by providing comprehensive health services to infants and children.

TOTAL STATE FUNDS	\$23,116,794	\$23,116,794	\$23,116,794
State General Funds	\$23,116,794	\$23,116,794	\$23,116,794
TOTAL FEDERAL FUNDS	\$22,992,820	\$22,992,820	\$22,992,820
Federal Funds Not Itemized	\$14,255,140	\$14,255,140	\$14,255,140
Maternal & Child Health Services Block Grant CFDA93.994	\$8,605,171	\$8,605,171	\$8,605,171
Preventive Health & Health Services Block Grant CFDA93.991	\$132,509	\$132,509	\$132,509
TOTAL AGENCY FUNDS	\$85,000	\$85,000	\$85,000
Contributions, Donations, and Forfeitures	\$85,000	\$85,000	\$85,000
Contributions, Donations, and Forfeitures Not Itemized	\$85,000	\$85,000	\$85,000
TOTAL PUBLIC FUNDS	\$46,194,614	\$46,194,614	\$46,194,614

243.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,127	\$2,127	\$2,127
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243.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$509)	(\$509)	(\$509)
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243.3 *Utilize \$159,105 in existing funds for telehealth infrastructure and one program support coordinator position to provide behavioral health services to children under 21 who are diagnosed as autistic (Total Funds: \$171,780). (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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243.100 Infant and Child Essential Health Treatment Services**Appropriation (HB 683)**

The purpose of this appropriation is to avoid unnecessary health problems in later life by providing comprehensive health services to infants and children.

TOTAL STATE FUNDS	\$23,118,412	\$23,118,412	\$23,118,412
State General Funds	\$23,118,412	\$23,118,412	\$23,118,412
TOTAL FEDERAL FUNDS	\$22,992,820	\$22,992,820	\$22,992,820
Federal Funds Not Itemized	\$14,255,140	\$14,255,140	\$14,255,140
Maternal & Child Health Services Block Grant CFDA93.994	\$8,605,171	\$8,605,171	\$8,605,171
Preventive Health & Health Services Block Grant CFDA93.991	\$132,509	\$132,509	\$132,509
TOTAL AGENCY FUNDS	\$85,000	\$85,000	\$85,000
Contributions, Donations, and Forfeitures	\$85,000	\$85,000	\$85,000
Contributions, Donations, and Forfeitures Not Itemized	\$85,000	\$85,000	\$85,000
TOTAL PUBLIC FUNDS	\$46,196,232	\$46,196,232	\$46,196,232

Infant and Child Health Promotion**Continuation Budget**

The purpose of this appropriation is to provide education and services to promote health and nutrition for infants and children.

TOTAL STATE FUNDS	\$12,953,909	\$12,953,909	\$12,953,909
State General Funds	\$12,953,909	\$12,953,909	\$12,953,909
TOTAL FEDERAL FUNDS	\$263,619,396	\$263,619,396	\$263,619,396
Federal Funds Not Itemized	\$256,226,789	\$256,226,789	\$256,226,789
Maternal & Child Health Services Block Grant CFDA93.994	\$7,392,607	\$7,392,607	\$7,392,607
TOTAL PUBLIC FUNDS	\$276,573,305	\$276,573,305	\$276,573,305

244.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$5,003	\$5,003	\$5,003
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244.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,195)	(\$1,195)	(\$1,195)
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244.100 Infant and Child Health Promotion**Appropriation (HB 683)**

The purpose of this appropriation is to provide education and services to promote health and nutrition for infants and children.

TOTAL STATE FUNDS	\$12,957,717	\$12,957,717	\$12,957,717
State General Funds	\$12,957,717	\$12,957,717	\$12,957,717
TOTAL FEDERAL FUNDS	\$263,619,396	\$263,619,396	\$263,619,396
Federal Funds Not Itemized	\$256,226,789	\$256,226,789	\$256,226,789
Maternal & Child Health Services Block Grant CFDA93.994	\$7,392,607	\$7,392,607	\$7,392,607
TOTAL PUBLIC FUNDS	\$276,577,113	\$276,577,113	\$276,577,113

Infectious Disease Control

Continuation Budget

The purpose of this appropriation is to ensure quality prevention and treatment of HIV/AIDS, sexually transmitted diseases, tuberculosis, and other infectious diseases.

TOTAL STATE FUNDS	\$32,129,971	\$32,129,971	\$32,129,971
State General Funds	\$32,129,971	\$32,129,971	\$32,129,971
TOTAL FEDERAL FUNDS	\$47,927,661	\$47,927,661	\$47,927,661
Federal Funds Not Itemized	\$47,927,661	\$47,927,661	\$47,927,661
TOTAL PUBLIC FUNDS	\$80,057,632	\$80,057,632	\$80,057,632

245.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$17,445	\$17,445	\$17,445
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245.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,170)	(\$4,170)	(\$4,170)
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245.100 Infectious Disease Control

Appropriation (HB 683)

The purpose of this appropriation is to ensure quality prevention and treatment of HIV/AIDS, sexually transmitted diseases, tuberculosis, and other infectious diseases.

TOTAL STATE FUNDS	\$32,143,246	\$32,143,246	\$32,143,246
State General Funds	\$32,143,246	\$32,143,246	\$32,143,246
TOTAL FEDERAL FUNDS	\$47,927,661	\$47,927,661	\$47,927,661
Federal Funds Not Itemized	\$47,927,661	\$47,927,661	\$47,927,661
TOTAL PUBLIC FUNDS	\$80,070,907	\$80,070,907	\$80,070,907

Inspections and Environmental Hazard Control**Continuation Budget**

The purpose of this appropriation is to detect and prevent environmental hazards, as well as providing inspection and enforcement of health regulations for food service establishments, sewage management facilities, and swimming pools.

TOTAL STATE FUNDS	\$6,155,573	\$6,155,573	\$6,155,573
State General Funds	\$6,155,573	\$6,155,573	\$6,155,573
TOTAL FEDERAL FUNDS	\$511,063	\$511,063	\$511,063
Federal Funds Not Itemized	\$352,681	\$352,681	\$352,681
Preventive Health & Health Services Block Grant CFDA93.991	\$158,382	\$158,382	\$158,382
TOTAL AGENCY FUNDS	\$561,134	\$561,134	\$561,134
Sales and Services	\$561,134	\$561,134	\$561,134
Sales and Services Not Itemized	\$561,134	\$561,134	\$561,134
TOTAL PUBLIC FUNDS	\$7,227,770	\$7,227,770	\$7,227,770

246.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$4,671	\$4,671	\$4,671
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246.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,116)	(\$1,116)	(\$1,116)
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246.100 Inspections and Environmental Hazard Control**Appropriation (HB 683)**

The purpose of this appropriation is to detect and prevent environmental hazards, as well as providing inspection and enforcement of health regulations for food service establishments, sewage management facilities, and swimming pools.

TOTAL STATE FUNDS	\$6,159,128	\$6,159,128	\$6,159,128
State General Funds	\$6,159,128	\$6,159,128	\$6,159,128
TOTAL FEDERAL FUNDS	\$511,063	\$511,063	\$511,063
Federal Funds Not Itemized	\$352,681	\$352,681	\$352,681
Preventive Health & Health Services Block Grant CFDA93.991	\$158,382	\$158,382	\$158,382
TOTAL AGENCY FUNDS	\$561,134	\$561,134	\$561,134
Sales and Services	\$561,134	\$561,134	\$561,134
Sales and Services Not Itemized	\$561,134	\$561,134	\$561,134
TOTAL PUBLIC FUNDS	\$7,231,325	\$7,231,325	\$7,231,325

Office for Children and Families

Continuation Budget

The purpose of this appropriation is to enhance coordination and communication among providers and stakeholders of services to families.

TOTAL STATE FUNDS	\$827,428	\$827,428	\$827,428
State General Funds	\$827,428	\$827,428	\$827,428
TOTAL PUBLIC FUNDS	\$827,428	\$827,428	\$827,428

247.1 Reduce funds.

State General Funds			(\$173,148)
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247.100 Office for Children and Families	Appropriation (HB 683)
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The purpose of this appropriation is to enhance coordination and communication among providers and stakeholders of services to families.

TOTAL STATE FUNDS	\$827,428	\$827,428	\$654,280
State General Funds	\$827,428	\$827,428	\$654,280
TOTAL PUBLIC FUNDS	\$827,428	\$827,428	\$654,280

Public Health Formula Grants to Counties

Continuation Budget

The purpose of this appropriation is to provide general grant-in-aid to county boards of health delivering local public health services.

TOTAL STATE FUNDS	\$123,188,442	\$123,188,442	\$123,188,442
State General Funds	\$123,188,442	\$123,188,442	\$123,188,442
TOTAL PUBLIC FUNDS	\$123,188,442	\$123,188,442	\$123,188,442

248.1 Reduce funds to reflect an adjustment in merit system assessments.

State General Funds	(\$243)	(\$243)	(\$243)
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248.100 Public Health Formula Grants to Counties	Appropriation (HB 683)
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The purpose of this appropriation is to provide general grant-in-aid to county boards of health delivering local public health services.

TOTAL STATE FUNDS	\$123,188,199	\$123,188,199	\$123,188,199
State General Funds	\$123,188,199	\$123,188,199	\$123,188,199

TOTAL PUBLIC FUNDS	\$123,188,199	\$123,188,199	\$123,188,199
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Vital Records**Continuation Budget**

The purpose of this appropriation is to register, enter, archive and provide to the public in a timely manner vital records and associated documents.

TOTAL STATE FUNDS	\$4,401,465	\$4,401,465	\$4,401,465
State General Funds	\$4,401,465	\$4,401,465	\$4,401,465
TOTAL FEDERAL FUNDS	\$530,680	\$530,680	\$530,680
Federal Funds Not Itemized	\$530,680	\$530,680	\$530,680
TOTAL PUBLIC FUNDS	\$4,932,145	\$4,932,145	\$4,932,145

249.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$5,807	\$5,807	\$5,807
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249.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,388)	(\$1,388)	(\$1,388)
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249.100 Vital Records**Appropriation (HB 683)**

The purpose of this appropriation is to register, enter, archive and provide to the public in a timely manner vital records and associated documents.

TOTAL STATE FUNDS	\$4,405,884	\$4,405,884	\$4,405,884
State General Funds	\$4,405,884	\$4,405,884	\$4,405,884
TOTAL FEDERAL FUNDS	\$530,680	\$530,680	\$530,680
Federal Funds Not Itemized	\$530,680	\$530,680	\$530,680
TOTAL PUBLIC FUNDS	\$4,936,564	\$4,936,564	\$4,936,564

Brain and Spinal Injury Trust Fund**Continuation Budget**

The purpose of this appropriation is to provide disbursements from the Trust Fund to offset the costs of care and rehabilitative services to citizens of the state who have survived brain or spinal cord injuries.

TOTAL STATE FUNDS	\$1,325,935	\$1,325,935	\$1,325,935
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State General Funds	\$0	\$0	\$0
Brain & Spinal Injury Trust Fund	\$1,325,935	\$1,325,935	\$1,325,935
TOTAL PUBLIC FUNDS	\$1,325,935	\$1,325,935	\$1,325,935

250.1 *Increase funds to reflect 2016 collections.*

Brain & Spinal Injury Trust Fund	\$96,196	\$96,196	\$96,196
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250.100 Brain and Spinal Injury Trust Fund	Appropriation (HB 683)		
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The purpose of this appropriation is to provide disbursements from the Trust Fund to offset the costs of care and rehabilitative services to citizens of the state who have survived brain or spinal cord injuries.

TOTAL STATE FUNDS	\$1,422,131	\$1,422,131	\$1,422,131
Brain & Spinal Injury Trust Fund	\$1,422,131	\$1,422,131	\$1,422,131
TOTAL PUBLIC FUNDS	\$1,422,131	\$1,422,131	\$1,422,131

Georgia Trauma Care Network Commission

Continuation Budget

The purpose of this appropriation is to establish, maintain, and administer a trauma center network, to coordinate the best use of existing trauma facilities and to direct patients to the best available facility for treatment of traumatic injury and participate in the accountability mechanism for the entire Georgia trauma system, primarily overseeing the flow of funds for system improvement.

TOTAL STATE FUNDS	\$16,390,251	\$16,390,251	\$16,390,251
State General Funds	\$16,390,251	\$16,390,251	\$16,390,251
TOTAL PUBLIC FUNDS	\$16,390,251	\$16,390,251	\$16,390,251

251.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$104)	(\$104)	(\$104)
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251.2 *Increase funds to reflect fireworks excise tax collections pursuant to the passage of SR558 and SB350 (2016 Session).*

State General Funds	\$176,845	\$176,845	\$176,845
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251.3 *Increase funds to reflect 2017 Super Speeder collections and Reinstatement Fees.*

State General Funds	\$5,193,167	\$5,193,167	\$5,193,167
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251.100 Georgia Trauma Care Network Commission**Appropriation (HB 683)**

The purpose of this appropriation is to establish, maintain, and administer a trauma center network, to coordinate the best use of existing trauma facilities and to direct patients to the best available facility for treatment of traumatic injury and participate in the accountability mechanism for the entire Georgia trauma system, primarily overseeing the flow of funds for system improvement.

TOTAL STATE FUNDS	\$21,760,159	\$21,760,159	\$21,760,159
State General Funds	\$21,760,159	\$21,760,159	\$21,760,159
TOTAL PUBLIC FUNDS	\$21,760,159	\$21,760,159	\$21,760,159

Section 39: Public Safety, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$178,554,244	\$178,554,244	\$178,554,244
State General Funds	\$178,554,244	\$178,554,244	\$178,554,244
TOTAL FEDERAL FUNDS	\$27,054,358	\$27,054,358	\$27,054,358
Federal Funds Not Itemized	\$27,054,358	\$27,054,358	\$27,054,358
TOTAL AGENCY FUNDS	\$36,905,598	\$36,905,598	\$36,905,598
Intergovernmental Transfers	\$13,737,948	\$13,737,948	\$13,737,948
Intergovernmental Transfers Not Itemized	\$13,737,948	\$13,737,948	\$13,737,948
Rebates, Refunds, and Reimbursements	\$660,000	\$660,000	\$660,000
Rebates, Refunds, and Reimbursements Not Itemized	\$660,000	\$660,000	\$660,000
Sales and Services	\$21,657,650	\$21,657,650	\$21,657,650
Sales and Services Not Itemized	\$21,657,650	\$21,657,650	\$21,657,650
Sanctions, Fines, and Penalties	\$850,000	\$850,000	\$850,000
Sanctions, Fines, and Penalties Not Itemized	\$850,000	\$850,000	\$850,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$145,000	\$145,000	\$145,000
State Funds Transfers	\$145,000	\$145,000	\$145,000
Agency to Agency Contracts	\$145,000	\$145,000	\$145,000
TOTAL PUBLIC FUNDS	\$242,659,200	\$242,659,200	\$242,659,200

Section Total - Final

TOTAL STATE FUNDS	\$184,257,692	\$184,106,666	\$184,093,466
State General Funds	\$184,257,692	\$184,106,666	\$184,093,466
TOTAL FEDERAL FUNDS	\$27,054,358	\$27,054,358	\$27,054,358
Federal Funds Not Itemized	\$27,054,358	\$27,054,358	\$27,054,358

TOTAL AGENCY FUNDS	\$36,905,598	\$36,905,598	\$36,905,598
Intergovernmental Transfers	\$13,737,948	\$13,737,948	\$13,737,948
Intergovernmental Transfers Not Itemized	\$13,737,948	\$13,737,948	\$13,737,948
Rebates, Refunds, and Reimbursements	\$660,000	\$660,000	\$660,000
Rebates, Refunds, and Reimbursements Not Itemized	\$660,000	\$660,000	\$660,000
Sales and Services	\$21,657,650	\$21,657,650	\$21,657,650
Sales and Services Not Itemized	\$21,657,650	\$21,657,650	\$21,657,650
Sanctions, Fines, and Penalties	\$850,000	\$850,000	\$850,000
Sanctions, Fines, and Penalties Not Itemized	\$850,000	\$850,000	\$850,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$145,000	\$145,000	\$145,000
State Funds Transfers	\$145,000	\$145,000	\$145,000
Agency to Agency Contracts	\$145,000	\$145,000	\$145,000
TOTAL PUBLIC FUNDS	\$248,362,648	\$248,211,622	\$248,198,422

Aviation**Continuation Budget**

The purpose of this appropriation is to provide aerial support for search and rescue missions and search and apprehension missions in criminal pursuits within the State of Georgia; to provide transport flights to conduct state business, for emergency medical transport, and to support local and federal agencies in public safety efforts with aerial surveillance and observation.

TOTAL STATE FUNDS	\$4,478,155	\$4,478,155	\$4,478,155
State General Funds	\$4,478,155	\$4,478,155	\$4,478,155
TOTAL FEDERAL FUNDS	\$10,034	\$10,034	\$10,034
Federal Funds Not Itemized	\$10,034	\$10,034	\$10,034
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$4,588,189	\$4,588,189	\$4,588,189

252.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,231	\$3,231	\$3,231
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252.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,106)	(\$1,106)	(\$1,106)
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252.100 Aviation **Appropriation (HB 683)**

The purpose of this appropriation is to provide aerial support for search and rescue missions and search and apprehension missions in criminal pursuits within the State of Georgia; to provide transport flights to conduct state business, for emergency medical transport, and to support local and federal agencies in public safety efforts with aerial surveillance and observation.

TOTAL STATE FUNDS	\$4,480,280	\$4,480,280	\$4,480,280
State General Funds	\$4,480,280	\$4,480,280	\$4,480,280
TOTAL FEDERAL FUNDS	\$10,034	\$10,034	\$10,034
Federal Funds Not Itemized	\$10,034	\$10,034	\$10,034
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$4,590,314	\$4,590,314	\$4,590,314

Capitol Police Services **Continuation Budget**

The purpose of this appropriation is to protect life and property in the Capitol Square area, enforce traffic regulations around the Capitol, monitor entrances of state buildings, screen packages and personal items of individuals entering state facilities, and provide general security for elected officials, government employees, and visitors to the Capitol.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$8,143,321	\$8,143,321	\$8,143,321
Intergovernmental Transfers	\$190,000	\$190,000	\$190,000
Intergovernmental Transfers Not Itemized	\$190,000	\$190,000	\$190,000
Sales and Services	\$7,953,321	\$7,953,321	\$7,953,321
Sales and Services Not Itemized	\$7,953,321	\$7,953,321	\$7,953,321
TOTAL PUBLIC FUNDS	\$8,143,321	\$8,143,321	\$8,143,321

253.100 Capitol Police Services **Appropriation (HB 683)**

The purpose of this appropriation is to protect life and property in the Capitol Square area, enforce traffic regulations around the Capitol, monitor entrances of state buildings, screen packages and personal items of individuals entering state facilities, and provide general security for elected officials, government employees, and visitors to the Capitol.

TOTAL AGENCY FUNDS	\$8,143,321	\$8,143,321	\$8,143,321
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Intergovernmental Transfers	\$190,000	\$190,000	\$190,000
Intergovernmental Transfers Not Itemized	\$190,000	\$190,000	\$190,000
Sales and Services	\$7,953,321	\$7,953,321	\$7,953,321
Sales and Services Not Itemized	\$7,953,321	\$7,953,321	\$7,953,321
TOTAL PUBLIC FUNDS	\$8,143,321	\$8,143,321	\$8,143,321

Departmental Administration (DPS)

Continuation Budget

The purpose of this appropriation is to work cooperatively with all levels of government to provide a safe environment for residents and visitors to our state.

TOTAL STATE FUNDS	\$9,509,912	\$9,509,912	\$9,509,912
State General Funds	\$9,509,912	\$9,509,912	\$9,509,912
TOTAL FEDERAL FUNDS	\$5,571	\$5,571	\$5,571
Federal Funds Not Itemized	\$5,571	\$5,571	\$5,571
TOTAL AGENCY FUNDS	\$3,510	\$3,510	\$3,510
Sales and Services	\$3,510	\$3,510	\$3,510
Sales and Services Not Itemized	\$3,510	\$3,510	\$3,510
TOTAL PUBLIC FUNDS	\$9,518,993	\$9,518,993	\$9,518,993

254.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$9,220	\$9,220	\$9,220
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254.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,157)	(\$3,157)	(\$3,157)
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254.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,387	\$4,387	\$4,387
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254.100 Departmental Administration (DPS)

Appropriation (HB 683)

The purpose of this appropriation is to work cooperatively with all levels of government to provide a safe environment for residents and visitors to our state.

TOTAL STATE FUNDS	\$9,520,362	\$9,520,362	\$9,520,362
State General Funds	\$9,520,362	\$9,520,362	\$9,520,362
TOTAL FEDERAL FUNDS	\$5,571	\$5,571	\$5,571
Federal Funds Not Itemized	\$5,571	\$5,571	\$5,571
TOTAL AGENCY FUNDS	\$3,510	\$3,510	\$3,510
Sales and Services	\$3,510	\$3,510	\$3,510
Sales and Services Not Itemized	\$3,510	\$3,510	\$3,510
TOTAL PUBLIC FUNDS	\$9,529,443	\$9,529,443	\$9,529,443

Field Offices and Services**Continuation Budget**

The purpose of this appropriation is to provide enforcement for traffic and criminal laws through the Department of Public Safety's Uniform Division, and support a variety of specialized teams and offices, which include the Motorcycle Unit, Criminal Interdiction Unit, the Crisis Negotiations Team, the Special Projects Adjutant Office, Headquarters Adjutant Office, Special Investigations Office, the Special Weapons and Tactics (SWAT) Unit, and the Training Unit.

TOTAL STATE FUNDS	\$125,545,315	\$125,545,315	\$125,545,315
State General Funds	\$125,545,315	\$125,545,315	\$125,545,315
TOTAL FEDERAL FUNDS	\$1,888,148	\$1,888,148	\$1,888,148
Federal Funds Not Itemized	\$1,888,148	\$1,888,148	\$1,888,148
TOTAL AGENCY FUNDS	\$8,602,608	\$8,602,608	\$8,602,608
Intergovernmental Transfers	\$7,038,708	\$7,038,708	\$7,038,708
Intergovernmental Transfers Not Itemized	\$7,038,708	\$7,038,708	\$7,038,708
Rebates, Refunds, and Reimbursements	\$660,000	\$660,000	\$660,000
Rebates, Refunds, and Reimbursements Not Itemized	\$660,000	\$660,000	\$660,000
Sales and Services	\$53,900	\$53,900	\$53,900
Sales and Services Not Itemized	\$53,900	\$53,900	\$53,900
Sanctions, Fines, and Penalties	\$850,000	\$850,000	\$850,000
Sanctions, Fines, and Penalties Not Itemized	\$850,000	\$850,000	\$850,000
TOTAL PUBLIC FUNDS	\$136,036,071	\$136,036,071	\$136,036,071

255.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$122,892	\$122,892	\$122,892
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255.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$42,079)	(\$42,079)	(\$42,079)
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255.3 *Increase funds for equipment and other one-time costs associated with one 75 person trooper school.*

State General Funds	\$1,004,855	\$1,004,855	\$1,004,855
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255.4 *Increase funds for one-time funding to purchase 93 law enforcement pursuit vehicles.*

State General Funds	\$4,000,000	\$4,000,000	\$4,000,000
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255.100 Field Offices and Services	Appropriation (HB 683)
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The purpose of this appropriation is to provide enforcement for traffic and criminal laws through the Department of Public Safety's Uniform Division, and support a variety of specialized teams and offices, which include the Motorcycle Unit, Criminal Interdiction Unit, the Crisis Negotiations Team, the Special Projects Adjutant Office, Headquarters Adjutant Office, Special Investigations Office, the Special Weapons and Tactics (SWAT) Unit, and the Training Unit.

TOTAL STATE FUNDS	\$130,630,983	\$130,630,983	\$130,630,983
State General Funds	\$130,630,983	\$130,630,983	\$130,630,983
TOTAL FEDERAL FUNDS	\$1,888,148	\$1,888,148	\$1,888,148
Federal Funds Not Itemized	\$1,888,148	\$1,888,148	\$1,888,148
TOTAL AGENCY FUNDS	\$8,602,608	\$8,602,608	\$8,602,608
Intergovernmental Transfers	\$7,038,708	\$7,038,708	\$7,038,708
Intergovernmental Transfers Not Itemized	\$7,038,708	\$7,038,708	\$7,038,708
Rebates, Refunds, and Reimbursements	\$660,000	\$660,000	\$660,000
Rebates, Refunds, and Reimbursements Not Itemized	\$660,000	\$660,000	\$660,000
Sales and Services	\$53,900	\$53,900	\$53,900
Sales and Services Not Itemized	\$53,900	\$53,900	\$53,900
Sanctions, Fines, and Penalties	\$850,000	\$850,000	\$850,000
Sanctions, Fines, and Penalties Not Itemized	\$850,000	\$850,000	\$850,000
TOTAL PUBLIC FUNDS	\$141,121,739	\$141,121,739	\$141,121,739

Motor Carrier Compliance

Continuation Budget

The purpose of this appropriation is to provide inspection, regulation, and enforcement for size, weight, and safety standards as well as traffic and criminal laws for commercial motor carriers, limousines, non-consensual tow trucks, household goods movers, all

buses, and large passenger vehicles as well as providing High Occupancy Vehicle and High Occupancy Toll lane use restriction enforcement.

TOTAL STATE FUNDS	\$15,008,523	\$15,008,523	\$15,008,523
State General Funds	\$15,008,523	\$15,008,523	\$15,008,523
TOTAL FEDERAL FUNDS	\$3,880,764	\$3,880,764	\$3,880,764
Federal Funds Not Itemized	\$3,880,764	\$3,880,764	\$3,880,764
TOTAL AGENCY FUNDS	\$11,245,544	\$11,245,544	\$11,245,544
Intergovernmental Transfers	\$1,214,400	\$1,214,400	\$1,214,400
Intergovernmental Transfers Not Itemized	\$1,214,400	\$1,214,400	\$1,214,400
Sales and Services	\$10,031,144	\$10,031,144	\$10,031,144
Sales and Services Not Itemized	\$10,031,144	\$10,031,144	\$10,031,144
TOTAL PUBLIC FUNDS	\$30,134,831	\$30,134,831	\$30,134,831

256.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$12,588	\$12,588	\$12,588
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256.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,310)	(\$4,310)	(\$4,310)
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256.100 Motor Carrier Compliance

Appropriation (HB 683)

The purpose of this appropriation is to provide inspection, regulation, and enforcement for size, weight, and safety standards as well as traffic and criminal laws for commercial motor carriers, limousines, non-consensual tow trucks, household goods movers, all buses, and large passenger vehicles as well as providing High Occupancy Vehicle and High Occupancy Toll lane use restriction enforcement.

TOTAL STATE FUNDS	\$15,016,801	\$15,016,801	\$15,016,801
State General Funds	\$15,016,801	\$15,016,801	\$15,016,801
TOTAL FEDERAL FUNDS	\$3,880,764	\$3,880,764	\$3,880,764
Federal Funds Not Itemized	\$3,880,764	\$3,880,764	\$3,880,764
TOTAL AGENCY FUNDS	\$11,245,544	\$11,245,544	\$11,245,544
Intergovernmental Transfers	\$1,214,400	\$1,214,400	\$1,214,400
Intergovernmental Transfers Not Itemized	\$1,214,400	\$1,214,400	\$1,214,400

Sales and Services	\$10,031,144	\$10,031,144	\$10,031,144
Sales and Services Not Itemized	\$10,031,144	\$10,031,144	\$10,031,144
TOTAL PUBLIC FUNDS	\$30,143,109	\$30,143,109	\$30,143,109

Firefighter Standards and Training Council, Georgia

Continuation Budget

The purpose of this appropriation is to provide professionally trained, competent, and ethical firefighters with the proper equipment and facilities to ensure a fire-safe environment for Georgia citizens, and establish professional standards for fire service training including consulting, testing, and certification of Georgia firefighters.

TOTAL STATE FUNDS	\$1,008,460	\$1,008,460	\$1,008,460
State General Funds	\$1,008,460	\$1,008,460	\$1,008,460
TOTAL PUBLIC FUNDS	\$1,008,460	\$1,008,460	\$1,008,460

257.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$147	\$147	\$147
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257.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$237)	(\$237)	(\$237)
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257.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,704	\$4,704	\$4,704
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257.4 *Increase funds to reflect fireworks excise tax collections pursuant to the passage of SR558 and SB350 (2016 Session).*

State General Funds	\$128,615	\$128,615	\$128,615
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257.5 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$1,400)	(\$14,600)
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257.100 Firefighter Standards and Training Council, Georgia	Appropriation (HB 683)
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The purpose of this appropriation is to provide professionally trained, competent, and ethical firefighters with the proper equipment and facilities to ensure a fire-safe environment for Georgia citizens, and establish professional standards for fire service training including consulting, testing, and certification of Georgia firefighters.

TOTAL STATE FUNDS	\$1,141,689	\$1,140,289	\$1,127,089
State General Funds	\$1,141,689	\$1,140,289	\$1,127,089
TOTAL PUBLIC FUNDS	\$1,141,689	\$1,140,289	\$1,127,089

Highway Safety, Office of**Continuation Budget**

The purpose of this appropriation is to educate the public on highway safety issues, and facilitate the implementation of programs to reduce crashes, injuries, and fatalities on Georgia roadways.

TOTAL STATE FUNDS	\$3,524,883	\$3,524,883	\$3,524,883
State General Funds	\$3,524,883	\$3,524,883	\$3,524,883
TOTAL FEDERAL FUNDS	\$19,689,178	\$19,689,178	\$19,689,178
Federal Funds Not Itemized	\$19,689,178	\$19,689,178	\$19,689,178
TOTAL AGENCY FUNDS	\$507,912	\$507,912	\$507,912
Sales and Services	\$507,912	\$507,912	\$507,912
Sales and Services Not Itemized	\$507,912	\$507,912	\$507,912
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$145,000	\$145,000	\$145,000
State Funds Transfers	\$145,000	\$145,000	\$145,000
Agency to Agency Contracts	\$145,000	\$145,000	\$145,000
TOTAL PUBLIC FUNDS	\$23,866,973	\$23,866,973	\$23,866,973

258.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$278	\$278	\$278
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258.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$378)	(\$378)	(\$378)
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258.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,120	\$2,120	\$2,120
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258.4 *Increase funds for driver education and training to reflect the intent of Joshua's Law per HB806 (2016 Session).*

State General Funds	\$181,370	\$181,370	\$181,370
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258.100 Highway Safety, Office of **Appropriation (HB 683)**

The purpose of this appropriation is to educate the public on highway safety issues, and facilitate the implementation of programs to reduce crashes, injuries, and fatalities on Georgia roadways.

TOTAL STATE FUNDS	\$3,708,273	\$3,708,273	\$3,708,273
State General Funds	\$3,708,273	\$3,708,273	\$3,708,273
TOTAL FEDERAL FUNDS	\$19,689,178	\$19,689,178	\$19,689,178
Federal Funds Not Itemized	\$19,689,178	\$19,689,178	\$19,689,178
TOTAL AGENCY FUNDS	\$507,912	\$507,912	\$507,912
Sales and Services	\$507,912	\$507,912	\$507,912
Sales and Services Not Itemized	\$507,912	\$507,912	\$507,912
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$145,000	\$145,000	\$145,000
State Funds Transfers	\$145,000	\$145,000	\$145,000
Agency to Agency Contracts	\$145,000	\$145,000	\$145,000
TOTAL PUBLIC FUNDS	\$24,050,363	\$24,050,363	\$24,050,363

Peace Officer Standards and Training Council, Georgia

Continuation Budget

The purpose of this appropriation is to set standards for the law enforcement community; ensure adequate training at the highest level for all of Georgia's law enforcement officers and public safety professionals; and, certify individuals when all requirements are met. Investigate officers and public safety professionals when an allegation of unethical and/or illegal conduct is made, and sanction these individuals by disciplining officers and public safety professionals when necessary.

TOTAL STATE FUNDS	\$3,574,821	\$3,574,821	\$3,574,821
State General Funds	\$3,574,821	\$3,574,821	\$3,574,821
TOTAL PUBLIC FUNDS	\$3,574,821	\$3,574,821	\$3,574,821

259.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$4,399	\$4,399	\$4,399
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259.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$919)	(\$919)	(\$919)
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259.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,531	\$4,531	\$4,531
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259.4 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$30,520)	(\$30,520)
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259.100 Peace Officer Standards and Training Council, Georgia**Appropriation (HB 683)**

The purpose of this appropriation is to set standards for the law enforcement community; ensure adequate training at the highest level for all of Georgia's law enforcement officers and public safety professionals; and, certify individuals when all requirements are met. Investigate officers and public safety professionals when an allegation of unethical and/or illegal conduct is made, and sanction these individuals by disciplining officers and public safety professionals when necessary.

TOTAL STATE FUNDS	\$3,582,832	\$3,552,312	\$3,552,312
State General Funds	\$3,582,832	\$3,552,312	\$3,552,312
TOTAL PUBLIC FUNDS	\$3,582,832	\$3,552,312	\$3,552,312

Public Safety Training Center, Georgia**Continuation Budget**

The purpose of this appropriation is to develop, deliver, and facilitate training that results in professional and competent public safety services for the people of Georgia.

TOTAL STATE FUNDS	\$15,904,175	\$15,904,175	\$15,904,175
State General Funds	\$15,904,175	\$15,904,175	\$15,904,175
TOTAL FEDERAL FUNDS	\$1,580,663	\$1,580,663	\$1,580,663
Federal Funds Not Itemized	\$1,580,663	\$1,580,663	\$1,580,663
TOTAL AGENCY FUNDS	\$8,302,703	\$8,302,703	\$8,302,703
Intergovernmental Transfers	\$5,294,840	\$5,294,840	\$5,294,840
Intergovernmental Transfers Not Itemized	\$5,294,840	\$5,294,840	\$5,294,840
Sales and Services	\$3,007,863	\$3,007,863	\$3,007,863
Sales and Services Not Itemized	\$3,007,863	\$3,007,863	\$3,007,863
TOTAL PUBLIC FUNDS	\$25,787,541	\$25,787,541	\$25,787,541

260.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$7,440	\$7,440	\$7,440
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260.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,989)	(\$3,989)	(\$3,989)
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260.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$12,171	\$12,171	\$12,171
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260.4 *Increase funds for one-time funding to purchase vehicles and equipment for five Crisis Intervention Training (CIT) positions.*

State General Funds	\$125,425	\$125,425	\$125,425
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260.5 *Increase funds for one-time funding to purchase six additional vehicles for the Public Safety Training Instructor positions at the six satellite academies.*

State General Funds	\$131,250	\$131,250	\$131,250
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260.6 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds		(\$119,106)	(\$119,106)
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260.100 Public Safety Training Center, Georgia

Appropriation (HB 683)

The purpose of this appropriation is to develop, deliver, and facilitate training that results in professional and competent public safety services for the people of Georgia.

TOTAL STATE FUNDS	\$16,176,472	\$16,057,366	\$16,057,366
State General Funds	\$16,176,472	\$16,057,366	\$16,057,366
TOTAL FEDERAL FUNDS	\$1,580,663	\$1,580,663	\$1,580,663
Federal Funds Not Itemized	\$1,580,663	\$1,580,663	\$1,580,663
TOTAL AGENCY FUNDS	\$8,302,703	\$8,302,703	\$8,302,703
Intergovernmental Transfers	\$5,294,840	\$5,294,840	\$5,294,840
Intergovernmental Transfers Not Itemized	\$5,294,840	\$5,294,840	\$5,294,840
Sales and Services	\$3,007,863	\$3,007,863	\$3,007,863
Sales and Services Not Itemized	\$3,007,863	\$3,007,863	\$3,007,863
TOTAL PUBLIC FUNDS	\$26,059,838	\$25,940,732	\$25,940,732

Section 40: Public Service Commission

Section Total - Continuation

TOTAL STATE FUNDS	\$9,434,186	\$9,434,186	\$9,434,186
State General Funds	\$9,434,186	\$9,434,186	\$9,434,186
TOTAL FEDERAL FUNDS	\$1,343,100	\$1,343,100	\$1,343,100

Federal Funds Not Itemized	\$1,343,100	\$1,343,100	\$1,343,100
TOTAL PUBLIC FUNDS	\$10,777,286	\$10,777,286	\$10,777,286

Section Total - Final

TOTAL STATE FUNDS	\$9,437,717	\$9,437,717	\$9,437,717
State General Funds	\$9,437,717	\$9,437,717	\$9,437,717
TOTAL FEDERAL FUNDS	\$1,343,100	\$1,343,100	\$1,343,100
Federal Funds Not Itemized	\$1,343,100	\$1,343,100	\$1,343,100
TOTAL PUBLIC FUNDS	\$10,780,817	\$10,780,817	\$10,780,817

Commission Administration (PSC)

Continuation Budget

The purpose of this appropriation is to assist the Commissioners and staff in achieving the agency's goals.

TOTAL STATE FUNDS	\$1,554,632	\$1,554,632	\$1,554,632
State General Funds	\$1,554,632	\$1,554,632	\$1,554,632
TOTAL FEDERAL FUNDS	\$83,500	\$83,500	\$83,500
Federal Funds Not Itemized	\$83,500	\$83,500	\$83,500
TOTAL PUBLIC FUNDS	\$1,638,132	\$1,638,132	\$1,638,132

261.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,358	\$1,358	\$1,358
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261.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,541)	(\$3,541)	(\$3,541)
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261.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$5,714	\$5,714	\$5,714
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261.100 Commission Administration (PSC)	Appropriation (HB 683)
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The purpose of this appropriation is to assist the Commissioners and staff in achieving the agency's goals.

TOTAL STATE FUNDS	\$1,558,163	\$1,558,163	\$1,558,163
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State General Funds	\$1,558,163	\$1,558,163	\$1,558,163
TOTAL FEDERAL FUNDS	\$83,500	\$83,500	\$83,500
Federal Funds Not Itemized	\$83,500	\$83,500	\$83,500
TOTAL PUBLIC FUNDS	\$1,641,663	\$1,641,663	\$1,641,663

Facility Protection

Continuation Budget

The purpose of this appropriation is to enforce state and federal regulations pertaining to buried utility facility infrastructure and to promote safety through training and inspections.

TOTAL STATE FUNDS	\$1,117,952	\$1,117,952	\$1,117,952
State General Funds	\$1,117,952	\$1,117,952	\$1,117,952
TOTAL FEDERAL FUNDS	\$1,231,100	\$1,231,100	\$1,231,100
Federal Funds Not Itemized	\$1,231,100	\$1,231,100	\$1,231,100
TOTAL PUBLIC FUNDS	\$2,349,052	\$2,349,052	\$2,349,052

262.100 Facility Protection

Appropriation (HB 683)

The purpose of this appropriation is to enforce state and federal regulations pertaining to buried utility facility infrastructure and to promote safety through training and inspections.

TOTAL STATE FUNDS	\$1,117,952	\$1,117,952	\$1,117,952
State General Funds	\$1,117,952	\$1,117,952	\$1,117,952
TOTAL FEDERAL FUNDS	\$1,231,100	\$1,231,100	\$1,231,100
Federal Funds Not Itemized	\$1,231,100	\$1,231,100	\$1,231,100
TOTAL PUBLIC FUNDS	\$2,349,052	\$2,349,052	\$2,349,052

Utilities Regulation

Continuation Budget

The purpose of this appropriation is to monitor the rates and service standards of electric, natural gas, and telecommunications companies, approve supply plans for electric and natural gas companies, monitor utility system and telecommunications network planning, arbitrate complaints among competitors, provide consumer protection and education, and certify competitive natural gas and telecommunications providers.

TOTAL STATE FUNDS	\$6,761,602	\$6,761,602	\$6,761,602
State General Funds	\$6,761,602	\$6,761,602	\$6,761,602
TOTAL FEDERAL FUNDS	\$28,500	\$28,500	\$28,500

Federal Funds Not Itemized	\$28,500	\$28,500	\$28,500
TOTAL PUBLIC FUNDS	\$6,790,102	\$6,790,102	\$6,790,102

263.100 Utilities Regulation**Appropriation (HB 683)**

The purpose of this appropriation is to monitor the rates and service standards of electric, natural gas, and telecommunications companies, approve supply plans for electric and natural gas companies, monitor utility system and telecommunications network planning, arbitrate complaints among competitors, provide consumer protection and education, and certify competitive natural gas and telecommunications providers.

TOTAL STATE FUNDS	\$6,761,602	\$6,761,602	\$6,761,602
State General Funds	\$6,761,602	\$6,761,602	\$6,761,602
TOTAL FEDERAL FUNDS	\$28,500	\$28,500	\$28,500
Federal Funds Not Itemized	\$28,500	\$28,500	\$28,500
TOTAL PUBLIC FUNDS	\$6,790,102	\$6,790,102	\$6,790,102

Section 41: Regents, University System of Georgia**Section Total - Continuation**

TOTAL STATE FUNDS	\$2,305,085,976	\$2,305,085,976	\$2,305,085,976
State General Funds	\$2,305,085,976	\$2,305,085,976	\$2,305,085,976
TOTAL AGENCY FUNDS	\$5,377,687,172	\$5,377,687,172	\$5,377,687,172
Contributions, Donations, and Forfeitures	\$4,236,754	\$4,236,754	\$4,236,754
Contributions, Donations, and Forfeitures Not Itemized	\$4,236,754	\$4,236,754	\$4,236,754
Intergovernmental Transfers	\$2,375,264,572	\$2,375,264,572	\$2,375,264,572
University System of Georgia Research Funds	\$2,183,681,574	\$2,183,681,574	\$2,183,681,574
Intergovernmental Transfers Not Itemized	\$191,582,998	\$191,582,998	\$191,582,998
Rebates, Refunds, and Reimbursements	\$282,651,128	\$282,651,128	\$282,651,128
Rebates, Refunds, and Reimbursements Not Itemized	\$282,651,128	\$282,651,128	\$282,651,128
Sales and Services	\$2,715,534,718	\$2,715,534,718	\$2,715,534,718
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$447,160,626	\$447,160,626	\$447,160,626
Tuition and Fees for Higher Education	\$2,267,755,190	\$2,267,755,190	\$2,267,755,190
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$16,603,302	\$16,603,302	\$16,603,302
State Funds Transfers	\$3,286,331	\$3,286,331	\$3,286,331
Agency to Agency Contracts	\$3,286,331	\$3,286,331	\$3,286,331

Agency Funds Transfers	\$13,316,971	\$13,316,971	\$13,316,971
Agency Fund Transfers Not Itemized	\$13,316,971	\$13,316,971	\$13,316,971
TOTAL PUBLIC FUNDS	\$7,699,376,450	\$7,699,376,450	\$7,699,376,450

Section Total - Final

TOTAL STATE FUNDS	\$2,317,316,150	\$2,317,248,382	\$2,317,198,382
State General Funds	\$2,317,316,150	\$2,317,248,382	\$2,317,198,382
TOTAL AGENCY FUNDS	\$5,373,450,418	\$5,373,450,418	\$5,373,450,418
Intergovernmental Transfers	\$2,375,264,572	\$2,375,264,572	\$2,375,264,572
University System of Georgia Research Funds	\$2,183,681,574	\$2,183,681,574	\$2,183,681,574
Intergovernmental Transfers Not Itemized	\$191,582,998	\$191,582,998	\$191,582,998
Rebates, Refunds, and Reimbursements	\$282,651,128	\$282,651,128	\$282,651,128
Rebates, Refunds, and Reimbursements Not Itemized	\$282,651,128	\$282,651,128	\$282,651,128
Sales and Services	\$2,715,534,718	\$2,715,534,718	\$2,715,534,718
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$447,160,626	\$447,160,626	\$447,160,626
Tuition and Fees for Higher Education	\$2,267,755,190	\$2,267,755,190	\$2,267,755,190
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$16,603,302	\$16,603,302	\$16,603,302
State Funds Transfers	\$3,286,331	\$3,286,331	\$3,286,331
Agency to Agency Contracts	\$3,286,331	\$3,286,331	\$3,286,331
Agency Funds Transfers	\$13,316,971	\$13,316,971	\$13,316,971
Agency Fund Transfers Not Itemized	\$13,316,971	\$13,316,971	\$13,316,971
TOTAL PUBLIC FUNDS	\$7,707,369,870	\$7,707,302,102	\$7,707,252,102

Agricultural Experiment Station

Continuation Budget

The purpose of this appropriation is to improve production, processing, new product development, food safety, storage, and marketing to increase profitability and global competitiveness of Georgia's agribusiness.

TOTAL STATE FUNDS	\$45,107,031	\$45,107,031	\$45,107,031
State General Funds	\$45,107,031	\$45,107,031	\$45,107,031
TOTAL AGENCY FUNDS	\$32,069,877	\$32,069,877	\$32,069,877
Intergovernmental Transfers	\$22,000,000	\$22,000,000	\$22,000,000
University System of Georgia Research Funds	\$22,000,000	\$22,000,000	\$22,000,000

Rebates, Refunds, and Reimbursements	\$2,000,000	\$2,000,000	\$2,000,000
Rebates, Refunds, and Reimbursements Not Itemized	\$2,000,000	\$2,000,000	\$2,000,000
Sales and Services	\$8,069,877	\$8,069,877	\$8,069,877
Sales and Services Not Itemized	\$8,069,877	\$8,069,877	\$8,069,877
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$5,483,042	\$5,483,042	\$5,483,042
Agency Funds Transfers	\$5,483,042	\$5,483,042	\$5,483,042
Agency Fund Transfers Not Itemized	\$5,483,042	\$5,483,042	\$5,483,042
TOTAL PUBLIC FUNDS	\$82,659,950	\$82,659,950	\$82,659,950

264.100 Agricultural Experiment Station **Appropriation (HB 683)**

The purpose of this appropriation is to improve production, processing, new product development, food safety, storage, and marketing to increase profitability and global competitiveness of Georgia's agribusiness.

TOTAL STATE FUNDS	\$45,107,031	\$45,107,031	\$45,107,031
State General Funds	\$45,107,031	\$45,107,031	\$45,107,031
TOTAL AGENCY FUNDS	\$32,069,877	\$32,069,877	\$32,069,877
Intergovernmental Transfers	\$22,000,000	\$22,000,000	\$22,000,000
University System of Georgia Research Funds	\$22,000,000	\$22,000,000	\$22,000,000
Rebates, Refunds, and Reimbursements	\$2,000,000	\$2,000,000	\$2,000,000
Rebates, Refunds, and Reimbursements Not Itemized	\$2,000,000	\$2,000,000	\$2,000,000
Sales and Services	\$8,069,877	\$8,069,877	\$8,069,877
Sales and Services Not Itemized	\$8,069,877	\$8,069,877	\$8,069,877
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$5,483,042	\$5,483,042	\$5,483,042
Agency Funds Transfers	\$5,483,042	\$5,483,042	\$5,483,042
Agency Fund Transfers Not Itemized	\$5,483,042	\$5,483,042	\$5,483,042
TOTAL PUBLIC FUNDS	\$82,659,950	\$82,659,950	\$82,659,950

Athens & Tifton Veterinary Laboratories **Continuation Budget**

The purpose of this appropriation is to provide diagnostic services, educational outreach, and consultation for veterinarians and animal owners to ensure the safety of Georgia's food supply and the health of Georgia's production, equine, and companion animals.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$3,323,357	\$3,323,357	\$3,323,357

Intergovernmental Transfers	\$375,000	\$375,000	\$375,000
University System of Georgia Research Funds	\$375,000	\$375,000	\$375,000
Sales and Services	\$2,948,357	\$2,948,357	\$2,948,357
Sales and Services Not Itemized	\$2,948,357	\$2,948,357	\$2,948,357
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,286,331	\$3,286,331	\$3,286,331
State Funds Transfers	\$3,286,331	\$3,286,331	\$3,286,331
Agency to Agency Contracts	\$3,286,331	\$3,286,331	\$3,286,331
TOTAL PUBLIC FUNDS	\$6,609,688	\$6,609,688	\$6,609,688

265.98 *Change the name of the Athens and Tifton Veterinary Laboratories program to the Athens & Tifton Veterinary Laboratories program. (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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265.100 Athens & Tifton Veterinary Laboratories	Appropriation (HB 683)
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The purpose of this appropriation is to provide diagnostic services, educational outreach, and consultation for veterinarians and animal owners to ensure the safety of Georgia's food supply and the health of Georgia's production, equine, and companion animals.

TOTAL AGENCY FUNDS	\$3,323,357	\$3,323,357	\$3,323,357
Intergovernmental Transfers	\$375,000	\$375,000	\$375,000
University System of Georgia Research Funds	\$375,000	\$375,000	\$375,000
Sales and Services	\$2,948,357	\$2,948,357	\$2,948,357
Sales and Services Not Itemized	\$2,948,357	\$2,948,357	\$2,948,357
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,286,331	\$3,286,331	\$3,286,331
State Funds Transfers	\$3,286,331	\$3,286,331	\$3,286,331
Agency to Agency Contracts	\$3,286,331	\$3,286,331	\$3,286,331
TOTAL PUBLIC FUNDS	\$6,609,688	\$6,609,688	\$6,609,688

Cooperative Extension Service

Continuation Budget

The purpose of this appropriation is to provide training, educational programs, and outreach to Georgians in agricultural, horticultural, food, and family and consumer sciences, and to manage the 4-H youth program for the state.

TOTAL STATE FUNDS	\$39,842,725	\$39,842,725	\$39,842,725
State General Funds	\$39,842,725	\$39,842,725	\$39,842,725

TOTAL AGENCY FUNDS	\$23,500,000	\$23,500,000	\$23,500,000
Intergovernmental Transfers	\$10,000,000	\$10,000,000	\$10,000,000
University System of Georgia Research Funds	\$10,000,000	\$10,000,000	\$10,000,000
Rebates, Refunds, and Reimbursements	\$250,000	\$250,000	\$250,000
Rebates, Refunds, and Reimbursements Not Itemized	\$250,000	\$250,000	\$250,000
Sales and Services	\$13,250,000	\$13,250,000	\$13,250,000
Sales and Services Not Itemized	\$13,250,000	\$13,250,000	\$13,250,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$7,833,929	\$7,833,929	\$7,833,929
Agency Funds Transfers	\$7,833,929	\$7,833,929	\$7,833,929
Agency Fund Transfers Not Itemized	\$7,833,929	\$7,833,929	\$7,833,929
TOTAL PUBLIC FUNDS	\$71,176,654	\$71,176,654	\$71,176,654

266.1 *Increase funds for one-time funding to replace three vehicles.*

State General Funds	\$64,596	\$64,596	\$64,596
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266.100 Cooperative Extension Service

Appropriation (HB 683)

The purpose of this appropriation is to provide training, educational programs, and outreach to Georgians in agricultural, horticultural, food, and family and consumer sciences, and to manage the 4-H youth program for the state.

TOTAL STATE FUNDS	\$39,907,321	\$39,907,321	\$39,907,321
State General Funds	\$39,907,321	\$39,907,321	\$39,907,321
TOTAL AGENCY FUNDS	\$23,500,000	\$23,500,000	\$23,500,000
Intergovernmental Transfers	\$10,000,000	\$10,000,000	\$10,000,000
University System of Georgia Research Funds	\$10,000,000	\$10,000,000	\$10,000,000
Rebates, Refunds, and Reimbursements	\$250,000	\$250,000	\$250,000
Rebates, Refunds, and Reimbursements Not Itemized	\$250,000	\$250,000	\$250,000
Sales and Services	\$13,250,000	\$13,250,000	\$13,250,000
Sales and Services Not Itemized	\$13,250,000	\$13,250,000	\$13,250,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$7,833,929	\$7,833,929	\$7,833,929
Agency Funds Transfers	\$7,833,929	\$7,833,929	\$7,833,929
Agency Fund Transfers Not Itemized	\$7,833,929	\$7,833,929	\$7,833,929
TOTAL PUBLIC FUNDS	\$71,241,250	\$71,241,250	\$71,241,250

Enterprise Innovation Institute

Continuation Budget

The purpose of this appropriation is to advise Georgia manufacturers, entrepreneurs, and government officials on best business practices and technology-driven economic development, and to provide the state share to federal incentive and assistance programs for entrepreneurs and innovative businesses.

TOTAL STATE FUNDS	\$19,510,493	\$19,510,493	\$19,510,493
State General Funds	\$19,510,493	\$19,510,493	\$19,510,493
TOTAL AGENCY FUNDS	\$10,900,000	\$10,900,000	\$10,900,000
Intergovernmental Transfers	\$8,000,000	\$8,000,000	\$8,000,000
Intergovernmental Transfers Not Itemized	\$8,000,000	\$8,000,000	\$8,000,000
Rebates, Refunds, and Reimbursements	\$1,400,000	\$1,400,000	\$1,400,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,400,000	\$1,400,000	\$1,400,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$30,410,493	\$30,410,493	\$30,410,493

267.100 Enterprise Innovation Institute

Appropriation (HB 683)

The purpose of this appropriation is to advise Georgia manufacturers, entrepreneurs, and government officials on best business practices and technology-driven economic development, and to provide the state share to federal incentive and assistance programs for entrepreneurs and innovative businesses.

TOTAL STATE FUNDS	\$19,510,493	\$19,510,493	\$19,510,493
State General Funds	\$19,510,493	\$19,510,493	\$19,510,493
TOTAL AGENCY FUNDS	\$10,900,000	\$10,900,000	\$10,900,000
Intergovernmental Transfers	\$8,000,000	\$8,000,000	\$8,000,000
Intergovernmental Transfers Not Itemized	\$8,000,000	\$8,000,000	\$8,000,000
Rebates, Refunds, and Reimbursements	\$1,400,000	\$1,400,000	\$1,400,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,400,000	\$1,400,000	\$1,400,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$30,410,493	\$30,410,493	\$30,410,493

Forestry Cooperative Extension

Continuation Budget

The purpose of this appropriation is to provide funding for faculty to support instruction and outreach about conservation and sustainable management of forests and other natural resources.

TOTAL STATE FUNDS	\$983,248	\$983,248	\$983,248
State General Funds	\$983,248	\$983,248	\$983,248
TOTAL AGENCY FUNDS	\$575,988	\$575,988	\$575,988
Intergovernmental Transfers	\$475,988	\$475,988	\$475,988
University System of Georgia Research Funds	\$475,988	\$475,988	\$475,988
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$1,559,236	\$1,559,236	\$1,559,236

268.100 Forestry Cooperative Extension**Appropriation (HB 683)**

The purpose of this appropriation is to provide funding for faculty to support instruction and outreach about conservation and sustainable management of forests and other natural resources.

TOTAL STATE FUNDS	\$983,248	\$983,248	\$983,248
State General Funds	\$983,248	\$983,248	\$983,248
TOTAL AGENCY FUNDS	\$575,988	\$575,988	\$575,988
Intergovernmental Transfers	\$475,988	\$475,988	\$475,988
University System of Georgia Research Funds	\$475,988	\$475,988	\$475,988
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$1,559,236	\$1,559,236	\$1,559,236

Forestry Research**Continuation Budget**

The purpose of this appropriation is to conduct research about economically and environmentally sound forest resources management and to assist non-industrial forest landowners and natural resources professionals in complying with state and federal regulations.

TOTAL STATE FUNDS	\$2,908,323	\$2,908,323	\$2,908,323
State General Funds	\$2,908,323	\$2,908,323	\$2,908,323
TOTAL AGENCY FUNDS	\$10,250,426	\$10,250,426	\$10,250,426
Intergovernmental Transfers	\$9,000,000	\$9,000,000	\$9,000,000
University System of Georgia Research Funds	\$9,000,000	\$9,000,000	\$9,000,000
Rebates, Refunds, and Reimbursements	\$590,634	\$590,634	\$590,634
Rebates, Refunds, and Reimbursements Not Itemized	\$590,634	\$590,634	\$590,634
Sales and Services	\$659,792	\$659,792	\$659,792

Sales and Services Not Itemized	\$659,792	\$659,792	\$659,792
TOTAL PUBLIC FUNDS	\$13,158,749	\$13,158,749	\$13,158,749

269.100 Forestry Research	Appropriation (HB 683)		
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The purpose of this appropriation is to conduct research about economically and environmentally sound forest resources management and to assist non-industrial forest landowners and natural resources professionals in complying with state and federal regulations.

TOTAL STATE FUNDS	\$2,908,323	\$2,908,323	\$2,908,323
State General Funds	\$2,908,323	\$2,908,323	\$2,908,323
TOTAL AGENCY FUNDS	\$10,250,426	\$10,250,426	\$10,250,426
Intergovernmental Transfers	\$9,000,000	\$9,000,000	\$9,000,000
University System of Georgia Research Funds	\$9,000,000	\$9,000,000	\$9,000,000
Rebates, Refunds, and Reimbursements	\$590,634	\$590,634	\$590,634
Rebates, Refunds, and Reimbursements Not Itemized	\$590,634	\$590,634	\$590,634
Sales and Services	\$659,792	\$659,792	\$659,792
Sales and Services Not Itemized	\$659,792	\$659,792	\$659,792
TOTAL PUBLIC FUNDS	\$13,158,749	\$13,158,749	\$13,158,749

Georgia Archives

Continuation Budget

The purpose of this appropriation is to maintain the state's archives; document and interpret the history of the Georgia State Capitol building; and assist State Agencies with adequately documenting their activities, administering their records management programs, scheduling their records, and transferring their non-current records to the State Records Center.

TOTAL STATE FUNDS	\$4,720,507	\$4,720,507	\$4,720,507
State General Funds	\$4,720,507	\$4,720,507	\$4,720,507
TOTAL AGENCY FUNDS	\$883,030	\$883,030	\$883,030
Rebates, Refunds, and Reimbursements	\$64,128	\$64,128	\$64,128
Rebates, Refunds, and Reimbursements Not Itemized	\$64,128	\$64,128	\$64,128
Sales and Services	\$818,902	\$818,902	\$818,902
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL PUBLIC FUNDS	\$5,603,537	\$5,603,537	\$5,603,537

270.100 Georgia Archives **Appropriation (HB 683)**

The purpose of this appropriation is to maintain the state's archives; document and interpret the history of the Georgia State Capitol building; and assist State Agencies with adequately documenting their activities, administering their records management programs, scheduling their records, and transferring their non-current records to the State Records Center.

TOTAL STATE FUNDS	\$4,720,507	\$4,720,507	\$4,720,507
State General Funds	\$4,720,507	\$4,720,507	\$4,720,507
TOTAL AGENCY FUNDS	\$883,030	\$883,030	\$883,030
Rebates, Refunds, and Reimbursements	\$64,128	\$64,128	\$64,128
Rebates, Refunds, and Reimbursements Not Itemized	\$64,128	\$64,128	\$64,128
Sales and Services	\$818,902	\$818,902	\$818,902
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL PUBLIC FUNDS	\$5,603,537	\$5,603,537	\$5,603,537

Georgia Research Alliance **Continuation Budget**

The purpose of this appropriation is to expand research and commercialization capacity in public and private universities in Georgia to launch new companies and create jobs.

TOTAL STATE FUNDS	\$5,105,243	\$5,105,243	\$5,105,243
State General Funds	\$5,105,243	\$5,105,243	\$5,105,243
TOTAL PUBLIC FUNDS	\$5,105,243	\$5,105,243	\$5,105,243

272.100 Georgia Research Alliance **Appropriation (HB 683)**

The purpose of this appropriation is to expand research and commercialization capacity in public and private universities in Georgia to launch new companies and create jobs.

TOTAL STATE FUNDS	\$5,105,243	\$5,105,243	\$5,105,243
State General Funds	\$5,105,243	\$5,105,243	\$5,105,243
TOTAL PUBLIC FUNDS	\$5,105,243	\$5,105,243	\$5,105,243

Georgia Radiation Therapy Center **Continuation Budget**

The purpose of this appropriation is to provide care and treatment for cancer patients and to administer baccalaureate programs in Medical Dosimetry and Radiation Therapy.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$4,236,754	\$4,236,754	\$4,236,754
Contributions, Donations, and Forfeitures	\$4,236,754	\$4,236,754	\$4,236,754
Contributions, Donations, and Forfeitures Not Itemized	\$4,236,754	\$4,236,754	\$4,236,754
TOTAL PUBLIC FUNDS	\$4,236,754	\$4,236,754	\$4,236,754

273.1 Eliminate funds.

Contributions, Donations, and Forfeitures Not Itemized	(\$4,236,754)	(\$4,236,754)	(\$4,236,754)
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Georgia Tech Research Institute

Continuation Budget

The purpose of this appropriation is to provide funding to laboratories and research centers affiliated with the Georgia Institute of Technology whose scientific, engineering, industrial, or policy research promotes economic development, health, and safety in Georgia.

TOTAL STATE FUNDS	\$6,072,039	\$6,072,039	\$6,072,039
State General Funds	\$6,072,039	\$6,072,039	\$6,072,039
TOTAL AGENCY FUNDS	\$406,225,535	\$406,225,535	\$406,225,535
Intergovernmental Transfers	\$255,583,517	\$255,583,517	\$255,583,517
University System of Georgia Research Funds	\$255,583,517	\$255,583,517	\$255,583,517
Rebates, Refunds, and Reimbursements	\$140,042,683	\$140,042,683	\$140,042,683
Rebates, Refunds, and Reimbursements Not Itemized	\$140,042,683	\$140,042,683	\$140,042,683
Sales and Services	\$10,599,335	\$10,599,335	\$10,599,335
Sales and Services Not Itemized	\$10,599,335	\$10,599,335	\$10,599,335
TOTAL PUBLIC FUNDS	\$412,297,574	\$412,297,574	\$412,297,574

274.100 Georgia Tech Research Institute

Appropriation (HB 683)

The purpose of this appropriation is to provide funding to laboratories and research centers affiliated with the Georgia Institute of Technology whose scientific, engineering, industrial, or policy research promotes economic development, health, and safety in Georgia.

TOTAL STATE FUNDS	\$6,072,039	\$6,072,039	\$6,072,039
State General Funds	\$6,072,039	\$6,072,039	\$6,072,039
TOTAL AGENCY FUNDS	\$406,225,535	\$406,225,535	\$406,225,535

Intergovernmental Transfers	\$255,583,517	\$255,583,517	\$255,583,517
University System of Georgia Research Funds	\$255,583,517	\$255,583,517	\$255,583,517
Rebates, Refunds, and Reimbursements	\$140,042,683	\$140,042,683	\$140,042,683
Rebates, Refunds, and Reimbursements Not Itemized	\$140,042,683	\$140,042,683	\$140,042,683
Sales and Services	\$10,599,335	\$10,599,335	\$10,599,335
Sales and Services Not Itemized	\$10,599,335	\$10,599,335	\$10,599,335
TOTAL PUBLIC FUNDS	\$412,297,574	\$412,297,574	\$412,297,574

Marine Institute

Continuation Budget

The purpose of this appropriation is to support research on coastal processes involving the unique ecosystems of the Georgia coastline and to provide access and facilities for graduate and undergraduate classes to conduct field research on the Georgia coast.

TOTAL STATE FUNDS	\$993,619	\$993,619	\$993,619
State General Funds	\$993,619	\$993,619	\$993,619
TOTAL AGENCY FUNDS	\$486,281	\$486,281	\$486,281
Intergovernmental Transfers	\$367,648	\$367,648	\$367,648
University System of Georgia Research Funds	\$367,648	\$367,648	\$367,648
Rebates, Refunds, and Reimbursements	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements Not Itemized	\$25,000	\$25,000	\$25,000
Sales and Services	\$93,633	\$93,633	\$93,633
Sales and Services Not Itemized	\$93,633	\$93,633	\$93,633
TOTAL PUBLIC FUNDS	\$1,479,900	\$1,479,900	\$1,479,900

275.100 Marine Institute

Appropriation (HB 683)

The purpose of this appropriation is to support research on coastal processes involving the unique ecosystems of the Georgia coastline and to provide access and facilities for graduate and undergraduate classes to conduct field research on the Georgia coast.

TOTAL STATE FUNDS	\$993,619	\$993,619	\$993,619
State General Funds	\$993,619	\$993,619	\$993,619
TOTAL AGENCY FUNDS	\$486,281	\$486,281	\$486,281
Intergovernmental Transfers	\$367,648	\$367,648	\$367,648
University System of Georgia Research Funds	\$367,648	\$367,648	\$367,648
Rebates, Refunds, and Reimbursements	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements Not Itemized	\$25,000	\$25,000	\$25,000

Sales and Services	\$93,633	\$93,633	\$93,633
Sales and Services Not Itemized	\$93,633	\$93,633	\$93,633
TOTAL PUBLIC FUNDS	\$1,479,900	\$1,479,900	\$1,479,900

Marine Resources Extension Center

Continuation Budget

The purpose of this appropriation is to fund outreach, education, and research to enhance coastal environmental and economic sustainability.

TOTAL STATE FUNDS	\$1,522,189	\$1,522,189	\$1,522,189
State General Funds	\$1,522,189	\$1,522,189	\$1,522,189
TOTAL AGENCY FUNDS	\$1,345,529	\$1,345,529	\$1,345,529
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
University System of Georgia Research Funds	\$600,000	\$600,000	\$600,000
Rebates, Refunds, and Reimbursements	\$90,000	\$90,000	\$90,000
Rebates, Refunds, and Reimbursements Not Itemized	\$90,000	\$90,000	\$90,000
Sales and Services	\$655,529	\$655,529	\$655,529
Sales and Services Not Itemized	\$655,529	\$655,529	\$655,529
TOTAL PUBLIC FUNDS	\$2,867,718	\$2,867,718	\$2,867,718

276.100 Marine Resources Extension Center

Appropriation (HB 683)

The purpose of this appropriation is to fund outreach, education, and research to enhance coastal environmental and economic sustainability.

TOTAL STATE FUNDS	\$1,522,189	\$1,522,189	\$1,522,189
State General Funds	\$1,522,189	\$1,522,189	\$1,522,189
TOTAL AGENCY FUNDS	\$1,345,529	\$1,345,529	\$1,345,529
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
University System of Georgia Research Funds	\$600,000	\$600,000	\$600,000
Rebates, Refunds, and Reimbursements	\$90,000	\$90,000	\$90,000
Rebates, Refunds, and Reimbursements Not Itemized	\$90,000	\$90,000	\$90,000
Sales and Services	\$655,529	\$655,529	\$655,529
Sales and Services Not Itemized	\$655,529	\$655,529	\$655,529
TOTAL PUBLIC FUNDS	\$2,867,718	\$2,867,718	\$2,867,718

Medical College of Georgia Hospital and Clinics**Continuation Budget**

The purpose of this appropriation is to provide medical education and patient care, including ambulatory, trauma, cancer, neonatal intensive, and emergency and express care.

TOTAL STATE FUNDS	\$30,392,211	\$30,392,211	\$30,392,211
State General Funds	\$30,392,211	\$30,392,211	\$30,392,211
TOTAL PUBLIC FUNDS	\$30,392,211	\$30,392,211	\$30,392,211

277.100 Medical College of Georgia Hospital and Clinics**Appropriation (HB 683)**

The purpose of this appropriation is to provide medical education and patient care, including ambulatory, trauma, cancer, neonatal intensive, and emergency and express care.

TOTAL STATE FUNDS	\$30,392,211	\$30,392,211	\$30,392,211
State General Funds	\$30,392,211	\$30,392,211	\$30,392,211
TOTAL PUBLIC FUNDS	\$30,392,211	\$30,392,211	\$30,392,211

Public Libraries**Continuation Budget**

The purpose of this appropriation is to award grants from the Public Library Fund, promote literacy, and provide library services that facilitate access to information for all Georgians regardless of geographic location or special needs.

TOTAL STATE FUNDS	\$37,205,936	\$37,205,936	\$37,205,936
State General Funds	\$37,205,936	\$37,205,936	\$37,205,936
TOTAL AGENCY FUNDS	\$4,287,961	\$4,287,961	\$4,287,961
Rebates, Refunds, and Reimbursements	\$90,169	\$90,169	\$90,169
Rebates, Refunds, and Reimbursements Not Itemized	\$90,169	\$90,169	\$90,169
Sales and Services	\$4,197,792	\$4,197,792	\$4,197,792
Sales and Services Not Itemized	\$4,197,792	\$4,197,792	\$4,197,792
TOTAL PUBLIC FUNDS	\$41,493,897	\$41,493,897	\$41,493,897

278.100 Public Libraries**Appropriation (HB 683)**

The purpose of this appropriation is to award grants from the Public Library Fund, promote literacy, and provide library services that facilitate access to information for all Georgians regardless of geographic location or special needs.

TOTAL STATE FUNDS	\$37,205,936	\$37,205,936	\$37,205,936
State General Funds	\$37,205,936	\$37,205,936	\$37,205,936

TOTAL AGENCY FUNDS	\$4,287,961	\$4,287,961	\$4,287,961
Rebates, Refunds, and Reimbursements	\$90,169	\$90,169	\$90,169
Rebates, Refunds, and Reimbursements Not Itemized	\$90,169	\$90,169	\$90,169
Sales and Services	\$4,197,792	\$4,197,792	\$4,197,792
Sales and Services Not Itemized	\$4,197,792	\$4,197,792	\$4,197,792
TOTAL PUBLIC FUNDS	\$41,493,897	\$41,493,897	\$41,493,897

Public Service / Special Funding Initiatives

Continuation Budget

The purpose of this appropriation is to fund leadership, service, and education initiatives that require funding beyond what is provided by formula.

TOTAL STATE FUNDS	\$24,997,015	\$24,997,015	\$24,997,015
State General Funds	\$24,997,015	\$24,997,015	\$24,997,015
TOTAL PUBLIC FUNDS	\$24,997,015	\$24,997,015	\$24,997,015

279.1 *Increase funds for the Graduate Medical Education program at Augusta University to offset operations deficit due to higher operations expenses and capped Medicare reimbursements.*

State General Funds	\$10,000,000	\$10,000,000	\$10,000,000
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279.2 *Increase funds for planning for the Center for Rural Prosperity and Innovations as recommended by the House Rural Development Council.*

State General Funds		\$75,000	\$25,000
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279.100 Public Service / Special Funding Initiatives	Appropriation (HB 683)
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The purpose of this appropriation is to fund leadership, service, and education initiatives that require funding beyond what is provided by formula.

TOTAL STATE FUNDS	\$34,997,015	\$35,072,015	\$35,022,015
State General Funds	\$34,997,015	\$35,072,015	\$35,022,015
TOTAL PUBLIC FUNDS	\$34,997,015	\$35,072,015	\$35,022,015

Regents Central Office

Continuation Budget

The purpose of this appropriation is to provide administrative support to institutions of the University System of Georgia and to fund membership in the Southern Regional Education Board.

TOTAL STATE FUNDS	\$12,250,625	\$12,250,625	\$12,250,625
State General Funds	\$12,250,625	\$12,250,625	\$12,250,625
TOTAL PUBLIC FUNDS	\$12,250,625	\$12,250,625	\$12,250,625

280.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$19,652	\$19,652	\$19,652
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280.100 Regents Central Office	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support to institutions of the University System of Georgia and to fund membership in the Southern Regional Education Board.

TOTAL STATE FUNDS	\$12,270,277	\$12,270,277	\$12,270,277
State General Funds	\$12,270,277	\$12,270,277	\$12,270,277
TOTAL PUBLIC FUNDS	\$12,270,277	\$12,270,277	\$12,270,277

Skidaway Institute of Oceanography

Continuation Budget

The purpose of this appropriation is to fund research and educational programs regarding marine and ocean science and aquatic environments.

TOTAL STATE FUNDS	\$1,388,024	\$1,388,024	\$1,388,024
State General Funds	\$1,388,024	\$1,388,024	\$1,388,024
TOTAL AGENCY FUNDS	\$3,900,620	\$3,900,620	\$3,900,620
Intergovernmental Transfers	\$2,750,620	\$2,750,620	\$2,750,620
University System of Georgia Research Funds	\$2,750,620	\$2,750,620	\$2,750,620
Rebates, Refunds, and Reimbursements	\$500,000	\$500,000	\$500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$650,000	\$650,000	\$650,000
Sales and Services Not Itemized	\$650,000	\$650,000	\$650,000
TOTAL PUBLIC FUNDS	\$5,288,644	\$5,288,644	\$5,288,644

281.100 Skidaway Institute of Oceanography	Appropriation (HB 683)
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The purpose of this appropriation is to fund research and educational programs regarding marine and ocean science and aquatic environments.

TOTAL STATE FUNDS	\$1,388,024	\$1,388,024	\$1,388,024
State General Funds	\$1,388,024	\$1,388,024	\$1,388,024
TOTAL AGENCY FUNDS	\$3,900,620	\$3,900,620	\$3,900,620
Intergovernmental Transfers	\$2,750,620	\$2,750,620	\$2,750,620
University System of Georgia Research Funds	\$2,750,620	\$2,750,620	\$2,750,620
Rebates, Refunds, and Reimbursements	\$500,000	\$500,000	\$500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$650,000	\$650,000	\$650,000
Sales and Services Not Itemized	\$650,000	\$650,000	\$650,000
TOTAL PUBLIC FUNDS	\$5,288,644	\$5,288,644	\$5,288,644

Teaching

Continuation Budget

The purpose of this appropriation is provide funds to the Board of Regents for annual allocations to University System of Georgia institutions for student instruction and to establish and operate other initiatives that promote, support, or extend student learning.

TOTAL STATE FUNDS	\$2,047,001,762	\$2,047,001,762	\$2,047,001,762
State General Funds	\$2,047,001,762	\$2,047,001,762	\$2,047,001,762
TOTAL AGENCY FUNDS	\$4,857,951,814	\$4,857,951,814	\$4,857,951,814
Intergovernmental Transfers	\$2,066,111,799	\$2,066,111,799	\$2,066,111,799
University System of Georgia Research Funds	\$1,882,528,801	\$1,882,528,801	\$1,882,528,801
Intergovernmental Transfers Not Itemized	\$183,582,998	\$183,582,998	\$183,582,998
Rebates, Refunds, and Reimbursements	\$137,598,514	\$137,598,514	\$137,598,514
Rebates, Refunds, and Reimbursements Not Itemized	\$137,598,514	\$137,598,514	\$137,598,514
Sales and Services	\$2,654,241,501	\$2,654,241,501	\$2,654,241,501
Sales and Services Not Itemized	\$386,486,311	\$386,486,311	\$386,486,311
Tuition and Fees for Higher Education	\$2,267,755,190	\$2,267,755,190	\$2,267,755,190
TOTAL PUBLIC FUNDS	\$6,904,953,576	\$6,904,953,576	\$6,904,953,576

282.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,127,124	\$2,127,124	\$2,127,124
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282.2 *Perform a market study of professional and masters level degrees currently offered at university programs in South Georgia to*

include recommendations for adjustments to offerings based on matriculation, demand, and industry interest and report to the House Rural Development Council, Rural Georgia Senate Study Committee, and the House and Senate Higher Education Committees by September 1, 2018. (H:YES)(S:YES)

State General Funds \$0 \$0

282.100 Teaching	Appropriation (HB 683)
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The purpose of this appropriation is provide funds to the Board of Regents for annual allocations to University System of Georgia institutions for student instruction and to establish and operate other initiatives that promote, support, or extend student learning.

TOTAL STATE FUNDS	\$2,049,128,886	\$2,049,128,886	\$2,049,128,886
State General Funds	\$2,049,128,886	\$2,049,128,886	\$2,049,128,886
TOTAL AGENCY FUNDS	\$4,857,951,814	\$4,857,951,814	\$4,857,951,814
Intergovernmental Transfers	\$2,066,111,799	\$2,066,111,799	\$2,066,111,799
University System of Georgia Research Funds	\$1,882,528,801	\$1,882,528,801	\$1,882,528,801
Intergovernmental Transfers Not Itemized	\$183,582,998	\$183,582,998	\$183,582,998
Rebates, Refunds, and Reimbursements	\$137,598,514	\$137,598,514	\$137,598,514
Rebates, Refunds, and Reimbursements Not Itemized	\$137,598,514	\$137,598,514	\$137,598,514
Sales and Services	\$2,654,241,501	\$2,654,241,501	\$2,654,241,501
Sales and Services Not Itemized	\$386,486,311	\$386,486,311	\$386,486,311
Tuition and Fees for Higher Education	\$2,267,755,190	\$2,267,755,190	\$2,267,755,190
TOTAL PUBLIC FUNDS	\$6,907,080,700	\$6,907,080,700	\$6,907,080,700

Veterinary Medicine Experiment Station	Continuation Budget
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The purpose of this appropriation is to coordinate and conduct research at the University of Georgia on animal disease problems of present and potential concern to Georgia's livestock and poultry industries and to provide training and education in disease research, surveillance, and intervention.

TOTAL STATE FUNDS	\$3,209,528	\$3,209,528	\$3,209,528
State General Funds	\$3,209,528	\$3,209,528	\$3,209,528
TOTAL PUBLIC FUNDS	\$3,209,528	\$3,209,528	\$3,209,528

283.1 *Reduce funds for personnel based on actual start dates for new positions.*

State General Funds (\$142,768) (\$142,768)

283.100 Veterinary Medicine Experiment Station **Appropriation (HB 683)**

The purpose of this appropriation is to coordinate and conduct research at the University of Georgia on animal disease problems of present and potential concern to Georgia's livestock and poultry industries and to provide training and education in disease research, surveillance, and intervention.

TOTAL STATE FUNDS	\$3,209,528	\$3,066,760	\$3,066,760
State General Funds	\$3,209,528	\$3,066,760	\$3,066,760
TOTAL PUBLIC FUNDS	\$3,209,528	\$3,066,760	\$3,066,760

Veterinary Medicine Teaching Hospital

Continuation Budget

The purpose of this appropriation is to provide clinical instruction for veterinary medicine students, support research that enhances the health and welfare of production and companion animals in Georgia, and address the shortage of veterinarians in Georgia and the nation.

TOTAL STATE FUNDS	\$465,826	\$465,826	\$465,826
State General Funds	\$465,826	\$465,826	\$465,826
TOTAL AGENCY FUNDS	\$17,750,000	\$17,750,000	\$17,750,000
Sales and Services	\$17,750,000	\$17,750,000	\$17,750,000
Sales and Services Not Itemized	\$17,750,000	\$17,750,000	\$17,750,000
TOTAL PUBLIC FUNDS	\$18,215,826	\$18,215,826	\$18,215,826

284.100 Veterinary Medicine Teaching Hospital **Appropriation (HB 683)**

The purpose of this appropriation is to provide clinical instruction for veterinary medicine students, support research that enhances the health and welfare of production and companion animals in Georgia, and address the shortage of veterinarians in Georgia and the nation.

TOTAL STATE FUNDS	\$465,826	\$465,826	\$465,826
State General Funds	\$465,826	\$465,826	\$465,826
TOTAL AGENCY FUNDS	\$17,750,000	\$17,750,000	\$17,750,000
Sales and Services	\$17,750,000	\$17,750,000	\$17,750,000
Sales and Services Not Itemized	\$17,750,000	\$17,750,000	\$17,750,000
TOTAL PUBLIC FUNDS	\$18,215,826	\$18,215,826	\$18,215,826

Payments to Georgia Military College

Continuation Budget

The purpose of this appropriation is to provide quality basic education funding for grades six through twelve at Georgia Military College's Junior Military College and preparatory school.

TOTAL STATE FUNDS	\$6,162,608	\$6,162,608	\$6,162,608
State General Funds	\$6,162,608	\$6,162,608	\$6,162,608
TOTAL PUBLIC FUNDS	\$6,162,608	\$6,162,608	\$6,162,608

285.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$14,158	\$14,158	\$14,158
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285.100 Payments to Georgia Military College	Appropriation (HB 683)
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The purpose of this appropriation is to provide quality basic education funding for grades six through twelve at Georgia Military College's Junior Military College and preparatory school.

TOTAL STATE FUNDS	\$6,176,766	\$6,176,766	\$6,176,766
State General Funds	\$6,176,766	\$6,176,766	\$6,176,766
TOTAL PUBLIC FUNDS	\$6,176,766	\$6,176,766	\$6,176,766

Payments to Georgia Public Telecommunications Commission	Continuation Budget
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The purpose of this appropriation is to create, produce, and distribute high quality programs and services that educate, inform, and entertain audiences, and enrich the quality of their lives.

TOTAL STATE FUNDS	\$15,247,024	\$15,247,024	\$15,247,024
State General Funds	\$15,247,024	\$15,247,024	\$15,247,024
TOTAL PUBLIC FUNDS	\$15,247,024	\$15,247,024	\$15,247,024

286.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$767	\$767	\$767
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286.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,913)	(\$2,913)	(\$2,913)
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286.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$6,790	\$6,790	\$6,790
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286.100 Payments to Georgia Public Telecommunications Commission **Appropriation (HB 683)**

The purpose of this appropriation is to create, produce, and distribute high quality programs and services that educate, inform, and entertain audiences, and enrich the quality of their lives.

TOTAL STATE FUNDS	\$15,251,668	\$15,251,668	\$15,251,668
State General Funds	\$15,251,668	\$15,251,668	\$15,251,668
TOTAL PUBLIC FUNDS	\$15,251,668	\$15,251,668	\$15,251,668

Section 42: Revenue, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$189,500,433	\$189,500,433	\$189,500,433
State General Funds	\$189,066,650	\$189,066,650	\$189,066,650
Tobacco Settlement Funds	\$433,783	\$433,783	\$433,783
TOTAL FEDERAL FUNDS	\$2,113,684	\$2,113,684	\$2,113,684
Federal Funds Not Itemized	\$1,594,786	\$1,594,786	\$1,594,786
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$518,898	\$518,898	\$518,898
TOTAL AGENCY FUNDS	\$1,891,921	\$1,891,921	\$1,891,921
Sales and Services	\$1,891,921	\$1,891,921	\$1,891,921
Sales and Services Not Itemized	\$1,891,921	\$1,891,921	\$1,891,921
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$257,711	\$257,711	\$257,711
State Funds Transfers	\$257,711	\$257,711	\$257,711
Agency to Agency Contracts	\$257,711	\$257,711	\$257,711
TOTAL PUBLIC FUNDS	\$193,763,749	\$193,763,749	\$193,763,749

Section Total - Final

TOTAL STATE FUNDS	\$209,154,510	\$209,154,510	\$209,154,510
State General Funds	\$208,720,727	\$208,720,727	\$208,720,727
Tobacco Settlement Funds	\$433,783	\$433,783	\$433,783
TOTAL FEDERAL FUNDS	\$2,113,684	\$2,113,684	\$2,113,684
Federal Funds Not Itemized	\$1,594,786	\$1,594,786	\$1,594,786
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$518,898	\$518,898	\$518,898
TOTAL AGENCY FUNDS	\$1,891,921	\$1,891,921	\$1,891,921
Sales and Services	\$1,891,921	\$1,891,921	\$1,891,921
Sales and Services Not Itemized	\$1,891,921	\$1,891,921	\$1,891,921

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$257,711	\$257,711	\$257,711
State Funds Transfers	\$257,711	\$257,711	\$257,711
Agency to Agency Contracts	\$257,711	\$257,711	\$257,711
TOTAL PUBLIC FUNDS	\$213,417,826	\$213,417,826	\$213,417,826

Departmental Administration (DOR)

Continuation Budget

The purpose of this appropriation is to administer and enforce the tax laws of the State of Georgia and provide general support services to the operating programs of the Department of Revenue.

TOTAL STATE FUNDS	\$14,328,477	\$14,328,477	\$14,328,477
State General Funds	\$14,328,477	\$14,328,477	\$14,328,477
TOTAL PUBLIC FUNDS	\$14,328,477	\$14,328,477	\$14,328,477

287.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,804	\$3,804	\$3,804
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287.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,342)	(\$4,342)	(\$4,342)
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287.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$7,579	\$7,579	\$7,579
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287.100 Departmental Administration (DOR)

Appropriation (HB 683)

The purpose of this appropriation is to administer and enforce the tax laws of the State of Georgia and provide general support services to the operating programs of the Department of Revenue.

TOTAL STATE FUNDS	\$14,335,518	\$14,335,518	\$14,335,518
State General Funds	\$14,335,518	\$14,335,518	\$14,335,518
TOTAL PUBLIC FUNDS	\$14,335,518	\$14,335,518	\$14,335,518

Forestland Protection Grants

Continuation Budget

The purpose of this appropriation is to provide reimbursement for preferential assessment of qualifying conservation use forestland to counties, municipalities, and school districts pursuant to O.C.G.A. 48-5A-2, the Forestland Protection Act, created by HB 1211 and HB 1276 during the 2008 legislative session.

TOTAL STATE FUNDS	\$14,072,351	\$14,072,351	\$14,072,351
State General Funds	\$14,072,351	\$14,072,351	\$14,072,351
TOTAL PUBLIC FUNDS	\$14,072,351	\$14,072,351	\$14,072,351

288.1 *Increase funds for Forestland Protection Act grant reimbursements.*

State General Funds	\$17,616,054	\$17,616,054	\$17,616,054
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288.100 Forestland Protection Grants

Appropriation (HB 683)

The purpose of this appropriation is to provide reimbursement for preferential assessment of qualifying conservation use forestland to counties, municipalities, and school districts pursuant to O.C.G.A. 48-5A-2, the Forestland Protection Act, created by HB 1211 and HB 1276 during the 2008 legislative session.

TOTAL STATE FUNDS	\$31,688,405	\$31,688,405	\$31,688,405
State General Funds	\$31,688,405	\$31,688,405	\$31,688,405
TOTAL PUBLIC FUNDS	\$31,688,405	\$31,688,405	\$31,688,405

Industry Regulation

Continuation Budget

The purpose of this appropriation is to provide regulation of the distribution, sale, and consumption of alcoholic beverages, tobacco products; and conduct checkpoints in areas where reports indicate the use of dyed fuels in on-road vehicles.

TOTAL STATE FUNDS	\$7,624,064	\$7,624,064	\$7,624,064
State General Funds	\$7,190,281	\$7,190,281	\$7,190,281
Tobacco Settlement Funds	\$433,783	\$433,783	\$433,783
TOTAL FEDERAL FUNDS	\$1,280,859	\$1,280,859	\$1,280,859
Federal Funds Not Itemized	\$761,961	\$761,961	\$761,961
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$518,898	\$518,898	\$518,898
TOTAL AGENCY FUNDS	\$591,911	\$591,911	\$591,911
Sales and Services	\$591,911	\$591,911	\$591,911
Sales and Services Not Itemized	\$591,911	\$591,911	\$591,911
TOTAL PUBLIC FUNDS	\$9,496,834	\$9,496,834	\$9,496,834

289.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,431	\$1,431	\$1,431
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289.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,633)	(\$1,633)	(\$1,633)
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289.100 Industry Regulation

Appropriation (HB 683)

The purpose of this appropriation is to provide regulation of the distribution, sale, and consumption of alcoholic beverages, tobacco products; and conduct checkpoints in areas where reports indicate the use of dyed fuels in on-road vehicles.

TOTAL STATE FUNDS	\$7,623,862	\$7,623,862	\$7,623,862
State General Funds	\$7,190,079	\$7,190,079	\$7,190,079
Tobacco Settlement Funds	\$433,783	\$433,783	\$433,783
TOTAL FEDERAL FUNDS	\$1,280,859	\$1,280,859	\$1,280,859
Federal Funds Not Itemized	\$761,961	\$761,961	\$761,961
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$518,898	\$518,898	\$518,898
TOTAL AGENCY FUNDS	\$591,911	\$591,911	\$591,911
Sales and Services	\$591,911	\$591,911	\$591,911
Sales and Services Not Itemized	\$591,911	\$591,911	\$591,911
TOTAL PUBLIC FUNDS	\$9,496,632	\$9,496,632	\$9,496,632

Local Government Services

Continuation Budget

The purpose of this appropriation is to assist local tax officials with the administration of state tax laws and administer the unclaimed property unit.

TOTAL STATE FUNDS	\$4,937,881	\$4,937,881	\$4,937,881
State General Funds	\$4,937,881	\$4,937,881	\$4,937,881
TOTAL AGENCY FUNDS	\$200,000	\$200,000	\$200,000
Sales and Services	\$200,000	\$200,000	\$200,000
Sales and Services Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL PUBLIC FUNDS	\$5,137,881	\$5,137,881	\$5,137,881

290.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,130	\$1,130	\$1,130
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290.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,291)	(\$1,291)	(\$1,291)
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290.100 Local Government Services **Appropriation (HB 683)**

The purpose of this appropriation is to assist local tax officials with the administration of state tax laws and administer the unclaimed property unit.

TOTAL STATE FUNDS	\$4,937,720	\$4,937,720	\$4,937,720
State General Funds	\$4,937,720	\$4,937,720	\$4,937,720
TOTAL AGENCY FUNDS	\$200,000	\$200,000	\$200,000
Sales and Services	\$200,000	\$200,000	\$200,000
Sales and Services Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL PUBLIC FUNDS	\$5,137,720	\$5,137,720	\$5,137,720

Local Tax Officials Retirement and FICA **Continuation Budget**

The purpose of this appropriation is to provide state retirement benefits and employer share of FICA to local tax officials.

TOTAL STATE FUNDS	\$10,877,034	\$10,877,034	\$10,877,034
State General Funds	\$10,877,034	\$10,877,034	\$10,877,034
TOTAL PUBLIC FUNDS	\$10,877,034	\$10,877,034	\$10,877,034

291.100 Local Tax Officials Retirement and FICA **Appropriation (HB 683)**

The purpose of this appropriation is to provide state retirement benefits and employer share of FICA to local tax officials.

TOTAL STATE FUNDS	\$10,877,034	\$10,877,034	\$10,877,034
State General Funds	\$10,877,034	\$10,877,034	\$10,877,034
TOTAL PUBLIC FUNDS	\$10,877,034	\$10,877,034	\$10,877,034

Motor Vehicle Registration and Titling **Continuation Budget**

The purpose of this appropriation is to establish motor vehicle ownership by maintaining title and registration records and validate rebuilt vehicles for road-worthiness for new title issuance.

TOTAL STATE FUNDS	\$37,964,300	\$37,964,300	\$37,964,300
State General Funds	\$37,964,300	\$37,964,300	\$37,964,300
TOTAL PUBLIC FUNDS	\$37,964,300	\$37,964,300	\$37,964,300

292.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,125	\$3,125	\$3,125
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292.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,568)	(\$3,568)	(\$3,568)
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292.3 *Increase funds for telecommunications expenses.*

State General Funds	\$726,177	\$726,177	\$726,177
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292.4 *Increase funds for equipment associated with the implementation of DRIVES.*

State General Funds	\$1,308,355	\$1,308,355	\$1,308,355
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292.100 Motor Vehicle Registration and Titling**Appropriation (HB 683)**

The purpose of this appropriation is to establish motor vehicle ownership by maintaining title and registration records and validate rebuilt vehicles for road-worthiness for new title issuance.

TOTAL STATE FUNDS	\$39,998,389	\$39,998,389	\$39,998,389
State General Funds	\$39,998,389	\$39,998,389	\$39,998,389
TOTAL PUBLIC FUNDS	\$39,998,389	\$39,998,389	\$39,998,389

Office of Special Investigations**Continuation Budget**

The purpose of this appropriation is to investigate fraudulent taxpayer and criminal activities involving department efforts.

TOTAL STATE FUNDS	\$6,219,141	\$6,219,141	\$6,219,141
State General Funds	\$6,219,141	\$6,219,141	\$6,219,141
TOTAL FEDERAL FUNDS	\$58,879	\$58,879	\$58,879
Federal Funds Not Itemized	\$58,879	\$58,879	\$58,879
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$93,278	\$93,278	\$93,278
State Funds Transfers	\$93,278	\$93,278	\$93,278
Agency to Agency Contracts	\$93,278	\$93,278	\$93,278
TOTAL PUBLIC FUNDS	\$6,371,298	\$6,371,298	\$6,371,298

293.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,150	\$1,150	\$1,150
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293.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,312)	(\$1,312)	(\$1,312)
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293.100 Office of Special Investigations	Appropriation (HB 683)
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The purpose of this appropriation is to investigate fraudulent taxpayer and criminal activities involving department efforts.

TOTAL STATE FUNDS	\$6,218,979	\$6,218,979	\$6,218,979
State General Funds	\$6,218,979	\$6,218,979	\$6,218,979
TOTAL FEDERAL FUNDS	\$58,879	\$58,879	\$58,879
Federal Funds Not Itemized	\$58,879	\$58,879	\$58,879
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$93,278	\$93,278	\$93,278
State Funds Transfers	\$93,278	\$93,278	\$93,278
Agency to Agency Contracts	\$93,278	\$93,278	\$93,278
TOTAL PUBLIC FUNDS	\$6,371,136	\$6,371,136	\$6,371,136

Revenue Processing

Continuation Budget

The purpose of this appropriation is to ensure that all tax payments are received, credited, and deposited according to sound business practices and the law, and to ensure that all tax returns are reviewed and recorded to accurately update taxpayer information.

TOTAL STATE FUNDS	\$14,124,112	\$14,124,112	\$14,124,112
State General Funds	\$14,124,112	\$14,124,112	\$14,124,112
TOTAL PUBLIC FUNDS	\$14,124,112	\$14,124,112	\$14,124,112

294.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,088	\$2,088	\$2,088
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294.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,383)	(\$2,383)	(\$2,383)
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294.100 Revenue Processing	Appropriation (HB 683)
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The purpose of this appropriation is to ensure that all tax payments are received, credited, and deposited according to sound business practices and the law, and to ensure that all tax returns are reviewed and recorded to accurately update taxpayer information.

TOTAL STATE FUNDS	\$14,123,817	\$14,123,817	\$14,123,817
State General Funds	\$14,123,817	\$14,123,817	\$14,123,817
TOTAL PUBLIC FUNDS	\$14,123,817	\$14,123,817	\$14,123,817

Tax Compliance

Continuation Budget

The purpose of this appropriation is to audit tax accounts, ensure compliance, and collect on delinquent accounts.

TOTAL STATE FUNDS	\$60,148,170	\$60,148,170	\$60,148,170
State General Funds	\$60,148,170	\$60,148,170	\$60,148,170
TOTAL FEDERAL FUNDS	\$398,439	\$398,439	\$398,439
Federal Funds Not Itemized	\$398,439	\$398,439	\$398,439
TOTAL AGENCY FUNDS	\$1,100,010	\$1,100,010	\$1,100,010
Sales and Services	\$1,100,010	\$1,100,010	\$1,100,010
Sales and Services Not Itemized	\$1,100,010	\$1,100,010	\$1,100,010
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$164,433	\$164,433	\$164,433
State Funds Transfers	\$164,433	\$164,433	\$164,433
Agency to Agency Contracts	\$164,433	\$164,433	\$164,433
TOTAL PUBLIC FUNDS	\$61,811,052	\$61,811,052	\$61,811,052

295.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$12,427	\$12,427	\$12,427
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295.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$14,184)	(\$14,184)	(\$14,184)
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295.100 Tax Compliance	Appropriation (HB 683)
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The purpose of this appropriation is to audit tax accounts, ensure compliance, and collect on delinquent accounts.

TOTAL STATE FUNDS	\$60,146,413	\$60,146,413	\$60,146,413
State General Funds	\$60,146,413	\$60,146,413	\$60,146,413
TOTAL FEDERAL FUNDS	\$398,439	\$398,439	\$398,439
Federal Funds Not Itemized	\$398,439	\$398,439	\$398,439
TOTAL AGENCY FUNDS	\$1,100,010	\$1,100,010	\$1,100,010

Sales and Services	\$1,100,010	\$1,100,010	\$1,100,010
Sales and Services Not Itemized	\$1,100,010	\$1,100,010	\$1,100,010
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$164,433	\$164,433	\$164,433
State Funds Transfers	\$164,433	\$164,433	\$164,433
Agency to Agency Contracts	\$164,433	\$164,433	\$164,433
TOTAL PUBLIC FUNDS	\$61,809,295	\$61,809,295	\$61,809,295

Tax Policy

Continuation Budget

The purpose of this appropriation is to conduct all administrative appeals of tax assessments; draft regulations for taxes collected by the department; support the State Board of Equalization; and draft letter rulings and provide research and analysis related to all tax law and policy inquiries.

TOTAL STATE FUNDS	\$4,324,227	\$4,324,227	\$4,324,227
State General Funds	\$4,324,227	\$4,324,227	\$4,324,227
TOTAL PUBLIC FUNDS	\$4,324,227	\$4,324,227	\$4,324,227

296.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,197	\$1,197	\$1,197
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296.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,366)	(\$1,366)	(\$1,366)
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296.100 Tax Policy	Appropriation (HB 683)
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The purpose of this appropriation is to conduct all administrative appeals of tax assessments; draft regulations for taxes collected by the department; support the State Board of Equalization; and draft letter rulings and provide research and analysis related to all tax law and policy inquiries.

TOTAL STATE FUNDS	\$4,324,058	\$4,324,058	\$4,324,058
State General Funds	\$4,324,058	\$4,324,058	\$4,324,058
TOTAL PUBLIC FUNDS	\$4,324,058	\$4,324,058	\$4,324,058

Taxpayer Services

Continuation Budget

The purpose of this appropriation is to provide assistance to customer inquiries about the administration of individual income tax, sales and use tax, withholding tax, corporate tax, motor fuel and motor carrier taxes, and all registration functions.

TOTAL STATE FUNDS	\$14,880,676	\$14,880,676	\$14,880,676
State General Funds	\$14,880,676	\$14,880,676	\$14,880,676
TOTAL FEDERAL FUNDS	\$375,507	\$375,507	\$375,507
Federal Funds Not Itemized	\$375,507	\$375,507	\$375,507
TOTAL PUBLIC FUNDS	\$15,256,183	\$15,256,183	\$15,256,183

297.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,549	\$2,549	\$2,549
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297.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,910)	(\$2,910)	(\$2,910)
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297.100 Taxpayer Services

Appropriation (HB 683)

The purpose of this appropriation is to provide assistance to customer inquiries about the administration of individual income tax, sales and use tax, withholding tax, corporate tax, motor fuel and motor carrier taxes, and all registration functions.

TOTAL STATE FUNDS	\$14,880,315	\$14,880,315	\$14,880,315
State General Funds	\$14,880,315	\$14,880,315	\$14,880,315
TOTAL FEDERAL FUNDS	\$375,507	\$375,507	\$375,507
Federal Funds Not Itemized	\$375,507	\$375,507	\$375,507
TOTAL PUBLIC FUNDS	\$15,255,822	\$15,255,822	\$15,255,822

Section 43: Secretary of State

Section Total - Continuation

TOTAL STATE FUNDS	\$25,007,289	\$25,007,289	\$25,007,289
State General Funds	\$25,007,289	\$25,007,289	\$25,007,289
TOTAL FEDERAL FUNDS	\$325,000	\$325,000	\$325,000
Federal Funds Not Itemized	\$325,000	\$325,000	\$325,000
TOTAL AGENCY FUNDS	\$4,425,596	\$4,425,596	\$4,425,596
Contributions, Donations, and Forfeitures	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures Not Itemized	\$20,000	\$20,000	\$20,000
Sales and Services	\$4,405,596	\$4,405,596	\$4,405,596
Sales and Services Not Itemized	\$4,405,596	\$4,405,596	\$4,405,596
TOTAL PUBLIC FUNDS	\$29,757,885	\$29,757,885	\$29,757,885

	Section Total - Final		
TOTAL STATE FUNDS	\$25,027,889	\$25,027,889	\$25,027,889
State General Funds	\$25,027,889	\$25,027,889	\$25,027,889
TOTAL FEDERAL FUNDS	\$325,000	\$325,000	\$325,000
Federal Funds Not Itemized	\$325,000	\$325,000	\$325,000
TOTAL AGENCY FUNDS	\$4,425,596	\$4,425,596	\$4,425,596
Contributions, Donations, and Forfeitures	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures Not Itemized	\$20,000	\$20,000	\$20,000
Sales and Services	\$4,405,596	\$4,405,596	\$4,405,596
Sales and Services Not Itemized	\$4,405,596	\$4,405,596	\$4,405,596
TOTAL PUBLIC FUNDS	\$29,778,485	\$29,778,485	\$29,778,485

Corporations

Continuation Budget

The purpose of this appropriation is to accept and review filings made pursuant to statutes; to issue certifications of records on file; and to provide general information to the public on all filed entities.

TOTAL STATE FUNDS	\$442,548	\$442,548	\$442,548
State General Funds	\$442,548	\$442,548	\$442,548
TOTAL AGENCY FUNDS	\$3,775,096	\$3,775,096	\$3,775,096
Sales and Services	\$3,775,096	\$3,775,096	\$3,775,096
Sales and Services Not Itemized	\$3,775,096	\$3,775,096	\$3,775,096
TOTAL PUBLIC FUNDS	\$4,217,644	\$4,217,644	\$4,217,644

298.100 Corporations

Appropriation (HB 683)

The purpose of this appropriation is to accept and review filings made pursuant to statutes; to issue certifications of records on file; and to provide general information to the public on all filed entities.

TOTAL STATE FUNDS	\$442,548	\$442,548	\$442,548
State General Funds	\$442,548	\$442,548	\$442,548
TOTAL AGENCY FUNDS	\$3,775,096	\$3,775,096	\$3,775,096
Sales and Services	\$3,775,096	\$3,775,096	\$3,775,096
Sales and Services Not Itemized	\$3,775,096	\$3,775,096	\$3,775,096
TOTAL PUBLIC FUNDS	\$4,217,644	\$4,217,644	\$4,217,644

Elections

Continuation Budget

The purpose of this appropriation is to administer all duties imposed upon the Secretary of State by providing all required filing and public information services, performing all certification and commissioning duties required by law, and assisting candidates, local governments, and citizens in interpreting and complying with all election, voter registration, and financial disclosure laws.

TOTAL STATE FUNDS	\$5,487,702	\$5,487,702	\$5,487,702
State General Funds	\$5,487,702	\$5,487,702	\$5,487,702
TOTAL FEDERAL FUNDS	\$325,000	\$325,000	\$325,000
Federal Funds Not Itemized	\$325,000	\$325,000	\$325,000
TOTAL AGENCY FUNDS	\$50,000	\$50,000	\$50,000
Sales and Services	\$50,000	\$50,000	\$50,000
Sales and Services Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL PUBLIC FUNDS	\$5,862,702	\$5,862,702	\$5,862,702

299.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$532	\$532	\$532
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299.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$952)	(\$952)	(\$952)
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299.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,375	\$2,375	\$2,375
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299.100 Elections

Appropriation (HB 683)

The purpose of this appropriation is to administer all duties imposed upon the Secretary of State by providing all required filing and public information services, performing all certification and commissioning duties required by law, and assisting candidates, local governments, and citizens in interpreting and complying with all election, voter registration, and financial disclosure laws.

TOTAL STATE FUNDS	\$5,489,657	\$5,489,657	\$5,489,657
State General Funds	\$5,489,657	\$5,489,657	\$5,489,657
TOTAL FEDERAL FUNDS	\$325,000	\$325,000	\$325,000
Federal Funds Not Itemized	\$325,000	\$325,000	\$325,000

TOTAL AGENCY FUNDS	\$50,000	\$50,000	\$50,000
Sales and Services	\$50,000	\$50,000	\$50,000
Sales and Services Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL PUBLIC FUNDS	\$5,864,657	\$5,864,657	\$5,864,657

Investigations

Continuation Budget

The purpose of this appropriation is to enforce the laws and regulations related to professional licenses, elections, and securities; to investigate complaints; and to conduct inspections of applicants and existing license holders.

TOTAL STATE FUNDS	\$3,121,038	\$3,121,038	\$3,121,038
State General Funds	\$3,121,038	\$3,121,038	\$3,121,038
TOTAL PUBLIC FUNDS	\$3,121,038	\$3,121,038	\$3,121,038

300.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$621	\$621	\$621
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300.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,111)	(\$1,111)	(\$1,111)
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300.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,769	\$2,769	\$2,769
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300.100 Investigations	Appropriation (HB 683)
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The purpose of this appropriation is to enforce the laws and regulations related to professional licenses, elections, and securities; to investigate complaints; and to conduct inspections of applicants and existing license holders.

TOTAL STATE FUNDS	\$3,123,317	\$3,123,317	\$3,123,317
State General Funds	\$3,123,317	\$3,123,317	\$3,123,317
TOTAL PUBLIC FUNDS	\$3,123,317	\$3,123,317	\$3,123,317

Office Administration (SOS)

Continuation Budget

The purpose of this appropriation is to provide administrative support to the Office of Secretary of State and its attached agencies.

TOTAL STATE FUNDS	\$3,389,703	\$3,389,703	\$3,389,703
State General Funds	\$3,389,703	\$3,389,703	\$3,389,703
TOTAL AGENCY FUNDS	\$5,500	\$5,500	\$5,500
Sales and Services	\$5,500	\$5,500	\$5,500
Sales and Services Not Itemized	\$5,500	\$5,500	\$5,500
TOTAL PUBLIC FUNDS	\$3,395,203	\$3,395,203	\$3,395,203

301.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$595	\$595	\$595
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301.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,064)	(\$1,064)	(\$1,064)
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301.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,652	\$2,652	\$2,652
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301.100 Office Administration (SOS)	Appropriation (HB 683)
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The purpose of this appropriation is to provide administrative support to the Office of Secretary of State and its attached agencies.

TOTAL STATE FUNDS	\$3,391,886	\$3,391,886	\$3,391,886
State General Funds	\$3,391,886	\$3,391,886	\$3,391,886
TOTAL AGENCY FUNDS	\$5,500	\$5,500	\$5,500
Sales and Services	\$5,500	\$5,500	\$5,500
Sales and Services Not Itemized	\$5,500	\$5,500	\$5,500
TOTAL PUBLIC FUNDS	\$3,397,386	\$3,397,386	\$3,397,386

Professional Licensing Boards

Continuation Budget

The purpose of this appropriation is to protect the public health and welfare by supporting all operations of Boards which license professions.

TOTAL STATE FUNDS	\$8,479,759	\$8,479,759	\$8,479,759
State General Funds	\$8,479,759	\$8,479,759	\$8,479,759

TOTAL AGENCY FUNDS	\$400,000	\$400,000	\$400,000
Sales and Services	\$400,000	\$400,000	\$400,000
Sales and Services Not Itemized	\$400,000	\$400,000	\$400,000
TOTAL PUBLIC FUNDS	\$8,879,759	\$8,879,759	\$8,879,759

302.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,595	\$1,595	\$1,595
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302.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,853)	(\$2,853)	(\$2,853)
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302.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$7,111	\$7,111	\$7,111
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302.100 Professional Licensing Boards

Appropriation (HB 683)

The purpose of this appropriation is to protect the public health and welfare by supporting all operations of Boards which license professions.

TOTAL STATE FUNDS	\$8,485,612	\$8,485,612	\$8,485,612
State General Funds	\$8,485,612	\$8,485,612	\$8,485,612
TOTAL AGENCY FUNDS	\$400,000	\$400,000	\$400,000
Sales and Services	\$400,000	\$400,000	\$400,000
Sales and Services Not Itemized	\$400,000	\$400,000	\$400,000
TOTAL PUBLIC FUNDS	\$8,885,612	\$8,885,612	\$8,885,612

Securities

Continuation Budget

The purpose of this appropriation is to provide for the administration and enforcement of the Georgia Securities Act, the Georgia Charitable Solicitations Act, and the Georgia Cemetery Act. Functions under each act include registration, examinations, investigation, and administrative enforcement actions.

TOTAL STATE FUNDS	\$699,859	\$699,859	\$699,859
State General Funds	\$699,859	\$699,859	\$699,859

TOTAL AGENCY FUNDS	\$25,000	\$25,000	\$25,000
Sales and Services	\$25,000	\$25,000	\$25,000
Sales and Services Not Itemized	\$25,000	\$25,000	\$25,000
TOTAL PUBLIC FUNDS	\$724,859	\$724,859	\$724,859

303.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$116	\$116	\$116
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303.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$208)	(\$208)	(\$208)
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303.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$518	\$518	\$518
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303.100 Securities

Appropriation (HB 683)

The purpose of this appropriation is to provide for the administration and enforcement of the Georgia Securities Act, the Georgia Charitable Solicitations Act, and the Georgia Cemetery Act. Functions under each act include registration, examinations, investigation, and administrative enforcement actions.

TOTAL STATE FUNDS	\$700,285	\$700,285	\$700,285
State General Funds	\$700,285	\$700,285	\$700,285
TOTAL AGENCY FUNDS	\$25,000	\$25,000	\$25,000
Sales and Services	\$25,000	\$25,000	\$25,000
Sales and Services Not Itemized	\$25,000	\$25,000	\$25,000
TOTAL PUBLIC FUNDS	\$725,285	\$725,285	\$725,285

Commission on the Holocaust, Georgia

Continuation Budget

The purpose of this appropriation is to teach the lessons of the Holocaust to present and future generations of Georgians in order to create an awareness of the enormity of the crimes of prejudice and inhumanity.

TOTAL STATE FUNDS	\$279,627	\$279,627	\$279,627
State General Funds	\$279,627	\$279,627	\$279,627

TOTAL AGENCY FUNDS	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures Not Itemized	\$20,000	\$20,000	\$20,000
TOTAL PUBLIC FUNDS	\$299,627	\$299,627	\$299,627

304.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$56	\$56	\$56
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304.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$102)	(\$102)	(\$102)
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304.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,970	\$3,970	\$3,970
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304.100 Commission on the Holocaust, Georgia	Appropriation (HB 683)
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The purpose of this appropriation is to teach the lessons of the Holocaust to present and future generations of Georgians in order to create an awareness of the enormity of the crimes of prejudice and inhumanity.

TOTAL STATE FUNDS	\$283,551	\$283,551	\$283,551
State General Funds	\$283,551	\$283,551	\$283,551
TOTAL AGENCY FUNDS	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures Not Itemized	\$20,000	\$20,000	\$20,000
TOTAL PUBLIC FUNDS	\$303,551	\$303,551	\$303,551

Real Estate Commission

Continuation Budget

The purpose of this appropriation is to administer the license law for real estate brokers and salespersons, and provide administrative support to the Georgia Real Estate Appraisers Board in their administration of the Real Estate Appraisal Act.

TOTAL STATE FUNDS	\$3,107,053	\$3,107,053	\$3,107,053
State General Funds	\$3,107,053	\$3,107,053	\$3,107,053
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000

Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$3,257,053	\$3,257,053	\$3,257,053

305.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$521	\$521	\$521
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305.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$883)	(\$883)	(\$883)
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305.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,342	\$4,342	\$4,342
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305.100 Real Estate Commission

Appropriation (HB 683)

The purpose of this appropriation is to administer the license law for real estate brokers and salespersons, and provide administrative support to the Georgia Real Estate Appraisers Board in their administration of the Real Estate Appraisal Act.

TOTAL STATE FUNDS	\$3,111,033	\$3,111,033	\$3,111,033
State General Funds	\$3,111,033	\$3,111,033	\$3,111,033
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$3,261,033	\$3,261,033	\$3,261,033

Section 44: Student Finance Commission and Authority, Georgia

Section Total - Continuation

TOTAL STATE FUNDS	\$879,685,290	\$879,685,290	\$879,685,290
State General Funds	\$113,565,752	\$113,565,752	\$113,565,752
Lottery Proceeds	\$766,119,538	\$766,119,538	\$766,119,538
TOTAL FEDERAL FUNDS	\$38,650	\$38,650	\$38,650
Federal Funds Not Itemized	\$38,650	\$38,650	\$38,650
TOTAL AGENCY FUNDS	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services Not Itemized	\$1,000,000	\$1,000,000	\$1,000,000

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$600,000	\$600,000	\$600,000
State Funds Transfers	\$600,000	\$600,000	\$600,000
Agency to Agency Contracts	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$881,323,940	\$881,323,940	\$881,323,940

Section Total - Final

TOTAL STATE FUNDS	\$898,634,549	\$898,134,549	\$896,945,195
State General Funds	\$124,311,882	\$123,811,882	\$122,622,528
Lottery Proceeds	\$774,322,667	\$774,322,667	\$774,322,667
TOTAL FEDERAL FUNDS	\$38,650	\$38,650	\$38,650
Federal Funds Not Itemized	\$38,650	\$38,650	\$38,650
TOTAL AGENCY FUNDS	\$1,805,330	\$1,805,330	\$1,805,330
Sales and Services	\$1,805,330	\$1,805,330	\$1,805,330
Sales and Services Not Itemized	\$1,805,330	\$1,805,330	\$1,805,330
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$600,000	\$600,000	\$600,000
State Funds Transfers	\$600,000	\$600,000	\$600,000
Agency to Agency Contracts	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$901,078,529	\$900,578,529	\$899,389,175

Dual Enrollment

Continuation Budget

The purpose of this appropriation is to allow students to pursue post-secondary study at approved public and private post-secondary institutions, while receiving dual high school and college credit for courses successfully completed.

TOTAL STATE FUNDS	\$78,839,337	\$78,839,337	\$78,839,337
State General Funds	\$78,839,337	\$78,839,337	\$78,839,337
TOTAL PUBLIC FUNDS	\$78,839,337	\$78,839,337	\$78,839,337

306.1 *Increase funds to meet the projected need.*

State General Funds	\$10,746,533	\$10,746,533	\$9,557,179
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306.2 *Reduce funds for the transportation grant based on actual expenditures and transfer funds to the Department of Education to purchase new school buses.*

State General Funds		(\$500,000)	(\$500,000)
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306.98 *Change the name of the Move on When Ready program to the Dual Enrollment program. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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306.99 SAC: *The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions, while receiving dual high school and college credit for courses successfully completed.*

House: *The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions, while receiving dual high school and college credit for courses successfully completed.*

Governor: *The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions, while receiving dual high school and college credit for courses successfully completed.*

State General Funds	\$0	\$0	\$0
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306.100 Dual Enrollment	Appropriation (HB 683)
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The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions, while receiving dual high school and college credit for courses successfully completed.

TOTAL STATE FUNDS	\$89,585,870	\$89,085,870	\$87,896,516
State General Funds	\$89,585,870	\$89,085,870	\$87,896,516
TOTAL PUBLIC FUNDS	\$89,585,870	\$89,085,870	\$87,896,516

Engineer Scholarship	Continuation Budget
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The purpose of this appropriation is to provide forgivable loans to Georgia residents who are engineering students at Mercer University (Macon campus) and retain those students as engineers in the State.

TOTAL STATE FUNDS	\$1,060,500	\$1,060,500	\$1,060,500
State General Funds	\$1,060,500	\$1,060,500	\$1,060,500
TOTAL PUBLIC FUNDS	\$1,060,500	\$1,060,500	\$1,060,500

307.100 Engineer Scholarship	Appropriation (HB 683)
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The purpose of this appropriation is to provide forgivable loans to Georgia residents who are engineering students at Mercer University (Macon campus) and retain those students as engineers in the State.

TOTAL STATE FUNDS	\$1,060,500	\$1,060,500	\$1,060,500
State General Funds	\$1,060,500	\$1,060,500	\$1,060,500
TOTAL PUBLIC FUNDS	\$1,060,500	\$1,060,500	\$1,060,500

Georgia Military College Scholarship

Continuation Budget

The purpose of this appropriation is to provide outstanding students with a full scholarship to attend Georgia Military College, thereby strengthening Georgia's National Guard with their membership.

TOTAL STATE FUNDS	\$1,203,240	\$1,203,240	\$1,203,240
State General Funds	\$1,203,240	\$1,203,240	\$1,203,240
TOTAL PUBLIC FUNDS	\$1,203,240	\$1,203,240	\$1,203,240

308.100 Georgia Military College Scholarship

Appropriation (HB 683)

The purpose of this appropriation is to provide outstanding students with a full scholarship to attend Georgia Military College, thereby strengthening Georgia's National Guard with their membership.

TOTAL STATE FUNDS	\$1,203,240	\$1,203,240	\$1,203,240
State General Funds	\$1,203,240	\$1,203,240	\$1,203,240
TOTAL PUBLIC FUNDS	\$1,203,240	\$1,203,240	\$1,203,240

HERO Scholarship

Continuation Budget

The purpose of this appropriation is to provide educational grant assistance to members of the Georgia National Guard and U.S. Military Reservists who served in combat zones and the spouses and children of such members.

TOTAL STATE FUNDS	\$700,000	\$700,000	\$700,000
State General Funds	\$700,000	\$700,000	\$700,000
TOTAL PUBLIC FUNDS	\$700,000	\$700,000	\$700,000

309.100 HERO Scholarship

Appropriation (HB 683)

The purpose of this appropriation is to provide educational grant assistance to members of the Georgia National Guard and U.S. Military Reservists who served in combat zones and the spouses and children of such members.

TOTAL STATE FUNDS	\$700,000	\$700,000	\$700,000
State General Funds	\$700,000	\$700,000	\$700,000
TOTAL PUBLIC FUNDS	\$700,000	\$700,000	\$700,000

HOPE Administration

Continuation Budget

The purpose of this appropriation is to provide scholarships that reward students with financial assistance in degree, diploma, and certificate programs at eligible Georgia public and private colleges and universities, and public technical colleges.

TOTAL STATE FUNDS	\$8,867,180	\$8,867,180	\$8,867,180
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$8,867,180	\$8,867,180	\$8,867,180
TOTAL FEDERAL FUNDS	\$38,650	\$38,650	\$38,650
Federal Funds Not Itemized	\$38,650	\$38,650	\$38,650
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$600,000	\$600,000	\$600,000
State Funds Transfers	\$600,000	\$600,000	\$600,000
Agency to Agency Contracts	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$9,505,830	\$9,505,830	\$9,505,830

310.1 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

Lottery Proceeds	\$17,118	\$17,118	\$17,118
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310.100 HOPE Administration	Appropriation (HB 683)
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The purpose of this appropriation is to provide scholarships that reward students with financial assistance in degree, diploma, and certificate programs at eligible Georgia public and private colleges and universities, and public technical colleges.

TOTAL STATE FUNDS	\$8,884,298	\$8,884,298	\$8,884,298
Lottery Proceeds	\$8,884,298	\$8,884,298	\$8,884,298
TOTAL FEDERAL FUNDS	\$38,650	\$38,650	\$38,650
Federal Funds Not Itemized	\$38,650	\$38,650	\$38,650
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$600,000	\$600,000	\$600,000
State Funds Transfers	\$600,000	\$600,000	\$600,000
Agency to Agency Contracts	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$9,522,948	\$9,522,948	\$9,522,948

HOPE GED	Continuation Budget
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The purpose of this program is to encourage Georgia's General Educational Development (GED) recipients to pursue education beyond the high school level at an eligible postsecondary institution located in Georgia.

TOTAL STATE FUNDS	\$1,930,296	\$1,930,296	\$1,930,296
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$1,930,296	\$1,930,296	\$1,930,296
TOTAL PUBLIC FUNDS	\$1,930,296	\$1,930,296	\$1,930,296

311.100 HOPE GED **Appropriation (HB 683)**

The purpose of this program is to encourage Georgia's General Educational Development (GED) recipients to pursue education beyond the high school level at an eligible postsecondary institution located in Georgia.

TOTAL STATE FUNDS	\$1,930,296	\$1,930,296	\$1,930,296
Lottery Proceeds	\$1,930,296	\$1,930,296	\$1,930,296
TOTAL PUBLIC FUNDS	\$1,930,296	\$1,930,296	\$1,930,296

HOPE Grant **Continuation Budget**

The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public post-secondary institution.

TOTAL STATE FUNDS	\$109,059,989	\$109,059,989	\$109,059,989
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$109,059,989	\$109,059,989	\$109,059,989
TOTAL PUBLIC FUNDS	\$109,059,989	\$109,059,989	\$109,059,989

312.99 SAC: *The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.*

House: *The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.*

Governor: *The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.*

State General Funds	\$0	\$0	\$0
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312.100 HOPE Grant **Appropriation (HB 683)**

The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.

TOTAL STATE FUNDS	\$109,059,989	\$109,059,989	\$109,059,989
Lottery Proceeds	\$109,059,989	\$109,059,989	\$109,059,989
TOTAL PUBLIC FUNDS	\$109,059,989	\$109,059,989	\$109,059,989

HOPE Scholarships - Private Schools **Continuation Budget**

The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private post-secondary institution.

TOTAL STATE FUNDS	\$48,431,771	\$48,431,771	\$48,431,771
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$48,431,771	\$48,431,771	\$48,431,771
TOTAL PUBLIC FUNDS	\$48,431,771	\$48,431,771	\$48,431,771

313.1 *Increase funds to meet the projected need for the HOPE Scholarships - Private Schools.*

Lottery Proceeds	\$233,716	\$233,716	\$233,716
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313.2 *Increase funds to meet the projected need for Zell Miller Scholarship students attending private postsecondary institutions.*

Lottery Proceeds	\$45,955	\$45,955	\$45,955
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313.99 SAC: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.*

House: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.*

Governor: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.*

State General Funds	\$0	\$0	\$0
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313.100 HOPE Scholarships - Private Schools	Appropriation (HB 683)
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The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.

TOTAL STATE FUNDS	\$48,711,442	\$48,711,442	\$48,711,442
Lottery Proceeds	\$48,711,442	\$48,711,442	\$48,711,442
TOTAL PUBLIC FUNDS	\$48,711,442	\$48,711,442	\$48,711,442

HOPE Scholarships - Public Schools	Continuation Budget
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The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public post-secondary institution.

TOTAL STATE FUNDS	\$571,830,302	\$571,830,302	\$571,830,302
State General Funds	\$0	\$0	\$0

Lottery Proceeds	\$571,830,302	\$571,830,302	\$571,830,302
TOTAL PUBLIC FUNDS	\$571,830,302	\$571,830,302	\$571,830,302

314.1 *Reduce funds to meet the projected need for the HOPE Scholarships - Public Schools.*

Lottery Proceeds	(\$10,228,309)	(\$10,228,309)	(\$10,228,309)
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314.2 *Increase funds to meet the projected need for Zell Miller Scholarship students attending public postsecondary institutions.*

Lottery Proceeds	\$18,134,649	\$18,134,649	\$18,134,649
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314.99 SAC: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.*

House: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.*

Governor: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.*

State General Funds	\$0	\$0	\$0
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314.100 HOPE Scholarships - Public Schools	Appropriation (HB 683)		
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The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.

TOTAL STATE FUNDS	\$579,736,642	\$579,736,642	\$579,736,642
Lottery Proceeds	\$579,736,642	\$579,736,642	\$579,736,642
TOTAL PUBLIC FUNDS	\$579,736,642	\$579,736,642	\$579,736,642

Low Interest Loans

Continuation Budget

The purpose of this appropriation is to implement a low-interest loan program to assist with the affordability of a college or technical college education, encourage timely persistence to the achievement of postsecondary credentials, and to incentivize loan recipients to work in public service. The loans are forgivable for recipients who work in certain critical need occupations. The purpose of this appropriation is also to provide loans for students eligible under O.C.G.A. 20-3-400.2(e.1).

TOTAL STATE FUNDS	\$26,000,000	\$26,000,000	\$26,000,000
State General Funds	\$0	\$0	\$0

Lottery Proceeds	\$26,000,000	\$26,000,000	\$26,000,000
TOTAL AGENCY FUNDS	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services Not Itemized	\$1,000,000	\$1,000,000	\$1,000,000
TOTAL PUBLIC FUNDS	\$27,000,000	\$27,000,000	\$27,000,000

315.100 Low Interest Loans	Appropriation (HB 683)
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The purpose of this appropriation is to implement a low-interest loan program to assist with the affordability of a college or technical college education, encourage timely persistence to the achievement of postsecondary credentials, and to incentivize loan recipients to work in public service. The loans are forgivable for recipients who work in certain critical need occupations. The purpose of this appropriation is also to provide loans for students eligible under O.C.G.A. 20-3-400.2(e.1).

TOTAL STATE FUNDS	\$26,000,000	\$26,000,000	\$26,000,000
Lottery Proceeds	\$26,000,000	\$26,000,000	\$26,000,000
TOTAL AGENCY FUNDS	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services Not Itemized	\$1,000,000	\$1,000,000	\$1,000,000
TOTAL PUBLIC FUNDS	\$27,000,000	\$27,000,000	\$27,000,000

North Georgia Military Scholarship Grants

Continuation Budget

The purpose of this appropriation is to provide outstanding students with a full scholarship to attend the University of North Georgia, thereby strengthening Georgia's Army National Guard with their membership.

TOTAL STATE FUNDS	\$3,037,740	\$3,037,740	\$3,037,740
State General Funds	\$3,037,740	\$3,037,740	\$3,037,740
TOTAL PUBLIC FUNDS	\$3,037,740	\$3,037,740	\$3,037,740

316.100 North Georgia Military Scholarship Grants	Appropriation (HB 683)
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The purpose of this appropriation is to provide outstanding students with a full scholarship to attend the University of North Georgia, thereby strengthening Georgia's Army National Guard with their membership.

TOTAL STATE FUNDS	\$3,037,740	\$3,037,740	\$3,037,740
State General Funds	\$3,037,740	\$3,037,740	\$3,037,740
TOTAL PUBLIC FUNDS	\$3,037,740	\$3,037,740	\$3,037,740

North Georgia ROTC Grants

Continuation Budget

The purpose of this appropriation is to provide Georgia residents with non-repayable financial assistance to attend the University of North Georgia and to participate in the Reserve Officers Training Corps program.

TOTAL STATE FUNDS	\$1,237,500	\$1,237,500	\$1,237,500
State General Funds	\$1,237,500	\$1,237,500	\$1,237,500
TOTAL PUBLIC FUNDS	\$1,237,500	\$1,237,500	\$1,237,500

317.100 North Georgia ROTC Grants

Appropriation (HB 683)

The purpose of this appropriation is to provide Georgia residents with non-repayable financial assistance to attend the University of North Georgia and to participate in the Reserve Officers Training Corps program.

TOTAL STATE FUNDS	\$1,237,500	\$1,237,500	\$1,237,500
State General Funds	\$1,237,500	\$1,237,500	\$1,237,500
TOTAL PUBLIC FUNDS	\$1,237,500	\$1,237,500	\$1,237,500

Public Safety Memorial Grant

Continuation Budget

The purpose of this appropriation is to provide educational grant assistance to the children of Georgia law enforcement officers, fire fighters, EMTs, correctional officers, and prison guards who were permanently disabled or killed in the line of duty, to attend a public or private postsecondary institution in the State of Georgia.

TOTAL STATE FUNDS	\$600,000	\$600,000	\$600,000
State General Funds	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$600,000	\$600,000	\$600,000

318.100 Public Safety Memorial Grant

Appropriation (HB 683)

The purpose of this appropriation is to provide educational grant assistance to the children of Georgia law enforcement officers, fire fighters, EMTs, correctional officers, and prison guards who were permanently disabled or killed in the line of duty, to attend a public or private postsecondary institution in the State of Georgia.

TOTAL STATE FUNDS	\$600,000	\$600,000	\$600,000
State General Funds	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$600,000	\$600,000	\$600,000

REACH Georgia Scholarship

Continuation Budget

The purpose of this appropriation is to provide needs-based scholarships to selected students participating in the REACH Georgia mentorship and scholarship program, which encourages and supports academically promising middle and high school students in their educational pursuits.

TOTAL STATE FUNDS	\$2,750,000	\$2,750,000	\$2,750,000
State General Funds	\$2,750,000	\$2,750,000	\$2,750,000
TOTAL PUBLIC FUNDS	\$2,750,000	\$2,750,000	\$2,750,000

319.100 REACH Georgia Scholarship **Appropriation (HB 683)**

The purpose of this appropriation is to provide needs-based scholarships to selected students participating in the REACH Georgia mentorship and scholarship program, which encourages and supports academically promising middle and high school students in their educational pursuits.

TOTAL STATE FUNDS	\$2,750,000	\$2,750,000	\$2,750,000
State General Funds	\$2,750,000	\$2,750,000	\$2,750,000
TOTAL PUBLIC FUNDS	\$2,750,000	\$2,750,000	\$2,750,000

Service Cancelable Loans

Continuation Budget

The purpose of this appropriation is to provide service cancelable loans as authorized in statute including programs for large animal veterinarians and Georgia National Guard members.

TOTAL STATE FUNDS	\$300,000	\$300,000	\$300,000
State General Funds	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$300,000	\$300,000	\$300,000

320.100 Service Cancelable Loans **Appropriation (HB 683)**

The purpose of this appropriation is to provide service cancelable loans as authorized in statute including programs for large animal veterinarians and Georgia National Guard members.

TOTAL STATE FUNDS	\$300,000	\$300,000	\$300,000
State General Funds	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$300,000	\$300,000	\$300,000

Tuition Equalization Grants

Continuation Budget

The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private post-secondary institutions.

TOTAL STATE FUNDS	\$22,841,185	\$22,841,185	\$22,841,185
State General Funds	\$22,841,185	\$22,841,185	\$22,841,185
TOTAL PUBLIC FUNDS	\$22,841,185	\$22,841,185	\$22,841,185

321.1 *Utilize deferred revenue to meet projected need.*

Sales and Services Not Itemized	\$805,330	\$805,330	\$805,330
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321.99 SAC: *The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.*

House: *The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.*

Governor: *The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.*

State General Funds	\$0	\$0	\$0
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321.100 Tuition Equalization Grants	Appropriation (HB 683)
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The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.

TOTAL STATE FUNDS	\$22,841,185	\$22,841,185	\$22,841,185
State General Funds	\$22,841,185	\$22,841,185	\$22,841,185
TOTAL AGENCY FUNDS	\$805,330	\$805,330	\$805,330
Sales and Services	\$805,330	\$805,330	\$805,330
Sales and Services Not Itemized	\$805,330	\$805,330	\$805,330
TOTAL PUBLIC FUNDS	\$23,646,515	\$23,646,515	\$23,646,515

Nonpublic Postsecondary Education Commission

Continuation Budget

The purpose of this appropriation is to authorize private post-secondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.

TOTAL STATE FUNDS	\$996,250	\$996,250	\$996,250
State General Funds	\$996,250	\$996,250	\$996,250
TOTAL PUBLIC FUNDS	\$996,250	\$996,250	\$996,250

322.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$403)	(\$403)	(\$403)
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322.99 SAC: *The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.*

House: *The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.*

Governor: *The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.*

State General Funds	\$0	\$0	\$0
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322.100 Nonpublic Postsecondary Education Commission	Appropriation (HB 683)
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The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.

TOTAL STATE FUNDS	\$995,847	\$995,847	\$995,847
State General Funds	\$995,847	\$995,847	\$995,847
TOTAL PUBLIC FUNDS	\$995,847	\$995,847	\$995,847

Section 45: Teachers' Retirement System

Section Total - Continuation

TOTAL STATE FUNDS	\$240,000	\$240,000	\$240,000
State General Funds	\$240,000	\$240,000	\$240,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$39,982,647	\$39,982,647	\$39,982,647
State Funds Transfers	\$39,982,647	\$39,982,647	\$39,982,647
Retirement Payments	\$39,982,647	\$39,982,647	\$39,982,647
TOTAL PUBLIC FUNDS	\$40,222,647	\$40,222,647	\$40,222,647

Section Total - Final

TOTAL STATE FUNDS	\$240,000	\$240,000	\$240,000
State General Funds	\$240,000	\$240,000	\$240,000

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$39,982,647	\$39,982,647	\$39,982,647
State Funds Transfers	\$39,982,647	\$39,982,647	\$39,982,647
Retirement Payments	\$39,982,647	\$39,982,647	\$39,982,647
TOTAL PUBLIC FUNDS	\$40,222,647	\$40,222,647	\$40,222,647

Local/Floor COLA

Continuation Budget

The purpose of this appropriation is to provide retirees from local retirement systems a minimum allowance upon retirement (Floor) and a post-retirement benefit adjustment (COLA) whenever such adjustment is granted to teachers who retired under TRS.

TOTAL STATE FUNDS	\$240,000	\$240,000	\$240,000
State General Funds	\$240,000	\$240,000	\$240,000
TOTAL PUBLIC FUNDS	\$240,000	\$240,000	\$240,000

323.100 Local/Floor COLA	Appropriation (HB 683)
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The purpose of this appropriation is to provide retirees from local retirement systems a minimum allowance upon retirement (Floor) and a post-retirement benefit adjustment (COLA) whenever such adjustment is granted to teachers who retired under TRS.

TOTAL STATE FUNDS	\$240,000	\$240,000	\$240,000
State General Funds	\$240,000	\$240,000	\$240,000
TOTAL PUBLIC FUNDS	\$240,000	\$240,000	\$240,000

System Administration (TRS)

Continuation Budget

The purpose of this appropriation is to administer the Teachers Retirement System of Georgia, including paying retiree benefits, investing retirement funds, accounting for the status and contributions of active and inactive members, counseling members, and processing refunds.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$39,982,647	\$39,982,647	\$39,982,647
State Funds Transfers	\$39,982,647	\$39,982,647	\$39,982,647
Retirement Payments	\$39,982,647	\$39,982,647	\$39,982,647
TOTAL PUBLIC FUNDS	\$39,982,647	\$39,982,647	\$39,982,647

324.100 System Administration (TRS) Appropriation (HB 683)

The purpose of this appropriation is to administer the Teachers Retirement System of Georgia, including paying retiree benefits, investing retirement funds, accounting for the status and contributions of active and inactive members, counseling members, and processing refunds.

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$39,982,647	\$39,982,647	\$39,982,647
State Funds Transfers	\$39,982,647	\$39,982,647	\$39,982,647
Retirement Payments	\$39,982,647	\$39,982,647	\$39,982,647
TOTAL PUBLIC FUNDS	\$39,982,647	\$39,982,647	\$39,982,647

It is the intent of the General Assembly that the employer contribution rate for the Teachers' Retirement System shall not exceed 16.81% for State Fiscal Year 2018.

Section 46: Technical College System of Georgia

Section Total - Continuation

TOTAL STATE FUNDS	\$361,017,151	\$361,017,151	\$361,017,151
State General Funds	\$361,017,151	\$361,017,151	\$361,017,151
TOTAL FEDERAL FUNDS	\$77,784,382	\$77,784,382	\$77,784,382
Federal Funds Not Itemized	\$75,562,707	\$75,562,707	\$75,562,707
Child Care & Development Block Grant CFDA93.575	\$2,221,675	\$2,221,675	\$2,221,675
TOTAL AGENCY FUNDS	\$346,152,569	\$346,152,569	\$346,152,569
Intergovernmental Transfers	\$1,485,475	\$1,485,475	\$1,485,475
Intergovernmental Transfers Not Itemized	\$1,485,475	\$1,485,475	\$1,485,475
Rebates, Refunds, and Reimbursements	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements Not Itemized	\$134,945	\$134,945	\$134,945
Sales and Services	\$344,532,149	\$344,532,149	\$344,532,149
Sales and Services Not Itemized	\$74,313,334	\$74,313,334	\$74,313,334
Tuition and Fees for Higher Education	\$270,218,815	\$270,218,815	\$270,218,815
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,762,138	\$2,762,138	\$2,762,138
State Funds Transfers	\$2,762,138	\$2,762,138	\$2,762,138
Agency to Agency Contracts	\$2,762,138	\$2,762,138	\$2,762,138
TOTAL PUBLIC FUNDS	\$787,716,240	\$787,716,240	\$787,716,240

	Section Total - Final		
TOTAL STATE FUNDS	\$362,216,302	\$363,216,302	\$363,216,302
State General Funds	\$362,216,302	\$363,216,302	\$363,216,302
TOTAL FEDERAL FUNDS	\$77,784,382	\$77,784,382	\$77,784,382
Federal Funds Not Itemized	\$75,562,707	\$75,562,707	\$75,562,707
Child Care & Development Block Grant CFDA93.575	\$2,221,675	\$2,221,675	\$2,221,675
TOTAL AGENCY FUNDS	\$346,152,569	\$346,152,569	\$346,152,569
Intergovernmental Transfers	\$1,485,475	\$1,485,475	\$1,485,475
Intergovernmental Transfers Not Itemized	\$1,485,475	\$1,485,475	\$1,485,475
Rebates, Refunds, and Reimbursements	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements Not Itemized	\$134,945	\$134,945	\$134,945
Sales and Services	\$344,532,149	\$344,532,149	\$344,532,149
Sales and Services Not Itemized	\$74,313,334	\$74,313,334	\$74,313,334
Tuition and Fees for Higher Education	\$270,218,815	\$270,218,815	\$270,218,815
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,762,138	\$2,762,138	\$2,762,138
State Funds Transfers	\$2,762,138	\$2,762,138	\$2,762,138
Agency to Agency Contracts	\$2,762,138	\$2,762,138	\$2,762,138
TOTAL PUBLIC FUNDS	\$788,915,391	\$789,915,391	\$789,915,391

Adult Education

Continuation Budget

The purpose of this appropriation is to develop Georgia's workforce by providing adult learners in Georgia with basic reading, writing, computation, speaking, listening, and technology skills; to provide secondary instruction to adults without a high school diploma; and to provide oversight of GED preparation, testing, and the processing of diplomas and transcripts.

TOTAL STATE FUNDS	\$16,445,050	\$16,445,050	\$16,445,050
State General Funds	\$16,445,050	\$16,445,050	\$16,445,050
TOTAL FEDERAL FUNDS	\$22,013,369	\$22,013,369	\$22,013,369
Federal Funds Not Itemized	\$22,013,369	\$22,013,369	\$22,013,369
TOTAL AGENCY FUNDS	\$4,283,915	\$4,283,915	\$4,283,915
Intergovernmental Transfers	\$1,485,475	\$1,485,475	\$1,485,475
Intergovernmental Transfers Not Itemized	\$1,485,475	\$1,485,475	\$1,485,475
Sales and Services	\$2,798,440	\$2,798,440	\$2,798,440
Sales and Services Not Itemized	\$2,798,440	\$2,798,440	\$2,798,440

TOTAL PUBLIC FUNDS	\$42,742,334	\$42,742,334	\$42,742,334
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325.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$163	\$163	\$163
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325.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$5,699)	(\$5,699)	(\$5,699)
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325.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$7,316	\$7,316	\$7,316
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325.100 Adult Education	Appropriation (HB 683)
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The purpose of this appropriation is to develop Georgia's workforce by providing adult learners in Georgia with basic reading, writing, computation, speaking, listening, and technology skills; to provide secondary instruction to adults without a high school diploma; and to provide oversight of GED preparation, testing, and the processing of diplomas and transcripts.

TOTAL STATE FUNDS	\$16,446,830	\$16,446,830	\$16,446,830
State General Funds	\$16,446,830	\$16,446,830	\$16,446,830
TOTAL FEDERAL FUNDS	\$22,013,369	\$22,013,369	\$22,013,369
Federal Funds Not Itemized	\$22,013,369	\$22,013,369	\$22,013,369
TOTAL AGENCY FUNDS	\$4,283,915	\$4,283,915	\$4,283,915
Intergovernmental Transfers	\$1,485,475	\$1,485,475	\$1,485,475
Intergovernmental Transfers Not Itemized	\$1,485,475	\$1,485,475	\$1,485,475
Sales and Services	\$2,798,440	\$2,798,440	\$2,798,440
Sales and Services Not Itemized	\$2,798,440	\$2,798,440	\$2,798,440
TOTAL PUBLIC FUNDS	\$42,744,114	\$42,744,114	\$42,744,114

Departmental Administration (TCSG)	Continuation Budget
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The purpose of this appropriation is to provide statewide administrative services to support the state workforce development efforts undertaken by the department through its associated programs and institutions.

TOTAL STATE FUNDS	\$9,301,188	\$9,301,188	\$9,301,188
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State General Funds	\$9,301,188	\$9,301,188	\$9,301,188
TOTAL AGENCY FUNDS	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements Not Itemized	\$134,945	\$134,945	\$134,945
TOTAL PUBLIC FUNDS	\$9,436,133	\$9,436,133	\$9,436,133

326.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,818	\$1,818	\$1,818
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326.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,174)	(\$3,174)	(\$3,174)
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326.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,075	\$4,075	\$4,075
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326.100 Departmental Administration (TCSG)	Appropriation (HB 683)
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The purpose of this appropriation is to provide statewide administrative services to support the state workforce development efforts undertaken by the department through its associated programs and institutions.

TOTAL STATE FUNDS	\$9,303,907	\$9,303,907	\$9,303,907
State General Funds	\$9,303,907	\$9,303,907	\$9,303,907
TOTAL AGENCY FUNDS	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements Not Itemized	\$134,945	\$134,945	\$134,945
TOTAL PUBLIC FUNDS	\$9,438,852	\$9,438,852	\$9,438,852

Quick Start and Customized Services

Continuation Budget

The purpose of this appropriation is to promote job creation and retention by developing and delivering customized workforce training for Georgia businesses during start-up, expansion, or when they make capital investments in new technology, processes, or product lines in order to remain competitive in the global marketplace.

TOTAL STATE FUNDS	\$13,499,537	\$13,499,537	\$13,499,537
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State General Funds	\$13,499,537	\$13,499,537	\$13,499,537
TOTAL FEDERAL FUNDS	\$154,594	\$154,594	\$154,594
Federal Funds Not Itemized	\$154,594	\$154,594	\$154,594
TOTAL AGENCY FUNDS	\$11,640,612	\$11,640,612	\$11,640,612
Sales and Services	\$11,640,612	\$11,640,612	\$11,640,612
Sales and Services Not Itemized	\$11,640,612	\$11,640,612	\$11,640,612
TOTAL PUBLIC FUNDS	\$25,294,743	\$25,294,743	\$25,294,743

328.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,885	\$1,885	\$1,885
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328.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,289)	(\$3,289)	(\$3,289)
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328.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,223	\$4,223	\$4,223
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328.100 Quick Start and Customized Services

Appropriation (HB 683)

The purpose of this appropriation is to promote job creation and retention by developing and delivering customized workforce training for Georgia businesses during start-up, expansion, or when they make capital investments in new technology, processes, or product lines in order to remain competitive in the global marketplace.

TOTAL STATE FUNDS	\$13,502,356	\$13,502,356	\$13,502,356
State General Funds	\$13,502,356	\$13,502,356	\$13,502,356
TOTAL FEDERAL FUNDS	\$154,594	\$154,594	\$154,594
Federal Funds Not Itemized	\$154,594	\$154,594	\$154,594
TOTAL AGENCY FUNDS	\$11,640,612	\$11,640,612	\$11,640,612
Sales and Services	\$11,640,612	\$11,640,612	\$11,640,612
Sales and Services Not Itemized	\$11,640,612	\$11,640,612	\$11,640,612
TOTAL PUBLIC FUNDS	\$25,297,562	\$25,297,562	\$25,297,562

Technical Education

Continuation Budget

The purpose of this appropriation is to provide for workforce development through certificate, diploma, and degree programs in technical education and continuing education programs for adult learners, and to encourage both youth and adult learners to acquire postsecondary education or training to increase their competitiveness in the workplace.

TOTAL STATE FUNDS	\$321,771,376	\$321,771,376	\$321,771,376
State General Funds	\$321,771,376	\$321,771,376	\$321,771,376
TOTAL FEDERAL FUNDS	\$55,616,419	\$55,616,419	\$55,616,419
Federal Funds Not Itemized	\$53,394,744	\$53,394,744	\$53,394,744
Child Care & Development Block Grant CFDA93.575	\$2,221,675	\$2,221,675	\$2,221,675
TOTAL AGENCY FUNDS	\$330,093,097	\$330,093,097	\$330,093,097
Sales and Services	\$330,093,097	\$330,093,097	\$330,093,097
Sales and Services Not Itemized	\$59,874,282	\$59,874,282	\$59,874,282
Tuition and Fees for Higher Education	\$270,218,815	\$270,218,815	\$270,218,815
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,762,138	\$2,762,138	\$2,762,138
State Funds Transfers	\$2,762,138	\$2,762,138	\$2,762,138
Agency to Agency Contracts	\$2,762,138	\$2,762,138	\$2,762,138
TOTAL PUBLIC FUNDS	\$710,243,030	\$710,243,030	\$710,243,030

329.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$157,550	\$157,550	\$157,550
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329.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$120,756)	(\$120,756)	(\$120,756)
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329.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$155,039	\$155,039	\$155,039
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329.4 *Increase funds for one-time funding for two mobile welding laboratories for HOPE Career Grant welding training on-site around the state. (H and S:Increase funds for one-time funding for four mobile welding laboratories for HOPE Career Grant welding training on-site around the state)*

State General Funds	\$1,000,000	\$2,000,000	\$2,000,000
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329.100 Technical Education **Appropriation (HB 683)**

The purpose of this appropriation is to provide for workforce development through certificate, diploma, and degree programs in technical education and continuing education programs for adult learners, and to encourage both youth and adult learners to acquire postsecondary education or training to increase their competitiveness in the workplace.

TOTAL STATE FUNDS	\$322,963,209	\$323,963,209	\$323,963,209
State General Funds	\$322,963,209	\$323,963,209	\$323,963,209
TOTAL FEDERAL FUNDS	\$55,616,419	\$55,616,419	\$55,616,419
Federal Funds Not Itemized	\$53,394,744	\$53,394,744	\$53,394,744
Child Care & Development Block Grant CFDA93.575	\$2,221,675	\$2,221,675	\$2,221,675
TOTAL AGENCY FUNDS	\$330,093,097	\$330,093,097	\$330,093,097
Sales and Services	\$330,093,097	\$330,093,097	\$330,093,097
Sales and Services Not Itemized	\$59,874,282	\$59,874,282	\$59,874,282
Tuition and Fees for Higher Education	\$270,218,815	\$270,218,815	\$270,218,815
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,762,138	\$2,762,138	\$2,762,138
State Funds Transfers	\$2,762,138	\$2,762,138	\$2,762,138
Agency to Agency Contracts	\$2,762,138	\$2,762,138	\$2,762,138
TOTAL PUBLIC FUNDS	\$711,434,863	\$712,434,863	\$712,434,863

Section 47: Transportation, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$1,900,586,829	\$1,900,586,829	\$1,900,586,829
State General Funds	\$101,736,829	\$101,736,829	\$101,736,829
State Motor Fuel Funds	\$1,798,850,000	\$1,798,850,000	\$1,798,850,000
TOTAL FEDERAL FUNDS	\$1,593,146,310	\$1,593,146,310	\$1,593,146,310
Federal Funds Not Itemized	\$66,861,369	\$66,861,369	\$66,861,369
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,526,284,941	\$1,526,284,941	\$1,526,284,941
TOTAL AGENCY FUNDS	\$89,566,703	\$89,566,703	\$89,566,703
Intergovernmental Transfers	\$39,945,170	\$39,945,170	\$39,945,170
Intergovernmental Transfers Not Itemized	\$39,945,170	\$39,945,170	\$39,945,170
Sales and Services	\$49,621,533	\$49,621,533	\$49,621,533
Sales and Services Not Itemized	\$49,621,533	\$49,621,533	\$49,621,533
TOTAL PUBLIC FUNDS	\$3,583,299,842	\$3,583,299,842	\$3,583,299,842

	Section Total - Final		
TOTAL STATE FUNDS	\$1,925,801,439	\$1,925,801,439	\$1,925,801,439
State General Funds	\$126,951,439	\$126,951,439	\$126,951,439
State Motor Fuel Funds	\$1,798,850,000	\$1,798,850,000	\$1,798,850,000
TOTAL FEDERAL FUNDS	\$1,593,146,310	\$1,593,146,310	\$1,593,146,310
Federal Funds Not Itemized	\$66,861,369	\$66,861,369	\$66,861,369
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,526,284,941	\$1,526,284,941	\$1,526,284,941
TOTAL AGENCY FUNDS	\$89,566,703	\$89,566,703	\$89,566,703
Intergovernmental Transfers	\$39,945,170	\$39,945,170	\$39,945,170
Intergovernmental Transfers Not Itemized	\$39,945,170	\$39,945,170	\$39,945,170
Sales and Services	\$49,621,533	\$49,621,533	\$49,621,533
Sales and Services Not Itemized	\$49,621,533	\$49,621,533	\$49,621,533
TOTAL PUBLIC FUNDS	\$3,608,514,452	\$3,608,514,452	\$3,608,514,452

Capital Construction Projects

Continuation Budget

The purpose of this appropriation is to provide funding for capital outlay road construction and enhancement projects on local and state road systems.

TOTAL STATE FUNDS	\$783,993,059	\$783,993,059	\$783,993,059
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$783,993,059	\$783,993,059	\$783,993,059
TOTAL FEDERAL FUNDS	\$875,452,699	\$875,452,699	\$875,452,699
Federal Highway Admin.-Planning & Construction CFDA20.205	\$875,452,699	\$875,452,699	\$875,452,699
TOTAL AGENCY FUNDS	\$55,300,430	\$55,300,430	\$55,300,430
Intergovernmental Transfers	\$38,737,112	\$38,737,112	\$38,737,112
Intergovernmental Transfers Not Itemized	\$38,737,112	\$38,737,112	\$38,737,112
Sales and Services	\$16,563,318	\$16,563,318	\$16,563,318
Sales and Services Not Itemized	\$16,563,318	\$16,563,318	\$16,563,318
TOTAL PUBLIC FUNDS	\$1,714,746,188	\$1,714,746,188	\$1,714,746,188

330.100 Capital Construction Projects

Appropriation (HB 683)

The purpose of this appropriation is to provide funding for capital outlay road construction and enhancement projects on local and state road systems.

TOTAL STATE FUNDS	\$783,993,059	\$783,993,059	\$783,993,059
State Motor Fuel Funds	\$783,993,059	\$783,993,059	\$783,993,059
TOTAL FEDERAL FUNDS	\$875,452,699	\$875,452,699	\$875,452,699
Federal Highway Admin.-Planning & Construction CFDA20.205	\$875,452,699	\$875,452,699	\$875,452,699
TOTAL AGENCY FUNDS	\$55,300,430	\$55,300,430	\$55,300,430
Intergovernmental Transfers	\$38,737,112	\$38,737,112	\$38,737,112
Intergovernmental Transfers Not Itemized	\$38,737,112	\$38,737,112	\$38,737,112
Sales and Services	\$16,563,318	\$16,563,318	\$16,563,318
Sales and Services Not Itemized	\$16,563,318	\$16,563,318	\$16,563,318
TOTAL PUBLIC FUNDS	\$1,714,746,188	\$1,714,746,188	\$1,714,746,188

Capital Maintenance Projects**Continuation Budget**

The purpose of this appropriation is to provide funding for capital outlay for maintenance projects.

TOTAL STATE FUNDS	\$148,931,288	\$148,931,288	\$148,931,288
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$148,931,288	\$148,931,288	\$148,931,288
TOTAL FEDERAL FUNDS	\$281,600,000	\$281,600,000	\$281,600,000
Federal Highway Admin.-Planning & Construction CFDA20.205	\$281,600,000	\$281,600,000	\$281,600,000
TOTAL AGENCY FUNDS	\$350,574	\$350,574	\$350,574
Sales and Services	\$350,574	\$350,574	\$350,574
Sales and Services Not Itemized	\$350,574	\$350,574	\$350,574
TOTAL PUBLIC FUNDS	\$430,881,862	\$430,881,862	\$430,881,862

331.100 Capital Maintenance Projects**Appropriation (HB 683)**

The purpose of this appropriation is to provide funding for capital outlay for maintenance projects.

TOTAL STATE FUNDS	\$148,931,288	\$148,931,288	\$148,931,288
State Motor Fuel Funds	\$148,931,288	\$148,931,288	\$148,931,288
TOTAL FEDERAL FUNDS	\$281,600,000	\$281,600,000	\$281,600,000
Federal Highway Admin.-Planning & Construction CFDA20.205	\$281,600,000	\$281,600,000	\$281,600,000
TOTAL AGENCY FUNDS	\$350,574	\$350,574	\$350,574
Sales and Services	\$350,574	\$350,574	\$350,574
Sales and Services Not Itemized	\$350,574	\$350,574	\$350,574
TOTAL PUBLIC FUNDS	\$430,881,862	\$430,881,862	\$430,881,862

Construction Administration

Continuation Budget

The purpose of this appropriation is to improve and expand the state's transportation infrastructure by planning for and selecting road and bridge projects, acquiring rights-of-way, completing engineering and project impact analyses, procuring and monitoring construction contracts, and certifying completed projects.

TOTAL STATE FUNDS	\$101,192,556	\$101,192,556	\$101,192,556
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$101,192,556	\$101,192,556	\$101,192,556
TOTAL FEDERAL FUNDS	\$53,642,990	\$53,642,990	\$53,642,990
Federal Highway Admin.-Planning & Construction CFDA20.205	\$53,642,990	\$53,642,990	\$53,642,990
TOTAL AGENCY FUNDS	\$963,619	\$963,619	\$963,619
Intergovernmental Transfers	\$526,415	\$526,415	\$526,415
Intergovernmental Transfers Not Itemized	\$526,415	\$526,415	\$526,415
Sales and Services	\$437,204	\$437,204	\$437,204
Sales and Services Not Itemized	\$437,204	\$437,204	\$437,204
TOTAL PUBLIC FUNDS	\$155,799,165	\$155,799,165	\$155,799,165

332.1 *Transfer funds from the Construction Administration program to the Traffic Management and Control program to align budget to projected expenditures.*

State Motor Fuel Funds	(\$2,400,000)	(\$2,400,000)	(\$2,400,000)
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332.100 Construction Administration

Appropriation (HB 683)

The purpose of this appropriation is to improve and expand the state's transportation infrastructure by planning for and selecting road and bridge projects, acquiring rights-of-way, completing engineering and project impact analyses, procuring and monitoring construction contracts, and certifying completed projects.

TOTAL STATE FUNDS	\$98,792,556	\$98,792,556	\$98,792,556
State Motor Fuel Funds	\$98,792,556	\$98,792,556	\$98,792,556
TOTAL FEDERAL FUNDS	\$53,642,990	\$53,642,990	\$53,642,990
Federal Highway Admin.-Planning & Construction CFDA20.205	\$53,642,990	\$53,642,990	\$53,642,990
TOTAL AGENCY FUNDS	\$963,619	\$963,619	\$963,619
Intergovernmental Transfers	\$526,415	\$526,415	\$526,415
Intergovernmental Transfers Not Itemized	\$526,415	\$526,415	\$526,415
Sales and Services	\$437,204	\$437,204	\$437,204

Sales and Services Not Itemized	\$437,204	\$437,204	\$437,204
TOTAL PUBLIC FUNDS	\$153,399,165	\$153,399,165	\$153,399,165

Data Collection, Compliance and Reporting

Continuation Budget

The purpose of this appropriation is to collect and disseminate crash, accident, road, and traffic data in accordance with state and federal law in order to provide current and accurate information for planning and public awareness needs.

TOTAL STATE FUNDS	\$1,851,687	\$1,851,687	\$1,851,687
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$1,851,687	\$1,851,687	\$1,851,687
TOTAL FEDERAL FUNDS	\$7,770,257	\$7,770,257	\$7,770,257
Federal Highway Admin.-Planning & Construction CFDA20.205	\$7,770,257	\$7,770,257	\$7,770,257
TOTAL AGENCY FUNDS	\$62,257	\$62,257	\$62,257
Sales and Services	\$62,257	\$62,257	\$62,257
Sales and Services Not Itemized	\$62,257	\$62,257	\$62,257
TOTAL PUBLIC FUNDS	\$9,684,201	\$9,684,201	\$9,684,201

333.1 *Transfer funds from the Payments to the State Road and Tollway Authority program to the Data Collection, Compliance and Reporting program to provide match for federally funded data collection contracts.*

State Motor Fuel Funds	\$1,000,000	\$1,000,000	\$1,000,000
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333.2 *Transfer funds from the Departmental Administration (DOT) program to the Data Collection, Compliance and Reporting program to align budget to projected expenditures.*

State Motor Fuel Funds	\$100,000	\$100,000	\$100,000
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333.100 Data Collection, Compliance and Reporting	Appropriation (HB 683)
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The purpose of this appropriation is to collect and disseminate crash, accident, road, and traffic data in accordance with state and federal law in order to provide current and accurate information for planning and public awareness needs.

TOTAL STATE FUNDS	\$2,951,687	\$2,951,687	\$2,951,687
State Motor Fuel Funds	\$2,951,687	\$2,951,687	\$2,951,687
TOTAL FEDERAL FUNDS	\$7,770,257	\$7,770,257	\$7,770,257
Federal Highway Admin.-Planning & Construction CFDA20.205	\$7,770,257	\$7,770,257	\$7,770,257
TOTAL AGENCY FUNDS	\$62,257	\$62,257	\$62,257

Sales and Services	\$62,257	\$62,257	\$62,257
Sales and Services Not Itemized	\$62,257	\$62,257	\$62,257
TOTAL PUBLIC FUNDS	\$10,784,201	\$10,784,201	\$10,784,201

Departmental Administration (DOT)

Continuation Budget

The purpose of this appropriation is to plan, construct, maintain, and improve the state's roads and bridges; provide planning and financial support for other modes of transportation such as mass transit, airports, railroads and waterways.

TOTAL STATE FUNDS	\$69,327,455	\$69,327,455	\$69,327,455
State General Funds	\$3,278	\$3,278	\$3,278
State Motor Fuel Funds	\$69,324,177	\$69,324,177	\$69,324,177
TOTAL FEDERAL FUNDS	\$10,839,823	\$10,839,823	\$10,839,823
Federal Highway Admin.-Planning & Construction CFDA20.205	\$10,839,823	\$10,839,823	\$10,839,823
TOTAL AGENCY FUNDS	\$898,970	\$898,970	\$898,970
Sales and Services	\$898,970	\$898,970	\$898,970
Sales and Services Not Itemized	\$898,970	\$898,970	\$898,970
TOTAL PUBLIC FUNDS	\$81,066,248	\$81,066,248	\$81,066,248

334.1 *Transfer funds from the Departmental Administration (DOT) program to the Traffic Management and Control program (\$2,600,000) and to the Data Collection, Compliance and Reporting program (\$100,000) to align budget to projected expenditures.*

State Motor Fuel Funds	(\$2,700,000)	(\$2,700,000)	(\$2,700,000)
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334.2 *Transfer funds from the Departmental Administration (DOT) program to the Intermodal program for cyber insurance premiums.*

State General Funds	(\$3,278)	(\$3,278)	(\$3,278)
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334.100 Departmental Administration (DOT)	Appropriation (HB 683)
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The purpose of this appropriation is to plan, construct, maintain, and improve the state's roads and bridges; provide planning and financial support for other modes of transportation such as mass transit, airports, railroads and waterways.

TOTAL STATE FUNDS	\$66,624,177	\$66,624,177	\$66,624,177
State Motor Fuel Funds	\$66,624,177	\$66,624,177	\$66,624,177
TOTAL FEDERAL FUNDS	\$10,839,823	\$10,839,823	\$10,839,823
Federal Highway Admin.-Planning & Construction CFDA20.205	\$10,839,823	\$10,839,823	\$10,839,823

TOTAL AGENCY FUNDS	\$898,970	\$898,970	\$898,970
Sales and Services	\$898,970	\$898,970	\$898,970
Sales and Services Not Itemized	\$898,970	\$898,970	\$898,970
TOTAL PUBLIC FUNDS	\$78,362,970	\$78,362,970	\$78,362,970

Intermodal**Continuation Budget**

The purpose of this appropriation is to support the planning, development and maintenance of Georgia's Airports, Rail, Transit and Ports and Waterways to facilitate a complete and seamless statewide transportation system.

TOTAL STATE FUNDS	\$18,593,377	\$18,593,377	\$18,593,377
State General Funds	\$18,593,377	\$18,593,377	\$18,593,377
TOTAL FEDERAL FUNDS	\$66,861,369	\$66,861,369	\$66,861,369
Federal Funds Not Itemized	\$66,861,369	\$66,861,369	\$66,861,369
TOTAL AGENCY FUNDS	\$782,232	\$782,232	\$782,232
Intergovernmental Transfers	\$681,643	\$681,643	\$681,643
Intergovernmental Transfers Not Itemized	\$681,643	\$681,643	\$681,643
Sales and Services	\$100,589	\$100,589	\$100,589
Sales and Services Not Itemized	\$100,589	\$100,589	\$100,589
TOTAL PUBLIC FUNDS	\$86,236,978	\$86,236,978	\$86,236,978

335.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$30,747	\$30,747	\$30,747
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335.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,804)	(\$2,804)	(\$2,804)
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335.3 *Transfer funds from the Departmental Administration (DOT) program to the Intermodal program for cyber insurance premiums.*

State General Funds	\$3,278	\$3,278	\$3,278
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335.4 *Increase funds for one-time funding to expand 11 runway lengths sufficient to safely handle larger aircraft to spur economic development and business investment in rural areas.*

State General Funds	\$25,186,667	\$25,186,667	\$25,186,667
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335.100 Intermodal Appropriation (HB 683)

The purpose of this appropriation is to support the planning, development and maintenance of Georgia's Airports, Rail, Transit and Ports and Waterways to facilitate a complete and seamless statewide transportation system.

TOTAL STATE FUNDS	\$43,811,265	\$43,811,265	\$43,811,265
State General Funds	\$43,811,265	\$43,811,265	\$43,811,265
TOTAL FEDERAL FUNDS	\$66,861,369	\$66,861,369	\$66,861,369
Federal Funds Not Itemized	\$66,861,369	\$66,861,369	\$66,861,369
TOTAL AGENCY FUNDS	\$782,232	\$782,232	\$782,232
Intergovernmental Transfers	\$681,643	\$681,643	\$681,643
Intergovernmental Transfers Not Itemized	\$681,643	\$681,643	\$681,643
Sales and Services	\$100,589	\$100,589	\$100,589
Sales and Services Not Itemized	\$100,589	\$100,589	\$100,589
TOTAL PUBLIC FUNDS	\$111,454,866	\$111,454,866	\$111,454,866

Local Maintenance and Improvement Grants

Continuation Budget

The purpose of this appropriation is to provide funding for capital outlay grants to local governments for road and bridge resurfacing projects through the state-funded Construction-Local Road Assistance program.

TOTAL STATE FUNDS	\$179,885,000	\$179,885,000	\$179,885,000
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$179,885,000	\$179,885,000	\$179,885,000
TOTAL PUBLIC FUNDS	\$179,885,000	\$179,885,000	\$179,885,000

336.100 Local Maintenance and Improvement Grants Appropriation (HB 683)

The purpose of this appropriation is to provide funding for capital outlay grants to local governments for road and bridge resurfacing projects through the state-funded Construction-Local Road Assistance program.

TOTAL STATE FUNDS	\$179,885,000	\$179,885,000	\$179,885,000
State Motor Fuel Funds	\$179,885,000	\$179,885,000	\$179,885,000
TOTAL PUBLIC FUNDS	\$179,885,000	\$179,885,000	\$179,885,000

Local Road Assistance Administration

Continuation Budget

The purpose of this appropriation is to provide technical and financial assistance to local governments for construction, maintenance, and resurfacing of local roads and bridges.

TOTAL STATE FUNDS	\$4,346,461	\$4,346,461	\$4,346,461
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$4,346,461	\$4,346,461	\$4,346,461
TOTAL FEDERAL FUNDS	\$51,655,917	\$51,655,917	\$51,655,917
Federal Highway Admin.-Planning & Construction CFDA20.205	\$51,655,917	\$51,655,917	\$51,655,917
TOTAL AGENCY FUNDS	\$595,233	\$595,233	\$595,233
Sales and Services	\$595,233	\$595,233	\$595,233
Sales and Services Not Itemized	\$595,233	\$595,233	\$595,233
TOTAL PUBLIC FUNDS	\$56,597,611	\$56,597,611	\$56,597,611

337.100 Local Road Assistance Administration**Appropriation (HB 683)**

The purpose of this appropriation is to provide technical and financial assistance to local governments for construction, maintenance, and resurfacing of local roads and bridges.

TOTAL STATE FUNDS	\$4,346,461	\$4,346,461	\$4,346,461
State Motor Fuel Funds	\$4,346,461	\$4,346,461	\$4,346,461
TOTAL FEDERAL FUNDS	\$51,655,917	\$51,655,917	\$51,655,917
Federal Highway Admin.-Planning & Construction CFDA20.205	\$51,655,917	\$51,655,917	\$51,655,917
TOTAL AGENCY FUNDS	\$595,233	\$595,233	\$595,233
Sales and Services	\$595,233	\$595,233	\$595,233
Sales and Services Not Itemized	\$595,233	\$595,233	\$595,233
TOTAL PUBLIC FUNDS	\$56,597,611	\$56,597,611	\$56,597,611

Planning**Continuation Budget**

The purpose of this appropriation is to develop the state transportation improvement program and the statewide strategic transportation plan, and coordinate transportation policies, planning, and programs related to design, construction, maintenance, operations, and financing of transportation.

TOTAL STATE FUNDS	\$1,787,098	\$1,787,098	\$1,787,098
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$1,787,098	\$1,787,098	\$1,787,098
TOTAL FEDERAL FUNDS	\$22,772,795	\$22,772,795	\$22,772,795
Federal Highway Admin.-Planning & Construction CFDA20.205	\$22,772,795	\$22,772,795	\$22,772,795
TOTAL PUBLIC FUNDS	\$24,559,893	\$24,559,893	\$24,559,893

338.1 *Transfer funds from the Payments to the State Road and Tollway Authority program to the Planning program to provide match for federal planning contracts.*

State Motor Fuel Funds	\$500,000	\$500,000	\$500,000
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338.100 Planning	Appropriation (HB 683)
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The purpose of this appropriation is to develop the state transportation improvement program and the statewide strategic transportation plan, and coordinate transportation policies, planning, and programs related to design, construction, maintenance, operations, and financing of transportation.

TOTAL STATE FUNDS	\$2,287,098	\$2,287,098	\$2,287,098
State Motor Fuel Funds	\$2,287,098	\$2,287,098	\$2,287,098
TOTAL FEDERAL FUNDS	\$22,772,795	\$22,772,795	\$22,772,795
Federal Highway Admin.-Planning & Construction CFDA20.205	\$22,772,795	\$22,772,795	\$22,772,795
TOTAL PUBLIC FUNDS	\$25,059,893	\$25,059,893	\$25,059,893

Routine Maintenance

Continuation Budget

The purpose of this appropriation is to ensure a safe and adequately maintained state transportation system by inspecting roads and bridges, cataloguing road and bridge conditions and maintenance needs, and providing routine maintenance for state road and bridges. The purpose of this appropriation is also to maintain landscaping on road easements and rights-of-way through planting, litter control, vegetation removal, and grants to local governments, to provide for emergency operations on state routes, and to maintain state rest areas and welcome centers.

TOTAL STATE FUNDS	\$447,927,451	\$447,927,451	\$447,927,451
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$447,927,451	\$447,927,451	\$447,927,451
TOTAL FEDERAL FUNDS	\$3,886,452	\$3,886,452	\$3,886,452
Federal Highway Admin.-Planning & Construction CFDA20.205	\$3,886,452	\$3,886,452	\$3,886,452
TOTAL AGENCY FUNDS	\$5,078,904	\$5,078,904	\$5,078,904
Sales and Services	\$5,078,904	\$5,078,904	\$5,078,904
Sales and Services Not Itemized	\$5,078,904	\$5,078,904	\$5,078,904
TOTAL PUBLIC FUNDS	\$456,892,807	\$456,892,807	\$456,892,807

339.100 Routine Maintenance	Appropriation (HB 683)
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The purpose of this appropriation is to ensure a safe and adequately maintained state transportation system by inspecting roads and

bridges, cataloguing road and bridge conditions and maintenance needs, and providing routine maintenance for state road and bridges. The purpose of this appropriation is also to maintain landscaping on road easements and rights-of-way through planting, litter control, vegetation removal, and grants to local governments, to provide for emergency operations on state routes, and to maintain state rest areas and welcome centers.

TOTAL STATE FUNDS	\$447,927,451	\$447,927,451	\$447,927,451
State Motor Fuel Funds	\$447,927,451	\$447,927,451	\$447,927,451
TOTAL FEDERAL FUNDS	\$3,886,452	\$3,886,452	\$3,886,452
Federal Highway Admin.-Planning & Construction CFDA20.205	\$3,886,452	\$3,886,452	\$3,886,452
TOTAL AGENCY FUNDS	\$5,078,904	\$5,078,904	\$5,078,904
Sales and Services	\$5,078,904	\$5,078,904	\$5,078,904
Sales and Services Not Itemized	\$5,078,904	\$5,078,904	\$5,078,904
TOTAL PUBLIC FUNDS	\$456,892,807	\$456,892,807	\$456,892,807

Traffic Management and Control

Continuation Budget

The purpose of this appropriation is to ensure a safe and efficient transportation system statewide by conducting traffic engineering studies for traffic safety planning, permitting for activity on or adjacent to state roads, providing motorist assistance and traffic information through the Highway Emergency Response Operators (HERO) program and Intelligent Transportation System, and conducting inspections, repairs, and installations of traffic signals.

TOTAL STATE FUNDS	\$31,062,611	\$31,062,611	\$31,062,611
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$31,062,611	\$31,062,611	\$31,062,611
TOTAL FEDERAL FUNDS	\$68,110,542	\$68,110,542	\$68,110,542
Federal Highway Admin.-Planning & Construction CFDA20.205	\$68,110,542	\$68,110,542	\$68,110,542
TOTAL AGENCY FUNDS	\$25,534,484	\$25,534,484	\$25,534,484
Sales and Services	\$25,534,484	\$25,534,484	\$25,534,484
Sales and Services Not Itemized	\$25,534,484	\$25,534,484	\$25,534,484
TOTAL PUBLIC FUNDS	\$124,707,637	\$124,707,637	\$124,707,637

340.1 *Transfer funds from the Construction Administration (\$2,400,000) and Departmental Administration (DOT) (\$2,600,000) programs to the Traffic Management and Control program for managed lane operations and HERO expansion.*

State Motor Fuel Funds	\$5,000,000	\$5,000,000	\$5,000,000
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340.100 Traffic Management and Control **Appropriation (HB 683)**

The purpose of this appropriation is to ensure a safe and efficient transportation system statewide by conducting traffic engineering studies for traffic safety planning, permitting for activity on or adjacent to state roads, providing motorist assistance and traffic information through the Highway Emergency Response Operators (HERO) program and Intelligent Transportation System, and conducting inspections, repairs, and installations of traffic signals.

TOTAL STATE FUNDS	\$36,062,611	\$36,062,611	\$36,062,611
State Motor Fuel Funds	\$36,062,611	\$36,062,611	\$36,062,611
TOTAL FEDERAL FUNDS	\$68,110,542	\$68,110,542	\$68,110,542
Federal Highway Admin.-Planning & Construction CFDA20.205	\$68,110,542	\$68,110,542	\$68,110,542
TOTAL AGENCY FUNDS	\$25,534,484	\$25,534,484	\$25,534,484
Sales and Services	\$25,534,484	\$25,534,484	\$25,534,484
Sales and Services Not Itemized	\$25,534,484	\$25,534,484	\$25,534,484
TOTAL PUBLIC FUNDS	\$129,707,637	\$129,707,637	\$129,707,637

Payments to the State Road and Tollway Authority **Continuation Budget**

The purpose of this appropriation is to fund debt service payments and other finance instruments and for operations.

TOTAL STATE FUNDS	\$111,688,786	\$111,688,786	\$111,688,786
State General Funds	\$83,140,174	\$83,140,174	\$83,140,174
State Motor Fuel Funds	\$28,548,612	\$28,548,612	\$28,548,612
TOTAL FEDERAL FUNDS	\$150,553,466	\$150,553,466	\$150,553,466
Federal Highway Admin.-Planning & Construction CFDA20.205	\$150,553,466	\$150,553,466	\$150,553,466
TOTAL PUBLIC FUNDS	\$262,242,252	\$262,242,252	\$262,242,252

341.1 *Transfer funds from the Payments to the State Road and Tollway Authority program to the Data Collection, Compliance and Reporting (\$1,000,000) and Planning (\$500,000) programs from savings associated with GARVEE refinancing.*

State Motor Fuel Funds	(\$1,500,000)	(\$1,500,000)	(\$1,500,000)
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341.2 *No additional funds shall be expended for professional services on regional transit studies other than approved through joint participation of Senate and House Transportation Committees. (S:YES)*

State General Funds			\$0
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341.100 Payments to the State Road and Tollway Authority	Appropriation (HB 683)		
<i>The purpose of this appropriation is to fund debt service payments and other finance instruments and for operations.</i>			
TOTAL STATE FUNDS	\$110,188,786	\$110,188,786	\$110,188,786
State General Funds	\$83,140,174	\$83,140,174	\$83,140,174
State Motor Fuel Funds	\$27,048,612	\$27,048,612	\$27,048,612
TOTAL FEDERAL FUNDS	\$150,553,466	\$150,553,466	\$150,553,466
Federal Highway Admin.-Planning & Construction CFDA20.205	\$150,553,466	\$150,553,466	\$150,553,466
TOTAL PUBLIC FUNDS	\$260,742,252	\$260,742,252	\$260,742,252

It is the intent of this General Assembly that the following provisions apply:

- a.) In order to meet the requirements for projects on the Interstate System, the Office of Planning and Budget is hereby authorized and directed to give advanced budgetary authorization for letting and execution of Interstate Highway Contracts not to exceed the amount of Motor Fuel Tax Revenues actually paid into the Office of the State Treasurer, attached agency of the Department of Administrative Services.
- b.) Programs financed by Motor Fuel Tax Funds may be adjusted for additional appropriation or balances brought forward from previous years with prior approval by the Office of Planning and Budget.
- c.) The Fiscal Officers of the State are hereby directed as of July 1st of each fiscal year to determine the collection of Motor Fuel Tax in the immediately preceding year less refunds, rebates and collection costs and enter this amount as being the appropriation payable in lieu of the Motor Fuel Tax Funds appropriated in this Bill, in the event such collections, less refunds, rebates and collection costs, exceed such Motor Fuel Tax Appropriation.
- d.) Functions financed with General Fund appropriations shall be accounted for separately and shall be in addition to appropriations of Motor Fuel Tax revenues required under Article III, Section IX, Paragraph VI, Subsection (b) of the State Constitution.
- e.) Bus rental income may be retained to operate, maintain and upgrade department-owned buses.

Section 48: Veterans Service, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$22,477,909	\$22,477,909	\$22,477,909
State General Funds	\$22,477,909	\$22,477,909	\$22,477,909
TOTAL FEDERAL FUNDS	\$14,734,560	\$14,734,560	\$14,734,560
Federal Funds Not Itemized	\$14,734,560	\$14,734,560	\$14,734,560
TOTAL AGENCY FUNDS	\$3,107,465	\$3,107,465	\$3,107,465
Intergovernmental Transfers	\$724,733	\$724,733	\$724,733

Intergovernmental Transfers Not Itemized	\$724,733	\$724,733	\$724,733
Sales and Services	\$2,382,732	\$2,382,732	\$2,382,732
Sales and Services Not Itemized	\$2,382,732	\$2,382,732	\$2,382,732
TOTAL PUBLIC FUNDS	\$40,319,934	\$40,319,934	\$40,319,934

Section Total - Final

TOTAL STATE FUNDS	\$23,073,578	\$23,073,578	\$23,102,228
State General Funds	\$23,073,578	\$23,073,578	\$23,102,228
TOTAL FEDERAL FUNDS	\$14,734,560	\$14,734,560	\$14,734,560
Federal Funds Not Itemized	\$14,734,560	\$14,734,560	\$14,734,560
TOTAL AGENCY FUNDS	\$3,107,465	\$3,107,465	\$3,107,465
Intergovernmental Transfers	\$724,733	\$724,733	\$724,733
Intergovernmental Transfers Not Itemized	\$724,733	\$724,733	\$724,733
Sales and Services	\$2,382,732	\$2,382,732	\$2,382,732
Sales and Services Not Itemized	\$2,382,732	\$2,382,732	\$2,382,732
TOTAL PUBLIC FUNDS	\$40,915,603	\$40,915,603	\$40,944,253

Departmental Administration (DVS)

Continuation Budget

The purpose of this appropriation is to coordinate, manage, and supervise all aspects of department operations to include financial, public information, personnel, accounting, purchasing, supply, mail, records management, and information technology.

TOTAL STATE FUNDS	\$1,896,474	\$1,896,474	\$1,896,474
State General Funds	\$1,896,474	\$1,896,474	\$1,896,474
TOTAL PUBLIC FUNDS	\$1,896,474	\$1,896,474	\$1,896,474

342.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,615	\$1,615	\$1,615
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342.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$683)	(\$683)	(\$683)
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342.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$11,930	\$11,930	\$11,930
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342.100 Departmental Administration (DVS) Appropriation (HB 683)

The purpose of this appropriation is to coordinate, manage, and supervise all aspects of department operations to include financial, public information, personnel, accounting, purchasing, supply, mail, records management, and information technology.

TOTAL STATE FUNDS	\$1,909,336	\$1,909,336	\$1,909,336
State General Funds	\$1,909,336	\$1,909,336	\$1,909,336
TOTAL PUBLIC FUNDS	\$1,909,336	\$1,909,336	\$1,909,336

Georgia Veterans Memorial Cemetery

Continuation Budget

The purpose of this appropriation is to provide for the interment of eligible Georgia Veterans who served faithfully and honorably in the military service of our country.

TOTAL STATE FUNDS	\$700,361	\$700,361	\$700,361
State General Funds	\$700,361	\$700,361	\$700,361
TOTAL FEDERAL FUNDS	\$928,004	\$928,004	\$928,004
Federal Funds Not Itemized	\$928,004	\$928,004	\$928,004
TOTAL PUBLIC FUNDS	\$1,628,365	\$1,628,365	\$1,628,365

343.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$686	\$686	\$686
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343.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$291)	(\$291)	(\$291)
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343.100 Georgia Veterans Memorial Cemetery Appropriation (HB 683)

The purpose of this appropriation is to provide for the interment of eligible Georgia Veterans who served faithfully and honorably in the military service of our country.

TOTAL STATE FUNDS	\$700,756	\$700,756	\$700,756
State General Funds	\$700,756	\$700,756	\$700,756
TOTAL FEDERAL FUNDS	\$928,004	\$928,004	\$928,004
Federal Funds Not Itemized	\$928,004	\$928,004	\$928,004
TOTAL PUBLIC FUNDS	\$1,628,760	\$1,628,760	\$1,628,760

Georgia War Veterans Nursing Homes

Continuation Budget

The purpose of this appropriation is to provide skilled nursing care to aged and infirmed Georgia war veterans.

TOTAL STATE FUNDS	\$12,566,609	\$12,566,609	\$12,566,609
State General Funds	\$12,566,609	\$12,566,609	\$12,566,609
TOTAL FEDERAL FUNDS	\$13,179,116	\$13,179,116	\$13,179,116
Federal Funds Not Itemized	\$13,179,116	\$13,179,116	\$13,179,116
TOTAL AGENCY FUNDS	\$3,107,465	\$3,107,465	\$3,107,465
Intergovernmental Transfers	\$724,733	\$724,733	\$724,733
Intergovernmental Transfers Not Itemized	\$724,733	\$724,733	\$724,733
Sales and Services	\$2,382,732	\$2,382,732	\$2,382,732
Sales and Services Not Itemized	\$2,382,732	\$2,382,732	\$2,382,732
TOTAL PUBLIC FUNDS	\$28,853,190	\$28,853,190	\$28,853,190

344.1 *Increase funds for one-time funding for veteran patient care equipment at the Georgia War Veterans Nursing Home (Milledgeville).*

State General Funds	\$578,990	\$578,990	\$578,990
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344.2 *Utilize \$28,650 in existing funds for a new survey requirement for the sub-acute rehabilitation therapy unit at the Georgia War Veterans Nursing Home (Milledgeville). (G:YES)(H:YES)(S:Increase funds for a new survey requirement for the sub-acute rehabilitation therapy unit at the Georgia War Veterans Nursing Home (Milledgeville))*

State General Funds	\$0	\$0	\$28,650
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344.100 Georgia War Veterans Nursing Homes	Appropriation (HB 683)
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The purpose of this appropriation is to provide skilled nursing care to aged and infirmed Georgia war veterans.

TOTAL STATE FUNDS	\$13,145,599	\$13,145,599	\$13,174,249
State General Funds	\$13,145,599	\$13,145,599	\$13,174,249
TOTAL FEDERAL FUNDS	\$13,179,116	\$13,179,116	\$13,179,116
Federal Funds Not Itemized	\$13,179,116	\$13,179,116	\$13,179,116
TOTAL AGENCY FUNDS	\$3,107,465	\$3,107,465	\$3,107,465
Intergovernmental Transfers	\$724,733	\$724,733	\$724,733
Intergovernmental Transfers Not Itemized	\$724,733	\$724,733	\$724,733
Sales and Services	\$2,382,732	\$2,382,732	\$2,382,732

Sales and Services Not Itemized	\$2,382,732	\$2,382,732	\$2,382,732
TOTAL PUBLIC FUNDS	\$29,432,180	\$29,432,180	\$29,460,830

Veterans Benefits

Continuation Budget

The purpose of this appropriation is to serve Georgia's veterans, their dependents, and survivors in all matters pertaining to veterans' benefits by informing the veterans and their families about veterans' benefits, and directly assisting and advising them in securing the benefits to which they are entitled.

TOTAL STATE FUNDS	\$7,314,465	\$7,314,465	\$7,314,465
State General Funds	\$7,314,465	\$7,314,465	\$7,314,465
TOTAL FEDERAL FUNDS	\$627,440	\$627,440	\$627,440
Federal Funds Not Itemized	\$627,440	\$627,440	\$627,440
TOTAL PUBLIC FUNDS	\$7,941,905	\$7,941,905	\$7,941,905

345.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$5,938	\$5,938	\$5,938
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345.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,516)	(\$2,516)	(\$2,516)
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345.100 Veterans Benefits

Appropriation (HB 683)

The purpose of this appropriation is to serve Georgia's veterans, their dependents, and survivors in all matters pertaining to veterans' benefits by informing the veterans and their families about veterans' benefits, and directly assisting and advising them in securing the benefits to which they are entitled.

TOTAL STATE FUNDS	\$7,317,887	\$7,317,887	\$7,317,887
State General Funds	\$7,317,887	\$7,317,887	\$7,317,887
TOTAL FEDERAL FUNDS	\$627,440	\$627,440	\$627,440
Federal Funds Not Itemized	\$627,440	\$627,440	\$627,440
TOTAL PUBLIC FUNDS	\$7,945,327	\$7,945,327	\$7,945,327

Section 49: Workers' Compensation, State Board of

Section Total - Continuation

TOTAL STATE FUNDS	\$18,951,542	\$18,951,542	\$18,951,542
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State General Funds	\$18,951,542	\$18,951,542	\$18,951,542
TOTAL AGENCY FUNDS	\$373,832	\$373,832	\$373,832
Sales and Services	\$373,832	\$373,832	\$373,832
Sales and Services Not Itemized	\$373,832	\$373,832	\$373,832
TOTAL PUBLIC FUNDS	\$19,325,374	\$19,325,374	\$19,325,374

Section Total - Final

TOTAL STATE FUNDS	\$18,967,397	\$18,967,397	\$18,967,397
State General Funds	\$18,967,397	\$18,967,397	\$18,967,397
TOTAL AGENCY FUNDS	\$373,832	\$373,832	\$373,832
Sales and Services	\$373,832	\$373,832	\$373,832
Sales and Services Not Itemized	\$373,832	\$373,832	\$373,832
TOTAL PUBLIC FUNDS	\$19,341,229	\$19,341,229	\$19,341,229

Administer the Workers' Compensation Laws

Continuation Budget

The purpose of this appropriation is to provide exclusive remedy for resolution of disputes in the Georgia Workers' Compensation law.

TOTAL STATE FUNDS	\$12,898,822	\$12,898,822	\$12,898,822
State General Funds	\$12,898,822	\$12,898,822	\$12,898,822
TOTAL AGENCY FUNDS	\$308,353	\$308,353	\$308,353
Sales and Services	\$308,353	\$308,353	\$308,353
Sales and Services Not Itemized	\$308,353	\$308,353	\$308,353
TOTAL PUBLIC FUNDS	\$13,207,175	\$13,207,175	\$13,207,175

346.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$5,457	\$5,457	\$5,457
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346.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$5,074)	(\$5,074)	(\$5,074)
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346.100 Administer the Workers' Compensation Laws **Appropriation (HB 683)**

The purpose of this appropriation is to provide exclusive remedy for resolution of disputes in the Georgia Workers' Compensation law.

TOTAL STATE FUNDS	\$12,899,205	\$12,899,205	\$12,899,205
State General Funds	\$12,899,205	\$12,899,205	\$12,899,205
TOTAL AGENCY FUNDS	\$308,353	\$308,353	\$308,353
Sales and Services	\$308,353	\$308,353	\$308,353
Sales and Services Not Itemized	\$308,353	\$308,353	\$308,353
TOTAL PUBLIC FUNDS	\$13,207,558	\$13,207,558	\$13,207,558

Board Administration (SBWC)

Continuation Budget

The purpose of this appropriation is to provide superior access to the Georgia Workers' Compensation program for injured workers and employers in a manner that is sensitive, responsive, and effective.

TOTAL STATE FUNDS	\$6,052,720	\$6,052,720	\$6,052,720
State General Funds	\$6,052,720	\$6,052,720	\$6,052,720
TOTAL AGENCY FUNDS	\$65,479	\$65,479	\$65,479
Sales and Services	\$65,479	\$65,479	\$65,479
Sales and Services Not Itemized	\$65,479	\$65,479	\$65,479
TOTAL PUBLIC FUNDS	\$6,118,199	\$6,118,199	\$6,118,199

347.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$937	\$937	\$937
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347.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$871)	(\$871)	(\$871)
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347.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$15,406	\$15,406	\$15,406
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347.100 Board Administration (SBWC) Appropriation (HB 683)

The purpose of this appropriation is to provide superior access to the Georgia Workers' Compensation program for injured workers and employers in a manner that is sensitive, responsive, and effective.

TOTAL STATE FUNDS	\$6,068,192	\$6,068,192	\$6,068,192
State General Funds	\$6,068,192	\$6,068,192	\$6,068,192
TOTAL AGENCY FUNDS	\$65,479	\$65,479	\$65,479
Sales and Services	\$65,479	\$65,479	\$65,479
Sales and Services Not Itemized	\$65,479	\$65,479	\$65,479
TOTAL PUBLIC FUNDS	\$6,133,671	\$6,133,671	\$6,133,671

Section 50: State of Georgia General Obligation Debt Sinking Fund

TOTAL STATE FUNDS	\$1,210,798,469	\$1,210,798,469	\$1,210,798,469
State General Funds	\$1,210,798,469	\$1,210,798,469	\$1,210,798,469
TOTAL FEDERAL FUNDS	\$20,104,750	\$20,104,750	\$20,104,750
Federal Funds Not Itemized	\$20,104,750	\$20,104,750	\$20,104,750
TOTAL PUBLIC FUNDS	\$1,230,903,219	\$1,230,903,219	\$1,230,903,219

Section Total - Continuation

TOTAL STATE FUNDS	\$1,210,856,759	\$1,210,798,469	\$1,210,798,469
State General Funds	\$1,210,856,759	\$1,210,798,469	\$1,210,798,469
TOTAL FEDERAL FUNDS	\$20,104,750	\$20,104,750	\$20,104,750
Federal Funds Not Itemized	\$20,104,750	\$20,104,750	\$20,104,750
TOTAL PUBLIC FUNDS	\$1,230,961,509	\$1,230,903,219	\$1,230,903,219

Section Total - Final

General Obligation Debt Sinking Fund - Issued

Continuation Budget

TOTAL STATE FUNDS	\$1,091,170,677	\$1,091,170,677	\$1,091,170,677
State General Funds	\$1,091,170,677	\$1,091,170,677	\$1,091,170,677
TOTAL FEDERAL FUNDS	\$20,104,750	\$20,104,750	\$20,104,750
Federal Funds Not Itemized	\$20,104,750	\$20,104,750	\$20,104,750
TOTAL PUBLIC FUNDS	\$1,111,275,427	\$1,111,275,427	\$1,111,275,427

348.1 *Increase funds for debt service.*

State General Funds	\$58,290	\$0	\$0
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348.100 General Obligation Debt Sinking Fund - Issued	Appropriation (HB 683)		
TOTAL STATE FUNDS	\$1,091,228,967	\$1,091,170,677	\$1,091,170,677
State General Funds	\$1,091,228,967	\$1,091,170,677	\$1,091,170,677
TOTAL FEDERAL FUNDS	\$20,104,750	\$20,104,750	\$20,104,750
Federal Funds Not Itemized	\$20,104,750	\$20,104,750	\$20,104,750
TOTAL PUBLIC FUNDS	\$1,111,333,717	\$1,111,275,427	\$1,111,275,427

General Obligation Debt Sinking Fund - New	Continuation Budget
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TOTAL STATE FUNDS	\$119,627,792	\$119,627,792	\$119,627,792
State General Funds	\$119,627,792	\$119,627,792	\$119,627,792
TOTAL PUBLIC FUNDS	\$119,627,792	\$119,627,792	\$119,627,792

349.100 General Obligation Debt Sinking Fund - New	Appropriation (HB 683)		
TOTAL STATE FUNDS	\$119,627,792	\$119,627,792	\$119,627,792
State General Funds	\$119,627,792	\$119,627,792	\$119,627,792
TOTAL PUBLIC FUNDS	\$119,627,792	\$119,627,792	\$119,627,792

[BOND 348.101] From State General Funds, \$13,859,924 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$161,915,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.102] From State General Funds, \$4,812,432 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$56,220,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.103] From State General Funds, \$1,937,984 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$22,640,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.104] From State General Funds, \$996,000 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$7,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of one hundred and twenty months.

[BOND 348.105] From State General Funds, \$590,070 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,550,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.106] From State General Funds, \$231,400 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.107] From State General Funds, \$115,700 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.201] From State General Funds, \$4,280,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$50,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.202] From State General Funds, \$185,120 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.203] From State General Funds, \$462,800 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities,

both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.204] From State General Funds, \$601,640 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.205] From State General Funds, \$254,540 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.206] From State General Funds, \$485,940 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.207] From State General Funds, \$1,997,600 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$22,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.208] From State General Funds, \$590,640 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$6,900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.209] From State General Funds, \$984,400 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$11,500,000 in

principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.210] From State General Funds, \$984,400 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$11,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.211] From State General Funds, \$4,023,200 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$47,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.212] From State General Funds, \$1,540,800 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$18,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.213] From State General Funds, \$370,240 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.214] From State General Funds, \$1,041,300 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.215] From State General Funds, \$1,133,860 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities,

both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.216] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.217] From State General Funds, \$647,920 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.218] From State General Funds, \$925,600 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$4,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.219] From State General Funds, \$738,166 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$3,190,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.220] From State General Funds, \$347,100 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing projects and facilities for the Georgia Public Telecommunications Commission by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.222] From State General Funds, \$710,052 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing projects and facilities for the Board of Trustees of the Georgia Military College by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$8,295,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.223] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.224] From State General Funds, \$419,440 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.225] From State General Funds, \$138,840 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.226] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.227] From State General Funds, \$1,064,440 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.228] From State General Funds, \$145,520 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and

forty months.

[BOND 348.229] From State General Funds, \$115,700 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.230] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.231] From State General Funds, \$118,556 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,385,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.232] From State General Funds, \$171,200 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.233] From State General Funds, \$578,500 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.234] From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.235] From State General Funds, \$171,200 is specifically appropriated for the Board of Regents of the University

System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.236] From State General Funds, \$111,280 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.237] From State General Funds, \$350,960 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.251] From State General Funds, \$1,362,000 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$15,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.252] From State General Funds, \$2,614,820 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$11,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.253] From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.254] From State General Funds, \$897,832 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and

personal, necessary or useful in connection therewith, through the issuance of not more than \$3,880,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.255] From State General Funds, \$509,080 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,200,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.256] From State General Funds, \$6,628,400 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$73,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.257] From State General Funds, \$1,705,224 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$18,780,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.258] From State General Funds, \$73,616 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$860,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.259] From State General Funds, \$452,184 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,980,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.260] From State General Funds, \$817,200 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$9,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.261] From State General Funds, \$865,324 is specifically appropriated for the purpose of financing projects and

facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$9,530,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.301] From State General Funds, \$435,276 is specifically appropriated for the purpose of financing projects and facilities for the Department of Behavioral Health and Developmental Disabilities by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,085,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.302] From State General Funds, \$462,800 is specifically appropriated for the purpose of financing projects and facilities for the Department of Behavioral Health and Developmental Disabilities by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.303] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Behavioral Health and Developmental Disabilities by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.321] From State General Funds, \$85,600 is specifically appropriated for the purpose of financing projects and facilities for the Department of Human Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.322] From State General Funds, \$27,820 is specifically appropriated for the purpose of financing projects and facilities for the Department of Human Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$325,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.331] From State General Funds, \$163,440 is specifically appropriated for the purpose of financing projects and

facilities for the Georgia Vocational Rehabilitation Agency by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.351] From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Department of Veterans Service by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.361] From State General Funds, \$78,676 is specifically appropriated for the purpose of financing projects and facilities for the Department of Community Supervision by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$340,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.371] From State General Funds, \$1,627,899 is specifically appropriated for the purpose of financing projects and facilities for the Department of Corrections by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$7,035,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.372] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Corrections by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.373] From State General Funds, \$350,532 is specifically appropriated for the purpose of financing projects and facilities for the Department of Corrections by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,095,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.374] From State General Funds, \$1,770,210 is specifically appropriated for the purpose of financing projects and facilities for the Department of Corrections by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$7,650,000 in principal amount of General

Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.375] From State General Funds, \$856,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Corrections by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$10,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.376] From State General Funds, \$851,292 is specifically appropriated for the purpose of financing projects and facilities for the Department of Corrections by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$9,945,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.381] From State General Funds, \$173,550 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$750,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.382] From State General Funds, \$15,836 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$185,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.383] From State General Funds, \$15,836 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$185,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.391] From State General Funds, \$3,113,700 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$36,375,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.392] From State General Funds, \$120,268 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension,

enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,405,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.393] From State General Funds, \$116,857 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$505,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.401] From State General Funds, \$761,306 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,290,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.402] From State General Funds, \$300,456 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,510,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.403] From State General Funds, \$1,946,972 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$22,745,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.404] From State General Funds, \$737,009 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,185,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.405] From State General Funds, \$112,229 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$485,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.406] From State General Funds, \$1,003,660 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$11,725,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.421] From State General Funds, \$167,765 is specifically appropriated for the purpose of financing projects and facilities for the Department of Public Safety by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$725,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.422] From State General Funds, \$102,720 is specifically appropriated for the purpose of financing projects and facilities for the Department of Public Safety by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,200,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.423] From State General Funds, \$56,496 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$660,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.424] From State General Funds, \$54,379 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$235,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.521] From State General Funds, \$8,988,000 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Building Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$105,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.522] From State General Funds, \$128,400 is specifically appropriated for the purpose of financing projects and

facilities for the Georgia Building Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.531] From State General Funds, \$58,208 is specifically appropriated for the purpose of financing projects and facilities for the Georgia State Financing and Investment Commission by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$680,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.561] From State General Funds, \$5,785,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Revenue by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$25,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.581] From State General Funds, \$231,400 is specifically appropriated for the purpose of financing projects and facilities for the Department of Agriculture by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.582] From State General Funds, \$751,568 is specifically appropriated for the purpose of financing projects and facilities for the Department of Agriculture by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$8,780,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.583] From State General Funds, \$205,440 is specifically appropriated for the purpose of financing projects and facilities for the Department of Agriculture by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.591] From State General Funds, \$556,400 is specifically appropriated for the purpose of financing projects and facilities for the Soil and Water Conservation Commission by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and

personal, necessary or useful in connection therewith, through the issuance of not more than \$6,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.631] From State General Funds, \$684,800 is specifically appropriated for the Georgia Environmental Finance Authority for the purpose of financing loans to counties, municipal corporations, political subdivisions, local authorities, and other local government entities for water or sewerage facilities or systems or for regional or multijurisdictional solid waste recycling or solid waste facilities or systems, through the issuance of not more than \$8,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.641] From State General Funds, \$4,994,000 is specifically appropriated for the Department of Economic Development for the purpose of financing projects and facilities for the Georgia World Congress Center Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$55,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.661] From State General Funds, \$1,806,920 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$19,900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.662] From State General Funds, \$231,400 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.663] From State General Funds, \$142,952 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,670,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.664] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.671] From State General Funds, \$136,960 is specifically appropriated for the purpose of financing projects and facilities for the Jekyll Island-State Park Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.681] From State General Funds, \$231,400 is specifically appropriated for the purpose of financing projects and facilities for the Stone Mountain Memorial Association by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[BOND 348.691] From State General Funds, \$8,560,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$100,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.692] From State General Funds, \$171,200 is specifically appropriated for the Department of Transportation for the purpose of financing projects and facilities for the Georgia Regional Transportation Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.693] From State General Funds, \$199,760 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,200,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.694] From State General Funds, \$181,600 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.695] From State General Funds, \$45,400 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension,

enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.696] From State General Funds, \$228,816 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,520,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[BOND 348.697] From State General Funds, \$72,640 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

Section 51: General Obligation Bonds Repealed, Revised, or Reinstated
Reserved.

Section 52: Salary Adjustments

The appropriations to budget units made above include funds for, and have the added purpose of, the following salary increases and adjustments, to be administered in conformity with the applicable compensation and performance management plans as provided by law:

1.) Additional funds for personal services for employees of the Executive, Judicial, and Legislative Branches, excluding Board of Regents faculty and Technical College System of Georgia teachers and support personnel, to be used for merit based pay increases for high performing employees in Fiscal Year 2017 or salary adjustments to attract new employees with critical skills or keep successful performers in critical jobs. The amount for this item is calculated according to an effective date of July 1, 2017.

2.) Before Item 1 above, but not in lieu of it, funds for supplementary salary adjustments to address employee retention needs for certain employees in the job titles specified in the appropriations stated above to the Department of Defense, Department of Human Services, Department of Public Health, Prosecuting Attorneys, Georgia Public Defender Council, Court of Appeals and Supreme Court. The amount for this item is calculated according to an effective date of July 1, 2017.

- 3.) In lieu of other numbered items, funds to provide a twenty percent salary adjustment to law enforcement personnel and to provide salary enhancements for criminal investigators. The amount for this item is calculated according to an effective date of July 1, 2017.
- 4.) In lieu of other numbered items, funds for the State Board of Education for the Quality Basic Education program, such funds to be used by the Quality Basic Education program for the purpose of providing a two percent increase to the state base salary schedule for certified personnel, school bus drivers, and school nurses. The amount for this item is calculated according to an effective date of September 1, 2017.
- 5.) In lieu of other numbered items, additional funds for personal services for non-faculty employees of the Board of Regents, to be used for merit based pay increases for high performing employees in Fiscal Year 2017 or salary adjustments to attract new employees with critical skills or to keep successful performers in critical jobs. The amount for this item is calculated according to an effective date of July 1, 2017.
- 6.) In lieu of other numbered items, to provide funds for supplementary salary adjustments to address needs for the recruitment and retention of Board of Regents faculty, funded through the Teaching program appropriation stated above. The amount for this item is calculated according to an effective date of July 1, 2017.
- 7.) In lieu of other numbered items, additional funds for personal services for public librarians, funded through the Public Libraries appropriation stated above, to be used for merit based pay increases for high performing employees in Fiscal Year 2017 or salary adjustments to attract new employees with critical skills or keep successful performers in critical jobs as administered by the Board of Regents. The amount for this item is calculated according to an effective date of July 1, 2017.
- 8.) In lieu of other numbered items, additional funds for personal services for teachers and support personnel within the Technical College System of Georgia, to be used for merit based pay increases for high performing employees in Fiscal Year 2017 or salary adjustments to attract new employees with critical skills or to keep successful performers in critical jobs. The amount for this item is calculated according to an effective date of July 1, 2017.

Section 53: Refunds

In addition to all other appropriations, there is hereby appropriated, as needed, a specific sum of money equal to each refund authorized by law, which is required to make refunds of taxes and other monies collected in error, farmer gasoline tax refunds, and any other refunds specifically authorized by law.

Section 54: Leases

In accordance with the requirements of Article IX, Section III, Paragraph I(a) of the Constitution of the State of Georgia, as amended, there is hereby appropriated payable to each department, agency, or institution of the State sums sufficient to satisfy the payments required to be made in each year under existing lease contracts between any department, agency, or institution of the State and any authority created and activated at the time of the effective date of the aforesaid constitutional provision, as amended, or appropriated for the State Fiscal Year addressed within this Act. If for any reason any of the sums herein provided under any other provision of this Act are insufficient to make the required payments in full, then there shall be taken from other funds appropriated to the department, agency, or institution involved an amount sufficient to satisfy such deficiency in full, and the lease payment shall constitute a first charge on all such appropriations.

Section 55: Budgetary Control and Interpretation

The appropriations in this Act consist of the amount stated in the right-most column, for each line at the lowest level of detail for the fund source categories, "Total State Funds" and "Total Federal Funds," under a caption beginning with a program or special project number that has a 100 or a higher number after the decimal and a program or special project name. In each case, such appropriation is associated with the immediately preceding program or special project name, number, and statement of program or special project purpose. The program or special project purpose is stated immediately below the program or special project name. The most specific level of detail for authorization for general obligation debt in Section 50 shall be the authorizing paragraphs.

Similarly, text in a group of lines that has a number less than 100 after the decimal (01 through 99) is not part of a statement of purpose but constitutes information as to how the appropriation was derived. Amounts in the columns other than the right-most column are for informational purposes only. The summary and lowest level of detail for the fund source categories "Total Agency Funds" and "Total Intra-State Governmental Transfers," are for informational purposes only. The blocks of text and numerals immediately following the section header and beginning with the phrases, "Section Total - Continuation" and "Section Totals - Final" are for informational purposes only. Sections 51, 52, 53 and 54 contain, constitute, or amend appropriations.

Section 56: Flex

Notwithstanding any other statement of purpose, the purpose of each appropriation of federal funds or other funds shall be the stated purpose or any other lawful purpose consistent with the fund source and the general law powers of the budget unit.

In the preceding sentence, "Federal Funds" means any federal funding source, whether specifically identified or not specifically identified; "Other Funds" means all other fund sources except State Funds or Federal Funds, including without

limitation Intra-State Government Transfers. This paragraph shall not permit an agency to include within its flex the appropriations for an agency attached to it for administrative purposes.

For purposes of the appropriations for the "Medicaid: Low-Income Medicaid," "Medicaid: Aged, Blind, and Disabled," and "PeachCare" programs of the Department of Community Health, the appropriation of a particular State fund source for each program shall be the amount stated, and each such program shall also be authorized up to an additional amount of 10 percent (10%) of the amount stated. However, if the additional authority is used, the appropriation of the same State fund source for the other programs to that agency shall be reduced in the same amount, such that the stated total in program appropriations from that State fund source for the three programs shall not be exceeded. However, the additional amount shall be from a State fund source which is lawfully available for the program to which it is added.

For purposes of the appropriations for the "Capital Construction Projects," "Capital Maintenance Projects," and "Local Road Assistance Administration" programs of the Department of Transportation, the appropriation of a particular State fund source for each program shall be the amount stated, and each such program shall also be authorized up to an additional amount of 10 percent (10%) of the amount stated. However, if the additional authority is used, the appropriation of the same State fund source for the other programs to that agency shall be reduced in the same amount, such that the stated total in program appropriations from that State fund source for the three programs shall not be exceeded. However, the additional amount shall be from a State fund source which is lawfully available for the program to which it is added."

Part II

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

Part III

All laws and parts of laws in conflict with this Act are repealed.

Senator Butch Miller, President Pro Tempore, assumed the Chair.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

HB 683, having received the requisite constitutional majority, was passed by substitute.

SB 262. By Senator Jeffares of the 17th:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Stockbridge, approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, so as to revise the corporate boundaries of the city; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

The Senate Committee on State and Local Governmental Operations-G offered the following substitute to SB 262:

A BILL TO BE ENTITLED
AN ACT

To amend an Act to provide a new charter for the City of Stockbridge, approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, so as to revise the corporate boundaries of the city; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

An Act to provide a new charter for the City of Stockbridge, approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, is amended by revising Section 1.11 by designating the existing text as subsection (a) and inserting a new subsection to read as follows:

"(b) On and after January 1, 2019, the following described territory shall no longer be a part of the corporate boundaries of the City of Stockbridge:

Plan: stockbr-deannex-2017

Plan Type: Local

Administrator: S017

User: Gina

District DEANNEX

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1055

VTD: 15138 - HICKORY FLAT

070205:

1002 3002 3021 3026 3028 3030 3031 3033 3035 3036 3037 3038

3039 3040 3041 3042 3043 3044 3045 3046 3047 3051

070309:

1015 1016 1019 1020 1022 1023 2038 2039 2040 2042 2043 2044

2045

VTD: 15139 - STOCKBRIDGE EAST

070114:

1000 1001 1002 1003 1004 1005 1007 1008 1009 1010 1026 1028

1029 1033 1035 1044 1054 1058 1062 1067 2028

070309:

1000

VTD: 15140 - STOCKBRIDGE WEST

070114:

1013 1014 1015 1016 1017 1018 1019 1020

VTD: 15142 - COTTON INDIAN

070205:

3012

VTD: 15150 - PATES CREEK

070104:

1037 1047 1053 1054 1059 1064 2002 2003 2004 2005

070305:

3001 3003 3004 3005 3006

VTD: 15153 - FLIPPEN

070114:

1040 1041 1042 1043 1045 1046 1059 1060 1065 2029

070205:

3009 3010 3011 3013 3014 3015

070309:

1001 1002 1004 1005 1006 1009 1010 1013 1037 2004 2016 2017

2018 2020 2021 2028 2029 2033

VTD: 15157 - DUTCHTOWN

070305:

3011

VTD: 15160 - LAKE HAVEN

070309:

1029

070310:

2001

For the purposes of this description, the term 'VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in the description which are underneath a VTD heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia.

The area being deannexed from the City of Stockbridge shall also include the following tax parcels as recorded by the Henry County Tax Assessor as of January, 2017:

053-01015000

053-01016000

053-01018000

053B06001000"

SECTION 1-2.

(a) In the event that, in the 2018 session, the General Assembly creates the City of Eagle's Landing and such creation is ratified by the voters in 2018 and the City of Stockbridge has annexed into the City of Stockbridge parcels of property which are contained in the corporate limits of the newly incorporated City of Eagle's Landing, such annexed parcels shall no longer be a part of the City of Stockbridge on January 1, 2019, and shall become part of the City of Eagle's Landing.

(b) In the event that, in the 2018 session, the General Assembly creates the City of Eagle's Landing and such creation is ratified by the voters in 2018, and the City of Stockbridge has annexed into the City of Stockbridge parcels of property which are not contained in the corporate limits of the new incorporated City of Eagle's Landing and which are no longer contiguous to the corporate boundaries of the City of Stockbridge, such annexed parcels shall no longer be a part of the City of Stockbridge on January 1, 2019, and shall become part of unincorporated Henry County.

PART II
SECTION 2-1.

Said Act is further amended by revising Section 1.11 by designating the existing text as subsection (a) and inserting a new subsection to read as follows:

"(b) The City of Stockbridge shall also include the following territory:

Plan: stock-annex-2017

Plan Type: Local

Administrator: S017

User: Gina

District ANNEX

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1000 1010 1018 1028 1030 1057 3004 3005 3006 3007 3008 3009
3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022 3027
3029 3030 3031 3032 3033 3034 3043 3044 3045 3052 3055 3059
3062 3063 3064 3069

VTD: 15139 - STOCKBRIDGE EAST

070114:

2000 2002 2003 2004 2006 2018 2022 2023 2025 2026 2033

VTD: 15140 - STOCKBRIDGE WEST

070111:

2007 2008 2015 2030 3000 3001 3002 3003 3004 3005 3006 3008
3009 3010 3011 3012 3014 3015 3022 3023

070114:

2019

VTD: 15141 - STAGECOACH

070106:

2033 2034

070113:

1047

VTD: 15142 - COTTON INDIAN

070205:

2022

VTD: 15154 - STOCKBRIDGE CENTER

070111:

1020 1021 1022 1023 1024."

SECTION 2-2.

The election superintendent of Henry County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the territory sought to be annexed into the City of Stockbridge under this Act for approval or rejection. The election superintendent shall conduct such election on the date of and in conjunction with the 2018 General Primary and shall issue the call and conduct such election as provided by general law. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Henry County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act be approved which annexes certain land into the City of
() NO Stockbridge?"

All persons desiring to vote for approval of the annexation shall vote "Yes" and all persons desiring to vote for rejection of the annexation shall vote "No." If more than one-half of the votes cast on such question are for approval of the annexation, then Section 2-1 of this Act shall become effective on January 1, 2019. If more than one-half of the votes cast on such question are for rejection of the annexation or if the election is not held as provided in this section, then Part II of this Act shall automatically be repealed on January 1, 2019. The expense of such election shall be borne by the City of Stockbridge. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

PART III SECTION 3-1.

(a) Part I of this Act shall become effective on January 1, 2019, provided that an Act to create the City of Eagle's Landing is enacted in the 2018 session of the General Assembly and is ratified by the voters in 2018. If no such Act is enacted or if it is not ratified by the voters, then Part I of this Act shall not be effective and shall be repealed by operation of law on January 1, 2019.

(b) Except as provided in Section 2-2 of this Act, Part II of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval, provided that an Act to create the City of Eagle's Landing is enacted in the 2018 session of the General Assembly and signed by the Governor. If no such Act is enacted and signed by the Governor, then Part II of this Act shall not be effective and shall be repealed by operation of law on January 1, 2019.

(c) Part III of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3-2.

Directory nature of dates.

It is the intention of the General Assembly that this Act be construed as directory rather than mandatory with respect to any date prescribed in this Act. If it is necessary to delay any action called for in this Act for providential cause or any other reason, it is the intention of the General Assembly that the action be delayed rather than abandoned. Any delay in performing any action under this Act, whether for cause or otherwise, shall not operate to frustrate the overall intent of this Act. Without limiting the generality of the foregoing, it is specifically provided that:

(1) If it is not possible to hold the referendum election provided for in Section 2-2 of this Act on the date specified in that section, then such referendum shall be held as soon thereafter as is reasonably practicable; and

(2) If the bill creating the City of Eagle's Landing is enacted by the General Assembly in 2018 but the referendum on the incorporation of the City of Eagle's Landing is delayed for any reason, then the dates in this Act shall be adjusted accordingly to accommodate such delay.

SECTION 3-3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Jordan of the 6th rose on a point of order objecting to the consideration of SB 262. The objection was based on Senate Rule 3-2.2 (b) which requires a minimum number of the signatures of a local delegation on a local bill which has been assigned to committee as local legislation.

The President Pro Tempore considered the point of order, consulted with the Secretary who noted that Senate Rule 3-2.1 (c) provides that: “[a] local bill may be assigned to the Committee on State and Local Government Operations or any other committee as ‘local legislation’ or ‘general legislation.’” This rule creates two distinct procedural paths by which a local bill may come to the floor. SB 262 is a local bill that was assigned on first reading as “general legislation” pursuant to Senate Rule 3-2.1 indicating that the process to be used to bring the bill to the floor would be the same as that used for general bills. Senate Rule 3-1.2 relates only to the process used to bring a local bill to the floor through

a truncated process referred to as “local legislation”. Since the bill was assigned as “general legislation” Senate Rule 3-1.2 does not apply and the signatures are not required. The President Pro Tempore ruled that the point of order was not sustained.

Senator Henson of the 41st appealed the ruling of the Chair.

The President resumed the Chair.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 35, nays 18; motion prevailed, and the ruling of the Chair was sustained.

Senators Henson of the 41st and Jones of the 10th offered the following amendment #1:

Amend the Senate Committee on State and Local Governmental Operations-G substitute to SB 262 (LC 28 8721S) by inserting after line 87 the following:

SECTION 1-3.

The election superintendent of Henry County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the territory sought to be deannexed from the City of Stockbridge under this Act for approval or rejection. The election superintendent shall conduct such election on the date of and in conjunction with the 2018 General Primary and shall issue the call and conduct such

election as provided by general law. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Henry County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act be approved which deannexes certain land into the City of
() NO Stockbridge?"

All persons desiring to vote for approval of the deannexation shall vote "Yes" and all persons desiring to vote for rejection of the deannexation shall vote "No." If more than one-half of the votes cast on such question are for approval of the deannexation, then Section 1-1 of this Act shall become effective on January 1, 2019, provided that an Act to create the City of Eagle's Landing is enacted in the 2018 session of the General Assembly and is ratified by the voters in 2018. If more than one-half of the votes cast on such question are for rejection of the deannexation or if the election is not held as provided in this section, then Section 1-1 of this Act shall automatically be repealed on January 1, 2019, and the area shall not be deannexed from the City of Stockbridge and shall not become a part of the City of Eagle's Landing. The expense of such election shall be borne by the City of Stockbridge. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

By striking lines 146 through 150 and inserting in lieu thereof the following:

(a) Part I of this Act shall become effective on January 1, 2019, provided that the deannexation in Section 1-1 is approved by the voters as provided in Section 1-3 and an Act to create the City of Eagle's Landing is enacted in the 2018 session of the General Assembly and is ratified by the voters in 2018. If no such Act is enacted or if it is not ratified by the voters, then Part I of this Act shall not be effective and shall be repealed by operation of law on January 1, 2019.

On the adoption of the amendment, the President asked unanimous consent.

Senator Strickland of the 17th objected.

On the adoption of the amendment, Senator Henson of the 41st called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	N Jones, B	N Shafer
Y Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate

N Cowsert	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
N Dugan	E Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	N Wilkinson
N Heath	N Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Hill	Y Parent	

On the adoption of the amendment, the yeas were 23, nays 30, and the Henson, Jones of the 10th amendment #1 to the committee substitute was lost.

Senators Henson of the 41st and Jones of the 10th offered the following amendment #2:

Amend the Senate Committee on State and Local Governmental Operations-G substitute to SB 262 (LC 28 8721S) by striking lines 13 through 61 and inserting in lieu thereof the following:

Plan: stock-deannex-sd41-2018

Plan Type: Local

Administrator: S041

User: Gina

District DEANNEX

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1055

VTD: 15139 - STOCKBRIDGE EAST

070114:

1003 1004 1026 1029 1033 1035 1044 1054 1058 1062 2028

VTD: 15140 - STOCKBRIDGE WEST

070114:

1013 1014 1015 1016 1017 1018 1019 1020

VTD: 15150 - PATES CREEK

070104:

1037 1047 1053 1054 1059 1064 2002 2003 2004 2005

070305:

3001 3003 3004 3005 3006

VTD: 15153 - FLIPPEN

070114:

1040 1041 1042 1043 1045 1046 1059 1060 1065 2029

070309:

1001 1002 1004 1005 1006 1009 1037 2004 2016 2017 2018 2020

2021 2028 2029 2033

VTD: 15157 - DUTCHTOWN

070305:

3011

On the adoption of the amendment, Senator Henson of the 41st called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	N Jones, B	N Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
N Dugan	E Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	N Martin	N Unterman
N Harbin	N McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	N Wilkinson
N Heath	N Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Hill	Y Parent	

On the adoption of the amendment, the yeas were 19, nays 35, and the Henson, Jones of the 10th amendment #2 to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	N Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
N Beach	Y Jones, B	Y Shafer
N Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	N Martin	N Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	N Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 30, nays 25.

SB 262, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th moved that HB 683 be immediately transmitted to the House.

On the motion, there was no objection, and HB 683 was immediately transmitted.

Senator Jones of the 10th gave notice that at the proper time he would move that the Senate reconsider its action on SB 262.

The President set the time for entertaining the motion for reconsideration on Tuesday, February 20, 2018.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Resolution of the House:

HR 1196. By Representative Burns of the 159th:

A RESOLUTION calling a joint session of the House of Representatives and the Senate for the purpose of hearing a message from the Chief Justice of the Supreme Court; inviting each other Justice of the Supreme Court and each Judge of the Court of Appeals to be present at the joint session; and for other purposes.

The following Senators were excused for business outside the Senate Chamber:

Dugan of the 30th

Martin of the 9th

The Calendar was resumed.

SB 263. By Senator Jeffares of the 17th:

A BILL to be entitled an Act to incorporate the City of Eagles Landing; to provide a charter for the City of Eagles Landing; to provide for other matters relative to the foregoing; to provide for a referendum; to provide effective dates; to provide for transition of powers and duties; to provide for community improvement districts; to provide for directory nature of dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on State and Local Governmental Operations-G offered the following substitute to SB 263:

A BILL TO BE ENTITLED
AN ACT

To incorporate the City of Eagle's Landing; to provide a charter for the City of Eagle's Landing; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for organization and procedures; to provide for ordinances and codes; to provide for the offices of mayor and city manager and certain duties and powers relative to those offices; to provide for administrative responsibilities; to provide for boards, commissions, and authorities; to provide for a city attorney and a city clerk; to provide for rules and regulations; to provide for a municipal court and the judge or judges thereof; to provide for practices and procedures; to provide for taxation and fees; to provide for franchises, service charges, and assessments; to provide for bonded and other indebtedness; to provide for accounting and budgeting; to provide for purchases; to provide for the sale of property; to provide for bonds for officials; to provide for

definitions and construction; to provide for homestead exemptions; to provide for other matters relative to the foregoing; to provide for a referendum; to provide effective dates; to provide for transition of powers and duties; to provide for community improvement districts; to provide for directory nature of dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I
INCORPORATION AND POWERS

SECTION 1.10.

Name.

This city and the inhabitants thereof are incorporated by the enactment of this charter and are hereby constituted and declared a body politic and corporate under the name and style Eagle's Landing, Georgia, and by that name shall have perpetual succession.

SECTION 1.11.

Corporate boundaries.

(a) The corporate boundaries of this city shall be as described and set forth in Appendix A of this charter, and said Appendix A is incorporated into and made a part of this charter.

(b) The city council shall maintain a current map and written legal description of the corporate boundaries of the city, and such map and description shall incorporate any changes which may hereafter be made in such corporate boundaries.

SECTION 1.12.

Powers and construction.

(a) This city shall have all powers possible for a city to have under the present or future constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter. This city shall have all the powers of self-government not otherwise prohibited by this charter or by general law.

(b) The powers of this city shall be construed liberally in favor of the city. The specific mention or failure to mention particular powers shall not be construed as limiting in any way the powers of this city.

SECTION 1.13.

Examples of powers.

(1) Animal regulations. To regulate and license or to prohibit the keeping or running at-large of animals and fowl, and to provide for the impoundment of same if in

violation of any ordinance or lawful order; to provide for the disposition by sale, gift, or humane destruction of animals and fowl when not redeemed as provided by ordinance; and to provide punishment for violation of ordinances enacted hereunder;

(2) Appropriations and expenditures. To make appropriations for the support of the government of the city; to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia; and to provide for the payment of expenses of the city;

(3) Building regulation. To regulate and to license the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, fire safety, electrical, gas, and heating and air conditioning codes; and to regulate all housing and building trades;

(4) Business regulation and taxation. To levy and to provide for the collection of regulatory fees and taxes on privileges, occupations, trades, and professions as authorized by Title 48 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted; to permit and regulate the same; to provide for the manner and method of payment of such regulatory fees and taxes; and to revoke such permits after due process for failure to pay any city taxes or fees;

(5) Condemnation. To condemn property, inside or outside the corporate limits of the city, for present or future use and for any corporate purpose deemed necessary by the governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted;

(6) Contracts. To enter into contracts and agreements with other governmental entities and with private persons, firms, and corporations;

(7) Emergencies. To establish procedures for determining and proclaiming that an emergency situation exists within or without the city, and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city;

(8) Environmental protection. To protect and preserve the natural resources, environment, and vital areas of the city, the region, and the state through the preservation and improvement of air quality, the restoration and maintenance of water resources, the control of erosion and sedimentation, the control, regulation, and management of stormwater and establishment of a stormwater utility, the management of solid and hazardous waste, and other necessary actions for the protection of the environment;

(9) Fire regulations. To fix and establish fire limits and from time to time to extend, enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to fire fighting; and to prescribe penalties and punishment for violations thereof;

(10) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection and disposal, and other sanitary service charge, tax, or fee for such services as may be necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business therein benefiting from such services; to

enforce the payment of such charges, taxes, or fees; and to provide for the manner and method of collecting such service charges;

(11) General health, safety, and welfare. To define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the enforcement of such standards;

(12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for any purpose related to powers and duties of the city and the general welfare of its citizens, on such terms and conditions as the donor or grantor may impose;

(13) Health and sanitation. To prescribe standards of health and sanitation and to provide for the enforcement of such standards;

(14) Jail sentences. To provide that persons given jail sentences in the city's court may fulfill such sentences in any public works or on the streets, roads, drains, and other public property in the city; to provide for commitment of such persons to any jail; and to provide for the use of pretrial diversion and any alternative sentencing allowed by law, or to provide for commitment of such persons to any county work camp or county jail by agreement with the appropriate county officials;

(15) Motor vehicles. To regulate the operation of motor vehicles and exercise control over all traffic, including parking upon or across the streets, roads, alleys, and walkways of the city;

(16) Municipal agencies and delegation of power. To create, alter, or abolish departments, boards, offices, commissions, and agencies of the city, and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to the same;

(17) Municipal debts. To appropriate and borrow money for the payment of debts of the city and to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized by this charter or the laws of the State of Georgia;

(18) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or otherwise, any real, personal, or mixed property, in fee simple or lesser interest, inside or outside the property limits of the city;

(19) Municipal property protection. To provide for the preservation and protection of property and equipment of the city, and the administration and use of same by the public and to prescribe penalties and punishment for violations thereof;

(20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities, including, but not limited to, a system of waterworks, sewers and drains, sewage disposal, stormwater management, gas works, electric light plants, cable television and other telecommunications, transportation facilities, public airports, and any other public utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties relative to such utilities, and to provide for the withdrawal of service for refusal or failure to pay the same;

(21) Nuisance. To define a nuisance and provide for its abatement whether on public or private property;

(22) Penalties. To provide penalties for violation of any ordinances adopted pursuant

to the authority of this charter and the laws of the State of Georgia;

(23) Planning and zoning. To provide comprehensive city planning for development by zoning and to provide subdivision regulation and the like as the city council deems necessary and reasonable to insure a safe, healthy, and aesthetically pleasing community;

(24) Police and fire protection. To exercise the power of arrest through duly appointed police officers and to establish, operate, or contract for a police and a firefighting agency;

(25) Public hazards: Removal. To provide for the destruction and removal of any building or other structure which is or may become dangerous or detrimental to the public;

(26) Public improvements. To provide for the acquisition, construction, building, operation, and maintenance of public ways, parks and playgrounds, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, and charitable, cultural, educational, recreational, parking, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities; to provide any other public improvements, inside or outside the corporate limits of the city; to regulate the use of public improvements; and for such purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted;

(27) Public peace. To provide for the prevention and punishment of loitering, disorderly conduct, drunkenness, riots, and public disturbances;

(28) Public transportation. To organize and operate such public transportation systems as are deemed beneficial;

(29) Public utilities and services. To grant franchises or make contracts for or impose taxes on public utilities and public service companies and to prescribe the rates, fares, regulations, and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with valid regulations of the Public Service Commission;

(30) Regulation of roadside areas. To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within view thereof, within or abutting the corporate limits of the city and to prescribe penalties and punishment for violation of such ordinances;

(31) Retirement. To provide and maintain a retirement plan and other employee benefit plans and programs for officers and employees of the city;

(32) Roadways. To lay out, open, extend, widen, narrow, establish, or change the grade of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within the corporate limits of the city; to grant franchises and rights-of-way throughout the streets and roads, and over the bridges and viaducts for the use of public utilities; and to require real estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands, and to impose penalties for

failure to do so;

(33) Sewer and water fees. To levy a fee, charge, or sewer or water tax as necessary to assure the acquiring, constructing, equipping, operating, maintaining, and extending, both within and without of the city, of a sewage disposal plant and sewerage system and a water system, to levy on those to whom sewers and sewerage systems are made available a sewer service fee, charge, or sewer tax for the availability or use of the sewers, and to levy on those to whom water systems are made available a water service fee, charge, or tax for the availability or use of the water system; to provide for the manner and method of collecting such service charges and for enforcing payment of the same; and to charge, impose, and collect a sewer connection fee or fees to those connected with the sewer system and a water connection fee or fees to those connected with the water system;

(34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish, and refuse; to regulate the collection and disposal of garbage, rubbish, and refuse by others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable materials and to provide for the sale of such items;

(35) Special areas of public regulation. To regulate or prohibit junk dealers, the manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and use of combustible, explosive, and inflammable materials, the use of lighting and heating equipment, and any other business or situation which may be dangerous to persons or property; to regulate and control the conduct of peddlers and itinerant traders, theatrical performances, exhibitions, and shows of any kind, by taxation or otherwise; to license and tax professional fortunetelling, palmistry, and massage parlors; and to restrict adult bookstores to certain areas;

(36) Special assessments. To levy and provide for the collection of special assessments to cover the costs for any public improvements;

(37) Taxes: Ad valorem. To levy and provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation provided, however, that, unless eliminated or adjusted by the municipal governing authority by home rule pursuant to Chapter 35 of Title 36 of the O.C.G.A., except for special tax districts and general obligation bond indebtedness, the millage rate imposed for ad valorem taxes on real property shall not exceed 5.00 unless a higher limit is recommended by resolution of the city council and subsequently approved by a majority vote of the qualified voters of the City of Eagle's Landing voting on the issue in a referendum. For the purposes of this paragraph, the term "qualified voters" means those voters of the city who are qualified to vote in city elections and cast a vote for or against such measure in such referendum. The question to be presented to the voters in the referendum on increasing the millage rate shall be, "Do you approve increasing taxes on residential and nonresidential property for City of Eagle's Landing property owners by raising from [current millage rate], which was capped in the original charter for the city, to [proposed millage rate] the operating budget millage rate?" If such millage rate increase is approved by the qualified voters of the City of

Eagle's Landing voting in the referendum, the new rate shall become the maximum limit until changed again by resolution of the city council and approval by a majority of the qualified voters of the City of Eagle's Landing voting in such referendum;

(38) Taxes: Other. To levy and collect such other taxes as may be allowed now or in the future by law;

(39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the number of such vehicles; to require the operators thereof to be licensed; to require public liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to regulate the parking of such vehicles;

(40) Urban redevelopment. To organize and operate an urban redevelopment program; and

(41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; to exercise all implied powers necessary or desirable to carry into execution all powers granted in this charter as fully and completely as if such powers were fully stated herein; and to exercise all powers now or in the future authorized to be exercised by other municipal governments under other laws of the State of Georgia, and no listing of particular powers in this charter shall be held to be exclusive of others, nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers unless expressly prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

SECTION 1.14.

Exercise of powers.

All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or employees shall be carried into execution as provided by this charter. If this charter makes no provision, such shall be carried into execution as provided by ordinance or as provided by pertinent laws of the State of Georgia.

ARTICLE II

GOVERNMENT STRUCTURE

SECTION 2.10.

City council creation; number; election.

The legislative authority of the government of this city, except as otherwise specifically provided in this charter, shall be vested in a city council to be composed of a mayor and four councilmembers. The mayor and councilmembers shall be elected in the manner provided by general law and this charter.

SECTION 2.11.

City council terms and qualifications for office.

(a) Except for the initial terms of office under subsection (d) of Section 5.11 of this charter, the mayor and other members of the city council shall serve for terms of four years and until their respective successors are elected and qualified, except as otherwise provided in this section and in subsection (f) of Section 5.11 of this charter. No person shall be eligible to serve as mayor or councilmember unless that person is at least 21 years of age or older on the date of qualification, shall have been a resident of the area encompassed by the corporate boundaries of the city for at least 12 months immediately prior to the date of his or her election, and, in the case of councilmembers, a resident of the area encompassed by the district from which he or she seeks election for a period of at least 12 months immediately prior to his or her election. The mayor and each councilmember shall continue to reside within such corporate boundaries during their respective periods of service and be registered and qualified to vote in municipal elections of this city. In addition, the councilmembers elected by district shall continue to reside in the district from which elected during their respective periods of service.

(b) Upon serving three full, consecutive terms as a member of the city council, such member shall be ineligible to seek reelection to such office. Upon serving three full, consecutive terms as mayor, such individual shall be ineligible to seek reelection as mayor. Although a member of the city council may become ineligible to serve another consecutive term in such office, such member shall be eligible to seek the office of mayor and, although the mayor may become ineligible to serve another consecutive term in such office, such individual shall be eligible to seek election as a member of the city council. Partial terms of office or initial terms of office of less than four years under subsection (d) of Section 5.11 of this charter shall not be counted in determining the number of terms served.

SECTION 2.12.

Vacancy; filling of vacancies.

(a) The office of mayor or councilmember shall become vacant upon the incumbent's death, resignation, forfeiture of office, or occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

(b) A vacancy in the office of mayor or councilmember shall be filled for the remainder of the unexpired term, if any, by appointment by the city council or those members remaining if less than 12 months remains in the unexpired term. If such vacancy occurs 12 months or more prior to the expiration of the term of that office, it shall be filled for the remainder of the unexpired term by a special election, as provided for in Section 5.14 of this charter and in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as are or may hereafter be enacted.

(c) This provision shall also apply to a temporary vacancy created by the suspension from office of the mayor or any councilmember.

SECTION 2.13.

Compensation and expenses.

The initial annual salary of the mayor shall be \$12,000.00 and the initial annual salary of each councilmember shall be \$8,000.00. Thereafter, such salaries may be adjusted by the governing authority in accordance with Code Section 36-35-4 of the O.C.G.A. Such salaries shall be paid from municipal funds in equal monthly installments. The city council may provide for the reimbursement of expenses actually and necessarily incurred by the mayor and councilmembers in carrying out their official duties; provided, however, that the annual total of such reimbursement shall not exceed \$6,000.00 for the mayor and \$4,000.00 for any councilmember.

SECTION 2.14.

Conflicts of interest; holding other offices.

- (a) Elected and appointed officers of the city are trustees and servants of the residents of the city and shall act in a fiduciary capacity for the benefit of such residents.
- (b) No elected official, appointed officer, or employee of the city or any agency or political entity to which this charter applies shall knowingly:
 - (1) Engage in any business or transaction, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of that person's official duties or which would tend to impair the independence of the official's judgment or action in the performance of those official duties;
 - (2) Engage in or accept private employment, or render services for private interests when such employment or service is incompatible with the proper discharge of that person's official duties or would tend to impair the independence of the official's judgment or action in the performance of those official duties;
 - (3) Disclose confidential information, including information obtained at meetings which are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property, government, or affairs of the governmental body by which the official is engaged without proper legal authorization; or use such information to advance the financial or other private interest of the official or others;
 - (4) Accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to the official's knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the governmental body by which the official is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any such campaign;
 - (5) Represent other private interests in any action or proceeding against this city or any portion of its government; or
 - (6) Vote or otherwise participate in the negotiation or in the making of any contract with any business or entity in which the official has a financial interest.
- (c) Any elected official, appointed officer, or employee who shall have any financial

interest, directly or indirectly, in any contract or matter pending before or within any department of the city shall disclose such interest to the city council. The mayor or any councilmember who has a financial interest in any matter pending before the city council shall disclose such interest and such disclosure shall be entered on the records of the city council, and that official shall disqualify himself or herself from participating in any discussion, decision, or vote relating thereto. Any elected official, appointed officer, or employee of any agency described in paragraph (16) of Section 1.13 of this charter or political entity to which this charter applies who shall have any financial interest, directly or indirectly, in any contract or matter pending before or within such entity shall disclose such interest to the governing body of such agency or entity.

(d) No elected official, appointed officer, or employee of the city or any agency or entity to which this charter applies shall use property owned by such governmental entity for personal benefit or profit but shall use such property only in their capacity as an officer or employee of the city.

(e) Any violation of this section which occurs with the knowledge, express or implied, of a party to a contract or sale shall render said contract or sale voidable at the option of the city council.

(f) Except where authorized by law, neither the mayor nor any councilmember shall hold any other elective or appointive office in the city or otherwise be employed by such government or any agency thereof during the term for which that official was elected. No former mayor and no former councilmember shall hold any appointive office in the city until one year after the expiration of the term for which that official was elected.

(g) No appointive officer of the city shall continue in such employment upon qualifying as a candidate for nomination or election to any public office. No employee of the city shall continue in such employment upon qualifying for or election to any public office in this city or any other public office which is inconsistent, incompatible, or in conflict with the duties of the city employee. Such determination shall be made by the mayor and council either immediately upon election or at any time such conflict may arise.

(h)(1) Any city officer or employee who knowingly conceals such financial interest or knowingly violates any of the requirements of this section shall be guilty of malfeasance in office or position and shall be deemed to have forfeited that person's office or position.

(2) Any officer or employee of the city who shall forfeit an office or position as described in paragraph (1) of this subsection shall be ineligible for appointment or election to or employment in a position in the city government for a period of three years thereafter.

SECTION 2.15.

Inquiries and investigations.

Following the adoption of an authorizing resolution, the city council may make inquiries and investigations into the affairs of the city and the conduct of any department, office, or agency thereof, and for this purpose may subpoena witnesses, administer oaths, take

testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the city council shall be punished as provided by ordinance.

SECTION 2.16.

General power and authority of the city council.

- (a) Except as otherwise provided by law or this charter, the city council shall be vested with all the powers of government of this city.
- (b) In addition to all other powers conferred upon it by law, the council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, rules, and regulations, not inconsistent with this charter and the Constitution and the laws of the State of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order, protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City of Eagle's Landing and may enforce such ordinances by imposing penalties for violation thereof.
- (c) The city council shall have the power to discipline, suspend, and remove all appointed officials of the city, city employees, and city contractors.
- (d) Appeals from decisions and judgments of the city council shall be by certiorari unless otherwise provided by law, and such certiorari shall be obtained under the sanction of a judge of the Superior Court of Henry County under the laws of the State of Georgia regulating the granting and issuance of writs of certiorari.

SECTION 2.17.

Eminent domain.

The city council is hereby empowered to acquire, construct, operate, and maintain public ways, parks and playgrounds, public grounds, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, and charitable, cultural, educational, recreational, parking, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities, and any other public improvements inside or outside the city, and to regulate the use thereof, and for such purposes, property may be condemned under procedures established under general law applicable now or as provided in the future.

SECTION 2.18.

Organizational meeting; regular and special meetings.

- (a) The city council shall hold an organizational meeting on the first Tuesday in January of each year or on a date prescribed by ordinance; provided, however, that, if such date is a legal holiday, the organizational meeting shall be held on the next succeeding business day. The meeting shall be called to order by the mayor or the city clerk.

(b) The city council shall hold regular meetings at such times and places as shall be prescribed by ordinance.

(c) Special meetings of the city council may be held on call of the mayor or three members of the city council. Notice of such special meetings shall be served on all other members personally, or by telephone personally, at least 48 hours in advance of the meeting. Such notice to councilmembers shall not be required if the mayor and all councilmembers are present when the special meeting is called. Such notice of any special meeting may be waived by a councilmember in writing before or after such a meeting, and attendance at the meeting shall also constitute a waiver of notice on any business transacted in such councilmembers presence. Only the business stated in the call may be transacted at the special meeting.

(d) All meetings of the city council shall be public to the extent required by law and notice to the public of special meetings shall be made fully as is reasonably possible as provided by Code Section 50-14-1 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted.

SECTION 2.19.

Rules of procedure.

(a) The city council shall adopt its rules of procedure and order of business consistent with the provisions of this charter and shall provide for keeping a journal of its proceedings, which shall be a public record.

(b) All committees and committee chairs and officers of the city council shall be appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have the power to appoint new members to any committee at any time.

SECTION 2.20.

Quorum: voting.

(a) Three members of the city council, excluding the mayor, shall constitute a quorum and shall be authorized to transact business of the city council. Voting on the adoption of ordinances shall be by voice vote and the vote shall be recorded in the journal, but any member of the city council shall have the right to request a roll call vote and such vote shall be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote of three councilmembers shall be required for the adoption of any ordinance, resolution, or motion.

(b) No member of the city council shall abstain from voting on any matter properly brought before the council for official action except when such councilmember has a conflict of interest which is disclosed in writing prior to or at the meeting and made a part of the minutes. Any member of the city council present and eligible to vote on a matter and refusing to do so for any reason other than a properly disclosed and recorded conflict of interest shall be deemed to have acquiesced or concurred with the members of the majority who did vote on the question involved.

SECTION 2.21.

Ordinance form; procedures.

(a) Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "It is hereby ordained by the governing authority of the City of Eagle's Landing ..." and every ordinance shall so begin.

(b) An ordinance may be introduced by any councilmember and be read at a regular or special meeting of the city council. Ordinances shall be considered and adopted or rejected by the city council in accordance with the rules which it shall establish; provided, however, an ordinance shall not be adopted the same day it is introduced, except for emergency ordinances provided in Section 2.23. Upon introduction of any ordinance, the clerk shall as soon as possible distribute a copy to the mayor and to each councilmember and shall file a reasonable number of copies in the office of the clerk and at such other public places as the city council may designate.

SECTION 2.22.

Action requiring an ordinance.

Acts of the city council which have the force and effect of law shall be enacted by ordinance.

SECTION 2.23.

Emergencies.

(a) To meet a public emergency affecting life, health, property or public peace, the city council may convene on call of the mayor or three councilmembers and promptly adopt an emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public utility for its services; or authorize the borrowing of money except for loans to be repaid within 30 days. An emergency ordinance shall be introduced in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists, and describing the emergency in clear and specific terms. An emergency ordinance may be adopted, with or without amendment, or rejected at the meeting at which it is introduced, but the affirmative vote of at least three councilmembers shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed 30 days following the date upon which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

(b) Such meetings shall be open to the public to the extent required by law and notice to

the public of emergency meetings shall be made as fully as is reasonably possible in accordance with Code Section 50-14-1 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

SECTION 2.24.

Codes of technical regulations.

(a) The city council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be as prescribed for ordinances generally except that:

(1) The requirements of subsection (b) of Section 2.21 of this charter for distribution and filing of copies of the ordinance shall be construed to include copies of any code of technical regulations, as well as the adopting ordinance; and

(2) A copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.25 of this charter.

(b) Copies of any adopted code of technical regulations shall be made available by the clerk for inspection by the public.

SECTION 2.25.

Signing; authenticating; recording; codification; printing.

(a) The city clerk shall authenticate by his or her signature and record in full in a properly indexed book kept for that purpose, all ordinances adopted by the council.

(b) The city council shall provide for the preparation of a general codification of all the ordinances of the city having the force and effect of law. The general codification shall be adopted by the city council by ordinance and shall be published promptly, together with all amendments thereto and such codes of technical regulations and other rules and regulations as the city council may specify. This compilation shall be known and cited officially as "The Code of the City of Eagle's Landing, Georgia." Copies of the code shall be furnished to all officers, departments, and agencies of the city, and made available for purchase by the public at a reasonable price as fixed by the city council.

(c) The city council shall cause each ordinance and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances and charter amendments shall be made available for purchase by the public at reasonable prices to be fixed by the city council. Following publication of the first code under this charter and at all times thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for incorporation therein. The city council shall make such further arrangements as deemed desirable for the reproduction and distribution of any current changes in or additions to codes of technical regulations and other rules and regulations included in the code.

SECTION 2.26.

City manager; appointment; qualifications; compensation.

The city council may appoint a city manager to serve at the pleasure of the city council and, if so appointed, shall fix the city manager's compensation. The city manager shall be appointed solely on the basis of executive and administrative qualifications.

SECTION 2.27.

Removal of city manager.

If a city manager is appointed by the city council, then the city council may establish procedures for the suspension or removal of such city manager from office.

SECTION 2.28.

Acting city manager.

When a city manager has been appointed by the city council, and in the event of absence or disability, the city manager may, by a letter filed with the city clerk, designate, subject to approval of the city council, a qualified city administrative officer to exercise the powers and perform the duties of city manager during the city manager's temporary absence or physical or mental disability. During such absence or disability, the city council may revoke such designation at any time and appoint another officer of the city to serve until the city manager shall return or the city manager's absence or disability shall cease.

SECTION 2.29.

Powers and duties of the city manager.

When a city manager has been appointed by the city council, the city manager shall be the chief executive and administrative officer of the city. The city manager shall be responsible to the city council for the administration of all city affairs placed in the city manager's charge by the city council or this charter. As the chief executive and administrative officer, the city manager shall:

- (1) Other than appointments reserved for the mayor in subsection (e) of Section 3.10, hire and, when the city manager deems it necessary for the good of the city, discipline, suspend, or remove any city employees and administrative officers that the city manager hires, except as otherwise provided by law or personnel ordinances adopted pursuant to this charter. The city manager may authorize any administrative officer who is subject to the city manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;
- (2) Direct and supervise the administration of all departments, offices, and agencies of the city, except as otherwise provided by this charter or by law;
- (3) Attend all city council meetings except for closed meetings held for the purposes

of deliberating on the appointment, discipline, or removal of the city manager and have the right to take part in discussion but not vote;

(4) See that all laws, provisions of this charter, and acts of the city council, subject to enforcement by the city manager or by officers subject to the city manager's direction and supervision, are faithfully executed;

(5) Prepare and submit the annual operating budget and capital budget to the city council;

(6) Submit to the city council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year;

(7) Issue such other reports as the city council may require concerning the operations of city departments, offices, and agencies subject to the city manager's direction and supervision;

(8) Keep the city council fully advised as to the financial condition and future needs of the city, and make such recommendations to the city council concerning the affairs of the city as the city manager deems desirable; and

(9) Perform other such duties as are specified in this charter or as may be required by the city council.

SECTION 2.30.

Council interference with administration.

When a city manager has been appointed by the city council, except for the purpose of inquiries and investigations under Section 2.15 of this charter, the city council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the city council nor its members shall give orders to any such officer or employee, either publicly or privately.

SECTION 2.31.

Election of mayor; forfeiture; compensation.

Except as otherwise provided in this charter, the mayor shall be elected and serve for a term of four years and until a successor is elected and qualified. The mayor shall be a qualified elector of this city and shall have been a resident of the city for at least 12 months immediately prior to his or her election. The mayor shall continue to reside in this city during the period of service. The mayor shall forfeit the office on the same grounds and under the same procedure as for councilmembers. The compensation of the mayor shall be established in the same manner as for councilmembers.

SECTION 2.32.

Mayor pro tem.

By a majority vote at the first meeting of the city council in January of each year, the city council shall elect a councilmember to serve as mayor pro tem who shall serve until the

first regular meeting of the city council in the immediately following year. The mayor pro tem shall assume the duties and powers of the mayor during the mayor's physical or mental disability, suspension from office, or absence. Any such disability or absence shall be declared by a majority vote of the city council. The mayor pro tem shall sign all contracts and ordinances in which the mayor has a disqualifying financial interest as provided in Section 2.14 of this charter. When acting as mayor, the mayor pro tem shall continue to have only one vote as a member of the council and shall exercise that power notwithstanding paragraph (5) of Section 2.33 of this charter. A vacancy in the position of mayor pro tem resulting from the mayor pro tem ceasing to serve as a councilmember, or from any other cause, shall be filled for the remainder of the unexpired term in the same manner as the original election.

SECTION 2.33.

Powers and duties of mayor.

The mayor shall:

- (1) Preside at all meetings of the city council;
- (2) Be the head of the city for the purpose of service of process and for ceremonial purposes, and be the official spokesperson for the city and the chief advocate of policy adopted by the city council;
- (3) Have the power to administer oaths and to take affidavits;
- (4) Sign as a matter of course on behalf of the city all written and approved contracts, ordinances, and other instruments executed by the city which by law are required to be in writing;
- (5) Vote on matters before the city council only in order to break a tie or as otherwise provided in this charter;
- (6) If no city manager has been appointed, prepare and submit to the city council a recommended annual operating budget and recommended capital budget; and
- (7) Fulfill such other executive and administrative duties as the city council shall by ordinance establish.

SECTION 2.34.

Submission of ordinances to the mayor; veto power.

- (a) Every ordinance adopted by the city council shall be presented promptly by the clerk to the mayor.
- (b) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the clerk with or without the mayor's approval, or with the mayor's disapproval. If the ordinance has been approved by the mayor, it shall become law upon its return to the clerk; if the ordinance is neither approved nor disapproved, it shall become law at 12:00 Noon on the tenth calendar day after its adoption; if the ordinance is disapproved, the mayor shall submit to the city council through the clerk a written statement of reasons for the veto. The clerk shall record upon the ordinance the date of its delivery to and receipt

from the mayor.

(c) Ordinances vetoed by the mayor shall be presented by the clerk to the city council at its next meeting. If the city council then or at its next meeting adopts the ordinance by an affirmative vote of four members, it shall become law.

(d) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the city council over the mayor's veto as provided herein. The reduced part or parts shall be presented to city council as though disapproved and shall not become law unless overridden by the council as provided in subsection (c) of this section.

ARTICLE III
ADMINISTRATIVE AFFAIRS
SECTION 3.10.

Administrative and service departments.

(a) Except as otherwise provided in this charter, the city council, by ordinance, shall prescribe the functions or duties, and establish, abolish, alter, consolidate, or leave vacant all nonelective offices, positions of employment, departments, and agencies of the city, as necessary for the proper administration of the affairs and government of this city.

(b) Except as otherwise provided by this charter or by law, the directors of departments and other appointed officers of the city shall be appointed solely on the basis of their respective administrative and professional qualifications.

(c) All appointive officers and directors of departments shall receive such compensation as prescribed by ordinance or resolution.

(d) There shall be a director of each department or agency who shall be its principal officer. Each director shall, subject to the direction and supervision of the mayor or, in the case where the city council has appointed a city manager, the city manager, be responsible for the administration and direction of the affairs and operations of that director's department or agency.

(e) All appointive officers and directors under the supervision of the mayor or, in the case where the city council has appointed a city manager, the city manager, shall be nominated by the mayor with confirmation of appointment by at least two of the other members of the city council. If the other members of the city council reject an officer or director of the mayor, such other members of the city council shall then proceed to fill such appointment by majority vote of the city council. Appointments by the city council shall be subject to veto by the mayor which may be overridden by the vote of four members of the city council. All appointive officers and directors shall be employees at-will and subject to removal, suspension, or other discipline at any time by the city council. In the case where the city council has appointed a city manager, the city manager, unless otherwise provided by law or ordinance, may remove, suspend, or discipline at any time any appointed officers, directors, or employees of the city, except for the city clerk, the municipal judge or associate judges, and the city attorney.

SECTION 3.11.

Boards, commissions, and authorities.

- (a) The city council shall create by ordinance such boards, commissions, and authorities to fulfill any investigative, quasi-judicial, or quasi-legislative function the city council deems necessary, and shall by ordinance establish the composition, period of existence, duties, and powers thereof.
- (b) All members of boards, commissions, and authorities of the city shall be appointed by a majority vote of the city council, except where other appointing authority, terms of office, or manner of appointment is prescribed by this charter or by law. Except as otherwise provided by this charter or by law, each board, commission, or authority shall consist of five members with one member being appointed by each member of the city council and the mayor. Members appointed by the mayor may reside anywhere within the corporate limits of the city, but a member appointed by a member of the city council shall reside within the district of the councilmember who appointed such member.
- (c) The city council, by ordinance, may provide for the compensation and reimbursement for actual and necessary expenses of the members of any board, commission, or authority.
- (d) Except as otherwise provided by charter or by law, no member of any board, commission, or authority shall hold any elective office in the city.
- (e) Any vacancy on a board, commission, or authority of the city shall be filled for the unexpired term in the manner prescribed herein for original appointment, except as otherwise provided by this charter or by law.
- (f) No member of a board, commission, or authority shall assume office until that person has executed and filed with the clerk of the city an oath obligating himself to faithfully and impartially perform the duties of that member's office, such oath to be prescribed by ordinance and administered by the mayor.
- (g) All board, commission, or authority members serve at-will and may be removed at any time by a vote of three members of the city council unless otherwise provided by law.
- (h) Except as otherwise provided by this charter or by law, each board, commission, or authority of the city shall elect one of its members as chair and one member as vice-chair, and may elect as its secretary one of its own members or may appoint as secretary an employee of the city. Each board, commission, or authority of the city government may establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the city, or law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with the clerk of the city.

SECTION 3.12.

City attorney.

The city council shall appoint a city attorney, together with such assistant city attorneys as may be authorized, and shall provide for the payment of such attorney or attorneys for

services rendered to the city. The city attorney shall be responsible for providing for the representation and defense of the city in all litigation in which the city is a party; may be the prosecuting officer in the municipal court; shall attend the meetings of the council as directed; shall advise the city council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; and shall perform such other duties as may be required by virtue of the person's position as city attorney. The city attorney shall not be a public official of the city and shall not take an oath of office. The city attorney shall at all times be an independent contractor. A law firm, rather than an individual, may be designated as the city attorney. The city attorney shall serve at the pleasure of the city council.

SECTION 3.13.

City clerk.

The city council shall appoint a city clerk who shall not be a councilmember. The city clerk shall be custodian of the official city seal and city records; maintain city council records required by this charter; and perform such other duties as may be required by the city council. The city clerk shall serve at the pleasure of the city council.

SECTION 3.14.

Position classification and pay plans.

The mayor or, in the case where the city council has appointed a city manager, the city manager, shall be responsible for the preparation of a position classification and pay plan which shall be submitted to the city council for approval. Such plan may apply to all employees of the city and any of its agencies, departments, boards, commissions, or authorities. When a pay plan has been adopted, the city council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan. For purposes of this section, all elected and appointed city officials are not city employees.

SECTION 3.15.

Personnel policies.

All employees shall serve at-will and may be removed from office at any time unless otherwise provided by ordinance.

ARTICLE IV JUDICIAL BRANCH

SECTION 4.10.

Creation; name.

There shall be a court to be known as the Municipal Court of the City of Eagle's Landing.

SECTION 4.11.

Chief judge; associate judge.

- (a) The municipal court shall be presided over by a chief judge and such part-time, full-time, or stand-by judges as shall be provided by ordinance.
- (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless that person shall have attained the age of 21 years, shall be a member of the State Bar of Georgia, and shall possess all qualifications required by law. All judges shall be appointed by the city council and shall serve until a successor is appointed and qualified.
- (c) Compensation of the judges shall be fixed by ordinance.
- (d) Judges serve at-will and may be removed from office at any time by the city council unless otherwise provided by ordinance.
- (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge will honestly and faithfully discharge the duties of the office to the best of that person's ability and without fear, favor or partiality. The oath shall be entered upon the minutes of the city council journal required in Section 2.19 of this charter.

SECTION 4.12.

Convening.

The municipal court shall be convened at regular intervals as provided by ordinance.

SECTION 4.13.

Jurisdiction; powers.

- (a) The municipal court shall have jurisdiction and authority to try and punish violations of this charter, all city ordinances, and such other violations as provided by law.
- (b) The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$200.00 or ten days in jail.
- (c) The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for 180 days or both such fine and imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing as now or hereafter provided by law.
- (d) The municipal court shall have authority to establish a schedule of fees to defray the cost of operation, and shall be entitled to reimbursement of the cost of meals, transportation, and caretaking of prisoners bound over to superior courts for violations of state law.
- (e) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before such court, and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for that person's appearance and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge presiding at such time, and an execution issued thereon by

-serving the defendant and the defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or the property so deposited shall have a lien against it for the value forfeited which lien shall be enforceable in the same manner and to the same extent as a lien for city property taxes.

(f) The municipal court shall have the same authority as superior courts to compel the production of evidence in the possession of any party; to enforce obedience to its orders, judgments, and sentences; and to administer such oaths as are necessary.

(g) The municipal court may compel the presence of all parties necessary to a proper disposal of each case by the issuance of summonses, subpoenas, and warrants which may be served as executed by any officer as authorized by this charter or by law.

(h) Each judge of the municipal court shall be authorized to issue warrants for the arrest of persons charged with offenses against any ordinance of the city, and each judge of the municipal court shall have the same authority as a magistrate of the state to issue warrants for offenses against state laws committed within the city.

SECTION 4.14.

Certiorari.

The right of certiorari from the decision and judgment of the municipal court shall exist in all criminal cases and ordinance violation cases, and such certiorari shall be obtained under the sanction of a judge of the Superior Court of Henry County under the laws of the State of Georgia regulating the granting and issuance of writs of certiorari.

SECTION 4.15.

Rules for court.

With the approval of the city council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court; provided, however, that the city council may adopt in part or in toto the rules and regulations applicable to municipal courts. The rules and regulations made or adopted shall be filed with the city clerk, shall be available for public inspection, and, upon request, a copy shall be furnished to all defendants in municipal court proceedings at least 48 hours prior to said proceedings.

ARTICLE V

ELECTIONS AND REMOVAL

SECTION 5.10.

Applicability of general law.

All primaries and elections shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

SECTION 5.11.

Election, terms, and oath of office of the city council and mayor.

(a) Except for the initial elections under subsection (d) of this section, municipal general elections for the city shall be held biennially in the odd-numbered years on the Tuesday next following the first Monday in November.

(b) There shall be elected the mayor and councilmembers from Council Districts 3 and 4 at one election and at every other regular election thereafter. The remaining city council seats from Council Districts 1 and 2 shall be filled at the election alternating with the first election so that a continuing body is created.

(c) Each councilmember shall be elected by a majority vote of the qualified electors of his or her respective council district voting at the elections of the city. For the purpose of electing members of the city council, the City of Eagle's Landing shall consist of four council districts as described in Appendix B of this charter, which is attached and incorporated into this charter by reference. Each candidate for election to the city council other than the mayor shall reside in the council district he or she seeks to represent.

(d) If the city is formed as a result of the referendum held in the 2018 general primary, the first election for mayor and councilmembers shall be a special election held in conjunction with the 2018 November general election. At such election, the mayor and councilmembers elected from Council Districts 3 and 4 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2023. The councilmembers elected from Council Districts 1 and 2 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2021. Thereafter, successors to the mayor and councilmembers shall be elected at the November general election immediately preceding the end of their respective terms of office, and such successors shall take office in accordance with subsection (g) of this section for terms of four years and until their respective successors are elected and qualified.

(e) If the city is formed as a result of a referendum held in a special election after the 2018 general primary but on or before the 2018 November general election, then the first election for mayor and councilmembers shall be a special election to be held on the first special election date pursuant to Code Section 21-2-540 of the O.C.G.A. in 2019. At such special election, the mayor and councilmembers elected from Council Districts 3 and 4 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2023. The councilmembers from Council Districts 1 and 2 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2021. Thereafter, successors to the mayor and councilmembers shall be elected at the November general election immediately preceding the end of their respective terms of office, and such successors shall take office in accordance with subsection (g) of this section for terms of four years and until their respective successors are elected and qualified.

(f) The mayor, for the special election and each subsequent election for mayor, shall be elected by the qualified electors of the city at large voting in such elections of the city.

(g) Except for the initial election of the mayor and council, the terms of office of the mayor and councilmembers shall begin on the Monday following such person's election which is at least five days following the certification of the results of such person's election to such office unless a petition to contest the results of such person's election to such office is filed pursuant to Article 13 of Chapter 2 of Title 21 of the O.C.G.A. If a petition to contest the election results is filed, such person shall not be sworn in until a judgment has been entered pursuant to Code Section 21-2-527 of the O.C.G.A. or such petition has been withdrawn or dismissed. In such case, the person's term of office shall begin on the Monday following the entry of such judgment or the withdrawal or dismissal of such petition. Such officeholder shall be sworn in at the next meeting of the governing authority, which shall be held not later than two weeks following the beginning of such person's term of office, and shall hold office until his or her successor's term begins in accordance with this subsection.

(h) The oath of office to be administered to newly elected members shall be administered by a judicial officer authorized to administer oaths and shall, to the extent that it comports with federal and state law, be as follows:

"I do solemnly (swear)(affirm) that I will faithfully perform the duties of (mayor)(councilmember) of this city and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America. I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I, by the laws of the State of Georgia, am prohibited from holding. I am otherwise qualified to hold said office according to the Constitution and laws of the State of Georgia. I have been a resident of (my district and) the City of Eagle's Landing for the time required by the Constitution and laws of this state and by the municipal charter. I will perform the duties of my office in the best interest of the City of Eagle's Landing to the best of my ability without fear, favor, affection, reward, or expectation thereof."

SECTION 5.12.

Nonpartisan elections.

Political parties shall not conduct primaries for city offices and all names of candidates for city offices shall be listed without party designations.

SECTION 5.13.

Election by majority.

The person receiving a majority of the votes cast for any city office shall be elected.

SECTION 5.14.

Special elections; vacancies.

In the event that the office of mayor or councilmember shall become vacant as provided in Section 2.12 of this charter, the city council or those remaining shall order a special election to fill the balance of the unexpired term of such official; provided, however, if such vacancy occurs within 12 months of the expiration of the term of that office, the city council or those remaining shall appoint a successor for the remainder of the term. In all other respects, the special election shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

SECTION 5.15.

Other provisions.

Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe such rules and regulations it deems appropriate to fulfill any options and duties under the Georgia Election Code.

SECTION 5.16.

Removal of officers.

(a) The mayor, councilmembers, or other appointed officers provided for in this charter shall be removed from office for any one or more of the causes provided in Title 45 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

(b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished one of the following methods:

(1) Following a hearing at which an impartial panel shall render a decision. In the event an elected officer is sought to be removed by the action of the city council, such officer shall be entitled to a written notice specifying the ground or grounds for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. The city council shall provide by ordinance for the manner in which such hearings shall be held. Any elected officer sought to be removed from office as herein provided shall have the right of appeal from the decision of the city council to the Superior Court of Henry County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court; or

(2) By a final order of the Superior Court of Henry County following a hearing on a complaint seeking such removal brought by any resident of the City of Eagle's Landing.

ARTICLE VI**FINANCE****SECTION 6.10.**

Property tax.

The city council may assess, levy, and collect an ad valorem tax on all real and personal property within the corporate limits of the city that is subject to such taxation by the state and county. This tax is for the purpose of raising revenues to defray the costs of operating the city government, of providing governmental services, for the repayment of principal and interest on general obligations, and for any other public purpose as determined by the city council in its discretion.

SECTION 6.11.

Millage rate; due dates; payment methods.

(a) Subject to the limitations contained in paragraph (37) of Section 1.13 of this charter, the city council, by ordinance, shall establish a millage rate for the city property tax, a due date, and the time period within which these taxes must be paid. The city council, by ordinance, may provide for the payment of these taxes by two installments or in one lump sum, as well as authorize the voluntary payment of taxes prior to the time when due.

(b) For all years, except for special tax districts and general obligation bond indebtedness, the millage rate imposed for ad valorem taxes on real property shall not exceed 5.00 unless a higher millage rate is recommended by resolution of the city council and subsequently approved by a majority of the qualified voters of the City of Eagle's Landing voting on the issue in a referendum. For the purposes of this subsection, the term 'qualified voters' means those voters of the city who are qualified to vote in city elections and cast a vote for or against such measure in such referendum. The question to be presented to the voters in the referendum on increasing the millage rate shall be, "Do you approve increasing taxes on residential and nonresidential property for City of Eagle's Landing property owners by raising from [current millage rate], which was capped in the original charter for the city, to [proposed millage rate] the operating budget millage rate?" If such millage rate increase is approved by the qualified voters of the City of Eagle's Landing voting in the referendum, the new rate shall become the maximum limit until changed again by resolution of the city council and approval by a majority of the qualified voters of the City of Eagle's Landing voting in such referendum. This millage rate limit shall apply to the millage rate actually levied and shall not apply to the hypothetical millage rate computed under subsection (a) of Code Section 48-8-91 of the O.C.G.A., relating to conditions on imposition of the joint county and municipal sales tax.

SECTION 6.12.

Occupation and business taxes.

The city council by ordinance shall have the power to levy such occupation or business taxes as are not denied by law. The city council may classify businesses, occupations or professions for the purpose of such taxation in any way which may be lawful and may compel the payment of such taxes as provided in Section 6.18 of this charter.

SECTION 6.13.

Regulatory fees; permits.

The city council by ordinance shall have the power to require businesses or practitioners doing business within this city to obtain a permit for such activity from the city and pay a reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect the total cost to the city of regulating the activity, and if unpaid, shall be collected as provided in Section 6.18 of this charter.

SECTION 6.14.

Franchises.

(a) The city council shall have the power to grant franchises for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, electric membership corporations, cable television and other telecommunications companies, gas companies, transportation companies, and other similar organizations. The city council shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises; provided, however, no franchise shall be granted for a period in excess of 35 years and no franchise shall be granted unless the city receives just and adequate compensation therefor. The city council shall provide for the registration of all franchises with the city clerk in a registration book kept by the clerk. The city council may provide by ordinance for the registration within a reasonable time of all franchises previously granted.

(b) If no franchise agreement is in effect, the city council has the authority to impose a tax on gross receipts for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, electric membership corporations, cable television and other telecommunications companies, gas companies, transportation companies, and other similar organizations.

SECTION 6.15.

Service charges.

The city council by ordinance shall have the power to assess and collect fees, charges, assessments, and tolls for sewers, sanitary and health services, stormwater management, or any other services provided or made available within and without the corporate limits of the city. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.16.

Special assessments.

The city council by ordinance shall have the power to assess and collect the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk,

curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property owners. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.17.

Construction; other taxes and fees.

This city shall be empowered to levy any other tax or fee allowed now or hereafter by law, and the specific mention of any right, power, or authority in this article shall not be construed as limiting in any way the general powers of this city to govern its local affairs.

SECTION 6.18.

Collection of delinquent taxes and fees.

The city council, by ordinance, may provide generally for the collection of delinquent taxes, fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by whatever reasonable means as are not precluded by law. This shall include providing for the dates when the taxes or fees are due; late penalties or interest; issuance and execution of fi.fa.; creation and priority of liens; making delinquent taxes and fees personal debts of the persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any city taxes or fees; and providing for the assignment or transfer of tax executions.

SECTION 6.19.

General obligation bonds.

The city council shall have the power to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized under this charter or the laws of the state. Such bonding authority shall be exercised in accordance with the laws governing bond issuance by municipalities in effect at the time said issue is undertaken.

SECTION 6.20.

Revenue bonds.

Revenue bonds may be issued by the city council as state law now or hereafter provides. Such bonds are to be paid out of any revenue produced by the project, program, or venture for which they were issued.

SECTION 6.21.

Short-term loans.

The city may obtain short-term loans and shall repay such loans not later than December 31 of each year, unless otherwise provided by law.

SECTION 6.22.

Lease-purchase contracts.

The city may enter into multiyear lease, purchase, or lease-purchase contracts for the acquisition of goods, materials, real and personal property, services, and supplies provided the contract terminates without further obligation on the part of the municipality at the close of the calendar year in which it was executed and at the close of each succeeding calendar year for which it may be renewed. Contracts must be executed in accordance with the requirements of Code Section 36-60-13 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted.

SECTION 6.23.

Fiscal year.

The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the budget year and the year for financial accounting and reporting of each and every office, department, agency, and activity of the city government unless otherwise provided by state or federal law.

SECTION 6.24.

Preparation of budgets.

The city council shall provide an ordinance on the procedures and requirements for the preparation and execution of an annual operating budget, a capital improvement plan, and a capital budget, including requirements as to the scope, content, and form of such budgets and plans.

SECTION 6.25.

Submission of operating budget to city council.

On or before a date fixed by the city council but not later than 30 days prior to the beginning of each fiscal year, the mayor or, in the case where the city council has appointed a city manager, the city manager, shall submit to the city council a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor or city manager, as the case may be, containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other pertinent comments and information. The operating budget and the capital budget hereinafter provided for, the budget message, and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection.

SECTION 6.26.

Action by city council on budget.

(a) The city council may amend the operating budget proposed by the mayor or the city manager, as the case may be; except, that the budget as finally amended and adopted must provide for all expenditures required by state law or by other provisions of this charter and for all debt service requirements for the ensuing fiscal year, and the total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues.

(b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal year not later than 15 days prior to the beginning of such fiscal year. If the city council fails to adopt the budget by this date, the amounts appropriated for operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items prorated accordingly until such time as the city council adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an appropriations ordinance setting out the estimated revenues in detail by sources and making appropriations according to fund and by organizational unit, purpose, or activity as set out in the budget preparation ordinance adopted pursuant to Section 6.24 of this charter.

(c) The amount set out in the adopted operating budget for each organizational unit shall constitute the annual appropriation for such, and no expenditure shall be made or encumbrance created in excess of the otherwise unencumbered balance of the appropriations or allotment thereof, to which it is chargeable.

SECTION 6.27.

Tax levies.

The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates set by such ordinances shall be such that reasonable estimates of revenues from such levy shall at least be sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expenses of the general government of this city.

SECTION 6.28.

Changes in appropriations.

The city council by ordinance may make changes in the appropriations contained in the current operating budget, at any regular, special, or emergency meeting called for such purpose, but any additional appropriations may be made only from an existing unexpended surplus.

SECTION 6.29.

Capital budget.

(a) On or before the date fixed by the city council but no later than 30 days prior to the beginning of each fiscal year, the mayor or, in the case where the city council has appointed a city manager, the city manager, shall submit to the city council a proposed capital improvements plan with a recommended capital budget containing the means of financing the improvements proposed for the ensuing fiscal year. The city council shall have power to accept, with or without amendments, or reject the proposed plan and proposed budget. The city council shall not authorize an expenditure for the construction of any building, structure, work, or improvement, unless the appropriations for such project are included in the capital budget, except to meet a public emergency as provided in Section 2.23 of this charter.

(b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal year not later than 15 days prior to the beginning of such fiscal year. No appropriation provided for in a prior capital budget shall lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned; provided, however, the mayor or the city manager, as the case may be, may submit amendments to the capital budget at any time during the fiscal year, accompanied by recommendations. Any such amendments to the capital budget shall become effective only upon adoption by ordinance.

SECTION 6.30.

Independent audit.

There shall be an annual independent audit of all city accounts, funds, and financial transactions by a certified public accountant selected by the city council. The audit shall be conducted according to generally accepted auditing principles. Any audit of any funds by the state or federal governments may be accepted as satisfying the requirements of this charter. Copies of annual audit reports shall be available at printing costs to the public.

SECTION 6.31.

Contracting procedures.

No contract with the city shall be binding on the city unless:

- (1) It is in writing;
- (2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter of course, is signed by the city attorney to indicate such drafting or review; and
- (3) It is made or authorized by the city council and such approval is entered in the city council journal of proceedings pursuant to Section 2.20 of this charter.

SECTION 6.32.

Centralized purchasing.

The city council shall by ordinance prescribe procedures for a system of centralized purchasing for the city.

SECTION 6.33.

Sale and lease of city property.

- (a) The city council may sell and convey, or lease any real or personal property owned or held by the city for governmental or other purposes as now or hereafter provided by law.
- (b) The city council may quitclaim any rights it may have in property not needed for public purposes upon report by the mayor or the city manager, as the case may be, and adoption of a resolution, both finding that the property is not needed for public or other purposes and that the interest of the city has no readily ascertainable monetary value.
- (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the city, a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the city, the city council may authorize the mayor or the city manager, as the case may be, to sell and convey said cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners where such sale and conveyance facilitate the enjoyment of the highest and best use of the abutting owner's property. Included in the sales contract shall be a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting property owner shall be notified of the availability of the property and given the opportunity to purchase said property under such terms and conditions as set out by ordinance. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the city has in such property, notwithstanding the fact that no public sale after advertisement was or is hereafter made.

**ARTICLE VII
GENERAL PROVISIONS**

SECTION 7.10.

Bonds for officials.

The officers and employees of this city, both elective and appointive, shall execute such surety or fidelity bonds in such amounts and upon such terms and conditions as the city council shall from time to time require by ordinance or as may be provided by law.

SECTION 7.11.

Construction.

- (a) Section captions in this charter are informative only and are not to be considered as a part thereof.
- (b) The word "shall" is mandatory and the word "may" is permissive.
- (c) The singular shall include the plural, the masculine shall include the feminine, and vice versa.

SECTION 7.12.
Qualified electors.

(a) For the purposes of the referendum election provided for in Section 7.13 of this charter and for the purposes of the special election to be held in conjunction with the 2018 November general election, the qualified electors of the City of Eagle's Landing shall be those qualified electors of Henry County residing within the proposed corporate limits of the City of Eagle's Landing as described by Appendix B of this charter. At subsequent municipal elections, the qualified electors of the City of Eagle's Landing shall be determined pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."

(b) Only for the purpose of holding and conducting the referendum election provided for by Section 7.13 of this charter and only for the purpose of holding and conducting the special election of the City of Eagle's Landing to be held in conjunction with the 2018 November general election, the election superintendent of Henry County is vested with the powers and duties of the election superintendent of the City of Eagle's Landing and the powers and duties of the governing authority of the City of Eagle's Landing.

SECTION 7.13.
Referendum.

The election superintendent of Henry County shall call a special election for the purpose of submitting this Act to the qualified voters of the proposed City of Eagle's Landing, as provided in Section 7.12 of this charter, for approval or rejection. The superintendent shall set the date of such election for the date of the 2018 general primary. The superintendent shall issue the call for such election at least 30 days prior to the date thereof. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Henry County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act incorporating the City of Eagle's Landing in Henry County,
() NO imposing term limits, prohibiting conflicts of interest, creating community improvement districts, and granting the homestead exemptions described therein be approved?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, it shall become of full force and effect; otherwise, it shall thereafter be void and of no force and effect. The expense of the special election set forth in this section shall be borne by Henry County. It shall be the duty of the superintendent to hold and conduct such election. It shall be his or her further duty to certify the result thereof to the Secretary of State.

SECTION 7.14.

Effective dates.

- (a) Those provisions of this charter necessary for the special election provided for in Section 7.13 of this charter shall become effective immediately upon this Act's approval by the Governor or upon its becoming law without such approval.
- (b) Those provisions of this Act necessary for the special election to be held in conjunction with the 2018 November general election shall be effective upon the certification of the results of the referendum election provided for by Section 7.13 of this charter, if this Act is approved at such referendum election.
- (c) The remaining provisions of this Act shall become of full force and effect for all purposes on January 1, 2019, except that the initial mayor and councilmembers shall take office immediately following their election and by action of a quorum may, prior to January 1, 2019, meet and take actions binding on the city.

SECTION 7.15.

Transition.

- (a) A period of time will be needed for an orderly transition of various government functions from Henry County to the City of Eagle's Landing. Accordingly, there shall be a transition period beginning on January 1, 2019, and ending at midnight on the last day of the twenty-fourth month following such date. During such transition period, all provisions of this charter shall be effective as law, but not all provisions of this charter shall be implemented.
- (b) During such transition period, Henry County shall provide within the total territorial limits of the City of Eagle's Landing all government services and functions which Henry County provided in that portion of the area which was previously unincorporated and which is now within the corporate limits of the City of Eagle's Landing during 2018 and at the same actual cost, except to the extent otherwise provided in this section; provided, however, that upon at least 30 days' prior written notice to Henry County by the City of Eagle's Landing, responsibility for any such service or function shall be transferred to the City of Eagle's Landing. Beginning on January 1, 2019, the City of Eagle's Landing shall collect taxes, fees, assessments, fines and forfeitures, and other moneys within the territorial limits of the City of Eagle's Landing; provided, however, that upon at least 30 days' prior written notice to Henry County by the City of Eagle's Landing, the authority to collect any tax, fee, assessment, fine or forfeiture, or other moneys shall remain with Henry County after January 1, 2019, until such time as Henry County receives subsequent notice from the City of Eagle's Landing that such authority shall be transferred to the City of Eagle's Landing.
- (c) During the transition period, the governing authority of the City of Eagle's Landing:
 - (1) Shall hold regular meetings and may hold special meetings as provided in this charter;
 - (2) May enact ordinances and resolutions as provided in this charter;

- (3) May amend this charter by home rule action as provided by general law;
 - (4) May accept gifts and grants;
 - (5) May borrow money and incur indebtedness to the extent authorized by this charter and general law;
 - (6) May levy and collect an ad valorem tax for calendar years 2019 and 2020;
 - (7) May establish a fiscal year and budget;
 - (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies of the city; appoint and remove officers and employees; and exercise all necessary or appropriate personnel and management functions; and
 - (9) May generally exercise any power granted by this charter or general law, except to the extent that a power is specifically and integrally related to the provision of a governmental service, function, or responsibility not yet provided or carried out by the city.
- (d) Except as otherwise provided in this section, during the transition period, the Municipal Court of the City of Eagle's Landing shall not exercise its jurisdiction. During the transition period, all ordinances of Henry County shall be applicable within the territorial limits of the City of Eagle's Landing and the appropriate court or courts of Henry County shall retain jurisdiction to enforce such ordinances. However, by appropriate agreement (and concurrent resolutions and ordinances if needed) Henry County and the City of Eagle's Landing may during the transition period transfer all or part of such regulatory authority and the appropriate court jurisdiction to the City of Eagle's Landing. Any transfer of jurisdiction to the City of Eagle's Landing during or at the end of the transition period shall not in and of itself abate any judicial proceeding pending in Henry County or the pending prosecution of any violation of any ordinance of Henry County.
- (e) During the transition period, the governing authority of the City of Eagle's Landing may at any time, without the necessity of any agreement by Henry County, commence to exercise its planning and zoning powers; provided, however, that the city shall give the county notice of the date on which the city will assume the exercise of such powers. Upon the governing authority of the City of Eagle's Landing commencing to exercise its planning and zoning powers, the Municipal Court of the City of Eagle's Landing shall immediately have jurisdiction to enforce the planning and zoning ordinances of the city. The provisions of this subsection shall control over any conflicting provisions of any other subsection of this section.
- (f) During the transition period, all business licenses and permits which were previously issued by the City of Stockbridge or Henry County shall continue to be effective for the term for which such licenses and permits were originally issued.
- (g) Effective upon the termination of the transition period, subsections (b) through (f) of this section shall cease to apply except for the last sentence of subsection (d) which shall remain effective. Effective upon the termination of the transition period, the City of Eagle's Landing shall be a full-functioning municipal corporation and subject to all general laws of this state.
- (h) The City of Eagle's Landing shall be a successor in interest to all intergovernmental

agreements which affect the territory contained within the corporate limits of the city which are in existence at the time the city is the created.

(I) During the transition period, all existing zoning and land use provisions shall remain in effect and all valid, existing licenses issued previously to businesses operating in the corporate limits of the City of Eagle's Landing by the City of Stockbridge or Henry County shall continue in force and effect until their expiration.

SECTION 7.16.

Directory nature of dates.

It is the intention of the General Assembly that this Act be construed as directory rather than mandatory with respect to any date prescribed in this Act. If it is necessary to delay any action called for in this Act for providential cause or any other reason, it is the intention of the General Assembly that the action be delayed rather than abandoned. Any delay in performing any action under this Act, whether for cause or otherwise, shall not operate to frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is specifically provided that:

- (1) If it is not possible to hold the referendum election provided for in Section 7.13 of this Act on the date specified in that section, then such referendum shall be held as soon thereafter as is reasonably practicable; and
- (2) If it is not possible to hold the first municipal election provided for in this Act on the date specified in that section, then there shall be a special election for the initial members of the governing authority to be held on the next possible special election date authorized pursuant to Code Section 21-2-540 of the O.C.G.A.

ARTICLE VIII

COMMUNITY IMPROVEMENT DISTRICTS

SECTION 8.10.

Purpose.

The purpose of this article shall be to provide enabling legislation for the creation of one or more community improvement districts within the City of Eagle's Landing, and such district or districts may be created for the provision of some or all of the following governmental services and facilities as provided and authorized by Article IX, Section VII of the Constitution of the State of Georgia and the resolution activating each district as it now exists or hereafter amended or supplemented as provided for by law, including, but not limited to:

- (1) Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices and services to control the flow of traffic on streets and roads or services in connection therewith;
- (2) Parks and recreational areas and facilities and services;
- (3) Public transportation, including, but not limited to, services intended to reduce the volume of automobile traffic, to transport two or more persons in conveyances, to improve air quality, and to provide bicycle and pedestrian facilities and the operation

- of a traffic management association or similar entity and services;
- (4) Terminal and dock facilities and parking facilities and services; and
 - (5) Such other services and facilities as may be provided for by general law or as the Constitution of the State of Georgia may authorize or provide now or hereafter.

SECTION 8.11.

Definitions.

As used in this article, the term:

- (1) "Agricultural" means the growing of crops for sale or the raising of animals for sale or use, including the growing of field crops, fruit or nut trees, the raising of livestock or poultry, and the operation of dairies, horse boarding facilities, and riding stables.
- (2) "Board" means the governing body created for the governance of a community improvement district herein authorized.
- (3) "Caucus of electors" or "caucus" means the meeting of electors hereinafter provided for at which the elected board members of the district are elected. A quorum at such caucus shall consist of those electors present, and a majority of those present and voting is necessary to elect board members. No proxy votes shall be cast.
- (4) "City council" means the city council of the City of Eagle's Landing.
- (5) "City governing authority or body" means the city council and the mayor.
- (6) "District" means the geographical area designated as such by the resolution of the governing body of the City of Eagle's Landing consenting to the creation of the community improvement district or districts or as thereafter modified by any subsequent resolution of the governing body or bodies within which the district is or is to be located, or a body corporate and politic being a community improvement district created and activated pursuant hereto, as the context requires or permits.
- (7) "Electors" means the owners of real property within the given district which is subject to taxes, fees, and assessments levied by the board, as they appear on the most recent ad valorem real property tax return records of Henry County, or one officer or director of a corporate elector, one trustee of a trust which is an elector, one partner of a partnership elector, or one designated representative of an elector whose designation is made in writing to the respective county tax commissioner and the city clerk of the City of Eagle's Landing at least ten days prior to an election. An owner of property that is subject to taxes, fees, or assessments levied by the board shall have one vote for an election based on numerical majority. An owner of multiple parcels shall have one vote, not one vote per parcel, for an election based on numerical majority. Multiple owners of one parcel shall have one vote for an election based on numerical majority which must be cast by one of their number who is designated in writing.
- (8) "Equity electors" means electors who cast votes equal to each \$1,000.00 value of all owned real property within the given district which is then subject to taxes, fees, and assessments levied by the board. Value of real property shall be the assessed value.

(9) "Forestry" means the planting and growing of trees for sale in a program which includes reforestation of harvested trees, regular underbrush and undesirable growth clearing, fertilizing, pruning, thinning, cruising, and marking which indicate an active tree farming operation. The term does not include the casual growing of trees on land otherwise idle or held for investment, even though some harvesting of trees may occur thereon.

(10) "Hereby," "herein," "hereunder," and "herewith" mean under this Act.

(11) "Mayor" means the mayor of the City of Eagle's Landing.

(12) "Project" means the acquisition, construction, installation, modification, renovation, or rehabilitation of land, interests in land, buildings, structures, facilities, or other improvements, including operation of facilities or other improvements, located or to be located within or otherwise providing service to the district and the acquisition, installation, modification, renovation, rehabilitation, or furnishing of fixtures, machinery, equipment, furniture, or other property of any nature whatsoever used on, in, or in connection with any such land, interest in land, building, structure, facility, or other improvements for the purposes set forth in Section 8.10 of this article.

(13) "Property owner" or "owner of real property" means any entity or person shown as a taxpayer for one or more parcels of real estate on the most recent ad valorem tax records of Henry County within the district as certified by the Henry County Tax Commissioner.

(14) "Property used nonresidentially" means property or any portion thereof used for neighborhood shopping, planned shopping centers, general commercial, transient lodging facilities, tourist services, office or institutional, office services, light industry, heavy industry, central business district, parking, or other commercial or business use or vacant land zoned or approved for any of the aforementioned uses which do not include residential.

(15) "Residential" means a specific structure, work, or improvement undertaken primarily to provide either single family or multifamily dwelling accommodations for persons and families of four units or less, and for which an application for homestead exemption has been filed and accepted.

(16) "Taxpayer" means an entity or person paying ad valorem taxes on real property, whether on one or more parcels of property within the district. Multiple owners of one parcel shall constitute one taxpayer and shall designate in writing one of their number to represent the whole.

(17) "Value" or "assessed value" of property means the values established in the most recent ad valorem tax reassessment of such properties certified by the Henry County Board of Tax Assessors.

SECTION 8.12.

Creation.

Pursuant to Article IX, Section VII of the Constitution of the State of Georgia, there is created one or more community improvement districts to be located in the City of Eagle's

Landing, Georgia, wholly within the incorporated area thereof, which shall be activated upon compliance with the conditions set forth in this section. Each district, if more than one are implemented, shall be governed as directed by this article. The conditions for such activation shall be:

- (1) The adoption of a resolution consenting to the creation of the community improvement district or districts by the governing authority for the City of Eagle's Landing and imposing such conditions on the projects and activities which may be undertaken as will ensure their compatibility with adopted city policies and planning for the area; and
- (2) The written consent to the creation of the community improvement district by:
 - (A) A majority of the owners of real property within the given district which will be subject to taxes, fees, and assessments levied by the board of the given district; and
 - (B) The owners of real property within the given district which constitutes at least 75 percent by value of all real property within the district which will be subject to taxes, fees, and assessments levied by the board. For this purpose, value shall be determined by the most recent approved county ad valorem tax digest.

The written consent provided for in this paragraph shall be submitted to the Henry County tax commissioner, who shall certify whether subparagraphs (A) and (B) of this paragraph have been satisfied with respect to such proposed district. The district or districts or respective board or boards created under this article shall not transact any business or exercise any powers under this article until the foregoing conditions are met. A copy of such resolutions shall be filed with the Secretary of State and with the city clerk of the City of Eagle's Landing, who shall each maintain a record of the district activated under this article. Nothing contained herein shall limit the ability of the governing authority of the City of Eagle's Landing to implement more than one community improvement district so long as the requirements hereof and of the Constitution of the State of Georgia are satisfied. The provisions of this article shall be construed so as to provide for the independent application and exercise of all powers for each district contained herein including the ability to levy taxes as outlined herein as separately and independently authorizing and empowering such separate community improvement districts created hereby. Nothing contained herein shall require the governing authority of the City of Eagle's Landing to create more than one community improvement district, or to require the creation of a new district if the district boundaries of an existing district are changed, added to, supplemented, or modified.

SECTION 8.13.

Administration, appointment, and election of board members.

Each district created pursuant hereto shall be administered either by the governing authority or by a board as prescribed under this article. In the event that a district is to be governed by such a board, the board shall be composed of a minimum of seven board members to be appointed and elected as hereinafter provided:

(1) Two board members shall be appointed by the Mayor of the City of Eagle's Landing, and confirmed by a majority of the city council, one of whom shall be a member of the city council, to serve in Posts 6 and 7. Two board members shall be elected by the vote of electors, and three members shall be elected by the vote of equity electors. The members representing the electors and equity electors shall be elected to serve in post positions 1 through 5, respectively. Each elected board member shall receive a majority of the votes cast for the post for which he or she is a candidate. Votes for Posts 1 and 2 shall be cast by electors, and votes for Posts 3, 4, and 5 shall be cast by the equity electors. The initial term of office for the members representing Posts 1 and 3 shall be one year. The initial term of office for the members representing Posts 2 and 5 shall be two years, and the initial term of office of the members representing Post 3 shall be three years. Thereafter, all terms of office shall be for four years, except the appointed board members who shall serve at the pleasure of the appointing body which appointed him or her. Elected board members shall be subject to recall in the same manner as elected.

(2) The initial board members to be elected as provided in paragraph (1) of this section shall be elected in a caucus of electors which shall be held within 120 days after the adoption of the resolution by the City of Eagle's Landing consenting to the creation of the district, and the obtaining of the written consents herein provided at such time and place within the district as the City of Eagle's Landing shall designate after notice thereof shall have been given to said electors by publishing same in the legal organ of Henry County as hereinafter provided. Thereafter, there shall be conducted annually, not later than 120 days following the last day for filing ad valorem real property tax returns in Henry County, a caucus of said electors at such time and place within the district as the board shall designate in such notice for the purpose of electing board members to those board member positions whose terms expire or are vacant. If a vacancy occurs in an elected position on the board, the board shall, within 60 days thereof, call a special election to fill the same to be held within 60 days of the call unless such vacancy occurs within 180 days of the next regularly scheduled election, in which case a special election may, but need not, be called. For any election held hereunder, notice thereof shall be given to said electors by publishing notice thereof in the legal organ of Henry County at least once each week for four weeks prior to such election.

(3) Board members shall receive no compensation for their services, but shall be reimbursed for actual expenses reasonably incurred in the performance of their duties. They shall elect one of their number as chairperson and another as vice chairperson. They shall also elect a secretary and a treasurer, or a secretary/treasurer, either of whom may, but need not, be a member of the board or an elector.

(4) If the boundaries of a district are subsequently changed after creation of the district to include land within the unincorporated area of the county or a municipality which was not a party to the creation of the district, or if a municipality's boundaries are changed to include land within an existing district, the governing authority of the municipality shall acquire the right to appoint a member to the board of the district

upon entering into the cooperation agreement provided for in Section 8.17 of this article. If, by municipal annexation or by deannexation of land from a district, the district no longer includes land within the incorporated area of the City of Eagle's Landing or within a municipality, respectively, then the board member of the district appointed by such governing authority in which the district is no longer located shall cease to be a board member.

(5) Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," shall not apply to the election of district board members. Should a vacancy in office of a district board member occur, and the regular caucus of electors is more than six months in the future, a special election shall be called to fill such vacancy, unless it is filled by appointment as hereinabove required. The district board may adopt such bylaws not inconsistent herewith to provide for any matter concerning such elections.

SECTION 8.14.

Taxes, fees, and assessments.

(a) The board may levy taxes, fees, and assessments within the district only on real property used nonresidentially, specifically excluding all property exempt from ad valorem taxation under the Constitution or laws of the State of Georgia; all property used for residential, agricultural, or forestry purposes; and all tangible personal property and intangible property. Any tax, fee, or assessment so levied shall not exceed 2.5 percent of the aggregate assessed value of all such real property, subject to such limitations as the governing authority for the City of Eagle's Landing may implement with the adoption of the resolution consenting to the creation of said district. The taxes, fees, and assessments levied by the board shall be equitably apportioned among the properties subject to such taxes, fees, and assessments according to the need for governmental services and facilities created by the degree of density of development of each such property. The proceeds of taxes, fees, and assessments levied by the board shall be used only for the purpose of providing those governmental services and facilities set forth in Section 8.10 of this article which are specially required by the degree of density of development within the district and not for the purpose of providing those governmental services and facilities provided to the municipality as a whole. Any tax, fee, or assessment so levied shall be collected by the City of Eagle's Landing in the same manner as taxes, fees, and assessments are levied by the City of Eagle's Landing. Delinquent taxes shall bear the same interest and penalties as City of Eagle's Landing ad valorem taxes and may be enforced and collected in the same manner. The proceeds of taxes, fees, and assessments so levied, less a fee to cover the costs of collection of 0.25 percent thereof, but not more than \$10,000.00 in any one calendar year, shall be transmitted as soon as they are acquired by the City of Eagle's Landing to the board, and shall be expended by the board only for the purposes authorized hereby.

(b) The board shall levy the taxes provided for in subsection (a) of this section subsequent to the report of the assessed taxable values for the current calendar year and notify in writing the collecting governing bodies so they may include the levy on their

regular ad valorem tax bills, if possible.

(c) There shall be a segregation of all funds from the levy of taxes, fees, and assessments as described hereunder for the district, and neither the City of Eagle's Landing nor the respective county tax commissioner shall expend for any purpose not authorized by the board of this district any such taxes, fees, or charges assessed and collected hereunder except for such costs as may be attributed to the billing and collection of such fees, levies, and assessments.

(d) If, but for this provision, a parcel of real property is removed from a district or otherwise would become nontaxable, it shall continue to bear the tax millage levied by the district then extant upon such parcel for indebtedness of the district then outstanding until said indebtedness is paid or refunded.

SECTION 8.15.

Boundaries of the district.

(a) The boundaries of the district or districts shall be as designated as such by the City of Eagle's Landing as set forth in the resolution required in Section 8.12 of this article, or as may thereafter be added as hereinafter provided.

(b) The boundaries of the district or districts may be increased after the initial creation of a district if:

- (1) Written consent of the owners of any real property sought to be annexed is first obtained;
- (2) The board of the district adopts a resolution consenting to the annexation; and
- (3) A resolution is adopted which grants consent to the annexation by the governing authority of such municipalities as may have area within the district before or after the annexation.

SECTION 8.16.

Debt.

Except as otherwise provided in this section, the district may incur debt without regard to the requirements of Article IX, Section V of the Constitution of the State of Georgia, which debt shall be backed by the full faith and credit and taxing power of the district but shall not be an obligation of the State of Georgia or any other unit of government of the State of Georgia other than the district; provided, however, that the board and the district may not issue bonds validated under or in accordance with Article 3 of Chapter 82 of Title 36 of the O.C.G.A., known as the "Revenue Bond Law," or in accordance with such other successor provisions governing bond validation generally or as may be provided by law.

SECTION 8.17.

Cooperation with local governments.

The services and facilities provided pursuant hereto may be provided for in a cooperation agreement executed jointly by the board, the governing body of the City of Eagle's

Landing, and any municipalities and other governmental authorities or agencies within which the district is partially located. The provisions of this section shall in no way limit the authority of the City of Eagle's Landing or any such municipality or any such authority to provide services or facilities within the district; and the City of Eagle's Landing or such municipalities shall retain full and complete authority and control over any of its facilities located within its respective areas of any district. Said control shall include, but not be limited to, the modification of, access to, and degree and type of services provided through or by facilities of the municipality or county. Nothing contained in this section shall be construed to limit or preempt the application of any governmental laws, ordinances, resolutions, or regulations to the district or the services or facilities provided therein.

SECTION 8.18.

Powers.

(a) The district and the board created pursuant hereto shall have all of the powers necessary or convenient to carry out and effectuate the purposes and provisions hereof, including, without limiting the generality of the foregoing, the power to:

- (1) Bring and defend actions;
- (2) Adopt and amend a corporate seal;
- (3) Make and execute contracts, agreements, and other instruments necessary or convenient to exercise the powers of the board or to further the public purposes for which the district is created including, but not limited to, contracts for construction of projects, leases of projects, contracts for sale of projects, agreements for loans to finance projects, contracts with respect to the use of projects, and agreements with other jurisdictions or community improvement districts regarding multijurisdictional projects or services or for other cooperative endeavors to further the public purposes of the district;
- (4) Acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real and personal property of every kind and character, or any interest therein, in furtherance of the public purposes of the district;
- (5) Finance by loan, private grant, lease, or otherwise, construct, erect, assemble, purchase, acquire, own, repair, remodel, renovate, rehabilitate, modify, maintain, extend, improve, install, sell, equip, expand, add to, operate, or manage projects and to pay the cost of any project from the proceeds of the district or any other funds of the district, or from any contributions or loans by persons, corporations, partnerships, whether limited or general, or other entities, all of which the board is authorized to receive, accept, and use;
- (6) Borrow money to further or carry out its public purposes and to execute bonds, notes, other obligations, leases, trust indentures, trust agreements, agreements for the sale of its notes, or other obligations, loan agreements, security agreements, assignments, and such other agreements or instruments as may be necessary or desirable, in the judgment of the board, to evidence and to provide security for such

borrowing;

(7) Issue notes or other obligations of the district and use the proceeds thereof for the purpose of paying all or any part of the cost of any project and otherwise to further or carry out the public purposes of the district and to pay all reasonably incurred costs of the board incidental to, or necessary and appropriate to, furthering or carrying out such purposes; provided, however, that the board and the district may not issue bonds validated under or in accordance with Article 3 of Chapter 82 of Title 36 of the O.C.G.A., known as the "Revenue Bond Law," or in accordance with such other successor provisions governing bond validation generally or as may be provided by law;

(8) Make application directly or indirectly to any private source for loans, grants, guarantees, or other financial assistance in furtherance of the district's public purposes and to accept and use the same upon such terms and conditions as are prescribed by such private source; provided, however, that the district and the board shall not have the power to apply for, receive, administer, or utilize grants from federal, state, county, or municipal governments or agencies or any other public sources;

(9) Enter into agreements with the federal government or any agency thereof to use the facilities or services of the federal government or any agency thereof in order to further or carry out the public purposes of the district;

(10) Contract for any period, not exceeding 50 years, with the State of Georgia, state institutions, or any municipal corporation, county, or political subdivision of this state for the use by the district of any facilities or services of the state or any such state institution, municipal corporation, county, or political subdivision of this state, or for the use by any state institution or any municipal corporation, county, or political subdivision of this state of any facilities or services of the district, provided that such contracts shall deal with such activities and transactions as the district and any such political subdivision with which the district contracts are authorized by law to undertake;

(11) Grant, mortgage, convey, assign, or pledge its property, revenues or taxes, or fees or assessments to be received as security for its notes, or other indebtedness and obligations;

(12) Receive and use the proceeds of any tax levied by any county or any municipal corporation to pay the costs of any project or for any other purpose for which the board may use its own funds pursuant hereto;

(13) Receive and administer gifts, private grants, and devises of money and property of any kind and to administer trusts;

(14) Use any real property, personal property, or fixtures or any interest therein or to rent or lease such property to or from others or make contracts with respect to the use thereof or to sell, lease, exchange, transfer, assign, pledge, or otherwise dispose of or grant options for any such property in any manner as it deems to be the best advantage of the district and the public purposes thereof;

(15) Appoint, select, and employ engineers, surveyors, architects, urban or city planners, fiscal agents, attorneys, and others and to fix their compensation and pay

their expenses;

(16) Encourage and promote the improvement and development of the district and to make, contract for, or otherwise cause to be made long range plans or proposals for the district in cooperation with the City of Eagle's Landing and any municipal corporations in which the district is wholly or partially located;

(17) Invest its funds, whether derived from the issuance of its bonds or otherwise, in such manner as it may deem prudent and appropriate, without further restriction;

(18) Adopt bylaws governing the conduct of business by the board, the election and duties of officers of the board, and other matters which the board determines to deal within its bylaws;

(19) Exercise any power granted by the laws of this state to public or private corporations which is not in conflict with the public purposes of the district; and

(20) Do all things necessary or convenient to carry out the powers conferred hereby.

(b) The powers enumerated in subsection (a) of this section are cumulative of and in addition to those powers enumerated herein and elsewhere in this article, and no such power limits or restricts any other power of the board except where expressly noted.

SECTION 8.19.

Construction; notice, proceeding, publication, referendum.

This article shall be liberally construed to effect the purposes hereof. No notice, proceeding, or publication except those required hereby shall be necessary to the performance of any act authorized hereby, nor shall any such act be subject to referendum.

SECTION 8.20.

Applicability of Chapter 5 of Title 10 of the O.C.G.A.,
the "Georgia Securities Act of 1973."

The offer, sale, or issuance of notes or other obligations by the district shall not be subject to regulation under Chapter 5 of Title 10 of the O.C.G.A., the "Georgia Securities Act of 1973."

SECTION 8.21.

Dissolution.

(a) A district activated under the provisions of this article may be dissolved upon the occurrence of any of the following:

(1) The adoption of a resolution approving of the dissolution of the community improvement district by the City of Eagle's Landing and such other municipalities, as applicable, if partially within one or more municipalities; or

(2) The written consent to the dissolution of the community improvement district by:

(A) A majority of the owners of real property within the district subject to taxes,

fees, and assessments levied by the board of the district; or

(B) The owners of real property constituting at least 75 percent by value of all real property within the district subject to taxes, fees, and assessments levied by the board. For this purpose, value shall be determined by the most recent approved county ad valorem tax digest.

The written consent provided for in this paragraph shall be submitted to the Henry County tax commissioner, who shall certify whether subparagraphs (A) and (B) of this paragraph have been satisfied with respect to the proposed district dissolution.

(b) In the event that successful action is taken pursuant to this section to dissolve the district, the dissolution shall become effective at such time as all debt obligations of the district have been satisfied. Following a successful dissolution action and until the dissolution becomes effective, no new projects may be undertaken, obligations or debts incurred, or property acquired.

(c) Upon a successful dissolution action, all noncash assets of the district other than public facilities or land or easements to be used for such public facilities, as described in Section 8.10 of this article, shall be reduced to cash and, along with all other cash on hand, shall be applied to the repayment of any debt obligation of the district. Any cash remaining after all outstanding obligations are satisfied shall be refunded to each property owner in direct proportion to the total amount in taxes, fees, or assessments paid by the property owner relative to the total revenues paid by all properties in the district.

(d) When a dissolution becomes effective, the municipal governing authority shall take title to all property previously in the ownership of the district and all taxes, fees, and assessments of the district shall cease to be levied and collected.

(e) A district may be reactivated in the same manner as an original activation.

ARTICLE IX
HOMESTEAD EXEMPTIONS
SECTION 9.10.

General homestead exemption for veterans and citizens age 65 or over.

(a) As used in this section, the term:

(1) "Ad valorem taxes for municipal purposes" means all ad valorem taxes for municipal purposes levied by, for, or on behalf of the City of Eagle's Landing except for any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

(2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of the O.C.G.A., as amended.

(3) "Senior citizen" means a person who is 65 years of age or over on or before January 1 of the year in which application for the exemption under subsection (b) of this section is made.

(4) "Veteran" means an individual who served on active duty in the armed forces of the United States and was honorably discharged from such service.

(b) Each resident of the City of Eagle's Landing who is a veteran or a senior citizen is

granted an exemption on that person's homestead from City of Eagle's Landing ad valorem taxes for municipal purposes in the amount of \$10,000.00 of the assessed value of that homestead. The value of that property in excess of such exempted amount shall remain subject to taxation.

(c) A person shall not receive the homestead exemption granted by subsection (b) of this section unless such person or person's agent files an application with the governing authority of the City of Eagle's Landing, or the designee thereof, giving such person's age and such additional information relative to receiving such exemption as will enable the governing authority of the City of Eagle's Landing, or the designee thereof, to make a determination regarding the initial and continuing eligibility of such person for such exemption. The governing authority of the City of Eagle's Landing, or the designee thereof, shall provide application forms for this purpose.

(d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year so long as the person occupies the residence as a homestead. After a person has filed the proper application, as provided in subsection (c) of this section, it shall not be necessary to make application thereafter for any year and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this section to notify the governing authority of the City of Eagle's Landing, or the designee thereof, in the event that person for any reason becomes ineligible for that exemption.

(e) The exemption granted by subsection (b) of this section shall not apply to or affect state ad valorem taxes, county ad valorem taxes for county purposes, or county or independent school district ad valorem taxes for educational purposes. The homestead exemption granted by subsection (b) of this section shall be in addition to and not in lieu of any other homestead exemption applicable to municipal ad valorem taxes for municipal purposes.

(f) The exemption granted by subsection (b) of this section shall apply to all taxable years beginning on or after January 1, 2019.

ARTICLE X
GENERAL REPEALER
SECTION 10.10.
General repealer.

All law and parts of laws in conflict with this Act are repealed.

APPENDIX A
Corporate Boundaries of the City of Eagle's Landing

The City of Eagle's Landing shall include all the territory embraced within the following census blocks based upon the 2010 United States decennial census:

Plan: eagleslanding-city-2017
Plan Type: Local
Administrator: S017
User: Gina

District EAGLESLAND

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1001 1055 1056

VTD: 15138 - HICKORY FLAT

070205:

1002 3002 3021 3026 3028 3030 3031 3033 3035 3036 3037 3038
3039 3040 3041 3042 3043 3044 3045 3046 3047 3051 3052

070309:

1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
1026 1027 1028 1032 1033 1034 1035 1036 2037 2038 2039 2040
2041 2042 2043 2044 2045 2046 2047 2048 2049 2055

VTD: 15139 - STOCKBRIDGE EAST

070114:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1022 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034
1035 1036 1037 1038 1044 1048 1049 1050 1053 1054 1055 1056
1057 1058 1062 1067 2027 2028 2031 2032

070309:

1000

VTD: 15140 - STOCKBRIDGE WEST

070114:

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1023 1051
1063

VTD: 15142 - COTTON INDIAN

070205:

3012

VTD: 15150 - PATES CREEK

070104:

1037 1038 1039 1040 1041 1042 1043 1046 1047 1048 1049 1050
1051 1052 1053 1054 1058 1059 1060 1061 1062 1063 1064 1065
1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 2000 2001
2002 2003 2004 2005 2006 2007 2008 2009 2010

070305:

3000 3001 3002 3003 3004 3005 3006

VTD: 15153 - FLIPPEN

VTD: 15157 - DUTCHTOWN

070305:

3007 3008 3009 3010 3011 3012 3015 3019 3020

VTD: 15160 - LAKE HAVEN

070309:

1029

070310:

2001

For the purposes of this description, the term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in the description which are underneath a VTD heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia.

APPENDIX B City Council Districts

Plan: eagleslanding-dist-2017

Plan Type: Local

Administrator: S017

User: Gina

District 001

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1001

VTD: 15150 - PATES CREEK

070104:

1037 1038 1039 1040 1041 1042 1043 1046 1047 1048 1049 1050

1051 1052 1065 1066 1067 1068 1069 1070 1071 1074 1075 2000

2001 2002 2003 2004 2005 2006 2007 2008 2009 2010

070305:

3000 3001 3002 3003 3004 3005 3006

VTD: 15153 - FLIPPEN

070114:

1045 1046 1047 1059 1060 1061 1064 1065 1066

070309:

2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022

2023 2024 2026 2050 2053 2054

VTD: 15157 - DUTCHTOWN

070305:

3007 3008 3009 3010 3011 3012 3015 3019 3020

District 002

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1055 1056

VTD: 15139 - STOCKBRIDGE EAST

070114:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1022 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034

1035 1036 1037 1038 1044 1048 1049 1050 1053 1054 1055 1056

1057 1058 1062 1067 2027 2028 2031 2032

070309:

1000

VTD: 15140 - STOCKBRIDGE WEST

070114:

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1023 1051

1063

VTD: 15142 - COTTON INDIAN

070205:

3012

VTD: 15150 - PATES CREEK

070104:

1053 1054 1058 1059 1060 1061 1062 1063 1064 1072 1073

VTD: 15153 - FLIPPEN

070205:

3013

District 003

Henry County

VTD: 15138 - HICKORY FLAT

070309:

2046 2047 2048

VTD: 15153 - FLIPPEN

070114:

1039 1040 1041 1042 1043 1052 2029 2030

070205:

3009 3010 3011 3014 3015

070309:

1001 1002 1003 1004 1005 1006 1037 2000 2001 2002 2003 2004
 2005 2006 2007 2008 2009 2010 2025 2027 2028 2029 2030 2031
 2032 2033 2034 2035 2036 2051 2052

District 004

Henry County

VTD: 15138 - HICKORY FLAT

070205:

1002 3002 3021 3026 3028 3030 3031 3033 3035 3036 3037 3038
 3039 3040 3041 3042 3043 3044 3045 3046 3047 3051 3052

070309:

1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
 1026 1027 1028 1032 1033 1034 1035 1036 2037 2038 2039 2040
 2041 2042 2043 2044 2045 2049 2055

VTD: 15153 - FLIPPEN

070309:

1007 1008 1009 1010 1011 1012 1013

VTD: 15160 - LAKE HAVEN

070309:

1029

070310:

2001

For the purposes of this plan (eagleslanding-dist-2017):

- (1) The term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia;
- (2) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2010 for the State of Georgia;
- (3) Any part of the City of Eagle's Landing which is not included in any district described in this plan (eagleslanding-dist-2017) shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia; and
- (4) Any part of the City of Eagle's Landing which is described in this plan (eagleslanding-dist-2017) as being included in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

APPENDIX C
 CERTIFICATE AS TO MINIMUM STANDARDS
 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

I, Rick Jeffares, Georgia State Senator from the 17th District and the author of this bill introduced at the 2017 session of the General Assembly of Georgia, which grants an original municipal charter to the City of Eagle's Landing, do hereby certify that this bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the area embraced within the original incorporation in this bill is in all respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This certificate is executed to conform to the requirements of Code Section 36-31-5 of the O.C.G.A.

So certified, this _____ day of _____, 2017.

Honorable Rick Jeffares
 Senator, 17th District
 Georgia State Senate

Senators Henson of the 41st and Jones of the 10th offered the following amendment #1:

Amend the Senate Committee on State and Local Governmental Operations-G substitute to SB 263 (LC 28 8639S) by striking "primary" on line 828 and substituting in lieu thereof "election"; by striking "in conjunction with the 2018 November general election" on lines 829 and 830 and inserting in lieu thereof "on the third Tuesday in March, 2019."; and by striking lines 840 through 843 and inserting in lieu thereof the following:

(e) The first election for mayor and councilmembers shall be a special election to be held on the third Tuesday in March, 2019. At such special

By striking lines 1173 and 1174 and inserting in lieu thereof the following:

and for the purposes of the special election to be held on the third Tuesday in March, 2019, the qualified electors of the City of Eagle's Landing shall be

By striking lines 1180 through 1182 and inserting in lieu thereof the following:

Section 7.13 of this charter and only for the purpose of holding and conducting the special election of the City of Eagle's Landing to be held on the third Tuesday in March, 2019, the election superintendent of Henry County is vested with the powers and

By striking "primary" on line 1190 and inserting in lieu thereof "election"; by striking "in conjunction with the 2018 November general election" on lines 1211 and 1212 and inserting in lieu thereof "on the third Tuesday in March, 2019"; and by striking "January" on lines 1216, 1218, 1223, 1234, and 1239 and inserting in lieu thereof "July".

On the adoption of the amendment, the President ordered a roll call, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	N Jones, B	N Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowser	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	E Martin	N Unterman
N Harbin	Y McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	N Wilkinson
N Heath	N Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the adoption of the amendment, the yeas were 20, nays 33, and the Henson, Jones of the 10th amendment #1 to the committee substitute was lost.

Senators Henson of the 41st and Jones of the 10th offered the following amendment #2:

Amend the Senate Committee on State and Local Governmental Operations-G substitute to SB 263 (LC 28 8639S) by striking lines 1754 through 1802 and inserting in lieu thereof the following:

Plan: eagleslanding-city-sd41-2018

Plan Type: Local

Administrator: S041

User: Gina

District EAGLAND

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1001 1055 1056

VTD: 15138 - HICKORY FLAT

070205:

3052

070309:

2046 2047 2048

VTD: 15139 - STOCKBRIDGE EAST

070114:

1003 1004 1006 1011 1022 1024 1025 1026 1027 1029 1030 1031
1032 1033 1034 1035 1036 1037 1038 1044 1048 1049 1050 1053
1054 1055 1056 1057 1058 1062 2027 2028 2031 2032

VTD: 15140 - STOCKBRIDGE WEST

070114:

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1023 1051
1063

VTD: 15150 - PATES CREEK

070104:

1037 1038 1039 1040 1041 1042 1043 1046 1047 1048 1049 1050
1051 1052 1053 1054 1058 1059 1060 1061 1062 1063 1064 1065
1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 2000 2001
2002 2003 2004 2005 2006 2007 2008 2009 2010

070305:

3000 3001 3002 3003 3004 3005 3006

VTD: 15153 - FLIPPEN

070114:

1039 1040 1041 1042 1043 1045 1046 1047 1052 1059 1060 1061
1064 1065 1066 2029 2030

070309:

1001 1002 1003 1004 1005 1006 1007 1008 1009 1037 2000 2001
2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013
2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025
2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2050
2051 2052 2053 2054

VTD: 15157 - DUTCHTOWN

070305:

3007 3008 3009 3010 3011 3012 3015 3019 3020

By striking lines 1811 through 1914 and inserting in lieu thereof the following:

Plan: eagleslanding-dist-sd41-2018

Plan Type: Local

Administrator: S041

User: Gina

District 001

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1001 1055 1056

VTD: 15150 - PATES CREEK

070104:

1037 1038 1039 1040 1041 1042 1043 1046 1047 1048 1049 1050

1051 1052 1053 1054 1058 1059 1060 1061 1062 1063 1064 1065

1066 1067 1068 1069 1070 1071 1072 1073 1074 1075

District 002

Henry County

VTD: 15150 - PATES CREEK

070104:

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010

070305:

3000 3001 3002 3003 3004 3005 3006

VTD: 15153 - FLIPPEN

070309:

2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022

2023 2024 2026 2050 2053 2054

VTD: 15157 - DUTCHTOWN

070305:

3007 3008 3009 3010 3011 3012 3015 3019 3020

District 003

Henry County

VTD: 15139 - STOCKBRIDGE EAST

070114:

1003 1004 1006 1011 1022 1024 1025 1026 1027 1029 1030 1031

1032 1033 1034 1035 1036 1037 1038 1044 1048 1049 1050 1053

1054 1055 1056 1057 1058 1062 2027 2028 2031 2032

VTD: 15140 - STOCKBRIDGE WEST

070114:

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1023 1051

1063

VTD: 15153 - FLIPPEN

070114:

1039 1040 1041 1042 1043 1045 1046 1047 1052 1059 1060 1061

1064 1065 1066 2029 2030

070309:

1001 1002 1003 1004 1005 1006 1037

District 004

Henry County

VTD: 15138 - HICKORY FLAT

070205:

3052

070309:

2046 2047 2048

VTD: 15153 - FLIPPEN

070309:

1007 1008 1009 2000 2001 2002 2003 2004 2005 2006 2007 2008

2009 2010 2025 2027 2028 2029 2030 2031 2032 2033 2034 2035

2036 2051 2052

For the purposes of this plan (eagleslanding-dist-sd41-2018):

(1) The term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia;

(2) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2010 for the State of Georgia;

(3) Any part of the City of Eagle's Landing which is not included in any district described in this plan (eagleslanding-dist-sd41-2018) shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia; and

(4) Any part of the City of Eagle's Landing which is described in this plan (eagleslanding-dist-sd41-2018) as being included in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

On the adoption of the amendment, the President ordered a roll call, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	N Jones, B	N Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland

Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	E Martin	N Unterman
N Harbin	Y McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	N Wilkinson
N Heath	N Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the adoption of the amendment, the yeas were 20, nays 33, and the Henson, Jones of the 10th amendment #2 to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	N Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
N Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
E Dugan	E Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	E Martin	N Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	N Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 29, nays 23.

SB 263, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/15/18

Due to business outside the Senate Chamber, I missed the vote on SB 263. Had I been present, I would have voted "yea".

/s/ Jesse Stone
District 23

Senator Jones of the 10th gave notice that at the proper time he would move that the Senate reconsider its action on SB 263.

The President set the time for entertaining the motion for reconsideration on Tuesday, February 20, 2018.

The following resolutions were read and adopted:

HR 1196. By Representative Burns of the 159th:

A RESOLUTION calling a joint session of the House of Representatives and the Senate for the purpose of hearing a message from the Chief Justice of the Supreme Court; inviting each other Justice of the Supreme Court and each Judge of the Court of Appeals to be present at the joint session; and for other purposes.

SR 814. By Senators Anderson of the 43rd, Davenport of the 44th, Butler of the 55th, Tate of the 38th, Seay of the 34th and others:

A RESOLUTION recognizing and commending Sergeant Shawn Martin; and for other purposes.

SR 815. By Senators Anderson of the 43rd, Davenport of the 44th, Butler of the 55th, Tate of the 38th, Seay of the 34th and others:

A RESOLUTION recognizing and commending Judge Barbara J. Koll; and for other purposes.

SR 816. By Senators Anderson of the 43rd, Davenport of the 44th, Butler of the 55th, Tate of the 38th, Seay of the 34th and others:

A RESOLUTION recognizing and commending Captain NuLuv Jones; and for other purposes.

SR 817. By Senators Anderson of the 43rd, Davenport of the 44th, Butler of the 55th, Tate of the 38th, Seay of the 34th and others:

A RESOLUTION recognizing and commending Chief Warrant Officer Joselyn N. White; and for other purposes.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL

ATLANTA, GEORGIA 30334

CASEY CAGLE

LIEUTENANT GOVERNOR

February 15, 2018

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

Dear David:

In accordance with Senate Rules, the Senate Committee on Assignments hereby appoints Senator Butch Miller to serve as a permanent Ex-Officio for the Senate Government Oversight Committee. This appointment is effective immediately.

Please call on me or Taylor Schindler if you have any questions regarding this appointment. Thank you for your attention to this matter.

Sincerely,

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

Senator Cowsert of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Tuesday, February 20, 2018.

The motion prevailed, and the President announced the Senate adjourned at 2:25 p.m.

Senate Chamber, Atlanta, Georgia
 Tuesday, February 20, 2018
 Twenty-third Legislative Day

The Senate met pursuant to adjournment at 10:07 a.m. today and was called to order by the President.

Senator Albers of the 56th reported that the Journal of the previous legislative day had been read and found to be correct.

Senator Jones of the 10th moved that the Senate reconsider its action in passing the following bill.

SB 262. By Senator Jeffares of the 17th:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Stockbridge, approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, so as to revise the corporate boundaries of the city; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

On the motion, a roll call was taken, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
N Beach	N Jones, B	N Shafer
Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Davenport	N Kirkpatrick	Y Thompson, C
N Dugan	N Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	Martin	N Unterman
N Harbin	N McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	N Wilkinson
N Heath	N Mullis	Williams, M
Y Henson	Orrock	Y Williams, N
N Hill	Y Parent	

On the motion, the yeas were 16, nays 34; the motion lost, and SB 262 was not reconsidered.

Senator Jones of the 10th moved that the Senate reconsider its action in passing the following bill.

SB 263. By Senator Jeffares of the 17th:

A BILL to be entitled an Act to incorporate the City of Eagles Landing; to provide a charter for the City of Eagles Landing; to provide for other matters relative to the foregoing; to provide for a referendum; to provide effective dates; to provide for transition of powers and duties; to provide for community improvement districts; to provide for directory nature of dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

On the motion, a roll call was taken, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
N Beach	N Jones, B	N Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Davenport	N Kirkpatrick	Y Thompson, C
N Dugan	N Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	N Martin	N Unterman
N Harbin	N McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	Miller	N Wilkinson
N Heath	N Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the motion, the yeas were 17, nays 35; the motion lost, and SB 263 was not reconsidered.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 381. By Representatives Corbett of the 174th, Ealum of the 153rd, LaRiccia of the 169th, Shaw of the 176th and Watson of the 172nd:

A BILL to be entitled an Act to amend Chapter 7 of Title 44 of the O.C.G.A., relating to landlord and tenant, so as to enact a new article to provide for the classification of abandoned mobile homes as derelict or intact for purposes of disposal or creation of liens; to provide for procedure for requesting classification of an abandoned mobile home as intact or derelict; to provide for notice; to provide for creation of a lien on abandoned mobile homes deemed to be intact; to provide the opportunity for a hearing to confirm classification as a derelict abandoned mobile home; to provide for court authority to order the disposal of abandoned mobile homes found to be derelict; to provide for the voluntary discharge of a tax lien upon a derelict mobile home by the state or a local governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 635. By Representatives Cooper of the 43rd, Benton of the 31st, Jones of the 53rd, Broadrick of the 4th and Reeves of the 34th:

A BILL to be entitled an Act to amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to the "Disabled Adults and Elder Persons Protection Act," so as to provide for the establishment of at-risk adult protective investigative/coordinating teams to coordinate the investigation of and responses to suspected instances of abuse, neglect, or exploitation of disabled adults or elder persons; to provide for a definition; to provide for immunity; to provide for coordination with the director of the Division of Aging Services; to provide for the composition, duties, and responsibilities of the at-risk adult protective investigative/coordinating teams; to provide for memoranda of understanding; to provide for confidentiality of records; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 638. By Representatives Rutledge of the 109th, Welch of the 110th, Strickland of the 111th, Mathiak of the 73rd, Knight of the 130th and others:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Stockbridge, approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, so as to revise the corporate boundaries of the city; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

HB 657. By Representatives Petrea of the 166th, Gilliard of the 162nd, Stephens of the 164th, Clark of the 147th, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions regarding dangerous instrumentalities and practices, so as to make unlawful the knowing and intentional provision of any firearm for the purpose of providing such firearm to any person known to be on probation as a felony first offender or to have been convicted of a felony; to provide for criminal penalties; to clarify that affirmative confirmation by firearm provider is not required; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 690. By Representatives Ridley of the 6th, Powell of the 32nd, Epps of the 144th, Hill of the 3rd and Gravley of the 67th:

A BILL to be entitled an Act to amend Code Section 48-5C-1 of the Official Code of Georgia Annotated, relating to definitions, exemption from taxation, allocation and disbursement of proceeds collected by tag agents, fair market value of vehicle appealable, and report, so as to change a certain definition; to provide an effective date and applicability; to repeal conflicting laws; and for other purposes.

HB 763. By Representatives Nix of the 69th, Belton of the 112th, Chandler of the 105th, Coleman of the 97th and Stovall of the 74th:

A BILL to be entitled an Act to amend Subpart 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to expand the student attendance protocol committees to school climate; to provide for recommendations; to provide for periodic review of recommendations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 767. By Representatives Werkheiser of the 157th, Shaw of the 176th, Fleming of the 121st, Kirby of the 114th and Jones of the 25th:

A BILL to be entitled an Act to amend Code Section 50-36-1 of the Official Code of Georgia Annotated, relating to requirements, procedures, and conditions for verification of lawful presence within the United States, exceptions, regulations, and criminal and other penalties for violations, so as to provide a method for such verification of lawful presence that may be utilized in conjunction with the electronic filing of an application for unemployment insurance with the Department of Labor; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 783. By Representatives Caldwell of the 20th, Welch of the 110th, Gravley of the 67th, Barr of the 103rd, Blackmon of the 146th and others:

A BILL to be entitled an Act to amend various titles of the Official Code of Georgia Annotated so as to repeal provisions creating inactive boards, panels, authorities, centers, commissions, committees, councils, task forces, and other such bodies; to remove inapplicable references; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 792. By Representatives Rogers of the 10th, Rhodes of the 120th, Efstoration of the 104th and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to extend the sunset date for certain solid waste surcharges and hazardous waste fees; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 795. By Representatives Gravley of the 67th, Hilton of the 95th, Williamson of the 115th, Coomer of the 14th and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 2 of Title 34 of the Official Code of Georgia Annotated, relating to the Department of Labor, so as to authorize the Commissioner of Labor to perform certain functions; to authorize the Commissioner of Labor to prescribe certain rules and regulations; to provide for definitions; to authorize the Commissioner of Labor to conduct fingerprint based criminal background checks for individuals employed by the Department of Labor; to provide a process for conducting such criminal background checks; to limit the use,

dissemination, and liability relating to information obtained from the criminal background checks; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 440. By Senator Tillery of the 19th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Soperton, approved March 14, 1984 (Ga. L. 1984, p. 4212), as amended, particularly by an Act approved May 29, 2007 (Ga. L. 2007, p. 4206), so as to annex certain tracts or parcels of land into the City of Soperton and to change the description of the council districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 441. By Senator Williams of the 27th:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, and computation of and exemptions from income taxes, so as to modify the rate of tax imposed on the Georgia taxable net income of individuals; to provide for related matters; to provide effective dates and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SB 442. By Senators Williams of the 27th, Payne of the 54th, Shafer of the 48th, McKoon of the 29th, Harbison of the 15th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, and computation of and exemptions from income taxes, so as to create a tax credit for certain expenses by certain educators; to provide for definitions; to disallow related deductions; to provide for rules and regulations; to provide for a sunset; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SB 443. By Senator Stone of the 23rd:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to security deposits, so as to clarify provisions relating to lists of existing defects and of damages before and after a tenancy; to clarify provisions relating to the return of a security deposit and an action to recover such security deposit; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 444. By Senators Unterman of the 45th, Hufstetler of the 52nd, Watson of the 1st, Burke of the 11th, Kirkpatrick of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to services for the aging, so as to create the Georgia Alzheimer's and Related Dementias State Plan Advisory Council; to provide for legislative declaration; to provide for definitions; to provide for membership; to provide for duties and reporting requirements; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 445. By Senators Gooch of the 51st, Beach of the 21st, Miller of the 49th, Ginn of the 47th and Dugan of the 30th:

A BILL to be entitled an Act to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for standards for contracts entered into by the Department of Transportation; to provide for a contract bidding process and award procedure; to prohibit camping on portions of the state highway system or property owned by the department; to provide for a definition; to declare property used for camping purposes in violation of such prohibition as contraband; to provide for forfeiture of such property; to provide for applicability; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

SB 446. By Senators Harper of the 7th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Chapter 11 of Title 40 of the O.C.G.A., relating to abandoned motor vehicles, so as to revise the times for which a

motor vehicle or trailer becomes an abandoned motor vehicle; to revise and provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 447. By Senators James of the 35th and Rhett of the 33rd:

A BILL to be entitled an Act to amend Code Section 31-12-6 of the Official Code of Georgia Annotated, relating to system for prevention of serious illness, severe physical or developmental disability, and death resulting from inherited metabolic and genetic disorders, so as to add Tay-Sachs disease, cystic fibrosis, polycystic kidney disease, Huntington's disease, Marfan syndrome, and neurofibromatosis to the genetic conditions identified by the Department of Public Health for inclusion in the system for the prevention of serious illness, severe physical or developmental disability, and death caused by genetic conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 448. By Senators James of the 35th and Rhett of the 33rd:

A BILL to be entitled an Act to amend Code Section 36-33-5 of the Official Code of Georgia Annotated, relating to written demand prerequisite to action for injury to person or property, time for presenting claim and for consideration by governing authority, suspension of limitations, statement of specific amount of monetary damages sought, and service of claim on city officials, so as to revise the time for presenting a claim to a municipal governing authority; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SB 449. By Senators James of the 35th and Rhett of the 33rd:

A BILL to be entitled an Act to amend Chapter 11 of Title 15 of the O.C.G.A., relating to the Juvenile Code, so as to establish Juvenile Code applicability to individuals who are under the age of 18 years when alleged to have committed a delinquent act; to amend Code Section 15-6-35, Title 16, Title 17, Code Section 27-3-63, Title 37, Title 42, and Code Section 49-4A-9 of the O.C.G.A., relating to notice of student's felony conviction to school superintendent, crimes and offenses, criminal procedure, general offenses and penalties, mental

health, penal institutions, and sentence of youthful offenders, modification of order, review, and participation in programs; to provide for related matters; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 450. By Senators Payne of the 54th, Harper of the 7th, Mullis of the 53rd, Jones of the 25th, Brass of the 28th and others:

A BILL to be entitled an Act to amend Code Section 27-3-9 of the Official Code of Georgia Annotated, relating to unlawful enticement of game, so as to remove definitions relating to unlawful enticement of game and hunting in the vicinity of feed or bait; to remove certain prohibitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SB 451. By Senators Walker III of the 20th, Martin of the 9th, Strickland of the 17th, Wilkinson of the 50th and Black of the 8th:

A BILL to be entitled an Act to amend Code Section 2-6-27 of the O.C.G.A., relating to the State Soil and Water Conservation Commission - additional duties and powers, so as to remove authority of the State Soil and Water Conservation Commission to formulate certain rules and regulations in consultation with the Environmental Protection Division of the Department of Natural Resources; to amend Chapter 5 of Title 12 of the O.C.G.A., relating to water resources, so as to modify provisions relating to regulated riparian rights to surface waters for general or farm use, permits for withdrawal, diversion or impoundment, coordination with water plans, metering of farm use, interbasin transfers, and appeal procedures; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

SR 807. By Senators Gooch of the 51st and Wilkinson of the 50th:

A RESOLUTION honoring the life of Mr. Horace Fitzpatrick and dedicating a road in his memory; and for other purposes.

Referred to the Committee on Transportation.

SR 820. By Senators Orrock of the 36th, Henson of the 41st, Tate of the 38th, Parent of the 42nd, Butler of the 55th and others:

A RESOLUTION to ratify an Amendment to the United States Constitution; and for other purposes.

Referred to the Committee on Judiciary.

SR 832. By Senator Mullis of the 53rd:

A RESOLUTION creating the Senate Study Committee on Risks Associated with Kratom; and for other purposes.

Referred to the Committee on Rules.

The following House legislation was read the first time and referred to committee:

HB 381. By Representatives Corbett of the 174th, Ealum of the 153rd, LaRiccia of the 169th, Shaw of the 176th and Watson of the 172nd:

A BILL to be entitled an Act to amend Chapter 7 of Title 44 of the O.C.G.A., relating to landlord and tenant, so as to enact a new article to provide for the classification of abandoned mobile homes as derelict or intact for purposes of disposal or creation of liens; to provide for procedure for requesting classification of an abandoned mobile home as intact or derelict; to provide for notice; to provide for creation of a lien on abandoned mobile homes deemed to be intact; to provide the opportunity for a hearing to confirm classification as a derelict abandoned mobile home; to provide for court authority to order the disposal of abandoned mobile homes found to be derelict; to provide for the voluntary discharge of a tax lien upon a derelict mobile home by the state or a local governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 635. By Representatives Cooper of the 43rd, Benton of the 31st, Jones of the 53rd, Broadrick of the 4th and Reeves of the 34th:

A BILL to be entitled an Act to amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to the "Disabled Adults and Elder Persons Protection Act," so as to provide for the establishment of at-risk adult protective investigative/coordinating teams to coordinate the investigation of and responses to suspected instances of abuse, neglect, or exploitation of disabled adults or elder persons; to provide for a definition; to provide for

immunity; to provide for coordination with the director of the Division of Aging Services; to provide for the composition, duties, and responsibilities of the at-risk adult protective investigative/coordinating teams; to provide for memoranda of understanding; to provide for confidentiality of records; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 638. By Representatives Rutledge of the 109th, Welch of the 110th, Strickland of the 111th, Mathiak of the 73rd, Knight of the 130th and others:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Stockbridge, approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, so as to revise the corporate boundaries of the city; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

HB 657. By Representatives Petrea of the 166th, Gilliard of the 162nd, Stephens of the 164th, Clark of the 147th, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions regarding dangerous instrumentalities and practices, so as to make unlawful the knowing and intentional provision of any firearm for the purpose of providing such firearm to any person known to be on probation as a felony first offender or to have been convicted of a felony; to provide for criminal penalties; to clarify that affirmative confirmation by firearm provider is not required; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 690. By Representatives Ridley of the 6th, Powell of the 32nd, Epps of the 144th, Hill of the 3rd and Gravley of the 67th:

A BILL to be entitled an Act to amend Code Section 48-5C-1 of the Official Code of Georgia Annotated, relating to definitions, exemption from taxation, allocation and disbursement of proceeds collected by tag agents, fair market value of vehicle appealable, and report, so as to change a certain definition; to provide an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 763. By Representatives Nix of the 69th, Belton of the 112th, Chandler of the 105th, Coleman of the 97th and Stovall of the 74th:

A BILL to be entitled an Act to amend Subpart 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to expand the student attendance protocol committees to school climate; to provide for recommendations; to provide for periodic review of recommendations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 767. By Representatives Werkheiser of the 157th, Shaw of the 176th, Fleming of the 121st, Kirby of the 114th and Jones of the 25th:

A BILL to be entitled an Act to amend Code Section 50-36-1 of the Official Code of Georgia Annotated, relating to requirements, procedures, and conditions for verification of lawful presence within the United States, exceptions, regulations, and criminal and other penalties for violations, so as to provide a method for such verification of lawful presence that may be utilized in conjunction with the electronic filing of an application for unemployment insurance with the Department of Labor; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 783. By Representatives Caldwell of the 20th, Welch of the 110th, Gravley of the 67th, Barr of the 103rd, Blackmon of the 146th and others:

A BILL to be entitled an Act to amend various titles of the Official Code of Georgia Annotated so as to repeal provisions creating inactive boards, panels, authorities, centers, commissions, committees, councils, task forces, and other such bodies; to remove inapplicable references; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Government Oversight.

HB 792. By Representatives Rogers of the 10th, Rhodes of the 120th, Efstration of the 104th and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to extend the sunset date for certain solid waste surcharges and hazardous waste fees; to

provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 795. By Representatives Gravley of the 67th, Hilton of the 95th, Williamson of the 115th, Coomer of the 14th and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 2 of Title 34 of the Official Code of Georgia Annotated, relating to the Department of Labor, so as to authorize the Commissioner of Labor to perform certain functions; to authorize the Commissioner of Labor to prescribe certain rules and regulations; to provide for definitions; to authorize the Commissioner of Labor to conduct fingerprint based criminal background checks for individuals employed by the Department of Labor; to provide a process for conducting such criminal background checks; to limit the use, dissemination, and liability relating to information obtained from the criminal background checks; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Agriculture and Consumer Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 418 Do Pass

Respectfully submitted,
Senator Wilkinson of the 50th District, Chairman

Mr. President:

The Committee on Ethics has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 309 Do Pass by substitute
SB 363 Do Pass by substitute

Respectfully submitted,
Senator Burke of the 11th District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 334 Do Pass

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Higher Education has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 377 Do Pass
SB 405 Do Pass by substitute

Respectfully submitted,
Senator Millar of the 40th District, Chairman

Mr. President:

The Committee on Interstate Cooperation has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 777 Do Pass

Respectfully submitted,
Senator James of the 35th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 375 Do Pass by substitute
SB 427 Do Pass by substitute
SR 774 Do Pass

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Regulated Industries and Utilities has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 355 Do Pass by substitute
 SB 402 Do Pass by substitute

Respectfully submitted,
 Senator Ginn of the 47th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations (General) has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 397 Do Pass

Respectfully submitted,
 Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

SB 391 SB 401 SB 409 SR 539 SR 629 SR 732

Senator Brass of the 28th asked unanimous consent that Senator Williams of the 27th be excused. The consent was granted, and Senator Williams was excused.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Parent
Anderson, L	Jackson	Payne
Anderson, T	James	Rhett
Beach	Jones, B	Seay
Black	Jones, E	Shafer
Brass	Jones, H	Sims
Burke	Jordan	Stone
Butler	Kennedy	Strickland
Cowsert	Kirk	Tate
Davenport	Kirkpatrick	Thompson, B
Dugan	Ligon	Thompson, C

Ginn	Lucas	Tillery
Gooch	Martin	Tippins
Harbin	McKoon	Unterman
Harbison	Millar	Walker
Harper	Miller	Watson
Heath	Mullis	Wilkinson
Henson	Orrock	Williams, N
Hill		

Not answering were Senators:

Williams, M. (Excused)

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Jones of the 10th introduced the chaplain of the day, Reverend Ulysses Ponder of Ellenwood, Georgia, who offered scripture reading and prayer.

Senator Millar of the 40th introduced the doctor of the day, Dr. Steve Kane.

Senator Unterman of the 45th recognized Georgia State University's Legislative Health Policy Certificate Program and Advanced Health Policy Institute, commended by SR 639, adopted previously. Dr. Karen Minyard, Georgia Health Policy Center Director, addressed the Senate briefly.

Senator Millar of the 40th honored the University of Georgia, Augusta University, the Georgia Institute of Technology, and Georgia State University for their contributions to higher education, commended by SR 700, adopted previously. Presidents Jere W. Morehead, Dr. Brooks A. Keel, G. P. "Bud" Peterson, and Dr. Mark P. Becker, respectively, addressed the Senate briefly.

Senator Kennedy of the 18th recognized the Home Builders Association of Georgia, commended by SR 790, adopted previously. President Bobby Cleveland addressed the Senate briefly.

Senator Millar of the 40th congratulated the 80th anniversary of the DeKalb Chamber of Commerce and recognized all that they do in order to support, attract, and sustain business and economic development within DeKalb County and metro Atlanta, commended by SR 763, adopted previously. President Katerina Taylor addressed the Senate briefly.

Senator Millar of the 40th congratulated the tenth anniversary of the Dunwoody Perimeter Chamber and recognized February 20, 2018, as DeKalb Chamber of Commerce Day at the state capitol, commended by SR 785, adopted previously. President Stephanie Freeman addressed the Senate briefly.

Senator Wilkinson of the 50th honored the National Future Farmers of America (FFA) Organization and recognized February 18-24, 2018, as National FFA Week at the state capitol and February 20, 2018, as FFA Day at the state capitol, commended by SR 654, adopted previously. Georgia FFA President Brooks Fletcher addressed the Senate briefly.

Senator Walker III of the 20th recognized the Bleckley County FFA Forestry Team for winning first place in the 2017 National FFA Forestry Career Development Event, commended by SR 651, adopted previously. Georgia FFA President Tucker Felkins addressed the Senate briefly.

The following resolutions were read and adopted:

SR 801. By Senator Tillery of the 19th:

A RESOLUTION commending and congratulating R. T. Stanley, Jr., upon his long overdue induction into the Vidalia Onion Growers Hall of Fame; and for other purposes.

SR 802. By Senator Jackson of the 2nd:

A RESOLUTION honoring the lives and memories of Rabia Smith and Sylvia Smith-Harris; and for other purposes.

SR 803. By Senators Butler of the 55th, Henson of the 41st and Miller of the 49th:

A RESOLUTION honoring the life and memory of Agnes Doster; and for other purposes.

SR 804. By Senators Brass of the 28th, Tippins of the 37th, Wilkinson of the 50th, Millar of the 40th, Sims of the 12th and others:

A RESOLUTION honoring Steve Barker on his selection as Georgia's 2018 School Superintendent of the Year; and for other purposes.

SR 805. By Senators Burke of the 11th, Watson of the 1st, Kirkpatrick of the 32nd, Unterman of the 45th, Henson of the 41st and others:

A RESOLUTION recognizing March 14, 2018, as Skin Cancer Awareness Day at the state capitol; and for other purposes.

- SR 806. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Stone of the 23rd and others:

A RESOLUTION recognizing February 22, 2018, as Georgia Association of Educators (GAE) Day at the state capitol; and for other purposes.

- SR 808. By Senators Albers of the 56th, Harper of the 7th, Watson of the 1st, Mullis of the 53rd, Kennedy of the 18th and others:

A RESOLUTION recognizing March 14, 2018, as Law Enforcement Appreciation Day at the capitol and commending law enforcement officers in Georgia; and for other purposes.

- SR 809. By Senators Parent of the 42nd, Hufstetler of the 52nd, Wilkinson of the 50th, Shafer of the 48th, Unterman of the 45th and others:

A RESOLUTION recognizing and commending the YMCA of Metro Atlanta on its 160th anniversary; and for other purposes.

- SR 810. By Senators Beach of the 21st, Gooch of the 51st, Kennedy of the 18th, Miller of the 49th, Cowsert of the 46th and others:

A RESOLUTION honoring the life and memory of Scott Selig; and for other purposes.

- SR 811. By Senators Albers of the 56th, Harper of the 7th, Watson of the 1st, Mullis of the 53rd, Kennedy of the 18th and others:

A RESOLUTION commending police chiefs and other heads of law enforcement agencies in this state and recognizing March 14, 2018, as Police Chiefs and Heads of Law Enforcement Agencies Recognition Day at the state capitol; and for other purposes.

- SR 812. By Senators Wilkinson of the 50th, Hufstetler of the 52nd, Brass of the 28th, McKoon of the 29th and Shafer of the 48th:

A RESOLUTION commending the Georgia Association of PeriAnesthesia Nurses and recognizing February 5-11, 2018, as PeriAnesthesia Nurse Awareness Week; and for other purposes.

- SR 813. By Senator Wilkinson of the 50th:

A RESOLUTION recognizing and commending Tim Harper for being awarded the title of Constitutional Officer of the Year of the State of Georgia; and for other purposes.

- SR 818. By Senators Gooch of the 51st, Miller of the 49th, Cowsert of the 46th, Williams of the 27th and Wilkinson of the 50th:

A RESOLUTION commending Cadet Bryton Wenzel of the University of North Georgia; and for other purposes.

- SR 819. By Senators Gooch of the 51st, Miller of the 49th, Cowsert of the 46th, Williams of the 27th and Wilkinson of the 50th:

A RESOLUTION commending Cadet Andrew Gomez of the University of North Georgia; and for other purposes.

- SR 822. By Senator Harbison of the 15th:

A RESOLUTION recognizing and commending Patricia E. Liddell on her outstanding service to the State of Georgia, both before and since her retirement; and for other purposes.

- SR 823. By Senator Harbison of the 15th:

A RESOLUTION recognizing and commending Reverend Corey J. Neal on the occasion of his tenth pastoral anniversary at Greater Peace Baptist Church; and for other purposes.

- SR 824. By Senators Harper of the 7th, Parent of the 42nd, Miller of the 49th, Cowsert of the 46th, Gooch of the 51st and others:

A RESOLUTION recognizing and commending the State YMCA of Georgia and its Center for Civic Engagement and "Y" Club programs which sponsor Youth Assembly among other programs that cultivate youth civic engagement; and for other purposes.

- SR 825. By Senators Harper of the 7th, Wilkinson of the 50th, Black of the 8th, Heath of the 31st, Sims of the 12th and others:

A RESOLUTION commending the Georgia Young Farmers Association and recognizing February 13, 2018, as Young Farmers Day at the state capitol; and for other purposes.

- SR 826. By Senators Rhett of the 33rd, James of the 35th, Williams of the 39th, Sims of the 12th, Harbison of the 15th and others:

A RESOLUTION recognizing February 22, 2018, as National Coalition of 100 Black Women, Inc., Day at the state capitol; and for other purposes.

SR 827. By Senator Seay of the 34th:

A RESOLUTION recognizing and commending Reverend Kenneth Lamont Alexander; and for other purposes.

SR 828. By Senators Dugan of the 30th, Millar of the 40th, Tippins of the 37th, Wilkinson of the 50th, Shafer of the 48th and others:

A RESOLUTION recognizing February 28, 2018, as Afterschool Day at the state capitol; and for other purposes.

SR 829. By Senators Kirk of the 13th, Kirkpatrick of the 32nd, Burke of the 11th, Watson of the 1st, Walker III of the 20th and others:

A RESOLUTION recognizing and commending David Ragan; and for other purposes.

SR 830. By Senator Hill of the 4th:

A RESOLUTION recognizing the Sunshine House Regional Children's Advocacy Center and honoring Executive Director Carol V. Donaldson; and for other purposes.

SR 831. By Senator Hill of the 4th:

A RESOLUTION honoring the life and memory of Mr. Flem G. Cliett, Jr.; and for other purposes.

SR 833. By Senator Tippins of the 37th:

A RESOLUTION Commending the Professional Association of Georgia Educators (PAGE), Georgia Association of Educational Leaders (GAEL), and Georgia Association of Colleges for Teachers of Education (GACTE) and recognizing February 20, 2018, as PAGE, GAEL, and GACTE Day at the state capitol; and for other purposes.

SR 834. By Senator Gooch of the 51st:

A RESOLUTION commending Chase Elliott on his excellence in the field of NASCAR; and for other purposes.

SR 835. By Senator Gooch of the 51st:

A RESOLUTION commending Bill Elliott for his amazing racing career; and for other purposes.

Senator Cowser of the 46th moved to engross SB 371, which was on today's Senate Rules Calendar.

Senator Jones II of the 22nd objected.

On the motion, the yeas were 21, nays 13; the motion lost, and SB 371 was not engrossed.

Senator Cowser of the 46th moved to reconsider defeating the motion to engross SB 371.

Senator Jones II of the 22nd objected.

On the motion, the yeas were 30, nays 17; the motion prevailed, and the motion to engross SB 371 was reconsidered.

Senator Cowser of the 46th moved to engross SB 371.

On the motion, the yeas were 32, nays 16; the motion prevailed, and SB 371 was engrossed.

NOTICE OF MOTION TO RECONSIDER:

- SB 262 Stockbridge, City of; corporate boundaries of the city; revise (Substitute)
(SLGO(G)-17th)
- SB 263 City of Eagles Landing; incorporate; charter; provide (Substitute)
(SLGO(G)-17th)

SENATE RULES CALENDAR TUESDAY, FEBRUARY 20, 2018 TWENTY-THIRD LEGISLATIVE DAY

- SB 330 "Green Agricultural Education Act"; three-component model; provide
(Substitute)(AG&CA-50th)
- SB 184 Integrated Population Health Data Project; establish; governing board and
provide for its membership and terms; create (Substitute)(APPROP-52nd)
- SB 356 Georgia Commission on the Holocaust; membership; change (Substitute)
(UAff-32nd)
- SB 301 "Revised Uniform Fiduciary Access to Digital Assets Act"; enact
(Substitute)(JUDY-18th)

- SB 371 Taxes; furnishing of sales and use tax information to municipalities and counties; change provisions (FIN-24th)
- SB 381 Surplus Line Insurance; nonadmitted insurer domiciled in this state will be deemed a domestic surplus lines insurer if certain criteria are met; provide (Substitute)(I&L-14th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 330. By Senators Wilkinson of the 50th, Mullis of the 53rd, Walker III of the 20th, Black of the 8th, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to provide that the agricultural education program in this state is based on a three-component model; to provide for a pilot program to develop and implement agricultural education in elementary schools; to provide for selection of pilot sites; to provide for program requirements; to provide for a program evaluation; to provide for the Professional Standards Commission to extend in-field certification for agricultural education to include kindergarten through grade five; to provide for related matters; to provide for a short title; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to SB 330:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to provide that the agricultural education program is based on a three-component model; to provide for a pilot program to develop and implement agricultural education in elementary schools; to provide for selection of pilot sites; to provide for program requirements; to provide for a program evaluation; to provide for the Professional Standards Commission to extend in-field certification for agricultural education to include kindergarten through grade five; to provide for related matters; to provide for a short title; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Georgia Agricultural Education Act."

SECTION 2.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," is amended by adding new Code sections to Part 3, relating to educational programs, to read as follows:

"20-2-154.2.

The agricultural education program provided in this state to students in grades six through 12 shall be based on the nationally recognized three-component model of school based agricultural education: daily instruction in an organized classroom and lab environment; hands-on, experiential learning opportunities through a supervised agriculture experience (SAE) program; and leadership and learning opportunities through participation in the Future Farmers of America. The Department of Education, through its agricultural education program employees, shall develop the curriculum and standards for the agricultural education program, with input from agricultural education teachers, so as to include all three components of such model and local school systems shall include all three components of such model whenever offering any agricultural education course approved by the State Board of Education. The Department of Education shall maintain an adequate number of full-time employees, certified in agricultural education and distributed regionally throughout the state, to develop and maintain the agricultural education curriculum and standards, to assist local school systems on matters related to agricultural education, and to coordinate regional and state-wide activities of the Future Farmers of America.

20-2-154.3.

(a) The Department of Education, through its agricultural education program, shall be authorized to establish a pilot program, beginning in the 2019-2020 school year, to provide for agricultural education in elementary schools in this state. The purpose of the pilot program shall be to determine whether and how to implement an elementary agricultural education program state wide.

(b) The Department of Education, through its agricultural education program employees described in Code Section 20-2-154.2, is authorized to select a minimum of six public elementary schools for participation in the pilot program, with one elementary school in each of the six existing regions established by the agricultural education program of the Department of Education. The local board of education for each elementary school selected to be in the pilot program shall agree to implement and fully fund an elementary agricultural education program in such school and to continue to provide such elementary agricultural education program for a period no shorter than three years. The local school system may employ an agricultural education teacher to

provide such program for the elementary school.

(c) The Department of Education, through its agricultural education program employees described in Code Section 20-2-154.2, and local school systems shall collaborate to establish the curriculum for each elementary agricultural education program. Such curriculum shall be grade-appropriate and include instruction in an organized classroom; collaborative learning experiences through investigation and inquiry, including laboratory and site-based learning activities; and personal and leadership development opportunities.

(d) The Department of Education, through its agricultural education program, shall provide for a program evaluation regarding the success and impact of the pilot program upon completion of the third year of the pilot program and shall report the results of such evaluation to the House Committee on Agriculture and Consumer Affairs and the Senate Agriculture and Consumer Affairs Committee and to the House Committee on Education and the Senate Education and Youth Committee."

SECTION 3.

Said article is further amended in Code Section 20-2-200, relating to regulation of certificated professional personnel by the Professional Standards Commission, by adding a new paragraph to subsection (b) to read as follows:

"(6) No later than July 1, 2019, the Professional Standards Commission shall extend in-field certification for agricultural education to include kindergarten through grade five."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer

Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 330, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/20/18

Due to business outside the Senate Chamber, I missed the vote on SB 330. Had I been present, I would have voted “yes”.

/s/ Steve Gooch
District 51

SB 184. By Senators Hufstetler of the 52nd, Unterman of the 45th, Beach of the 21st, Thompson of the 14th and Albers of the 56th:

A BILL to be entitled an Act to amend Article 4 of Chapter 12 of Title 45 of the Official Code of Georgia Annotated, relating to the Office of Planning and Budget, so as to establish the Integrated Population Health Data Project; to create a governing board and provide for its membership and terms; to provide for oversight of the project; to provide for board responsibilities; to provide for reporting; to provide for funding; to provide for data sharing; to provide for immunity; to provide for open records and meetings; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Appropriations offered the following substitute to SB 184:

A BILL TO BE ENTITLED
AN ACT

To amend Article 4 of Chapter 12 of Title 45 of the Official Code of Georgia Annotated, relating to the Office of Planning and Budget, so as to establish the Integrated Population Health Data Project; to create a governing board and provide for its membership and terms; to provide for oversight of the project; to provide for board responsibilities; to provide for reporting; to provide for funding; to provide for data sharing; to provide for immunity; to provide for open records and meetings; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 4 of Chapter 12 of Title 45 of the Official Code of Georgia Annotated, relating to the Office of Planning and Budget, is amended by revising Part 3, which is reserved, as follows:

"Part 3

~~45-12-150 through 45-12-158.~~

~~Reserved.~~

45-12-150.

As used in this part, the term:

(1) 'Aggregated data' means information that has been combined into groups showing averages or other summary statistics, and that is not individually identifiable information as defined in this part.

(2) 'De-identified data' means information that does not identify an individual and for which there is no reasonable basis to believe that the information can be used to identify an individual, and which meets the requirements for de-identification of protected health information under HIPAA.

(3) 'Governing board' or 'board' means the board established pursuant to Code Section 45-12-151 charged with responsibility for governing the Integrated Population Health Data Project.

(4) 'Health data' means information that is created or received by a governmental department or agency that relates to the past, present, or future physical or mental health or condition of an individual or the past, present, or future payment for the provision of health care to an individual.

(5) 'HIPAA' means the Health Insurance Portability and Accountability Act of 1996, Pub. L.104-191, and any regulations promulgated thereunder by the Secretary of the United States Department of Health and Human Services.

(6) 'Individually identifiable information' means information that identifies an individual, or with respect to which there is a reasonable basis to believe the information can be used to identify an individual.

(7) 'iPHD Project' means the Integrated Population Health Data Project established pursuant to Code Section 45-12-152.

(8) 'IRB' means an institutional review board designated by the governing board and established pursuant to federal regulations (45 C.F.R. 46) with a federal-wide assurance for the protection of human subjects approved by the United States Department of Health and Human Services, Office for Human Research Protections, to review and monitor research involving human subjects to ensure that such subjects are protected from harm and that the rights of such subjects are adequately protected.

(9) 'Protected health information' has the same meaning as defined under HIPAA.

(10) 'Publicly supported programs data' means information relating to an individual's receipt of services from or through public support programs administered by a federal, state, or local government or by a private entity, including, but not limited to, an individual's participation in or eligibility for Temporary Assistance for Needy Families (TANF), Supplemental Nutrition Assistance Program (SNAP), the medical assistance program under Article 7 of Chapter 4 of Title 49, the PeachCare for Kids Program under Article 13 of Chapter 5 of Title 49, or other similar programs.

(11) 'Research' means a systematic investigation, including research development, testing, and evaluation, which is designed to develop or contribute to generalizable knowledge as defined pursuant to 45 C.F.R. 46.102(d).

(12) 'Researcher' means a private entity or public entity that conducts research under the review and monitoring of an IRB and has received approval from the data steward for the purpose of requested data elements.

45-12-151.

(a) The iPHD Project governing board is established in the Office of Planning and Budget.

(b)(1) The governing board shall consist of ten members, as follows:

(A) One member shall be the Director of the Georgia Health Policy Center, who shall serve as a nonvoting, ex-officio member;

(B) One member shall be a public member appointed by the President of the Senate, representing an organization capable of advocating on behalf of persons whose data may be received, maintained, or transmitted by the iPHD Project in accordance with this part;

(C) One member shall be a public member appointed by the Speaker of the House of Representatives, with experience in human subjects research who is affiliated with a research university in Georgia; and

(D) Two members shall be public members appointed by the Governor, as follows:

(i) An individual with legal expertise in protecting the privacy and security of individually identifiable information; and

(ii) An individual with technical expertise in the creation and maintenance of

large data systems and data security.

(2) The five remaining members shall be voting, ex-officio members representing the commissioner of public health, or his or her designee, who shall serve as chairperson of the board; the commissioner of community health, or his or her designee; the director of the Office of Planning and Budget, or his or her designee; the state auditor, or his or her designee; and a chief information officer from a state university, or his or her designee.

(c) Of the public members first appointed to the governing board, two shall be appointed to terms of three years, one shall be appointed to a term of two years, and one shall be appointed to a term of one year. Following the expiration of the initial terms, public members of the board shall be appointed for terms of three years. The voting, ex-officio members of the board shall serve during their respective terms of office. Any vacancy occurring in the membership of the board shall be filled in the same manner as the original appointment, but for the unexpired term only. The board shall meet at least quarterly, and at such other times as it determines, in its judgment, to be necessary. The appointed members of the board shall serve without compensation but may be reimbursed for necessary expenses incurred in the performance of their duties. In addition, the board shall be entitled to and avail itself of the assistance and services of the staff of the Office of Planning and Budget, and of the employees of any other state department, board, bureau, commission, or agency, as it may require and as may be available for its purposes.

(d) A member of the governing board shall not, by reason of the member's performance of any duty, function, or activity required of, or authorized to be undertaken by, the board, be liable in an action for damages to any person for any action taken or recommendation made by the member within the scope of the member's duty, function, or activity as a member of the board, if the action or recommendation was taken or made without malice. The members of the board shall be indemnified and their defense of any action provided for in the same manner and to the same extent as employees of this state on the basis of acts or omissions in the scope of their service.

(e) A member of the governing board shall not participate in deliberations or vote on any matter before the board concerning an individual or entity with which the member has, or within the last 12 months has had, any substantial ownership, employment, medical staff, fiduciary, contractual, creditor, or consultative relationship. A member who has or who has had such a relationship with an individual or entity involved in any matter before the board shall make a written disclosure before any action is taken by the board with respect to the matter, and shall make the relationship public in any meeting in which action on the matter is to be taken.

(f) The governing board shall be a public body for the purposes of Chapter 14 of Title 50, relating to open and public meetings, and shall conduct its business in accordance with the provisions of said part. All proceedings of the governing board shall be subject to Article 4 of Chapter 18 of Title 50, relating to inspection of public records.

45-12-152.

(a) No later than January 1, 2019, the Office of Planning and Budget with the assistance of Georgia Health Policy Center shall establish an operational Integrated Population Health Data Project (iPHD Project) capable of securely receiving, maintaining, and transmitting data in accordance with this part and the HIPAA privacy and security standards applicable to this part. The Office of Planning and Budget may employ staff to assist with carrying out the functions associated with the establishment and maintenance of the iPHD Project.

(b) Notwithstanding any provision of this part to the contrary, the iPHD Project shall seek to receive, maintain, and transmit de-identified data wherever possible, and shall only receive, maintain, and transmit individually identifiable information if permitted by this Code section and other applicable law and if the information is in a form and format that is secured to prevent disclosure of individually identifiable information.

(c) A consortium of researchers from Georgia academic institutions and from medical schools affiliated with Georgia universities may be organized by the Georgia Health Policy Center to facilitate actionable population health research to help improve health outcomes for Georgia residents, as well as promote Georgia's research institutions as leaders in social science research.

45-12-153.

Oversight of the operations of the iPHD Project, established pursuant to Code Section 45-12-152, shall be vested in the governing board. The iPHD Project shall receive, maintain, and transmit data only as permitted by this part and approved by the governing board and agency or department whose data is requested. The governing board's responsibilities shall include:

(1) Identification of publicly supported programs data that has been created, received, or maintained by agencies that may be appropriate for receipt, maintenance, and transmission by the iPHD Project in furtherance of the purposes of this part;

(2) Prior to the receipt of data by the iPHD Project, the review and approval of the appropriateness of such receipt, including consideration of the following factors:

(A) Whether the transmitting department or agency has authority to collect the data proposed to be received by the iPHD Project, particularly if the data includes individually identifiable information;

(B) Whether collection of the data proposed to be received by the iPHD Project is expected to further the purpose of this part, namely, the improvement of public health, safety, security, and well-being of Georgia residents and the improvement of the overall cost efficiency of government assistance programs; and

(C) Whether reasonable efforts have been made to ensure that the iPHD Project will receive only the appropriate data needed to accomplish the purposes of this part;

(3) Prior to the receipt or transmission of data by the iPHD Project, the review and approval of any necessary data use agreements or business associate agreements with any person or entity from which or to which information is received or transmitted in compliance with all applicable privacy and security standards, including, but not

limited to, HIPAA, when such data includes individually identifiable information that is protected health information as defined under HIPAA; and

(4) Adopting and publishing policies and procedures for the efficient and transparent operation of the iPHD Project, including, but not limited to, the following:

(A) Privacy and data security policies and procedures that comply with the applicable federal and state privacy and security statutes and regulations, including HIPAA;

(B) Data access policies and procedures that allow access by a public or private entity, including a researcher, only when such access request meets the standards set forth in the data access policies and procedures and has been approved by the governing board and the appropriate agency or department. When data access is requested by any public or private entity, including a researcher, for the purpose of conducting research, the governing board shall only approve access to data after review and approval by an IRB, and such access shall be limited to data identified in approved IRB research protocols and only for the period of the approval. In no event shall the governing board approve access to health data that identifies, or that may be used to identify, rates of payment by a private entity for the provision of health care services to an individual unless the party seeking access agrees to keep such information confidential and to prevent public disclosure of such data or the rates of payment derived from such data;

(C) Data retention policies identifying that data shall be returned to sponsoring agencies or destroyed when it is no longer in the state's interest to promote analysis of such data and in accordance with applicable HIPAA regulations, data use agreements, and provisions of IRB approvals;

(D) Policies to require researchers to consult with subject matter experts in the data sets being linked on a specific project. The purpose of such consultation shall be to help researchers understand and interpret the data being linked to a specific project; and

(E) Policies that establish processes to engage researchers and academic institutions across Georgia to help set research priorities and promote the use of the iPHD Project to accelerate population health research in this state.

45-12-154.

No later than July 1, 2019, upon the receipt of data by the iPHD Project pursuant to this part, and on an annual basis thereafter, the Georgia Health Policy Center, in consultation with the board, shall publish a report that is made available and accessible to the public and that contains the following information:

(1) A description of the implementation of the iPHD Project, including identification of the sources and types of data received and maintained by the iPHD Project over the prior 12 months;

(2) A list of all aggregated data maintained by the iPHD Project;

(3) A description of each IRB approved disclosure of data or data sets by the iPHD Project;

- (4) A list of publications and other reports based on iPHD Project data;
- (5) A strategic plan for achieving the purposes of this part during the successive 12 month period; and
- (6) Any other information deemed appropriate by the governing board.

45-12-155.

The iPHD Project governing board and the Georgia Health Policy Center may apply for and receive funding in relation to the iPHD Project from the following sources:

- (1) Grants from research or other private entities;
- (2) Fees paid by persons or entities requesting access to iPHD Project data or the performance of analyses by the iPHD Project, which fees have been approved by the governing board to support the cost of preparing data for access or the performance of analyses;
- (3) Federal grants; and
- (4) Grants or other financial assistance from state or local departments, agencies, authorities, and organizations at the discretion of these entities, for specific projects of interest to these entities.

45-12-156.

Any department or agency that creates, receives, or maintains publicly supported programs data or health data shall, only after execution of an enforceable data use, data sharing, or other similar agreement that is acceptable to the department or agency, transmit or allow access to such data as is necessary and appropriate to further the goals of this part and shall cooperate with iPHD Project requests for receipt of or access to such data. Notwithstanding the foregoing, no department or agency shall be required to transmit data it creates, receives, or maintains to the iPHD Project, or to allow access to such data, if the Attorney General's review or the applicable department's or agency's review determines that such transmission or access would violate state or federal law. The Attorney General's review shall include consideration of an analysis from the department or agency whose data is being requested. This Code section shall not prohibit the Georgia Health Policy Center or any department or agency from creating, receiving, maintaining, or transmitting data in data systems that are separate and distinct from the iPHD Project."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 0.

SB 184, having received the requisite constitutional majority, was passed by substitute.

The following communications were received by the Secretary:

2/20/18

Due to business outside the Senate Chamber, I missed the vote on SB 184. Had I been present, I would have voted “yes”.

/s/ Lee Anderson
District 24

2/20/18

Due to business outside the Senate Chamber, I missed the vote on SB 184. Had I been present, I would have voted “yes”.

/s/ Steve Gooch
District 51

SB 356. By Senators Kirkpatrick of the 32nd, Jackson of the 2nd, Unterman of the 45th, Jordan of the 6th, Beach of the 21st and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Commission on the Holocaust, so as to change the membership of the commission; to provide for the design and placement of a memorial to the Holocaust; to provide for funding; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Urban Affairs offered the following substitute to SB 356:

A BILL TO BE ENTITLED
AN ACT

To amend Article 8 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Commission on the Holocaust, so as to reassign the commission for administrative purposes; to change the membership of the commission; to provide for the design and placement of a memorial to the Holocaust; to provide for funding; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 8 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Commission on the Holocaust, is amended in Code Section 50-12-131, relating to membership, terms, qualifications, officers, quorum, and powers and duties, by revising subsections (a) and (g), respectfully, as follows:

"(a) There is created the Georgia Commission on the Holocaust in the executive branch of state government. The commission shall be assigned to the ~~Office of the Secretary of State~~ Department of Community Affairs for administrative purposes only."

"(g) The Speaker of the House of Representatives shall appoint ~~a member of one~~ member of the majority party and one member of the minority party from the House of Representatives and the President of the Senate shall appoint ~~a member of one member~~ of the majority party and one member of the minority party from the Senate to serve as ~~advisers~~ legislative oversight to the commission."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"50-12-134.

(a) The Georgia Commission on the Holocaust may design, procure, and place in a prominent location a Georgia Holocaust Memorial to recognize and commemorate the

millions of people, including six million Jews, murdered by the Nazis and their collaborators before and during World War II. Such project shall be subject to the availability of private funds for such purpose.

(b) The monument provided for in subsection (a) of this Code section shall be designed and placed by the commission."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator Jackson of the 2nd offered the following amendment #1:

Amend SB 356 CS (LC 44 0735S) by:

Deleting the word "may" on line 24 to the word "shall."

On the adoption of the amendment, there were no objections, and the Jackson amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman

Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 0.

SB 356, having received the requisite constitutional majority, was passed by substitute.

SB 301. By Senator Kennedy of the 18th:

A BILL to be entitled an Act to amend Title 53 of the Official Code of Georgia Annotated, relating to wills, trusts, and administration of estates, so as to enact the "Revised Uniform Fiduciary Access to Digital Assets Act"; to extend a fiduciary's powers to include managing tangible property and digital assets; to provide for exceptions; to provide for definitions; to amend Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, so as to provide conforming cross-references for a conservator; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 301:

A BILL TO BE ENTITLED
AN ACT

To amend Title 53 of the Official Code of Georgia Annotated, relating to wills, trusts, and administration of estates, so as to enact the "Revised Uniform Fiduciary Access to Digital Assets Act"; to extend a fiduciary's powers to include managing tangible property and digital assets; to provide for exceptions; to provide for a short title; to provide for definitions; to amend Chapter 6B of Title 10, Article 2 of Chapter 9 of Title 15, Title 29, and Code Section 53-12-2 of the Official Code of Georgia Annotated, relating to the "Uniform Power of Attorney Act," jurisdiction, power, and duties of the probate court, guardian and ward, and definitions for trust, respectively, so as to provide conforming cross-references for a conservator; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 53 of the Official Code of Georgia Annotated, relating to wills, trusts, and administration of estates, is amended by adding a new chapter to read as follows:

"CHAPTER 13
ARTICLE 1

53-13-1.

This chapter shall be known and may be cited as the 'Revised Uniform Fiduciary Access to Digital Assets Act.'

53-13-2.

As used in this chapter, the term:

(1) 'Account' means an arrangement under a terms-of-service agreement in which a custodian provides goods or services to the user.

(2) 'Agent' means an attorney in fact granted authority under a durable or nondurable power of attorney, including a person granted authority to act in the place of an individual under Chapter 6B of Title 10 and a person serving under a financial power of attorney created pursuant to Article 7 of Chapter 6 of Title 10 as it existed on June 30, 2017. Such term shall not include a health care agent, as defined in paragraph (6) of Code Section 31-32-2, nor a person serving under a conditional power of attorney, as defined in subsection (a) of Code Section 10-6-6, unless the conditional power of attorney has become effective at a specified time or on the occurrence of a specified event or contingency.

(3) 'Catalogue of electronic communications' means information that identifies each person with which a user has had an electronic communication, the time and date of the communication, and the electronic address of the person.

(4)(A) 'Conservator' means a person appointed:

(i) Pursuant to Code Section 7-1-640 or 7-1-643;

(ii) By a court to manage the estate of a living individual; or

(iii) By a court pursuant to Article 2 of Chapter 9 of this title to manage the estate of an individual who is missing or believed to be dead.

(B) Such term shall include a guardian of the property appointed prior to July 1, 2005.

(5) 'Content of an electronic communication' means information concerning the substance or meaning of the communication which:

(A) Has been sent or received by a user;

(B) Is in electronic storage by a custodian providing an electronic communication service to the public or is carried or maintained by a custodian providing a remote computing service to the public; and

(C) Is not readily accessible to the public.

(6) 'Court' means the probate court.

(7) 'Custodian' means a person that engages in the transmission of, maintains, processes, receives, or stores a digital asset or electronic communication of another person.

(8) 'Designated recipient' means a person chosen by a user using an online tool to administer digital assets of the user.

(9) 'Digital asset' means an electronic record in which an individual has a right or interest. Such term shall not include an underlying asset or liability unless the asset or liability is itself an electronic record.

(10) 'Electronic' means relating to technology having electrical, digital, magnetic, wireless, optical, electromagnetic, or similar capabilities.

(11) 'Electronic communication' has the meaning set forth in 18 U.S.C. Section 2510(12), effective January 1, 2018.

(12) 'Electronic communication service' means a custodian that provides to a user the ability to send or receive an electronic communication.

(13) 'Fiduciary' means an original, additional, or successor personal representative, conservator, agent, or trustee.

(14) 'Information' includes data, text, images, videos, sounds, codes, computer programs, software, and databases.

(15) 'Online tool' means an electronic service provided by a custodian that allows the user, in an agreement distinct from the terms-of-service agreement between the custodian and user, to provide directions for disclosure or nondisclosure of digital assets to a third person.

(16) 'Person' means an individual, estate, business or nonprofit entity, corporation, business trust, trust, partnership, limited liability company, association, unincorporated organization, joint venture, commercial entity, joint-stock company, public corporation, government or governmental subdivision, agency, instrumentality, other legal or commercial entity.

(17) 'Personal representative' means an executor, administrator, county administrator, administrator with the will annexed, or special administrator.

(18) 'Power of attorney' means a writing or other record that grants a person authority to act in the place of an individual, including a conditional power of attorney, as defined in subsection (a) of Code Section 10-6-6, a power of attorney created pursuant to Chapter 6B of Title 10, and a financial power of attorney created pursuant to Article 7 of Chapter 6 of Title 10 as it existed on June 30, 2017.

(19) 'Principal' means an individual who grants authority to a person to act in the place of such individual in a power of attorney.

(20) 'Protected person' means an individual for whom a conservator has been appointed, including a minor, as defined in Code Section 29-1-1, and a ward, as defined in Code Section 29-1-1. Such term shall include an individual for whom a petition for the appointment of a conservator is pending, including both a proposed ward, as defined in Code Section 29-1-1, and a respondent, as defined in Code Section 29-11-2.

(21) 'Record' means information that is inscribed on a tangible medium or that is stored in an electronic or other medium and is retrievable in perceivable form.

(22) 'Remote computing service' means a custodian that provides to a user computer-processing services or the storage of digital assets by means of an electronic communications system, as defined in 18 U.S.C. Section 2510(14), in effect on January 1, 2018.

(23) 'Terms-of-service agreement' means an agreement that controls the relationship between a user and a custodian.

(24) 'Trustee' means a person with legal title to property under a trust instrument, as defined in Code Section 53-12-2, that creates a beneficial interest in another. Such term shall include a successor trustee.

(25) 'User' means a person whose digital asset or electronic communication is carried, maintained, processed, received, or stored by a custodian or to which a custodian provides services.

(26) 'Will' means the legal declaration of an individual's testamentary intention regarding such individual's property or other matters. Such term shall include all codicils to such legal declaration, a testamentary instrument that only appoints an executor, and an instrument that revokes or revises a testamentary instrument.

53-13-3.

(a) This chapter shall apply to a:

(1) Fiduciary acting under a will or power of attorney;

(2) Personal representative acting for a decedent;

(3) Conservatorship; and

(4) Trustee.

(b) This chapter shall apply to a custodian if the user resides in this state or resided in this state at the time of the user's death.

(c) This chapter shall not apply to a digital asset of an employer used by an employee in the ordinary course of the employer's business.

ARTICLE 2

53-13-10.

(a) A user may use an online tool to direct the custodian to disclose to a designated recipient or not to disclose some or all of the user's digital assets, including the content of electronic communications. If the online tool allows the user to modify or delete a direction at all times, a direction regarding disclosure using an online tool shall override a contrary direction by the user in a will, trust, power of attorney, or other record.

(b) If a user has not used an online tool to give direction under subsection (a) of this Code section or if the custodian has not provided an online tool, the user may allow or prohibit in a will, trust, power of attorney, or other record disclosure to a fiduciary of some or all of the user's digital assets, including the content of electronic communications sent or received by the user.

(c) A user's direction under subsection (a) or (b) of this Code section shall override a contrary provision in a terms-of-service agreement that does not require the user to act affirmatively and distinctly from the user's assent to the terms of service.

53-13-11.

(a) This chapter shall not change or impair a right of a custodian or a user under a

terms-of-service agreement to access and use digital assets of the user.

(b) This chapter shall not give a fiduciary or designated recipient any new or expanded rights other than those held by the user for whom, or for whose estate, the fiduciary or designated recipient acts or represents.

(c) A fiduciary's or designated recipient's access to digital assets may be modified or eliminated by a user, by federal law, or by a terms-of-service agreement if the user has not provided direction under Code Section 53-13-10.

53-13-12.

(a) When disclosing digital assets of a user under this chapter, the custodian may at its sole discretion:

(1) Grant a fiduciary or designated recipient full access to the user's account;

(2) Grant a fiduciary or designated recipient partial access to the user's account sufficient to perform the tasks with which the fiduciary or designated recipient is charged; or

(3) Provide a fiduciary or designated recipient a copy in a record of any digital asset that, on the date the custodian received the request for disclosure, the user could have accessed if the user were alive and had full capacity and access to the account.

(b) A custodian may assess a reasonable administrative charge for the cost of disclosing digital assets under this chapter.

(c) A custodian need not disclose under this chapter a digital asset deleted by a user.

(d) If a user directs or a fiduciary requests a custodian to disclose under this chapter some, but not all, of the user's digital assets, the custodian need not disclose the assets if segregation of the assets would impose an undue burden on the custodian. If the custodian believes the direction or request imposes an undue burden, the custodian or fiduciary may seek an order from the court to disclose:

(1) A subset limited by date of the user's digital assets;

(2) All of the user's digital assets to the fiduciary or designated recipient;

(3) None of the user's digital assets; or

(4) All of the user's digital assets to the court for review in camera.

53-13-13.

If a deceased user consented or a court directs disclosure of the contents of electronic communications of the user, the custodian shall disclose to the personal representative of the estate of the user the content of an electronic communication sent or received by the user if the personal representative gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the death certificate of the user;

(3) A certified copy of the letters testamentary, letters of administration, or other letters of appointment of the personal representative;

(4) Unless the user provided direction using an online tool, a copy of the user's will, trust, power of attorney, or other record evidencing the user's consent to disclosure of the content of electronic communications; and

(5) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(B) Evidence linking the account to the user; or

(C) A finding by the court that:

(i) The user had a specific account with the custodian, identifiable by the information specified in subparagraph (A) of this paragraph;

(ii) Disclosure of the content of electronic communications of the user would not violate 18 U.S.C. Section 2701, in effect on January 1, 2018; 47 U.S.C. Section 222, in effect on January 1, 2018; or other applicable law;

(iii) Unless the user provided direction using an online tool, the user consented to disclosure of the content of electronic communications; or

(iv) Disclosure of the content of electronic communications of the user is reasonably necessary for administration of the estate.

53-13-14.

Unless the user prohibited disclosure of digital assets or the court directs otherwise, a custodian shall disclose to the personal representative of the estate of a deceased user a catalogue of electronic communications sent or received by the user and digital assets, other than the content of electronic communications, of the user, if the personal representative gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the death certificate of the user;

(3) A certified copy of the letters testamentary, letters of administration, or other letters of appointment of the personal representative; and

(4) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(B) Evidence linking the account to the user;

(C) An affidavit stating that disclosure of the user's digital assets is reasonably necessary for administration of the estate; or

(D) A finding by the court that:

(i) The user had a specific account with the custodian, identifiable by the information specified in subparagraph (A) of this paragraph; or

(ii) Disclosure of the user's digital assets is reasonably necessary for administration of the estate.

53-13-15.

To the extent a power of attorney expressly grants an agent authority over the content of electronic communications sent or received by the principal and unless directed otherwise by the principal or the court, a custodian shall disclose to the agent the content if the agent gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) An original or copy of the power of attorney expressly granting the agent authority over the content of electronic communications of the principal;

(3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(4) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(B) Evidence linking the account to the principal.

53-13-16.

Unless otherwise ordered by the court, directed by the principal, or provided by a power of attorney, a custodian shall disclose to an agent with specific authority over digital assets or general authority to act on behalf of a principal a catalogue of electronic communications sent or received by the principal and digital assets, other than the content of electronic communications, of the principal if the agent gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) An original or a copy of the power of attorney that gives the agent specific authority over digital assets or general authority to act on behalf of the principal;

(3) A certification by the agent, under penalty of perjury, that the power of attorney is in effect; and

(4) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the principal's account; or

(B) Evidence linking the account to the principal.

53-13-17.

Unless otherwise ordered by the court or provided in a trust, a custodian shall disclose to a trustee that is an original user of an account any digital asset of the account held in trust, including a catalogue of electronic communications of the trustee and the content of electronic communications.

53-13-18.

Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose to a trustee that is not an original user of an account the content of an electronic communication sent or received by an original or successor user and carried, maintained, processed, received, or stored by the custodian in the account of the trust if the trustee gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the trust instrument or a certification of the trust under Code Section 53-12-280 that includes consent to disclosure of the content of electronic communications to the trustee;

(3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and

(4) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or

(B) Evidence linking the account to the trust.

53-13-19.

Unless otherwise ordered by the court, directed by the user, or provided in a trust, a custodian shall disclose to a trustee that is not an original user of an account a catalogue of electronic communications sent or received by an original or successor user and stored, carried, or maintained by the custodian in an account of the trust and any digital assets, other than the content of electronic communications, in which the trust has a right or interest if the trustee gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the trust instrument or a certification of the trust under Code Section 53-12-280;

(3) A certification by the trustee, under penalty of perjury, that the trust exists and the trustee is a currently acting trustee of the trust; and

(4) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the trust's account; or

(B) Evidence linking the account to the trust.

53-13-20.

(a) After an opportunity for a hearing under paragraph (2) of subsection (b) of Code Section 29-3-22 or paragraph (2) of subsection (b) of Code Section 29-5-23, the court may grant a conservator access to the digital assets of a protected person.

(b) Unless otherwise ordered by the court or directed by the user, a custodian shall disclose to a conservator the catalogue of electronic communications sent or received by a protected person and any digital assets, other than the content of electronic communications, in which the protected person has a right or interest if the conservator gives the custodian:

(1) A written request for disclosure in physical or electronic form;

(2) A certified copy of the court order that gives the conservator authority over the digital assets of the protected person; and

(3) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the account of the protected person; or

(B) Evidence linking the account to the protected person.

(c) A conservator with general authority to manage the assets of a protected person may request that a custodian of the digital assets of the protected person suspend or terminate an account of the protected person for good cause. A request made under this Code section shall be accompanied by a certified copy of the court order giving the conservator authority over the protected person's property.

ARTICLE 353-13-30.

(a) The legal duties imposed on a fiduciary charged with managing tangible property apply to the management of digital assets, including the duty of care, loyalty, and confidentiality.

(b) A fiduciary's or designated recipient's authority with respect to a digital asset of a user:

(1) Except as otherwise provided in Code Section 53-13-10, shall be subject to the applicable terms of service;

(2) Shall be subject to other applicable law, including copyright law;

(3) In the case of a fiduciary, shall be limited by the scope of the fiduciary's duties; and

(4) May not be used to impersonate the user.

(c) A fiduciary with authority over the property of a decedent, protected person, principal, or settlor has the right to access any digital asset in which the decedent, protected person, principal, or settlor has or had a right or interest and that is not held by a custodian or subject to a terms-of-service agreement.

(d) A fiduciary acting within the scope of the fiduciary's duties shall be an authorized user of the property of the decedent, protected person, principal, or settlor for the purpose of liability under applicable computer fraud and unauthorized computer access laws, including Article 6 of Chapter 9 of Title 16.

(e) A fiduciary with authority over the tangible, personal property of a decedent, protected person, principal, or settlor shall:

(1) Have the right to access the property and any digital asset stored in it; and

(2) Be an authorized user for the purpose of computer fraud and unauthorized computer access laws, including Article 6 of Chapter 9 of Title 16.

(f) A custodian may disclose information in an account to a fiduciary of the user when the information is required to terminate an account used to access digital assets licensed to the user.

(g) A fiduciary of a user may request a custodian to terminate the user's account. A request for termination shall be in writing, in either physical or electronic form, and accompanied by:

(1) If the user is deceased, a certified copy of the death certificate of the user;

(2) A certified copy of the letters testamentary, letters of administration, or other letters of appointment of the personal representative, court order, power of attorney, or trust giving the fiduciary authority over the account; and

(3) If requested by the custodian:

(A) A number, username, address, or other unique subscriber or account identifier assigned by the custodian to identify the user's account;

(B) Evidence linking the account to the user; or

(C) A finding by the court that the user had a specific account with the custodian, identifiable by the information specified in subparagraph (A) of this paragraph.

53-13-31.

(a) Not later than 60 days after receipt of the information required under Code Sections 53-13-13 through 53-13-30, a custodian shall comply with a request under this chapter from a fiduciary or designated recipient to disclose digital assets or terminate an account. If the custodian fails to comply, the fiduciary or designated recipient may apply to the court for an order directing compliance.

(b) An order under subsection (a) of this Code section directing compliance shall contain a finding that compliance is not in violation of 18 U.S.C. Section 2702, in effect on July 1, 2018.

(c) A custodian may notify the user that a request for disclosure or to terminate an account was made under this chapter.

(d) A custodian may deny a request under this chapter from a fiduciary or designated recipient for disclosure of digital assets or to terminate an account if the custodian is aware of any lawful access to the account following the receipt of the fiduciary's request.

(e) This chapter shall not limit a custodian's ability to obtain or require a fiduciary or designated recipient requesting disclosure or termination under this chapter to obtain a court order that:

(1) Specifies that an account belongs to the protected person or principal;

(2) Specifies that there is sufficient consent from the protected person or principal to support the requested disclosure; and

(3) Contains a finding required by law other than this chapter.

(f) A custodian and its officers, employees, and agents are immune from liability for an act or omission done in good faith in compliance with this chapter.

ARTICLE 4

53-13-40.

This chapter modifies, limits, and supersedes the federal Electronic Signatures in Global and National Commerce Act, 15 U.S.C. Section 7001 et seq., but shall not modify, limit, or supersede Section 101(c) of that act, 15 U.S.C. Section 7001(c), or authorize electronic delivery of any of the notices described in Section 103(b) of that act, 15 U.S.C. Section 7003(b)."

SECTION 2.

Chapter 6B of Title 10 of the Official Code of Georgia Annotated, relating to the "Uniform Power of Attorney Act," is amended by revising paragraph (10) of Code Section 10-6B-2, relating to definitions, as follows:

"(10) 'Property' means anything that may be the subject of ownership, whether real or personal, or legal or equitable, or any interest or right therein and shall include digital assets and electronic communications, as such terms are defined in Code Section 53-13-2."

SECTION 3.

Said chapter is further amended by revising paragraph (8) of subsection (a) of Code Section 10-6B-40, relating to agent authority that requires a specific grant and granting of general authority, as follows:

"(8) Exercise authority over the content of electronic communications, as such term is defined in 18 U.S.C. Section 2510(12), in effect on February 1, 2017 Code Section 53-13-2, sent or received by the principal; or"

SECTION 4.

Article 2 of Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to jurisdiction, power, and duties of the probate court is amended in subsection (a) of Code Section 15-9-30, relating to subject matter jurisdiction and powers and duties generally, by renumbering paragraphs (10) and (11) as paragraphs (11) and (12), respectively, and adding a new paragraph (10) to read as follows:

"(10) All matters as may be conferred on them by Chapter 13 of Title 53."

SECTION 5.

Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, is amended by revising paragraph (1) of subsection (b) of Code Section 29-3-22, relating to the powers of a conservator and cooperation with the guardian of a minor, as follows:

"(b)(1) In the petition for appointment, or at any time during the conservatorship, the conservator may request the continuing power to:

(A) Invest the minor's property in investments other than those authorized in Code Section 29-3-32, pursuant to the provisions of Code Section 29-3-34, without further court approval of any investment;

(B) Sell, rent, lease, exchange, or otherwise dispose of any or all of the minor's real or personal property without complying with the provisions of Code Section 29-3-35, other than the provisions for additional bond set forth in subsection (e) of Code Section 29-3-35; ~~or~~

(C) Continue the operation of any farm or business in which the minor has an interest; or

(D) Access the digital assets of the minor, pursuant to Code Section 53-13-20."

SECTION 6.

Said title is further amended by revising paragraph (1) of subsection (b) of Code Section 29-5-23, relating to the authority of a conservator of an adult and cooperation with a guardian or other interested parties, as follows:

"(b)(1) In the petition for appointment, or at any time during the conservatorship, the conservator may request the continuing power:

(A) To invest the ward's property in investments other than those authorized in Code Section 29-5-32, pursuant to the provisions of Code Section 29-5-34, without further court approval of any investment;

(B) To sell, rent, lease, exchange, or otherwise dispose of any or all of the ward's

real or personal property without complying with the provisions of Code Section 29-5-35 other than the provisions for additional bond set forth in subsection (e) of Code Section 29-5-35; ~~or~~

(C) To continue the operation of any farm or business in which the ward has an interest; or

(D) To access the digital assets of the ward, pursuant to Code Section 53-13-20."

SECTION 7.

Code Section 53-12-2 of the Official Code of Georgia Annotated, relating to definitions for trusts, is amended by revising paragraph (9) as follows:

"(9) 'Property' means any type of property, whether real or personal, tangible or intangible, legal or equitable, and shall include digital assets and electronic communications, as such terms are defined in Code Section 53-13-2."

SECTION 8.

This Act shall become effective on July 1, 2018.

SECTION 9.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson

Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 0.

SB 301, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/20/18

Due to business outside the Senate Chamber, I missed the vote on SB 301. Had I been present, I would have voted "yes".

/s/ Butch Miller
District 49

SB 371. By Senators Anderson of the 24th, Stone of the 23rd, Mullis of the 53rd, Hufstetler of the 52nd, Millar of the 40th and others:

A BILL to be entitled an Act to amend Code Section 48-2-15 of the Official Code of Georgia Annotated, relating to confidential information secured in the administration of taxes, so as to change the provisions regarding the furnishing of sales and use tax information to municipalities and counties; to provide for additional procedures, conditions, and limitations; to provide for confidentiality; to provide for a criminal penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate

Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

SB 371, having received the requisite constitutional majority, was passed.

Senator Hufstetler of the 52nd was excused for business outside the Senate Chamber.

SB 381. By Senators Thompson of the 14th, Shafer of the 48th, Williams of the 27th, Harbin of the 16th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 33 of the Official Code of Georgia Annotated, relating to surplus line insurance, so as to provide that a nonadmitted insurer domiciled in this state will be deemed a domestic surplus lines insurer if certain criteria are met; to provide a definition; to provide for criteria; to provide for tax assessment; to provide for certain protection exceptions; to provide for financial and solvency requirements; to provide for exemptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Insurance and Labor offered the following substitute to SB 381:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 5 of Title 33 of the Official Code of Georgia Annotated, relating to surplus line insurance, so as to provide that a nonadmitted insurer domiciled in this state will be deemed a domestic surplus lines insurer if certain criteria are met; to provide a definition; to provide for criteria; to provide for tax assessment; to provide for certain protection exceptions; to provide for financial and solvency requirements; to provide for exemptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 5 of Title 33 of the Official Code of Georgia Annotated, relating to surplus line insurance, is amended in Code Section 33-5-20.1, relating to definitions relative to surplus line insurance, by revising paragraph (1) and adding a new paragraph to read as follows:

"33-5-20.1.

As used in this article, the term:

(1) 'Domestic surplus lines insurer' means a nonadmitted insurer that is domiciled in this state with which a surplus lines broker may place surplus lines insurance;

~~(1.1)~~ (1.1) 'Exempt commercial purchaser' means any person purchasing commercial insurance that, at the time of placement, meets the following requirements:

(A) The person employs or retains a qualified risk manager to negotiate insurance coverage;

(B) The person has paid aggregate nation-wide commercial property and casualty insurance premiums in excess of \$100,000.00 in the immediately preceding 12 months; and

(C)(i) The person meets at least one of the following criteria:

(I) The person possesses a net worth in excess of \$20 million as such amount is adjusted pursuant to division (ii) of this subparagraph; or

(II) The person generates annual revenues in excess of \$50 million as such amount is adjusted pursuant to division (ii) of this subparagraph; or

(III) The person employs more than 500 full-time or full-time equivalent employees per individual insured or is a member of an affiliated group employing more than 1,000 employees in the aggregate;

(IV) The person is a not for profit organization or public entity generating annual budgeted expenditures of at least \$30 million as such amount is adjusted pursuant to division (ii) of this subparagraph; or

(V) The person is a municipality with a population in excess of 50,000.

(ii) Effective on January 1, 2016, and every five years on January 1 thereafter, the amounts in subdivisions (I), (II), and (IV) of division (i) of this subparagraph shall be adjusted to reflect the percentage change for such five-year period in the Consumer Price Index for All Urban Consumers as reported by the Bureau of Labor Statistics of the United States Department of Labor."

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"33-5-20.2.

(a) A nonadmitted insurer that is domiciled in this state shall be deemed a domestic surplus lines insurer if all of the following criteria are satisfied:

(1) The insurer shall possess a policyholder surplus of at least \$15 million;

(2) The insurer is an eligible surplus lines insurer in at least one jurisdiction other

than this state;

(3) The board of directors of the insurer has passed a resolution seeking to be a domestic surplus lines insurer in this state; and

(4) The Commissioner has issued a certificate of authority or otherwise provided written approval for the insurer to be a domestic surplus lines insurer.

(b) For the purposes of the federal Nonadmitted and Reinsurance Reform Act of 2010, 15 U.S.C Section 8201, et seq, a domestic surplus lines insurer shall be considered a nonadmitted insurer with respect to risks insured in this state.

(c) A domestic surplus lines insurer shall be deemed an eligible surplus lines insurer and authorized to write any kind of insurance that a nonadmitted insurer not domiciled in this state is eligible to write.

(d) Notwithstanding any other statute, the policies issued in this state by a domestic surplus lines insurer shall be subject to taxes assessed upon surplus lines policies issued by nonadmitted insurers, including the surplus lines premium tax, but will not be subject to other taxes levied upon admitted insurers, whether domestic or foreign.

(e) Policies issued by a domestic surplus lines insurer are not subject to the protections or other provisions of the Georgia Insurers Insolvency Pool created by Chapter 36 of this title or the Georgia Life and Health Insurance Guaranty Association created by Chapter 38 of this title.

(f) All financial and solvency requirements imposed by this state's laws upon domestic admitted insurers shall apply to domestic surplus lines insurers unless domestic surplus lines insurers are otherwise specifically exempted.

(g) Policies issued by a domestic surplus lines insurer shall be exempt from all statutory requirements relating to insurance rating plans, policy forms, premiums charged to insureds, and other statutory requirements in the same manner and to the same extent as a nonadmitted insurer domiciled in another state."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Black	N Jones, E	N Sims

Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowser	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 37, nays 17.

SB 381, having received the requisite constitutional majority, was passed by substitute.

Senator Martin of the 9th asked unanimous consent to suspend the Senate Rules to first read legislation and assign to committee. There was no objection and the consent was granted.

The following Senate legislation was introduced, read the first time and referred to committee:

SR 821. By Senators Martin of the 9th, Jackson of the 2nd, Watson of the 1st, Jones II of the 22nd and Dugan of the 30th:

A RESOLUTION recognizing Augusta as an official Cyber Security and Information Technology Innovation Corridor and Savannah as an official Logistics Technology Innovation Corridor in Georgia; and for other purposes.

Referred to the Committee on Rules.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL

ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

February 20, 2018

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

Dear David:

In accordance with Senate Rules, the Senate Committee on Assignments hereby appoints Senator Kay Kirkpatrick to serve as a permanent Ex-Officio member of the Senate Ethics Committee. This appointment is effective immediately.

Please call on me or Taylor Schindler if you have any questions regarding this appointment. Thank you for your attention to this matter.

Sincerely,

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

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Wednesday, February 21, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:56 a.m.

Senate Chamber, Atlanta, Georgia
Wednesday, February 21, 2018
Twenty-fourth Legislative Day

The Senate met pursuant to adjournment at 10:15 a.m. today and was called to order by the President.

Senator Albers of the 56th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 670. By Representatives Powell of the 32nd, Ballinger of the 23rd and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 4B of Title 49 of the Official Code of Georgia Annotated, relating to the Interstate Compact for Juveniles, so as to revise the number of legislative branch representatives on the Georgia State Council for Interstate Juvenile Supervision; to revise the appointing authorities for legislative representatives on such council; to provide for contingent effective dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 693. By Representative Harrell of the 106th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to solid waste management generally, so as to repeal provisions relating to authorization to enforce collection of taxes, fees, or assessments; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 717. By Representatives Kelley of the 16th, Coomer of the 14th, Reeves of the 34th, Tanner of the 9th and Hanson of the 80th:

A BILL to be entitled an Act to amend Code Section 40-8-11 of the Official Code of Georgia Annotated, relating to operational rules for autonomous vehicles, so as to provide for the applicability of certain consumer protection laws to autonomous vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 780. By Representative Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to financial institutions, so as to provide for numerous changes to provisions applicable to the Department of Banking and Finance and financial institutions generally, banks and trust companies, credit unions, licensed sellers of payment instruments, those licensed to cash payment instruments, and mortgage lenders and mortgage brokers; to provide for power of the commissioner to issue orders relative to state chartered financial institutions to exercise rights and powers authorized by federal law but not authorized under state law; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 816. By Representatives Gravley of the 67th, Coomer of the 14th, Willard of the 51st, Ballinger of the 23rd and Beskin of the 54th:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administrative organization of the Department of Revenue, so as to provide for mandatory fingerprinting and criminal record checks for certain individuals; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 452. By Senators Stone of the 23rd, Anderson of the 24th, Mullis of the 53rd, Albers of the 56th, Heath of the 31st and others:

A BILL to be entitled an Act to amend Title 17 and Title 42 of the Official Code of Georgia Annotated, relating to criminal procedure and penal institutions, respectively, so as to require a peace officer to take certain actions upon verification that a suspect is an illegal alien; to clarify and require certain actions by the Department of Corrections, sheriffs, municipal custodial

officers, the State Board of Pardons and Paroles, and the Department of Community Service regarding persons not lawfully present in the United States; to prohibit release from confinement persons who are illegal aliens; to require the State Board of Pardons and Paroles to consider certain factors; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 453. By Senators Tillery of the 19th, Gooch of the 51st, Cowsert of the 46th, Kennedy of the 18th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to limit the distance between new municipal corporations and existing municipal corporations; to modify the requirements for active municipalities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SB 454. By Senators Jordan of the 6th, Parent of the 42nd, Henson of the 41st, Jackson of the 2nd, Seay of the 34th and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to dangerous instrumentalities and practices, so as to make unlawful the possession and use of bump fire stock; to revise definitions; to subject the possession and use of bump fire stock to criminal penalties; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 455. By Senators Parent of the 42nd, Jordan of the 6th, Jackson of the 2nd, Henson of the 41st, Seay of the 34th and others:

A BILL to be entitled an Act to amend Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, so as to provide procedures and standards for legislative and congressional reapportionment; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Reapportionment and Redistricting.

SB 456. By Senator Mullis of the 53rd:

A BILL to be entitled an Act to amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to other

educational programs under the "Quality Basic Education Act," so as to provide that no high school which receives funding under Article 6 of Chapter 2 of Title 20, the "Quality Basic Education Act," shall participate in or sponsor interscholastic sports events conducted by any athletic association unless the association has separate regions and playoffs for certain private schools and certain public schools; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SB 457. By Senator Tate of the 38th:

A BILL to be entitled an Act to amend Code Section 20-2-1185 of the Official Code of Georgia Annotated, relating to school safety plans, so as to require every public school and private school to conduct drills on the execution of school safety plans based upon guidance from the Georgia Emergency Management and Homeland Security Agency; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

SB 458. By Senators Wilkinson of the 50th, Gooch of the 51st, Ginn of the 47th, Brass of the 28th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to provide the conditions upon which family owned farmed entities may elect to discontinue a qualifying use of bona fide conservation use property while incurring reduced penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SB 459. By Senators Brass of the 28th, Albers of the 56th and Watson of the 1st:

A BILL to be entitled an Act to amend Chapter 6 of Title 31 of the Official Code of Georgia Annotated, relating to state health planning and development, so as to convert a destination cancer hospital to a hospital facility for certificate of need requirements upon certain conditions; to revise a definition; to provide for payments to go the Indigent Care Trust Fund; to repeal certain destination cancer hospital provisions relating to certificate of need; to provide for funds from the Indigent Care Trust Fund to be used for the rural stabilization

program; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SR 845. By Senators Jackson of the 2nd, Harbison of the 15th and Jones of the 10th:

A RESOLUTION supporting Georgia's coastal tourism and fisheries and opposing seismic testing and oil drilling activities off of Georgia's coast; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SR 846. By Senators Tillery of the 19th, Gooch of the 51st, Cowsert of the 46th, Beach of the 21st, Miller of the 49th and others:

A RESOLUTION proposing an amendment to the Constitution so as to limit the number of municipal corporations in the state; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SR 857. By Senators Beach of the 21st, Gooch of the 51st, Shafer of the 48th, Unterman of the 45th and Martin of the 9th:

A RESOLUTION recognizing Mr. Rudy Bowen and dedicating a road in his honor; and for other purposes.

Referred to the Committee on Transportation.

SR 865. By Senators Millar of the 40th, Kirkpatrick of the 32nd, Unterman of the 45th, Butler of the 55th, Shafer of the 48th and others:

A RESOLUTION supporting the creation of the State of Georgia Council on Respiratory Health Promotion; and for other purposes.

Referred to the Committee on Health and Human Services.

SR 866. By Senators Beach of the 21st, Gooch of the 51st, Martin of the 9th, Jones of the 25th and Cowsert of the 46th:

A RESOLUTION recognizing Mr. John D. Stephens and dedicating a road in his honor; and for other purposes.

Referred to the Committee on Transportation.

SR 867. By Senators Beach of the 21st, Gooch of the 51st, Martin of the 9th, Jones of the 25th and Cowser of the 46th:

A RESOLUTION honoring the life of Mr. Virgil R. Williams and dedicating a road in his memory; and for other purposes.

Referred to the Committee on Transportation.

The following House legislation was read the first time and referred to committee:

HB 670. By Representatives Powell of the 32nd, Ballinger of the 23rd and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 4B of Title 49 of the Official Code of Georgia Annotated, relating to the Interstate Compact for Juveniles, so as to revise the number of legislative branch representatives on the Georgia State Council for Interstate Juvenile Supervision; to revise the appointing authorities for legislative representatives on such council; to provide for contingent effective dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 693. By Representative Harrell of the 106th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to solid waste management generally, so as to repeal provisions relating to authorization to enforce collection of taxes, fees, or assessments; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 717. By Representatives Kelley of the 16th, Coomer of the 14th, Reeves of the 34th, Tanner of the 9th and Hanson of the 80th:

A BILL to be entitled an Act to amend Code Section 40-8-11 of the Official Code of Georgia Annotated, relating to operational rules for autonomous vehicles, so as to provide for the applicability of certain consumer protection laws to autonomous vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

HB 780. By Representative Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to financial institutions, so as to provide for numerous changes to provisions applicable to the Department of Banking and Finance and financial institutions generally, banks and trust companies, credit unions, licensed sellers of payment instruments, those licensed to cash payment instruments, and mortgage lenders and mortgage brokers; to provide for power of the commissioner to issue orders relative to state chartered financial institutions to exercise rights and powers authorized by federal law but not authorized under state law; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banking and Financial Institutions.

HB 816. By Representatives Gravley of the 67th, Coomer of the 14th, Willard of the 51st, Ballinger of the 23rd and Beskin of the 54th:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administrative organization of the Department of Revenue, so as to provide for mandatory fingerprinting and criminal record checks for certain individuals; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Banking and Financial Institutions has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 358 Do Pass by substitute
SB 376 Do Pass

Respectfully submitted,
Senator Ligon, Jr. of the 3rd District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 325	Do Pass	SB 351	Do Pass by substitute
SB 420	Do Pass by substitute	SB 422	Do Pass
SB 434	Do Pass		

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Higher Education has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 339 Do Pass by substitute

Respectfully submitted,
Senator Millar of the 40th District, Chairman

Mr. President:

The Committee on Regulated Industries and Utilities has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 396 Do Pass

Respectfully submitted,
Senator Ginn of the 47th District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HR 943	Do Pass
SR 453	Do Pass by substitute

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 389 Do Pass
 SB 410 Do Pass
 SB 440 Do Pass

Respectfully submitted,
 Senator Kirk of the 13th District, Chairman

Mr. President:

The Committee on State Institutions and Property has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 537 Do Pass by substitute

Respectfully submitted,
 Senator Harbison of the 15th District, Chairman

Mr. President:

The Committee on Veterans, Military and Homeland Security has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 395 Do Pass by substitute

Respectfully submitted,
 Senator Watson of the 1st District, Chairman

The following legislation was read the second time:

HB 777	SB 309	SB 334	SB 355	SB 363	SB 375
SB 377	SB 397	SB 402	SB 405	SB 418	SB 427
SR 774					

Senator Cowser of the 46th asked unanimous consent to suspend the Senate Rules to first read legislation and assign to committee. There was no objection and the consent was granted.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 460. By Senator Beach of the 21st:

A BILL to be entitled an Act to amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, so as to provide for adoption of a logo and brand to include the term "ATL" by such Authority by a certain date; to remove a limitation on the amount of funds such Authority may receive from the state; to provide for the publishing of standards for bus service for a fiscal year; to provide for clarification on the responsible parties for debt in relation to the issuance of certain revenue bonds; to amend requirements for transportation services contracts between the Authority and a local government; to provide for related matters; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

SB 461. By Senator Stone of the 23rd:

A BILL to be entitled an Act to amend Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to barbers and cosmetologists, so as to change certain provisions relating to barbering and the occupation of a cosmetologist; to provide for and change certain definitions; to provide for licensing; to add hair relaxing and straightening to the scope of practice of certain occupations licensed by the State Board of Cosmetology and Barbers; to provide for regulation of shops, salons, and schools by local governments; to change certain provisions related to instruction to be provided to licensees; to revise certain provisions related to penalties and the unlicensed practice of occupations licensed by the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 462. By Senators Albers of the 56th, Watson of the 1st and Brass of the 28th:

A BILL to be entitled an Act to amend Chapter 6 of Title 31 of the Official Code of Georgia Annotated, relating to state health planning and development, so as to exempt integrated surgery centers from certificate of need

requirements; to provide for a definition; to provide for conditions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

Senator Heath of the 31st asked unanimous consent that Senator Harbin of the 16th be excused. The consent was granted, and Senator Harbin was excused.

Senator Butler of the 55th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

Senator Seay of the 34th asked unanimous consent that Senator Orrock of the 36th be excused. The consent was granted, and Senator Orrock was excused.

Senator Jordan of the 6th asked unanimous consent that Senators Harper of the 7th and Martin of the 9th be excused. The consent was granted, and Senators Harper and Martin were excused.

Senator Anderson of the 43rd asked unanimous consent that Senator Parent of the 42nd be excused. The consent was granted, and Senator Parent was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Rhett
Anderson, L	Hufstetler	Seay
Anderson, T	Jackson	Shafer
Beach	James	Sims
Black	Jones, E	Stone
Brass	Jones, H	Strickland
Burke	Jordan	Tate
Butler	Kennedy	Thompson, B
Cowsert	Kirk	Tillery
Davenport	Kirkpatrick	Tippins
Dugan	Ligon	Unterman
Ginn	Lucas	Walker
Gooch	McKoon	Watson
Harbison	Millar	Wilkinson
Heath	Mullis	Williams, M
Henson	Payne	Williams, N

Not answering were Senators:

Harbin (Excused)	Harper (Excused)	Jones, B.
Martin (Excused)	Miller	Orrock (Excused)
Parent (Excused)	Thompson, C. (Excused)	

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Seay of the 34th introduced the chaplain of the day, Reverend Kenneth Lamont Alexander of Atlanta, Georgia, who offered scripture reading and prayer. Reverend Alexander was commended by SR 827, adopted previously.

Senator Williams of the 39th introduced the doctor of the day, Dr. Xavier A. Duralde.

Senator Miller of the 49th recognized February 21, 2018, as State Restaurant Day at the state capitol and honored the restaurant industry of Georgia, commended by SR 775, adopted previously. Georgia Restaurant Association Chairman of the Board Kelvin Slater addressed the Senate briefly.

Senator Wilkinson of the 50th honored Habersham County and recognized February 21, 2018, as Habersham County Day at the state capitol, commended by SR 610, adopted previously. Chamber of Commerce Chairman Philip Smith addressed the Senate briefly.

The President recognized U.S. Senator Johnny Isakson who addressed the Senate briefly.

Senator Gooch of the 51st honored Chase Elliott and Bill Elliott on their excellence in the field of NASCAR, commended by SR 834 and SR 835, adopted previously. Chase and Bill Elliott addressed the Senate briefly.

Senator Sims of the 12th honored the Albany Area Chamber of Commerce and recognized February 21, 2018, as Albany-Dougherty County Day at the capitol, commended by SR 661, adopted previously. Albany State University President Marion Fedrick and Commodore Conyers College and Career Academy CEO Chris Hatcher addressed the Senate briefly.

Senator Davenport of the 44th recognized the Atlanta chapter of World Wings International, Inc., commended by SR 704, adopted previously. Atlanta Chapter President Leslie Manning and World Wings International, Inc. President Nancy McAllister addressed the Senate briefly.

The President recognized U.S. Congressman Barry Loudermilk who addressed the Senate briefly.

The President recognized U.S. Congressman Jody Hice who addressed the Senate briefly.

The following resolutions were read and adopted:

SR 836. By Senator Albers of the 56th:

A RESOLUTION commending and congratulating Monroe Losner; and for other purposes.

SR 837. By Senator Albers of the 56th:

A RESOLUTION recognizing and commending the Roswell Recreation, Parks, Historic & Cultural Affairs Department; and for other purposes.

SR 838. By Senator Sims of the 12th:

A RESOLUTION commending The Links, Incorporated, and recognizing March 6, 2018, as Links Day at the state capitol; and for other purposes.

SR 839. By Senator Sims of the 12th:

A RESOLUTION commending Georgia's Community Service Boards and recognizing February 27, 2018, as Community Service Boards Day at the state capitol; and for other purposes.

SR 840. By Senators Jackson of the 2nd, Harbison of the 15th and Jones of the 10th:

A RESOLUTION recognizing and commending L. Chris Stewart on his outstanding public service; and for other purposes.

SR 841. By Senators Jackson of the 2nd, Harbison of the 15th and Jones of the 10th:

A RESOLUTION honoring the life and memory of Dr. Lester B. Johnson, Jr.; and for other purposes.

SR 842. By Senators Jackson of the 2nd, Harbison of the 15th and Jones of the 10th:

A RESOLUTION honoring the life and memory of Elder Henry Baggs, Jr.; and for other purposes.

SR 843. By Senators Jackson of the 2nd, Harbison of the 15th and Jones of the 10th:

A RESOLUTION recognizing and commending the Honorable Booker Gainor; and for other purposes.

SR 844. By Senators Jackson of the 2nd, Harbison of the 15th and Jones of the 10th:

A RESOLUTION honoring the life and memory of Gloria "The Bird Lady" Bennett; and for other purposes.

SR 847. By Senators Tillery of the 19th and Hill of the 4th:

A RESOLUTION commending and congratulating Omar Simeon Cruz for receiving the 2017 Grower of the Year Award from the Vidalia Onion Committee; and for other purposes.

SR 848. By Senators Beach of the 21st, McKoon of the 29th, Gooch of the 51st, Mullis of the 53rd and Watson of the 1st:

A RESOLUTION recognizing March 5, 2018, as Council for Quality Growth Day at the state capitol; and for other purposes.

SR 849. By Senator Harbison of the 15th:

A RESOLUTION recognizing and commending Greg Davis; and for other purposes.

SR 850. By Senators Kirk of the 13th, Wilkinson of the 50th, Harper of the 7th, Walker III of the 20th, Kirkpatrick of the 32nd and others:

A RESOLUTION recognizing and commending Benjie DeLoach for his immeasurable contributions to his community; and for other purposes.

SR 851. By Senators Kirk of the 13th, Walker III of the 20th, Kirkpatrick of the 32nd, Kennedy of the 18th, Jones of the 25th and others:

A RESOLUTION recognizing the annual Cordele-Crisp County Fish Fry, the Cordele City Commission, the Board of Commissioners of Crisp County, the Crisp County Power Commission, and the Cordele-Crisp Chamber of Commerce and commending the Cordele-Crisp County Fish Fry cooking team; and for other purposes.

SR 852. By Senators Davenport of the 44th and Seay of the 34th:

A RESOLUTION honoring the life and memory of Mayor Willie Ray Oswalt; and for other purposes.

SR 853. By Senators Davenport of the 44th, Anderson of the 43rd, Jones II of the 22nd, Butler of the 55th, James of the 35th and others:

A RESOLUTION recognizing Mr. Eric Merriweather and AAAG, Inc., for the invaluable contributions they have made to those in need in the metropolitan Atlanta region; and for other purposes.

- SR 854. By Senators Jones of the 25th, Cowser of the 46th, Harper of the 7th, Miller of the 49th, Mullis of the 53rd and others:

A RESOLUTION recognizing and commending the senior members of the University of Georgia football team; and for other purposes.

- SR 855. By Senators Jones of the 25th, Cowser of the 46th, Harper of the 7th, Miller of the 49th, Mullis of the 53rd and others:

A RESOLUTION recognizing and commending Kirby Smart, Head Coach of the University of Georgia football team; and for other purposes.

- SR 856. By Senators Jones of the 25th, Cowser of the 46th, Harper of the 7th, Miller of the 49th, Mullis of the 53rd and others:

A RESOLUTION congratulating the University of Georgia football team; and for other purposes.

- SR 858. By Senators Harbin of the 16th, Cowser of the 46th, Albers of the 56th, Thompson of the 14th, Beach of the 21st and others:

A RESOLUTION recognizing and congratulating Lamar County; and for other purposes.

- SR 859. By Senators Harbison of the 15th, Jackson of the 2nd, Rhett of the 33rd, Jones of the 10th, Anderson of the 43rd and others:

A RESOLUTION recognizing and commending Ranger Daniel Boatwright and the 2nd Airborne Ranger Company; and for other purposes.

- SR 860. By Senators James of the 35th and Rhett of the 33rd:

A RESOLUTION recognizing the South Fulton Chamber of Commerce on the grand occasion of its 71st anniversary; and for other purposes.

- SR 861. By Senators James of the 35th and Rhett of the 33rd:

A RESOLUTION recognizing and commending the September 11th First Responders Appreciation program; and for other purposes.

- SR 862. By Senators James of the 35th and Rhett of the 33rd:

A RESOLUTION commending Dr. Michael G. Gunther and Leward L. Dunn for their many valuable contributions and research and recognizing the Soldier

Boy's Monument for its profound historical significance; and for other purposes.

- SR 863. By Senators Miller of the 49th, Wilkinson of the 50th, Gooch of the 51st, Ginn of the 47th and Unterman of the 45th:

A RESOLUTION commending Eva Jane "Sissy" Elliot, the Gainesville City School's 2018 Teacher of the Year; and for other purposes.

- SR 864. By Senators James of the 35th and Rhett of the 33rd:

A RESOLUTION honoring the life and memory of Pastor Robert Louis Kimball; and for other purposes.

- SR 868. By Senators Miller of the 49th, Wilkinson of the 50th, Unterman of the 45th, Gooch of the 51st and Ginn of the 47th:

A RESOLUTION commending and honoring John Bingham McKibbon, Jr., for his induction into the Georgia Aviation Hall of Fame; and for other purposes.

- SR 869. By Senators Miller of the 49th, Wilkinson of the 50th, Gooch of the 51st, Ginn of the 47th and Unterman of the 45th:

A RESOLUTION honoring the life and memory of Dr. Lonnie Gordon Pope; and for other purposes.

- SR 870. By Senators Tillery of the 19th and Hill of the 4th:

A RESOLUTION commending and congratulating R. T. Stanley, Jr., upon his long overdue induction into the Vidalia Onion Growers Hall of Fame; and for other purposes.

- SR 871. By Senators Anderson of the 24th, Stone of the 23rd, Jones of the 25th, Dugan of the 30th, Wilkinson of the 50th and others:

A RESOLUTION honoring the life and memory of Lynn Bailey Cadle; and for other purposes.

- SR 872. By Senators Anderson of the 24th, Stone of the 23rd, Jones of the 25th, Dugan of the 30th, Heath of the 31st and others:

A RESOLUTION recognizing and commending Mr. Scott Winkler; and for other purposes.

SR 873. By Senators Anderson of the 24th, Stone of the 23rd, Jones of the 25th, Heath of the 31st, Shafer of the 48th and others:

A RESOLUTION honoring the life and memory of George Michael Duehring; and for other purposes.

SR 874. By Senators Shafer of the 48th, Gooch of the 51st, Ligon, Jr. of the 3rd and Dugan of the 30th:

A RESOLUTION recognizing and commending Stan Wise on the occasion of his retirement from the Georgia Public Service Commission; and for other purposes.

SR 875. By Senators Gooch of the 51st, Wilkinson of the 50th and Miller of the 49th:

A RESOLUTION recognizing and commending Louise Nix on the occasion of her retirement; and for other purposes.

SR 876. By Senator Tate of the 38th:

A RESOLUTION recognizing February 19, 2018, as the Alpha Kappa Alpha Sorority, Inc., Day at the state capitol; and for other purposes.

Senator Sims of the 12th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Wednesday February 21, 2018
Twenty-fourth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 389 Walker III of the 20th
 Kennedy of the 18th
 Lucas of the 26th
HOUSTON COUNTY

A BILL to be entitled an Act to amend an Act to create and establish the State Court of Houston County, approved February 28, 1975 (Ga. L. 1975, p. 2584), as amended, so as to provide for the location of the state court; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 410

Anderson of the 43rd
Strickland of the 17th
ROCKDALE COUNTY

A BILL to be entitled an Act to amend an Act creating the Board of Elections and Registration of Rockdale County, approved March 29, 1995 (Ga. L. 1995, p. 3929), as amended, particularly by an Act approved April 13, 2012 (Ga. L. 2012, p. 5484), so as to change provisions relating to the meetings of the board; to change compensation for members of the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 440

Tillery of the 19th
CITY OF SOPERTON

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Soperton, approved March 14, 1984 (Ga. L. 1984, p. 4212), as amended, particularly by an Act approved May 29, 2007 (Ga. L. 2007, p. 4206), so as to annex certain tracts or parcels of land into the City of Soperton and to change the description of the council districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	E Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman

E Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 52, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

Senator Gooch of the 51st was excused for business outside the Senate Chamber.

SENATE RULES CALENDAR
WEDNESDAY, FEBRUARY 21, 2018
TWENTY-FOURTH LEGISLATIVE DAY

- SR 685 Georgia Coast; bed of tidewater known as "Runaway Negro Creek"; rename to "Freedom Creek" (UAff-2nd)
- SB 319 "Consolidation of Fire Safety Services in Georgia Act"; enact; Department of Fire Safety; establish (Substitute)(PUB SAF-56th)
- SB 364 Delegation of Authority to Physician Assistants; higher supervisory ratio; completed a board approve anesthesiologist assistant program; authorize (H&HS-52nd)
- SB 365 Code Revision Commission; statutory portion of said Code; revise, modernize, correct errors or omissions in and reenact (JUDY-3rd)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SR 685. By Senators Jackson of the 2nd, Jones of the 10th, Anderson of the 43rd, James of the 35th, Butler of the 55th and others:

A RESOLUTION renaming the bed of tidewater on the Georgia coast known as "Runaway Negro Creek" to "Freedom Creek"; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	E Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
E Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 51, nays 0.

SR 685, having received the requisite constitutional majority, was adopted.

SB 319. By Senators Albers of the 56th, Mullis of the 53rd, Gooch of the 51st, Miller of the 49th, Dugan of the 30th and others:

A BILL to be entitled an Act to enact the "Consolidation of Fire Safety Services in Georgia Act"; to establish the Department of Fire Safety; to amend Titles 8, 10, 16, 25, 30, 35, 42, 43, 45, 50 of the O.C.G.A. ; to provide for legislative intent; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Public Safety offered the following substitute to SB 319:

A BILL TO BE ENTITLED
AN ACT

To enact the "Consolidation of Fire Safety Services in Georgia Act"; to amend Chapter 5 of Title 35, Title 25, Title 8, Title 10, Title 16, Article 9 of Chapter 3 of Title 35, Code

Section 35-8-10, Chapter 25 of Title 43, Title 45, Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Public Safety Training Center, fire protection and safety, buildings and housing, commerce and trade, crimes and offenses, the Georgia Information Sharing and Analysis Center, applicability and effect of peace officer certification requirements generally and requirements as to exempt persons, operators of motor vehicle racetracks, public officers and employees, and general provisions regarding administrative procedure, respectively, so as to establish the Division of Fire Safety within the Georgia Public Safety Training Center; to establish the position of commissioner of fire safety; to establish the Fire Safety Advisory Board; to establish the Professional Development Section of the Division of Fire Safety; to transfer duties from the Commissioner of Insurance as the Safety Fire Commissioner to the commissioner of fire safety; to provide for duties and responsibilities of the Division of Fire Safety within the Georgia Public Safety Training Center and the Fire Safety Advisory Board; to provide for adoption of rules and regulations; to vest certain emergency and terrorism fire service preparedness functions in the commissioner of fire safety; to revise the appointment authority and duties and responsibilities of the state fire marshal; to provide for the position of local fire marshals; to transfer operation and maintenance of the Georgia Fire Academy from the Board of Public Safety to the Division of Fire Safety within the Georgia Public Safety Training Center; to transfer administration of "The Uniform Standards Code for Manufactured Homes Act" from the Safety Fire Commissioner to the commissioner of fire safety; to revise the duties of the state fire marshal in the enforcement of the "Liquefied Petroleum Safety Act of Georgia"; to transfer administration and rule-making authority under said Act from the state fire marshal to the commissioner of fire safety; to transfer certain functions and duties relating to bombs, explosives, and chemical and biological weapons from the Safety Fire Commissioner to the commissioner of fire safety; to assign regulation of blasting operations, fireworks, consumer fireworks, and fire extinguishers and suppression systems and the enforcement of the "Georgia Fire Sprinkler Act" and the "Georgia Fire Safety Standard and Firefighter Protection Act" to the commissioner of fire safety and the Division of Fire Safety within the Georgia Public Safety Training Center; to assign regulation of the "Boiler and Pressure Vessel Safety Act," "Amusement Ride Safety Act," "Carnival Ride Safety Act," and requirements for scaffolding and staging design to the commissioner of fire safety and the Division of Fire Safety within the Georgia Public Safety Training Center; to add the commissioner of fire safety to membership in the Georgia Information Sharing and Analysis Center; to require certain peace officers commencing employment or service with the Division of Fire Safety within the Georgia Public Safety Training Center to meet certain qualifications; to revise exemption requirements; to assign enforcement relating to operators of motor vehicle racetracks to the commissioner of fire safety; to assign enforcement of the "Public Employee Hazardous Chemical Protection and Right to Know Act of 1988" to the Division of Fire Safety within the Georgia Public Safety Training Center; to provide for compliance with filing and hearing requirements under the "Georgia Administrative Procedure Act" by the commissioner of fire safety; to revise filing and hearing requirements under said Act by

the Commissioner of Insurance; to amend Chapter 2 of Title 8, Title 25, Chapter 3 of Title 30, Code Section 31-7-12.2, Code Section 33-2-9, Title 42, Code Section 43-14-13, and Article 1 of Chapter 14 of Title 45 of the Official Code of Georgia Annotated, relating to standards and requirements for construction, alteration, etc., of buildings and other structures, fire protection and safety, access to and use of public facilities by persons with disabilities, regulation and licensing of assisted living communities, legislative intent, definitions, procedures, and requirements of medication aides, rules and regulations adopted by the Commissioner of Insurance, penal institutions, applicability of chapter, and general provisions regarding the Commissioner of Insurance, respectively, so as to provide for conforming changes; to provide for related matters; to provide for legislative intent; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

This Act shall be known and may be cited as the "Consolidation of Fire Safety Services in Georgia Act."

SECTION 1-2.

It is the intent of the General Assembly, by this Act, to provide for more efficient fire safety services for the citizens of Georgia by consolidating such services into a single operational unit and thereby provide greater quality services at a reduced cost.

PART II
SECTION 2-1.

Chapter 5 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Public Safety Training Center, is amended as follows:

"CHAPTER 5

35-5-1.

This chapter shall be known and may be cited as the 'Georgia Public Safety Training Center Act.'

35-5-2.

(a) As used in this chapter, the term 'emergency medical personnel' includes emergency medical technicians or emergency rescue specialists who are certified or seeking certification as emergency medical technicians, paramedics, tactical emergency medical officers, cardiac technicians, or other medical first responders under Chapter

11 of Title 31 and who are employed in the capacity for which they are certified or seeking certification.

(b) The Board of Public Safety is authorized:

(1) To establish, operate, and maintain the Georgia Public Safety Training Center for the purpose of providing facilities and programs for the training of state and local law enforcement officers, firefighters, correctional personnel, emergency medical personnel, and others, and other purposes as provided by law; and

(2) To provide for the Division of Fire Safety within the center pursuant to Chapter 2 of Title 25; and

~~(2)~~(3) To do all things and take any action necessary to accomplish such ~~purpose~~ purposes, including, but not limited to, the promulgation of rules and regulations relative thereto, except as provided for under subsection (e) of this Code section.

~~(b)~~(c) The board is authorized and directed to select a site for the center.

~~(e)~~(d) The board shall select the administrator of the center and establish the compensation for the administrator.

~~(d) As used in this chapter, the term 'emergency medical personnel' includes emergency medical technicians or emergency rescue specialists who are certified or seeking certification as emergency medical technicians, paramedics, tactical emergency medical officers, cardiac technicians, or other medical first responders under Chapter 11 of Title 31 and who are employed in the capacity for which they are certified or seeking certification.~~

(e)(1) The deputy administrator who is the commissioner of fire safety pursuant to Code Section 25-5-2 is authorized to do all things and take any action necessary to accomplish the purposes of the Division of Fire Safety within the center as provided for under Chapter 2 of Title 25 and as otherwise provided by law.

(2) The Division of Fire Safety within the center shall promulgate rules and regulations relative to accomplishing the purposes provided for in this chapter and Chapter 2 of Title 25, and as otherwise provided for by law in consultation with the Fire Safety Advisory Board.

35-5-3.

(a) The center is assigned to the Department of Public Safety for administrative purposes only as prescribed in Code Section 50-4-3.

(b) The board is authorized to solicit and accept gifts, grants, donations, property, both real and personal, and services for the purpose of carrying out this chapter.

35-5-4.

(a) The administrator of the center shall select the necessary staff and shall administer the policies and programs of the board regarding the center. The administrator shall be responsible to the board for the management and operation of the center and shall report directly to the board.

(b) The administrator shall appoint a deputy administrator who shall be the commissioner of fire safety as provided for under Chapter 2 of Title 25.

35-5-5.

(a) Subject to such rules and regulations as shall be prescribed by the board, the facilities of the center may be made available to all state and local law enforcement officers, firefighters, emergency medical personnel, and correctional personnel and may also be made available to other persons who evidence interest in entering the fields of law enforcement, fire fighting, emergency medical services, or corrections.

(b) The board is authorized to prescribe and collect such fees as are necessary to defray all or a portion of the cost of furnishing such training and the use of the facilities of the center.

(c) The state and counties and municipalities of this state are authorized to expend funds for the purpose of paying the fees assessed for use of the center. The board shall have the authority to determine who shall be allowed to enroll and participate in the training programs of the center and who shall be allowed to utilize the facilities of the center.

(d) Subject to such rules and regulations as shall be prescribed by the board, the Georgia Public Safety Training Center shall have the following powers and duties in connection with the training of peace officers, emergency medical personnel, and law enforcement support personnel:

(1) To train instructors authorized to conduct training of peace officers, emergency medical personnel, and law enforcement support personnel;

(2) To reimburse or provide for certain costs incurred in training peace officers, emergency medical personnel, and law enforcement support personnel employed or appointed by each agency, organ, or department of this state, counties, and municipalities to the extent that funds are appropriated for such purpose by the General Assembly. In the event sufficient funds are not appropriated for a fiscal year to fund the full cost provided for in this paragraph, then the amount which would otherwise be payable shall be reduced pro rata on the basis of the funds actually appropriated. As used in this paragraph, the terms 'cost' and 'costs' shall not include travel or salaries of personnel undergoing training and shall be limited exclusively to the cost of tuition, meals, and lodging which are incurred in connection with such training;

(3) To expend funds appropriated or otherwise available to the center for paying the costs of training provided under subsection (a) of Code Section 35-8-20, other than travel expenses and salaries of police chiefs or department heads of law enforcement units and wardens of state institutions undergoing training, and shall expend such funds for purposes of compensating a training officer to administer the course of training and conduct any business associated with the training provisions of said Code Section 35-8-20;

(4) To expend funds appropriated or otherwise available to the center for paying the costs of training provided for under subsection (a) of Code Section 35-8-20.1, other than travel expenses and salaries of police chiefs or department heads of law enforcement units undergoing training, and shall expend such funds for purposes of compensating a training officer to administer the course of training and conduct any

business associated with the training provisions of said Code Section 35-8-20.1;

(5) To expend funds appropriated or otherwise available to the center for paying the costs of training provided for under Chapter 11 of Title 31 for the initial certification training and continued training as needed by emergency medical personnel and shall expend such funds for purposes of compensating a training officer to administer the course of training and conduct any business associated with the training provisions of said chapter; and

(6) To administer and coordinate the training for communications officers with respect to the requirements of Code Section 35-8-23. The board shall be authorized to promulgate rules and regulations to facilitate the administration and coordination of training consistent with the provisions of said Code Section 35-8-23. The tuition costs of the training of communications officers shall be paid from funds appropriated to the center.

35-5-6.

Nothing in this chapter shall be considered as altering current state laws establishing the powers and authority of the Board of Corrections or the State Board of Pardons and Paroles. Furthermore, nothing in this chapter shall prevent the Technical College System of Georgia from providing any course of instruction including, but not limited to, instructional courses, certified training, advanced instruction, or classes for or pertaining to public safety first responders and emergency medical personnel.

35-5-7.

(a) The administrator of the center, with the approval of the board, is authorized to establish a security police force within the Georgia Public Safety Training Center.

(b) While in the performance of their duties on property of the Georgia Public Safety Training Center, such security police shall have the same law enforcement powers, including the power of arrest, as a law enforcement officer of the local government with police jurisdiction over such Georgia Public Safety Training Center.

PART III SECTION 3-1.

Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is amended by revising Chapter 2, relating to the regulation of fire and other hazards to persons and property generally, as follows:

"CHAPTER 2

25-2-1.

As used in this chapter, the term:

(1) 'Board' means the Fire Safety Advisory Board.

(2) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.

25-2-2.

~~The office of Safety Fire Commissioner is created. The Commissioner of Insurance shall be the Safety Fire Commissioner.~~

(a) There is created the Division of Fire Safety within the Georgia Public Safety Training Center.

(b) There is created the position of commissioner of fire safety. The commissioner shall be the deputy administrator of the Georgia Public Safety Training Center and the chief administrative officer of the Division of Fire Safety and shall be appointed as provided for under Chapter 5 of Title 35. Any person appointed to serve as commissioner shall have a minimum of ten years' experience as a fire safety professional.

25-2-3.

Except as provided in Code Section 25-2-12, the ~~Commissioner~~ commissioner is charged with the duties and chief responsibility for the enforcement of this chapter. He or she may, consistent with this chapter, delegate to the officers and employees appointed under this chapter such duties and powers as in his or her discretion he or she shall deem necessary or advisable for the proper enforcement of this chapter and shall have full supervision and control over such officers and employees in the performance of their duties or in the exercise of any powers granted to such officers and employees by him or her or by this chapter. Except as provided in Code Section 25-2-12, the ~~Commissioner~~ commissioner shall be the final authority in all matters relating to the interpretation and enforcement of this chapter, except insofar as his or her orders may be reversed or modified by the courts.

25-2-4.

The ~~Commissioner~~ commissioner shall adopt such rules and regulations as he or she deems necessary to promote the enforcement of this chapter. Such rules and regulations shall have the force and effect of law and shall have state-wide application as being the state minimum fire safety standards and shall not require adoption by a municipality or county. The governing authority of any municipality or county in this state is authorized to enforce the state minimum fire safety standards on all buildings and structures except one-family and two-family dwellings and those buildings and structures listed in Code Section 25-2-13. All other applications of the state minimum fire safety standards and fees are specified in Code Sections 25-2-4.1, 25-2-12, and 25-2-12.1. Before the ~~Commissioner~~ commissioner shall adopt as a part of his or her rules and regulations for the enforcement of this chapter any of the principles of the various codes referred to in this chapter, he or she shall first consider and approve them as reasonably suitable for the enforcement of this chapter. Not less than 15 days before any rules and regulations are promulgated, a public hearing shall be held. Notice of the hearing shall be advertised in a newspaper of general circulation.

25-2-4.1.

(a) The ~~Commissioner~~ commissioner is authorized to assess and collect, and persons so assessed shall pay in advance to the ~~Commissioner~~ commissioner, fees and charges under this chapter as follows:

(1) New anhydrous ammonia permit for storage in bulk (more than 2,000 gallons aggregate capacity) for sale or distribution one-time fee.....	\$ 150.00
(2) Annual license for manufacture of explosives other than fireworks	150.00
(3) Annual license for manufacture, storage, or transport of fireworks	1,500.00
(4) Carnival license	150.00
(5) Certificate of occupancy.....	100.00
(6) Construction plan review:	
(A) Bulk storage construction	150.00
(B) Building construction, 10,000 square feet or less.....	150.00
(C) Building construction, more than 10,000 square feet.....	.015 per square foot
(D) Other construction	150.00
(7) Fire sprinkler contractor certificate of competency	150.00
(8) Liquefied petroleum gas storage license:	
(A) 2,000 gallons or less	150.00
(B) More than 2,000 gallons	600.00
(9) Building construction inspection:	
(A) 80 percent completion, 100 percent completion, annual, and first follow-up.....	none
(B) Second follow-up.....	150.00
(C) Third and each subsequent follow-up.....	220.00
(10) Purchase, storage, sale, transport, or use of explosives other than fireworks:	
(A) 500 pounds or less	75.00

- (B) More than 500 pounds 150.00
 - (11) New self-service gasoline station permit one-time fee 150.00
 - (12) New permit to dispense compressed natural gas (CNG) for vehicular fuel one-time fee 150.00
- (b) The licenses and permits for which fees or charges are required pursuant to this Code section shall not be transferable. A new license or permit and fee are required upon change of ownership.

25-2-4.2.

The commissioner, or his or her designee within the Division of Fire Safety, shall manage this state's fire service preparedness and functions as it relates to terrorism, weapons of mass destruction, hazardous incidents, and natural disasters or emergencies. The commissioner, or his or her designee, shall, as necessary, liaise with the Georgia Emergency Management and Homeland Security Agency, other agencies of this state, federal agencies, and agencies of other states in developing and executing plans, procedures, and policies for purposes of this Code section.

25-2-5.

The ~~Commissioner~~ commissioner shall appoint a state fire marshal. Qualifications for appointment as state fire marshal shall be previous training and experience in endeavors similar to those prescribed in this chapter. The ~~Commissioner~~ commissioner shall fix the salary of the state fire marshal.

25-2-6.

~~The Safety Fire Division of the office of the Commissioner of Insurance shall be headed by the state fire marshal appointed by the Commissioner~~ Reserved.

25-2-7.

The state fire marshal, subject to the approval of the ~~Commissioner~~ commissioner, shall appoint a deputy state fire marshal and administrative fire safety specialists and shall employ such office personnel as may be required to carry out this chapter. The deputy state fire marshal and administrative fire safety specialists shall be chosen by virtue of their previous training and experience in the particular duties which shall be assigned to them. They shall take an oath to perform faithfully the duties of their ~~office~~ offices.

25-2-8.

All state employees connected with the state fire marshal's office shall be allowed subsistence, lodging, and other expenses in connection with the execution of their duties when away from their headquarters. Transportation for such employees shall be paid at the mileage rate fixed by law for other state employees.

25-2-9.

(a) Upon the request of the sheriff of the county, the chief of police of the jurisdiction, the district attorney of the judicial circuit, or a local fire official, the state fire marshal and any employees of such official shall have the authority to investigate the cause and origin of any fire which occurred in said county, jurisdiction, or judicial circuit.

(b) Personnel employed and authorized by the state fire marshal shall have the power to make arrests for criminal violations established as a result of investigations. Such personnel must hold certification as a peace officer from the Georgia Peace Officer Standards and Training Council and shall have the power to execute arrest warrants and search warrants for criminal violations and to arrest, upon probable cause and without warrant, any person found violating any of the provisions of applicable criminal laws. Authorized personnel empowered to make arrests pursuant to this Code section shall be empowered to carry firearms as authorized by the state fire marshal in the performance of their duties. It shall be unlawful for any person to resist an arrest authorized by this Code section or to interfere in any manner, including abetting or assisting such resistance or interference, with personnel employed by the state fire marshal in the duties imposed upon such personnel by law.

25-2-10.

Should any person, firm, corporation, or public entity be dissatisfied with any ruling or decision of the state fire marshal, the right is granted to appeal within ten days to the ~~Commissioner~~ commissioner. If the person, firm, corporation, or public entity is dissatisfied with the decision of the ~~Commissioner~~ commissioner, appeal is authorized to the superior court within 30 days in the manner provided under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' In the event of such appeal, the person, firm, corporation, or public entity shall give a surety bond which will be conditioned upon compliance with the order and direction of the state fire marshal or the ~~Commissioner~~ commissioner or both. The amount of bond shall be fixed by the ~~Commissioner~~ commissioner in such amount as will reasonably cover the order issued by the ~~Commissioner~~ commissioner or the state fire marshal or both.

25-2-11.

Reserved.

25-2-12.

(a)(1) The county governing authority in any county having a population of 100,000 or more, and the municipal governing authority in any municipality having a population of 45,000 or more, each as determined by the most recent decennial census published by the United States Bureau of the Census, and those municipalities pursuant to subsection (b) of this Code section shall adopt the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter, including all subsequent revisions thereof.

(2) With respect to those buildings and structures listed in Code Section 25-2-13,

except for hospitals, nursing homes, jails, ambulatory health care centers, and penal institutions and except for buildings and structures which are owned and operated or occupied by the state, every such local governing authority shall be responsible for enforcing such fire safety standards within its jurisdiction and shall:

(A) Conduct fire safety inspections of existing buildings and structures;

(B) Review plans and specifications for proposed buildings and structures, issue building permits when plans are approved, and conduct fire safety inspections of such buildings and structures; and

(C) Issue permanent and temporary certificates of occupancy.

(3) Nothing in this subsection shall be construed so as to prohibit fire service personnel of any such local governing authority from making inspections of any state owned and operated or occupied building or structure listed in Code Section 25-2-13 and from filing reports of such inspections with the ~~office of the Commissioner~~ Division of Fire Safety.

(4) Nothing in this subsection shall be construed so as to place upon any municipality, county, or any officer or employee thereof, the responsibility to take enforcement action regarding any existing building or structure listed in Code Section 25-2-13, if such building or structure was granted a certificate of occupancy pursuant to a waiver granted prior to January 1, 1982, and which was granted pursuant to the recommendation of the engineering staff over the objection of the local authority having jurisdiction.

(5) Every such local governing authority shall have the authority to charge and retain appropriate fees for performing the duties required in subparagraphs (A) and (B) of paragraph (2) of this subsection. In cases where the governing authority of a municipality enforcing fire safety standards pursuant to this subsection contracts for the enforcement of fire safety standards, any municipal or county office or authority providing such enforcement shall not charge fees in excess of those charged in its own political subdivision for such enforcement.

(6) Every such local governing authority shall be responsible for investigating all cases of arson and other suspected incendiary fires within its jurisdiction, shall have the duties and powers authorized by Code Sections 25-2-27, 25-2-28, and 25-2-29 in carrying out such responsibility, and shall submit quarterly reports to the state fire marshal containing fire-loss data regarding all fires within its jurisdiction. The state fire marshal shall have the authority to initiate any arson investigation upon request of any such local governing authority, and he or she shall provide assistance to the requesting authority regarding any of the duties and responsibilities required by this paragraph.

(7) No such local governing authority shall have the authority to grant any waiver or variance which would excuse any building, structure, or proposed plans for buildings or structures from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(b) Municipalities having a population of less than 45,000 as determined by the most recent decennial census published by the United States Bureau of the Census may adopt

the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter, including all subsequent revisions thereof. The municipal governing authority shall indicate its intention to adopt and enforce the state minimum fire safety standards by forwarding a resolution so indicating to the ~~Commissioner~~ commissioner. The municipality shall then adopt and enforce the state minimum fire safety standards as set forth in subsection (a) of this Code section.

(c) With respect to those buildings and structures listed in Code Section 25-2-13, in jurisdictions other than those jurisdictions covered under subsection (a) of this Code section, and with respect to every such hospital and every such building and structure owned and operated or occupied by the state, wherever located, the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center shall perform those duties specified in paragraph (2) of subsection (a) of this Code section and shall perform all other duties required by this chapter.

(d) Except as specifically stated in this Code section, nothing in this Code section shall reduce or avoid the duties and responsibilities of the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center or the state fire marshal imposed by other Code sections of this chapter, other provisions of this Code, or any existing contract or agreement and all renewals thereof between the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center or the state fire marshal and any other state or federal government agency. Nothing in this Code section shall prohibit the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center, state fire marshal, or any local governing authority from entering into any future contract or agreement regarding any of the duties imposed under this Code section.

(e)(1) The ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center shall be responsible for interpretations of the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(2) On the construction on existing buildings, local governments authorized to enforce the state minimum fire safety standards pursuant to subsection (a) and subsection (b) of this Code section, notwithstanding paragraph (7) of subsection (a) of this Code section, may grant variances from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(3) On the construction on existing buildings not under the jurisdiction of a local government for purposes of paragraph (2) of this subsection, the ~~Commissioner~~ commissioner may grant variances from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(4) On the construction of new buildings, the ~~Commissioner~~ commissioner, upon the written recommendation of the state fire marshal and the written request of the fire or building official responsible for enforcing the state minimum fire safety standards, may grant variances from compliance with the state minimum fire safety standards as

adopted in the rules and regulations promulgated pursuant to this chapter in jurisdictions covered under subsection (a) of this Code section and jurisdictions other than those covered under subsection (a) of this Code section.

(5) Variances granted pursuant to paragraphs (2), (3), and (4) of this subsection shall be as nearly equivalent as practical to the standards required in this chapter.

25-2-12.1.

(a) As used in this Code section, the term:

(1) 'Deputy local fire marshal' means any person who is employed by, supervised by, or otherwise assists a local fire marshal and who has been or is seeking to be deputized pursuant to this Code section.

(2) 'Local fire marshal' means any employee or independent contractor of any municipality, county, or other governing authority not adopting the state minimum fire safety standards as provided in subsection (a) of Code Section 25-2-12 who is responsible for performing fire safety duties for such municipality, county, or governing authority and who has been or is seeking to be deputized pursuant to this Code section.

(3) 'State inspector' means any person who is employed by any board, commission, or other administrative authority of any state owned and operated or occupied facility, who is responsible for performing fire safety duties within such facility, and who has been or is seeking to be deputized pursuant to this Code section.

(b) Upon application submitted by any governing authority or administrative authority described in subsection (a) of this Code section, the state fire marshal, subject to the approval of the ~~Commissioner~~ commissioner and in accordance with this Code section, shall have the authority to deputize local fire marshals, deputy local fire marshals, or state inspectors, as appropriate, as state officers. The application shall be verified by an appropriate official and shall contain the name, address, and current place of employment for each applicant seeking to be deputized and the dates and places of past employment, educational background, training experience, any area of specialization and the basis therefor, and such other information as may be required by the state fire marshal.

(c)(1) Prior to deputizing any local fire marshal, deputy local fire marshal, or state inspector, the state fire marshal shall examine the applicant's education, training, and employment experience to ascertain whether the applicant is qualified to perform duties in one or more of the following areas:

- (A) Fire safety inspections;
- (B) Review of plans and specifications; or
- (C) Arson investigations.

(2) If the state fire marshal is satisfied that the applicant is qualified, he or she shall recommend to the ~~Commissioner~~ commissioner that the applicant be deputized as a state officer to perform the appropriate duties on behalf of the state.

(d) It shall be the responsibility of the governing authority to notify the state fire marshal when a local fire marshal is no longer employed by or accountable to such

governing authority. It shall be the responsibility of the local fire marshal to ensure that his or her deputy local fire marshals perform their appointed duties and to notify the state fire marshal when a deputy local fire marshal is no longer employed under his or her authority. It shall be the responsibility of the administrative authority to ensure that state inspectors perform their appointed duties and to notify the state fire marshal when a state inspector is no longer employed by such administrative authority.

(e) All deputized local fire marshals, deputy local fire marshals, and state inspectors shall submit monthly reports of their activities to the state fire marshal and shall comply with the administrative procedures of the state fire marshal's office. Any deputized local fire marshal, deputy local fire marshal, or state inspector who is found by the state fire marshal to be negligent in performing his or her appointed duties or in fulfilling his or her responsibilities shall be removed from his or her position as a state officer.

25-2-13.

(a) As used in this Code section, the term:

(1) 'Capacity' means the maximum number of persons who may be reasonably expected to be present in any building or on any floor thereof at a given time according to the use which is made of such building. The ~~Commissioner~~ commissioner shall determine and by rule declare the formula for determining capacity for each of the uses described in this Code section.

(2) 'Historic building or structure' means any individual building or any building which contributes to the historic character of a historic district, so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources, or as so designated pursuant to the provisions of Article 2 of Chapter 10 of Title 44, the 'Georgia Historic Preservation Act.'

(3) 'Landmark museum building' means a historic building or structure used as an exhibit of the building or structure itself which exhibits a high degree of architectural integrity and which is open to the public not fewer than 12 days per year; however, additional uses, original or ancillary, to the use as a museum shall be permitted within the same building subject to the provisions of paragraph (3) of subsection (b) of this Code section. Landmark museum buildings must be so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources.

(b)(1) Certain buildings and structures, because of construction or use, may constitute a special hazard to property or to the life and safety of persons on account of fire or panic from fear of fire. Buildings constructed or used in the following manner present such a special hazard:

(A) Buildings or structures more than three stories in height; provided, however, that nothing in this Code section shall apply to any individually owned residential unit within any such building;

(B) Any building three or more stories in height and used as a residence by three or more families, with individual cooking and bathroom facilities for each family; provided, however, that nothing in this Code section shall apply to any individually

owned residential unit within any such building;

(C) Any building in which there are more than 15 sleeping accommodations for hire, with or without meals but without individual cooking facilities, whether designated as a hotel, motel, inn, club, dormitory, rooming or boarding house, or by any other name;

(D) Any building or group of buildings which contain schools and academies for any combination of grades one through 12 having more than 15 children or students in attendance at any given time and all state funded kindergarten programs;

(E) Hospitals, health care centers, mental health institutions, orphanages, nursing homes, convalescent homes, old age homes, jails, prisons, reformatories, and all administrative, public assembly, and academic buildings of colleges, universities, and vocational-technical schools. As used in this subparagraph, the terms 'nursing homes,' 'convalescent homes,' and 'old age homes' mean any building used for the lodging, personal care, or nursing care on a 24 hour basis of four or more invalids, convalescents, or elderly persons who are not members of the same family;

(F) Racetracks, stadiums, and grandstands;

(G) Theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls, and other places of public assembly having an occupant load of 300 or more persons, except that the occupant load shall be 100 or more persons in those buildings where alcoholic beverages are served;

(G.1) Churches having an occupant load of 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on total occupant load of the building or structure;

(H) Department stores and retail mercantile establishments having a gross floor area of 25,000 square feet on any one floor or having three or more floors that are open to the public. For purposes of this subparagraph, shopping centers and malls shall be assessed upon the basis of the entire area covered by the same roof or sharing common walls; provided, however, that nothing in this Code section shall apply to single-story malls or shopping centers subdivided into areas of less than 25,000 square feet by a wall or walls with a two-hour fire resistance rating and where there are unobstructed exit doors in the front and rear of every such individual occupancy which open directly to the outside;

(I) Child care learning centers, as such term is defined in Code Section 20-1A-2. Fire safety standards adopted by rules of the ~~Commissioner~~ commissioner pursuant to Code Section 25-2-4 which are applicable to child care learning centers shall not require staff-to-child ratios; and

(J) Personal care homes and assisted living communities required to be licensed as such by the Department of Community Health and having at least seven beds for nonfamily adults, and the ~~Commissioner~~ commissioner shall, pursuant to Code Section 25-2-4, by rule adopt state minimum fire safety standards for those homes, and any structure constructed as or converted to a personal care home on or after April 15, 1986, shall be deemed to be a proposed building pursuant to subsection (d) of Code Section 25-2-14 and that structure may be required to be furnished with a

sprinkler system meeting the standards established by the ~~Commissioner~~ commissioner if he or she deems this necessary for proper fire safety.

(2) Any building or structure which is used exclusively for agricultural purposes and which is located in an unincorporated area shall be exempt from the classification set forth in paragraph (1) of this subsection.

(3)(A) The provisions of this paragraph relating to landmark museum buildings shall apply only to those portions of such buildings which meet all the requirements of a landmark museum building, except as otherwise provided in subparagraphs (B) and (C) of this paragraph. Subparagraphs (B) and (C) of this paragraph shall, unless otherwise provided in such subparagraphs, preempt all state laws, regulations, or rules governing reconstruction, alteration, repair, or maintenance of landmark museum buildings. Local governing authorities may recognize the designation of landmark museum buildings by ordinance and authorize the local enforcement authority to incorporate the provisions of subparagraphs (B) and (C) of this paragraph into their local building and fire codes. Subparagraphs (D) and (E) of this paragraph shall apply to other historic buildings or structures.

(B) A landmark museum building shall be subject to the following provisions:

(i) Repairs, maintenance, and restoration shall be allowed without conformity to any state building or fire safety related code, standard, rule, or regulation, provided that the building is brought into and remains in full compliance with this paragraph;

(ii) In the case of fire or other casualty to a landmark museum building, it may be rebuilt, in total or in part, using such techniques and materials as are necessary to restore it to the condition prior to the fire or casualty and use as a totally preserved building; or

(iii) If a historic building or structure, as a result of proposed work or changes in use, would become eligible and would be so certified as a landmark museum building, and the state historic preservation officer so certifies and such is submitted to the state fire and building code official with the construction or building permit application, then the work may proceed under the provisions of this paragraph.

(C) All landmark museum buildings shall comply with the following requirements:

(i) Every landmark museum building shall have portable fire extinguishers as deemed appropriate by the state or local fire authority having jurisdiction based on the applicable state or local fire safety codes or regulations;

(ii) All landmark museum buildings which contain residential units shall have electrically powered smoke or products of combustion detectors installed within each living unit between living and sleeping areas. Such detectors shall be continuously powered by the building's electrical system. When activated, the detector shall initiate an alarm which is audible in sleeping rooms of that living unit. These unit detectors shall be required in addition to any other protective system that may be installed in the building;

(iii) For all landmark museum buildings, except those protected by a total

automatic fire suppression system and one and two family dwellings, approved automatic fire warning protection shall be provided as follows: install at least one listed smoke or products of combustion detector for every 1,200 square feet of floor area per floor or story. In addition, all lobbies, common corridors, hallways, and ways of exit access shall be provided with listed smoke or products of combustion detectors not more than 30 feet apart. Detectors shall be so connected as to sound an alarm audible throughout the structure or building. With respect to buildings which are totally protected by an automatic fire suppression system, activation of the sprinkler system shall sound an alarm throughout the structure or building;

(iv) Smoke or products of combustion detectors shall be listed by a nationally recognized testing laboratory;

(v) All multistory landmark museum buildings, except one and two family dwellings, with occupancy above or below the street or grade level shall have manual fire alarm pull stations in the natural path of egress. The activation of a manual pull station shall cause the building fire warning system to sound;

(vi) Approved exit signs shall be located where designated by the local or state authority having jurisdiction in accordance with the applicable state or local code, standard, rule, or regulation;

(vii) Except for one and two family dwellings, every landmark museum building occupied after daylight, or which has occupied areas subject to being totally darkened during daylight hours due to a power failure or failure of the electrical system, shall be equipped with approved emergency lighting meeting the provisions of the applicable state or local code, standard, rule, or regulation;

(viii) Occupant loading of landmark museum buildings or structures shall be limited by either the actual structural floor load capacity or by the limitations of means of egress or by a combination of factors. Actual floor load capacity shall be determined by a Georgia registered professional engineer. Said floor load shall be posted at a conspicuous location. The building owner shall submit evidence of this certification and related computations to the enforcement authority having jurisdiction, upon request. Where one or more floors of a landmark museum building have only one means of egress, the occupant load shall be computed and occupancy limited as determined by the state or local fire marshal; and

(ix) The electrical, heating, and mechanical systems of landmark museum buildings shall be inspected and any conditions that create a threat of fire or a threat to life shall be corrected in accordance with applicable standards to the extent deemed necessary by the state or local authority having jurisdiction.

(D) Historic buildings not classified as landmark museum buildings shall meet the requirements of applicable state or local building and fire safety laws, ordinances, codes, standards, rules, or regulations as they pertain to existing buildings. If a historic building or structure is damaged from fire or other casualty, it may be restored to the condition prior to the fire or casualty using techniques and methods consistent with its original construction, or it shall meet the requirements for new

construction of the applicable state or local codes, standards, rules, or regulations, provided that these requirements do not significantly compromise the features for which the building was considered historically significant.

(E) As to any buildings or structures in the State of Georgia which meet the criteria of paragraph (1) of subsection (b) of this Code section and thus fall under the jurisdiction of the ~~Safety Fire Commissioner~~ commissioner and which also have been designated as historically significant by the state historic preservation officer, the appropriate enforcement official, in granting or denying a variance pursuant to subsection (e) of Code Section 25-2-12, shall consider the intent of this chapter, with special attention to paragraph (3) of this subsection, Article 3 of Chapter 2 of Title 8, 'The Uniform Act for the Application of Building and Fire Related Codes to Existing Buildings,' Article 2 of Chapter 10 of Title 44, the 'Georgia Historic Preservation Act,' and the Secretary of Interior's Standards for Preservation Projects.

(4) Nothing in this subsection shall be construed as exempting any building, structure, facility, or premises from ordinances enacted by any municipal governing authority in any incorporated area or any county governing authority in any unincorporated area, except to the extent stated in paragraph (3) of this subsection relative to landmark museum buildings or historic buildings or structures.

(c) Every person who owns or controls the use of any building, part of a building, or structure described in paragraph (1) of subsection (b) of this Code section, which, because of floor area, height, location, use or intended use as a gathering place for large groups, or use or intended use by or for the aged, the ill, the incompetent, or the imprisoned, constitutes a special hazard to property or to the life and safety of persons on account of fire or panic from fear of fire, must so construct, equip, maintain, and use such building or structure as to afford every reasonable and practical precaution and protection against injury from such hazards. No person who owns or controls the use or occupancy of such a building or structure shall permit the use of the premises so controlled for any such specially hazardous use unless he or she has provided such precautions against damage to property or injury to persons by these hazards as are found and determined by the ~~Commissioner~~ commissioner in the manner described in subsection (d) of this Code section to be reasonable and practical.

(d) The ~~Commissioner~~ commissioner is directed to investigate and examine construction and engineering techniques; properties of construction materials, fixtures, facilities, and appliances used in, upon, or in connection with buildings and structures; and fire prevention and protective techniques, including, but not limited to, the codes and standards adopted, recommended, or issued from time to time by the National Fire Protection Association (National Fire Code and National Electric Code), the American Insurance Association (National Building Code), the successor to the National Board of Fire Underwriters, the American Standards Association, and the Standard Building Code Congress (Southern Standard Building Code). Based upon such investigation, the ~~Commissioner~~ commissioner is authorized to determine and by rule to provide what reasonable and practical protection must be afforded property and persons with respect to: exits; fire walls and internal partitions adequate to resist fire and to retard the spread

of fire, smoke, heat, and gases; electrical wiring, electrical appliances, and electrical installations; safety and protective devices, including, but not limited to, fire escapes, fire prevention equipment, sprinkler systems, fire extinguishers, panic hardware, fire alarm and detection systems, exit lights, emergency auxiliary lights, and other similar safety devices; flameproofing; motion picture equipment and projection booths; and similar facilities; provided, however, that any building described in subparagraph (b)(1)(C) of this Code section shall be required to have a smoke or products of combustion detector listed by a nationally recognized testing laboratory; and, regardless of the manufacturer's instructions, such detectors in these buildings shall be located in all interior corridors, halls, and basements no more than 30 feet apart or more than 15 feet from any wall; where there are no interior halls or corridors, the detectors shall be installed in each sleeping room. All detection systems permitted after April 1, 1992, shall be powered from the building's electrical system and all detection systems required by this chapter, permitted after April 1, 1992, shall have a one and one-half hour emergency power supply source. Required corridor smoke detector systems shall be electrically interconnected to the fire alarm, if a fire alarm is required. If a fire alarm is not required, the detectors at a minimum shall be approved single station detectors powered from the building electrical service.

(e) All rules and regulations promulgated before April 1, 1968, by predecessor authority, the ~~Commissioner~~ commissioner, or the state fire marshal and the minimum fire safety standards adopted therein shall remain in full force and effect where applicable until such time as they are amended by the appropriate authority.

(f) The municipal governing authority in any incorporated area or the county governing authority in any unincorporated area of the state shall have the authority to enact such ordinances as it deems necessary to perform fire safety inspections and related activities for those buildings and structures not covered in this Code section.

(g) Notwithstanding any other provision of law or any local ordinance to the contrary, in the event of a conflict between any code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) and of the Standard Building Code Congress (Southern Standard Building Code), the code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) shall prevail. The order of precedence established by this subsection shall apply to all buildings and structures whether or not such buildings and structures are covered under this Code section.

25-2-14.

(a)(1) Plans and specifications for all proposed buildings which come under classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which come under the jurisdiction of the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center pursuant to Code Section 25-2-12 shall be submitted to and receive approval by either the state fire marshal, the proper local fire marshal, or state inspector before any state, municipal, or county building permit may be issued or construction started. All such plans and specifications

submitted as required by this subsection shall be accompanied by a fee in the amount provided in Code Section 25-2-4.1 and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the ~~Commissioner~~ commissioner.

(2)(A) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official cannot provide plan review within 30 business days of receiving a written application for permitting in accordance with the code official's plan submittal process, then, in lieu of plan review by personnel employed by such governing authority, any person, firm, or corporation engaged in a construction project which requires plan review, regardless if the plan review is required by subsection (a) of this Code section or by local county or municipal ordinance, shall have the option of retaining, at its own expense, a private professional provider to provide the required plan review. As used in this paragraph, the term 'private professional provider' means a professional engineer who holds a certificate of registration issued under Chapter 15 of Title 43 or a professional architect who holds a certificate of registration issued under Chapter 4 of Title 43, who is not an employee of or otherwise affiliated with or financially interested in the person, firm, or corporation engaged in the construction project to be reviewed.

(B) The state fire marshal, the proper local fire marshal, state inspector, or designated code official shall advise the permit applicant at the time the complete submittal application for a permit in accordance with the code official's plan submittal process is received that the state fire marshal, the proper local fire marshal, state inspector, or designated code official intends to complete the required plan review within the time prescribed by this paragraph or that the applicant may immediately secure the services of a private professional provider to complete the required plan review pursuant to this subsection. The plan submittal process shall include those procedures and approvals required by the local jurisdiction before plan review can take place. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official states its intent to complete the required plan review within the time prescribed by this paragraph, the applicant shall not be authorized to use the services of a private professional provider as provided in this subsection. The permit applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official may agree by mutual consent to extend the time period prescribed by this paragraph for plan review if the characteristics of the project warrant such an extension. However, if the state fire marshal, the proper local fire marshal, state inspector, or designated code official states its intent to complete the required plan review within the time prescribed by this paragraph, or any extension thereof mutually agreed to by the applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official and does not permit the applicant to use the services of a private professional provider and the state fire marshal, the proper local fire marshal, state inspector, or designated code official fails to complete such plan review in the time prescribed by this paragraph, or any extension thereof mutually agreed to by the

applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall issue the applicant a project initiation permit to allow the applicant to begin work on the project, provided that portion of the initial phase of work is compliant with applicable codes, laws, and rules. If a full permit is not issued for the portion requested for permitting, then the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have an additional 20 business days to complete the review and issue the full permit. If the plans submitted for permitting are denied for any deficiency, the time frames and process for resubmittal shall be governed by divisions (2)(H)(iii) through (2)(H)(v) of this subsection.

(C) Any plan review or inspection conducted by a private professional provider shall be no less extensive than plan reviews or inspections conducted by state, county, or municipal personnel responsible for review of plans for compliance with the state's minimum fire safety standards and, where applicable, the state's minimum accessibility standards.

(D) The person, firm, or corporation retaining a private professional provider to conduct a plan review shall be required to pay to the state fire marshal, the proper local fire marshal, state inspector, or designated code official which requires the plan review the same regulatory fees and charges which would have been required had the plan review been conducted by the state fire marshal, the proper local fire marshal, state inspector, or designated code official.

(E) A private professional provider performing plan reviews under this subsection shall review construction plans to determine compliance with the state's minimum fire safety standards in effect which were adopted pursuant to this chapter and, where applicable, the state's minimum accessibility standards adopted pursuant to Chapter 3 of Title 30. Upon determining that the plans reviewed comply with the applicable codes and standards as adopted, such private professional provider shall prepare an affidavit or affidavits on a form prescribed by the ~~Safety Fire Commissioner~~ commissioner certifying under oath that the following is true and correct to the best of such private professional provider's knowledge and belief and in accordance with the applicable professional standard of care:

(i) The plans were reviewed by the affiant who is duly authorized to perform plan review pursuant to this subsection and who holds the appropriate license or certifications and insurance coverage and insurance coverage stipulated in this subsection; and

(ii) The plans comply with the state's minimum fire safety standards in effect which were adopted pursuant to this chapter and, where applicable, the state's minimum accessibility standards adopted pursuant to Chapter 3 of Title 30.

(F) All private professional providers providing plan review services pursuant to this subsection shall secure and maintain insurance coverage for professional liability (errors and omissions) insurance. The limits of such insurance shall be not less than \$1 million per claim and \$1 million in aggregate coverage. Such insurance

may be a practice policy or project-specific coverage. If the insurance is a practice policy, it shall contain prior acts coverage for the private professional provider. If the insurance is project-specific, it shall continue in effect for two years following the issuance of the certificate of final completion for the project. The state fire marshal, the proper local fire marshal, state inspector, or designated code official may establish, for private professional providers working within their respective jurisdictions specified by this chapter, a system of registration listing the private professional providers within their areas of competency and verifying compliance with the insurance requirements of this subsection.

(G) The private professional provider shall be empowered to perform any plan review required by the state fire marshal, the proper local fire marshal, state inspector, or designated code official, regardless if the plan review is required by this subsection or by local county or municipal ordinance, provided that the plan review is within the scope of such private professional provider's area of expertise and competency. This subsection shall not apply to hospitals, ambulatory health care centers, nursing homes, jails, penal institutions, airports, buildings or structures that impact national or state homeland security, or any building defined as a high-rise building in the State Minimum Standards Code, provided that interior tenant build-out projects within high-rise buildings are not exempt from this subsection, or plans related to Code Section 25-2-16 or 25-2-17 or Chapter 8, 9, or 10 of this title.

(H)(i) The permit applicant shall submit a copy of the private professional provider's plan review report to the state fire marshal, the proper local fire marshal, state inspector, or designated code official. Such plan review report shall include at a minimum all of the following:

(I) The affidavit of the private professional provider required pursuant to this subsection;

(II) The applicable fees required for permitting;

(III) Other documents deemed necessary due to unusual construction or design, smoke removal systems where applicable with engineering analysis, and additional documentation required where performance based code options are used; and

(IV) Any documents required by the state fire marshal, the proper local fire marshal, state inspector, or designated code official to determine that the permit applicant has secured all other governmental approvals required by law.

(ii) No more than 30 business days after receipt of a permit application and the private professional provider's plan review report required pursuant to this subsection, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall issue the requested permit or provide written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes or standards, as well as the specific reference to the relevant requirements. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official does not provide a written notice of the plan deficiencies within the prescribed 30 day period, the permit application shall be

deemed approved as a matter of law and the permit shall be issued by the state fire marshal, the proper local fire marshal, state inspector, or designated code official on the next business day.

(iii) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official provides a written notice of plan deficiencies to the permit applicant within the prescribed 30 day period, the 30 day period shall be tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to this chapter, the promulgated rules and regulations adopted thereunder, or, where appropriate for existing buildings, the local governing authority's appeals process or the permit applicant may submit revisions to correct the deficiencies.

(iv) If the permit applicant submits revisions, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have the remainder of the tolled 30 day period plus an additional five business days to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes or standards, with specific reference to the relevant requirements. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official does not provide the second written notice within the prescribed time period, the permit shall be issued by the state fire marshal, the proper local fire marshal, state inspector, or designated code official on the next business day.

(v) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to this chapter, the rules and regulations promulgated thereunder, or, where applicable for existing buildings, the local governing authority's appeals process or the permit applicant may submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have an additional five business days to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes or standards, with specific reference to the relevant requirements.

(I) The state fire marshal may provide for the prequalification of private professional providers who may perform plan reviews pursuant to this subsection by rule or regulation authorized in Code Section 25-2-4. In addition, any local fire marshal, state inspector, or designated code official may provide for the prequalification of private professional providers who may perform plan reviews pursuant to this subsection; however, no additional local ordinance implementing prequalification shall become effective until notice of the proper local fire marshal, state inspector, or designated code official's intent to require prequalification and the

specific requirements for prequalification have been advertised in the newspaper in which the sheriff's advertisements for that locality are published. The ordinance implementing prequalification shall provide for evaluation of the qualifications of a private professional provider only on the basis of the private professional provider's expertise with respect to the objectives of this subsection, as demonstrated by the private professional provider's experience, education, and training. Such ordinance may require a private professional provider to hold additional certifications, provided that such certifications are required by ordinance or state law for plan review personnel currently directly employed by such local governing authority.

(J) Nothing in this subsection shall be construed to limit any public or private right of action designed to provide protection, rights, or remedies for consumers.

(K) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that the building construction or plans do not comply with the applicable codes or standards, the state fire marshal, the proper local fire marshal, state inspector, or designated code official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law or rule or regulation, after giving notice and opportunity to remedy the violation, if the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that noncompliance exists with state laws, adopted codes or standards, or local ordinances, provided that:

(i) The state fire marshal, the proper local fire marshal, state inspector, or designated code official shall be available to meet with the private professional provider within two business days to resolve any dispute after issuing a stop-work order or providing notice to the applicant denying a permit or request for a certificate of occupancy or certificate of completion; and

(ii) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official and the private professional provider are unable to resolve the dispute, the matter shall be referred to the local enforcement agency's board of appeals, except as provided in Code Section 25-2-12 and appeals for those proposed buildings classified under paragraph (1) of subsection (b) of Code Section 25-2-13 or any existing building under the specific jurisdiction of the state fire marshal's office shall be made to the state fire marshal and further appeal shall be under Code Section 25-2-10.

(L) The state fire marshal, the proper local fire marshal, state inspector, local government, designated code official enforcement personnel, or agents of the governing authority shall be immune from liability to any person or party for any action or inaction by an owner of a building or by a private professional provider or its duly authorized representative in connection with building plan review services by private professional providers as provided in this subsection.

(M) Except as provided in this paragraph, no proper local fire marshal, state inspector, or designated code official shall adopt or enforce any rules, procedures, policies, or standards more stringent than those prescribed in this subsection related

to private professional provider services.

(N) Nothing in this subsection shall limit the authority of the state fire marshal, the proper local fire marshal, state inspector, or designated code official to issue a stop-work order for a building project or any portion of such project, as provided by law or rule or regulation authorized pursuant to Code Section 25-2-4, after giving notice and opportunity to remedy the violation, if the official determines that a condition on the building site constitutes an immediate threat to public safety and welfare.

(O) When performing building code plan reviews related to determining compliance with the Georgia State Minimum Standard Codes most recently adopted by the Department of Community Affairs, the state's minimum fire safety standards adopted by the safety fire marshal, or the state's minimum accessibility standards pursuant to Chapter 3 of Title 30, a private professional provider is subject to the disciplinary guidelines of the applicable professional licensing board with jurisdiction over such private professional provider's license or certification under Chapters 4 and 15 of Title 43, as applicable. Any complaint processing, investigation, and discipline that arise out of a private professional provider's performance of the adopted building, fire safety, or accessibility codes or standards plan review services shall be conducted by the applicable professional licensing board or as allowed by state rule or regulation. Notwithstanding any disciplinary rules of the applicable professional licensing board with jurisdiction over such private professional provider's license or certification under Chapters 4 and 15 of Title 43, the state fire marshal, the proper local fire marshal, state inspector, or designated code official enforcement personnel may decline to accept building plan reviews submitted by any private professional provider who has submitted multiple reports which required revisions due to negligence, noncompliance, or deficiencies.

(b) A complete set of approved plans and specifications shall be maintained on the construction site, and construction shall proceed in compliance with the minimum fire safety standards under which such plans and specifications were approved. The owner of any such building or structure or his or her authorized representative shall notify the state fire marshal, the proper local fire marshal, or state inspector upon completion of approximately 80 percent of the construction thereof and shall apply for a certificate of occupancy when construction of such building or structure is completed.

(c) Every building or structure which comes under classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center pursuant to Code Section 25-2-12 shall have a certificate of occupancy issued by the state fire marshal, the proper local fire marshal, or the state inspector before such building or structure may be occupied. Such certificates of occupancy shall be issued for each business establishment within the building, shall carry a charge in the amount provided in Code Section 25-2-4.1, shall state the occupant load for such business establishment or building, shall be posted in a prominent location within such business establishment or building, and shall run for the life of the building, except as provided in subsection (d) of this Code section.

(d) For purposes of this chapter, any existing building or structure listed in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center pursuant to Code Section 25-2-12 shall be deemed to be a proposed building in the event such building or structure is subject to substantial renovation, a fire or other hazard of serious consequence, or a change in the classification of occupancy. For purposes of this subsection, the term 'substantial renovation' means any construction project involving exits or internal features of such building or structure costing more than the building's or structure's assessed value according to county tax records at the time of such renovation.

(e) In cases where the governing authority of a municipality which is enforcing the fire safety standards pursuant to subsection (a) of Code Section 25-2-12 contracts with the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center for the enforcement of fire safety standards, the ~~office of the Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center shall not charge such municipality fees in excess of those charged in this Code section.

25-2-14.1.

(a) Every building and structure existing as of April 1, 1968, which building or structure is listed in paragraph (1) of subsection (b) of Code Section 25-2-13 shall comply with the minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter which were in effect at the time such building or structure was constructed, except that any nonconformance noted under the electrical standards adopted at the time such building or structure was constructed shall be corrected in accordance with the current electrical standards adopted pursuant to this chapter. A less restrictive provision contained in any subsequently adopted minimum fire safety standard may be applied to any existing building or structure.

(b) Every proposed building and structure listed in paragraph (1) of subsection (b) of Code Section 25-2-13 shall comply with the adopted minimum fire safety standards that were in effect on the date that plans and specifications therefor were received by the state fire marshal, the proper local fire marshal, or state inspector for review and approval.

25-2-14.2.

(a) As used in this Code section, the term 'written notification' means a typed, printed, or handwritten notice citing the specific sections of the applicable codes or standards that have been violated and describing specifically where and how the design or construction is noncompliant with such codes or standards.

(b) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that the building construction or plans for any building or structure, which are required under this chapter to meet the state minimum fire safety standards, do not comply with any such applicable codes or standards, the state fire marshal, the proper local fire marshal, state inspector, or designated code official may

deny a permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law or rule or regulation, after giving written notification and opportunity to remedy the violation.

25-2-15.

In existing buildings which come under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13, when substandard conditions are found, a temporary occupancy permit may be issued, such permit carrying a time limit adjusted to meet the amount of time deemed necessary to make the proper corrections in order to bring the building up to standard. All certificates of occupancy shall be issued against the building and shall not require renewal because of change of ownership. The same set of fees for certificates of occupancy as are applicable to proposed buildings covered in Code Section 25-2-14 shall apply. The ~~Commissioner~~ commissioner and his or her delegated authorities shall determine the time limit for complying with any of the standards established pursuant to this chapter.

25-2-16.

(a) Some substances constitute a special hazard to property and to the life and safety of persons because of certain characteristics and properties incident to their storage, handling, and transportation. Substances presenting such a special hazard include gasoline, kerosene, and other flammable liquids; liquefied petroleum gases; welding and other gases; dry-cleaning fluids; anhydrous ammonia; and other gases, liquids, or solids of a highly flammable or hazardous nature.

(b) Every person who stores, transports, or handles any of the hazardous substances listed in subsection (a) of this Code section shall so store, transport, and handle the substances as to afford every precaution and protection as may be found by the ~~Commissioner~~ commissioner to be reasonable and practical to avoid injury to persons from exposure, fire, or explosion caused by the storage, transportation, or handling of these substances, including transportation thereof only in vehicles which are in proper condition for that purpose.

(c) The ~~Commissioner~~ commissioner is directed to investigate the nature and properties of such hazardous substances and the known precautionary and protective techniques for their storage, transportation, and handling, including, but not limited to, the codes and standards adopted, recommended, or issued by the National Fire Protection Association and the Agricultural Nitrogen Institute. Based upon the investigation, the ~~Commissioner~~ commissioner is authorized to determine and by rule to provide what precautionary and protective techniques are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation, and handling of such highly flammable or hazardous substances. Such authorization shall include the power to provide, by rule, the minimum standards that a vehicle shall meet before it is considered to be in proper condition to transport the material. No person shall transport any such material or substance in bulk unless the vehicle in which it is

transported is in the proper condition, as provided by such rules, to transport the material with reasonable safety.

(d)(1) As used in this subsection, the term:

(A) 'Automatic-closing device' means a gasoline or diesel fuel pump nozzle which contains a valve which automatically shuts off the flow of gasoline or diesel fuel through the nozzle when the level of gasoline in a motor vehicle fuel tank reaches a certain level.

(B) 'Hold-open latch' means a device which attaches to a gasoline or diesel fuel pump nozzle, which device mechanically holds the nozzle and valve in an open position.

(C) 'Self-service station' means any place of business which sells gasoline or diesel fuel at retail and which allows customers to dispense the fuel.

(2) No self-service station shall be prohibited from installing and no customer at such station shall be prohibited from using hold-open latches on gasoline or diesel fuel pumps available for operation by the customer. However, if hold-open latches are used on pumps operated by the customer, such pumps shall be equipped with a functioning automatic-closing device.

(e) Plans and specifications for all proposed bulk storage facilities which come under classification in subsection (a) of this Code section shall be submitted to and receive approval by the state fire marshal and the proper local fire marshal before construction is started. All such plans and specifications submitted as required by this subsection shall be accompanied by a \$100.00 fee for screening and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the ~~Commissioner~~ commissioner.

25-2-17.

(a) As used in this Code section, the term 'explosive' or 'explosives' means any chemical compound or mechanical mixture which is commonly used or intended for the purpose of producing an explosion, which compound or mixture contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb. Explosives constitute a special hazard to life and safety of persons because of the danger incident to their manufacture, transportation, use, sale, and storage.

(b) Every person who manufactures, transports, uses, sells, or stores explosives shall so manufacture, transport, use, sell, and store them as to afford every precaution and protection against injury to persons as the ~~Commissioner~~ commissioner may determine and by rule declare to be reasonable and practical; provided, however, that nothing contained in this Code section shall be construed to extend to storage, use, or sale of small arms ammunition.

(c) The ~~Commissioner~~ commissioner is directed to investigate and examine the nature

and properties of various explosives and known safety and protective techniques, including the safety standards, recommendations, and codes of the National Fire Protection Association (Explosives Ordinance, National Fire Code), and the American Insurance Association, the successor to the National Board of Fire Underwriters. Based upon the investigation, the ~~Commissioner~~ commissioner is authorized to determine and by rule to provide what reasonable and practical protection must be afforded persons with respect to the manufacture, transportation, use, sale, and storage of explosives.

(d) No person shall manufacture, transport, use, sell, or store explosives without having first obtained a license therefor issued by the ~~Commissioner~~ commissioner in accordance with reasonable rules established by him. The ~~Commissioner~~ commissioner is authorized to make reasonable rules providing for the issuance of such licenses on an annual basis to those applicants who have observed and may be expected to observe safety rules lawfully made under this Code section. Graded fees for such licenses shall be as provided in Code Section 25-2-4.1. The permits for the use only of explosives may be issued by judges of the probate courts or other local elected officials whom the ~~Commissioner~~ commissioner may designate. Fees for such permits to use explosives shall be \$2.00 for each permit issued, which fee shall be retained by the issuing local official.

(e) Every person licensed under this Code section who suffers a larceny or attempted larceny of primer cord, blasting agents, powders, and dynamite shall make a report thereof to local law enforcement agencies and to the state fire marshal, in accordance with rules made by the ~~Commissioner~~ commissioner. The ~~Commissioner~~ commissioner is authorized to make such rules.

25-2-18.

All federal, state, county, or city publicly owned buildings covered by this chapter are exempt from any fee or license which may be specified in this chapter. Such fees or licenses may be waived where chargeable to churches and charitable organizations.

25-2-19.

The ~~Commissioner~~ commissioner shall promulgate reasonable rules and regulations governing and regulating fire hazards in hotels, apartment houses, department stores, warehouses, storage places, and places of public assembly.

25-2-20.

All traveling motion picture shows, carnivals, and circuses shall obtain a fire prevention regulatory license from the state fire marshal based upon compliance with this chapter, as set forth in rules and regulations promulgated by the ~~Commissioner~~ commissioner. The fee for the license shall be \$150.00 for each calendar year or part thereof, payable to the state fire marshal, who shall pay the same into the state treasury.

25-2-21.

Reserved.

25-2-22.

(a) The ~~Commissioner~~ commissioner and the various officials delegated by him or her to carry out this chapter shall have the authority at all times of the day and night to enter in or upon and to examine any building or premises where a fire is in progress or has occurred, as well as other buildings or premises adjacent to or near the same. The ~~Commissioner~~ commissioner and his or her delegated authorities shall have the right to enter in and upon all buildings and premises subject to this chapter, at any reasonable time, for the purpose of examination or inspection.

(b) Upon complaint submitted in writing, the ~~Commissioner~~ commissioner and the various officials to whom enforcement authority is delegated under this chapter may enter in or upon any building or premises between the hours of sunrise and sunset for the purpose of investigating the complaint. Upon the complaint of any person, the state fire marshal or his or her deputized officials may inspect or cause to be inspected all buildings and premises within their jurisdiction whenever ~~he or they~~ the state fire marshal or his or her deputized officials deem it necessary.

25-2-22.1.

(a) The ~~Commissioner~~ commissioner, his or her delegate, or any other person authorized under this title to conduct inspections of property, in addition to other procedures now or hereafter provided, may obtain an inspection warrant under the conditions specified in this Code section. Such warrant shall authorize the ~~Commissioner~~ commissioner or his or her delegate or such authorized person to conduct a search or inspection of property either with or without the consent of the person whose property is to be searched or inspected if such search or inspection is one that is elsewhere authorized under this title or the rules and regulations duly promulgated hereunder.

(b) Inspection warrants may be issued by any judge of the superior, state, municipal, or magistrate court upon proper oath or affirmation showing probable cause for the purpose of conducting inspections authorized by this title or rules promulgated under this title and for the seizure of property or the taking of samples appropriate to the inspection. For the purposes of issuance of inspection warrants, probable cause exists upon showing a valid public interest in the effective enforcement of this title or rules promulgated under this title sufficient to justify inspection of the area, premise, building, or conveyance in the circumstances specified in the application for the warrant.

(c) A warrant shall be issued only upon affidavit of the ~~Commissioner~~ commissioner or his or her designee or any person authorized to conduct inspections pursuant to this title, sworn to before the judicial officer and establishing the grounds for issuing the warrant. The issuing judge may issue the warrant when he or she is satisfied that the following conditions are met:

(1) The one seeking the warrant must establish under oath or affirmation that the property to be inspected is to be inspected as a part of a legally authorized program of inspection which includes that property or that there is probable cause for believing

that there is a condition, object, activity, or circumstance which legally justifies such an inspection of that property; and

(2) The issuing judge determines that the issuance of the warrant is authorized by this Code section.

(d) The warrant shall:

(1) State the grounds for its issuance and the name of each person whose affidavit has been taken in support thereof;

(2) Be directed to persons authorized by this title to conduct inspections to execute it;

(3) Command the persons to whom it is directed to inspect the area, premise, building, or conveyance identified for the purpose specified and, if appropriate, direct the seizure of the property specified;

(4) Identify the item or types of property to be seized, if any; and

(5) Designate the judicial officer to whom it shall be returned.

(e) A warrant issued pursuant to this Code section must be executed and returned within ten days of its date of issuance unless, upon a showing of a need for additional time, the court orders otherwise. If property is seized pursuant to a warrant, a copy shall be provided upon request to the person from whom or from whose premises the property is taken, together with a receipt for the property taken. The return of the warrant shall be made promptly, accompanied by a written inventory of any property taken. A copy of the inventory shall be delivered upon request to the person from whom or from whose premises the property was taken and to the applicant for the warrant.

(f) The judicial officer who has issued a warrant shall attach thereto a copy of the return and all papers returnable in connection therewith and file them with the clerk of the superior court for the county in which the inspection was made.

25-2-23.

When ~~any of the officers listed~~ the commissioner or his or her delegated authorities as provided for in Code Section 25-2-22 finds any building or other structure which, for want of repair or by reason of age or dilapidated condition or any other cause is especially liable to fire hazard or which is so situated as to endanger other property or the safety of the public, or when, in or around any building, ~~such officer~~ the commissioner or his or her delegated authorities finds combustible or explosive matter, inflammables, or other conditions dangerous to the safety of the building, notice may be given to the owner or agent and occupant of the building to correct such unsafe conditions as may be found.

25-2-24.

If any owner, agent, or occupant fails to comply with the notice prescribed in Code Section 25-2-23 within the time specified in the notice, the state fire marshal or his or her delegated officials, with the approval of the ~~Commissioner~~ commissioner, may petition the court for a rule nisi to show cause why an order should not be issued by the court that the same be removed or remedied. Such court order shall forthwith be

complied with by the owner or occupant of the premises or building within such time as may be fixed in the court order.

25-2-25.

If any person fails to comply with the order of the court made pursuant to Code Section 25-2-24 within the time fixed, the city or county in which the building or premises in question are located shall cause the building or premises to be forthwith repaired, torn down, or demolished, the hazardous materials removed, or the dangerous conditions remedied, as the case may be, at the expense of the city or county in which the property is situated. If the owner thereof, within 30 days after notice in writing of the amount of such expense, fails, neglects, or refuses to repay the city or county the expense thereby incurred, the local authorities shall issue a fi. fa. against the owner of the property for the expense actually incurred.

25-2-26.

Code Sections 25-2-22 through 25-2-25 shall be construed so that the final authority for ordering the carrying out and enforcement of such Code sections shall be by order of the court and not by the ~~Commissioner~~ commissioner or his or her delegated ~~authority~~ authorities.

25-2-27.

The state fire marshal or his or her deputy, when in his or her opinion such proceedings are necessary, shall take the testimony on oath of all persons believed to be cognizant of or to have information or knowledge in relation to suspected arson and shall cause the testimony to be reduced to writing. If he or she is of the opinion that there is evidence sufficient to charge any person with the crime of arson, he or she shall cause such person to be arrested in accordance with the law. He or she shall also furnish the district attorney of the circuit in which the fire occurred with all the information obtained by him or her in his or her investigation. The district attorney shall thereupon proceed according to law.

25-2-28.

(a) The state fire marshal or the deputy state fire marshal shall have the power to summon and compel the attendance of witnesses before either or both of them, in any county in which the witness resides, to testify in relation to any matter which is designated by Code Section 25-2-27 as a subject of inquiry and to issue subpoenas to compel the production of all books, records, documents, and papers pertaining to such subject of inquiry. The state fire marshal and deputy state fire marshal may also administer oaths and affirmations to persons appearing as witnesses before them. Any person summoned shall have the right of counsel at the hearing if he or she desires.

(b) Should any person fail to comply with this Code section, the state fire marshal or his or her agent is authorized to procure an order from the superior court of the county in which the proposed witness resides, requiring compliance under the law.

25-2-29.

All hearings held by or under the direction of the ~~Commissioner~~ commissioner shall be conducted in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' and the ~~Commissioner~~ commissioner may also satisfy the procedure for conduct of hearings on contested cases and rule making required under said chapter by following and complying with Chapter 2 of Title 33.

25-2-30.

It shall be the duty of the state fire marshal to contact individuals, associations, and state agencies, both within and outside this state, which have a direct interest in the fundamentals of fire prevention and life safety, for the purpose of promoting the objectives of this chapter.

25-2-31.

(a) The state fire marshal may promote any plan or program which tends to disseminate information on fire prevention and similar projects and may aid any association or group of individuals which is primarily organized along such lines.

(b) It shall be the duty of the state fire marshal to carry on a state-wide program of fire prevention education in the schools of this state and to establish fire drills therein. All local school authorities are required to cooperate with the state fire marshal in carrying out programs designed to protect the lives of school children from fire and related hazards.

25-2-32.

(a) It shall be the duty of the state fire marshal to keep an up-to-date record of all fire losses, together with statistical data concerning the same. The various fire insurance companies doing business in this state shall submit to the ~~Commissioner~~ commissioner, quarterly, a report stating all the losses sustained by them, together with such pertinent data as may be required by the ~~Commissioner~~ commissioner.

(b) Effective January 1, 1993, all incidents of fires, whether accidental or incendiary, shall be reported to the ~~office of Safety Fire Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center. Every fire ~~department~~ agency provided for in Chapter 3 of this title shall submit incident data either via a uniform electronic reporting method or on a uniform reporting form prescribed by the ~~Commissioner~~ commissioner and at intervals established by the ~~Commissioner~~ commissioner.

25-2-32.1.

Every case of a burn injury or wound where the victim sustained second-degree or third-degree burns to 5 percent or more of the body or any burns to the upper respiratory tract or laryngeal edema due to the inhalation of superheated air, and every case of a burn injury or wound which is likely to or may result in death, shall be reported at once to the ~~Safety Fire Division of the office of the Commissioner of~~

~~Insurance~~ Division of Fire Safety within the Georgia Public Safety Training Center. The ~~Safety Fire Division~~ commissioner shall accept the report and notify the proper investigatory agency as may be appropriate. A written report shall be provided to the ~~Safety Fire Division~~ commissioner within 72 hours. The report shall be made by the physician attending or treating the case or by the manager, superintendent, or other person in charge whenever such case is treated in a hospital sanitarium, institution, or other medical facility.

25-2-32.2.

Every county or municipal governing authority or any two or more governing authorities or the ~~Safety Fire Division~~ Division of Fire Safety within the Georgia Public Safety Training Center are authorized and empowered to take such action as may be required to formulate task forces, teams, or fire or police investigative units to investigate any case of a burn injury or wound sustained as reported pursuant to Code Section 25-2-32.1, to ascertain the cause of fires or explosions of suspicious origin within the county or municipalities, to pursue necessary investigation thereof, and to assist in the preparation and prosecution of cases stemming from any alleged criminal activity attendant to such fires or explosions.

25-2-33.

(a) The state fire marshal, any deputy designated by the state fire marshal, the director of the Georgia Bureau of Investigation or the chief of a fire department of any municipal corporation or county where a fire department is established may request any insurance company investigating a fire loss of real or personal property to release any information in its possession relative to that loss. The company shall release the information to and cooperate with any official authorized to request such information pursuant to this Code section. The information to be released shall include, but is not limited to:

- (1) Any insurance policy relevant to the fire loss under investigation and any application for such a policy;
- (2) Policy premium payment records on the policy, to the extent available;
- (3) Any history of previous claims made by the insured for fire loss with the reporting carrier; and
- (4) Material relating to the investigation of the loss, including statements of any person, proof of loss, and any other relevant evidence.

(b) If an insurance company has reason to suspect that a fire loss to its insured's real or personal property was caused by incendiary means, the company shall notify the state fire marshal and furnish him or her with all relevant material acquired by the company during its investigation of the fire loss. The insurer shall also cooperate with and take such action as may be requested of it by the state fire marshal's office or by any law enforcement agency of competent jurisdiction. The company shall also permit any person to inspect its records pertaining to the policy and to the loss if the person is authorized to do so by law or by an appropriate order of a superior court of competent

jurisdiction.

(c) In the absence of fraud or malice, no insurance company or person who furnishes information on its behalf shall be liable for damages in a civil action or subject to criminal prosecution for any oral or written statement made or any other action taken which is necessary to supply information required pursuant to this Code section.

(d) The officials and departmental and agency personnel receiving any information furnished pursuant to this Code section shall hold the information in confidence until such time as its release is required pursuant to a criminal or civil proceeding, provided that nothing contained in this Code section shall be deemed to prohibit representatives of the state fire marshal's office or other authorized law enforcement officials from discussing such matters with other agency or departmental personnel or with other law enforcement officials or from releasing or disclosing any such information during the conduct of their investigation, if the release or disclosure is necessary to enable them to conduct their investigation in an orderly and efficient manner; provided, further, that nothing contained in this Code section shall prohibit an insurance company which furnishes information to an authorized agency or agencies pursuant to this Code section from having the right to request relevant information and receive, within a reasonable time not to exceed 30 days, the information requested.

(e) Any official referred to in subsection (a) of this Code section may be required to testify as to any information in his or her possession regarding the fire loss of real or personal property in any civil action against an insurance company for the fire loss in which any person seeks recovery under a policy.

(f)(1) No person shall purposely refuse to release any information requested pursuant to subsection (a) of this Code section.

(2) No person shall purposely refuse to notify the state fire marshal of a fire loss required to be reported pursuant to subsection (b) of this Code section.

(3) No person shall purposely refuse to supply the state fire marshal with pertinent information required to be furnished pursuant to subsection (b) of this Code section.

(4) No person shall purposely fail to hold in confidence information required to be held in confidence by subsection (d) of this Code section.

(g) Any person willfully violating this Code section shall be guilty of a misdemeanor.

25-2-33.1.

(a) The fire department of each county and municipality and any other organized fire department operating within this state shall report every incident or suspected incident of arson to the local law enforcement agency, the state fire marshal, and every insurance company with a known pecuniary interest in the cause of the fire in which arson is involved or suspected to be involved. In any local jurisdiction where an organized fire department is not operating, the local law enforcement agency investigating a fire shall make the reports required by this Code section. Such reports shall be made on forms provided for that purpose by the state fire marshal.

(b) Any insurance company which has received a report of an incident or suspected incident of arson under subsection (a) of this Code section shall not pay any claim

relating thereto prior to notifying in writing the state fire marshal and local fire department of the date the claim is to be paid.

25-2-34.

The Department of Public Safety, the Georgia State Patrol, and the Georgia Bureau of Investigation shall cooperate with the ~~Commissioner~~ commissioner and his or her deputies and inspectors whenever called upon by him or her or them in enforcing this chapter. They shall make available to the ~~Commissioner~~ commissioner or his or her deputies and inspectors such facilities as lie detectors, broadcasting facilities, and other aid and devices as requested.

25-2-35.

The ~~Commissioner~~ commissioner is authorized to pay sheriffs and other peace officers reasonable fees for assistance given in assembling evidence as to the causes or criminal origin of fires and in apprehending persons guilty of arson.

25-2-36.

In addition to the civil monetary penalty provided for in Code Section 25-2-37, the ~~Commissioner~~ commissioner may bring a civil action to enjoin a violation of any provision of this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter. In particular, but not by way of limitation upon the authority granted in this Code section, the ~~Commissioner~~ commissioner may bring an action to enjoin any construction found to be in contravention of Code Section 25-2-13 or 25-2-14 or to obtain an order of court directing the immediate evacuation and the secure closure of any structure which, by reason of violation of any provision of this chapter or of any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter, is found to pose an immediate threat to the property, health, or lives of the occupants of the structure. In order to avail himself or herself of the remedies provided for in this Code section, it shall not be necessary for the ~~Commissioner~~ commissioner to allege or to prove the absence of an adequate remedy at law.

25-2-37.

(a) It shall be unlawful for any person to lock an exit door whether or not it is a required exit unless such provisions are allowed by this chapter or by any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter.

(b) It shall be unlawful for any person to begin construction on any proposed building or structure which comes under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the ~~office of the Commissioner of Insurance~~ Division of Fire Safety within the Georgia Public Safety Training Center pursuant to Code Section 25-2-12 without first having plans approved in accordance with Code Section 25-2-14.

(c) Any person who violates this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter shall be subject to a civil penalty

imposed by the ~~Commissioner~~ commissioner in accordance with the rules and regulations promulgated by the ~~Commissioner~~ commissioner.

(d) Any person who violates this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter shall be subject to a civil penalty not to exceed \$1,000.00 for each day that the violation persists after such person is notified of the ~~Commissioner's~~ commissioner's intent to impose such penalty and of the right to a hearing with respect to same.

(e) Any person violating subsection (a), (b), or (c) of this Code section shall be subject to a fine of not more than \$1,000.00 for a first offense, not less than \$1,000.00 and not more than \$2,000.00 for a second offense, and not less than \$2,000.00 and not more than \$5,000.00 for a third or subsequent offense.

25-2-38.

Any person, firm, or corporation violating this chapter or failing or refusing to comply with any regulation promulgated under this chapter shall be guilty of a misdemeanor.

25-2-38.1.

(a) Nothing in this chapter shall be construed to constitute a waiver of the sovereign immunity of the state, or any officer or employee thereof, in carrying out the provisions of this chapter. No action shall be maintained against the state, or any municipality, or county, or any officer, elected officer, or employees thereof, for damages sustained as a result of any fire or related hazard covered in this chapter by reason of any inspection or other action taken or not taken pursuant to this chapter.

(b) Nothing in this chapter shall be construed to relieve any property owner or lessee thereof from any legal duty, obligation, or liability incident to the ownership, maintenance, or use of such property.

25-2-39.

It is declared that this chapter is necessary for the public safety, health, peace, and welfare, is remedial in nature, and shall be construed liberally.

25-2-40.

(a)(1) Except as otherwise provided in subsection (f) of this Code section, on and after July 1, 1987, every new dwelling and every new dwelling unit within an apartment, house, condominium, and townhouse and every motel, hotel, and dormitory shall be provided with an approved listed smoke detector installed in accordance with the manufacturer's recommendations and listing.

(2) On and after July 1, 1994, every dwelling and every dwelling unit within an apartment, house, condominium, and townhouse and every motel, hotel, and dormitory which was constructed prior to July 1, 1987, shall have installed an approved battery operated smoke detector which shall be maintained in good working order unless any such building is otherwise required to have a smoke detector system pursuant to Code Section 25-2-13.

- (3) On and after July 1, 2001, every patient sleeping room of every nursing home shall be provided with no less than an approved listed battery operated single station smoke detector installed in accordance with their listing. Such detectors shall be maintained in good working order by the operator of such nursing home. This paragraph shall not apply to nursing homes equipped with automatic sprinkler systems.
- (b) In dwellings, dwelling units, and other facilities listed in subsection (a) of this Code section, a smoke detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each group of rooms used for sleeping purposes. Where the dwelling or dwelling unit contains more than one story, detectors are required on each story including cellars and basements, but not including uninhabitable attics; provided, however, that hotels and motels which are protected throughout by an approved supervised automatic sprinkler system installed in accordance with the rules and regulations of the ~~Commissioner~~ commissioner shall be exempt from the requirement to install smoke detectors in interior corridors but shall be subject to all other applicable requirements imposed under Code Section 25-2-13.
- (c) In dwellings, dwelling units, and other facilities listed in paragraph (1) of subsection (a) of this Code section with split levels, a smoke detector need be installed only on the upper level, provided that the lower level is less than one full story below the upper level, except that if there is a door between levels then a detector is required on each level. Such detectors shall be connected to a sounding device or other detector to provide an alarm which will be audible in the sleeping areas.
- (d) Detectors shall be listed and meet the installation requirements of NFPA 72. In addition, a one and one-half hour emergency power supply source is required on all detection systems required by this chapter and permitted after April 1, 1992, except where battery operated smoke detectors are allowed.
- (e) Any complete automatic fire alarm system using automatic smoke detectors shall be installed in accordance with NFPA 72.
- (f)(1) The provisions of this Code section may be enforced by local building and fire code officials in the case of residential buildings which are not covered by Code Section 25-2-13; provided, however, that this Code section shall not establish a special duty on said officials to inspect such residential facilities for compliance with this Code section; and provided, further, that inspections shall not be conducted for the purpose of determining compliance with this Code section absent reasonable cause to suspect other building or fire code violations. The jurisdiction enforcing this Code section shall retain any fines collected pursuant to this subsection.
- (2) Any occupant who fails to maintain a smoke detector in a dwelling, dwelling unit, or other facility, other than a nursing home, listed in subsection (a) of this Code section in good working order as required in this Code section shall be subject to a maximum fine of \$25.00, provided that a warning shall be issued for a first violation.
- (3) Any operator of a nursing home who fails to install and maintain the smoke detectors required under paragraph (3) of subsection (a) of this Code section shall be sanctioned in accordance with Code Section 31-2-8.

(g) Failure to maintain a smoke detector in good working order in a dwelling, dwelling unit, or other facility listed in subsection (a) of this Code section in violation of this Code section shall not be considered evidence of negligence, shall not be considered by the court on any question of liability of any person, corporation, or insurer, shall not be any basis for cancellation of coverage or increase in insurance rates, and shall not diminish any recovery for damages arising out of the ownership, maintenance, or occupancy of such dwelling, dwelling unit, or other facility listed in subsection (a) of this Code section.

(h) The ~~Safety Fire Commissioner~~ commissioner is authorized and encouraged to inform the public through public service announcements of the availability of a limited number of battery operated smoke detectors which may be obtained by persons in need without charge from the office of ~~Safety Fire Commissioner~~ the commissioner or local fire departments.

25-2-41.

(a) The Fire Safety Advisory Board is established. The board shall be composed of 17 members, who shall be appointed as follows:

(1) Four members who are fire safety professionals shall be appointed by the Governor;

(2) Two members who are fire safety professionals shall be appointed by the Speaker of the House of Representatives;

(3) Two members who are fire safety professionals shall be appointed by the Lieutenant Governor;

(4) One member shall be the Commissioner of Insurance or his or her designee;

(5) One member shall be the president of the Georgia Association of Fire Chiefs, ex officio;

(6) One member shall be the president of the Georgia State Firefighters' Association, ex officio;

(7) The commissioner shall appoint one member who shall be a member of the Georgia Municipal Association;

(8) The commissioner shall appoint one member who shall be a member of the Association County Commissioners of Georgia;

(9) The commissioner shall appoint one member who shall be a representative of the Insurance Services Office;

(10) The commissioner shall appoint one member from the Georgia propane gas industry;

(11) The commissioner shall appoint one member who shall be a member of the Georgia Oilmen's Association; and

(12) The commissioner shall appoint one member from the manufactured home industry.

All members shall serve until their successors are appointed and qualified.

(b) At the first regular meeting of the board held in each even-numbered year, the board shall elect a chairperson and such other officers from its own membership as it

deems necessary to serve until successors are elected by the board as provided in this subsection.

(c) The board shall provide advice to the commissioner, administrator of the Georgia Public Safety Training Center, and the Georgia Public Safety Training Center on all matters before the Division of Fire Safety.

(d) Each member of the board, in carrying out his or her official duties, shall be entitled to receive the same expense and mileage allowance authorized for members of professional licensing boards pursuant to subsection (f) of Code Section 43-1-2. The funds for such expenses and allowances shall be paid from funds appropriated or available to the Division of Fire Safety.

25-2-42.

The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Division of the office of the Commissioner of Insurance applicable to the duties of the Division of Fire Safety within the Georgia Public Safety Training Center which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the Division of Fire Safety within the Georgia Public Safety Training Center.

25-2-43.

All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Commissioner of Insurance, the state fire marshal, or any division, department, or agency with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center as provided in this chapter shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

25-2-44.

Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of the powers provided in this chapter which were formerly held by the Safety Fire Division of the office of the Commissioner of Insurance. All persons employed by and positions authorized for the Department of Insurance relating to functions provided for in this chapter previously performed by the Safety Fire Division shall, on July 1, 2019, be transferred to the Division of Fire Safety within the Georgia Public Safety Training Center, specifically those persons employed in the hazardous materials program, the manufactured housing program, and the arson investigation program who are funded through the fire administration program budget of the Safety Fire Division of the office of the Commissioner of Insurance. All office equipment, furniture, and other assets and real property in possession of the Department of Insurance which are used or held exclusively or principally by personnel transferred under this chapter shall be

transferred to the Division of Fire Safety within the Georgia Public Safety Training Center on July 1, 2019."

SECTION 3-2.

Said title is further amended by revising Chapter 7, relating to the Georgia Fire Academy, as follows:

"CHAPTER 7

25-7-1.

This chapter shall be known and may be cited as the '~~Georgia Fire Academy Act.~~' 'Georgia Fire and Emergency Services Training Act.'

25-7-2.

The Professional Development Section of the Division of Fire Safety within the Georgia Public Safety Training Center is established. ~~There is created the Georgia Fire Academy, the purposes of which~~ The section shall be, through training and research, charged with the duty of:

- (1) Reducing ~~To reduce~~ the costs in suffering and property loss resulting from fire;
- (2) Providing ~~To provide~~ professional training to paid, volunteer, and other publicly or privately employed firefighters at a minimal cost to them and their employers;
- (3) Assisting, by providing training to ~~To assist~~ the state and its counties, municipalities, and other political subdivisions and the officers thereof, in the investigation and determination of the causes of fires;
- (4) Developing ~~To develop~~ new methods of fire prevention and fire fighting;
- (5) Providing ~~To provide~~ facilities for testing fire-fighting and prevention equipment; and
- (6) Assisting ~~To assist~~ the state and its counties, municipalities, and other political subdivisions in the training and operations of fire department-related emergency medical services and rescue services.

25-7-3.

As used in this chapter, ~~'board'~~ the term:

- (1) 'Commissioner' means the ~~Board of Public Safety~~ commissioner of fire safety.
- (2) 'Director' means the director of the Division of Fire Safety within the Georgia Public Safety Training Center.
- (3) 'Section' means the Professional Development Section of the Division of Fire Safety within the Georgia Public Safety Training Center.

25-7-4.

(a) The ~~Board of Public Safety~~ section is authorized and empowered to establish, operate, and maintain the Georgia Fire Academy for the purposes enumerated in Code Section 25-7-2. The ~~board~~ Georgia Public Safety Training Center is authorized and

empowered to do all things and to take whatever action is necessary to accomplish these purposes, including, but not limited to, the establishment and conduct of training programs and the promulgation of rules and regulations relative thereto. The ~~board~~ director shall ~~select~~ serve as the superintendent of the academy and shall ~~fix the compensation for the superintendent~~ Georgia Fire Academy.

~~(b) The board is authorized and directed to create an advisory council to advise and assist it in carrying out its duties and responsibilities under this chapter. The membership of the advisory council shall be as the board determines, except that such membership shall include at least one representative from each of the following organizations: the Association County Commissioners of Georgia, the Georgia Municipal Association, and the Insurance Services Office. The director of the Georgia Firefighter Standards and Training Council shall also be a member of the advisory council. The members of the advisory council shall serve without compensation, but they may be reimbursed in the same manner as state officials and employees for travel and other expenses actually incurred by them in carrying out their duties as members of the council.~~

25-7-5.

The ~~superintendent of the Georgia Fire Academy~~ director, with the approval of the commissioner, shall be responsible for the selection of a staff for the Georgia Fire Academy. He or she shall also be responsible for the execution of all policies, programs, directives, and decisions promulgated by the ~~Board of Public Safety~~ Georgia Public Safety Training Center and for the direction of the staff and the daily operation of the academy.

25-7-6.

~~(a) The Georgia Fire Academy is assigned to the Department of Public Safety for administrative purposes only, as described in Code Section 50-4-3.~~

~~(b) The Board of Public Safety~~ Georgia Public Safety Training Center is authorized to accept gifts, grants, and donations for the purposes of carrying out this chapter. The ~~board~~ Georgia Public Safety Training Center is also authorized to accept property, both real and personal, and services for the purposes of carrying out this chapter.

25-7-7.

Subject to the rules and regulations prescribed by the ~~Board of Public Safety~~ Georgia Public Safety Training Center, the training program of the academy Georgia Fire Academy shall be made available to all firefighters and may also be made available to other persons who evidence interest in entering the fire-fighting profession. The ~~board~~ Georgia Public Safety Training Center is authorized to prescribe fees to cover all or a part of the cost of furnishing the training, under such rules and regulations as the ~~board~~ Georgia Public Safety Training Center shall prescribe. The state, municipalities, and counties are authorized to expend funds for the purpose of paying such fees. The ~~board~~ Georgia Public Safety Training Center is given full authority to decide who shall be allowed to enroll in the training program of the academy Georgia Fire Academy.

25-7-8.

It is not the intention of this chapter that it be mandatory that any firefighter be required to attend the ~~academy~~ Georgia Fire Academy. The training program established at the academy shall not supersede any training program for firefighters now in existence or hereafter established but shall be separate and apart from any other training programs for firefighters.

25-7-9.

The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Georgia Fire Academy which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner.

25-7-10.

All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Georgia Fire Academy with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center as provided in this chapter shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

25-7-11.

Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Georgia Fire Academy. All persons employed by and positions authorized for the Georgia Fire Academy shall, on July 1, 2019, be transferred to the Division of Fire Safety within the Georgia Public Safety Training Center. All office equipment, furniture, and other assets and real property in possession of the Georgia Fire Academy which are used or held exclusively or principally by personnel transferred under this chapter shall continue to be used or held by the Division of Fire Safety within the Georgia Public Safety Training Center."

PART IV

SECTION 4-1.

Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is amended by revising Part 2 of Article 2 of Chapter 2, relating to manufactured homes, as follows:

"Part 2

8-2-130.

This part shall be known and may be cited as 'The Uniform Standards Code for Manufactured Homes Act.'

8-2-131.

As used in this part, the term:

- (1) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (2) 'Installer' means a person responsible for performing an installation and who is required to obtain a license pursuant to the provisions of Code Section 8-2-160.
- (3) 'Lending institutions' means lenders that acquire manufactured or mobile homes incident to their regular business, including national and state chartered banks, federal and state chartered credit unions, lenders that are licensed under Article 13 of Chapter 1 of Title 7, and lenders that are involved in manufactured or mobile home chattel lending.
- (4) 'Manufactured home' means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.
- (5) 'Manufacturer' means any person who constructs or assembles manufactured homes.
- (6) 'Mobile home' means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976.
- (7) 'Person' means an individual, corporation, partnership, association, or any other legal entity but shall not include a trust or the state or any political subdivision thereof.
- (8) 'Retail broker' means any person engaged in the business of selling or offering for sale to consumers three or more new or used manufactured or mobile homes in a 12 month period and who does not maintain a display of manufactured or mobile homes. As used in this paragraph, the terms 'selling' and 'sale' include lease-purchase transactions, and the term 'retail broker' does not include lending institutions.
- (9) 'Retailer' means any person engaged in the business of selling or offering for sale to consumers three or more new or used manufactured or mobile homes in a 12 month period and who maintains a display of manufactured or mobile homes. As used in this paragraph, the terms 'selling' and 'sale' include lease-purchase transactions, and

the term 'retailer' does not include lending institutions.

8-2-132.

(a) The ~~Commissioner~~ commissioner is authorized and empowered to contract or enter into cooperative agreements with any agency, department, or instrumentality of the United States; any agency, board, department, or commission of the state; any county, municipality, or local government of the state, or any combination of same; any public or private corporation or firm, or any persons whatsoever; or any public authority, agency, commission, or institution to participate in the enforcement of manufactured home construction and safety standards which may be promulgated pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.; provided, however, that the ~~Commissioner~~ commissioner shall notify the United States Department of Housing and Urban Development by July 1 of his or her intention to terminate any such contract or agreement, which termination shall become effective on July 1 of the following year.

(b) It is the policy of this state and purpose of this part to forbid the manufacture and sale of new manufactured homes which are not constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

(c) The ~~Commissioner~~ commissioner is authorized and empowered to issue and promulgate all rules and procedures which in his or her judgment are necessary and desirable to make effective the construction standards established by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

8-2-133.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132, the ~~Commissioner~~ commissioner may make, amend, alter, and repeal general rules and regulations of procedure to carry into effect this part, to obtain statistical data concerning manufactured homes, and to prescribe means, methods, and practices to make this part effective. The ~~Commissioner~~ commissioner may also make such investigations and inspections as in his or her judgment are necessary to enforce and administer this part.

8-2-134.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132, no person may manufacture, sell, or offer for sale any manufactured home unless such manufactured home and its components, systems, and appliances have been constructed and assembled in accordance with rules issued by the ~~Commissioner~~ commissioner with respect to the construction, assembly, and sale of such manufactured homes and unless compliance with such rules is shown in the manner required by the ~~Commissioner's~~ commissioner's rules.

8-2-135.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132:

- (1) Every manufacturer who manufactures manufactured homes outside the State of Georgia and who sells or offers for sale a manufactured home in Georgia shall apply for and obtain a license;
- (2) Every manufacturer who manufactures manufactured homes in Georgia shall apply for and obtain a license;
- (3) Every retailer and retail broker who sells or offers for sale new or used manufactured homes or mobile homes in Georgia shall apply for and obtain a license;
- (4) Applications for licenses and renewal licenses shall be obtained from the ~~Commissioner~~ commissioner and submitted on or before January 1 of each year. All applicants shall certify in the application that all construction, electrical, heating, and plumbing standards will be complied with as set forth in this part and in the rules and regulations of the ~~Commissioner~~ commissioner; and
- (5) The license and renewal license fee shall be \$440.00 per manufacturing plant which manufactures manufactured homes within the State of Georgia; \$440.00 per out-of-state manufacturing plant which manufactures manufactured homes for the purpose of offering for sale, or having such homes sold, within the State of Georgia; and \$300.00 per retailer location and retail broker which sells, offers for sale, or transports to sell such homes within the State of Georgia. The license shall be valid from January 1 through December 31 of the year in which it was issued. The fee for delinquent renewal applications received after January 10 of each year shall be double the regular annual renewal fee.

8-2-135.1.

(a) During such time as the ~~Commissioner's~~ commissioner's office is acting as the primary inspection agency pursuant to Section 623 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., or the regulations issued thereunder, every manufacturer who manufactures manufactured homes in Georgia shall pay to the ~~Commissioner~~ commissioner a manufacturing inspection fee for each manufactured home manufactured in Georgia, irrespective of whether the manufactured home is offered for sale in this state. This manufacturing inspection fee shall be \$30.00 for each certification label, as defined in Section 623 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. For any reinspection, a \$15.00 additional fee shall be charged.

(b) During such time as the ~~Commissioner's~~ commissioner's office is acting as the state administrative agency pursuant to Section 623 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., a monitoring inspection fee paid by each manufacturer in Georgia for each manufactured home manufactured in this state shall be paid to the secretary of the United States Department of Housing and Urban Development or to the secretary's agent for

distribution in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., and the regulations promulgated thereunder.

8-2-136.

Each manufacturer, retailer, retail broker, and installer of manufactured homes shall establish and maintain such records, make such reports, and provide such information as the ~~Commissioner~~ commissioner or the secretary of the United States Department of Housing and Urban Development may reasonably require in order to be able to determine whether the manufacturer, retailer, retail broker, or installer has acted or is acting in compliance with this part or with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. Upon the request of a person duly designated by the ~~Commissioner~~ commissioner or the secretary of the United States Department of Housing and Urban Development, each manufacturer, retailer, retail broker, and installer shall permit that person to inspect appropriate books, papers, records, and documents relevant to determining whether the manufacturer, retailer, retail broker, or installer has acted or is acting in compliance with this part or with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

8-2-137.

(a) Any hearing conducted under the provisions of this chapter or of the rules and regulations promulgated under this part shall be in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(b) The ~~Commissioner~~ commissioner shall be authorized to determine by regulation the manner in which he or she will conduct presentations of views as required during his or her participation as the state administrative agency pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

(c) The ~~Commissioner~~ commissioner may, through regulations, establish a dispute resolution program in compliance with 42 U.S.C. Section 5422, the National Manufactured Housing Construction and Safety Standards Act of 1974.

8-2-138.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132, retailers, retail brokers, and installers are expressly prohibited from altering or modifying any manufactured home certified under this part and under the rules and regulations of the ~~Commissioner~~ commissioner, except that alterations, changes, or modifications may be made by retailers, retail brokers, or installers certified to make such alterations, changes, or modifications in accordance with rules and regulations promulgated by the ~~Commissioner~~ commissioner.

8-2-139.

(a) No person may interfere with, obstruct, or hinder an authorized representative of the ~~Commissioner~~ commissioner who displays proper department credentials in the performance of his or her duties as set forth in this part.

(b) The ~~Commissioner~~ commissioner or any of his or her authorized representatives, upon showing proper credentials and in the discharge of their duties pursuant to this part, are authorized during regular business hours and without advance notice to enter and inspect all facilities, warehouses, or establishments in the State of Georgia in which manufactured homes are manufactured.

(c) The ~~Commissioner~~ commissioner or any of his or her authorized representatives, upon showing proper credentials and in the discharge of their duties pursuant to this part, are authorized during regular business hours and without advance notice to enter upon and inspect all premises in the State of Georgia in which manufactured homes are being sold.

8-2-140.

Any authorized representative of the ~~Commissioner~~ commissioner may, upon displaying proper department credentials, stop and inspect any new manufactured home in transit in order to ascertain if the manufactured home complies with this part and the rules and regulations promulgated hereunder, provided that the manufactured home has been manufactured in this state or has been transported into this state for the purpose of sale within this state.

8-2-141.

(a) During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132, any retailer, retail broker, or manufacturer who fails to apply for or obtain a license as required by Code Section 8-2-135 or who fails to remit the appropriate license fee as stated in Code Section 8-2-135 shall be subject to a monetary penalty not to exceed \$100.00 for each day that such violation persists, except that the maximum monetary penalty shall not exceed \$20,000.00 for any one violation.

(b) Any such monetary penalty may be imposed by the ~~Commissioner~~ commissioner after notice and opportunity for hearing as provided under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' The amount of such penalty may be collected by the ~~Commissioner~~ commissioner in the same manner that money judgments are now enforced in the superior courts of this state.

(c) In addition to any such monetary penalty, the ~~Commissioner~~ commissioner may bring a civil action to enjoin any violation of Code Section 8-2-135, and it shall not be necessary for the ~~Commissioner~~ commissioner to allege or prove the absence of an adequate remedy at law.

8-2-142.

If any state or foreign country imposes upon Georgia-domiciled manufactured home

manufacturers (or upon their agents or representatives) any taxes, licenses, or other fees in the aggregate, or any fines, penalties, or other material obligations, prohibitions, or restrictions, for the privilege of doing business in that state or country, which costs, obligations, prohibitions, or restrictions are in excess of similar costs, obligations, prohibitions, or restrictions imposed by the State of Georgia upon manufactured home manufacturers (or their agents or representatives) which are domiciled in that state or foreign country and which are doing business or are seeking to do business in the State of Georgia, then so long as that state or foreign country continues to impose such costs, obligations, prohibitions, or restrictions upon Georgia-domiciled manufactured home manufacturers (or their agents or representatives), the State of Georgia shall impose upon manufactured home manufacturers (or their agents or representatives) which are domiciled in that state or foreign country and which are doing business or are seeking to do business in Georgia the same costs, obligations, prohibitions, or restrictions which are imposed by that state or foreign country on Georgia-domiciled manufactured home manufacturers (or their agents or representatives) which are doing business or seeking to do business in that state or foreign country. Any tax, license, or other fee or other obligation imposed by any city, county, or other political subdivision or agency of such other state or country on manufactured home manufacturers domiciled in Georgia (or their agents or representatives) shall be deemed to be imposed by such state or country within the meaning of this Code section.

8-2-143.

(a) ~~Civil penalties.~~ Any person in this state who violates any provision of Section 610 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., or any regulation or final order issued thereunder, shall be liable to the State of Georgia for a civil penalty not to exceed \$1,000.00 for each such violation. Each violation of Section 610 of the aforementioned act or of any regulation or order issued thereunder shall constitute a separate violation with respect to each manufactured home or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty may not exceed \$1 million for any related series of violations occurring within one year from the date of the first violation.

(b) ~~Criminal penalties.~~ An individual or a director, officer, or agent of a corporation who knowingly and willfully violates any provision of Section 610 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., in a manner which threatens the health or safety of any purchaser shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000.00 or be imprisoned for not more than 12 months, or both.

8-2-144.

The ~~Commissioner of Insurance~~ commissioner shall file a report on or before December 15 of each year accounting for all fees received by the ~~Commissioner~~ commissioner under this part and Part 3 of this article for the preceding 12 month

period and for the actual costs of the inspection programs under this part and Part 3 of this article for the preceding 12 month period. Such report shall be provided to the chairpersons of the House Committee on Appropriations Committee, the Senate Appropriations Committee, the House Committee on Governmental Affairs Committee, and the Senate Regulated Industries and Utilities Committee, the director of the Office of Planning and Budget, the director of the Senate Budget and Evaluation Office, and the director of the House Budget and Research Office.

8-2-145.

(a) The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this part which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of the powers in this part that were formerly held by the Safety Fire Commissioner."

PART V SECTION 5-1.

Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is amended by revising Code Section 10-1-263, relating to enforcement of the "Liquefied Petroleum Safety Act of Georgia" by the state fire marshal, as follows:

"10-1-263.

The state fire marshal, ex officio, shall be designated as the officer charged with the duty and authority of enforcing this article, subject to the approval of the commissioner of fire safety."

SECTION 5-2.

Said title is further amended by revising Code Section 10-1-264, relating to assistants and employees of state fire marshal, as follows:

"10-1-264.

The state fire marshal, subject to the approval of the commissioner of fire safety, is authorized to appoint and employ such assistants and employees, fix their salaries, and assign and delegate such duties and responsibilities as he or she may deem necessary to carry out this article in an efficient manner."

SECTION 5-3.

Said title is further amended by revising Code Section 10-1-265, relating to rules and regulations setting standards for liquefied petroleum gas equipment, as follows:

"10-1-265.

(a) The ~~state fire marshal~~ commissioner of fire safety shall make, promulgate, adopt, and enforce rules and regulations setting forth minimum general standards covering the design, construction, location, installation, and operation of equipment for storing, handling, transporting by tank truck or tank trailer, and utilizing liquefied petroleum gases and specifying the odorization of said gases and the degree thereof. Said rules and regulations shall be such as are reasonably necessary for the protection of the health, welfare, and safety of the public and persons using such materials and shall be based upon reasonable substantial conformity with the generally accepted standards of safety concerning the same subject matter.

(b) Rules and regulations promulgated by the ~~state fire marshal~~ commissioner of fire safety based upon reasonable substantial conformity with the published standards of the National Board of Fire Underwriters for the design, installation, and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases as recommended by the National Fire Protection Association shall be deemed to be in substantial conformity with the generally accepted standards of safety concerning the subject matter."

PART VI
SECTION 6-1.

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by revising paragraph (2) of Code Section 16-7-80, relating to definitions regarding bombs, explosives, and chemical and biological weapons, as follows:

"(2) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety."

SECTION 6-2.

Said title is further amended by revising Code Section 16-7-90, relating to records and reports, as follows:

"16-7-90.

It shall be the duty of any person authorized by paragraph (1) or (2) of Code Section 16-7-93 to manufacture, possess, transport, distribute, or use a destructive device, detonator, explosive, or hoax device within the state:

(1) To maintain such records as may be required pursuant to Title 25. Such records may be inspected by the ~~Commissioner~~ commissioner or the director or such officers' designees or any law enforcement officer or fire official during normal business hours; and

(2) To report promptly the loss or theft of any destructive device, detonator, explosive, or hoax device to the Georgia Bureau of Investigation."

SECTION 6-3.

Said title is further amended by revising Code Section 16-7-91, relating to searches and inspections, as follows:

"16-7-91.

The ~~Commissioner~~ commissioner or director or such officers' designees or any law enforcement officer or fire official may obtain an inspection warrant as provided in Code Section 25-2-22.1 to conduct a search or inspection of:

- (1) Any person licensed pursuant to Title 25 to manufacture, possess, transport, sell, distribute, or use a destructive device or detonator within the state;
- (2) Any person licensed pursuant to Chapter 7 of Title 2 to manufacture, possess, transport, sell, or distribute or use pesticides; or
- (3) Any property where such pesticide, destructive device, or detonator is manufactured, possessed, transported, distributed, or used."

SECTION 6-4.

Said title is further amended by revising Code Section 16-7-93, relating to exceptions to applicability of provisions, as follows:

"16-7-93.

The provisions of Code Sections 16-7-82, 16-7-84, 16-7-85, and 16-7-86 shall not apply to:

- (1) Any person authorized to manufacture, possess, transport, distribute, or use a destructive device or detonator pursuant to the laws of the United States, as amended, or pursuant to Title 25 when such person is acting in accordance with such laws and any regulations issued pursuant thereto;
- (2) Any person licensed as a blaster by the ~~Commissioner~~ commissioner pursuant to Chapter 8 of Title 25, when such blaster is acting in accordance with the laws of the state and any regulations promulgated thereunder and any ordinances and regulations of the political subdivision or authority of the state where blasting operations are being performed;
- (3) Fireworks, as defined by Code Section 25-10-1, and any person authorized by the laws of this state and of the United States to manufacture, possess, distribute, transport, store, exhibit, display, or use fireworks;
- (4) A law enforcement, fire service, or emergency management agency of this state, any agency or authority of a political subdivision of this state, or the United States and any employee or authorized agent thereof while in performance of official duties and any law enforcement officer, fire official, or emergency management official of the United States or any other state while attending training in this state;
- (5) The armed forces of the United States or of this state;
- (6) Research or educational programs conducted by or on behalf of a college, university, or secondary school which have been authorized by the chief executive officer of such educational institution or his or her designee and which is conducted in accordance with the laws of the United States and of this state;
- (7) The use of explosive materials in medicines and medicinal agents in forms

prescribed by the most recent published edition of the official United States Pharmacopoeia or the National Formulary;

(8) Small arms ammunition and reloading components thereof;

(9) Commercially manufactured black powder in quantities not to exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices; or

(10) An explosive which is lawfully possessed in accordance with the rules adopted pursuant to Code Section 16-7-94."

PART VII SECTION 7-1.

Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is amended by revising Code Section 25-8-2, relating to definitions regarding the regulation of blasting operations generally, as follows:

"25-8-2.

As used in this chapter, the term:

(1) 'Blaster' means a person qualified by reason of training, knowledge, or experience to fire or detonate explosives in blasting operations and who has in his or her possession a valid blaster's license issued by the ~~Commissioner~~ commissioner.

(2) 'Blasting operation' means the use of explosives in the blasting of stone, rock, ore, or any other natural formation or in any construction or demolition work but shall not include the use of explosives in agricultural operations and private and personal use of explosives in remote areas for such operations as ditching, land clearing, destruction of beaver dams and other such operations when not in close proximity to adjacent property. This chapter shall not apply to any blasting operation in which the charge weight is 200 pounds or less.

(3) 'Charge weight' means the total weight in pounds of an explosive charge.

(4) 'Charge weight per delay' means the weight in pounds of an explosive charge which is detonated per delay period for delay intervals of eight milliseconds or greater or the total weight of explosives in pounds which is detonated within an interval less than eight milliseconds.

(5) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.

(6) 'Delay initiation' means the detonation of the subcharge of explosives in predetermined sequence which is accomplished by using regular or short period delay electric blasting caps or other means of equivalent effectiveness.

(7) 'Delay period' means the time interval in milliseconds (eight milliseconds or greater) between successive detonations of subchargers produced by the delay devices used.

(8) 'Distance' means the actual distance in feet along ground contour to the nearest house, public building, school, church, or commercial or institutional building normally occupied.

(9) 'Explosives' means any chemical compound or other substance or mechanical system intended for the purpose of producing an explosion or containing oxidizing and combustible units or other ingredients in such proportions or quantities that ignition by fire, by friction, by concussion, by percussion, or by detonator may produce an explosion capable of causing injury to persons or damage to property.

(10) 'Particle velocity' means the velocity with which an earth particle moves when vibrating or oscillating in any manner from its position of rest or elastic equilibrium.

(11) 'Person' means any individual, public or private corporation, political subdivision, government agency, municipality, industry, partnership, association, firm, trust, estate, or other entity whatsoever.

(12) 'Scaled distance' or 'Ds' means the actual distance (D) in feet divided by the square root of the maximum charge weight (W) in pounds that is detonated per delay period. This means:

$$D_s = \frac{D}{\sqrt{W}}$$

$$\text{Scaled distance} = \frac{\text{Actual distance}}{\sqrt{\text{charge weight per delay interval}}}$$

SECTION 7-2.

Said title is further amended by revising Code Section 25-8-3, relating to requirements governing use of explosives in blasting generally, as follows:

"25-8-3.

(a) The use of explosives for the purpose of blasting in the neighborhood of any public highway, railroad, airport, dwelling house, public building, school, church, commercial or institutional building, or pipeline shall be done in accordance with this chapter and the rules and regulations promulgated by the ~~Commissioner~~ commissioner.

(b) In all blasting operations, except as otherwise provided in this chapter, the maximum particle velocity of any component of ground motion recorded on a three-component seismograph (where the components — transverse, vertical, and longitudinal — are arranged mutually perpendicular) shall not exceed two inches per second at the location of any dwelling house, public building, school, church, or commercial or institutional building normally occupied.

(c) Blasting operations without instrumentation will be considered as being within the limits set forth in this Code section if such blasting operations are conducted in accordance with subsection (d) of this Code section.

(d) Any blasting operation may be conducted without reference to any maximum amount or period provided by this Code section if the person in charge of the blasting operation demonstrates by instrumentation that maximum particle velocity of any component of the ground motion does not exceed the limits provided in subsection (b) of this Code section.

(e) Instrumentation for determining particle velocity of ground motion, as set forth in this chapter, shall be limited to devices that conform with design criteria for portable seismographs as found in the United States Bureau of Mines, RI-6487 and United States Bureau of Mines Bulletin 656. The instrument should have calibration traceable to the United States Bureau of Standards. The ~~Commissioner~~ commissioner or his or her duly authorized agent may enter upon premises for the purpose of observing any necessary instrumentation provided by this chapter.

(f) When blasting operations, other than those conducted at a fixed site as a part of any industry or business operated at the site, are to be conducted within close proximity to a known pipeline, the blaster or person in charge of the blasting operations shall take reasonable precautionary measures for the protection of the line and shall notify the owner of the line or his or her agent that the blastings are intended.

(g) Blasting operations shall not be conducted within close proximity to any public highway unless reasonable precautionary measures are taken to safeguard the public.

(h) When blasting operations are conducted at the immediate location of any dwelling house, public building, school, church, or commercial or institutional building which would result in ground vibrations having a particle velocity exceeding the limits provided by this chapter, such blasting operations may proceed after the receipt of written consent from the property owner or owners affected."

SECTION 7-3.

Said title is further amended by revising Code Section 25-8-7, relating to refusal, suspension, or revocation of license, as follows:

"25-8-7.

Issuance of a license for the use of explosives may be refused or such a license which has been duly issued may be suspended or revoked or the renewal thereof refused by the ~~Commissioner~~ commissioner if the ~~Commissioner~~ commissioner finds that the applicant for or the holder of the license:

- (1) Has violated any provision of this chapter or of any other law of this state or any regulation duly promulgated by the ~~Commissioner~~ commissioner;
- (2) Has intentionally misrepresented or concealed any material fact in the application for the license or any document filed in support thereof;
- (3) Has permitted any person in his or her employ, either by direct instruction or by reasonable implication, to violate this chapter;
- (4) Has been convicted of a felony by final judgment in any state or federal court;
- (5) Has failed to comply with or has violated any proper order, rule, or regulation issued by the ~~Commissioner~~ commissioner; or
- (6) Has otherwise shown a lack of trustworthiness or lack of competence to act as a blaster."

SECTION 7-4.

Said title is further amended by revising Code Section 25-8-9, relating to promulgation of rules and regulations by Commissioner and forms, as follows:

"25-8-9.

The ~~Commissioner~~ commissioner may promulgate such rules and regulations, neither inconsistent nor contradictory with this chapter, as he or she deems necessary to effectuate this chapter. The ~~Commissioner~~ commissioner may also prescribe the forms required for the administration of this chapter."

SECTION 7-5.

Said title is further amended by revising Code Section 25-8-10, relating to approval by Commissioner of variations from requirements of chapter, as follows:

"25-8-10.

The ~~Commissioner~~ commissioner may approve variations from the requirements of this chapter when he or she finds that an emergency exists and that the proposed variations from the specific requirements are necessary, will not hinder the effective administration of this chapter, and will not be contrary to any other applicable law, either state or federal."

SECTION 7-6.

Said title is further amended by revising Code Section 25-8-11, relating to powers of Commissioner for enforcement of chapter, rules, and regulations generally and privileged nature of evidence submitted to Commissioner, as follows:

"25-8-11.

(a) Whenever it appears to the ~~Commissioner~~ commissioner, either upon investigation or otherwise, that any person has engaged in, is engaging in, or is about to engage in any act, practice, or transaction which is prohibited by this chapter or by any rule, regulation, or order of the ~~Commissioner~~ commissioner promulgated or issued pursuant to this chapter or which is declared to be unlawful under this chapter, the ~~Commissioner~~ commissioner, in his or her discretion and if he or she deems it to be appropriate in the public interest or for the protection of the citizens of this state, may issue an order prohibiting the person from continuing the act, practice, or transaction.

(b) Other powers granted to the ~~Commissioner~~ commissioner for the enforcement of this chapter include, but are not limited to, the following:

(1) The ~~Commissioner~~ commissioner may institute actions or other legal proceedings in any superior court of proper venue. Thereupon, the superior court, among other appropriate relief, may issue injunctions restraining persons and those acting in active concert with them from engaging in acts prohibited by the ~~Commissioner~~ commissioner in the enforcement of this chapter;

(2) In addition to any other penalties provided in this chapter, the ~~Commissioner~~ commissioner shall have authority to place a licensee on probation for a period of time not to exceed one year or to impose a monetary fine of up to \$1,000.00, or to do both, for each and every violation of this chapter or of the rules and regulations or orders of the ~~Commissioner~~ commissioner promulgated pursuant thereto; and

(3) The ~~Commissioner~~ commissioner or his or her designee shall have investigatorial powers and shall be empowered to subpoena witnesses and to examine them under

oath.

(c) All testimony, documents, and other evidence required to be submitted to the ~~Commissioner~~ commissioner pursuant to this chapter shall be privileged."

SECTION 7-7.

Said title is further amended by revising Code Section 25-8-12, relating to penalties for violations of chapter, rules, regulations, or orders, and by adding a new Code section to read as follows:

"25-8-12.

Any person who violates this chapter or any rule, regulation, or order promulgated by the ~~Commissioner~~ commissioner pursuant to this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$500.00 and not more than \$1,000.00.

25-8-13.

(a) The Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Georgia Public Safety Training Center shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART VIII SECTION 8-1.

Said title is further amended by revising Chapter 10, relating to regulation of fireworks, as follows:

"CHAPTER 10

25-10-1.

(a) As used in this chapter, the term:

(1) 'Commissioner' means the commissioner of fire safety.

~~(1)~~(2) 'Consumer fireworks' means any small fireworks devices containing restricted amounts of pyrotechnic composition, designed primarily to produce visible or audible effects by combustion, that comply with the construction, chemical composition, and

labeling regulations of the United States Consumer Product Safety Commission as provided for in Parts 1500 and 1507 of Title 16 of the Code of Federal Regulations, the United States Department of Transportation as provided for in Part 172 of Title 49 of the Code of Federal Regulations, and the American Pyrotechnics Association as provided for in the 2001 American Pyrotechnics Association Standard 87-1, and additionally shall mean Roman candles.

~~(2)~~(3) 'Consumer fireworks retail sales facility' shall have the same meaning as provided for by NFPA 1124; provided, however, that such term shall not include a tent, canopy, or membrane structure.

~~(3)~~(4) 'Consumer fireworks retail sales stand' shall have the same meaning as provided for by NFPA 1124.

~~(4)~~(5) 'Distributor' means any person, firm, corporation, association, or partnership which sells consumer fireworks.

~~(4.1)~~(6) 'Electric plant' shall have the same meaning as provided for in Code Section 46-3A-1.

~~(5)~~(7) 'Fireworks' means any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, including blank cartridges, firecrackers, torpedos, skyrockets, bombs, sparklers, and other combustibles and explosives of like construction, as well as articles containing any explosive or flammable compound and tablets and other devices containing an explosive substance.

~~(6)~~(8) 'NFPA 1124' means the National Fire Protection Association Standard 1124, *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*, 2006 Edition.

~~(7)~~(9) 'Nonprofit group' means any entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, any entity incorporated under Chapter 3 of Title 14, the 'Georgia Nonprofit Corporation Code,' or a sponsored organization of a public or private elementary or secondary school in this state.

~~(8)~~(10) 'Proximate audience' means an audience closer to pyrotechnic devices than permitted by the National Fire Protection Association Standard 1123, *Code for Fireworks Display*, as adopted by the ~~Safety Fire Commissioner~~ commissioner.

~~(9)~~(11) 'Pyrotechnics' means fireworks.

~~(10)~~(12) 'Store' shall have the same meaning as provided for by NFPA 1124; provided, however, that such term shall only include such buildings with at least 4,000 square feet of retail display space and wherefrom:

(A) No more than 25 percent of such retail display space is used for consumer fireworks and items or products as provided for under paragraph (2) of subsection (b) of this Code section; and

(B) Other items or products which are not consumer fireworks or items or products as provided for under paragraph (2) of subsection (b) of this Code section are sold; and provided, further, that such term means a person, firm, corporation, association, or partnership with more than one mercantile location, where all such mercantile

locations are collectively known to the public by the same name or share central management.

~~(11)~~(13) 'Waste-water treatment plant' shall have the same meaning as provided for in Code Section 43-51-2.

~~(12)~~(14) 'Water treatment plant' shall have the same meaning as provided for in Code Section 43-51-2.

(b) As used in this chapter, the term 'consumer fireworks' or 'fireworks' shall not include:

(1) Model rockets and model rocket engines designed, sold, and used for the purpose of propelling recoverable aero models, toy pistol paper caps in which the explosive content averages 0.25 grains or less of explosive mixture per paper cap or toy pistols, toy cannons, toy canes, toy guns, or other devices using such paper caps; nor shall the term 'consumer fireworks' or 'fireworks' include ammunition consumed by weapons used for sporting and hunting purposes; and

(2) Wire or wood sparklers of 100 grams or less of mixture per item; other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical compound per tube or a total of 500 grams or less for multiple tubes; snake and glow worms; smoke devices; or trick noise makers which include paper streamers, party poppers, string poppers, snappers, and drop pops each consisting of 0.25 grains or less of explosive mixture.

25-10-2.

(a) It shall be unlawful for any person, firm, corporation, association, or partnership to offer for sale at retail or wholesale, to use or ignite or cause to be ignited, or to possess, manufacture, transport, or store any consumer fireworks or fireworks, except as otherwise provided in this chapter.

(b)(1) Notwithstanding any provision of this chapter to the contrary, it shall be unlawful for any person, firm, corporation, association, or partnership to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person under 18 years of age.

(2) It shall be unlawful to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person by any means other than an in-person, face-to-face sale. Such person shall provide proper identification to the seller at the time of such purchase. For purposes of this paragraph, the term 'proper identification' means any document issued by a governmental agency containing a description of the person or such person's photograph, or both, and giving such person's date of birth and includes without being limited to a passport, military identification card, driver's license, or identification card authorized under Code Sections 40-5-100 through 40-5-104.

(3)(A) It shall be unlawful to use fireworks, consumer fireworks, or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 indoors or within the right of way of a public road, street, highway, or railroad of this state.

(B) Except as provided for in subparagraph (D) or (E) of this paragraph and subject

to paragraph (4) of this subsection and Code Section 25-10-2.1, it shall be lawful for any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited any consumer fireworks:

- (i) On any day beginning at the time of 10:00 A.M. and up to and including the ending time of 9:00 P.M.;
- (ii) On any day after the time of 9:00 P.M. and up to and including the time of 11:59 P.M. if such use or ignition is lawful pursuant to any noise ordinance of the county or municipal corporation of the location in which such use or ignition occurs, except as otherwise provided for under this subparagraph; provided, however, that a county or municipal corporation may additionally require the issuance of a special use permit pursuant to subparagraph (D) of this paragraph for use or ignition;
- (iii) On January 1, July 3, July 4, and December 31 of each year after the time of 9:00 P.M. and up to and including the time of 11:59 P.M.; and
- (iv) On January 1 of each year beginning at the time of 12:00 Midnight and up to and including the ending time of 1:00 A.M.

(C) Subject to subparagraph (D) of this paragraph, paragraph (4) of this subsection, and Code Section 25-10-2.1, it shall be lawful for any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited any consumer fireworks anywhere in this state except:

- (i) As provided for under subparagraph (A) of this paragraph;
- (ii) In any location where such person, firm, corporation, association, or partnership is not lawfully present or is not otherwise lawfully permitted to use or ignite or cause to be ignited any consumer fireworks;
- (iii) Within 100 yards of an electric plant; water treatment plant; waste-water treatment plant; a facility engaged in the retail sale of gasoline or other flammable or combustible liquids or gases where the volume stored is in excess of 500 gallons for the purpose of retail sale; a facility engaged in the production, refining, processing, or blending of any flammable or combustible liquids or gases for retail purposes; any public or private electric substation; or a jail or prison;
- (iv) Within 100 yards of the boundaries of any public use air facility provided for under Title 6 or any public use landing area or platform marked and designed for landing use by helicopters;
- (v) Within any park, historic site, recreational area, or other property which is owned by or operated by, for, or under the custody and control of a governing authority of a county or municipal corporation, except pursuant to a special use permit as provided for in subparagraph (D) of this paragraph;
- (vi) Within any park, historic site, recreational area, or other property which is owned by or operated by, for, or under the custody and control of the State of Georgia, except pursuant to any rules and regulations of the agency or department having control of such property which may allow for such use or ignition of consumer fireworks;
- (vii) Within 100 yards of a hospital, nursing home, or other health care facility

regulated under Chapter 7 of Title 31; provided, however, that an owner or operator of such facility may use or ignite or cause to be ignited consumer fireworks on the property of such facility or may grant written permission to any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited consumer fireworks on the property of such facility; or

(viii) While under the influence of alcohol or any drug or any combination of alcohol and any drug to the extent that it is less safe or unlawful for such person to ignite consumer fireworks as provided for in Code Section 25-10-2.1.

(D) Any person, firm, corporation, association, or partnership may use or ignite or cause to be ignited any consumer fireworks as provided for under divisions (3)(B)(ii) and (3)(C)(v) of this subsection if such person, firm, corporation, association, or partnership is issued a special use permit pursuant to the law of a governing authority of a county or municipal corporation for the use or ignition of consumer fireworks in a location within such county or municipality as provided for under divisions (3)(B)(ii) and (3)(C)(v) of this subsection, provided that such special use permit is required for such use or ignition. Such special use permit shall designate the time or times and location that such person, firm, corporation, association, or partnership may use or ignite or cause to be ignited such consumer fireworks. A fee assessed by a county or municipal corporation for the issuance of a special use permit pursuant to this subparagraph shall not exceed \$100.00. No governing authority or official of a county, municipality, or other political subdivision shall bear liability for any decisions made pursuant to this Code section.

(E) Whenever the Governor issues a declaration of drought, the Governor may, for the boundaries of the area covered by such declaration, enact further regulations and restrictions concerning the use of consumer fireworks than provided for under this chapter; provided, however, that no such further regulations or restrictions on the use of consumer fireworks shall be effective pursuant to this subparagraph on January 1, July 3, July 4, or December 31 of any year; provided, further, that such further regulations or restrictions shall only apply to the exact boundaries of the area covered by such declaration and shall only apply with regard to the ignition of consumer fireworks; and provided, further, that upon expiration or conclusion of such declaration, such further regulations or restrictions shall be rescinded by law.

(4)(A) It shall be lawful for any person 18 years of age or older to use or ignite or cause to be ignited or to possess, manufacture, transport, or store consumer fireworks.

(B) To the extent otherwise permitted by law, it shall be lawful for any person who is 16 or 17 years of age to possess or transport consumer fireworks, provided that such person is serving as an assistant to a distributor licensed under subsection (c) of Code Section 25-10-5.1 or the nonprofit group benefiting from such distributor's application pursuant to subsection (c) of Code Section 25-10-5.1 and is not transporting such consumer fireworks on a highway which constitutes a part of The Dwight D. Eisenhower System of Interstate and Defense Highways.

(5)(A) It shall be lawful for any person 18 years of age or older to sell or to offer

for sale at retail or wholesale any consumer fireworks pursuant to the requirements of this chapter.

(B) It shall be lawful for any person who is 16 or 17 years of age to sell or to offer for sale at retail or wholesale any consumer fireworks, provided that such person is serving as an assistant to a distributor licensed under subsection (c) of Code Section 25-10-5.1 or the nonprofit group benefiting from such distributor's application pursuant to subsection (c) of Code Section 25-10-5.1.

(6)(A) It shall be lawful to sell consumer fireworks from a permanent consumer fireworks retail sales facility or store only if such permanent consumer fireworks retail sales facility or store is:

(i) In compliance with the requirements for such a permanent consumer fireworks retail sales facility or store in the selling of consumer fireworks as provided for in NFPA 1124; and

(ii) Selling consumer fireworks of a distributor licensed pursuant to subsection (b) or (d) of Code Section 25-10-5.1.

(B) It shall be lawful to sell consumer fireworks from a temporary consumer fireworks retail sales stand only if such temporary consumer fireworks retail sales stand is:

(i) In compliance with the requirements for such a temporary consumer fireworks retail sales stand in the selling of consumer fireworks as provided for in NFPA 1124;

(ii) Within 1,000 feet of a fire hydrant of a county, municipality, or other political subdivision or a fire department connection of a building affiliated with such consumer fireworks retail sales stand, unless the chief administrative officer of the fire department of a county, municipality, or other political subdivision or chartered fire department legally organized to operate in this state pursuant to Chapter 3 of this title and having operational authority over such location of the temporary consumer fireworks retail sales stand provides in writing that such temporary consumer fireworks retail sales stand may operate in excess of 1,000 feet from such fire hydrant or fire department connection; and

(iii) Selling consumer fireworks of a distributor licensed pursuant to subsection (c) of Code Section 25-10-5.1.

A distributor licensed pursuant to subsection (c) of Code Section 25-10-5.1 may operate no more than two temporary consumer fireworks retail sales stands in this state per location licensed pursuant to subsection (b) or (d) of Code Section 25-10-5.1; provided, however, that such distributor has been operating and open to the public pursuant to subsection (b) or (d) of Code Section 25-10-5.1 no less than 30 days prior to July 4 or December 31 in the year of an application for a license under subsection (c) of Code Section 25-10-5.1 that is filed within 30 days of July 4 or December 31.

(C) It shall be unlawful to sell consumer fireworks from any motor vehicle, from a trailer towed by a motor vehicle, or from a tent, canopy, or membrane structure.

25-10-2.1.

- (a) It shall be unlawful for any person to ignite consumer fireworks or fireworks while:
- (1) Under the influence of alcohol or any drug or any combination of alcohol and any drug to the extent that it is unsafe for such person to ignite consumer fireworks or fireworks; or
 - (2) Subject to the provisions of subsection (b) of this Code section, there is any amount of marijuana or a controlled substance, as defined in Code Section 16-13-21, present in such person's blood or urine, or both, including the metabolites and derivatives of each or both, without regard to whether or not any alcohol is present in such person's breath or blood.
- (b) The fact that any person charged with violating this Code section is or has been legally entitled to use a drug shall not constitute a defense against any charge of violating this Code section; provided, however, that such person shall not be in violation of this Code section unless such person is rendered incapable of igniting consumer fireworks or fireworks safely as a result of using a drug other than alcohol which such person is legally entitled to use.
- (c) Any person convicted of violating subsection (a) of this Code section shall be guilty of a misdemeanor.

25-10-3.

Nothing in this chapter shall be construed to prohibit the following:

- (1) The wholesale or retail sale of fireworks for use in a public exhibition or public display and the transportation of fireworks for such use, provided that any person selling at wholesale or retail or transporting fireworks for such use must have a duplicate copy of the permit which has been issued by the judge of the probate court to a person, firm, corporation, association, or partnership which has been authorized to hold a public exhibition or display, and provided, further, that the seller maintains and makes available for inspection by the ~~Safety Fire Commissioner~~ commissioner or the designee thereof the record of any such fireworks sale for a period of 18 months from the date of sale;
- (2) Use by railroads or other transportation agencies of fireworks specifically designed and intended for signal purposes or illumination;
- (3) The sale or use of blank cartridges for a show or theater or for signal or ceremonial purposes in athletic or sports events or for use by military or police organizations; or
- (4) The manufacture of any fireworks not prohibited by Congress or any federal agency; the possession, transportation, and storage of any such fireworks by any manufacturer thereof; the storage of certain such fireworks by a nonmanufacturer in accordance with the provisions of Code Section 25-10-3.1; the possession, transportation, or distribution of any such fireworks to a distributor located outside this state; the sale of such fireworks by any such manufacturer to a distributor located outside this state; or the possession and transportation of such fireworks by any manufacturer or contractor or common carrier from the point of manufacture within

this state to any point outside this state.

25-10-3.1.

(a) Fireworks defined as Class B explosives or the equivalent thereof by regulations of the United States Department of Transportation set forth in Part 173 of Title 49 of the Code of Federal Regulations and which are to be used only for purposes of a public exhibition or display pursuant to Code Section 25-10-4 may be stored by a person, firm, or corporation, other than a manufacturer, pursuant to a magazine license issued by the ~~Safety Fire Commissioner~~ commissioner in accordance with the provisions of this Code section. Any application for such a license shall be made to the ~~Safety Fire Commissioner~~ commissioner in a form to be prescribed by the ~~Commissioner~~ commissioner. The application shall include a letter of acknowledgment and endorsement from the local authority having responsibility for fire suppression.

(b) Any application for a magazine license made pursuant to subsection (a) of this Code section shall be accompanied by plans for the magazine proposed to be used for storage of Class B explosives or the equivalent thereof, in such detail and in such number of copies as required by the ~~Safety Fire Commissioner~~ commissioner. Construction of a magazine for storage of fireworks pursuant to this Code section shall not commence until the plans therefor have been approved by the state fire marshal and returned to the applicant.

(c) No license shall be issued pursuant to this Code section unless:

(1) The applicant currently holds a valid license or permit to receive explosive materials including Class B explosives or the equivalent thereof issued pursuant to regulations of the Bureau of Alcohol, Tobacco, and Firearms of the United States Department of the Treasury;

(2) The applicant presents a copy of a valid permit for a public exhibition or display of fireworks issued pursuant to Code Section 25-10-4;

(3) The state fire marshal or the designee thereof has determined upon inspection that the constructed magazine meets or exceeds the requirements for magazines to be used for storing Class B explosives or the equivalent thereof as established by regulations and adopted codes and standards of the ~~Safety Fire Commissioner~~ commissioner; and

(4) The state fire marshal or the designee thereof has determined upon inspection that the constructed magazine meets or exceeds any additional requirements applicable to magazines to be used for storage of Class B explosives or the equivalent thereof by nonmanufacturers as may be established by regulation promulgated pursuant to Code Section 25-10-5.

(d) Any license issued pursuant to this Code section shall be subject to the annual license fee and expiration date provisions of Code Section 25-10-5. The initial annual fee for a magazine license shall be submitted along with the application for such license.

(e) Any fireworks stored under any magazine license issued pursuant to this Code section shall be stored in an approved magazine and in accordance with the regulations for storing Class B explosives or the equivalent thereof as established by regulations of

the ~~Safety Fire Commissioner~~ commissioner and any additional requirements for storage of such explosives by nonmanufacturers as may be established by regulation promulgated pursuant to Code Section 25-10-5, for a period of time not to exceed 60 days before and 60 days after the permitted date of a public exhibition or display of fireworks pursuant to Code Section 25-10-4.

(f) Any violation of the provisions of this Code section shall be grounds for revoking a magazine license.

25-10-3.2.

(a) No person, firm, corporation, association, or partnership shall cause the combustion, explosion, deflagration, detonation, or ignition of pyrotechnics for the purpose of a public exhibition or display before a proximate audience unless such person, firm, corporation, association, or partnership holds a valid license issued by the ~~Safety Fire Commissioner~~ commissioner in accordance with the provisions of this Code section. Any application for such a license shall be made to the ~~Safety Fire Commissioner~~ commissioner in the form prescribed by the ~~Safety Fire Commissioner~~ commissioner.

(b) All applicants must meet the following requirements for licensure:

(1) The applicant shall submit to the ~~Safety Fire Commissioner~~ commissioner proof of a valid comprehensive liability insurance policy purchased from an insurer authorized to do business in Georgia. The coverage must include bodily injury and property damage, products liability, completed operations, and contractual liability. The proof of insurance must also be provided before any license can be renewed. The minimum amount of said coverage shall be \$1 million or such other amount as specified by the ~~Safety Fire Commissioner~~ commissioner. An insurer that provided such coverage shall notify the ~~Safety Fire Commissioner~~ commissioner of any change in coverage;

(2) The applicant shall pay the required licensing fee as prescribed in Code Section 25-10-5; and

(3) The applicant shall comply with all rules and regulations promulgated by the ~~Safety Fire Commissioner~~ commissioner pursuant to this chapter.

(c) Any violation of this chapter shall be grounds for revocation or denial of licensure to conduct pyrotechnic displays.

25-10-4.

(a) Any person, firm, corporation, association, or partnership desiring to conduct a public exhibition or display of fireworks not before a proximate audience shall first obtain a permit from the judge of the probate court of the county in which the public exhibition or display is to be held. Application for a permit must be made in writing and filed with the judge not less than ten days prior to the date of the proposed public exhibition or display of fireworks. Fireworks distributors located outside this state shall obtain display permit application forms and provide the same to applicants upon request. The judge may grant a permit for the display on the following conditions:

- (1) That the display be conducted by a competent operator approved by the judge;
- (2) That the display shall be of such character as in the opinion of the judge will not be hazardous to persons or property;
- (3) That the local fire official responsible for the area in question certifies in writing that the site for the display meets his or her approval and is in compliance with all applicable codes; and
- (4) That the application be accompanied by a bond in the principal sum of \$10,000.00, payable to the county in which the display is being held and conditioned for the payment of damages which may be caused either to persons or to property by reason of the display or, alternatively, that the application be accompanied by evidence that the applicant carries proper liability insurance for bodily injury in the amount of not less than \$25,000.00 for each person and \$50,000.00 for each accident and for property damage in the amount of not less than \$25,000.00 for each accident and \$50,000.00 aggregate, with an insurance company duly licensed by the Commissioner of Insurance.

(b) Any person, firm, corporation, association, or partnership desiring to conduct a public exhibition or display of fireworks before a proximate audience shall first obtain a permit from the judge of the probate court of the county in which the public exhibition or display is to be held. Application for a permit must be made in writing and filed with the judge not less than ten days prior to the date of the proposed public exhibition or display of fireworks. Such application must contain the license number issued by the ~~Safety Fire Commissioner~~ commissioner for the person, firm, corporation, association, or partnership that will cause the combustion, explosion, deflagration, or detonation of pyrotechnics at the public exhibition or display. Fireworks distributors located outside this state shall obtain display permit application forms and provide the same to applicants upon request. The judge may grant a permit for the display on the following conditions:

- (1) That the display be conducted by a competent operator approved by the judge;
- (2) That the display shall be of such character as in the opinion of the judge will not be hazardous to persons or property;
- (3) That the local fire official responsible for the area in question certifies in writing that the site for the display meets his or her approval and is in compliance with all applicable codes; and
- (4) That the application be accompanied by a bond in the principal sum of \$10,000.00, payable to the county in which the display is being held and conditioned for the payment of damages that may be caused either to persons or to property by reason of the display or, alternatively, that the application be accompanied by evidence that the applicant carries property liability insurance for bodily injury in the amount of not less than \$25,000.00 for each person and \$50,000.00 for each accident and for property damage in the amount of not less than \$25,000.00 for each accident and \$50,000.00 aggregate, with an insurance company duly licensed by the Commissioner of Insurance.

(c) No permit, as provided for in subsections (a) and (b) of this Code section, shall be

granted unless the applicant has met all the requirements of and is in full compliance with the rules and regulations promulgated by the ~~Safety Fire Commissioner~~ commissioner pursuant to this chapter.

(d) The permit provided for in subsection (a) or (b) of this Code section shall be limited to the time specified therein, such time not to exceed a two-week period. The permit shall not be transferable. In the event any fireworks bought and possessed under this Code section are not used by the licensee or in the event that there is a surplus or excess after the two-week period expires, it shall be the duty of the licensee to return such fireworks to a facility approved in accordance with Code Section 25-10-3.1 and the rules and regulations promulgated by the ~~Safety Fire Commissioner~~ commissioner. Fireworks stored in accordance with Code Section 25-10-3.1 and regulations shall not be deemed contraband and shall not be subject to seizure.

(e) The judge of the probate court shall receive \$10.00 for his or her services in granting or refusing the original permit and \$1.00 for each copy issued, to be paid by the applicant. The judge of the probate court shall provide the ~~Safety Fire Commissioner~~ commissioner a copy of each permit granted prior to the proposed date of the public exhibition or display.

25-10-4.1.

No person under the age of 18 shall be employed to work at any magazine, or at any facility containing a magazine, wherein fireworks are stored or to work in any public exhibition or display of fireworks.

25-10-5.

The annual license fee for any person, firm, or corporation conducting business in this state under paragraph (4) of Code Section 25-10-3 or storing fireworks under Code Section 25-10-3.1 or conducting pyrotechnic displays under Code Section 25-10-3.2 shall be \$1,500.00 per year, payable to the ~~Safety Fire Commissioner~~ commissioner. The license shall expire on December 31 of each year. The ~~Safety Fire Commissioner~~ commissioner is authorized and directed to promulgate safety regulations relating to the manufacture, storage, and transportation of fireworks within this state in order to ensure the adequate protection of the employees of any such person, firm, or corporation and of the general public. The ~~Safety Fire Commissioner~~ commissioner is also authorized and directed to promulgate safety regulations relating to the public exhibition or display of pyrotechnics and the licensing requirements of those conducting such public exhibitions or displays, as he or she deems necessary. The ~~Safety Fire Commissioner~~ commissioner is further authorized and directed to conduct periodic inspections of the facilities of any person, firm, or corporation manufacturing, storing, and transporting fireworks as provided in paragraph (4) of Code Section 25-10-3 or as provided in Code Section 25-10-3.1 in order to ensure compliance with fire safety rules and regulations.

25-10-5.1.

(a)(1) A license pursuant to this Code section shall only be issued to a distributor that:

- (A) Complies with all the requirements of this chapter; and
 - (B) Maintains at all times public liability and product liability insurance with minimum coverage limits of \$2 million to cover the losses, damages, or injuries that might ensue to persons or property as a result of selling consumer fireworks.
- (2) Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an application executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20.
- (3) Applications to the ~~Safety Fire Commissioner~~ commissioner pursuant to this Code section shall be upon forms prescribed and promulgated by the ~~Safety Fire Commissioner~~ commissioner.
- (4) Any person, firm, corporation, association, or partnership seeking a license pursuant to subsection (b) or (d) of this Code section shall have property from which the applicant intends to sell consumer fireworks under such person's, firm's, corporation's, association's, or partnership's ownership or legal control through a lease, rental agreement, licensing agreement, or other contractual instrument at the time of filing the application for such license, and such property shall be in a condition ready for inspection.
- (b)(1) The initial license fee for a distributor selling consumer fireworks from a permanent consumer fireworks retail sales facility shall be \$1,500.00 per location, payable to the ~~Safety Fire Commissioner~~ commissioner; provided, however, that the initial license fee shall be \$5,000.00 for a distributor that is not licensed pursuant to this subsection prior to July 1, 2016. Upon finding that a distributor has met the requirements of subsection (a) of this Code section and upon payment of such license fee, such initial license shall be issued by the ~~Safety Fire Commissioner~~ commissioner and shall identify the permanent consumer fireworks retail sales facility applicable to such license. Such initial license shall expire on January 31 of the year after such initial license was issued or as otherwise provided for under this subsection. After such initial license, such distributor may annually renew such initial license, which shall then become an annual license, for \$1,000.00 per year, payable to the ~~Safety Fire Commissioner~~ commissioner. Upon finding that a distributor has met the requirements of subsection (a) of this Code section and upon payment of such license fee, such annual license shall be issued by the ~~Safety Fire Commissioner~~ commissioner and shall identify the permanent consumer fireworks retail sales facility applicable to such license. Such annual license shall expire on January 31 of each year or as otherwise provided for under this subsection; provided, however, that a distributor shall apply for an annual license or renewal of an annual license by December 1 in the year preceding the expiration date of such initial or annual license; and provided, further, that if an initial license is issued to a distributor on or after December 1, then such distributor shall apply for an annual license by the first business day of the next year.
- (2) The determination by the ~~Safety Fire Commissioner~~ commissioner of whether a distributor has met requirements for the issuance of a license required by this subsection shall be made within 30 days of the submission of an application for any

initial or annual license; provided, however, that if a license will expire prior to the expiration of such 30 days and no such determination has been made by the ~~Safety Fire Commissioner~~ commissioner, then the expiration date for such license shall be extended until the date of such determination by the ~~Safety Fire Commissioner~~ commissioner but for no more than 30 days. If a determination has not been made within the time provided for by this paragraph, or for an appeal of a determination by the ~~Safety Fire Commissioner~~ commissioner, a distributor may seek review from the judge of the probate court of the county of the location or proposed location of the permanent consumer fireworks retail sales facility. Such judge may provide for the issuance or nonissuance of a license and for the payment of license fees in such manner as is consistent with the provisions of this subsection.

(c)(1) The license fee for a distributor selling consumer fireworks from a temporary consumer fireworks retail sales stand shall be \$500.00 per location, payable to the governing authority of the county, municipality, or other political subdivision of this state in whose boundaries such temporary consumer fireworks retail sales stand shall be located or is proposed to be located. Upon finding that a distributor has met the requirements of subsection (a) of this Code section, has a license pursuant to subsection (b) or (d) of this Code section, has no more than the allowable temporary consumer fireworks retail sales stands pursuant to subparagraph (b)(6)(B) of Code Section 25-10-2, that the sales of consumer fireworks from such temporary consumer fireworks retail sales stand shall accrue to the benefit of a nonprofit group, and upon payment of such license fee, such license shall be issued by the fire department of the county, municipality, or other political subdivision or the chartered fire department legally organized to operate in this state pursuant to Chapter 3 of this title and having operational authority of the area in which such temporary consumer fireworks retail sales stand shall be located or is proposed to be located. Such license shall identify the temporary consumer fireworks retail sales stand applicable to such license and shall expire on the next January 31 after the issuance of such license.

(2) A determination by a fire department as provided for under paragraph (1) of this subsection of whether a distributor has met requirements for the issuance of a license pursuant to this subsection shall be made within 30 days of the submission of an application for any such license. Such application shall be in writing and, if such fire department provides for a written form for the application for a license pursuant to this Code section, upon such form as may be provided by such fire department. If a determination has not been made within the time provided for by this paragraph, or for an appeal of a determination by such fire department, a distributor may seek review from the judge of the probate court of the county of the location or proposed location of the temporary consumer fireworks retail sales stand. Such judge may provide for the issuance or nonissuance of a license and for the payment of license fees in such manner as is consistent with the provisions of this subsection.

(3) For at least one of the temporary consumer fireworks retail sales stands provided for under subparagraph (b)(6)(B) of Code Section 25-10-2, a nonprofit group benefiting from the sale of consumer fireworks from such temporary consumer

fireworks retail sales stand shall directly participate in operating such temporary consumer fireworks retail sales stand. It shall be unlawful for a nonprofit group or any agent or bona fide representative of a nonprofit group to knowingly lend the name of the nonprofit group or allow the identity of the nonprofit group to be used for the license under this subsection if such nonprofit group is not directly participating in operating, or benefiting from the operation of, such temporary consumer fireworks retail sales stand.

(4) The governing authority of a county, municipality, or other political subdivision receiving fees pursuant to this Code section shall expend such fees for public safety purposes.

(5) A distributor licensed pursuant to this subsection shall submit a list of the names and addresses, including the counties, of each temporary consumer fireworks retail sales stand at which such distributor has consumer fireworks offered for sale pursuant to this Code section to the ~~Safety Fire Commissioner~~ commissioner. Such list shall be submitted not less than 30 days prior to first having a temporary consumer fireworks retail sales stand at which such distributor has consumer fireworks offered for sale and not less than 30 days prior to having such distributor's consumer fireworks offered for sale at a location not previously included on such list. The ~~Safety Fire Commissioner~~ commissioner shall make such list publicly available for inspection. In making determinations as provided for under this subsection, fire departments shall reference the list provided for by this paragraph.

(6) A revocation or suspension of a license provided for under subsection (b) or (d) of this Code section shall operate as a revocation or suspension of a distributor's license under this subsection for the term of such revocation or suspension.

(d)(1) The initial license fee for a distributor selling consumer fireworks from a store shall be \$1,500.00 in addition to \$250.00 per store location, payable to the ~~Safety Fire Commissioner~~ commissioner. Upon finding that a distributor has met the requirements of subsection (a) of this Code section, such initial license shall be issued by the ~~Safety Fire Commissioner~~ commissioner; provided, however, that such distributor has been operating and open to the public no less than 30 days prior to July 4 or December 31 in the year of an application for an initial license that is filed within 30 days of July 4 or December 31; and provided, further, that a distributor holding an initial license may add additional store locations to such license prior to the expiration of such license upon payment of \$250.00 per added store location. Such initial license shall expire on January 31 of the year after such initial license was issued or as otherwise provided for under this subsection. After such initial license, such distributor may annually renew such initial license, which shall then become an annual license, for \$1,000.00 in addition to \$100.00 per store location, payable to the ~~Safety Fire Commissioner~~ commissioner; provided, however, that a distributor holding an annual license may add additional store locations to such license prior to the expiration of such license upon payment of \$250.00 per added store location. Upon finding that a distributor has met the requirements of subsection (a) of this Code section, such annual license shall be issued by the ~~Safety Fire Commissioner~~

commissioner. Such annual license shall expire on January 31 of each year or as otherwise provided for under this subsection; provided, however, that a distributor shall apply for an annual license or renewal of an annual license by December 1 in the year preceding the expiration date of such initial or annual license; and provided, further, that if an initial license is issued to a distributor on or after December 1, then such distributor shall apply for an annual license by the first business day of the next year.

(2) An application submitted under this subsection shall identify each store location to which an initial or annual license is applicable; there shall not be a requirement for a separate application for each of the several store locations. The determination by the ~~Safety Fire Commissioner~~ commissioner of whether a distributor has met requirements for the issuance of a license required by this subsection shall be made within 30 days of the submission of an application for any initial or annual license; provided, however, that if a license will expire prior to the expiration of such 30 days and no such determination has been made by the ~~Safety Fire Commissioner~~ commissioner, then the expiration date for such license shall be extended until the date of such determination by the ~~Safety Fire Commissioner~~ commissioner but for no more than 30 days. If a determination has not been made within the time provided for by this paragraph, or for an appeal of a determination by the ~~Safety Fire Commissioner~~ commissioner, a distributor may seek review from the judge of the probate court of the county of the location or proposed location of the store from which consumer fireworks will be sold. Such judge may provide for the issuance or nonissuance of a license and for the payment of license fees in such manner as is consistent with the provisions of this subsection.

25-10-6.

(a) The state fire marshal shall enforce the provisions of this chapter; provided, however, that, in addition, any law enforcement officer or agency of this state or political subdivision thereof may enforce provisions relating to using or igniting or causing to be ignited consumer fireworks. Applicable fire departments of a county, municipality, or other political subdivision or a chartered fire department shall refer cases for enforcement under subsection (c) of Code Section 25-10-5.1 to the state fire marshal. All fireworks or consumer fireworks manufactured, offered for sale, exposed for sale, or stored in violation of this chapter are declared to be contraband and may be seized, taken, and removed, or caused to be removed and destroyed or disposed of at the expense of the owner thereof by the state fire marshal, the Georgia State Patrol, or any sheriff or local police official.

(b) Any property declared as contraband pursuant to this Code section shall be forfeited in accordance with the procedures set forth in Chapter 16 of Title 9.

25-10-7.

This chapter shall not apply to the high explosives covered by Code Section 25-2-17 over which the ~~Safety Fire Commissioner~~ commissioner has regulatory control.

25-10-8.

(a) Any person, firm, corporation, association, or partnership that violates Code Section 25-10-3.2 shall be guilty of a felony and shall be punished by imprisonment for not less than two nor more than ten years, or by a fine of not more than \$10,000.00, or both.

(b) Any person, firm, corporation, association, or partnership that violates any other provision of this chapter shall be guilty of a misdemeanor.

25-10-9.

Notwithstanding any provision of this chapter to the contrary, the ~~Safety Fire Commissioner~~ commissioner shall have the authority to subject any person, firm, corporation, association, or partnership that knowingly violates this chapter to a monetary penalty of up to \$2,500.00 for each and every act in violation of this chapter; provided, however, that the ~~Safety Fire Commissioner~~ commissioner shall have the authority to subject any person, firm, corporation, association, or partnership that knowingly sells consumer fireworks from a tent, canopy, or membrane structure to a monetary penalty of up to \$5,000.00 and, if any such person, firm, corporation, association, or partnership is a distributor, then a license revocation for not more than two years. Each sales transaction in violation of this chapter shall be a separate offense.

25-10-10.

It shall be unlawful for any person, firm, corporation, association, or partnership to release or cause to be released any balloon, bag, parachute, or other similar device which requires fire underneath for propulsion or to release or cause to be released any floating water lantern or wish lantern which uses a flame to create a lighting effect in any public waterway, lake, pond, stream, or river.

25-10-11.

(a) Whenever the ~~Safety Fire Commissioner~~ commissioner shall have reason to believe that any person is or has been violating any provisions of this chapter, the ~~Safety Fire Commissioner~~ commissioner, his or her deputy, his or her assistant, or other designated persons may issue and deliver to the person an order to cease and desist such violation. An order issued under this Code section shall be delivered in accordance with the provisions of subsection (c) of this Code section.

(b) Violation of any provision of this chapter or failure to comply with a cease and desist order is cause for revocation of any or all licenses issued by the ~~Safety Fire Commissioner~~ commissioner for a period of not less than six months and not to exceed five years. If a new license has been issued to the person so charged, the order of revocation shall operate effectively with respect to such new license held by such person. In the case of an applicant for a license, violation of any provision of this title or regulations promulgated thereunder may constitute grounds for refusal of the application. Decisions under this subsection may be appealed as provided by law.

(c) Any order issued by the ~~Safety Fire Commissioner~~ commissioner under this chapter shall contain or be accompanied by a notice of opportunity for hearing which shall provide that a hearing will be held if and only if a person subject to the order requests a hearing in writing within ten days of receipt of the order and notice. The order and notice shall be served by delivery by the ~~Safety Fire Commissioner~~ commissioner or his or her agent or by registered or certified mail or statutory overnight delivery, return receipt requested. Any person who fails to comply with any order under this subsection is guilty of a misdemeanor and may be punished by law.

(d) In addition to other powers granted to the ~~Safety Fire Commissioner~~ commissioner under this chapter, the ~~Safety Fire Commissioner~~ commissioner may bring a civil action to enjoin a violation of any provision of this chapter or of any rule, regulation, or order issued by the ~~Safety Fire Commissioner~~ commissioner under this chapter.

25-10-12.

(a) In addition to the grounds set forth in Code Section 25-10-11, it is cause for revocation or suspension, refusal, or nonrenewal by the ~~Safety Fire Commissioner~~ commissioner of any license issued under this chapter if it is determined that the licensee or applicant has:

- (1) Failed to comply with all the requirements of this chapter or the rules and regulations promulgated pursuant thereto;
- (2) Failed to maintain the minimum insurance coverage as set forth in this chapter;
- (3) Made a material misstatement or misrepresentation or committed a fraud in obtaining or attempting to obtain a license; or
- (4) Failed to notify the ~~Safety Fire Commissioner~~ commissioner, in writing, within 30 days after a change of residence, principal business address, or name.

(b) In addition to other grounds set forth in this Code section, the ~~Safety Fire Commissioner~~ commissioner shall not issue a new license under this chapter if the ~~Safety Fire Commissioner~~ commissioner finds that the circumstance or circumstances for which the license was previously suspended or revoked still exist or are likely to recur.

25-10-13.

(a) The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety

Training Center shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART IX
SECTION 9-1.

Said title is further amended by revising Chapter 11, relating to fire protection sprinkler contractors, as follows:

"CHAPTER 11

25-11-1.

This chapter shall be known and may be cited as the 'Georgia Fire Sprinkler Act.'

25-11-2.

As used in this chapter, the term:

(1) 'Certificate' or 'certificate of competency' means the document issued by the ~~Commissioner~~ commissioner to a certificate holder who has demonstrated adequate technical knowledge and ability to design in accordance with recognized standards as adopted by the ~~Commissioner~~ commissioner and to perform and supervise the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems.

(2) 'Certificate holder' means an individual who has been issued a certificate of competency by the ~~Commissioner~~ commissioner.

(3) 'Commissioner' means the ~~Georgia Safety Fire Commissioner~~ commissioner of fire safety.

(4) 'Fire protection sprinkler contractor' means an individual, partnership, corporation, association, or joint venture that supervises, performs, or supervises and performs the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems. Such term does not include local building officials, fire inspectors, or insurance inspectors when acting in their official capacities.

(5) 'Fire protection sprinkler contractor license' means the document issued by the ~~Commissioner~~ commissioner to the fire protection sprinkler contractor which authorizes the fire protection sprinkler contractor to engage in the business of fabrication, installation, repair, alteration, maintenance, or inspection of water-based fire protection systems.

(6) 'Fire protection sprinkler system' means an integrated system of overhead and underground piping designed in accordance with fire protection engineering standards. The installation includes one or more automatic water supplies. The portion of the system aboveground is a network of specially sized or hydraulically designed piping installed in a building, structure, or area, generally overhead, to which sprinklers are attached in a systematic pattern. The valve controlling each system

riser is located in the system riser or its supply piping. The system is usually activated by heat from a fire and discharges water over the fire area.

(7) 'Fire protection system designer' means a person who develops documents pertaining to water-based fire protection systems.

(8) 'Fire protection system designer license' means a document issued by the ~~Commissioner~~ commissioner which authorizes the fire protection system designer to engage in the business of producing construction shop drawings pertaining to water-based fire protection systems.

(9) 'Fire protection system inspector' means an individual who performs inspections only on water-based fire protection systems in accordance with applicable codes and standards as adopted by the ~~Commissioner~~ commissioner. Such term does not apply to state, local, and insurance inspectors while acting in their official capacities.

(10) 'Fire protection system inspector's license' means a document issued by the ~~Commissioner~~ commissioner which authorizes the fire protection system inspector to engage in the business of inspecting water-based fire protection systems.

(11) 'Fire pump' means a pump supplying water at the flow and pressure required by water-based fire protection systems.

(12) 'Foam-water spray system' means a special system pipe connected to a source of foam concentrate and to a water supply and equipped with foam-water spray nozzles for fire protection agent discharge (foam and water sequentially in that order or in reverse order) and distribution over the area to be protected. System operation arrangements parallel those for foam-water sprinkler systems.

(13) 'Foam-water sprinkler system' means a special system pipe connected to a source of foam concentrates and to a water supply and equipped with appropriate discharge devices for fire protection agent discharge and distribution over the area to be protected. The piping system is connected to the water supply through a control valve that is usually actuated by operation of automatic detection equipment installed in the same area as the sprinklers. When this valve opens, water flows into the piping system, and foam concentrate is injected into the water. The resulting foam solution discharging through the discharge devices generates and distributes foam. Upon exhaustion of the foam concentrate supply, water discharge will follow the foam and continue until manually shut off. Existing deluge sprinkler systems that have been converted to the use of aqueous film forming foam are classified as foam-water sprinkler systems.

(14) 'Inspection' means a visual examination of a water-based fire protection system or portion thereof to verify that it appears to be in operating condition and is free of physical damage.

(15) 'Maintenance' means work performed to keep equipment operable or to make repairs without altering the operation of the water-based system.

(16) 'Private fire service main' means that pipe and its appurtenances on private property that are:

(A) Between a source of water and the base of the system riser for water-based fire protection systems;

- (B) Between a source of water and inlets to foam-making systems;
 - (C) Between a source of water and the base elbow of private hydrants or monitor nozzles;
 - (D) Used as fire pump suction and discharge piping outside of a building; and
 - (E) Beginning at the inlet side of the check valve on a gravity or pressure tank.
- (17) 'Private water tank' means a tank supplying water for water-based fire protection systems which is located on private property.
- (18) 'Standpipe system' means an arrangement of piping, valves, hose connections, and allied equipment installed in a building or structure with the hose connections located in such a manner that water can be discharged in streams or spray patterns through attached hoses and nozzles for the purpose of extinguishing a fire, thus protecting a building or structure, its contents, and its occupants. This is accomplished by connection to water supply systems or by pumps, tanks, and other equipment necessary to provide an adequate supply of water-to-hose connections.
- (19) 'Testing' means a procedure to determine the status of a system as intended by conducting periodic physical checks on water-based fire protection systems such as waterflow tests, fire pump tests, alarm tests, and trip tests of dry pipe, deluge, or preaction valves. These tests follow up on the original acceptance test at intervals specified in the appropriate standards related to such systems.
- (20) 'Water-based fire protection system' means any one system or any combination of a number of systems designed to deliver water to an apparatus designed to extinguish or retard the advancement of fire. Such systems include fire protection sprinkler systems, standpipe systems, private fire service mains, fire pumps, private water tanks, water spray fixed systems, foam-water spray systems, and foam-water sprinkler systems. The term 'fire sprinkler system' is used interchangeably with this term.
- (21) 'Water-spray fixed system' means a special fixed pipe system connected to a reliable fire protection water supply and equipped with water-spray nozzles for specific water discharge and distribution over the surface or area to be protected. The piping system is connected to the water supply through an automatically or manually activated valve that initiates the flow of water. An automatic valve is actuated by operation of automatic detection equipment installed in the same area as the water-spray nozzles.

25-11-3.

- (a) The ~~Commissioner~~ commissioner is charged with the duty and responsibility for the enforcement of this chapter.
- (b) Any authority, power, or duty vested in the ~~Commissioner~~ commissioner by any provision of this chapter may be exercised, discharged, or performed by any deputy, assistant, or other designated employee acting in the ~~Commissioner's~~ commissioner's name and by his or her delegated authority.
- (c) The ~~Commissioner~~ commissioner may, at his or her discretion, have the competency and license test prepared by others.

(d) The ~~Commissioner~~ commissioner is authorized to enter into a reciprocal agreement with the state fire commissioner, ~~or state fire marshal, or such other fire safety official~~ of other states for the waiver of the competency test of any applicant resident in such other jurisdiction, provided that:

- (1) The laws of the other jurisdiction are substantially similar to this chapter; and
- (2) The applicant has no place of business within this state nor is an officer, director, stockholder, or partner in any corporation or partnership doing business in this jurisdiction as a fire protection sprinkler contractor.

25-11-4.

(a) Any individual desiring to become a certificate holder shall submit to the ~~Commissioner~~ commissioner a completed application on forms prescribed by the ~~Commissioner~~ commissioner. Such individual shall remit with his or her application a nonrefundable certificate fee of \$150.00 plus a one-time filing fee of \$75.00. Such fee shall not be prorated for portions of a year.

(b) Prior to obtaining a certificate, the applicant shall demonstrate his or her competence and knowledge of water-based fire protection systems by:

- (1) Successfully completing a competency test by means prescribed by rules and regulations as adopted and promulgated by the ~~Commissioner~~ commissioner; or
- (2) Submitting to the ~~Commissioner~~ commissioner a certification from either the state fire commissioner or state fire marshal of another jurisdiction whenever a reciprocal agreement has been entered into between the two jurisdictions pursuant to the provisions of this chapter.

(c)(1) If the applicant has paid the required fees and has met one of the requirements of subsection (b) of this Code section, the ~~Commissioner~~ commissioner shall issue a certificate of competency in the name of the applicant, unless such applicant has been cited under other provisions of this chapter. Such certificate shall expire annually as determined by the rules and regulations and shall be nontransferable.

(2) In no case shall a certificate holder be allowed to obtain a certificate of competency for more than one fire protection sprinkler contractor or more than one office location at a time. If the certificate holder should leave the employment of a fire protection sprinkler contractor or change office locations, he or she must notify the ~~Commissioner~~ commissioner in writing within 30 days.

(d) A certificate holder desiring to renew his or her certificate shall submit a renewal application to the ~~Commissioner~~ commissioner and remit therewith a renewal fee of \$100.00 on or before the date determined by the rules and regulations of each year. If the state minimum fire safety standards regarding the installation or maintenance of fire protection sprinkler systems or water-spray systems promulgated by the ~~Commissioner~~ commissioner have been revised since the date the certificate holder's expiring certificate was issued, the ~~Commissioner~~ commissioner may, upon 30 days' notice, require the certificate holder to again meet one of the requirements of subsection (b) of this Code section prior to the renewal of his or her certificate.

25-11-5.

(a) Where a fire protection sprinkler contractor has multiple office locations for the purpose of design, installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems, each location shall be licensed under the provisions of this chapter.

(b) Any organization or individual desiring to become a fire protection sprinkler contractor shall submit to the ~~Commissioner~~ commissioner a completed application on forms prescribed by him or her. Such organization or individual shall remit with his or her application a nonrefundable license fee of \$100.00 plus a one-time filing fee of \$75.00. Such fee shall not be prorated for portions of a year.

(c) Prior to obtaining a sprinkler contractor's license, the applicant shall:

(1) Submit to the ~~Commissioner~~ commissioner a copy of any and all certificate of competency holders' certificates employed by the applicant; and

(2) Submit to the ~~Commissioner~~ commissioner proof of comprehensive liability insurance coverage. The liability insurance policy shall provide coverage in an amount not less than \$1 million and shall cover any loss to property or personal injury caused by the fire protection sprinkler contractor. The policy must be purchased from an insurer authorized to do business in Georgia.

(d) A fire protection sprinkler contractor license shall expire annually as determined by the rules and regulations. A license holder desiring to renew his or her license shall submit a renewal application to the ~~Commissioner~~ commissioner and remit a renewal fee of \$75.00 on or before the date determined by the rules and regulations of each year.

25-11-6.

(a) Any individual desiring to become a fire protection sprinkler system inspector shall submit to the ~~Commissioner~~ commissioner a completed application on the prescribed forms. Such individual shall remit with his or her application a nonrefundable license fee of \$100.00 plus a one-time filing fee of \$75.00. Such fees shall not be prorated for portions of a year.

(b) Prior to obtaining a license, the applicant shall demonstrate his or her competence and employment by a sprinkler contractor by:

(1) Successfully completing a competency test by means prescribed by rules and regulations as adopted and promulgated by the ~~Commissioner~~ commissioner; and

(2) Submitting to the ~~Commissioner~~ commissioner proof of employment by a sprinkler contractor who has comprehensive liability insurance coverage. The liability insurance policy shall provide coverage in an amount not less than \$1 million and shall cover any loss to property or personal injury caused by the fire protection sprinkler inspector. The policy must be purchased from an insurer authorized to do business in Georgia.

(c) A fire protection sprinkler system inspector license shall expire annually as determined by the rules and regulations. A license holder desiring to renew his or her license shall submit a renewal application to the ~~Commissioner~~ commissioner and remit a renewal fee of \$75.00 on or before the date determined by the rules and regulations of

each year.

25-11-7.

(a) Any individual desiring to become a fire protection system designer shall submit to the ~~Commissioner~~ commissioner a completed application on forms prescribed by the ~~Commissioner~~ commissioner. Such individual shall remit with his or her application a nonrefundable license fee of \$100.00 plus a one-time filing fee of \$75.00. Such fee shall not be prorated for portions of a year.

(b) Prior to obtaining a license, the applicant shall demonstrate his or her competence and knowledge of water-based fire protection systems by means prescribed by rules and regulations as adopted and promulgated by the ~~Commissioner~~ commissioner or as set forth in Chapter 15 of Title 43.

(c) A fire protection system designer license shall expire annually as determined by the rules and regulations. A license holder desiring to renew his or her license shall submit a renewal application to the ~~Commissioner~~ commissioner and remit a renewal fee of \$75.00 on or before the date determined by the rules and regulations of each year.

25-11-8.

(a) No person shall act as a fire protection sprinkler contractor unless a certificate holder is employed full time, in office or on site or combination thereof, to supervise or perform the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems.

(b) If the only certificate holder employed by a fire protection sprinkler contractor leaves the employment of the fire protection contractor, the contractor shall notify the ~~Commissioner~~ commissioner in writing within 30 days. A new certificate holder must be employed by a fire protection sprinkler contractor within 30 days of such notice.

(c) No fire protection sprinkler contractor shall permit any person under his or her employment or control to install, repair, alter, maintain, or inspect any water-based fire protection system unless such person is a certificate holder or is under the direct supervision of a certificate holder employed by the contractor.

(d) Only fire protection sprinkler contractors or certificate of competency holders shall alter or renovate water-based fire protection systems except as otherwise provided by this chapter.

(e) Individuals employed by the building owner or a representative of the building owner may repair leaks, replace broken fittings, or perform other routine maintenance that does not alter the piping arrangement or operation of a water-based fire protection system.

(f) Installations shall conform to codes as adopted by the ~~Commissioner~~ commissioner unless otherwise permitted by this chapter or the rules and regulations promulgated pursuant to this chapter.

(g) It shall be unlawful for any person to begin installation of a fire sprinkler system on any proposed or existing building or structure which comes under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13 or which comes under the

jurisdiction of the ~~office of the Commissioner of Insurance~~ Division of Fire Safety within the Georgia Public Safety Training Center pursuant to Code Section 25-2-12 without first having drawings of the designed system approved by the appropriate authority having jurisdiction unless otherwise provided by the rules and regulations promulgated pursuant to this chapter.

25-11-9.

- (a) Water-based fire protection shop drawings shall be reviewed for code compliance with the state minimum standards by a certificate of competency holder.
- (b) The reviewing certificate holder's signature, printed name, and certificate number indicating such compliance shall be indicated on submitted plans.
- (c) Noncode compliance dictated by bid documents shall be reported by means prescribed by the rules and regulations promulgated pursuant to this chapter.

25-11-10.

- (a) Only licensed fire protection system designers or other designers under their direct supervision shall prepare water-based fire protection system documents for construction.
- (b) All documents shall be representative of code complying water-based fire protection systems unless otherwise permitted by the rules and regulations promulgated pursuant to this chapter.
- (c) The licensed fire protection system designer's signature, printed name, and license number shall be indicated on the shop drawings.

25-11-11.

- (a) Inspections, maintenance, and testing required by this chapter shall only be performed by licensed fire protection system inspectors, certificate of competency holders, or representatives of the building owner. Representatives of the building owner shall indicate in writing to the authority having jurisdiction their intent to do such inspections and provide to the authority having jurisdiction proof of knowledge and expertise pertaining to the systems inspected as specified in the rules and regulations adopted pursuant to this chapter. Said representatives of the building owner are exempt from the license requirements specified in Code Section 25-11-6.
- (b) Duly authorized manufacturers' representatives while acting in their official capacities are exempt from this chapter.
- (c) Inspections and maintenance of water-based fire protection systems owned by a firm, business, or corporation and installed on property under control of the firm, business, or corporation may be performed by an employee of the firm, business, or corporation, provided that annual inspection and maintenance of the water-based system are performed by a current certificate of competency holder or inspector as defined in this chapter. Said employees are exempt from the license requirements specified in Code Section 25-11-6.

25-11-12.

The ~~Commissioner~~ commissioner may promulgate such rules and regulations as he or she deems necessary to carry out the provisions of this chapter. The ~~Commissioner~~ commissioner may also prescribe the forms required for the administration of this chapter.

25-11-13.

(a) The installation or repair of any underground facilities or piping which connects to and furnishes water for the water-based fire protection system shall be performed only by a licensed utility contractor, fire protection sprinkler contractor, or licensed plumber in accordance with the minimum fire safety standards adopted by the ~~Commissioner~~ commissioner. The installing contractor shall be responsible for the installation of proper underground facilities and piping which provide an adequate flow of water from the fire protection water supply to the water-based fire protection system.

(b) Evidence of inspection shall be given to the owner or his or her representative in the form of a letter indicating the inspector or certificate of competency holder and the license number or certificate number.

(c) Before any local building official shall issue any license or building permit which authorizes the construction of any building or structure containing a water-based fire protection system, such local official shall require a copy of a valid fire protection sprinkler contractor license from the fire protection sprinkler contractor. The fire protection sprinkler contractor shall be required to pay any fees normally imposed for local licenses or permits, but the local official shall impose no requirements on the fire protection sprinkler contractor to prove competency other than proper evidence of a valid certificate of competency, as issued by the ~~Commissioner~~ commissioner.

(d) Nothing in this chapter limits the power of a municipality, county, or the state to require the submission and approval of plans and specifications or to regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections otherwise authorized by law for the protection of the public health and safety.

25-11-14.

This chapter shall also apply to any fire protection sprinkler contractor performing work for the state or any municipality, county, or other political subdivision. Officials of the state or any municipality, county, or other political subdivision are required to determine compliance with this chapter before awarding any contracts for the installation, repair, alteration, addition, maintenance, or inspection of a water-based fire protection system. Bids tendered for such contracts shall be accompanied by a copy of a valid certificate of competency.

25-11-15.

(a) All fees collected pursuant to the provisions of this chapter shall be deposited with the Fiscal Division of the Department of Administrative Services.

(b) The ~~Commissioner~~ commissioner shall be authorized to receive grants for the administration of this chapter from parties interested in upgrading and improving the quality of water-based fire protection systems, education of the public pertaining to water-based fire protection systems, or the upgrading of fire protection, in general, in Georgia.

25-11-16.

(a) Whenever the ~~Commissioner~~ commissioner shall have reason to believe that any individual is or has been violating any provisions of this chapter, the ~~Commissioner~~ commissioner, his or her deputy, his or her assistant, or other designated persons may issue and deliver to the individual an order to cease and desist such violation. An order issued under this Code section may be delivered in accordance with the provisions of subsection (d) of this Code section.

(b) Violation of any provision of this chapter or failure to comply with a cease and desist order is cause for revocation of any or all certificates and licenses issued by the ~~Commissioner~~ commissioner for a period of not less than six months and not to exceed five years. If a new certificate or license has been issued to the person so charged, the order of revocation shall operate effectively with respect to such new certificates and licenses held by such person. In the case of an applicant for a license, certificate, or permit, violation of any provision of this title or regulations promulgated thereunder may constitute grounds for refusal of the application. Decisions under this subsection may be appealed as provided by law.

(c) Any person who violates any provision of this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter shall be subject to a civil penalty imposed by the ~~Commissioner~~ commissioner of not more than \$1,000.00 for a first offense, not less than \$1,000.00 and not more than \$2,000.00 for a second offense, and not less than \$2,000.00 or more than \$5,000.00 for a third or subsequent offense. Prior to subjecting any person or entity to a fine under this subsection, the ~~Commissioner~~ commissioner or his or her agent shall give written notice to the person or entity by hand delivery or by registered or certified mail or statutory overnight delivery, return receipt requested, of the existence of the violations. After a reasonable period of time after notice is given, an order may be issued based on this Code section. Such order must be delivered in accordance with the provisions of subsection (d) of this Code section and must notify the person or entity of the right to a hearing with respect to same.

(d) Any order issued by the ~~Commissioner~~ commissioner under this chapter shall contain or be accompanied by a notice of opportunity for hearing which may provide that a hearing will be held if and only if a person subject to the order requests a hearing within ten days of receipt of the order and notice. The order and notice shall be served by delivery by the ~~Commissioner~~ commissioner or his or her agent or by registered or certified mail or statutory overnight delivery, return receipt requested. Any person who fails to comply with any order under this subsection is guilty of a misdemeanor and may be punished by law.

(e) In addition to other powers granted to the ~~Commissioner~~ commissioner under this chapter, the ~~Commissioner~~ commissioner may bring a civil action to enjoin a violation of any provision of this chapter or of any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter.

25-11-17.

In addition to the grounds set forth in Code Section 25-11-16, it is cause for revocation or suspension, refusal, or nonrenewal of certificates or licenses by the ~~Commissioner~~ commissioner if it is determined that the holder or applicant has:

- (1) Rendered inoperative a water-based fire protection system covered by this chapter, except during a reasonable time during which the system is being repaired, altered, added to, maintained, inspected, or except pursuant to a court order;
- (2) Falsified any record required to be maintained by this chapter or rules or regulations adopted pursuant to this chapter or current fire codes enforced by the ~~Commissioner~~ commissioner;
- (3) Improperly installed, repaired, serviced, modified, altered, inspected, or tested a water-based fire protection system;
- (4) While holding a certificate or license, allowed another person to use the certificate or license or certificate number or license number other than his or her own valid certificate or license or certificate number or license number;
- (5) While holding a certificate or license, used a certificate or license or certificate number or license number other than his or her own valid certificate or license or certificate number or license number;
- (6) Used credentials, methods, means, or practices to impersonate a representative of the ~~Commissioner~~ commissioner or the state fire marshal or any local fire chief, fire marshal, or other fire authority having jurisdiction;
- (7) Failed to maintain the minimum insurance coverage as set forth in this chapter;
- (8) Failed to obtain, retain, or maintain one or more of the qualifications and requirements to obtain a certificate of competency or other licenses required by this chapter;
- (9) Installed, serviced, modified, altered, inspected, maintained, added to, or tested a water-based fire protection system without a current, valid license or certificate, when such license or certificate is required by this chapter;
- (10) Made a material misstatement or misrepresentation or committed a fraud in obtaining or attempting to obtain a license or certificate; or
- (11) Failed to notify the ~~Commissioner~~ commissioner, in writing, with 30 days after a change of residence, principal business address, or name.

In addition to other grounds set forth in this Code section, the ~~Commissioner~~ commissioner shall not issue a new license or certificate if the ~~Commissioner~~ commissioner finds that the circumstance or circumstances for which the license or certificate was previously suspended or revoked still exist or are likely to recur.

25-11-18.

The failure to renew a certificate or license by the expiration date as set forth in this chapter will cause the certificate or license to become inoperative. A certificate or license which is inoperative because of the failure to renew it shall be restored upon payment of the applicable fee plus a penalty of not more than \$250.00 if said fees are paid within 90 days of expiration. After 90 days new certificates and licenses must be applied for as required for an initial certificate or license.

25-11-19.

The provisions of this chapter shall not apply to water-based automatic sprinkler systems for use in single-family dwellings or limited water-based systems permitted to be connected directly to a domestic water supply system as allowed by the NFPA Life Safety Code adopted by the ~~Commissioner's~~ commissioner's rules and regulations.

25-11-20.

(a) The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART X SECTION 10-1.

Said title is further amended by revising Chapter 12, relating to regulation of fire extinguishers and suppression systems, as follows:

"CHAPTER 12

25-12-1.

It is unlawful for any firm to engage in the business of installing, inspecting, recharging, repairing, servicing, or testing of portable fire extinguishers or fire suppression systems, as defined by this chapter, in this state except in conformity with the provisions of this chapter. Each firm engaging in any such business must possess a valid and subsisting license issued by the ~~Commissioner~~ commissioner. Such license

shall not be required for any firm or governmental entity that engages only in installing, inspecting, recharging, repairing, servicing, or testing of portable fire extinguishers or fire suppression systems owned by the firm and installed on property under the control of said firm. Such firms shall remain subject to the rules and regulations adopted pursuant to this chapter.

25-12-2.

As used in this chapter, the term:

- (1) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (2) 'Engineered fire suppression system' means any fire suppression system having pipe lengths, number of fittings, number and types of nozzles, suppression agent flow rates, and nozzle pressures as determined by calculations derived from the appropriate standards of the National Fire Protection Association, whether those calculations are performed by hand or by a computer program or by other method of calculation. These systems may consist of other components, including, but not limited to, detection devices, alarm devices, and control devices as tested and approved by a nationally recognized testing laboratory and shall be manufacturer listed as compatible with the fire suppression system involved.
- (3) 'Fire suppression system' means any fire-fighting system employing a suppression agent with the purpose of controlling, suppressing, or extinguishing a fire in a specific hazard. The suppression agent shall be a currently recognized agent or water additive required to control, suppress, or extinguish a fire. The term ~~fire~~ 'fire suppression system system' shall include engineered and preengineered systems as defined in this chapter and shall not include those systems addressed in Chapter 11 of this title.
- (4) 'Firm' means any business, person, partnership, organization, association, corporation, contractor, subcontractor, or individual.
- (5) 'License' means the document issued by the ~~Commissioner~~ commissioner which authorizes a firm to engage in the business of installation, repair, alteration, recharging, inspection, maintenance, service, or testing of fire suppression systems or portable fire extinguishers.
- (6) 'Permit' means the document issued by the ~~Commissioner~~ commissioner which authorizes an individual to install, inspect, repair, recharge, service, or test fire suppression systems or portable fire extinguishers.
- (7) 'Portable fire extinguisher' means a portable device containing an extinguishing agent that can be expelled under pressure for the purpose of suppressing or extinguishing a fire. The device must be listed by a nationally recognized testing laboratory. The device must bear a manufacturer's name and serial number. The listings, approvals, and serial numbers may be stamped on the manufacturer's identification and instruction plate or on a separate plate of the testing laboratory soldered or attached to the extinguisher shell in a permanent manner set forth by the listing or approving organization.
- (8) 'Preengineered fire suppression system' means any system having predetermined flow rates, nozzle pressures, and quantities of an extinguishing agent. These systems

have the specific pipe size, maximum and minimum pipe lengths, flexible hose specifications, number of fittings, and number and types of nozzles prescribed by a nationally recognized testing laboratory. The hazards protected by these systems are specifically limited as to the type and size by the testing laboratory based upon actual fire tests. Limitations on hazards that can be protected by these systems are contained in the manufacturer's installation manual, which is referenced as part of the listing.

25-12-3.

All fire suppression systems required by the ~~Commissioner's~~ commissioner's rules and regulations or by other state or local fire safety rules or regulations must be installed, inspected, repaired, recharged, serviced, or tested only by a firm licensed under the provisions of this chapter, except as otherwise provided by this chapter.

25-12-4.

All portable fire extinguishers required by the ~~Commissioner's~~ commissioner's rules and regulations or by other state or local fire safety rules or regulations must be installed, inspected, repaired, recharged, serviced, or tested only by a firm licensed under the provisions of this chapter, except as otherwise provided by this chapter.

25-12-5.

The provisions of this chapter do not apply to fire chiefs, fire marshals, fire inspectors, or insurance company inspectors with regard to the routine visual inspection of preengineered fire suppression systems or portable fire extinguishers.

25-12-6.

(a) The provisions of this chapter do not apply to any firm that engages only in the routine visual inspection of fire suppression systems or portable fire extinguishers owned by the firm and installed on property under the control of said firm.

(b) The fees required by this chapter shall not apply to employees of federal, state, or local governments or to members of legally organized fire departments while acting in their official capacities.

25-12-7.

Each firm in the business of installing, altering, inspecting, repairing, recharging, servicing, maintaining, or testing fire suppression systems or in the business of inspecting, repairing, recharging, servicing, maintaining, or testing portable fire extinguishers is required to obtain a license from the ~~Commissioner~~ commissioner. The annual fee for said license shall be as established by the ~~Commissioner~~ commissioner by rule or regulation, but such license fee shall not exceed \$50.00.

25-12-8.

Each individual actually performing the installing, inspecting, repairing, recharging, servicing, or testing activities must possess a valid and subsisting permit issued by the

~~Commissioner~~ commissioner. The annual fee for said permit shall be as established by the ~~Commissioner~~ commissioner by rule or regulation, but such permit fee shall not exceed \$75.00. Such permit shall not be required for any individual employed by any firm or governmental entity that engages only in installing, inspecting, recharging, repairing, servicing, or testing of portable fire extinguishers or fire suppression systems owned by the firm and installed on property under the control of said firm. Such individuals shall remain subject to the rules and regulations adopted pursuant to this chapter.

25-12-9.

The licenses and permits required by this chapter shall be issued by the ~~Commissioner~~ commissioner for each license year beginning January 1 and expiring the following December 31. The failure to renew a license or permit by December 31 will cause the license or permit to become inoperative. A license or permit which is inoperative because of the failure to renew it shall be restored upon payment of the applicable fee plus a penalty equal to the applicable fee if said fees are paid within 90 days of expiration. After 90 days, the firm and the employees thereof must apply for new licenses and permits as required for an initial license or permit.

25-12-10.

The forms of such licenses and permits and applications and fees therefor shall be prescribed by the ~~Commissioner~~ commissioner by rule or regulation, subject to the limitations on fees provided for in Code Sections 25-12-7 and 25-12-8. In addition to such other information and data as the ~~Commissioner~~ commissioner determines are appropriate and required for such forms, there shall be included in such forms the following matters:

- (1) Each such application shall be sworn to by the applicant or, if a corporation, by an officer thereof;
- (2) Each application shall clearly state, in detail as set forth by the ~~Commissioner~~ commissioner, the type of activity or activities for which the applicant desires a license or permit to perform;
- (3) An application for a permit shall include the name of the licensee employing such permittee, and the permit issued in pursuance of such application shall also set forth the name of such licensee. For persons covered by Code Section 25-12-8, the application and permit shall bear the business name of the person's employer; and
- (4) The license or permit issued by the ~~Commissioner~~ commissioner shall clearly state the activity or activities for which the firm or individual has been issued the license or permit to perform. The licensee or permittee shall not perform any activity not noted on the license or permit issued by the ~~Commissioner~~ commissioner.

25-12-11.

A license may not be issued by the ~~Commissioner~~ commissioner until:

- (1) The applicant has submitted to the ~~Commissioner~~ commissioner evidence of registration as a Georgia corporation;

(2) The ~~Commissioner~~ commissioner or a person designated by him or her has by inspection determined that the applicant possesses the equipment required for the activities the applicant requests to be licensed to perform. If the applicant includes in the request the high-pressure hydrostatic testing of equipment, the applicant must submit a copy of its United States Department of Transportation approval and renewals. If the applicant includes in the request the transfer of Halogenated fire suppression agents, the applicant must submit a copy of the current Underwriter's Laboratories on-site inspection form for a manufacturer's represented Halon pumping station. The ~~Commissioner~~ commissioner shall give an applicant 60 days to correct any deficiencies discovered by inspection;

(3) The applicant has submitted to the ~~Commissioner~~ commissioner proof of a valid comprehensive liability insurance policy purchased from an insurer authorized to do business in Georgia. The coverage must include bodily injury and property damage, products liability, completed operations, and contractual liability. The proof of insurance must also be provided before any license can be renewed. The minimum amount of said coverage shall be \$1 million or such other amount as specified by the ~~Commissioner~~ commissioner. An insurer which provides such coverage shall notify the ~~Commissioner~~ commissioner of any change in coverage; and

(4) The applicant, when filing an application for an examination, pays a nonrefundable filing fee fixed by rule or regulation of the ~~Commissioner~~ commissioner.

25-12-12.

No permit may be issued to a person for the first time by the ~~Commissioner~~ commissioner until the applicant has submitted a nonrefundable filing fee fixed by rule or regulation of the ~~Commissioner~~ commissioner.

25-12-13.

(a) Any firm or individual holding a valid license or permit desiring to perform an activity not covered by the current permit may submit an application for an amended license or permit at any time between January 1 and the date established by the ~~Commissioner~~ commissioner for filing applications for renewing an annual license or permit.

(b) The provisions of this chapter relating to the requirements for obtaining a license or permit shall apply to applications for an amended license or permit. The ~~Commissioner~~ commissioner shall by rule or regulation establish the fee for obtaining an amended license and the fee for an amended permit, but such fees shall not exceed the respective limits set forth in Code Sections 25-12-7 and 25-12-8.

(c) The fees for an amended license or permit shall not apply if the new activity or activities are included in an application for a renewal of the annual license or permit. The application for renewal must be accompanied by the proof of training and other applicable documentation regarding the activity or activities desired to be included on the new annual license or permit.

25-12-14.

Every permittee must have a valid and subsisting permit upon his or her person at all times while engaging in the installing, inspection, recharging, repairing, servicing, or testing of fire suppression systems or portable fire extinguishers. Every licensee or permittee must be able to produce a valid license or valid permit, as appropriate, upon demand by the ~~Commissioner~~ commissioner or his or her representatives or by any local authority having jurisdiction for fire protection or prevention or by any person for whom the licensee or permittee solicits to perform any of the activities covered by this chapter.

25-12-15.

The ~~Commissioner~~ commissioner may adopt rules and regulations setting forth the proper installation, inspection, recharging, repairing, servicing, or testing of fire suppression systems or portable fire extinguishers. The ~~Commissioner~~ commissioner may adopt by rule the applicable standards of the National Fire Protection Association or another nationally recognized organization, if the standards are judged by him or her to be suitable for the enforcement of this chapter. All fire suppression systems covered by Code Section 25-12-3 and all portable fire extinguishers covered by Code Section 25-12-4 shall be installed, inspected, recharged, repaired, serviced, or tested in compliance with this chapter and with the ~~Commissioner's~~ commissioner's rules and regulations.

25-12-16.

The ~~Commissioner~~ commissioner shall make and promulgate specifications as to the number, type, size, shape, color, and information and data contained thereon of service tags to be attached to all portable fire extinguishers and fire suppression systems covered by this chapter when they are installed, inspected, recharged, repaired, serviced, or tested. It shall be unlawful to install, inspect, recharge, repair, service, or test any portable fire extinguisher or fire suppression system without attaching the required tag or tags completed in detail, including the actual month, day, and year the work was performed, or to use a tag not meeting the specifications set forth by the ~~Commissioner~~ commissioner.

25-12-17.

(a) The violation of any provision of this chapter or any rule or regulation adopted and promulgated pursuant to this chapter or the failure or refusal to comply with any notice or order to correct a violation or any cease and desist order by any person who possesses a license or permit issued pursuant to this chapter or who is required to have a license or permit issued pursuant to this chapter is cause for denial, nonrenewal, revocation, or suspension of such license or permit by the ~~Commissioner~~ commissioner after a determination that such person is guilty of such violations. An order of suspension shall state the period of time of such suspension, which period may not be in excess of two years from the date of such order. An order of revocation shall state the

period of time of such revocation, which period may not be in excess of five years from the date of such order. Such order shall effect suspension or revocation of all licenses and permits then held by the person, and during such period of time no license or permit shall be issued to such person. During the suspension or revocation of any license or permit, the licensee or permittee whose license or permit has been suspended or revoked shall not engage in or attempt or profess to engage in any transaction or business for which a license or permit is required under this chapter or directly or indirectly own, control, or be employed in any manner by any firm, business, or corporation for which a license or permit under this chapter is required. If, during the period between the beginning of proceedings and the entry of an order of suspension or revocation by the ~~Commissioner~~ commissioner, a new license or permit has been issued to the person so charged, the order of suspension or revocation shall operate to suspend or revoke, as the case may be, such new license or permit held by such person.

(b) The department shall not, so long as the revocation or suspension remains in effect, issue any new license or permit for the establishment of any new firm, business, or corporation of any person or applicant that has or will have the same or similar management, ownership, control, employees, permittees, or licensees or will use the same or a similar name as the revoked or suspended firm, business, corporation, person, or applicant.

(c) The ~~Commissioner~~ commissioner may deny, nonrenew, suspend, or revoke the license or permit of:

(1) Any person, firm, business, or corporation whose license has been suspended or revoked under this chapter;

(2) Any firm, business, or corporation if any officer, director, stockholder, owner, or person who has a direct or indirect interest in the firm, business, or corporation has had his or her license or permit suspended under this chapter; and

(3) Any person who is or has been an officer, director, stockholder, or owner of a firm, business, or corporation or who has or had a direct or indirect interest in a firm, business, or corporation whose license or permit has been suspended or revoked under this chapter.

(d) In addition to the grounds set forth in this Code section, it is cause for denial, nonrenewal, revocation, or suspension of a license or permit by the ~~Commissioner~~ commissioner if he or she determines that the licensee or permittee has:

(1) Rendered inoperative a portable fire extinguisher or preengineered or engineered fire suppression system covered by this chapter, except during such time as the extinguisher or preengineered or engineered system is being inspected, recharged, hydrottested, repaired, altered, added to, maintained, serviced, or tested or except pursuant to court order;

(2) Falsified any record required to be maintained by this chapter or rules or regulations adopted pursuant to this chapter or current fire codes enforced by the ~~Commissioner~~ commissioner;

(3) Improperly installed, recharged, hydrottested, repaired, serviced, modified, altered, inspected, or tested a portable fire extinguisher or preengineered or engineered fire

suppression system;

(4) While holding a permit or license, allowed another person to use the permit or license or permit number or license number or used a license or permit or license number or permit number other than his or her own valid license or permit or license number or permit number;

(5) Failed to provide proof of or failed to maintain the minimum comprehensive liability insurance coverage as set forth in paragraph (3) of Code Section 25-12-11;

(6) Failed to obtain, retain, or maintain one or more of the qualifications for a license or permit required by this chapter;

(7) Used credentials, methods, means, or practices to impersonate a representative of the ~~Commissioner~~ commissioner or the state fire marshal or any local fire chief, fire marshal, or other fire authority having jurisdiction;

(8) Installed, recharged, hydrottested, repaired, serviced, modified, altered, inspected, maintained, added to, or tested a portable fire extinguisher or preengineered or engineered fire suppression system without a current, valid license or permit when such license or permit is required by this chapter;

(9) Made a material misstatement or misrepresentation or committed a fraud in obtaining or attempting to obtain a license or permit; or

(10) Failed to notify the ~~Commissioner~~ commissioner, in writing, within 30 days after a change of residence, principal business address, or name.

(e) In addition, the ~~Commissioner~~ commissioner shall not issue a new license or permit if the ~~Commissioner~~ commissioner finds that the circumstance or circumstances for which the license or permit was previously suspended or revoked still exist or are likely to recur.

25-12-18.

(a) Whenever the ~~Commissioner~~ commissioner shall have reason to believe that any individual is or has been violating any provisions of this chapter, the ~~Commissioner~~ commissioner, his or her deputy, his or her assistant, or other designated persons may issue and deliver to the individual an order to cease and desist such violation. An order issued under this Code section may be delivered in accordance with the provisions of subsection (d) of this Code section.

(b) Violation of any provision of this chapter or failure to comply with a cease and desist order is cause for revocation of any or all permits and licenses issued by the ~~Commissioner~~ commissioner for a period of not less than six months and not to exceed five years. If a new permit or license has been issued to the person so charged, the order of revocation shall operate effectively with respect to such new permits and licenses held by such person. In the case of an applicant for a license, certificate, or permit, violation of any provision of this title may constitute grounds for refusal of the application. Decisions under this subsection may be appealed as provided by law.

(c) Any person who violates any provision of this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter shall be subject to a civil penalty imposed by the ~~Commissioner~~ commissioner of not more than \$1,000.00

for a first offense, not less than \$1,000.00 and not more than \$2,000.00 for a second offense, and not less than \$2,000.00 or more than \$5,000.00 for a third or subsequent offense. Prior to subjecting any person or entity to a fine under this subsection, the ~~Commissioner~~ commissioner or his or her agent shall give written notice to the person or entity by hand delivery or by registered or certified mail or statutory overnight delivery, return receipt requested, of the existence of the violations. After a reasonable period of time after notice is given, an order may be issued based on this Code section. Such order must be delivered in accordance with the provisions of subsection (d) of this Code section and must notify the person or entity of the right to a hearing with respect to same.

(d) Any order issued by the ~~Commissioner~~ commissioner under this chapter shall contain or be accompanied by a notice of opportunity for hearing which may provide that a hearing will be held if and only if a person subject to the order requests a hearing within ten days of receipt of the order and notice. The order and notice shall be served by delivery by the ~~Commissioner~~ commissioner or his or her agent or by registered or certified mail or statutory overnight delivery, return receipt requested. Any person who fails to comply with any order under this subsection is guilty of a misdemeanor and may be punished as provided by law.

(e) In addition to other powers granted to the ~~Commissioner~~ commissioner under this chapter, the ~~Commissioner~~ commissioner may bring a civil action to enjoin a violation of any provision of this chapter or of any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter.

25-12-19.

(a) Any person, firm, or corporation which violates any provision of this chapter or any order, rule, or regulation of the ~~Commissioner~~ commissioner shall be guilty of a misdemeanor.

(b) It shall also constitute a misdemeanor willfully or intentionally to:

- (1) Obliterate the serial number on a fire suppression system or portable fire extinguisher for the purposes of falsifying service records;
- (2) Improperly install a fire suppression system or improperly recharge, repair, service, or test any such suppression system or any such portable fire extinguisher;
- (3) While holding a permit or license, allow another person to use the permit or license or permit number or license number or to use a license or permit or license number or permit number other than his or her own valid license or permit or license number or permit number;
- (4) Use or permit the use of any license by an individual or organization other than the one to whom the license is issued;
- (5) To use any credential, method, means, or practice to impersonate a representative of the ~~Commissioner~~ commissioner or the state fire marshal or any local fire chief, fire marshal, or other fire authority having jurisdiction; or
- (6) To engage in the business of installing, inspecting, recharging, repairing, servicing, or testing portable fire extinguishers or fire suppression systems except in

conformity with the provisions of this chapter and the applicable rules and regulations of the ~~Commissioner~~ commissioner.

25-12-20.

Any authority, power, or duty vested in the ~~Commissioner~~ commissioner by any provision of this chapter may be exercised, discharged, or performed by a deputy, assistant, or other designated employee acting in the ~~Commissioner's~~ commissioner's name and by his or her delegated authority. The ~~Commissioner~~ commissioner shall be responsible for the official acts of such persons who act in his or her name and by his or her authority.

25-12-21.

(a) All fees collected by the ~~Commissioner~~ commissioner for licenses, permits, and related examinations pursuant to the provisions of this chapter shall be deposited in the general fund of this state in accordance with applicable laws of this state.

(b) The ~~Commissioner~~ commissioner is authorized to receive grants or gifts for the administration of this chapter from parties interested in upgrading and improving the quality of fire protection provided by portable fire extinguishers or fire suppression systems.

25-12-22.

(a) Nothing in this chapter limits the power of a municipality, a county, or the state to require the submission and approval of plans and specifications or to regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections otherwise authorized by law for the protection of the public health and safety.

(b) No municipality or county shall impose any other requirements on persons licensed or permitted by the ~~Commissioner~~ commissioner as set forth in this chapter to prove competency to conduct any activity covered by said license or permit.

25-12-23.

(a) The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of

the powers formerly held by the Safety Fire Commissioner under this chapter."

PART XI
SECTION 11-1.

Said title is further amended by revising Chapter 14, relating to Georgia fire safety standard and firefighter protection, as follows:

"CHAPTER 14

25-14-1.

This chapter shall be known and may be cited as the 'Georgia Fire Safety Standard and Firefighter Protection Act.'

25-14-2.

As used in this chapter, the term:

(1) 'Agent' means any person authorized by the state revenue commissioner to purchase and affix stamps on packages of cigarettes.

(2) 'Cigarette' means:

(A) Any roll for smoking made wholly or in part of tobacco when the cover of the roll is paper or any substance other than tobacco; or

(B) Any roll for smoking wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette as described in subparagraph (A) of this paragraph.

(3) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.

(4) 'Manufacturer' means:

(A) Any entity which manufactures, makes, produces, or causes to be produced cigarettes sold in this state or cigarettes said entity intends to be sold in this state;

(B) The first purchaser of cigarettes manufactured anywhere that intends to resell such cigarettes in this state regardless of whether the original manufacturer, maker, or producer intends such cigarettes to be sold in the United States; or

(C) Any entity which becomes a successor of an entity described in subparagraph (A) or (B) of this paragraph.

(4.1) 'New York Fire Safety Standards for Cigarettes' means those New York Fire Safety Standards for Cigarettes in effect on April 1, 2008.

(5) 'Quality control and quality assurance program' means the laboratory procedures implemented to ensure that operator bias, systematic and nonsystematic methodological errors, and equipment related problems do not affect the results of the testing. Such a program ensures that the testing repeatability remains within the required repeatability values stated in paragraph (6) of subsection (b) of Code Section 25-14-3 for all test trials used to certify cigarettes in accordance with this chapter.

(6) 'Repeatability' means the range of values within which the repeat results of

cigarette test trials from a single laboratory will fall 95 percent of the time.

(7) 'Retail dealer' means any person, other than a manufacturer or wholesale dealer, engaged in selling cigarettes or tobacco products.

(8) 'Sale' means any sale, transfer, exchange, theft, barter, gift, or offer for sale and distribution in any manner or by any means whatever.

(9) 'Sell' means to sell or to offer or agree to do the same.

(10) 'Wholesale dealer' means any person that is not a manufacturer who sells cigarettes or tobacco products to retail dealers or other persons for purposes of resale. A wholesale dealer is also any person who owns, operates, or maintains one or more cigarette or tobacco product vending machines in, at, or upon premises owned or occupied by any other person.

25-14-3.

(a) Except as provided in subsection (h) of this Code section, no cigarettes may be sold or offered for sale in this state or offered for sale or sold to persons located in this state unless the cigarettes have been tested in accordance with the test method and meet the performance standard specified in this Code section, a written certification has been filed by the manufacturer in accordance with Code Section 25-14-4, and the cigarettes have been marked in accordance with Code Section 25-14-5.

(b)(1) Testing of cigarettes shall be conducted in accordance with the American Society of Testing and Materials (ASTM) Standard E2187-04, 'Standard Test Method for Measuring the Ignition Strength of Cigarettes.'

(2) Testing shall be conducted on ten layers of filter paper.

(3) No more than 25 percent of the cigarettes tested in a test trial in accordance with this Code section shall exhibit full-length burns. Forty replicate tests shall comprise a complete test trial for each cigarette tested.

(4) The performance standard required by this Code section shall only be applied to a complete test trial.

(5) Written certifications shall be based upon testing conducted by a laboratory that has been accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization (ISO) or other comparable accreditation standard required by the ~~Commissioner~~ commissioner.

(6) Laboratories conducting testing in accordance with this Code section shall implement a quality control and quality assurance program that includes a procedure that will determine the repeatability of the testing results. The repeatability value shall be no greater than 0.19.

(7) This Code section does not require additional testing if cigarettes are tested consistent with this chapter for any other purpose.

(8) Testing performed or sponsored by the ~~Commissioner~~ commissioner to determine a cigarette's compliance with the performance standard required shall be conducted in accordance with this Code section.

(c) Each cigarette listed in a certification submitted pursuant to Code Section 25-14-4 that uses lowered permeability bands in the cigarette paper to achieve compliance with

the performance standard set forth in this Code section shall have at least two nominally identical bands on the paper surrounding the tobacco column. At least one complete band shall be located at least 15 millimeters from the lighting end of the cigarette. For cigarettes on which the bands are positioned by design, there shall be at least two bands fully located at least 15 millimeters from the lighting end and ten millimeters from the filter end of the tobacco column, or ten millimeters from the labeled end of the tobacco column for nonfiltered cigarettes.

(d) A manufacturer of a cigarette that the ~~Commissioner~~ commissioner determines cannot be tested in accordance with the test method prescribed in paragraph (1) of subsection (b) of this Code section shall propose a test method and performance standard for the cigarette to the ~~Commissioner~~ commissioner. Upon approval of the proposed test method and a determination by the ~~Commissioner~~ commissioner that the performance standard proposed by the manufacturer is equivalent to the performance standard prescribed in paragraph (3) of subsection (b) of this Code section, the manufacturer may employ such test method and performance standard to certify such cigarette pursuant to Code Section 25-14-4. If the ~~Commissioner~~ commissioner determines that another state has enacted reduced cigarette ignition propensity standards that include a test method and performance standard that are the same as those contained in this chapter, and the ~~Commissioner~~ commissioner finds that the officials responsible for implementing those requirements have approved the proposed alternative test method and performance standard for a particular cigarette proposed by a manufacturer as meeting the fire safety standards of that state's law or regulation under a legal provision comparable to this Code section, then the ~~Commissioner~~ commissioner shall authorize that manufacturer to employ the alternative test method and performance standard to certify that cigarette for sale in this state, unless the ~~Commissioner~~ commissioner demonstrates a reasonable basis why the alternative test should not be accepted under this chapter. All other applicable requirements of this Code section shall apply to the manufacturer.

(e) Each manufacturer shall maintain copies of the reports of all tests conducted on all cigarettes offered for sale for a period of three years, and shall make copies of these reports available to the ~~Commissioner~~ commissioner and the Attorney General upon written request. Any manufacturer who fails to make copies of these reports available within 60 days of receiving a written request shall be subject to a civil penalty not to exceed \$10,000.00 for each day after the sixtieth day that the manufacturer does not make such copies available.

(f) The ~~Commissioner~~ commissioner may adopt a subsequent ASTM Standard Test Method for Measuring the Ignition Strength of Cigarettes upon a finding that such subsequent method does not result in a change in the percentage of full-length burns exhibited by any tested cigarette when compared to the percentage of full-length burns the same cigarette would exhibit when tested in accordance with ASTM Standard E2187-04 and the performance standard in paragraph (3) of subsection (b) of this Code section.

(g) The ~~Commissioner~~ commissioner shall review the effectiveness of this Code

section and report his or her findings every three years to the General Assembly and, if appropriate, recommendations for legislation to improve the effectiveness of this chapter. The report and legislative recommendations shall be submitted no later than June 30 following the conclusion of each three-year period.

(h) The requirements of subsection (a) of this Code section shall not prohibit:

(1) Wholesale or retail dealers from selling their existing inventory of cigarettes on or after January 1, 2010, if the wholesale or retailer dealer can establish that state tax stamps were affixed to the cigarettes prior to January 1, 2010, and if the wholesale or retailer dealer can establish that the inventory was purchased prior to January 1, 2010, in comparable quantity to the inventory purchased during the same period of the prior year; or

(2) The sale of cigarettes solely for the purpose of consumer testing. For purposes of this paragraph, the term 'consumer testing' shall mean an assessment of cigarettes that is conducted by a manufacturer, or under the control and direction of a manufacturer, for the purpose of evaluating consumer acceptance of such cigarettes, utilizing only the quantity of cigarettes that is reasonably necessary for such assessment.

(i) This chapter shall be implemented in accordance with the implementation and substance of the New York Fire Safety Standards for Cigarettes.

25-14-4.

(a) Each manufacturer shall submit to the ~~Commissioner~~ commissioner a written certification attesting that:

(1) Each cigarette listed in the certification has been tested in accordance with Code Section 25-14-3; and

(2) Each cigarette listed in the certification meets the performance standard set forth in paragraph (3) of subsection (b) of Code Section 25-14-3.

(b) Each cigarette listed in the certification shall be described with the following information:

(1) Brand or trade name on the package;

(2) Style, such as light or ultra light;

(3) Length in millimeters;

(4) Circumference in millimeters;

(5) Flavor, such as menthol or chocolate, if applicable;

(6) Filter or nonfilter;

(7) Package description, such as soft pack or box;

(8) Marking approved in accordance with Code Section 25-14-5;

(9) The name, address, and telephone number of the laboratory, if different from the manufacturer that conducted the test; and

(10) The date that the testing occurred.

(c) The certifications shall also be made available to the Attorney General for purposes consistent with this chapter and to the state revenue commissioner for the purposes of ensuring compliance with this Code section.

(d) Each cigarette certified under this Code section shall be recertified every three

years.

(e) For each cigarette listed in a certification, a manufacturer shall pay to the ~~Commissioner~~ commissioner a fee of \$250.00.

(f) If a manufacturer has certified a cigarette pursuant to this Code section and thereafter makes any change to such cigarette that is likely to alter its compliance with the reduced cigarette ignition propensity standards required by this chapter, that cigarette shall not be sold or offered for sale in this state until the manufacturer retests the cigarette in accordance with the testing standards set forth in Code Section 25-14-3 and maintains records of that retesting as required by Code Section 25-14-3. Any altered cigarette which does not meet the performance standard set forth in Code Section 25-14-3 shall not be sold in this state.

25-14-5.

(a) Cigarettes that are certified by a manufacturer in accordance with Code Section 25-14-4 shall be marked to indicate compliance with the requirements of Code Section 25-14-3. The marking shall be in eight-point type or larger and consist of:

(1) Modification of the Universal Product Code to include a visible mark printed at or around the area of the Universal Product Code. The mark may consist of alphanumeric or symbolic characters permanently stamped, engraved, embossed, or printed in conjunction with the Universal Product Code;

(2) Any visible combination of alphanumeric or symbolic characters permanently stamped, engraved, or embossed upon the cigarette packaging or cellophane wrap; or

(3) Printed, stamped, engraved, or embossed text on the cigarette packaging or cellophane wrap that indicates that the cigarettes meet Georgia standards.

(b) A manufacturer shall use only one marking and shall apply this marking uniformly for all packages, including but not limited to packs, cartons, and cases, and brands marketed by that manufacturer.

(c) The ~~Commissioner~~ commissioner shall be notified as to the marking that is selected.

(d) Prior to the certification of any cigarette, a manufacturer shall present its proposed marking to the ~~Commissioner~~ commissioner for approval. Upon receipt of the request, the ~~Commissioner~~ commissioner shall approve or disapprove the marking offered. The ~~Commissioner~~ commissioner shall approve:

(1) Any marking in use and approved for sale in New York pursuant to the New York Fire Safety Standards for Cigarettes; or

(2) The letters 'FSC,' which signifies Fire Standards Compliant, appearing in eight-point type or larger and permanently printed, stamped, engraved, or embossed on the package at or near the Universal Product Code.

Proposed markings shall be deemed approved if the ~~Commissioner~~ commissioner fails to act within ten business days of receiving a request for approval.

(e) No manufacturer shall modify its approved marking unless the modification has been approved by the ~~Commissioner~~ commissioner in accordance with this Code section.

(f) Manufacturers certifying cigarettes in accordance with Code Section 25-14-4 shall provide a copy of the certifications to all wholesale dealers and agents to which they sell cigarettes and shall also provide sufficient copies of an illustration of the package marking utilized by the manufacturer pursuant to this Code section for each retail dealer to which the wholesale dealers or agents sell cigarettes. Wholesale dealers and agents shall provide a copy of these package markings received from manufacturers to all retail dealers to which they sell cigarettes. Wholesale dealers, agents, and retail dealers shall permit the ~~Commissioner~~ commissioner, the state revenue commissioner, the Attorney General, and their employees to inspect markings of cigarette packaging marked in accordance with this Code section.

25-14-6.

(a) A manufacturer, wholesale dealer, agent, or any other person or entity who knowingly sells or offers to sell cigarettes, other than through retail sale, in violation of Code Section 25-14-3, for a first offense shall be subject to a civil penalty not to exceed \$100.00 ~~dollars~~ for each pack of such cigarettes sold or offered for sale, provided that in no case shall the penalty against any such person or entity exceed \$100,000.00 during any 30 day period.

(b) A retail dealer who knowingly sells or offers to sell cigarettes in violation of Code Section 25-14-3 shall be subject to a civil penalty not to exceed \$100.00 for each pack of such cigarettes, provided that in no case shall the penalty against any retail dealer exceed \$25,000.00 during any 30 day period.

(c) In addition to any penalty prescribed by law, any corporation, partnership, sole proprietor, limited partnership, or association engaged in the manufacture of cigarettes that knowingly makes a false certification pursuant to Code Section 25-14-4 shall be subject to a civil penalty of at least \$75,000.00 and not to exceed \$250,000.00 for each such false certification.

(d) Any person violating any other provision in this chapter shall be subject to a civil penalty for a first offense not to exceed \$1,000.00, and for a subsequent offense subject to a civil penalty not to exceed \$5,000.00, for each such violation.

(e) Any cigarettes that have been sold or offered for sale that do not comply with the performance standard required by Code Section 25-14-3 shall be subject to forfeiture and, upon forfeiture, shall be destroyed; provided, however, that prior to the destruction of any cigarette pursuant to this Code section, the true holder of the trademark rights in the cigarette brand shall be permitted to inspect the cigarette.

(f) In addition to any other remedy provided by law, the ~~Commissioner~~ commissioner or Attorney General may file an action in superior court for a violation of this chapter, including petitioning for injunctive relief or to recover any costs or damages suffered by the state because of a violation of this chapter, including enforcement costs relating to the specific violation and attorney's fees. Each violation of this chapter or of rules or regulations adopted under this chapter constitutes a separate civil violation for which the ~~Commissioner~~ commissioner or Attorney General may obtain relief.

(g) Whenever any law enforcement personnel or duly authorized representative of the

~~Commissioner~~ commissioner or Attorney General shall discover any cigarettes that have not been marked in the manner required under Code Section 25-14-5, such personnel are hereby authorized and empowered to seize and take possession of such cigarettes. Such cigarettes shall be turned over to the state revenue commissioner and shall be forfeited to the state. Cigarettes seized pursuant to this subsection shall be destroyed; provided, however, that prior to the destruction of any cigarette seized pursuant to this subsection, the true holder of the trademark rights in the cigarette brand shall be permitted to inspect the cigarette.

25-14-7.

(a) The ~~Commissioner~~ commissioner may promulgate rules and regulations, pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' necessary to effectuate the purposes of this chapter.

(b) The state revenue commissioner in the regular course of conducting inspections of wholesale dealers, agents, and retail dealers, as authorized under Chapter 11 of Title 48, may inspect such cigarettes to determine if the cigarettes are marked as required by Code Section 25-14-5. If the cigarettes are not marked as required, the state revenue commissioner shall notify the ~~Commissioner~~ commissioner.

25-14-8.

To enforce the provisions of this chapter, the Attorney General and the ~~Commissioner~~ commissioner, their duly authorized representatives, and other law enforcement personnel shall be authorized to examine the books, papers, invoices, and other records of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises. Every person in the possession, control, or occupancy of any premises where cigarettes are placed, sold, or offered for sale shall be directed and required to give the Attorney General and the ~~Commissioner~~ commissioner, their duly authorized representatives, and other law enforcement personnel the means, facilities, and opportunity for the examinations authorized by this Code section.

25-14-9.

Nothing in this chapter shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the requirements of Code Section 25-14-3 if the cigarettes are not for sale in this state or are packaged for sale outside the United States, and that person or entity has taken reasonable steps to ensure that such cigarettes will not be sold or offered for sale to persons located in this state.

25-14-10.

This chapter shall cease to be applicable if federal reduced cigarette ignition propensity standards that preempt this chapter are enacted.

25-14-11.

If, after the date specified in paragraph (4.1) of Code Section 25-14-2, the New York safety standards are changed, then the ~~Commissioner~~ commissioner shall suggest proposed legislation to the chairpersons of the appropriate standing committees of the General Assembly as designated by the presiding officer of each house. Such proposed legislation shall contain provisions necessary to bring paragraph (4.1) of Code Section 25-14-2 into accordance with the New York safety standards.

25-14-12.

(a) The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART XII SECTION 12-1.

Said title is further amended by revising Chapter 15, relating to other safety inspections and regulations, as follows:

"CHAPTER 15 ARTICLE 1

25-15-1.

~~(a) The office of Safety Fire Commissioner shall succeed to all rules, regulations, policies, procedures, and administrative orders of the Department of Labor in effect on June 30, 2012, or scheduled to go into effect on or after July 1, 2012, and which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8 and shall further succeed to any rights, privileges, entitlements, obligations, and duties of the Department of Labor in effect on June 30, 2012, which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8. Such rules, regulations, policies, procedures, and administrative orders shall remain in effect until amended, repealed, superseded, or nullified by the office of Safety Fire Commissioner by proper authority or as otherwise provided by law.~~

~~(b) Any proceedings or other matters pending before the Department of Labor or Commissioner of Labor on June 30, 2012, which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8 shall be transferred to the office of Safety Fire Commissioner on July 1, 2012.~~

~~(c) The rights, privileges, entitlements, obligations, and duties of parties to contracts, leases, agreements, and other transactions as identified by the Office of Planning and Budget entered into before July 1, 2012, by the Department of Labor which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8 shall continue to exist; and none of these rights, privileges, entitlements, obligations, and duties are impaired or diminished by reason of the transfer of the functions to the office of Safety Fire Commissioner. In all such instances, the office of Safety Fire Commissioner shall be substituted for the Department of Labor, and the office of Safety Fire Commissioner shall succeed to the rights and duties under such contracts, leases, agreements, and other transactions.~~

~~(d) All persons employed by the Department of Labor in capacities which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8 on June 30, 2012, shall, on July 1, 2012, become employees of the office of Safety Fire Commissioner in similar capacities, as determined by the Commissioner of Insurance. Such employees shall be subject to the employment practices and policies of the office of Safety Fire Commissioner on and after July 1, 2012, but the compensation and benefits of such transferred employees shall not be reduced as a result of such transfer. Employees who are subject to the rules of the State Personnel Board and who are transferred to the office shall retain all existing rights under such rules. Accrued annual and sick leave possessed by the transferred employees on June 30, 2012, shall be retained by such employees as employees of the office of Safety Fire Commissioner.~~

~~(e) On July 1, 2012, the office of Safety Fire Commissioner shall receive custody of the state owned real property in the custody of the Department of Labor on June 30, 2012, and which pertains to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8.~~

~~(f) The Safety Fire Commissioner shall provide a report to the House Committee on Governmental Affairs and the Senate Government Oversight Committee prior to the first day of the 2013 regular session of the Georgia General Assembly outlining the effects and results of this Code section and providing information on any problems or concerns with respect to the implementation of this Code section. Reserved.~~

ARTICLE 2

25-15-10.

This article shall be known and may be cited as the 'Boiler and Pressure Vessel Safety Act' and, except as otherwise provided in this article, shall apply to all boilers and pressure vessels.

25-15-11.

As used in this article, the term:

(1) 'Boiler' means a closed vessel in which water or other liquid is heated, steam or vapor is generated, or steam is superheated or in which any combination of these functions is accomplished, under pressure or vacuum, for use externally to itself, by the direct application of energy from the combustion of fuels or from electricity, solar, or nuclear energy. The term 'boiler' shall include fired units for heating or vaporizing liquids other than water where these units are separate from processing systems and are complete within themselves. The term 'boiler' is further defined as follows:

(A) 'Heating boiler' means a steam or vapor boiler operating at pressures not exceeding 15 psig or a hot water boiler operating at pressures not exceeding 160 psig or temperatures not exceeding 250 degrees Fahrenheit.

(B) 'High pressure, high temperature water boiler' means a water boiler operating at pressures exceeding 160 psig or temperatures exceeding 250 degrees Fahrenheit.

(C) 'Power boiler' means a boiler in which steam or other vapor is generated at a pressure of more than 15 psig.

(2) 'Certificate of inspection' means an inspection, the report of which is used by the chief inspector to determine whether or not a certificate as provided by subsection (c) of Code Section 25-15-24 may be issued.

(3) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.

(4) '~~Office~~ Division' means the ~~office of Safety Fire Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center.

(5) 'Pressure vessel' means a vessel other than those vessels defined in paragraph (1) of this Code section in which the pressure is obtained from an external source or by the application of heat.

25-15-12.

The ~~Commissioner~~ commissioner shall be authorized to consult with persons knowledgeable in the areas of construction, use, or safety of boilers and pressure vessels and to create committees composed of such consultants to assist the ~~Commissioner~~ commissioner in carrying out his or her duties under this article.

25-15-13.

(a)(1) The ~~office~~ division shall formulate definitions, rules, and regulations for the safe construction, installation, inspection, maintenance, and repair of boilers and pressure vessels in this state.

(2) The definitions, rules, and regulations so formulated for new construction shall be based upon and at all times follow the generally accepted nation-wide engineering standards, formulas, and practices established and pertaining to boiler and pressure vessel construction and safety; and the ~~office~~ division may adopt an existing published codification thereof, known as the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, with the amendments and interpretations thereto made and approved by the council of the society, and may likewise adopt the

amendments and interpretations subsequently made and published by the same authority. When so adopted, the same shall be deemed to be incorporated into and shall constitute a part of the whole of the definitions, rules, and regulations of the office division. Amendments and interpretations to the code so adopted shall be effective immediately upon being promulgated, to the end that the definitions, rules, and regulations shall at all times follow the generally accepted nation-wide engineering standards.

(3) The office division shall formulate the rules and regulations for the inspection, maintenance, and repair of boilers and pressure vessels which were in use in this state prior to the date upon which the first rules and regulations under this article pertaining to existing installations become effective or during the 12 month period immediately thereafter. The rules and regulations so formulated shall be based upon and at all times follow generally accepted nation-wide engineering standards and practices and may adopt sections of the Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors or API 510 of the American Petroleum Institute, as applicable.

(b) The rules and regulations and any subsequent amendments thereto formulated by the office division shall, immediately following a hearing upon not less than 20 days' notice as provided in this article, be approved and published and when so promulgated shall have the force and effect of law, except that the rules applying to the construction of new boilers and pressure vessels shall not become mandatory until 12 months after their promulgation by the office division. Notice of the hearing shall give the time and place of the hearing and shall state the matters to be considered at the hearing. Such notice shall be given to all persons directly affected by such hearing. In the event all persons directly affected are unknown, notice may be perfected by publication in a newspaper of general circulation in this state at least 20 days prior to such hearing.

(c) Subsequent amendments to the rules and regulations adopted by the office division shall be permissive immediately and shall become mandatory 12 months after their promulgation.

25-15-14.

No boiler or pressure vessel which does not conform to the rules and regulations of the office division governing new construction and installation shall be installed and operated in this state after 12 months from the date upon which the first rules and regulations under this article pertaining to new construction and installation shall have become effective, unless the boiler or pressure vessel is of special design or construction and is not inconsistent with the spirit and safety objectives of such rules and regulations, in which case a special installation and operating permit may at its discretion be granted by the office division.

25-15-15.

(a) The maximum allowable working pressure of a boiler carrying the ASME Code symbol or of a pressure vessel carrying the ASME or API-ASME symbol shall be

determined by the applicable sections of the code under which it was constructed and stamped. Subject to the concurrence of the enforcement authority at the point of installation, such a boiler or pressure vessel may be rerated in accordance with the rules of a later edition of the ASME Code and in accordance with the rules of the National Board Inspection Code or API 510, as applicable.

(b) The maximum allowable working pressure of a boiler or pressure vessel which does not carry the ASME or the API-ASME Code symbol shall be computed in accordance with the Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors.

(c) This article shall not be construed as in any way preventing the use, sale, or reinstallation of a boiler or pressure vessel referred to in this Code section, provided that it has been made to conform to the rules and regulations of the office governing existing installations; and provided, further, that it has not been found upon inspection to be in an unsafe condition.

25-15-16.

(a) This article shall not apply to the following boilers and pressure vessels:

(1) Boilers and pressure vessels under federal control or under regulations of 49 C.F.R. 192 and 193;

(2) Pressure vessels used for transportation and storage of compressed or liquefied gases when constructed in compliance with specifications of the United States Department of Transportation and when charged with gas or liquid, marked, maintained, and periodically requalified for use, as required by appropriate regulations of the United States Department of Transportation;

(3) Pressure vessels located on vehicles operating under the rules of other state or federal authorities and used for carrying passengers or freight;

(4) Air tanks installed on the right of way of railroads and used directly in the operation of trains;

(5) Pressure vessels that do not exceed:

(A) Five cubic feet in volume and 250 psig pressure; or

(B) One and one-half cubic feet in volume and 600 psig pressure; or

(C) An inside diameter of six inches with no limitation on pressure;

(6) Pressure vessels having an internal or external working pressure not exceeding 15 psig with no limit on size;

(7) Pressure vessels with a nominal water-containing capacity of 120 gallons or less for containing water under pressure, including those containing air, the compression of which serves only as a cushion;

(8) Pressure vessels containing water heated by steam or any other indirect means when none of the following limitations are exceeded:

(A) A heat input of 200,000 BTU per hour;

(B) A water temperature of 210 degrees Fahrenheit; and

(C) A nominal water-containing capacity of 120 gallons;

(9) Hot water supply boilers which are directly fired with oil, gas, or electricity when

none of the following limitations are exceeded:

- (A) Heat input of 200,000 BTU per hour;
- (B) Water temperature of 210 degrees Fahrenheit; and
- (C) Nominal water-containing capacity of 120 gallons.

These exempt hot water supply boilers shall be equipped with ASME-National Board approved safety relief valves;

(10) Pressure vessels in the care, custody, and control of research facilities and used solely for research purposes which require one or more details of noncode construction or which involve destruction or reduced life expectancy of those vessels;

(11) Pressure vessels or other structures or components that are not considered to be within the scope of ASME Code, Section VIII;

(12) Boilers and pressure vessels operated and maintained for the production and generation of electricity; provided, however, that any person, firm, partnership, or corporation operating such a boiler or pressure vessel has insurance or is self-insured and such boiler or pressure vessel is regularly inspected in accordance with the minimum requirements for safety as defined in the ASME Code by an inspector who has been issued a certificate of competency by the ~~Commissioner~~ commissioner in accordance with the provisions of Code Section 25-15-19;

(13) Boilers and pressure vessels operated and maintained as a part of a manufacturing process; provided, however, that any person, firm, partnership, or corporation operating such a boiler or pressure vessel has insurance or is self-insured and such boiler or pressure vessel is regularly inspected in accordance with the minimum requirements for safety as defined in the ASME Code by an inspector who has been issued a certificate of competency by the ~~Commissioner~~ commissioner in accordance with the provisions of Code Section 25-15-19;

(14) Boilers and pressure vessels operated and maintained by a public utility; and

(15) Autoclaves used only for the sterilization of reusable medical or dental implements in the place of business of any professional licensed by the laws of this state.

(b) The following boilers and pressure vessels shall be exempt from the requirements of subsections (b), (c), and (d) of Code Section 25-15-23 and Code Sections 25-15-24 and 25-15-26:

(1) Boilers or pressure vessels located on farms and used solely for agricultural or horticultural purposes;

(2) Heating boilers or pressure vessels which are located in private residences or in apartment houses of less than six family units;

(3) Any pressure vessel used as an external part of an electrical circuit breaker or transformer;

(4) Pressure vessels on remote oil or gas-producing lease locations that have fewer than ten buildings intended for human occupancy per 0.25 square mile and where the closest building is at least 220 yards from any vessel;

(5) Pressure vessels used for storage of liquid propane gas under the jurisdiction of the state fire marshal, except for pressure vessels used for storage of liquefied

petroleum gas, 2,000 gallons or above, which have been modified or altered; and
(6) Air storage tanks not exceeding 16 cubic feet (120 gallons) in size and under 250 psig pressure.

25-15-17.

(a) The ~~Commissioner~~ commissioner may appoint to be chief inspector a citizen of this state or, if not available, a citizen of another state, who shall have had at the time of such appointment not less than five years' experience in the construction, installation, inspection, operation, maintenance, or repair of high pressure boilers and pressure vessels as a mechanical engineer, steam operating engineer, boilermaker, or boiler inspector and who shall have passed the same kind of examination as that prescribed under Code Section 25-15-20. Such chief inspector may be removed for cause after due investigation by the ~~Commissioner~~ commissioner.

(b) The chief inspector, if authorized by the ~~Commissioner~~ commissioner, is charged, directed, and empowered:

(1) To take action necessary for the enforcement of the laws of this state governing the use of boilers and pressure vessels to which this article applies and of the rules and regulations of the ~~office~~ division;

(2) To keep a complete record of the name of each owner or user and his or her location and, except for pressure vessels covered by an owner or user inspection service, the type, dimensions, maximum allowable working pressure, age, and the last recorded inspection of all boilers and pressure vessels to which this article applies;

(3) To publish in print or electronically and make available to anyone requesting them copies of the rules and regulations promulgated by the ~~office~~ division;

(4) To issue or to suspend or revoke for cause inspection certificates as provided for in Code Section 25-15-24; and

(5) To cause the prosecution of all violators of the provisions of this article.

25-15-18.

The ~~Commissioner~~ commissioner may employ deputy inspectors who shall be responsible to the chief inspector and who shall have had at the time of appointment not less than three years' experience in the construction, installation, inspection, operation, maintenance, or repair of high pressure boilers and pressure vessels as a mechanical engineer, steam operating engineer, boilermaker, or boiler inspector and who shall have passed the examination provided for in Code Section 25-15-20.

25-15-19.

(a) In addition to the deputy inspectors authorized by Code Section 25-15-18 the ~~Commissioner~~ commissioner shall, upon the request of any company licensed to insure and insuring in this state boilers and pressure vessels or upon the request of any company operating pressure vessels in this state for which the owner or user maintains a regularly established inspection service which is under the supervision of one or more technically competent individuals whose qualifications are satisfactory to the ~~office~~

division and causes such pressure vessels to be regularly inspected and rated by such inspection service in accordance with applicable provisions of the rules and regulations adopted by the ~~office~~ division pursuant to Code Section 25-15-13, issue to any inspectors of such insurance company certificates of competency as special inspectors and to any inspectors of such company operating pressure vessels certificates of competency as owner or user inspectors, provided that each such inspector before receiving his or her certificate of competency shall satisfactorily pass the examination provided for by Code Section 25-15-20 or, in lieu of such examination, shall hold a commission or a certificate of competency as an inspector of boilers or pressure vessels for a state that has a standard of examination substantially equal to that of this state or a commission as an inspector of boilers and pressure vessels issued by the National Board of Boiler and Pressure Vessel Inspectors. A certificate of competency as an owner or user inspector shall be issued to an inspector of a company operating pressure vessels in this state only if, in addition to meeting the requirements stated in this Code section, the inspector is employed full time by the company and is responsible for making inspections of pressure vessels used or to be used by such company and which are not for resale.

(b) Such special inspectors or owner or user inspectors shall receive no salary from nor shall any of their expenses be paid by the state, and the continuance of their certificates of competency shall be conditioned upon their continuing in the employ of the boiler insurance company duly authorized or in the employ of the company so operating pressure vessels in this state and upon their maintenance of the standards imposed by this article.

(c) Such special inspectors or owner or user inspectors may inspect all boilers and pressure vessels insured or all pressure vessels operated by their respective companies; and, when so inspected, the owners and users of such boilers and pressure vessels shall be exempt from the payment to the state of the inspection fees as prescribed in rules and regulations promulgated by the ~~Commissioner~~ commissioner.

25-15-20.

The examination for chief, deputy, special, or owner or user inspectors shall be in writing and shall be held by the ~~office~~ division or by an examining board appointed in accordance with the requirements of the National Board of Boiler and Pressure Vessel Inspectors, with at least two members present at all times during the examination. Such examination shall be confined to questions the answers to which will aid in determining the fitness and competency of the applicant for the intended service and may be those prepared by the National Board of Boiler and Pressure Vessel Inspectors. In case an applicant fails to pass the examination, he or she may appeal to the ~~office~~ division for another examination which shall be given by the ~~office~~ division or the appointed examining board after 90 days. The record of an applicant's examination shall be accessible to the applicant and his or her employer.

25-15-21.

(a) An inspector's certificate of competency may be suspended by the ~~Commissioner~~ commissioner after due investigation for the incompetence or untrustworthiness of the holder thereof or for willful falsification of any matter or statement contained in his or her application or in a report of any inspection made by him or her. Written notice of any such suspension shall be given by the ~~Commissioner~~ commissioner within not more than ten days thereof to the inspector and his or her employer. A person whose certificate of competency has been suspended shall be entitled to an appeal as provided in Code Section 25-15-28 and to be present in person and to be represented by counsel at the hearing of the appeal.

(b) If the ~~office~~ division has reason to believe that an inspector is no longer qualified to hold his or her certificate of competency, the ~~office~~ division shall provide written notice to the inspector and his or her employer of the ~~office's~~ division's determination and the right to an appeal as provided in Code Section 25-15-28. If, as a result of such hearing, the inspector has been determined to be no longer qualified to hold his or her certificate of competency, the ~~Commissioner~~ commissioner shall thereupon revoke such certificate of competency forthwith.

(c) A person whose certificate of competency has been suspended shall be entitled to apply, after 90 days from the date of such suspension, for reinstatement of such certificate of competency.

25-15-22.

If a certificate of competency is lost or destroyed, a new certificate of competency shall be issued in its place without another examination.

25-15-23.

(a) The ~~Commissioner~~ commissioner, the chief inspector, or any deputy inspector shall have free access, during reasonable hours, to any premises in this state where a boiler or pressure vessel is being constructed for use in, or is being installed in, this state for the purpose of ascertaining whether such boiler or pressure vessel is being constructed and installed in accordance with the provisions of this article.

(b)(1) On and after January 1, 1986, each boiler and pressure vessel used or proposed to be used within this state, except for pressure vessels covered by an owner or user inspection service as described in subsection (d) of this Code section or except for boilers or pressure vessels exempt under Code Section 25-15-16 (owners and users may request to waive this exemption), shall be thoroughly inspected as to their construction, installation, and condition as follows:

(A) Power boilers and high pressure, high temperature water boilers shall receive a certificate inspection annually which shall be an internal inspection where construction permits; otherwise, it shall be as complete an inspection as possible. Such boilers shall also be externally inspected while under pressure, if possible;

(B) Low pressure steam or vapor heating boilers shall receive a certificate inspection biennially with an internal inspection every four years where construction

permits;

(C) Hot water heating and hot water supply boilers shall receive a certificate inspection biennially with an internal inspection at the discretion of the inspector;

(D) Pressure vessels subject to internal corrosion shall receive a certificate inspection triennially with an internal inspection at the discretion of the inspector. Pressure vessels not subject to internal corrosion shall receive a certificate of inspection at intervals set by the ~~office~~ division; and

(E) Nuclear vessels within the scope of this article shall be inspected and reported in such form and with such appropriate information as the ~~office~~ division shall designate.

(2) A grace period of two months beyond the periods specified in subparagraphs (A) through (D) of this paragraph may elapse between certificate inspections.

(3) The ~~office~~ division may provide for longer periods between certificate inspection in its rules and regulations.

(4) Under the provisions of this article, the ~~office~~ division is responsible for providing for the safety of life, limb, and property and therefore has jurisdiction over the interpretation and application of the inspection requirements as provided for in the rules and regulations which it has promulgated. The person conducting the inspection during construction and installation shall certify as to the minimum requirements for safety as defined in the ASME Code. Inspection requirements of operating equipment shall be in accordance with generally accepted practice and compatible with the actual service conditions, such as:

(A) Previous experience, based on records of inspection, performance, and maintenance;

(B) Location, with respect to personnel hazard;

(C) Quality of inspection and operating personnel;

(D) Provision for related safe operation controls; and

(E) Interrelation with other operations outside the scope of this article.

Based upon documentation of such actual service conditions by the owner or user of the operating equipment, the ~~office~~ division may, in its discretion, permit variations in the inspection requirements.

(c) The inspections required in this article shall be made by the chief inspector, by a deputy inspector, by a special inspector, or by an owner or user inspector provided for in this article.

(d) Owner or user inspection of pressure vessels is permitted, provided that the owner or user inspection service is regularly established and is under the supervision of one or more individuals whose qualifications are satisfactory to the ~~office~~ division and said owner or user causes the pressure vessels to be inspected in conformance with the National Board Inspection Code or API 510, as applicable.

(e) If, at the discretion of the inspector, a hydrostatic test shall be deemed necessary, it shall be made by the owner or user of the boiler or pressure vessel.

(f) All boilers, other than cast iron sectional boilers, and pressure vessels to be installed in this state after the 12 month period from the date upon which the rules and

regulations of the ~~office~~ division shall become effective shall be inspected during construction as required by the applicable rules and regulations of the ~~office~~ division by an inspector authorized to inspect boilers and pressure vessels in this state or, if constructed outside of the state, by an inspector holding a commission issued by the National Board of Boiler and Pressure Vessel Inspectors.

25-15-24.

(a) Each company employing special inspectors shall, within 30 days following each certificate inspection made by such inspectors, file a report of such inspection with the chief inspector upon appropriate forms as promulgated by the ~~Commissioner~~ commissioner. The filing of reports of external inspections, other than certificate inspections, shall not be required except when such inspections disclose that the boiler or pressure vessel is in a dangerous condition.

(b) Each company operating pressure vessels covered by an owner or user inspection service meeting the requirements of subsection (a) of Code Section 25-15-19 shall maintain in its files an inspection record which shall list, by number and such abbreviated description as may be necessary for identification, each pressure vessel covered by this article, the date of the last inspection of each pressure vessel, and the approximate date for the next inspection. The inspection record shall be available for examination by the chief inspector or the chief inspector's authorized representative during business hours.

(c) If the report filed pursuant to subsection (a) of this Code section shows that a boiler or pressure vessel is found to comply with the rules and regulations of the ~~office~~ division, the chief inspector, or his or her duly authorized representative, shall issue to such owner or user an inspection certificate bearing the date of inspection and specifying the maximum pressure under which the boiler or pressure vessel may be operated. Such inspection certificate shall be valid for not more than 14 months from its date in the case of power boilers, 26 months in the case of heating and hot water supply boilers, and 38 months in the case of pressure vessels. In the case of those boilers and pressure vessels covered by subparagraphs (b)(1)(A) through (b)(1)(D) of Code Section 25-15-23 for which the ~~office~~ division has established or extended the operating period between required inspections pursuant to the provisions of paragraphs (3) and (4) of subsection (b) of Code Section 25-15-23, the certificate shall be valid for a period of not more than two months beyond the period set by the ~~office~~ division. Certificates for boilers shall be posted under glass, or similarly protected, in the room containing the boiler. Pressure vessel certificates shall be posted in like manner, if convenient, or filed where they will be readily accessible for examination.

(d) No inspection certificate issued for an insured boiler or pressure vessel based upon a report of a special inspector shall be valid after the boiler or pressure vessel for which it was issued shall cease to be insured by a company duly authorized by this state to provide such insurance.

(e) The ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may at any time suspend an inspection certificate after showing cause

that the boiler or pressure vessel for which it was issued cannot be operated without menace to the public safety or when the boiler or pressure vessel is found not to comply with the rules and regulations adopted pursuant to this article. Each suspension of an inspection certificate shall continue in effect until such boiler or pressure vessel shall have been made to conform to the rules and regulations of the ~~office~~ division and until such inspection certificate shall have been reinstated.

(f) The ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may issue a written order for the temporary cessation of operation of a boiler or pressure vessel if it has been determined after inspection to be hazardous or unsafe. Operations shall not resume until such conditions are corrected to the satisfaction of the ~~Commissioner~~ commissioner or his or her authorized representative.

25-15-25.

(a) Boilers and pressure vessels, subject to operating certificate inspections by special, owner, or user inspectors, shall be inspected within 60 calendar days following the required reinspection date. Inspections not performed within this 60 calendar day period shall result in a civil penalty of \$500.00 for each boiler or pressure vessel not inspected.

(b)(1) Inspection fees due on boiler and pressure vessels subject to inspection by the chief or deputy inspectors or operating certificate fees due from inspections performed by special, or owner or user, inspectors shall be paid within 60 calendar days of completion of such inspections.

(2) Inspection fees or operating certificate fees unpaid within 60 calendar days shall bear interest at the rate of 1.5 percent per month or any fraction of a month. Interest shall continue to accrue until all amounts due, including interest, are received by the ~~Commissioner~~ commissioner.

(c) The ~~Commissioner~~ commissioner may waive the collection of the penalties and interest assessed as provided in subsections (a) and (b) of this Code section when it is reasonably determined that the delays in inspection or payment were unavoidable or due to the action or inaction of the ~~office~~ division.

25-15-26.

It shall be unlawful for any person, firm, partnership, or corporation to operate in this state a boiler or pressure vessel, except a pressure vessel covered by owner or user inspection service as provided for in Code Section 25-15-24, without a valid inspection certificate. The operation of a boiler or pressure vessel without such inspection certificate or at a pressure exceeding that specified in such inspection certificate or in violation of this article shall constitute a misdemeanor.

25-15-27.

The owner or user of a boiler or pressure vessel required by this article to be inspected by the chief inspector or a deputy inspector shall pay directly to the chief inspector, upon completion of inspection, fees as prescribed in rules and regulations promulgated

by the ~~Commissioner~~ commissioner; provided, however, that, with respect to pressure vessel certificates of inspection, such fees shall not exceed \$10.00 per annum. The chief inspector shall transfer all fees so received to the general fund of the state treasury. All funds so deposited in the state treasury are authorized to be appropriated by the General Assembly to the ~~Safety Fire Commissioner~~ commissioner.

25-15-28.

(a) Any person aggrieved by an order or an act of the ~~Commissioner~~ commissioner or the chief inspector under this article may, within 15 days of notice thereof, request a hearing before an administrative law judge of the Office of State Administrative Hearings, as provided by Code Section 50-13-41.

(b) Any person aggrieved by a decision of an administrative law judge may file an appeal pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

25-15-29.

No county, municipality, or other political subdivision shall have the power to make any laws, ordinances, or resolutions providing for the construction, installation, inspection, maintenance, and repair of boilers and pressure vessels within the limits of such county, municipality, or other political subdivision; and any such laws, ordinances, or resolutions shall be void and of no effect.

25-15-30.

Neither this article nor any provision of this article shall be construed to place any liability on the State of Georgia, the ~~office~~ division, or the ~~Commissioner~~ commissioner with respect to any claim by any person, firm, or corporation relating in any way whatsoever to boilers and pressure vessels and any injury or damages arising therefrom.

ARTICLE 3

25-15-50.

This article shall be known and may be cited as the 'Amusement Ride Safety Act.'

25-15-51.

As used in this article, the term:

(1) 'Amusement ride' means any mechanical device, other than those regulated by the Consumer Products Safety Commission, which carries or conveys passengers along, around, or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills, or excitement. Such term shall not include any such device which is not permanently fixed to a site.

(2) 'Authorized person' means a competent person experienced and instructed in the work to be performed who has been given the responsibility to perform his or her duty by the owner or his or her representative.

(3) 'Certificate fee' means the fee charged by the ~~office~~ division for a certificate to

operate an amusement ride.

(4) 'Certificate of inspection' means a certificate issued by a licensed inspector that an amusement ride meets all relevant provisions of this article and the standards and regulations adopted pursuant thereto.

(5) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.

(6) 'Division' means the Division of Fire Safety within the Georgia Public Safety Training Center.

~~(6)~~(7) 'Licensed inspector' means a registered professional engineer or any other person who is found by the ~~office~~ division to possess the requisite training and experience to perform competently the inspections required by this article and who is licensed by the ~~office~~ division to perform inspections of amusement rides.

~~(7)~~(8) 'Operator' means a person or persons actually engaged in or directly controlling the operation of an amusement ride.

~~(8) 'Office' means the office of Safety Fire Commissioner, which is designated to enforce the provisions of this article and to formulate and enforce standards and regulations.~~

(9) 'Owner' means a person, including the state or any of its subdivisions, who owns an amusement ride or, in the event that the amusement ride is leased, the lessee.

(10) 'Permit' means a permit to operate an amusement ride issued to an owner by the ~~office~~ division.

(11) 'Permit fee' means the fee charged by the ~~office~~ division for a permit to operate an amusement ride.

(12) 'Standards and regulations' means those standards and regulations formulated and enforced by the ~~office~~ division.

25-15-52.

The ~~Commissioner~~ commissioner shall be authorized to consult with persons knowledgeable in the area of the amusement ride industry and to create committees composed of such consultants to assist the ~~Commissioner~~ commissioner in carrying out his or her duties under this article.

25-15-53.

(a) The ~~office~~ division shall formulate standards and regulations, or changes to such standards and regulations, for the safe assembly, disassembly, repair, maintenance, use, operation, and inspection of all amusement rides. The standards and regulations shall be reasonable and based upon generally accepted engineering standards, formulas, and practices pertinent to the industry. Formulation and promulgation of such standards and regulations shall be subject to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' It is recognized that risks presented to the general public by amusement rides which are frequently assembled and disassembled are different from those presented by amusement rides which are not frequently assembled and disassembled. Accordingly, the ~~office~~ division is authorized to formulate different standards and regulations with regard to such differing classes of amusement rides.

(b) The office division shall:

- (1) Enforce all standards and regulations;
- (2) License inspectors for authorization to inspect amusement rides;
- (3) Issue permits upon compliance with this article and such standards and regulations adopted pursuant to this article; and
- (4) Establish a fee schedule for the issuance of permits for amusement rides.

25-15-54.

The office division may license such private inspectors as may be necessary to carry out the provisions of this article.

25-15-55.

(a) No amusement ride shall be operated, except for purposes of testing and inspection, until a permit for its operation has been issued by the office division. The owner of an amusement ride shall apply for a permit to the office division on a form furnished by the office division providing such information as the office division may require.

(b) No such application shall be complete without including a certificate of inspection from a licensed inspector that the amusement ride meets all relevant provisions of this article and the standards and regulations adopted pursuant thereto. The cost of obtaining the certificate of inspection from a licensed inspector shall be borne by the owner or operator.

25-15-56.

(a) All amusement rides shall be inspected annually, and may be inspected more frequently, by a licensed inspector at the owner's or operator's expense. If the amusement ride meets all relevant provisions of this article and the standards and regulations adopted pursuant to this article, the licensed inspector shall provide to the owner or operator a certificate of inspection. All new amusement rides shall be inspected before commencing public operation.

(b) Amusement rides and attractions may be required to be inspected by an authorized person each time they are assembled or disassembled in accordance with regulations and standards established under this article.

25-15-57.

The office division may waive the requirement of subsection (a) of Code Section 25-15-56 if the owner of an amusement ride gives satisfactory proof to the office division that the amusement ride has passed an inspection conducted by a federal agency or by another state whose standards and regulations for the inspection of such an amusement ride are at least as stringent as those adopted pursuant to this article.

25-15-58.

The office division shall issue a permit to operate an amusement ride to the owner thereof upon successful completion of a safety inspection of the amusement ride

conducted by a licensed inspector and upon receiving an application for permit with a certificate of insurance. The permit shall be valid for the calendar year in which issued.

25-15-59.

The owner shall maintain up-to-date maintenance, inspection, and repair records between inspection periods for each amusement ride in accordance with such standards and regulations as are adopted pursuant to this article. Such records shall contain a copy of all inspection reports commencing with the last annual inspection, a description of all maintenance performed, and a description of any mechanical or structural failures or operational breakdowns and the types of actions taken to rectify these conditions.

25-15-60.

No person shall be permitted to operate an amusement ride unless he or she is at least 16 years of age. An operator shall be in attendance at all times that an amusement ride is in operation and shall operate no more than one amusement ride at any given time.

25-15-61.

The owner of the amusement ride shall report to the ~~office~~ division any accident resulting in a fatality or an injury requiring immediate inpatient overnight hospitalization incurred during the operation of any amusement ride. The report shall be in writing, shall describe the nature of the occurrence and injury, and shall be mailed by first-class mail no later than the close of the next business day following the accident. Accidents resulting in a fatality shall also be reported immediately to the ~~office~~ division in person or by phone in accordance with regulations adopted by the ~~office~~ division.

25-15-62.

- (a) No person shall operate an amusement ride unless at the time there is in existence:
- (1) A policy of insurance in an appropriate amount determined by regulation insuring the owner and operator (if an independent contractor) against liability for injury to persons arising out of the operation of the amusement ride;
 - (2) A bond in a like amount; provided, however, that the aggregate liability of the surety under such bond shall not exceed the face amount thereof; or
 - (3) Cash or other security acceptable to the ~~office~~ division.
- (b) Regulations under this article shall permit appropriate deductibles or self-insured retention amounts to such policies of insurance. The policy or bond shall be procured from one or more insurers or sureties acceptable to the ~~office~~ division.

25-15-63.

If any person would incur practical difficulties or unnecessary hardships in complying with the standards and regulations adopted pursuant to this article, or if any person is aggrieved by any order issued by the ~~office~~ division, the person may make a written application to the ~~office~~ division stating his or her grounds and applying for a variance.

The ~~office~~ division may grant such a variance in the spirit of the provisions of this article with due regard to public safety. The granting or denial of a variance by the ~~office~~ division shall be in writing and shall describe the conditions under which the variance is granted or the reasons for denial. A record shall be kept of all variances granted by the ~~office~~ division and such record shall be open to inspection by the public.

25-15-64.

This article shall not apply to any single-passenger coin operated amusement ride on a stationary foundation or to playground equipment such as swings, seesaws, slides, jungle gyms, rider propelled merry-go-rounds, moonwalks, and live rides.

25-15-65.

This article shall not be construed so as to prevent the use of any existing amusement ride found to be in a safe condition and to be in conformance with the standards and regulations adopted pursuant to this article. Owners of amusement rides in operation on or before the effective date of this article shall comply with the provisions of this article and the standards and regulations adopted pursuant to this article within six months after the adoption of such standards and regulations.

25-15-66.

(a) The ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may issue a written order for the temporary cessation of operation of an amusement ride if it has been determined after inspection to be hazardous or unsafe. Operations shall not resume until such conditions are corrected to the satisfaction of the ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative.

(b) In the event that an owner or operator knowingly allows the operation of an amusement ride after the issuing of a temporary cessation, the ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may initiate in the superior court any action for an injunction or writ of mandamus upon the petition of the district attorney or Attorney General. An injunction, without bond, may be granted by the superior court to the ~~Commissioner~~ commissioner for the purpose of enforcing this article.

(c)(1) Any person, firm, partnership, or corporation violating the provisions of this article shall be guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

(2) In addition to the penalty provisions in paragraph (1) of this subsection, the ~~Commissioner~~ commissioner shall have the power, after notice and hearing, to levy civil penalties as prescribed in the rules and regulations of the ~~office~~ division in an amount not to exceed \$5,000.00 upon any person, firm, partnership, or corporation failing to adhere to the requirements of this article and the rules and regulations promulgated under this article. The imposition of a penalty for a violation of this article or the rules and regulations promulgated under this article shall not excuse the violation or permit it to continue.

25-15-67.

The owner or operator of an amusement ride may deny entry to a person to an amusement ride if in the owner's or operator's opinion the entry may jeopardize the safety of such person or the safety of any other person. Nothing in this Code section shall permit an owner or operator to deny an inspector access to an amusement ride when such inspector is acting within the scope of his or her duties under this article.

25-15-68.

Neither this article nor any provision of this article shall be construed to place any liability on the State of Georgia, the ~~office~~ division, or the ~~Commissioner~~ commissioner with respect to any claim by any person, firm, or corporation relating in any way whatsoever to amusement rides and any injury or damages arising therefrom.

25-15-69.

No county, municipality, or other political subdivision shall have the power to pass ordinances, resolutions, or other requirements regulating the construction, installation, inspection, maintenance, repair, or operation of amusement rides within the limits of such county, municipality, or other political subdivision. Any such ordinances, resolutions, or other requirements shall be void and of no effect; provided, however, that the provisions of this Code section shall not apply to local zoning ordinances or ordinances regulating location, siting requirements, or other development standards or conditions relative to amusement rides or their time of operation or noise levels generated. Nothing in this article preempts the imposition of regulatory fees or occupation taxes imposed by counties and municipalities pursuant to Chapter 13 of Title 48.

ARTICLE 4

25-15-80.

This article shall be known and may be cited as the 'Carnival Ride Safety Act.'

25-15-81.

As used in this article, the term:

- (1) 'Authorized person' means a competent person experienced and instructed in the work to be performed who has been given the responsibility to perform his or her duty by the owner or the owner's representative.
- (2) 'Carnival ride' means any mechanical device, other than amusement rides regulated under Article 3 of this chapter, known as the 'Amusement Ride Safety Act,' which carries or conveys passengers along, around, or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills, or excitement. Such term shall not include any such device which is permanently fixed to a site.
- (3) 'Certificate fee' means the fee charged by the ~~office~~ division for a certificate to

operate a carnival ride.

(4) 'Certificate of inspection' means a certificate issued by a licensed inspector that a carnival ride meets all relevant provisions of this article and the standards and regulations adopted pursuant thereto.

(5) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.

(6) 'Division' means the Division of Fire Safety within the Georgia Public Safety Training Center.

~~(6)~~(7) 'Licensed inspector' means a registered professional engineer or any other person who is found by the ~~office~~ division to possess the requisite training and experience to perform competently the inspections required by this article and who is licensed by the ~~office~~ division to perform inspections of carnival rides.

~~(7) 'Office' means the office of Safety Fire Commissioner, which is designated to enforce the provisions of this article and to formulate and enforce standards and regulations.~~

(8) 'Operator' means a person or persons actually engaged in or directly controlling the operation of a carnival ride.

(9) 'Owner' means a person, including the state or any of its subdivisions, who owns a carnival ride or, in the event that the carnival ride is leased, the lessee.

(10) 'Permit' means a permit to operate a carnival ride issued to an owner by the ~~office~~ division.

(11) 'Permit fee' means the fee charged by the ~~office~~ division for a permit to operate a carnival ride.

(12) 'Standards and regulations' means those standards and regulations formulated and enforced by the ~~office~~ division.

25-15-82.

The ~~Commissioner~~ commissioner shall be authorized to consult with persons knowledgeable in the area of the carnival ride industry and to create committees composed of such consultants to assist the ~~Commissioner~~ commissioner in carrying out his or her duties under this article.

25-15-83.

(a) The ~~office~~ division shall formulate standards and regulations, or changes to such standards and regulations, for the safe assembly, disassembly, repair, maintenance, use, operation, and inspection of all carnival rides. The standards and regulations shall be reasonable and based upon generally accepted engineering standards, formulas, and practices pertinent to the industry. Formulation and promulgation of such standards and regulations shall be subject to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(b) The ~~office~~ division shall:

- (1) Enforce all standards and regulations;
- (2) License inspectors for authorization to inspect carnival rides; and
- (3) Issue permits upon compliance with this article and such standards and

regulations adopted pursuant to this article.

(c) The owner or operator of a carnival ride required to be inspected shall pay fees as prescribed in rules and regulations promulgated by the ~~Commissioner~~ commissioner. The chief inspector shall transfer all fees so received to the general fund of the state treasury. All funds so deposited in the state treasury are authorized to be appropriated by the General Assembly to the ~~Safety Fire Commissioner~~ commissioner.

25-15-84.

The ~~office~~ division may license such private inspectors as may be necessary to carry out the provisions of this article.

25-15-85.

(a) No carnival ride shall be operated in any calendar year, except for purposes of testing and inspection, until a permit for its operation has been issued by the ~~office~~ division. The owner of a carnival ride shall apply for a permit to the ~~office~~ division on a form furnished by the ~~office~~ division, providing such information as the ~~office~~ division may require.

(b) Beginning January 1, 2018, no permit for a carnival ride to operate in this state shall be issued by the ~~office~~ division until the carnival owner submits an engineering evaluation from a licensed engineer that evaluates the functionality of safety mechanisms and the condition of the critical components of the carnival ride. The scope of such engineering evaluation may be further prescribed by standards and regulations of the ~~office~~ division that are consistent with this subsection. Such evaluation shall be provided prior to the annual inspection required by Code Section 25-15-86 and use of the carnival ride by the general public. The submission of such evaluation shall only be required the first time the carnival owner applies for a permit for the carnival ride in this state on or after January 1, 2018.

25-15-86.

All carnival rides and attractions shall be inspected annually and may be inspected more frequently by a licensed inspector at the owner's or operator's expense. If the carnival ride meets all relevant provisions of this article and the standards and regulations adopted pursuant to this article, the licensed inspector shall provide to the owner or operator a certificate of inspection. All new carnival rides shall be inspected before commencing public operation.

25-15-87.

The ~~office~~ division may waive the requirement of Code Section 25-15-86 if the owner of a carnival ride gives satisfactory proof to the ~~office~~ division that the carnival ride has passed an inspection conducted by a federal agency or by another state whose standards and regulations for the inspection of such a carnival ride are at least as stringent as those adopted pursuant to this article.

25-15-88.

The ~~office~~ division shall issue a permit to operate a carnival ride to the owner thereof upon successful completion of a safety inspection by a licensed inspector, upon completion by the owner of the application for a permit, and upon presentation of a certificate of inspection or waiver thereof by the ~~office~~ division. The permit shall be valid for the calendar year in which issued.

25-15-89.

The owner shall maintain up-to-date maintenance, inspection, and repair records between inspection periods for each carnival ride in accordance with such standards and regulations as are adopted pursuant to this article. Such records shall contain a copy of all inspection reports commencing with the last annual inspection, a description of all maintenance performed, and a description of any mechanical or structural failures or operational breakdowns and the types of actions taken to rectify these conditions.

25-15-90.

(a) No person shall be permitted to operate a carnival ride unless he or she is at least 16 years of age. An operator shall be in attendance at all times that a carnival ride is in operation and shall operate no more than one carnival ride at any given time.

(b) No carnival ride shall be operated at standards below those recommended by the manufacturer of such carnival ride or below the standards adopted or variants approved by the ~~office~~ division, whichever is greater.

25-15-91.

The owner of the carnival ride shall report to the ~~office~~ division any accident incurred during the operation of any carnival ride resulting in a fatality or an injury requiring medical attention from a licensed medical facility. The report shall be in writing, shall describe the nature of the occurrence and injury, and shall be delivered in person or mailed by first-class mail no later than the close of the next business day following the accident. Accidents resulting in a fatality shall also be reported immediately to the ~~office~~ division in person or by phone in accordance with regulations adopted by the ~~office~~ division.

25-15-92.

(a) No person shall operate a carnival ride unless at the time there is in existence:

(1) A policy of insurance in an amount not less than \$1 million (if an independent contractor) against liability for injury to persons arising out of the operation of the carnival ride;

(2) A bond in a like amount; provided, however, that the aggregate liability of the surety under such bond shall not exceed the face amount thereof; or

(3) Cash or other security acceptable to the ~~office~~ division.

(b) Regulations under this article shall permit appropriate deductibles or self-insured retention amounts to such policies of insurance. The policy or bond shall be procured from one or more insurers or sureties acceptable to the ~~office~~ division.

25-15-93.

If any person would incur practical difficulties or unnecessary hardships in complying with the standards and regulations adopted pursuant to this article, or if any person is aggrieved by any order issued by the ~~office~~ division, the person may make a written application to the ~~office~~ division stating his or her grounds and applying for a variance. The ~~office~~ division may grant such a variance in the spirit of the provisions of this article with due regard to public safety. The granting or denial of a variance by the ~~office~~ division shall be in writing and shall describe the conditions under which the variance is granted or the reasons for denial. A record shall be kept of all variances granted by the ~~office~~ division and such record shall be open to inspection by the public.

25-15-94.

This article shall not apply to any single-passenger coin operated carnival ride on a stationary foundation or to playground equipment such as swings, seesaws, slides, jungle gyms, rider propelled merry-go-rounds, moonwalks, and live rides.

25-15-95.

This article shall not be construed so as to prevent the use of any existing carnival ride found to be in a safe condition and to be in conformance with the standards and regulations adopted pursuant to this article.

25-15-96.

(a) The ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may issue a written order for the temporary cessation of operation of a carnival ride if it has been determined after inspection to be hazardous or unsafe. Operations shall not resume until such conditions are corrected to the satisfaction of the ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative.

(b) In the event that an owner or operator knowingly allows the operations of a carnival ride after the issuing of a temporary cessation, the ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may initiate in the superior court any action for an injunction or writ of mandamus upon the petition of the district attorney or Attorney General. An injunction, without bond, may be granted by the superior court to the ~~Commissioner~~ commissioner for the purpose of enforcing this article.

(c)(1) Any person, firm, partnership, or corporation violating the provisions of this article shall be guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

(2) In addition to the penalty provisions in paragraph (1) of this subsection, the ~~Commissioner~~ commissioner shall have the power, after notice and hearing, to levy civil penalties as prescribed in the rules and regulations of the ~~office~~ division in an amount not to exceed \$5,000.00 upon any person, firm, partnership, or corporation failing to adhere to the requirements of this article and the rules and regulations

promulgated under this article. The imposition of a penalty for a violation of this article or the rules and regulations promulgated under this article shall not excuse the violation or permit it to continue.

25-15-97.

The owner or operator of a carnival ride may deny entry to a person to a carnival ride if in the owner's or operator's opinion the entry may jeopardize the safety of such person or the safety of any other person. Nothing in this Code section shall permit an owner or operator to deny an inspector access to a carnival ride when such inspector is acting within the scope of his or her duties under this article.

25-15-98.

(a) The owner or operator of a carnival ride shall post a clearly visible sign at the location of each ride and at the location of ~~tickets~~ ticket sales for each ride which states any age, weight, or height requirements of the ride which are necessary as a safeguard against injury.

(b) It shall be unlawful for any owner or operator to permit entry to a carnival ride to any person who does not meet the posted age, size, and weight requirements for such ride.

25-15-99.

The owner of any itinerant carnival ride which is located within this state shall continuously maintain in this state a registered agent of record who may be an individual who resides in the state and whose business address is identical with the address of the owner's required office.

25-15-100.

Neither this article nor any provision of this article shall be construed to place any liability on the State of Georgia, the ~~office division~~, or the ~~Commissioner~~ commissioner with respect to any claim by any person, firm, or corporation relating in any way whatsoever to carnival rides and any injury or damages arising therefrom.

25-15-101.

No county, municipality, or other political subdivision shall have the power to pass ordinances, resolutions, or other requirements regulating the construction, installation, inspection, maintenance, repair, or operation of carnival rides within the limits of such county, municipality, or other political subdivision. Any such ordinances, resolutions, or other requirements shall be void and of no effect; provided, however, that the provisions of this Code section shall not apply to local zoning ordinances or ordinances regulating location, siting requirements, or other development standards or conditions relative to carnival rides or their time of operation or noise levels generated. Nothing in this article preempts the imposition of regulatory fees or occupation taxes imposed by counties and municipalities pursuant to Chapter 13 of Title 48.

ARTICLE 5

25-15-110.

(a)(1) All scaffolding or staging that is swung or suspended from an overhead support or erected with stationary supports and is suspended or rises 30 feet or more above the ground shall have a safety rail properly attached, bolted, braced, and otherwise secured; and the safety rail shall rise at least 34 inches above the floor or main portions of such scaffolding or staging and extend for the full length of such staging and along the ends thereof with only such openings as may be necessary for the delivery of materials being used on such scaffold or staging. Such scaffolding or staging shall also be so fastened as to prevent it from swaying from the building or structure. However, this paragraph shall not apply to any scaffolding or staging which is wholly within the interior of a building or other structure and which covers the entire floor space therein.

(2) It shall be unlawful for any person to employ or direct others to perform labor of any kind in the erecting, demolishing, repairing, altering, cleaning, or painting of a building or other structure without first having furnished proper protection to such person so employed or directed, as provided in paragraph (1) of this subsection.

(b) All scaffolding or staging shall be so constructed that it will bear at least four times the weight required to be hanging therefrom or placed thereon when in use.

(c)(1) The ~~Safety Fire Commissioner~~ commissioner of fire safety, upon receipt of any complaint, shall make or cause to be made an immediate inspection of the scaffold, or mechanical device connected therewith, concerning which complaint has been made.

(2) The ~~Commissioner~~ commissioner of fire safety shall attach to every scaffold, staging, mechanism, or mechanical device inspected by him or her a certificate bearing the ~~Commissioner's~~ commissioner of fire safety's name and the date of inspection, and the certificate shall plainly state whether he or she has found the scaffolding, staging, or mechanical device 'safe' or 'unsafe.'

(3) If the ~~Commissioner~~ commissioner of fire safety finds any scaffolding, staging, or mechanical device complained of to be unsafe, the ~~Commissioner~~ commissioner of fire safety shall at once notify in writing the person responsible for the erection and maintenance of the scaffolding, staging, or mechanical device that the ~~Commissioner~~ commissioner of fire safety has found it to be unsafe. Such notice may be served personally upon the person responsible under the law or may be perfected by affixing such notice in a conspicuous place on the scaffold, staging, or mechanical device found unsafe. The manner of service shall be within the discretion of the ~~Commissioner~~ commissioner of fire safety. The ~~Commissioner~~ commissioner of fire safety shall then prohibit the use of such scaffolding, staging, or mechanical device by any person until all danger has been removed or until it has been made to comply with the terms of this Code section by alteration, reconstruction, demolition, or replacement, as the ~~Commissioner~~ commissioner of fire safety may direct.

(d) Any person who willfully, knowingly, and persistently continues the use of a scaffold, staging, or other mechanical device in violation of any provision of this Code

section shall be guilty of a misdemeanor.

ARTICLE 6

25-15-120.

(a) The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner of fire safety.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART XIII SECTION 13-1.

Article 9 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Information Sharing and Analysis Center, is amended by revising Code Section 35-3-204, relating to membership and availability of analysts, as follows:

"35-3-204.

(a) Membership in the center shall consist of the director, the director of emergency management and homeland security, the commissioner of public safety, the commissioner of fire safety, the commissioner of natural resources, the commissioner of corrections, the state fire marshal, the Attorney General, the adjutant general, and ~~state~~ and local fire service, law enforcement, homeland security, emergency management, corrections, and other appropriate agencies and disciplines as determined by the director of emergency management and homeland security in consultation with the director. Such members shall assign or make available their analysts or other personnel to the center as such need is determined by the director of emergency management and homeland security.

(b) The director of emergency management and homeland security shall maintain Georgia Emergency Management and Homeland Security Agency analysts in the center as needed as determined by the director of emergency management and homeland security."

PART XIV
SECTION 14-1.

Code Section 35-8-10 of the Official Code of Georgia Annotated, relating to applicability and effect of peace officer certification requirements generally and requirements as to exempt persons, is amended by revising subsection (b) as follows:

"(b) Peace officers commencing any employment or service on any terms with the Department of Public Safety, counties, municipalities, the Georgia Bureau of Investigation, the Department of Natural Resources, the Department of Revenue, Alcohol and Tobacco Tax Unit, the Secretary of State's investigative section, the ~~Office~~ office of the Commissioner of Insurance ~~and Safety Fire Commissioner~~, the Division of Fire Safety within the Georgia Public Safety Training Center, or a railroad after July 1, 1975, are required to comply with the certification provisions of this chapter. Peace officers commencing such employment or service prior to July 1, 1975, and whose employment continues on July 1, 1975, are exempt and excused from compliance with the certification provisions of this chapter except as provided in this Code section so long as the registration provided for in subsections (d) and (e) of this Code section remains in effect. Any peace officer otherwise exempt from the certification provisions of this chapter must meet the qualifications and requirements specified in paragraphs (2), (4), (5), and ~~(8)~~ (7) of subsection (a) of Code Section 35-8-8."

PART XV
SECTION 15-1.

Chapter 25 of Title 43 of the Official Code of Georgia Annotated, relating to operators of motor vehicle racetracks, is amended as follows:

"CHAPTER 25

43-25-1.

As used in this chapter, the term 'motor vehicle,' shall not be construed to include any motorcycle or other two-wheeled, self-propelled vehicle, nor shall it be construed to include any motor vehicle weighing less than 500 pounds.

43-25-2.

It shall be unlawful for any person, firm, or corporation to operate or conduct any motor vehicle race on any permanent racetrack or other place where such races are to be held unless there shall first be obtained a license to operate or conduct such races from the ~~Safety Fire Commissioner~~ commissioner of fire safety.

43-25-3.

Application for a license to operate or conduct a racetrack or other place for the holding of motor vehicle races or exhibitions shall be made in writing to the ~~Safety Fire~~

~~Commissioner~~ commissioner of fire safety on a form prescribed by or furnished by the ~~Safety Fire Commissioner~~ commissioner of fire safety. The application form shall require a full and complete address of the track or other place desired to be licensed, the name and address of the licensee, and the name and address of the promoter of such race or exhibition and shall contain such further information as the ~~Safety Fire Commissioner~~ commissioner of fire safety may require in order to comply with Code Section 43-25-4. Such application shall be accompanied by a nonrefundable fee of \$150.00.

43-25-4.

No license for operating or conducting a motor vehicle racetrack shall be issued by the ~~Safety Fire Commissioner~~ commissioner of fire safety until the applicant has complied with the rules and regulations of the ~~Safety Fire Commissioner~~ commissioner of fire safety pursuant to Code Section 43-25-8 and has a valid public liability insurance policy with minimum limits of \$1 million per accident and \$100,000.00 per person per accident, or \$1 million combined single limit, or in lieu thereof a valid public liability bond in like amount. The policy or bond shall be designed to provide coverage for the protection of the licensee from any legal liability arising out of bodily injury, including death, to any member of the general public, resulting from any racing event. The insurance policy or bond shall not be designed to provide coverage for bodily injuries or death of drivers of motor vehicles which are engaged in any race, any pit area personnel, or any person who is involved in the conduct of a race. The policy or bond shall be written by a company which is licensed to do business in this state or which is considered to be acceptable by the ~~Safety Fire Commissioner~~ commissioner of fire safety.

43-25-5.

No insurance policy or bond may be canceled for any reason unless and until the ~~Safety Fire Commissioner~~ commissioner of fire safety has received notice by certified or registered letter, return receipt requested, that the policy or bond is going to be canceled effective on a date at least 14 days from the date such notice is received by the ~~Safety Fire Commissioner~~ commissioner of fire safety.

43-25-6.

All licenses granted by the ~~Safety Fire Commissioner~~ commissioner of fire safety pursuant to this chapter shall expire December 31 of each year.

43-25-7.

The ~~Safety Fire Commissioner~~ commissioner of fire safety is authorized to suspend or revoke the license of any person who operates or conducts motor vehicle races or exhibitions without complying with this chapter.

43-25-8.

The ~~Safety Fire Commissioner~~ commissioner of fire safety is authorized and directed to create and promulgate rules and regulations which are to be designed to prevent injury and loss of life to spectators while they are observing and viewing motor vehicles engaged in contests of speed or endurance. Such rules and regulations shall provide for certificates of occupancy; periodic inspections by fire inspectors and other experts; corrections of deficiencies in racetrack facilities; standards for grandstands; guardrails; spectator areas; nonspectator areas; flagmen; track surfaces; fences; ambulance service; access highways or roads; fire extinguishers and other fire suppression equipment and personnel; plans for fire evacuation; accident reporting; damage reporting; storage of flammable and combustible liquids; restricted areas; concession areas; and such other areas of coverage as, in the opinion of the ~~Safety Fire Commissioner~~ commissioner of fire safety, are deemed necessary.

43-25-9.

The owner or lessee of any real property upon which exists a motor vehicle racetrack or other place subject to this chapter shall inform the ~~Safety Fire Commissioner~~ commissioner of fire safety within ten days of any damage caused to any guardrail, post, or other device which has for its purpose the prevention of injury or loss of life to spectators at the racetrack or other place. Until any such damage is repaired and the repairs are approved by fire inspectors, there shall be no racing or endurance event permitted on such racetrack or other place.

43-25-10.

Any person who violates any provision of this chapter shall be guilty of a misdemeanor of a high and aggravated nature.

43-25-11.

(a) The Division of Fire Safety within the Georgia Public Safety Training Center shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the commissioner of fire safety.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Division of Fire Safety within the Georgia Public Safety Training Center shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Division of Fire Safety within the Georgia Public Safety Training Center shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART XVI
SECTION 16-1.

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended by revising Chapter 22, relating to public employee hazardous chemical protection and right to know, as follows:

"CHAPTER 22

45-22-1.

This chapter shall be known and may be cited as the 'Public Employee Hazardous Chemical Protection and Right to Know Act of 1988.'

45-22-2.

As used in this chapter, the term:

(1) 'Appointing authority' means a person or group of persons authorized by law or delegated authority to make appointments to fill employee positions in the legislative, judicial, or executive branch of state government.

(2) 'Article' means a finished product or manufactured item:

(A) Which is formed to a specific shape or design during manufacture;

(B) Which has end use functions dependent in whole or in part upon its shape or design during end use; and

(C) Which has either no change of chemical composition during end use or only those changes of composition which have no commercial purpose separate from that of the article.

(3) 'Chemical name' means the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry or the system developed by the Chemical Abstracts Service.

(4) 'Common name' means any designation or identification such as a code name, code number, trade name, or brand name used to identify a chemical other than by its chemical name.

(5) 'Contractor,' 'independent contractor,' or 'public contractor' means any person under a contract or agreement to provide labor or services to a public employer.

(6) ~~'Department' means the office of the Safety Fire Commissioner.~~

~~(7)~~ 'Distributor' means an individual or employer, other than the manufacturer or importer, who supplies hazardous chemicals directly to users or to other distributors.

~~(8)~~(7) 'Employee' or 'public employee' means any person who is employed by any branch, department, board, bureau, commission, authority, or other agency of the state and any inmate under the jurisdiction of the Department of Corrections performing a work assignment which requires the handling of any hazardous chemicals. Such term shall not include those employees of the Environmental Protection Division of the Department of Natural Resources who are responsible for on-site response and assistance in the case of environmental emergencies while such employees are

engaged in responding to such emergencies.

~~(9)~~(8) 'Employer' or 'public employer' means any branch, department, board, bureau, commission, authority, or other agency of the state which employs or appoints an employee or employees. An independent contractor or subcontractor shall be deemed the sole employer of its employees, even when such employees are performing work at the workplace of another employer.

~~(10)~~(9) 'Exposed' or 'exposure' means that an employee is required by a public employer to be subjected to a hazardous chemical in the course of employment through any route of entry, including but not limited to, inhalation, ingestion, skin contact, or absorption and includes potential or accidental exposure.

~~(11)~~(10) 'Hazardous chemical' means any chemical which is a physical hazard or a health hazard.

~~(12)~~(11) 'Health hazard' means a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees and shall include all examples of hazardous chemicals to which reference is made in the definition of 'health hazard' under the Occupational Safety and Health Administration standard, 29 C.F.R. Section 1910.1200 (1987).

~~(13)~~(12) 'Importer' means the first individual or employer within the Customs Territory of the United States who receives hazardous chemicals produced in other countries for the purpose of supplying them to distributors or users within the United States.

~~(14)~~(13) 'Manufacturer' means a person who produces, synthesizes, extracts, or otherwise makes hazardous chemicals.

~~(15)~~(14) 'Material safety data sheet' means the document prepared by manufacturers in accordance with the requirements of the Occupational Safety and Health Administration standard, 29 C.F.R. Sections 1910.0000 through 1910.1500 (1987) and containing the following information:

- (A) The chemical name and the common name of the hazardous chemical;
- (B) The hazards or other risks in the use of the hazardous chemical, including:
 - (i) The potential for fire, explosion, corrosivity, and reactivity;
 - (ii) The known acute and chronic health effects of risks from exposure, including the medical conditions which are generally recognized as being aggravated by exposure to the hazardous chemical; and
 - (iii) The primary routes of entry and the symptoms of overexposure;
- (C) The proper precautions, handling practices, necessary personal protective equipment, and other safety precautions in the use of or exposure to the hazardous chemicals, including appropriate emergency treatment in case of overexposure;
- (D) The emergency procedures for spills, fire, disposal, and first aid;
- (E) A description in lay terms of the known specific potential health risks posed by the hazardous chemical intended to alert any person reading this information; and
- (F) The year and month, if available, that the information was compiled and the name, address, and emergency telephone number of the manufacturer responsible

for preparing the information.

~~(16)~~(15) 'Mixture' means any combination of two or more chemicals, if the combination is not, in whole or in part, the result of a chemical reaction.

~~(17)~~(16) 'Occupational Safety and Health Administration standard' means the Hazard Communication Standard issued by the Occupational Safety and Health Administration, 29 C.F.R. Sections 1910.0000 through 1910.1500 (1987).

~~(18)~~(17) 'Person' means any individual, natural person, public or private corporation, incorporated association, government, government agency, partnership, or unincorporated association.

~~(19)~~(18) 'Physical hazard' means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water reactive.

~~(20)~~(19) 'Produce' means to manufacture, process, formulate, or repackage.

~~(21)~~(20) 'Work area' means a room inside a building or structure, an outside area, or other defined space in a workplace where hazardous chemicals are produced, stored, or used and where employees are present in the course of their employment.

~~(22)~~(21) 'Workplace' means an establishment or business at one geographic location at which work is performed by a state employee and which contains one or more work areas. In the case of an independent contractor or subcontractor, the workplace shall be defined as all work areas wholly owned or controlled by such independent contractor or subcontractor.

45-22-3.

All hazardous chemicals introduced into the workplace by employers and used in the workplace by employees shall be in labeled containers that meet the requirements of the Occupational Safety and Health Administration standard; provided, however, that employers shall not be required to label portable containers into which hazardous chemicals are transferred from labeled containers provided that the portable container and the hazardous chemical transferred to it are intended only for the immediate use of an employee who performs the transfer or who is present at the time of such transfer.

45-22-4.

A public contractor who introduces hazardous materials into the workplace shall agree, and include a statement, in all bids, agreements, contracts, or other instrument to the effect that such contractor shall be responsible for compliance with the provisions of this chapter for persons employed by such contractor utilized under such contract. Any such public contractor who introduces hazardous chemicals into the workplace shall provide material safety data sheets for such chemicals to all employees using them and instruction in handling, emergency procedures, and disposal prior to introducing such hazardous chemicals. This Code section shall not be construed to place responsibility on any person, firm, or corporation other than public contractors.

45-22-5.

- (a) The provisions of this chapter shall not apply to:
- (1) Impurities which develop as intermediate materials during chemical processing but are not present in the final mixture and to which employee exposure is unlikely;
 - (2) Alcoholic beverages as defined in Title 3;
 - (3) Articles intended for personal consumption by employees in the workplace;
 - (4) Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety Act, 15 U.S.C. Section 2051, et seq., and Federal Hazardous Substances Act, 15 U.S.C. Section 1261, et seq., respectively, including any such product or hazardous chemicals manufactured by any state agency, where the employer can demonstrate it is used in the workplace in the same manner as normal consumer use and which use results in a duration and frequency of exposure which is not greater than exposures experienced by consumers;
 - (5) Articles sold or used in retail food establishments and retail trade establishments;
 - (6) Chemicals which are merely being transported in the state as part of a shipment in interstate or intrastate commerce; or
 - (7) Chemicals or mixtures which may be hazardous but which are covered by the federal Atomic Energy Act and the federal Resource Conservation and Recovery Act.
- (b) The provisions of this chapter shall not require labeling of the following chemicals:
- (1) Any pesticide as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. Section 136, et seq., when such pesticide is subject to the labeling requirements of that federal act and labeling regulations issued under that federal act by the United States Environmental Protection Agency;
 - (2) Any food, food additive, color additive, drug, cosmetic, or medical or veterinary device, including materials intended for use as ingredients in such products, as such terms are defined in the federal Food, Drug and Cosmetic Act, 21 U.S.C. Section 301, et seq., and regulations issued under that federal act, when subject to the labeling requirements under that federal act by the Food and Drug Administration;
 - (3) Any distilled spirits, beverage alcohols, wine, or malt beverage intended for nonindustrial use as such terms are defined in the federal Alcohol Administration Act, 27 U.S.C. Section 201, et seq., and regulations issued under that federal act, when subject to the labeling requirements of that federal act by the United States Bureau of Alcohol, Tobacco, and Firearms; or
 - (4) Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety Act, 15 U.S.C. Section 2051, et seq., and the federal Hazardous Substances Act, 15 U.S.C. Section 1261, et seq., respectively, when subject to a consumer product safety standard or labeling requirement of those federal acts or regulations issued under those federal acts by the Consumer Product Safety Commission.

45-22-6.

- (a) The ~~department~~ Georgia Public Safety Training Center shall promulgate such rules and regulations as may be necessary to administer this chapter through the Division of

Fire Safety.

(b) The ~~department~~ Division of Fire Safety within the Georgia Public Safety Training Center shall consult with persons knowledgeable in the field of hazardous chemicals to assist the ~~department~~ Division of Fire Safety within the Georgia Public Safety Training Center in carrying out its duties under this chapter.

45-22-7.

(a) The manufacturer, importer, or distributor of any hazardous chemical shall prepare a material safety data sheet which, to the best knowledge of the manufacturer, importer, or distributor, is current, accurate, and complete, based on information then reasonably available to the manufacturer, importer, or distributor, and provide a copy of the material safety data sheet to employers who purchase such hazardous chemicals and an electronic copy to the ~~department~~ Division of Fire Safety within the Georgia Public Safety Training Center annually.

(b) Any person who produces a mixture may, for the purposes of this Code section, prepare and use a mixture material safety data sheet, subject to the provisions of subsection (j) of this Code section.

(c) A manufacturer, importer, distributor, or employer may provide the information required by this Code section on an entire mixture, instead of on each hazardous chemical in it, when all of the following conditions exist:

(1) Toxicity test information exists on the mixture itself or adequate information exists to form a valid judgment of the hazardous properties of the mixture itself and the material safety data sheet indicates that the information presented and the conclusions drawn are from some source other than direct test data on the mixture itself, and that a material safety data sheet on each constituent hazardous chemical identified on the material safety data sheet is available upon request;

(2) Provision of information on the mixture will be as effective in protecting employee health as information on the ingredients;

(3) The hazardous chemicals in the mixture are identified on the material safety data sheet unless it is unfeasible to describe all the ingredients in the mixture, provided that the reason why the hazardous chemicals in the mixture are not identified shall be stated on the material safety data sheet; and

(4) A single mixture material safety data sheet may be provided for more than one formulation of a product mixture if the information provided does not vary for the formulation.

(d) A manufacturer, importer, or distributor who is responsible for preparing and transmitting a material safety data sheet under the provisions of this Code section shall revise such material safety data sheet on a timely basis, as appropriate to the importance of any new information which would affect the contents of the existing material safety data sheet, and in any event within three months of such information becoming available to the manufacturer, importer, or distributor. Each such manufacturer, importer, or distributor shall provide a copy of the material safety data sheet to employers who have purchased such hazardous chemicals and an electronic copy to the

~~department~~ Division of Fire Safety within the Georgia Public Safety Training Center.

(e) Any person subject to the provisions of this Code section shall be relieved of the obligation to provide a direct purchaser of a hazardous chemical with a material safety data sheet if:

(1) He or she has a record of having provided the direct purchaser with the most recent version of the material safety data sheet;

(2) The chemical is labeled pursuant to:

(A) The federal Atomic Energy Act; or

(B) The federal Resource Conservation Recovery Act; or

(3) The article is one sold at retail and is incidentally sold to an employer or the employer's employees in the same form, approximate amount, concentration, and manner as it is sold to consumers, and, to the seller's knowledge, employee exposure to the article is not significantly greater than the consumer exposure occurring during the principal consumer use of the article.

(f) If an employer is not supplied with a material safety data sheet by a manufacturer, importer, or distributor for a hazardous chemical subject to this Code section, such employer shall, within a reasonable amount of time after discovering that a material safety data sheet has not been supplied, use diligent efforts to obtain such material safety data sheet from the manufacturer, importer, or distributor. For purposes of this subsection, 'diligent efforts' means a prompt inquiry by the employer to the manufacturer, importer, or distributor of the hazardous chemicals; provided, however, that an independent contractor or subcontractor shall be responsible for obtaining the material safety data sheet for his or her employees in the workplace of another.

(g) If after having used diligent efforts, an employer still fails to obtain a material safety data sheet, such employer shall notify the ~~department~~ Division of Fire Safety within the Georgia Public Safety Training Center of the employer's inability to obtain such material safety data sheet.

(h) An employer who has used diligent efforts and who has made a documented notification to the ~~department~~ Division of Fire Safety within the Georgia Public Safety Training Center pursuant to this Code section shall not be found in violation of this Code section with respect to the material safety data sheet which was not supplied by the manufacturer, importer, or distributor as required by this Code section.

(i) Every employer who manufactures, produces, uses, applies, or stores hazardous chemicals in the workplace shall post a notice as prescribed by rule or regulation promulgated by the ~~department~~ Division of Fire Safety within the Georgia Public Safety Training Center in a place where notices are normally posted, informing employees of their rights under this chapter.

(j) Every employer who manufactures, produces, uses, applies, or stores hazardous chemicals in the workplace shall maintain a material safety data sheet for each hazardous chemical which is present in such workplace. All material safety data sheets shall be readily available in the workplace; provided, however, that employers who maintain one or more work areas which are not fixed at specific geographic locations shall be authorized to maintain material safety data sheets for each hazardous chemical

used in such work area at a central location.

(k)(1) A material safety data sheet may be kept in any form, including operations procedures, and may be designed to cover groups of hazardous chemicals in a work area where it may be appropriate to address the hazards of a process rather than individual hazardous chemicals. The employer shall ensure that in all cases the required information is provided for each hazardous chemical, and is readily accessible during each workshift to employees when they are in their work area; provided, however, that employers who maintain one or more work areas which are not fixed at specific geographic locations shall be authorized to maintain material safety data sheets for each hazardous chemical used in such work area at a central location.

(2) Any employee may request in writing and shall have the right to examine and obtain the material safety data sheets for the hazardous chemicals to which he or she is, has been, or may be exposed. The employer shall provide any material safety data sheet within its possession within five of the requesting employee's working days, subject to the provisions of subsection (g) of this Code section. The employer may adopt reasonable procedures for acting upon such requests to avoid interruption of normal work operations.

(3) An independent contractor or subcontractor working in the workplace of another employer may request in writing and shall have the right to examine the material safety data sheets for the hazardous chemicals to which such contractor, subcontractor, or employees thereof are, have been, or may be exposed. The employer shall provide any material safety data sheet within its possession within five of the requesting independent contractor's or subcontractor's working days, subject to the provisions of subsection (g) of this Code section. The employer may adopt reasonable procedures for acting upon such requests to avoid interruption of normal work operations.

(4) If an employee who has requested a material safety data sheet pursuant to this chapter has not received such material safety data sheet within five of the requesting employee's working days, subject to the provisions of subsection (g) of this Code section, that employee may refuse to work with the chemical for which he or she has requested the material safety data sheet until such material safety data sheet is provided by the employer; provided, however, that nothing contained in this paragraph shall be construed to permit any employee to refuse to perform essential services, as such term is defined by rule or regulation; provided, further, that nothing in this paragraph shall be construed to interfere with the right of the employer to transfer an employee who so refuses to work to other duties until such material safety data sheet is provided, such a transfer not to be considered as a discriminatory act under Code Section 45-22-10. No pay, position, seniority, or other benefits shall be lost for exercise of any right provided by this chapter as a result of such a transfer.

(l) No employer shall discharge or otherwise discriminate against an employee for the employee's assertion of the employee's rights under this chapter.

(m) For the purposes of this Code section, an employer, independent contractor, or

subcontractor shall maintain material safety data sheets for their own workplaces only; provided, however, that employees of such independent contractor or subcontractor, insofar as they are exposed in the course of their employment to hazardous chemicals in other workplaces, shall have the right to examine material safety data sheets for those chemicals to which they are exposed from the workplace employer through a written request to their own employer as provided in paragraph (2) of subsection (k) of this Code section. Nothing contained in this chapter shall be construed to require an employer to conduct studies to develop new information.

45-22-8.

(a) Each employer shall be required to comply with the minimum information standards set forth in this subsection. Each employee shall be informed of:

- (1) The requirements of this Code section;
- (2) What a material safety data sheet is and the contents of the material safety data sheet for any hazardous chemical to which he or she is exposed, or equivalent information, either in written form or through training programs;
- (3) Any operations in his or her work area where hazardous chemicals are present;
- (4) The location and availability of training programs;
- (5) His or her right to receive information regarding hazardous chemicals to which he or she may be exposed;
- (6) His or her right for his or her physician to receive information regarding hazardous chemicals to which the employee may be exposed; and
- (7) His or her right against discharge or other discrimination due to the employee's exercise of the rights provided by this chapter.

(b) In addition to providing the information required by subsection (a) of this Code section, each employer shall be required to provide a training program for all employees who are exposed to hazardous chemicals in the normal course of their employment. When training employees who are exposed to hazardous chemicals, the employer shall explain any physical or health hazards associated with the use of the chemical or mixture; proper precautions for handling; necessary personal protective equipment or other safety precautions necessary to prevent or minimize exposure to the hazardous chemical; methods of observation that may be used to detect the presence or release of a hazardous chemical in a work area, including, but not limited to, spot check monitoring, continuous monitoring, or methods of visual or olfactory detection; the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information; and emergency procedures for spills, fire, disposal, and first aid. This information may relate to an entire class of hazardous chemicals to the extent appropriate and related to the job. Whenever any employer receives a new or revised material safety data sheet, such information shall be provided to employees on a timely basis not to exceed 30 days after receipt, if the new information indicates significantly increased risks to or measures necessary to protect employee health as compared to those stated on a material safety data sheet previously provided.

(c) The ~~department~~ Division of Fire Safety within the Georgia Public Safety Training Center shall by rule or regulation establish minimum information and training standards for compliance with this Code section.

45-22-9.

On and after July 1, 1989, each employer shall publish in print or electronically in January and July of each year a list of hazardous chemicals that its employees use or are exposed to in the workplace. Such list shall be available for public inspection at the workplace office. A comprehensive list of all hazardous chemicals used by the employer shall also be available for public inspection at the employer's state headquarters.

45-22-10.

(a) No person shall discharge or cause to be discharged or otherwise discipline or in any manner discriminate against any employee for any of the following reasons:

(1) The employee has requested information regarding hazardous chemicals, filed any complaint or action, or has instituted, or caused to be instituted, any proceeding under this chapter;

(2) The employee has testified or is about to testify in any proceeding in his or her own behalf or on behalf of others; or

(3) The employee has exercised any other right afforded pursuant to the provisions of this chapter.

(b) No pay, position, seniority, or other benefits shall be lost for exercise of any right provided by this chapter.

45-22-11.

(a) In order to enforce the provisions of this chapter, any employee adversely affected by a violation of this chapter by that employee's employer may file a grievance in accordance with the employer's established grievance procedures. Appointing authorities shall pursue all complaints concerning occupational exposure to hazardous chemicals.

(b) Upon any violation of Code Section 45-22-4 by a contractor, the employer under agreement with such contractor shall have the right to terminate the contract without liability.

(c) Nothing in this chapter shall change or modify the right or ability of employers to dismiss or discipline employees in accordance with the laws of this state.

(d) Any employee dissatisfied with a final decision of an appointing authority with regard to a grievance filed pursuant to subsection (a) of this Code section shall be entitled to judicial review in the same manner as provided for judicial review of contested cases in Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

45-22-12.

Nothing in this chapter shall be construed to constitute a waiver of the sovereign immunity of the state or any branch, department, board, bureau, commission, authority,

or other agency of the state. A violation of the provisions of this chapter shall not be the basis for an action for damages against the state or any branch, department, board, bureau, commission, authority, or other agency of the state or any member, officer, or employee of the state or any branch, department, board, bureau, commission, authority, or other agency of this state and said entities and persons are granted immunity from civil actions for damages for any violation of the provisions of this chapter."

PART XVII
SECTION 17-1.

Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding administrative procedure, is amended by revising Code Section 50-13-21, relating to compliance with filing and hearing requirements by Safety Fire Commissioner and Commissioner of Insurance, as follows:

"50-13-21.

(a) As to such regulations, standards, and plans as are required by law to be filed and kept on file with the office of the Secretary of State, the ~~Commissioner of Insurance, when performing the duties as Safety Fire Commissioner,~~ commissioner of fire safety may comply with the filing requirements of this chapter by filing with the office of the Secretary of State merely the name and designation of such regulations, standards, and plans, provided that the regulations, standards, and plans are kept on file in the office of the ~~Commissioner of Insurance~~ commissioner of fire safety by the titles otherwise applicable under this chapter and the regulations, standards, and plans are open for public examination and copying. The ~~Commissioner of Insurance, when performing the duties as Safety Fire Commissioner,~~ commissioner of fire safety may also satisfy the procedure for conduct of hearings on contested cases and rule making required under this chapter by following Chapter 2 of Title 33.

(b) The Commissioner of Insurance, ~~when performing the duties as Commissioner of Insurance,~~ may satisfy the procedure for conduct of hearings on contested cases required under this chapter by following Chapter 2 of Title 33. ~~When the Commissioner of Insurance is performing rule-making duties as~~ The Commissioner of Insurance, ~~he~~ shall satisfy the procedures required under this chapter and under Chapter 2 of Title 33. In the event of any conflicts between rule-making procedures of this chapter and Chapter 2 of Title 33 as it respects duties of the Commissioner of Insurance, this chapter shall govern."

PART XVIII
SECTION 18-1.

Chapter 2 of Title 8 of the Official Code of Georgia Annotated, relating to standards and requirements for construction, alteration, etc., of buildings and other structures, is amended by revising subdivision (9)(B)(ii)(D) of Code Section 8-2-20, relating to definitions, as follows:

"(D) The term 'state minimum standard codes' shall specifically not include the Georgia State Fire Code as adopted by the ~~Safety Fire Commissioner~~ commissioner of fire safety pursuant to Code Section 25-2-13 nor shall any state minimum standard code be less restrictive than the Georgia State Fire Code."

SECTION 18-2.

Said chapter is further amended by revising paragraph (1) of subsection (a) of Code Section 8-2-24, relating to appointment of advisory committee, reimbursement of members for expenses, use of subcommittees, submittal or proposed amendments, modifications, and new provisions to committee, and meeting times of committee, as follows:

"(1) The ~~Safety Fire Commissioner~~ commissioner of fire safety or his or her designee as an ex officio member with full voting privileges;"

SECTION 18-3.

Said chapter is further amended by revising paragraph (4) of subsection (c) of Code Section 8-2-31, relating to effect of part, as follows:

"(4) The Georgia State Fire Code as adopted by the ~~Safety Fire Commissioner~~ commissioner of fire safety pursuant to Code Section 25-2-13."

SECTION 18-4.

Said chapter is further amended by revising Code Section 8-2-202, relating to definitions, as follows:

"8-2-202.

As used in this article, the term:

(1) 'Enforcement authority' means the ~~Safety Fire Commissioner~~ commissioner of fire safety, the state fire marshal, local building officials, local fire marshals, or any other state or local officials responsible for the implementation, application, or enforcement of any state law or local ordinance relating to building construction, or any state or local rule or regulation relating to building construction, or any building, mechanical, electrical, plumbing, life safety or fire prevention codes, or other construction standards that apply or are intended to apply to existing buildings. The term 'enforcement authority' also means any local official designated by the local governing authority as the enforcement authority for the purposes of this article.

(2) 'Existing building or structure' means any completed building or structure which has been placed in service for a minimum of five years.

(3) ~~'Safety Fire Commissioner' or 'Commissioner' means the office created in Code Section 25-2-2.'~~

SECTION 18-5.

Said chapter is further amended by revising Code Section 8-2-203, relating to effect of article on state and local enforcement authorities, as follows:

"8-2-203.

The provisions of this article shall be mandatory and binding on the commissioner of fire safety, state fire marshal, ~~the Safety Fire Commissioner~~, and other state officials responsible for state building code, fire code, life safety code, or other construction code enforcement. This article is not mandatory or binding on local enforcement authorities; provided, however, that any local building, fire, life safety, plumbing, electrical, mechanical, or other construction code enforcement authority may apply the applicable provisions of this article to any existing building whenever the local governing authority has adopted this article by reference and whenever such local code enforcement authority determines the need to utilize compliance alternatives to any provisions of the rules, regulations, codes, or standards he or she is empowered to interpret, apply, or enforce under authority of any state law or local ordinance. This article is a tool for use of code enforcement authorities to use as deemed appropriate in attempting to resolve problems encountered while enforcing codes and standards with regard to existing buildings and structures. Enforcement authorities should advise appropriate appeals boards of the provisions, purposes, and intent of this article."

SECTION 18-6.

Said chapter is further amended by revising Code Section 8-2-220, relating to rules and regulations, as follows:

"8-2-220.

The ~~Safety Fire Commissioner~~ commissioner of fire safety shall promulgate reasonable rules and regulations to implement and carry out the requirements of this article."

SECTION 18-7.

Said chapter is further amended by revising Code Section 8-2-221, relating to appeals of rulings or decisions, as follows:

"8-2-221.

Should any person, firm, corporation, or other entity be dissatisfied with any ruling or decision of the state fire marshal pursuant to the provisions of this article, the right is granted to appeal within ten days to the ~~Commissioner~~ commissioner of fire safety. If the person, firm, corporation, or other entity is dissatisfied with the decision of the ~~Commissioner~~ commissioner of fire safety, appeal is authorized to the superior court within 30 days in the manner provided under Chapter 13 of Title 50-, the 'Georgia Administrative Procedure Act.' In the event of such appeal, the person, firm, corporation, or other entity shall give a surety bond which will be conditioned upon compliance with the order and direction of the ~~state fire marshal or the Commissioner~~ or both commissioner of fire safety. The amount of bond shall be fixed by the ~~Commissioner~~ commissioner of fire safety in such amount as will reasonably cover the order issued by the ~~Commissioner~~ commissioner of fire safety ~~or the state fire marshal~~ or both."

SECTION 18-8.

Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is amended by revising Code Section 25-3-6, relating to effect of article on powers and duties of other officials and departments, as follows:

"25-3-6.

This article shall not affect the duties, powers, or responsibilities of the Safety ~~Fire~~ Commissioner, the commissioner of fire safety, the Division of Fire Safety within the Georgia Public Safety Training Center, the state fire marshal, the sheriff's office, the Department of Public Safety, local law enforcement agencies, the Department of Agriculture, the Department of Natural Resources, the State Forestry Commission, the Department of Transportation, the Department of Defense, or the Department of Public Health."

SECTION 18-9.

Said title is further amended by revising subsection (a) of Code Section 25-4-3, relating to the Georgia Firefighter Standards and Training Council – establishment and organization, advisory committee, and expenses and allowances, as follows:

"(a) The Georgia Firefighter Standards and Training Council is established. The council shall be composed of 11 members, one of whom shall be the ~~Safety Fire Commissioner~~ commissioner of fire safety or the designated representative of the ~~Safety Fire Commissioner~~ commissioner of fire safety. Two members shall be appointed by the Lieutenant Governor. Two members shall be appointed by the Speaker of the House of Representatives. The remaining six members shall be appointed by the Governor subject to the following requirements:

- (1) One member shall be a member of the governing authority of a county;
- (2) One member shall be a member of the governing authority of a municipality;
- (3) One member shall be a city or county manager;
- (4) One member shall be the chief of a county or municipal fire department; and
- (5) Two members shall be state certified firefighter training officers."

SECTION 18-10.

Chapter 3 of Title 30 of the Official Code of Georgia Annotated, relating to access to and use of public facilities by persons with disabilities, is amended by revising paragraph (4) of Code Section 30-3-2, relating to definitions, as follows:

"(4) 'Commissioner' means the ~~Safety Fire Commissioner provided for in Chapter 2 of Title 25~~ commissioner of fire safety."

SECTION 18-11.

Said chapter is further amended by revising Code Section 30-3-3, relating to applicable standards and specifications and granting of exemptions, as follows:

"30-3-3.

All government buildings, public buildings, and facilities receiving permits for construction or renovation after July 1, 1995, shall comply with the rules and

regulations adopted by the ~~Commissioner~~ commissioner which meet ADAAG and establish the minimum state standards for accessibility. All government buildings, public buildings, and facilities receiving permits for construction or renovation after July 1, 1984, but before July 1, 1987, shall comply with the American National Standards Institute specifications A117.1-1980 or A117.1-1986 for making buildings and facilities accessible to and usable by people with disabilities except as otherwise provided in paragraph (10) of Code Section 30-3-2; and all government buildings, public buildings, and facilities receiving permits for construction or renovation after July 1, 1987, but before July 1, 1995, shall comply with the American National Standards Institute specifications A117.1-1986 for making buildings and facilities accessible to and usable by people with disabilities except as otherwise provided in paragraph (10) or subparagraph (C) of paragraph (11) of Code Section 30-3-2; provided, however, that nothing in this Code section is intended to require the addition of an elevator where none exists or is planned, solely for the purpose of providing an accessible route between floor levels; and provided, further, that the ~~Safety Fire Commissioner~~ commissioner or, where applicable, the Board of Regents of the University System of Georgia or the local governing authority having jurisdiction over the buildings in question upon receipt of a sworn written statement from the person who owns or controls the use of any government building, public building, or facility subject to the requirements of this chapter and after taking all circumstances into consideration may determine that full compliance with any particular standard or specification set forth in this chapter is impractical, whereupon there shall be substantial compliance with the standards or specifications to the maximum extent practical and, within 45 days of such determination, a written record shall be made by the ~~Safety Fire Commissioner~~ commissioner or, where applicable, the board of regents or the local governing authority having jurisdiction over the buildings in question, setting forth the reasons why it is impractical for the person subject to this chapter to comply fully with the particular standard or specification and also setting forth the extent to which the government building, public building, or facility shall conform with the standard or specification. The ~~Safety Fire Commissioner~~ commissioner or, where applicable, the board of regents or the local governing authority having jurisdiction over the buildings in question shall be responsible for making a final determination as to whether or not an exemption shall be granted."

SECTION 18-12.

Said chapter is further amended by revising Code Section 30-3-7, relating to administration and enforcement of chapter, as follows:

"30-3-7.

(a)(1) Except for buildings under the jurisdiction of the Board of Regents of the University System of Georgia, all buildings subject to the jurisdiction of the ~~Safety Fire Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center pursuant to Code Section 25-2-12 and subsection (c) of Code Section 25-2-13 shall be subject to the jurisdiction of the ~~Safety Fire Commissioner~~ commissioner for

purposes of enforcement of this chapter.

(2) With respect to any such building, the ~~Safety Fire Commissioner~~ commissioner shall have the following powers and duties:

(A) No such building shall be built in this state by any private person or corporation or public entity unless it conforms to the requirements of Code Sections 30-3-3 and 30-3-5 and its plans and specifications have been approved by the ~~Commissioner~~ commissioner as provided in this subparagraph. All plans and specifications shall identify the architect or engineer who prepared them in a manner acceptable to the ~~Commissioner~~ commissioner. The ~~Commissioner~~ commissioner shall approve the plans and specifications only if they conform to the requirements of this chapter. The ~~Commissioner~~ commissioner shall not require any additional fee for each submission of plans or specifications other than the standard fee required by Code Section 25-2-4.1. No local governing authority shall issue any building permit for any building subject to this subsection without proof of the approval required by this subparagraph;

(B) In any case where the ~~Commissioner~~ commissioner denies approval under subparagraph (A) of this paragraph or an exemption under subparagraph (C) of this paragraph, the rights and remedies of the person submitting the same shall be those provided by Chapter 2 of Title 33; and

(C) Upon a showing that full compliance with any particular requirement or requirements is impractical or not necessary to accomplish the purposes of this chapter, the ~~Commissioner~~ commissioner may exempt a building from full compliance with the requirement or requirements and approve plans and specifications which do not conform, or which only partially conform, to the requirement or requirements.

(b) The board of regents shall be responsible for the administration and enforcement of this chapter with respect to all buildings and facilities under its jurisdiction. No construction plans for any such building or facility shall be approved by the board of regents for any construction within the University System of Georgia unless the building or facility conforms to Code Sections 30-3-3 and 30-3-5 and unless the architect or engineer responsible for preparation of said plans and specifications affixes that person's seal on such plans. The affixing of the seal of an architect or engineer to said plans shall constitute a certification that to the best of that person's knowledge, information, and belief they have been prepared in conformity with Code Sections 30-3-3 and 30-3-5. A certificate of compliance may be displayed on said plans in lieu of the architect's or engineer's seal. The builder, developer, contractor, or building owner following said plans shall require an architect's or engineer's seal or a certificate of compliance to be displayed on the plans before starting construction.

(c) Local governing authorities shall be responsible for the administration and enforcement of this chapter with regard to all government and public buildings and facilities which are not under the jurisdiction of the ~~Safety Fire Commissioner~~ commissioner or board of regents, pursuant to subsections (a) and (b) of this Code section and which are under the jurisdiction of such local governing authorities. No

building permit for any such building or facility shall be approved by any local governing authority for any private person, corporation, partnership, association, or public entity unless the plans and specifications conform to the requirements of Code Sections 30-3-3 and 30-3-5 and unless the architect or engineer responsible for preparation of said plans and specifications affixes that person's seal on such plans. The affixing of the seal of an architect or engineer to said plans shall constitute a certification that to the best of that person's knowledge, information, and belief they have been prepared in conformity with Code Sections 30-3-3 and 30-3-5. A certificate of compliance may be displayed on said plans in lieu of the architect's or engineer's seal. The builder, developer, contractor, or building owner following said plans shall require such a seal or a certificate of compliance on the plans before starting construction. All construction plans must display such a certificate of compliance, or a seal provided by the architect or engineer, for all construction in local governing jurisdictions which do not require building permits. In all areas where local governing authority building permits are not required, the builder, developer, contractor, or building owner following said plans shall require such an architect's or engineer's seal or a certificate of compliance to be displayed on the plans before starting construction.

(d) In the performance of their responsibilities under this chapter, all state rehabilitation agencies and appropriate elected or appointed officials shall be required to cooperate with and assist the ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the appropriate local building code officials or local fire department, or any combination thereof, having jurisdiction over the buildings in question.

(e) The ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the local building code officials or the local fire department, or any combination thereof, having jurisdiction over the buildings in question shall from time to time inform, in writing, professional organizations and others of this chapter and its application.

(f)(1) The ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the local governing authority having jurisdiction over the buildings in question shall have all necessary powers to require compliance with their rules, regulations, and procedures, and modifications thereof and substitutions therefor, including powers to institute and prosecute proceedings in the superior court to compel compliance, and shall not be required to pay any entry or filing fee in connection with the institution of such proceedings.

(2) No person, firm, or corporation shall be subject to a complaint for not complying with the provisions of subparagraph (C) of paragraph (11) of Code Section 30-3-2 unless 90 days have passed since such person, firm, or corporation has been notified by certified mail or statutory overnight delivery of the alleged violation of the provisions of subparagraph (C) of paragraph (11) of Code Section 30-3-2. Such notification shall include a warning of an impending complaint if the alleged violation is not corrected before the expiration of the 90 day warning period. The 90 day warning period shall not apply to any structure or facility other than parking lots nor to any part of this chapter other than subparagraph (C) of paragraph (11) of Code Section 30-3-2.

(g) The ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the local governing authority having jurisdiction over the buildings in question, after consultation with state rehabilitation agencies and other sources as they might determine, are authorized to promulgate such rules, regulations, and procedures as might reasonably be required to implement and enforce their responsibilities under this chapter. Such rules, regulations, and procedures shall not be less restrictive than those established by the ~~Commissioner~~ commissioner.

(h) The ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the local governing authority having jurisdiction over the buildings in question, after consultation with state rehabilitation agencies, are also authorized to waive any of the standards and specifications presently set forth in this chapter and to substitute in lieu thereof standards or specifications consistent in effect to such standards or specifications heretofore adopted by the American Standards Association, Inc."

SECTION 18-13.

Code Section 31-7-12.2 of the Official Code of Georgia Annotated, relating to regulation and licensing of assisted living communities, legislative intent, definitions, procedures, and requirements for medication aides, is amended by revising paragraph (4) of subsection (b) and subsection (e) as follows:

"(4) 'Assisted self-preservation' means the capacity of a resident to be evacuated from an assisted living community, to a designated point of safety and within an established period of time as determined by the ~~Office of the Safety Fire Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center. Assisted self-preservation is a function of all of the following:

(A) The condition of the individual;

(B) The assistance that is available to be provided to the individual by the staff of the assisted living community; and

(C) The construction of the building in which the assisted living community is housed, including whether such building meets the state fire safety requirements applicable to an existing health care occupancy."

"(e) An assisted living community shall maintain fire detection and prevention equipment, including visual signals with alarms for hearing impaired residents, in accordance with manufacturer instructions and the requirements of the ~~Office of the Safety Fire Commissioner~~ Division of Fire Safety within the Georgia Public Safety Training Center."

SECTION 18-14.

Code Section 33-2-9 of the Official Code of Georgia Annotated, relating to rules and regulations adopted by the Commissioner of Insurance, is amended by revising subsection (e) as follows:

"(e) Neither the ~~Commissioner, whether acting as Commissioner of Insurance or Safety Fire Commissioner of Insurance~~, nor the department, nor the ~~Safety Fire Division of the office of the Commissioner~~ commissioner of fire safety shall propose or adopt rules or regulations relating to the sale or dispensing of gasoline or diesel fuel to the general

public by any business entity unless such rules or regulations require such sale or dispensing to be under the direct control and visual supervision of an on-site employee of such business entity."

SECTION 18-15.

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by revising subsection (c) of Code Section 42-4-31, relating to required safety and security measures, as follows:

"(c) The officer in charge of a detention facility shall have the facility inspected semiannually by an officer from the state fire marshal's office or an officer selected by the ~~Safety Fire Commissioner~~ commissioner of fire safety. Each detention facility shall be required to comply with this article with regard to fire safety and the applicable rules and regulations promulgated by the ~~Safety Fire Commissioner~~ commissioner of fire safety. The inspecting officer shall fill out a form provided by the officer in charge and the form shall be posted in a conspicuous place by the officer in charge, thereby evidencing inspection of the facility."

SECTION 18-16.

Code Section 43-14-13 of the Official Code of Georgia Annotated, relating to applicability of chapter, is amended by revising subsection (o) as follows:

"(o) This chapter shall not prohibit any propane dealer who is properly insured as required by law and who holds a liquefied petroleum gas license issued by the ~~Safety Fire Commissioner~~ commissioner of fire safety from installing, repairing, or servicing a propane system or the gas piping or components of such system; provided, however, that such propane dealers shall be prohibited from performing the installation of conditioned air systems or forced air heating systems unless licensed to do so under this chapter."

SECTION 18-17.

Article 1 of Chapter 14 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions regarding the Commissioner of Insurance, is amended by revising Code Section 45-14-3, relating to duties as Safety Fire Commissioner and Industrial Loan Commissioner, as follows:

"45-14-3.

The Commissioner of Insurance shall be ~~the Safety Fire Commissioner and the~~ Industrial Loan Commissioner."

SECTION 18-18.

Said article is further amended by revising Code Section 45-14-5, relating to seal, as follows:

"45-14-5.

The Commissioner of Insurance, ~~Safety Fire Commissioner~~, and Industrial Loan Commissioner shall have an official seal for each office of such design as he or she shall select with the approval of the Governor."

PART XIX
SECTION 19-1.

This Act shall become effective on July 1, 2019.

SECTION 19-2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	N Jones, B	Y Shafer
Y Black	Y Jones, E	E Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	N Martin	Y Unterman
E Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 3.

SB 319, having received the requisite constitutional majority, was passed by substitute.

SB 364. By Senators Hufstetler of the 52nd, Unterman of the 45th, Kirkpatrick of the 32nd, Orrock of the 36th and Burke of the 11th:

A BILL to be entitled an Act to amend Code Section 43-34-103 of the Official Code of Georgia Annotated, relating to delegation of authority to physician

assistants, so as to authorize a higher supervisory ratio for physician assistants who have completed a board approved anesthesiologist assistant program; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	E Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
E Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

SB 364, having received the requisite constitutional majority, was passed.

SB 365. By Senators Ligon, Jr. of the 3rd, Kennedy of the 18th, Cowsert of the 46th, Gooch of the 51st, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend the Official Code of Georgia Annotated, so as to revise, modernize, correct errors or omissions in, and reenact the statutory portion of said Code, as amended, in furtherance of the work of the Code Revision Commission; to repeal portions of said Code, or Acts in amendment thereof, which have become obsolete, have been declared to be unconstitutional, or have been preempted or superseded by subsequent laws; to codify principles of law derived from decisions of the state Supreme

Court; to provide for other matters relating to revision, reenactment, and publication of said Code; to provide for effect in event of conflicts; to provide an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	E Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
E Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 365, having received the requisite constitutional majority, was passed.

Senator Cowsert of the 46th asked unanimous consent to suspend the Senate Rules to first read legislation and assign to committee. There was no objection and consent was granted.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 463. By Senators Dugan of the 30th, Miller of the 49th and Gooch of the 51st:

A BILL to be entitled an Act to amend Titles 10 and 40 of the Official Code of Georgia Annotated, relating to commerce and trade and motor vehicles and

traffic, respectively, so as to provide an exception for certain manufacturers of electric motor vehicles to restrictions on the ownership, operation, and control of motor vehicle dealerships; to provide an exception for electric motor vehicles to the inspection requirements for certificates of title if certain conditions are met; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

SB 464. By Senators Williams of the 27th and McKoon of the 29th:

A BILL to be entitled an Act to amend Code Section 48-2-32 of the Official Code of Georgia Annotated, relating to forms of payment of taxes and license fees, so as to require the state revenue commissioner to accept cryptocurrencies for payment of taxes and license fees; to require conversion of cryptocurrency payments into United States dollars; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SB 465. By Senators Black of the 8th, Beach of the 21st, Shafer of the 48th, Ginn of the 47th, Wilkinson of the 50th and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 7 of the Official Code of Georgia Annotated, relating to interest and usury, so as to exempt any charge for a letter of credit from being classified as interest; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banking and Financial Institutions.

SB 466. By Senators Butler of the 55th, Henson of the 41st and Orrock of the 36th:

A BILL to be entitled an Act to amend Article 1 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to landlord and tenant generally, so as to provide a definition; to provide for application screening fees; to limit the amount of such fees; to provide for the refund of such fees under certain circumstances; to provide for certain disclosures to rejected applicants; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 467. By Senators Martin of the 9th, Tillery of the 19th, Shafer of the 48th and Millar of the 40th:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide for annual statements to policyholder purchasing temporary or permanent disability benefit policies through monthly automatic debits; to provide for delivery methods; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

SB 468. By Senators Anderson of the 24th, Stone of the 23rd, Hufstetler of the 52nd, Shafer of the 48th, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, so as to provide for certain disclosures from consultants and other contractors who enter into contracts or arrangements with counties, municipal corporations, and other governmental entities to prepare or develop specifications or requirements for bids, requests for proposals, procurement orders, or purchasing orders; to provide for consequences for failure to disclose; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SB 469. By Senators Brass of the 28th, Dugan of the 30th, Kirk of the 13th, Jones of the 25th, Kennedy of the 18th and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to provide that no county or municipality shall adopt or enforce any regulation or ordinance relating to or regulating building design elements as applied to one- or two-family dwellings; to define certain terms; to provide exceptions, to amend Code Section 36-66-3 of the Official Code of Georgia Annotated, relating to definitions relative to zoning procedures, so as to redefine the term "zoning"; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

SR 885. By Senator Beach of the 21st:

A RESOLUTION honoring the life of Mr. Carey Ellerbee and dedicating a bridge in his memory; and for other purposes.

Referred to the Committee on Transportation.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL

ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

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

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Ellis Black to serve as Ex-Officio for the Senate Finance Committee meeting on February 21, 2018. This appointment shall expire upon adjournment of the committee meeting.

Sincerely,

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

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Thursday, February 22, 2018.

The motion prevailed, and the President announced the Senate adjourned at 12:23 p.m.

Senate Chamber, Atlanta, Georgia
Thursday, February 22, 2018
Twenty-fifth Legislative Day

The Senate met pursuant to adjournment at 10:08 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 161. By Representatives Price of the 48th, Broadrick of the 4th, Newton of the 123rd, Silcox of the 52nd, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Code Section 16-13-32 of the Official Code of Georgia Annotated, relating to transactions in drug related objects, so as to provide that employees and agents of harm reduction organizations are not subject to certain offenses relating to hypodermic needles; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 327. By Representatives Blackmon of the 146th, Powell of the 171st, Harrell of the 106th, Corbett of the 174th, Kelley of the 16th and others:

A BILL to be entitled an Act to amend Chapter 5C of Title 48 of the Official Code of Georgia Annotated, relating to alternative ad valorem tax on motor vehicles, so as to change the manner for determining fair market value of motor vehicles subject to the tax; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for an expiration period for temporary license plates; to require that applications be submitted to the county where the vehicle will be registered; to provide for extensions of the registration period under certain

circumstances; to provide for conditional titles for certain motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 646. By Representatives Dempsey of the 13th, Hatchett of the 150th, Newton of the 123rd, Cooper of the 43rd and Jones of the 53rd:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to reinstate a pilot program to provide coverage for bariatric surgical procedures for the treatment and management of obesity and related conditions; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 697. By Representatives Taylor of the 173rd, Smith of the 134th, Cooper of the 43rd, Parrish of the 158th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend an exemption from state sales and use tax for five additional years regarding the sale or use of tangible personal property to certain nonprofit health centers; to extend an exemption for five additional years with respect to certain nonprofit volunteer health clinics; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 735. By Representatives Bentley of the 139th, Powell of the 171st, Jackson of the 128th, Dickey of the 140th, Tanner of the 9th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of and exemptions from state income taxes, so as to create an income tax credit for expenditures on the maintenance of railroad track owned or leased by a Class III railroad; to provide for rules and regulations related to such income tax credit; to provide for certain conditions and limitations; to require annual reporting of certain statistics related to such credit; to provide for definitions; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

HB 769. By Representatives Jasperse of the 11th, England of the 116th, Powell of the 171st, Jackson of the 128th, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 26 and Title 31 of the O.C.G.A., relating to pharmacists and pharmacies and health,

respectively, so as to implement recommendations from the House Rural Development Council relating to health care issues; to revise provisions relative to pharmacy practices; to provide for and revise definitions; to revise provisions relative to credentialing and billing; to provide for the establishment of the Rural Center for Health Care Innovation and Sustainability; to revise provisions relative to certificate of need; to provide for the establishment of micro-hospitals; to provide for a grant program for insurance premium assistance for physicians practicing in medically underserved rural areas of the state; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 782. By Representatives Rhodes of the 120th, Cooper of the 43rd, Rogers of the 10th, Hawkins of the 27th and Newton of the 123rd:

A BILL to be entitled an Act to amend Code Section 16-13-60 of the Official Code of Georgia Annotated, relating to privacy and confidentiality, use of data, and security program for the prescription drug monitoring program data base, so as to revise provisions relating to permissible users with access to the data base; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 827. By Representatives Kelley of the 16th, Powell of the 171st, England of the 116th, McCall of the 33rd, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, and computation of and exemptions from income taxes, so as to increase the value of the rural hospital organization tax credit to 100 percent; to remove limitations on total amounts allowed to individual taxpayers; to provide that credits are allowable to certain pass-through entities; to provide for limits on contributions by individual taxpayers during the first six months of the year; to extend the date for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 856. By Representatives Deffenbaugh of the 1st, Powell of the 32nd, Caldwell of the 131st, Maxwell of the 17th and Cantrell of the 22nd:

A BILL to be entitled an Act to amend Code Section 35-2-1 of the Official Code of Georgia Annotated, relating to creation of Board of Public Safety, composition, and appointment and terms of office of members, so as to add the commissioner of community supervision to the composition of the Board of Public Safety; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 470. By Senators McKoon of the 29th, Shafer of the 48th, Payne of the 54th, Jones of the 25th, Thompson of the 14th and others:

A BILL to be entitled an Act to amend Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to loitering at or disrupting schools, so as to require the commissioner of public safety to assign at least one member of the Georgia State Patrol for each public school in this state; to provide for a purpose; to provide for funding contingency; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

SB 471. By Senator Hufstetler of the 52nd:

A BILL to be entitled an Act to amend Article 5 of Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to prescription drugs, so as to require practitioners to issue electronic prescriptions for certain controlled substances; to provide for definitions; to provide for exceptions; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 472. By Senators Jordan of the 6th and Williams of the 39th:

A BILL to be entitled an Act to amend Titles 16 and 19 of the Official Code of Georgia Annotated, relating to crimes and offenses and to domestic relations, respectively, so as to prohibit persons convicted of misdemeanor crimes of family violence from receiving, possessing, or transporting a firearm and to prohibit persons subject to family violence protective orders from receiving, possessing, or transporting a firearm; to provide an effective date and applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 473. By Senators Williams of the 39th, Seay of the 34th and Jordan of the 6th:

A BILL to be entitled an Act to amend Chapter 1 of Title 30 of the Official Code of Georgia Annotated, relating to general provisions relative to

handicapped persons, so as to provide for real-time captioning of legislative proceedings for the deaf and hearing impaired; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Government Oversight.

SB 474. By Senators Jordan of the 6th and Williams of the 39th:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide for preexisting conditions under short-term health benefit policies or certificates; to provide for definitions; to provide for the use of "preexisting condition" in short-term health policies and exclusions; to provide for related matters; to provide for applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

SB 475. By Senator Parent of the 42nd:

A BILL to be entitled an Act to amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, so as to provide for certain employment benefits for independent contractors; to provide for funding, administration, and eligibility; to provide for definitions; to provide for the nature of the benefits; to provide for enforcement; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

SR 882. By Senators Jones of the 25th, Brass of the 28th, Harper of the 7th, Kennedy of the 18th and Beach of the 21st:

A RESOLUTION creating the Senate Hartsfield-Jackson Atlanta International Airport Operations and Authority Creation Study Committee; and for other purposes.

Referred to the Committee on Transportation.

SR 886. By Senators Jackson of the 2nd, Jones of the 10th and Harbison of the 15th:

A RESOLUTION supporting Georgia's coastal tourism and fisheries and opposing seismic testing and oil and gas drilling activities off of Georgia's coast; and for other purposes.

Referred to the Committee on Rules.

SR 897. By Senators Orrock of the 36th, Anderson of the 43rd, Parent of the 42nd, Butler of the 55th, Williams of the 39th and others:

A RESOLUTION urging the United States Congress to establish a system of checks and balances with regard to the first use of nuclear weapons; and for other purposes.

Referred to the Committee on Rules.

SR 899. By Senators James of the 35th, Rhett of the 33rd, Henson of the 41st and Seay of the 34th:

A RESOLUTION recognizing March 9, 2018, as Unify Georgia Day at the state capitol; and for other purposes.

Referred to the Committee on Rules.

SR 902. By Senator James of the 35th:

A RESOLUTION creating the Joint Study Committee on Revising the Applicability and Nomenclature of the Offense of Rape; and for other purposes.

Referred to the Committee on Judiciary.

The following House legislation was read the first time and referred to committee:

HB 161. By Representatives Price of the 48th, Broadrick of the 4th, Newton of the 123rd, Silcox of the 52nd, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Code Section 16-13-32 of the Official Code of Georgia Annotated, relating to transactions in drug related objects, so as to provide that employees and agents of harm reduction organizations are not subject to certain offenses relating to hypodermic needles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 327. By Representatives Blackmon of the 146th, Powell of the 171st, Harrell of the 106th, Corbett of the 174th, Kelley of the 16th and others:

A BILL to be entitled an Act to amend Chapter 5C of Title 48 of the Official Code of Georgia Annotated, relating to alternative ad valorem tax on motor

vehicles, so as to change the manner for determining fair market value of motor vehicles subject to the tax; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for an expiration period for temporary license plates; to require that applications be submitted to the county where the vehicle will be registered; to provide for extensions of the registration period under certain circumstances; to provide for conditional titles for certain motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 646. By Representatives Dempsey of the 13th, Hatchett of the 150th, Newton of the 123rd, Cooper of the 43rd and Jones of the 53rd:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to reinstate a pilot program to provide coverage for bariatric surgical procedures for the treatment and management of obesity and related conditions; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 697. By Representatives Taylor of the 173rd, Smith of the 134th, Cooper of the 43rd, Parrish of the 158th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend an exemption from state sales and use tax for five additional years regarding the sale or use of tangible personal property to certain nonprofit health centers; to extend an exemption for five additional years with respect to certain nonprofit volunteer health clinics; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 735. By Representatives Bentley of the 139th, Powell of the 171st, Jackson of the 128th, Dickey of the 140th, Tanner of the 9th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of and exemptions from state income taxes, so as to create an income tax credit for expenditures on the maintenance of railroad track owned

or leased by a Class III railroad; to provide for rules and regulations related to such income tax credit; to provide for certain conditions and limitations; to require annual reporting of certain statistics related to such credit; to provide for definitions; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 769. By Representatives Jasperse of the 11th, England of the 116th, Powell of the 171st, Jackson of the 128th, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 26 and Title 31 of the O.C.G.A., relating to pharmacists and pharmacies and health, respectively, so as to implement recommendations from the House Rural Development Council relating to health care issues; to revise provisions relative to pharmacy practices; to provide for and revise definitions; to revise provisions relative to credentialing and billing; to provide for the establishment of the Rural Center for Health Care Innovation and Sustainability; to revise provisions relative to certificate of need; to provide for the establishment of micro-hospitals; to provide for a grant program for insurance premium assistance for physicians practicing in medically underserved rural areas of the state; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 782. By Representatives Rhodes of the 120th, Cooper of the 43rd, Rogers of the 10th, Hawkins of the 27th and Newton of the 123rd:

A BILL to be entitled an Act to amend Code Section 16-13-60 of the Official Code of Georgia Annotated, relating to privacy and confidentiality, use of data, and security program for the prescription drug monitoring program data base, so as to revise provisions relating to permissible users with access to the data base; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 827. By Representatives Kelley of the 16th, Powell of the 171st, England of the 116th, McCall of the 33rd, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, and computation of and exemptions from income taxes, so as to increase the value

of the rural hospital organization tax credit to 100 percent; to remove limitations on total amounts allowed to individual taxpayers; to provide that credits are allowable to certain pass-through entities; to provide for limits on contributions by individual taxpayers during the first six months of the year; to extend the date for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 856. By Representatives Deffenbaugh of the 1st, Powell of the 32nd, Caldwell of the 131st, Maxwell of the 17th and Cantrell of the 22nd:

A BILL to be entitled an Act to amend Code Section 35-2-1 of the Official Code of Georgia Annotated, relating to creation of Board of Public Safety, composition, and appointment and terms of office of members, so as to add the commissioner of community supervision to the composition of the Board of Public Safety; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 85	Do Pass by substitute	HB 694	Do Pass by substitute
HR 51	Do Pass by substitute	SB 432	Do Pass by substitute
SB 458	Do Pass	SR 752	Do Pass

Respectfully submitted,
 Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 350 Do Pass by substitute

Respectfully submitted,
 Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 407 Do Pass by substitute
SB 443 Do Pass by substitute
SB 452 Do Pass by substitute

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 228 Do Pass by substitute SB 406 Do Pass by substitute
SB 435 Do Pass by substitute SB 446 Do Pass

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 794 Do Pass
SR 821 Do Pass by substitute
SR 832 Do Pass

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on Transportation has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 445 Do Pass by substitute
SR 745 Do Pass by substitute

Respectfully submitted,
Senator Beach of the 21st District, Chairman

Mr. President:

The Committee on Urban Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 411 Do Pass

Respectfully submitted,
Senator Jackson of the 2nd District, Chairman

Mr. President:

The Committee on Veterans, Military and Homeland Security has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 309 Do Pass

Respectfully submitted,
Senator Watson of the 1st District, Chairman

The following legislation was read the second time:

HR 943	SB 325	SB 339	SB 351	SB 358	SB 376
SB 395	SB 396	SB 420	SB 422	SB 434	SR 537

Senator Butler of the 55th asked unanimous consent that Senators Orrock of the 36th and Jones II of the 22nd be excused. The consent was granted, and Senators Orrock and Jones were excused.

Senator Parent of the 42nd asked unanimous consent that Senator Lucas of the 26th be excused. The consent was granted, and Senator Lucas was excused.

Senator Harbison of the 15th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

Senator Jones of the 10th was excused for business outside the Senate Chamber.

The roll was called and the following Senators answered to their names:

Albers	Henson	Payne
Anderson, L	Hill	Rhett
Anderson, T	Hufstetler	Seay
Beach	Jackson	Shafer
Black	James	Sims
Brass	Jones, B	Stone
Burke	Jordan	Strickland
Butler	Kennedy	Tate
Cowsert	Kirk	Thompson, B
Davenport	Kirkpatrick	Tillery
Dugan	Ligon	Tippins
Ginn	Martin	Unterman
Gooch	McKoon	Walker
Harbin	Millar	Watson
Harbison	Miller	Wilkinson
Harper	Mullis	Williams, M
Heath	Parent	Williams, N

Not answering were Senators:

Jones, E. (Excused)	Jones, H. (Excused)	Lucas (Excused)
Orrock (Excused)	Thompson, C. (Excused)	

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Millar of the 40th introduced the chaplain of the day, Reverend Dan Brown of Dunwoody, Georgia, who offered scripture reading and prayer.

Senator Jackson of the 2nd honored Kappa Alpha Psi Fraternity, Inc., and recognized February 22, 2018, as Kappa Alpha Psi Fraternity Day at the state capitol, commended by SR 707, adopted previously. Southeastern Province Polemarch E. Delaine Rosemond addressed the Senate briefly.

Senator Hufstetler of the 52nd introduced the doctor of the day, Dr. Brad Bushnell.

Senator Rhett of the 33rd recognized February 22, 2018, as National Coalition of 100 Black Women, Inc., Day at the state capitol, commended by SR 826, adopted previously. Northwest Georgia Chapter President Itteah Pounds addressed the Senate briefly.

Senator James of the 35th recognized Audraine Jackson, commended by SR 792, adopted previously. Audraine Jackson addressed the Senate briefly.

Senator Mullis of the 53rd recognized the Gordon Lee softball team for winning the 2017 Class A Georgia High School Association Fast Pitch State Championship, commended by SR 760, adopted previously.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL

ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

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

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Dean Burke to serve as Ex-Officio for the Senate Natural Resources and Environment Committee meeting on February 22, 2018. This appointment shall expire upon adjournment of the committee meeting.

Sincerely,

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

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 918. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Powell of the 171st, Williamson of the 115th and others:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to define the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of the federal law into Georgia law; to revise the individual exemption amounts; to revise provisions relating to assignment of corporate income tax credits; to provide for related matters; to provide for an effective date and applicability; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

Senator Gooch of the 51st moved that, upon the dissolution of the Joint Session, the Senate stand adjourned until 10:00 a.m. Friday, February 23, 2018.

The President announced the motion prevailed at 10:50 a.m.

The hour for convening the Joint Session of the Senate and House having arrived, the President, accompanied by the Secretary and Senators, proceeded to the Hall of the House of Representatives, and the Joint Session, called for the purpose of hearing a message by Honorable P. Harris Hines, Chief Justice of the Supreme Court, was called to order by the Speaker of the House. HR 1196 authorizing the Joint Session of the Senate and House was read by the Clerk of the House.

Honorable P. Harris Hines, Chief Justice of the Supreme Court, addressed the Joint Session of the Senate and the House of Representatives as follows:

Lieutenant Governor Cagle, Speaker Ralston, members of the General Assembly, my fellow Justices, Judges of the Court of Appeals, Judges of the other classes of courts, Ladies and Gentlemen.

The year 2018 will be a year of great change and great promise for our state. We will elect a new Governor and Lieutenant Governor, and we will say an appreciative good-bye to a truly outstanding leader, Governor Nathan Deal. And because at my core I am a son of the law, I wish to thank two Lawyer-Representatives, Wendell Willard and Rich Golick who will retire from the house this year, for their service to our state.

By this time next year, new freshmen legislators will walk the halls of this beautiful capitol building, and will have taken their seats among many of you seasoned Senators and Representatives, and will join with you in making the decisions that directly impact the lives of all Georgians.

2018 will also be a year of change and promise for the third branch of government, the Judiciary. Throughout Georgia, many new judges will don their robes of office for the first time. Our citizens will elect a new Justice to our Supreme Court. And, Governor Deal will make his fifth appointment to the court.

The members of the Supreme Court will choose a new Chief Justice, who will lead Georgia's judicial system. And I'll give you a heads up, the smart money is on my good friend, Presiding Justice Harold Melton.

I am confident that when I leave the bench as Georgia's Chief Justice at the end of August, after a legal career that began in 1968, Georgia's Judiciary will be steady, strong, and situated to become the best it has ever been.

On behalf of the Judges of Georgia, I thank you Senators, Representatives, and Governor Deal for your support of Georgia's Judiciary. Your belief in an independent, non-partisan, and nonpolitical third branch of government has been manifested by the creation of additional justices and judges for our state's two appellate courts; by passage of legislation that has made both Georgia's Supreme Court and Court of Appeals more efficient, productive, and effective in interpreting and clarifying the law; and by recognizing the hard work of those who sit upon Georgia's benches of justice by rewarding them with appropriate and appreciated compensation. Construction has already begun on a magnificent structure that will be the first State Judicial Building that is dedicated solely to the appellate courts of Georgia. Each and every Justice of the Supreme Court and each and every Judge of the Court of Appeals recognizes full well that we are being given a building which we did not toil to build, but wherein we are permitted, for a finite period of time, to work and hopefully burnish the Rule of Law.

In my time as a lawyer and a judge, among the most dramatic changes I have seen take place in our state is its dynamic growth. In 2017, we were among the top 10 fastest growing states in the nation and today, we are the eighth most populous. I repeat we are the eighth most populous.

Growth brings opportunity. And it is no surprise that for the fifth year in a row, Georgia has been named the No. 1 state in the nation to do business. One of the necessary pre-conditions to successfully doing business is the Rule of Law – knowing that contracts will be enforced as written, knowing that the law will be applied as drafted by the legislature, and knowing that there is an orderly, reasonable, and fair process for resolving disputes.

The Court Reform Council has recommended the creation of a Statewide Business Court. If you, the members of the General Assembly, approve a constitutional amendment, and the voters endorse it by a two-thirds vote, this court will have jurisdiction similar, in certain ways, to our federal courts and also have the expertise to handle complex

financial cases. It would operate similarly to the specialized business courts now operating in Fulton and Gwinnett Counties. I hope this initiative meets with your approval.

A sea change I have witnessed in my many years as a judge is how we view and respond to criminal behavior. We've become smarter, more precise, and more just. As a result, the courts are doing a better job of protecting society, saving taxpayer dollars, and restoring families.

Criminal justice reform has been a hallmark of Governor Deal's administration, as it has been for many of you legislators, and it is not just the policy changes that you have made in criminal procedures that make Georgia a national leader in this movement, but the non-partisan and collaborative way in which it has been achieved. My friend and colleague, Justice Michael Boggs, has served since 2012 with ability, commitment, and passion as Co-Chair of the Governor's Criminal Justice Reform Council.

Under the leadership of Governor Deal, you ladies and gentlemen of the legislature, and Georgia's judges, policy changes in our criminal justice system have accomplished three goals: they have ensured that we hold accountable those who violate the law. They have improved public safety by reducing the recidivism rate. And they have saved money.

Expensive prison commitments overall are down in Georgia, with 2017 having the lowest number since 2002. Also, the crime rate is down 6 percent. Most dramatically, prison commitments among African-American citizens have dropped more than 30 percent between 2009 and 2016. The number of African-Americans entering the prison system in 2016 was its lowest since 1987. This, ladies and gentlemen, is historic, and worth celebrating.

We have made progress, not just with low-risk adults who commit non-violent property and drug offenses, but also with the young people of our state.

Juveniles often are drivers of the adult criminal justice system. Locking up a youth is not only costly at approximately \$90,000 a year, it is also often ineffective. Nearly two-thirds of juvenile offenders re-offend in three years. Before criminal justice reform, Georgians received a poor public safety return on their investment. Many communities did not have alternative placements for these youth. Thanks to you, the legislature, increasingly they now do.

You rewrote the juvenile code and appropriated \$7 million for communities to develop alternatives to locking up young people in the state's youth jails and prisons. And look what has happened. After challenging the counties that serve 70 percent of Georgia's at-risk youth to divert 15 percent of their delinquents away from incarceration, those counties heeded the call and have diverted 54 percent, resulting in the number of youth in confinement statewide dropping 36 percent.

We know that for many of these young people, what works best to prevent criminal behavior are professional interventions and family therapy.

These alternatives in no way represent a turn toward becoming soft on crime. They represent progress in turning around troubled youth before they graduate to the adult criminal justice system as hardened, institutionalized offenders.

A jump-out-at-you highlight of criminal justice reform has been the success of what are called “accountability” courts - drug courts, mental health courts, veterans courts, and the like. These specialized courts hold accountable low-risk, non-violent offenders, who have made mistakes in their lives, while giving them a second chance. These courts require time, energy, and commitment from our judges, and they are demanding of participants. But they work. Validated studies have proven over and over again that drug courts produce a better public safety outcome than incarceration, and at a significantly reduced cost.

In the past, we dealt with illegal drug use and non-violent illegal behavior caused by mental illness strictly as a criminal justice issue. We often had tunnel vision and saw incarceration as the only solution. As Justice Boggs is fond of saying, “Everybody believes in an eye for an eye and a tooth for a tooth. You do the crime, you do the time. Until it’s your child or other family member who is accused.”

But we have learned we do a much better job of protecting the public by treating the whole person and the root causes of one’s crime. We have learned that a homeless veteran, found passed out on a sidewalk – a man who may have slept with snakes in Vietnam while serving our country – may be suffering from Post-Traumatic Stress Disorder and has turned to alcohol as a result. Locking him up is most probably not the best solution.

Today I am proud to announce that as of last month, every single Judicial Circuit in Georgia now has at least one, if not more, accountability courts. In six years, the number of participants in these courts has nearly tripled. It is thanks to the support of our Governor and you, and to the commitment and foresight of our state’s judges that Georgia is way out front in criminal justice reform. In the future, our successes will, for certain, grow. For I know that our state’s judges – many of whom are here today – are creative people and are committed to making our courts work for a better Georgia.

I want to give you an example of this creativity. Back in 2012, Judge Brian Amero, a Superior Court Judge in Henry County, became increasingly frustrated about the handling of defendants who failed to pay child support. He witnessed numerous litigants representing themselves who were significantly behind in child support payments and hadn’t worked for a year or longer. Most were fathers, and when a prosecutor would ask a man why he wasn’t working and taking care of his children, the man would typically

simply shrug his shoulders. Judge Amero said he got the feeling many had given up trying to pay, believing they were in a hole and could not get out. The only legal remedy was to hold them in contempt of court and put them in jail.

But watching this process, the Judge realized, everybody loses. The father goes to jail, costing the county money, what little stability he had diminishes, and he falls further behind in his payments. The mother loses as she receives no support for their children. And most importantly, the children lose, lacking any support and often believing their father is in jail because of them. It was a bad, repetitive cycle. But one day, Judge Amero thought to himself, why not try a different model.

He began assigning each delinquent parent a case manager who helped the parent obtain job skills if needed, find work, keep work, solve transportation problems, and overcome substance or alcohol abuse. The parent was told you are required to manage your child support responsibilities better. But if you prove you are working 40 hours a week, or looking for work 40 hours a week, and making a legitimate effort to pay your child support, you won't be incarcerated.

Judge Amero is as passionate about these Parental Accountability Courts as Justice Boggs is about criminal justice reform. As he says, "The numbers have been phenomenal." The fact is, once the parents get help with their underlying problems, most start financially supporting their children.

In six years of existence, these courts have helped almost 5,000 parents – mostly fathers – avoid jail time and pay more than \$5 million in support for more than 7,000 Georgia children. Additionally, they have saved counties more than \$10 million in incarceration costs.

As of now, Parental Accountability Courts operate in 33 of Georgia's 49 Judicial Circuits. The goal is to roll them out in every judicial circuit of the state.

With accountability courts, the stories of rehabilitated individuals best illustrate their success. Another such story involves a man who began abusing alcohol after an acrimonious divorce. He became estranged from his children and lost his job. But following his arrest for failing to pay child support, he became a participant in the Parental Accountability Court in Pickens County. Because of that court, he regained his financial footing. With his newfound employment, he began making his child support payments, and most importantly, he restored his relationships with his children.

His best reward came the day he received a call from his oldest daughter. She wanted a dress for her high school prom. With his new lease on life, he was able to step up and buy it for her. He describes it as one of the happiest moments of his life. Since then, he has remained sober for more than three years and spends at least one week a month with his children.

My friends, any time we can safely reunite fathers, mothers, and their children, we are helping to strengthen families, our communities, and our state. This is noble work indeed.

Safely restoring families, protecting babies and children from abuse and neglect, steering troublesome youth, the mentally ill and the drug-addicted away from incarceration are among the ways we can substantially lower the burden on our criminal courts and reduce our prison population.

We live in a technological, fast-paced age, and our courts must keep pace to serve those who have cases before them. One success story of importance has been the establishment of a statewide portal to bring ready access to our courts. Before year's end, it is hoped that lawyers and others will be able to go to a singular website, and using one password, electronically access information about cases in courts throughout Georgia. Presently, people must go, physically or electronically, to individual counties and use as many different passwords as there are vendors to gain information about their cases. This comprehensive, one-stop shop for the Judiciary will change that. Efficiency will be improved, time and money will be saved, and justice will be administered more quickly. It has not been easy achieving reformation of this magnitude within a non-unified Judiciary, and I am most grateful to Presiding Justice Harold Melton for heading this effort. I also thank the legislature for its necessary financial leadership in achieving this long-sought goal.

Other important technological improvements have taken place in the Supreme Court and Court of Appeals. Case filings are now accomplished electronically, and records from trial courts reach our appellate courts by electronic means. Again, efficiency is improved, time and money is saved, and justice is more quickly achieved.

Justice David Nahmias rightfully refers to the architect of this endeavor in the Supreme Court as Mother Teresa, an identity ascribed with respect and affection to our Clerk and Court Executive, Ms. Tee Barnes, who is the personification of grace and professionalism.

If you will, allow me to call to your attention and ask for your help in solving a significant problem facing our state. We do not have enough foster homes, and children who do not grow up in loving families are the ones who often wind up in our courts. By the end of this year, some 14,000 of Georgia's children are expected to be in our foster care system - a surge of 55 percent in the last three years. At the same time, the number of foster families has diminished.

The increase in the number of children in foster care has been fueled in part by illegal drug usage, including illicit use of opioids. Nationally, the number of children in foster care has tripled since 2012.

Even if we had significantly more foster homes, we know that children who grow up in foster care and age out of the system generally do not do as well as those who grow up in intact families. Being removed from their family is traumatic for children, even if it is necessary for their safety. Many develop mental health problems and struggle with addiction. They are more likely to become homeless, and less likely to graduate from high school or attend college. Ladies and gentlemen, at their best, foster homes can only attempt to replicate a loving, nurturing environment for the children who live in them.

But I am an optimist, for I see progress being made. Last year you approved a 19 percent pay raise for child welfare workers and pumped an additional \$19 million into the foster care system, and already we are seeing positive results. The Division of Family and Children Services reports that it has an expanded and more stable workforce of front-line child protective services workers with a turnover rate that has shrunk from nearly 40 percent to 10 percent. The percentage of foster children placed with relatives has increased, and the number of times children must be moved from one placement to the next has decreased. For your helpful action, again, I say thank you.

Our constitution says, “That an adequate public education for the citizens shall be a primary state obligation.” And I ask you to look favorably upon early learning initiatives and the bringing together of community organizations and our schools to ensure that when each child enters his or her classroom he or she is well fed, well clothed, well rested, and ready to learn. I assure you that if we can obtain these goals, grades will improve, graduation rates will increase, and suspensions will decrease. We either invest in our children now, or pay a high price later.

Another challenge facing our state is that far too many of our citizens with mental health problems continue to wind up in our jails and prisons. More than half of all Georgians who were admitted to our prisons in 2016 had a diagnosed mental health issue. We simply cannot let our prisons be our front-line and most populous mental health facilities.

Access to justice remains an issue of concern. Too many hardworking, good, decent Georgians simply cannot afford a lawyer to handle civil matters that often involve ownership of property, debt collection, landlord-tenant disputes and other similar everyday legal matters. Please, ladies and gentlemen of the legislature, look carefully at this situation.

Another area where change is needed is how bail is set, particularly for misdemeanor offenders. In its final year before it is due to sunset, the Council on Criminal Justice Reform is recommending to you measures for changing this system. People cannot be kept in jail because of poverty alone. I ask that you give the Council’s recommendations your careful attention.

Although the serious issues facing our great state are many and complex, I have the utmost faith in our three branches of government to directly confront and solve them. I know that solutions will not be easy, but let us not be deterred from our task to make Georgia a shining beacon of opportunity for all its citizens. I once asked my son, Hap, when he was kicking for the Bulldawgs, if he ever became afraid when he was attempting a last minute, long distance field goal to win or tie a game in front of 90,000 people. His answer was short and to the point. “Sure Dad, but you just have to play through it.” We, the Executive, Legislative, and Judicial Branches of Government just have to play through the problems we face – for our team, the people of Georgia.

As I approach the end of these remarks, please allow me to express some points of personal privilege. I know for certain that the courts of Georgia are in good hands and that Georgia’s Judiciary is better equipped and better prepared to serve a growing population and to correctly resolve the complex issues which are attendant thereto than ever before.

Last year, Governor Deal appointed three new justices to the Supreme Court: Justice Mike Boggs, Justice Nels Peterson, and Justice Britt Grant. Each is as bright as a new penny. They have impeccable credentials. They represent a new generation of Georgians. They bring great energy to this bench, innovative solutions to legal questions, and they are good people and good colleagues.

Ladies and gentlemen, I tell you without reservation that each and every member of the court upon which I am privileged to sit as Chief Justice understands the doctrine of separation of powers: the Legislature writes the law; the Judiciary does its best to interpret and clarify it. And in so doing, we seek to hear the quiet but clear voices of our better angels who speak in our ears the directive emblazoned above the bench of the Supreme Court of Georgia – “fiat justitia ruat caelum” (let justice be done though the heavens may fall).

Presiding Justice Melton, Justice Benham, Justice Hunstein, Justice Nahmias, Justice Blackwell, Justice Boggs, Justice Peterson, and Justice Grant, it is an honor to serve with you, as it has been an honor to serve with the other justices who have preceded me on our state’s highest bench.

Serving as Chief Justice has been the highlight of my legal career. I have been blessed to work with so very many fine public servants. I have made countless friends and benefitted from a wonderful staff.

As I close, I repeat that my legal career began in 1968, when I was admitted to the Bar of our state. I was a young attorney then and now I am an old judge. I have tried cases as an attorney. I have presided over cases as a State Court Judge and a Superior Court Judge, and I now review cases as Chief Justice of the Georgia Supreme Court. I have been

involved with cases from A to Z (Abandonment to Zoning) and many of the letters in between. Now, I am not a social scientist, but I have learned many things. And I am certain that if you legislators, good men and women all, put your primary focus on strengthening, within the ambit of the law, Georgia's families, improving the physical and mental health of our citizens, and providing the young people of our state with the opportunity to obtain an excellent education, you will create a rising tide that will lift all boats and provide the opportunity for happiness and prosperity for generations of Georgians to come.

Finally, I want to thank the lady to whom I gave my best closing argument ever, when I persuaded her to marry me way back in 1969. Helen, you are my rock, my partner, my best friend, my dear one. You have been with me every step of our journey together, and have made me a better man, a better father, and a better Judge. Mother, to me you've always been springtime at the Masters. Will you please stand. And now, may God bless each of you; may God bless your families; and may God bless the great state of Georgia.

Thank you.

Senator Butch Miller, President Pro Tempore, moved that the Joint Session be hereby dissolved.

The motion prevailed, and the President announced the Joint Session dissolved.

Pursuant to the provisions of a previously adopted motion, the Senate stood adjourned until 10:00 a.m. Friday, February 23, 2018.

Senate Chamber, Atlanta, Georgia
Friday, February 23, 2018
Twenty-sixth Legislative Day

The Senate met pursuant to adjournment at 10:06 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 695. By Representatives Epps of the 144th, England of the 116th, Nimmer of the 178th, McCall of the 33rd, Dickey of the 140th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate honoring Georgia's working forests and the Georgia Forestry Foundation; to provide for related matters; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

HB 714. By Representatives Rogers of the 10th, Efstration of the 104th, Rhodes of the 120th, Powell of the 32nd, Epps of the 144th and others:

A BILL to be entitled an Act to amend Code Section 40-1-8 of the Official Code of Georgia Annotated, relating to safe operation of motor carriers and commercial motor vehicles, so as to update the reference date to federal regulations regarding the safe operation of motor carriers and commercial motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

- HB 743. By Representatives Clark of the 98th, Chandler of the 105th, Glanton of the 75th, Cooper of the 43rd and Peake of the 141st:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to provide for guidelines and other relevant materials to inform students participating in interscholastic athletic activities about the nature and warning signs of sudden cardiac arrest; to provide for definitions; to provide for informational meetings; to provide for removal from an athletic activity under certain circumstances and to establish return to play policies; to require annual review by coaches; to provide for limited liability; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

- HB 785. By Representatives Nix of the 69th, McCall of the 33rd, Nimmer of the 178th, Tankersley of the 160th and Buckner of the 137th:

A BILL to be entitled an Act to amend Code Section 12-8-22 of the Official Code of Georgia Annotated, relating to definitions relative to solid waste management, so as to modify certain definitions and enact new definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

- HB 787. By Representatives Hilton of the 95th, Jones of the 47th, Nix of the 69th, Dickey of the 140th and Stovall of the 74th:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise certain provisions relative to charter schools; to provide that state charter schools may receive services from regional educational service agencies; to revise provisions relating to a code of principles and standards for charter school authorizers; to revise funding for state chartered special schools and state charter schools; to provide for initial funding for charter schools with projected student growth exceeding 2 percent; to provide for initial funding for training and experience; to provide for related matters; to repeal conflicting laws; and for other purposes.

- HB 814. By Representatives Williams of the 145th, Welch of the 110th, Buckner of the 137th, Bentley of the 139th and Rutledge of the 109th:

A BILL to be entitled an Act to amend Article 1 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions

regarding coroners, so as to provide that the county governing authority may establish the salaries and benefits of coroners and deputy coroners; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 826. By Representatives Cauble of the 111th, Welch of the 110th and Rutledge of the 109th:

A BILL to be entitled an Act to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions regarding law enforcement officers and agencies, so as to provide that an alarm monitoring company may contract out the requirement of attempting to verify an alarm prior to requesting law enforcement to be dispatched to the location of the alarm; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 835. By Representatives Lott of the 122nd, Powell of the 32nd, Harrell of the 106th, Prince of the 127th, Dunahoo of the 30th and others:

A BILL to be entitled an Act to amend Chapter 11 of Title 48 of the Official Code of Georgia Annotated, relating to taxes on tobacco products, so as to provide for the issuance of special event tobacco permits to licensed dealers authorizing off-premise sales of certain tobacco products at special events or temporary locations; to provide for such permits, a fee and limitations as to the validity period; to provide for the promulgation of certain rules and regulations by the state revenue commissioner; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 840. By Representatives Hitchens of the 161st, Deffenbaugh of the 1st, Rogers of the 10th, Belton of the 112th and Smyre of the 135th:

A BILL to be entitled an Act to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to provide an exemption from penalties and interest in the event of military service in a combat zone; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 853. By Representatives Dempsey of the 13th, Efstration of the 104th, Oliver of the 82nd, Benton of the 31st and Coleman of the 97th:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the short

title and purpose of the "Quality Basic Education Act," so as to provide that children placed in psychiatric residential treatment facilities pursuant to a physician's order may not be charged tuition; to provide for eligibility for enrollment; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 876. By Representatives Corbett of the 174th, Nimmer of the 178th, Powell of the 171st, England of the 116th, McCall of the 33rd and others:

A BILL to be entitled an Act to amend Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide application of minimum standard codes, adoption of more stringent requirements by local governments, adoption of standards for which state code does not exist, and exemptions for farm buildings and structures, so as to prohibit counties and municipalities from proscribing the use of wood in the construction of buildings when state minimum standard codes are otherwise met; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 907. By Representatives Fleming of the 121st, Rynders of the 152nd and Brockway of the 102nd:

A BILL to be entitled an Act to amend Chapter 5 of Title 45 of the Official Code of Georgia Annotated, relating to vacation of office, so as to provide for the appointment and election of a successor in the event of a vacancy in the office of district attorney; to provide for the term of such successor; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 476. By Senators Ligon, Jr. of the 3rd, Cowser of the 46th, Gooch of the 51st and Ginn of the 47th:

A BILL to be entitled an Act to amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, so as to add to the superior court's exclusive original jurisdiction the trial of any child 13 to 17 years of age who is alleged to have committed the offense of aggravated assault with a firearm; to clarify definitions in light of the jurisdictional changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

SB 477. By Senator Parent of the 42nd:

A BILL to be entitled an Act to authorize the governing authority of the City of Decatur to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 478. By Senators Parent of the 42nd and Millar of the 40th:

A BILL to be entitled an Act to create the City of Brookhaven Public Facilities Authority and to provide for the appointment of members of the authority; to confer powers upon the authority; to provide definitions; to authorize the issuance of revenue bonds of the authority; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to exempt the property and revenue bonds of the authority from taxation; to provide for the separate enactment of a certain provision of this Act; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following House legislation was read the first time and referred to committee:

HB 695. By Representatives Epps of the 144th, England of the 116th, Nimmer of the 178th, McCall of the 33rd, Dickey of the 140th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate honoring Georgia's working forests and the Georgia Forestry Foundation; to provide for related matters; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 714. By Representatives Rogers of the 10th, Efstration of the 104th, Rhodes of the 120th, Powell of the 32nd, Epps of the 144th and others:

A BILL to be entitled an Act to amend Code Section 40-1-8 of the Official Code of Georgia Annotated, relating to safe operation of motor carriers and

commercial motor vehicles, so as to update the reference date to federal regulations regarding the safe operation of motor carriers and commercial motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 743. By Representatives Clark of the 98th, Chandler of the 105th, Glanton of the 75th, Cooper of the 43rd and Peake of the 141st:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to provide for guidelines and other relevant materials to inform students participating in interscholastic athletic activities about the nature and warning signs of sudden cardiac arrest; to provide for definitions; to provide for informational meetings; to provide for removal from an athletic activity under certain circumstances and to establish return to play policies; to require annual review by coaches; to provide for limited liability; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 785. By Representatives Nix of the 69th, McCall of the 33rd, Nimmer of the 178th, Tankersley of the 160th and Buckner of the 137th:

A BILL to be entitled an Act to amend Code Section 12-8-22 of the Official Code of Georgia Annotated, relating to definitions relative to solid waste management, so as to modify certain definitions and enact new definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 787. By Representatives Hilton of the 95th, Jones of the 47th, Nix of the 69th, Dickey of the 140th and Stovall of the 74th:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise certain provisions relative to charter schools; to provide that state charter schools may receive services from regional educational service agencies; to revise provisions relating to a code of principles and standards for charter school authorizers; to revise funding for state chartered special schools and state charter schools; to provide for initial funding for charter schools with projected student growth exceeding 2 percent;

to provide for initial funding for training and experience; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 814. By Representatives Williams of the 145th, Welch of the 110th, Buckner of the 137th, Bentley of the 139th and Rutledge of the 109th:

A BILL to be entitled an Act to amend Article 1 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions regarding coroners, so as to provide that the county governing authority may establish the salaries and benefits of coroners and deputy coroners; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations (General).

HB 826. By Representatives Cauble of the 111th, Welch of the 110th and Rutledge of the 109th:

A BILL to be entitled an Act to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions regarding law enforcement officers and agencies, so as to provide that an alarm monitoring company may contract out the requirement of attempting to verify an alarm prior to requesting law enforcement to be dispatched to the location of the alarm; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 835. By Representatives Lott of the 122nd, Powell of the 32nd, Harrell of the 106th, Prince of the 127th, Dunahoo of the 30th and others:

A BILL to be entitled an Act to amend Chapter 11 of Title 48 of the Official Code of Georgia Annotated, relating to taxes on tobacco products, so as to provide for the issuance of special event tobacco permits to licensed dealers authorizing off-premise sales of certain tobacco products at special events or temporary locations; to provide for such permits, a fee and limitations as to the validity period; to provide for the promulgation of certain rules and regulations by the state revenue commissioner; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 840. By Representatives Hitchens of the 161st, Deffenbaugh of the 1st, Rogers of the 10th, Belton of the 112th and Smyre of the 135th:

A BILL to be entitled an Act to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to provide an exemption from penalties and interest in the event of military service in a combat zone; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Veterans, Military and Homeland Security.

HB 853. By Representatives Dempsey of the 13th, Efstoration of the 104th, Oliver of the 82nd, Benton of the 31st and Coleman of the 97th:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the short title and purpose of the "Quality Basic Education Act," so as to provide that children placed in psychiatric residential treatment facilities pursuant to a physician's order may not be charged tuition; to provide for eligibility for enrollment; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 876. By Representatives Corbett of the 174th, Nimmer of the 178th, Powell of the 171st, England of the 116th, McCall of the 33rd and others:

A BILL to be entitled an Act to amend Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide application of minimum standard codes, adoption of more stringent requirements by local governments, adoption of standards for which state code does not exist, and exemptions for farm buildings and structures, so as to prohibit counties and municipalities from proscribing the use of wood in the construction of buildings when state minimum standard codes are otherwise met; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

HB 907. By Representatives Fleming of the 121st, Rynders of the 152nd and Brockway of the 102nd:

A BILL to be entitled an Act to amend Chapter 5 of Title 45 of the Official Code of Georgia Annotated, relating to vacation of office, so as to provide for the appointment and election of a successor in the event of a vacancy in the

office of district attorney; to provide for the term of such successor; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 918. By Representatives Efstration of the 104th, Rogers of the 10th, Rhodes of the 120th, Powell of the 171st, Williamson of the 115th and others:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to define the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of the federal law into Georgia law; to revise the individual exemption amounts; to revise provisions relating to assignment of corporate income tax credits; to provide for related matters; to provide for an effective date and applicability; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Agriculture and Consumer Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 451 Do Pass by substitute

Respectfully submitted,
Senator Wilkinson of the 50th District, Chairman

Mr. President:

The Committee on Economic Development and Tourism has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 463 Do Pass by substitute

Respectfully submitted,
Senator Dugan of the 30th District, Chairman

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 456 Do Pass
SB 457 Do Pass

Respectfully submitted,
Senator Wilkinson of the 50th District, Vice-Chairman

Mr. President:

The Committee on Ethics has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 403 Do Pass by substitute

Respectfully submitted,
Senator Burke of the 11th District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 318	Do Pass by substitute	SB 359	Do Pass by substitute
SB 382	Do Pass by substitute	SB 437	Do Pass by substitute
SB 444	Do Pass	SR 761	Do Pass
SR 772	Do Pass by substitute	SR 865	Do Pass

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 39	Do Pass by substitute	SB 236	Do Pass by substitute
SB 314	Do Pass by substitute	SB 335	Do Pass
SB 431	Do Pass	SB 436	Do Pass
SB 461	Do Pass by substitute	SR 902	Do Pass by substitute

Respectfully submitted,
 Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Natural Resources and the Environment has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 404	Do Pass by substitute
SB 450	Do Pass
SR 778	Do Pass

Respectfully submitted,
 Senator Harper of the 7th District, Chairman

Mr. President:

The Committee on Regulated Industries and Utilities has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 232	Do Pass by substitute
SB 425	Do Pass by substitute
SB 426	Do Pass by substitute

Respectfully submitted,
 Senator Ginn of the 47th District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 681	Do Pass
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Respectfully submitted,
 Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations (General) has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 264	Do Pass by substitute	SB 414	Do Pass
SB 430	Do Pass	SB 453	Do Pass by substitute

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Mr. President:

The Committee on Transportation has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 386	Do Pass by substitute
SB 460	Do Pass by substitute

Respectfully submitted,
Senator Beach of the 21st District, Chairman

The following legislation was read the second time:

HB 85	HB 694	HR 51	SB 228	SB 350	SB 406
SB 407	SB 411	SB 432	SB 435	SB 443	SB 445
SB 446	SB 452	SB 458	SR 745	SR 752	SR 794
SR 821	SR 832				

Senator Watson of the 1st asked unanimous consent that Senators Tippins of the 37th and Kirk of the 13th be excused. The consent was granted, and Senators Tippins and Kirk were excused.

Senator Cowser of the 46th asked unanimous consent that Senator Thompson of the 14th be excused. The consent was granted, and Senator Thompson was excused.

Senator Seay of the 34th asked unanimous consent that Senator Tate of the 38th be excused. The consent was granted, and Senator Tate was excused.

Senator Harbison of the 15th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

Senator Anderson of the 24th asked unanimous consent that Senator Stone of the 23rd be excused. The consent was granted, and Senator Stone was excused.

Senator Anderson of the 43rd asked unanimous consent that Senator Davenport of the 44th be excused. The consent was granted, and Senator Davenport was excused.

The roll was called and the following Senators answered to their names:

Albers	Henson	Mullis
Anderson, L	Hill	Orrock
Anderson, T	Hufstetler	Parent
Beach	Jackson	Payne
Black	James	Rhett
Brass	Jones, B	Seay
Burke	Jones, E	Shafer
Butler	Jones, H	Sims
Cowsert	Jordan	Strickland
Dugan	Kennedy	Tillery
Ginn	Kirkpatrick	Unterman
Gooch	Ligon	Walker
Harbin	Lucas	Watson
Harbison	Martin	Wilkinson
Harper	McKoon	Williams, M
Heath	Millar	Williams, N

Not answering were Senators:

Davenport (Excused)	Kirk (Excused)	Miller
Stone (Excused)	Tate (Excused)	Thompson, B. (Excused)
Thompson, C. (Excused)	Tippins (Excused)	

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Harbison of the 15th introduced the chaplain of the day, Dr. Veda Pickett Neal of Columbus, Georgia, who offered scripture reading and prayer.

Senator Jordan of the 6th introduced the doctor of the day, Dr. Scott Swayze.

Senator Beach of the 21st honored the life and memory of Scott Selig, commended by SR 810, adopted previously. Mr. Steve Selig addressed the Senate briefly.

Senator Harper of the 7th recognized the State YMCA of Georgia and its Center for Civic Engagement and "Y" Club programs which sponsor Youth Assembly among other programs that cultivate youth civic engagement, commended by SR 824, adopted previously. Youth Governor Kevin Epps addressed the Senate briefly.

Senator Kennedy of the 18th recognized Byron Elementary Navy Junior ROTC for its continued efforts in shaping youth leaders of the Peach County community, commended by SR 776, adopted previously. Lieutenant E.J. Colson addressed the Senate briefly.

Senator Harbin of the 16th recognized and congratulated Lamar County, commended by SR 858, adopted previously. Mr. Peter Banks, Mayor of Barnesville and former Senator, addressed the Senate briefly.

The following resolutions were read and adopted:

SR 877. By Senators Payne of the 54th, Hufstetler of the 52nd, Gooch of the 51st, Mullis of the 53rd, Heath of the 31st and others:

A RESOLUTION recognizing and commending Pastor Wayne Cofield and Whitfield Baptist Church in recognition of 40 years of service; and for other purposes.

SR 878. By Senator Butler of the 55th:

A RESOLUTION recognizing and commending Teresa Hamilton for receiving the 2018 Nikki T. Randall Servant Leader Award; and for other purposes.

SR 879. By Senators Butler of the 55th, Unterman of the 45th, James of the 35th, Jordan of the 6th, Anderson of the 43rd and others:

A RESOLUTION recognizing February 20, 2018, as Sex Trafficking Awareness Day at the state capitol; and for other purposes.

SR 880. By Senator Lucas of the 26th:

A RESOLUTION recognizing and commending Superintendent Emeritus Elder Oliver C. Walton; and for other purposes.

SR 881. By Senators Payne of the 54th, Hufstetler of the 52nd, Gooch of the 51st, Mullis of the 53rd, Hill of the 4th and others:

A RESOLUTION commending the Southeast Whitfield High School Raider Rage boys soccer team for winning the 2017 GHSA 4A State Soccer Championship; and for other purposes.

- SR 883. By Senators Williams of the 27th, Shafer of the 48th, Gooch of the 51st, McKoon of the 29th, Hufstetler of the 52nd and others:

A RESOLUTION commending and congratulating Angelica Krubeck, a 2018 Prudential Spirit of Community Award recipient; and for other purposes.

- SR 884. By Senators Davenport of the 44th, Jones of the 10th, Tate of the 38th, Butler of the 55th, Seay of the 34th and others:

A RESOLUTION honoring the life and memory of Christopher Lee Haynie; and for other purposes.

- SR 887. By Senators Anderson of the 43rd, Davenport of the 44th, Butler of the 55th, Kirkpatrick of the 32nd, Sims of the 12th and others:

A RESOLUTION recognizing February 20, 2018, as Female Veterans Legislative Day at the state capitol; and for other purposes.

- SR 888. By Senators Millar of the 40th, Unterman of the 45th and Hufstetler of the 52nd:

A RESOLUTION recognizing November, 2018 as Diabetes & Cardiovascular Disease Awareness Month at the state capitol; and for other purposes.

- SR 889. By Senators Martin of the 9th, Unterman of the 45th, Millar of the 40th, Kirk of the 13th, Albers of the 56th and others:

A RESOLUTION recognizing March 13, 2018, as New Americans Day at the state capitol; and for other purposes.

- SR 890. By Senator Albers of the 56th:

A RESOLUTION commending and congratulating Charles "Chuck" Coe; and for other purposes.

- SR 891. By Senators Orrock of the 36th, Parent of the 42nd, Butler of the 55th, Davenport of the 44th, James of the 35th and others:

A RESOLUTION recognizing and congratulating Lydia Mitcham Meredith for being a recipient of the 2018 Nikki T. Randall Servant Leader award; and for other purposes.

- SR 892. By Senators Miller of the 49th, Ginn of the 47th, Wilkinson of the 50th, Gooch of the 51st, Cowser of the 46th and others:

A RESOLUTION recognizing the long and steady friendship between Georgia and Japan shown by the 45th Anniversary of the Office of the State of Georgia in Japan; and for other purposes.

- SR 893. By Senators Orrock of the 36th, Parent of the 42nd, Butler of the 55th, Davenport of the 44th, Unterman of the 45th and others:

A RESOLUTION recognizing October 9, 2018, as PANDAS Awareness Day at the state capitol; and for other purposes.

- SR 894. By Senators Parent of the 42nd, Orrock of the 36th, Unterman of the 45th, Butler of the 55th, Jackson of the 2nd and others:

A RESOLUTION recognizing and commending Dr. Max Cooper; and for other purposes.

- SR 895. By Senators Orrock of the 36th, James of the 35th, Rhett of the 33rd, Anderson of the 43rd, Seay of the 34th and others:

A RESOLUTION recognizing February 5, 2018, as Transit Equity Day at the state capitol; and for other purposes.

- SR 896. By Senators Orrock of the 36th, James of the 35th, Rhett of the 33rd, Butler of the 55th, Seay of the 34th and others:

A RESOLUTION recognizing and commending Holiday Helping Hands, Inc.; and for other purposes.

- SR 898. By Senators Walker III of the 20th, Kennedy of the 18th, Lucas of the 26th, Jones of the 25th, Wilkinson of the 50th and others:

A RESOLUTION recognizing and commending Jake Fromm, finance major and freshman quarterback of the University of Georgia football team; and for other purposes.

- SR 900. By Senators James of the 35th, Rhett of the 33rd, Orrock of the 36th, Seay of the 34th and Henson of the 41st:

A RESOLUTION recognizing and commending Ryan Cameron; and for other purposes.

SR 901. By Senators James of the 35th, Orrock of the 36th and Henson of the 41st:

A RESOLUTION recognizing March 27, 2018, as the ninth annual Health2Wealth Day at the state capitol; and for other purposes.

SR 903. By Senators Kirkpatrick of the 32nd, Tippins of the 37th, Watson of the 1st, Thompson of the 14th, Rhett of the 33rd and others:

A RESOLUTION recognizing and honoring the military commanders of the 94th Airlift Wing at Dobbins Air Reserve Base; and for other purposes.

SR 904. By Senator Burke of the 11th:

A RESOLUTION recognizing and commending the Bainbridge High School Band; and for other purposes.

SR 905. By Senators Wilkinson of the 50th, Miller of the 49th, Ginn of the 47th, Gooch of the 51st and Mullis of the 53rd:

A RESOLUTION recognizing and commending Tom Hensley for being elected chairman of the board of directors of the U.S. Poultry and Egg Association; and for other purposes.

Senator Cowser of the 46th moved to engross SB 363, which was on today's Senate Rules Calendar.

Senator Jordan of the 6th objected.

On the motion, the yeas were 27, nays 13; the motion lost, and SB 363 was not engrossed.

Senator Cowser of the 46th moved to reconsider defeating the motion to engross SB 363.

There was no objection, and the motion prevailed.

Senator Cowser of the 46th moved to engross SB 363.

On the motion, the yeas were 33, nays 13; the motion prevailed, and SB 363 was engrossed.

SENATE RULES CALENDAR
FRIDAY, FEBRUARY 23, 2018
TWENTY-SIXTH LEGISLATIVE DAY

SB 397 Real and Personal Property; municipalities to hire state licensed real estate brokers to assist in sale; allow (SLGO(G)-1st)

- SB 377 State Workforce Development Board; transfer to Technical College System of Georgia; duties and obligations; revise (H ED-17th)
- SB 402 "Achieving Connectivity Everywhere (ACE) Act" (Substitute)(RI&U-51st)
- SB 427 Child Support in Final Verdict or Decree; court's discretion in making a final determination of support; provisions; change (Substitute)(JUDY-18th)
- SB 375 "Keep Faith in Adoption and Foster Care Act" (Substitute)(JUDY-3rd)
- SB 405 Georgia Student Finance Authority; grants for certain eligible students enrolled in an institution of the University System of Georgia; provide (Substitute)(H ED-40th)
- SB 363 Elections and Primaries; time for opening and closing of the polls; provide (Substitute)(ETHICS-28th)
- SB 74 Courts; parental notification of abortion; provide for clear and convincing evidence for waiver (JUDY-29th)
- SB 373 Judges of Superior Courts; eleventh judge of the superior courts of the Cobb Judicial Circuit; appointment of such additional judge; provide (JUDY-37th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 397. By Senators Watson of the 1st, Stone of the 23rd, Cowser of the 46th, Hufstetler of the 52nd, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Chapter 37 of Title 36 of the Official Code of Georgia Annotated, relating to the acquisition and disposition of real and personal property generally, so as to allow municipalities to hire state licensed real estate brokers to assist in the sale of real property; to provide for the duties of the state licensed real estate broker; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	E Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 397, having received the requisite constitutional majority, was passed.

SB 377. By Senators Strickland of the 17th, Millar of the 40th, Martin of the 9th, Jones of the 25th and Hufstetler of the 52nd:

A BILL to be entitled an Act to repeal Article 8 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the State Workforce Development Board, and to amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, so as to transfer the State Workforce Development Board from the Department of Economic Development to the Technical College System of Georgia; to revise duties and obligations of the State Workforce Development Board; to provide for conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	E Tate
Y Cowsert	E Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

SB 377, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

2/23/18

Due to business outside the Senate Chamber, I missed the vote on SB 377. Had I been present, I would have voted "yes".

/s/ Michael Williams
District 27

SB 402. By Senators Gooch of the 51st, Cowsert of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services

planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 402:

A BILL TO BE ENTITLED
AN ACT

To enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to establish certification of certain counties and municipal corporations as broadband ready communities; to provide for duties and responsibilities of the Department of Community Affairs; to provide a methodology for local governments to apply to the department for certification as a broadband ready community; to provide for the promulgation of certain rules and regulations; to provide for the creation and administration of the Georgia Broadband Ready Community Site designation program by the Department of Community Affairs; to require that any comprehensive plan of a local government provide for the promotion of the deployment of broadband services; to create a tax exemption for certain equipment used in the deployment of broadband services in certain counties; to provide for the annual designation of certain eligible counties and for a list of all eligible counties to be published on the website of the Department of Community Affairs; to provide the Georgia Technology Authority with the authority to establish and implement policies and programs necessary to promote and facilitate broadband deployment and other communications technologies in the state; to require the Georgia Technology Authority to provide an annual report as to the status of attainment of state-wide broadband deployment; to provide for the Department of Community Affairs to develop a grant program for the provision of broadband services throughout the state; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for legislative findings and declarations; to provide for related matters; to provide for effective dates and applicability; to provide for a short title; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

This Act shall be known and may be cited as the "Achieving Connectivity Everywhere (ACE) Act."

PART II
SECTION 2-1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended in Code Section 32-2-2, relating to powers and duties of department generally, by revising paragraphs (18) and (19) of subsection (a) and by adding a new paragraph to read as follows;

"(18)(A) Subject to general appropriations and any provisions of Chapter 5 of this title to the contrary notwithstanding, the department is authorized within the limitations provided in subparagraph (B) of this paragraph to provide to municipalities, counties, authorities, and state agencies financial support by contract for clearing, dredging, or maintaining free from obstructions and for the widening, deepening, and improvement of the ports, seaports, or harbors of this state.

(B)(i) Municipalities, counties, authorities, or state agencies may, by formal resolution, apply to the department for financial assistance provided by this paragraph.

(ii) The department shall review the proposal and, if satisfied that the proposal is in accordance with the purposes of this paragraph, may enter into a contract for expenditure of funds.

(iii) The time of payment and any conditions concerning such funds shall be set forth in the contract.

(C) In addition to subparagraph (A) of this paragraph and subject to general appropriations for such purposes, the department with its own forces or by contract may clear, dredge, or maintain free from obstruction and may widen, deepen, and improve the ports, seaports, or harbors of this state; ~~and~~

(19) Code Sections 32-3-1 and 32-6-115 notwithstanding, the department may by contract grant to any rapid transit authority created by the General Assembly, under such terms and conditions as the department may deem appropriate, the right to occupy or traverse a portion of the right of way of any road on the state highway system by or with its mass transportation facilities. Furthermore, the department may by contract lease to the rapid transit authority, under such terms and conditions as the department may deem appropriate, the right to occupy, operate, maintain, or traverse by or with its mass transportation facilities any parking facility constructed by the department. Notwithstanding Code Section 48-2-17, all net revenue derived from the lease shall be utilized by the department to offset the cost of constructing any parking

facility. Regardless of any financial expenditures by the rapid transit authority, no right of use or lease granted under this paragraph shall merge into or become a property interest of the rapid transit authority. Upon the transfer of the title of the mass transportation facilities to private ownership or upon the operation of the rapid transportation facilities for the financial gain of private persons, such rights granted by the department shall automatically terminate and all rapid transportation facilities shall be removed from the rights of way of the state highway system; and

(20) The department, in consultation with the Georgia Technology Authority, shall have the authority to plan for, establish, and implement a long-term policy with regard to the use of the rights of way of the interstate highways and state owned roads for the establishment, development, and maintenance of the deployment of broadband and other communications technologies throughout the state. The department shall be authorized to promote and encourage the use of such rights of way of the interstate highways and state owned roads for such purposes to the extent feasible and prudent. All net revenues from the use, lease, or other activities in such rights of way in excess of any project costs, that are not subject to the jurisdiction of the Federal Highway Administration or that are not otherwise restricted by any federal laws, rules, or regulations, shall be paid into the general fund of the treasury subject to any restrictions imposed by Federal Highway Administration. It is the intention of the General Assembly, subject to the appropriation process, that a portion of the amount so deposited into the general fund of the state treasury be appropriated each year to a program of state grants to be administered by the Department of Community Affairs as provided in Chapter 66F of Title 36 to be used to promote and provide broadband services throughout the state."

PART III
SECTION 3-1.

Said Title 36 is further amended by adding a new chapter to read as follows:

"CHAPTER 66D

36-66D-1.

As used in this chapter, the term:

- (1) 'Broadband network project' means any wired or wireless Internet access deployment that has the capability of transmitting data at a rate of not less than 25 megabits per second in the downstream direction and not less than 3 megabits per second in the upstream direction to end users.
- (2) 'Broadband services provider' means any provider of wired or wireless telecommunications services or cable services or a public utility that builds or owns a broadband network project.
- (3) 'Department' means the Department of Community Affairs.
- (4) 'Political subdivision' means a county, municipal corporation, or consolidated government.

36-66D-2.

The department is authorized and directed to establish such rules and regulations as are necessary to create a program with the assistance of the Georgia Technology Authority that designates and recognizes political subdivisions that enact ordinances and policies that have the effect of removing local barriers to broadband deployment as broadband ready communities. Such program shall also provide for coordination with the Department of Economic Development to jointly promote the availability of high-speed Internet services in broadband ready communities throughout the state.

36-66D-3.

(a) A political subdivision may apply to the department for certification as a broadband ready community. The department shall by rules and regulations prescribe the form and manner for making an application.

(b) The department shall approve an application and certify a political subdivision as a broadband ready community if the department determines that such political subdivision has a comprehensive plan that includes the promotion of the deployment of broadband services pursuant to Code Sections 36-70-6 and 50-8-7.1 and has enacted an ordinance for reviewing applications and issuing permits related to broadband network projects that provides for the following:

(1) Appointing a single point of contact for all matters related to a broadband network project;

(2) Requiring such political subdivision to review applications to determine whether an application is complete and to approve or deny an application utilizing a streamlined and expedited permit process;

(3) That any fee imposed by such political subdivision to review an application, issue a permit, or perform any other activity related to a broadband network project shall be reasonable, cost based, and nondiscriminatory to all applicants;

(4) Equal treatment among applicants with respect to actions related to a broadband network project, including granting access to public rights of way, infrastructure and poles, river and bridge crossings, or any other physical assets owned or controlled by the political subdivision; and

(5) Any other provisions the department may require by rules or regulations related to ensuring ready access to the public infrastructure and right of way.

(c) The department may, with input from the broadband services providers and local governments, develop a model ordinance for a political subdivision to use to review applications and issue permits related to broadband network projects.

(d) After certification of a political subdivision as a broadband ready community, the department shall continue to monitor such political subdivision's compliance with the broadband ready community eligibility requirements provided in subsection (b) of this Code section to ensure that the ordinance is still in effect and that such political subdivision's actions are in conformance with such ordinance.

36-66D-4.

(a) Upon the request of a broadband services provider or based on the department's investigation, the department may decertify a political subdivision as a broadband ready community if such political subdivision fails to comply with or modifies the ordinance required for certification under Code Section 36-66D-3.

(b) Upon a complaint that an application fee under an ordinance required for certification under Code Section 36-66D-3 is unreasonable, the department shall determine whether or not such fee is reasonable. In the proceeding for making such determination, the political subdivision shall have the burden of proving the reasonableness of any function undertaken by such political subdivision as part of the application process and the reasonableness of the costs of such functions.

36-66D-5.

The department shall promulgate any reasonable and necessary rules and regulations to effectuate the provisions of this chapter."

PART IV
SECTION 4-1.

Said Title 36 is further amended by adding a new chapter to read as follows:

"CHAPTER 66E

36-66E-1.

In order to encourage economic development and attract technology enabled growth in Georgia, the Department of Community Affairs shall develop and administer the Georgia Broadband Ready Community Site designation program with the assistance of the Georgia Technology Authority. Such program shall designate facilities and developments that offer at least 1 gigabit of broadband service that can be accessed for business, education, health care, government, and other public purposes as a Georgia Broadband Ready Community Site.

36-66E-2.

The Department of Community Affairs shall have the responsibility of creating and developing the Georgia Broadband Ready Community Site designation program. Such department shall evaluate the information submitted by applicants for such designation to confirm, based on the best available local, state, and federal broadband information, that at least 1 gigabit of broadband service is available within the facility or development. Upon certification of such facility or development as a Georgia Broadband Community Site by the Department of Community Affairs, such department shall provide standardized graphics and materials to the owner or owners of such facility or development and the county or municipal corporation in which such facility or development is located in order to promote the status of the site as a Georgia

Broadband Community Site. The Department of Community Affairs shall make all departments and agencies involved in economic development and the promotion of this state aware of the Georgia Broadband Community Site designation and shall coordinate with the Department of Economic Development promote this local community asset.

36-66E-3.

The Department of Community Affairs shall be authorized to adopt and promulgate such rules and regulations as may be reasonable and necessary to carry out the purposes of this chapter."

PART V SECTION 5-1.

The General Assembly recognizes that in today's society access to broadband services is essential to everyday life. Broadband access is a necessary utility as important as electricity, gas, or phone service. However, there is a growing need for the government to provide the much needed infrastructure to provide broadband access to homes and businesses that are without such access because of their location in rural and other areas. The General Assembly finds and declares that it is vital that the state provide equitable access to broadband services that will ensure that this necessary utility that provides support for education, work, engagement with government, healthcare, public safety, and leisure is available to all citizens of Georgia. The General Assembly finds and declares that ensuring deployment of broadband services throughout this state is a public necessity, a basic function of government, and would benefit the entire state. The General Assembly further finds and declares that it is in the best interest of the state to spend state funds through the establishment of a grant program to ensure that the much needed infrastructure exists for the public purpose of state-wide deployment of broadband services to unserved areas and underserved areas of the state.

SECTION 5-2.

Said Title 36 is further amended by adding a new chapter to read as follows:

"CHAPTER 66F

36-66F-1.

As used in this article, the term:

(1) 'Broadband services' means the provision of access to the Internet or computer processing, information storage, or protocol conversion. For the purposes of this article, the term shall not include any information content or service applications provided over such access service nor any intrastate service that was subject to a tariff in effect as of September 1, 2005.

(2) 'Department' means the Department of Community Affairs.

(3) 'Underserved area' means a county in which:

(A) More than 5 percent but less than 25 percent of the population does not have access to broadband services capable of transmitting data at a rate of not less than 3 megabits per second in the downstream direction and not less than 1 megabit per second in the upstream direction to end users; or

(B) Forty percent or more of the population does not have access to broadband services capable of transmitting data at a rate of not less than 25 megabits per second in the downstream direction and not less than 3 megabits per second in the upstream direction to end users.

(4) 'Unserved area' means a county in which 25 percent or more of the population does not have access to broadband services capable of transmitting data at a rate of not less than 3 megabits per second in the downstream direction and not less than 1 megabit per second in the upstream direction to end users.

36-66F-2.

(a) On or before July 1, 2019, the department shall develop the 'Rural Georgia Broadband Deployment Grant Program' with the assistance of the Georgia Technology Authority to provide funding for deployment of broadband services in unserved areas or underserved areas of the state. Such grants shall be subject to the availability of appropriations for such program as may be expressly provided by the General Assembly together with such other funds as may be available from public or private sources including, but not limited to, funds through the OneGeorgia Authority Act and the Georgia Environmental Finance Authority.

(b) The department may use a request for proposal process in soliciting proposals from providers of broadband services and may also accept proposals from providers of broadband services through an ongoing open proposal process pursuant to established criteria. Such proposal processes for awarding grants shall be developed and administered with assistance from the OneGeorgia Authority. Providers of broadband services shall submit solicited or unsolicited proposals, as may be applicable, for unserved areas or underserved areas in which such providers are seeking to deploy broadband services. Such proposals shall be evaluated and scored on the basis of criteria consistent with this chapter and other factors established by the department; provided, however, that the department shall not discriminate between different types of technology used to provide broadband services if such broadband services are each capable of transmitting data at the rates specified for the unserved areas or underserved areas, as applicable. The department shall consider the applicant's prior performance under a grant, if applicable.

(c) The grants awarded shall reflect the state's share of the cost of deployment of broadband services to unserved areas or underserved areas as authorized by this chapter. The amount of any grant awarded shall be directly tied to the cost of the deployment of broadband services by the provider of broadband services which shall be required make a monetary investment in the unserved areas or underserved areas that is equal to or greater than the amount of grant funding to be awarded. The grants awarded shall only provide funds for capital expenses and shall not be used by the provider of

broadband services for operation and maintenance expenses.

(d) A provider of broadband services applying for a grant shall receive priority if the submitted proposal to provide broadband services:

(1) Includes an area certified as a broadband ready community as provided in Chapter 66D of this title; and

(2) Includes elements of cooperation with or broadband services enhancement for businesses, industrial parks, education centers, hospitals and other health care facilities such as telehealth facilities and emergency care facilities, government buildings, public safety departments, or other public purposes.

(e) Providers of broadband services submitting bids shall be required to disclose as part of the proposal process whether they are required under any federal law, rule, or regulation to provide broadband services to any portion of the unserved areas or underserved areas for which they are submitting a proposal and whether they have received any grants or other funding from the federal government, the state, or a local government to provide broadband services to any portion of such area.

(f) The department shall establish the criteria for determining grant eligibility and any grant terms and conditions that are reasonable and necessary to ensure that the grant funds are utilized to provide broadband services to the areas for which the grants are awarded.

36-66F-3.

The department shall promulgate and enforce such rules and regulations as may be deemed necessary to carry out the provisions of this chapter."

PART VI SECTION 6-1.

Said Title 36 if further amended by adding a new Code section to read as follows:

"36-70-6.

(a) As used in this Code section, the term 'broadband services' means Internet access capable of transmitting data at a rate of not less than 25 megabits per second in the downstream direction and not less than 3 megabits per second in the upstream direction to end users.

(b) The governing bodies of municipalities and counties shall provide in any comprehensive plan for the promotion of the deployment of broadband services by broadband services providers."

SECTION 6-2.

Title 50 of the Official Code of Georgia Annotated, relating to general powers and duties of the Department of Community Affairs is amended by revising paragraph (1) of subsection (b) of Code Section 50-8-7.1 as follows:

"(1) As part of such minimum standards and procedures, the department shall establish minimum elements which shall be addressed and included in comprehensive

plans of local governments which are prepared as part of the coordinated and comprehensive planning process, provided that such minimum elements shall include the promotion of the deployment of reasonable and cost-effective access to broadband services by broadband services providers;"

PART VII
SECTION 7-1.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended in Code Section 48-8-3, relating to exemptions from state sales and use taxes, by deleting "or" at the end of paragraph (97), by replacing the period with "; or" at the end of paragraph (98), and by adding a new paragraph to read as follows:

"(99)(A) Broadband equipment used in the deployment of broadband services in an eligible county by a provider of broadband services regardless of whether such equipment is purchased by the owner, a contractor, or a subcontractor.

(B) As used in this paragraph, the term:

(i) 'Broadband equipment' means any device capable of being used for or in connection with the transmission of broadband services, including, but not limited to, asynchronous transfer mode switches, multiplexers, digital subscriber line access multiplexers, routers, servers, fiber optics, and related equipment.

(ii) 'Broadband services' means Internet access capable of transmitting data at a rate of not less than 25 megabits per second in the downstream direction and not less than 3 megabits per second in the upstream direction to end users.

(iii) 'Eligible county' means any county certified as a broadband ready community pursuant to Chapter 66D of Title 36 that has:

(I) A population of not more than 50,000 according to the United States decennial census of 2010 or any future census; or

(II) Been designated by the commissioner of community affairs in the previous calendar year as a county in which at least 40 percent of the population does not have access to fixed broadband services.

(C) Prior to July 1 of each year, the commissioner of community affairs shall make the annual designation described in division (iv) of subparagraph (B) of this paragraph and publish on the website of the Department of Community Affairs a listing of eligible counties.

(D) Any person making a sale of broadband equipment shall collect the tax imposed on the sale by this article unless the purchaser furnishes a certificate issued by the commissioner certifying that the purchaser is entitled to purchase the broadband equipment without paying the tax."

PART VIII
SECTION 8-1.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended by revising paragraphs (30) and (31) of Code Section 50-25-4, relating to

general powers of the Georgia Technology Authority, and by adding a new paragraph to read as follows:

"(30) To exercise any power granted by the laws of this state to public or private corporations which is not in conflict with the public purpose of the authority; ~~and~~
(31) To coordinate the establishment and administration of one or more programs to increase economic, educational, and social opportunities for citizens and businesses through the deployment of broadband and other communications technologies throughout the state; and
~~(31)~~(32) To do all things necessary or convenient to carry out the powers conferred by this chapter."

SECTION 8-2.

Said Title 50 is further amended by revising Code Section 50-25-7.3, which was previously reserved, as follows:

"50-25-7.3.

(a) The authority is authorized and directed to establish and implement such policies and programs as are necessary to coordinate state-wide efforts to promote and facilitate deployment of broadband and other communications technologies throughout the state. Such policies and programs shall include, but not be limited to, the following:

(1) A written state-wide broadband deployment plan and the development of recommendations for promotion and implementation of such a plan;

(2) Coordination with the Federal Communications Commission, representatives of the broadband industry and other communications technologies industries, and local governments to develop agreements for data sharing to facilitate accurate and up-to-date mapping of areas with access to broadband and other communications technologies. All local governments shall cooperate with the authority and its designated agents by providing requested information as to addresses and locations of broadband and other communications technologies within their jurisdictions. Notwithstanding any provision of law to the contrary, any data or information shared by a provider of broadband or other communications technologies pursuant to such agreements for data sharing and designated by such provider as trade secret, as that term is defined in Code Section 10-1-761, shall not be subject to public inspection absent an order of the superior court that the data or information are not trade secrets and are subject to disclosure;

(3) Oversight and coordination of state efforts to apply for, utilize, and implement public and private grants, programs, designations, and other resources for deployment of broadband and other communications technologies;

(4) Technical support and advisory assistance to state agencies, including, but not limited to, the Department of Community Affairs and the OneGeorgia Authority, in developing grant programs, designation programs, and other programs to promote the deployment of broadband and other communications technologies;

(5) A periodic analysis performed in conjunction with the State Properties Commission of all state assets, including, but not limited to, real property, that may be

leased or otherwise utilized for broadband deployment; and

(6) Coordination between state agencies, local governments, industry representatives, community organizations, and other persons that control access to resources, such as facilities and rights of way, that may be used for the deployment of broadband and other communications technologies, that apply for or receive federal funds for the deployment of broadband and other communications technologies, and that promote economic and community development.

(b) The authority shall submit an annual report to the Governor and General Assembly regarding the policies and programs established by the authority as provided in subsection (a) of this Code section. Such report shall specifically include information as to the status of attainment of state-wide deployment of broadband and other communications technologies and industry and technology trends in broadband and other communications technologies.

(c) All state agencies shall cooperate with the authority and its designated agents by providing requested information to assist in the development and administration of policies and programs and the annual report required under this Code section.
Reserved."

PART IX SECTION 9-1.

Said Title 50 is further amended in Code Section 50-34-2, relating to definitions relative to the "OneGeorgia Authority Act," by revising subparagraph (B) of paragraph (4) and by revising paragraph (9) by deleting "and" at the end of subparagraph (F), by replacing the period with "; and" at the end of subparagraph (G), and by adding a new subparagraph to read as follows:

"(B) All costs of real property, fixtures, equipment, or personal property used in or in connection with or necessary or convenient for any project or any facility or facilities related thereto, including, but not limited to, cost of land, interests in land, options to purchase, estates for years, easements, rights, improvements, water rights, ~~and~~ connections for utility services, and infrastructure and connections for broadband services as such term is defined in subparagraph (H) of paragraph (9) of this Code section; the cost of fees, franchises, permits, approvals, licenses, and certificates or the cost of securing any of the foregoing; the cost of preparation of any application therefor; and the cost of all fixtures, machinery, equipment, furniture, and other property used in connection with or necessary or convenient for any project or facility;"

"(H) The acquisition, construction, improvement, or modification of any property, real or personal, used to provide or used in connection with the provision of broadband services which the authority has determined as necessary for the operation of the industries which such property, real or personal, is to serve and which is necessary for the public welfare, provided that, for the purposes of this subparagraph, the term 'broadband services' means Internet access capable of

transmitting data at a rate of not less than 25 megabits per second in the downstream direction and not less than 3 megabits per second in the upstream direction to end users."

PART X
SECTION 10-1.

(a) Except as provided in subsection (b) of this section, this Act shall become effective on July 1, 2018.

(b) Part VII of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall apply to transactions which occur on or after that date.

SECTION 10-2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	E Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 402, having received the requisite constitutional majority, was passed by substitute.

The President recognized U.S. Congresswoman Karen Handel who addressed the Senate briefly.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

The Calendar was resumed.

SB 427. By Senators Kennedy of the 18th, Stone of the 23rd, Tillery of the 19th, Cowsert of the 46th, Jones II of the 22nd and others:

A BILL to be entitled an Act to amend Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, so as to change provisions relating to the court's discretion in making a final determination of support; to change provisions relating to reliable evidence of income, voluntary unemployment, and involuntary loss of income to account for a parent's incarceration; to change provisions relating to health insurance; to change provisions relating to specific and nonspecific deviations; to change provisions relating to work related child care costs; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 427:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, so as to change provisions relating to the court's discretion in making a final determination of support; to change provisions relating to reliable evidence of income, voluntary unemployment, and involuntary loss of income to account for a parent's incarceration; to change provisions relating to health insurance; to change provisions relating to specific and nonspecific deviations; to change provisions relating to work related child care costs; to amend Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the Child Support Recovery Act, so as to increase fees charged by the department; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, is amended by revising subsection (d) as follows:

"(d) **Nature of guidelines; court's discretion.** In the event of a hearing or trial on the issue of child support, the guidelines enumerated in this Code section are intended by the General Assembly to be guidelines only and any court so applying these guidelines shall not abrogate its responsibility in making the final determination of child support based on the evidence presented to it at the time of the hearing or trial. A court's final determination of child support shall take into account the obligor's earnings, income, and other evidence of the obligor's ability to pay. The court shall also consider the basic subsistence needs of the parents and the child for whom support is to be provided."

SECTION 1-2.

Said Code section is further amended by revising subparagraphs (f)(4)(A) and (f)(4)(B) and the introductory language of subparagraph (f)(4)(D) as follows:

"(A) **Imputed income.** When establishing the amount of child support, if a parent fails to produce reliable evidence of income, such as tax returns for prior years, check stubs, or other information for determining current ability to pay child support or ability to pay child support in prior years, and the court or the jury has no other reliable evidence of the parent's income or income potential, gross income for the current year ~~shall be determined by imputing gross income based on a 40 hour workweek at minimum wage~~ may be imputed. When imputing income, the court shall take into account the specific circumstances of the parent to the extent known, including such factors as the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. If a parent is incarcerated, income shall not be imputed based upon pre-incarceration wages or other employment related income, but may be imputed based on the actual income and assets available to such incarcerated parent.

(B) **Modification.** When cases with established orders are reviewed for modification and a parent fails to produce reliable evidence of income, such as tax returns for prior years, check stubs, or other information for determining current ability to pay child support or ability to pay child support in prior years, and the court or jury has no other reliable evidence of such parent's income or income

potential, the court or jury may impute income as set forth in subparagraph (A) of this paragraph, or may increase the child support of the parent failing or refusing to produce evidence of income by an increment of at least 10 percent per year of such parent's gross income for each year since the final ~~child support~~ order was entered or last modified and shall calculate the basic child support obligation using the increased amount as such parent's gross income."

"(D) **Willful or voluntary unemployment or underemployment.** In determining whether a parent is willfully or voluntarily unemployed or underemployed, the court or the jury shall ascertain the reasons for the parent's occupational choices and assess the reasonableness of these choices in light of the parent's responsibility to support his or her child and whether such choices benefit the child. A determination of willful or voluntary unemployment or underemployment shall not be limited to occupational choices motivated only by an intent to avoid or reduce the payment of child support but can be based on any intentional choice or act that affects a parent's income. A determination of willful or voluntary unemployment or underemployment shall not be made when an individual's incarceration prevents employment. In determining willful or voluntary unemployment or underemployment, the court may examine whether there is a substantial likelihood that the parent could, with reasonable effort, apply his or her education, skills, or training to produce income. Specific factors for the court to consider when determining willful or voluntary unemployment or underemployment include, but are not limited to:"

SECTION 1-3.

Said Code section is further amended by revising division (h)(2)(B)(iii) as follows:

"(iii) Eligibility for or enrollment of the child in Medicaid, ~~or the PeachCare for Kids Program, or other public health care program~~ shall ~~not~~ satisfy the requirement that the final ~~child support~~ order provide for the child's health care needs. Health coverage through Medicaid, the PeachCare for Kids Program and Medicaid, or other public health care program shall not prevent a court from also ordering either or both parents to obtain other health insurance for the child."

SECTION 1-4.

Said Code section is further amended by revising subparagraph (i)(1)(A), division (i)(2)(B)(iii), and paragraph (3) of subsection (i) as follows:

"(A) The amount of child support established by this Code section and the presumptive amount of child support are rebuttable and the court or the jury may deviate from the presumptive amount of child support in compliance with this subsection. In deviating from the presumptive amount of child support, ~~primary~~ consideration shall be given to the best interest of the child for whom support under this Code section is being determined. A nonparent custodian's expenses may be the basis for a deviation as well as a parent's ability or inability to pay the presumptive amount of child support."

"(iii) The court or the jury shall examine all attributable and excluded sources of income, assets, and benefits available to the noncustodial parent and may consider the noncustodial parent's basic subsistence needs and all of his or her reasonable expenses of the noncustodial parent, ensuring that such expenses are actually paid by the noncustodial parent and are clearly justified expenses."

"(3) **Nonspecific deviations.** Deviations from the presumptive amount of child support may be appropriate for reasons in addition to those established under this subsection when the court or the jury finds it is in the best interest of the child. A nonspecific deviation may also be used when the court or the jury finds that the noncustodial parent has a limited ability to pay the presumptive amount of child support."

SECTION 1-5.

Said Code section is further amended by revising paragraph (1) of subsection (j) as follows:

"(1) In the event a parent suffers an involuntary termination of employment, has an extended involuntary loss of average weekly hours, is involved in an organized strike, incurs a loss of health, becomes incarcerated, or similar involuntary adversity resulting in a loss of income of 25 percent or more, then the portion of child support attributable to lost income shall not accrue from the date of the service of the petition for modification, provided that service is made on the other parent. It shall not be considered an involuntary termination of employment if the parent has left the employer without good cause in connection with the parent's most recent work."

PART II SECTION 2-1.

Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the Child Support Recovery Act, is amended by revising subsection (f) of Code Section 19-11-6, relating to enforcement of child support payments and alimony for public assistance recipients, as follows:

"(f) The department shall be authorized to charge the obligor a federal Deficit Reduction Act of 2005 fee of ~~\$25.00~~ \$35.00 for each case. Such fee shall only apply to an obligor when the obligee has never received public assistance payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act. The department shall retain such fee and collect such fee through income withholding, as well as by any other enforcement remedy available to the entity within the department authorized to enforce a duty of support."

SECTION 2-2.

Said article is further amended by revising subsection (e) of Code Section 19-11-8, relating to the departments' duty to enforce support of abandoned minor public assistance recipient and scope of action, as follows:

"(e) The department shall be authorized to charge the obligor a federal Deficit Reduction Act of 2005 fee of ~~\$25.00~~ \$35.00 for each case. Such fee shall only apply to an obligor when the obligee has never received public assistance payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act. The department shall retain such fee and collect such fee through income withholding, as well as by any other enforcement remedy available to the entity within the department authorized to enforce a duty of support."

PART III
SECTION 3-1.

This part and Part I of this Act shall become effective on July 1, 2018, and Part II of this Act shall become effective on October 1, 2018.

SECTION 3-2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	E Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

SB 427, having received the requisite constitutional majority, was passed by substitute.

SB 375. By Senators Ligon, Jr. of the 3rd, Stone of the 23rd, Gooch of the 51st, Shafer of the 48th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, so as to allow a child-placing agency to decline to accept a referral from the department and decline to perform services not referred under a contract with the department based on the child-placing agency's sincerely held religious beliefs; to prevent the department from discriminating against or causing any adverse action against a child-placing agency based on its sincerely held religious beliefs; to provide for assertion of such rights; to provide for definitions; to provide for a short title; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 375:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, so as to allow a child-placing agency to decline to accept a referral from the department and decline to perform services not referred under a contract with the department based on the child-placing agency's sincerely held religious beliefs; to prevent the department from discriminating against or causing any adverse action against a child-placing agency based on its sincerely held religious beliefs; to provide for assertion of such rights; to provide for definitions; to provide for a short title; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act may be known and may be cited as the "Keep Faith in Adoption and Foster Care Act."

SECTION 2.

The General Assembly finds that maintaining a diverse network of adoption and foster care service providers which accommodate children from various cultural backgrounds is a high priority of this state such that reasonable accommodations should be made to allow people of different geographical regions, backgrounds, and beliefs to remain within and

become a part of such network. The General Assembly finds that it is important that decisions regarding the placement of children be made using the best interests of the child standard, including using child-placing organizations best able to provide for a child's physical, psychological, spiritual, and emotional needs and development. The General Assembly finds that child-placing agencies have the right to provide services in accordance with the agencies' sincerely held religious beliefs.

SECTION 3.

Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, is amended by adding a new Code section to read as follows:

"49-5-25.

(a) As used in this Code section, the term 'adverse action' means an action that results in, directly or indirectly, the denial of funding; the refusal to renew funding; the cancellation of funding; the denial of a contract for services; the refusal to renew a contract for services; the cancellation of a contract for services; the denial of a license; the refusal to renew a license; the cancellation of a license; an enforcement action; deterrence or prevention of reasonable actions; and any other similar action that materially alters the terms of funding, a contract, or a license.

(b) When making referrals for adoption or foster care services to child-placing agencies under contract with the department, the department shall use its best efforts to refer services to a child-placing agency that is able to provide such services. If a child-placing agency declines to accept the department's referral, the department shall not use such declination in determining whether such referral is in the best interests of the child. To the extent allowed by federal law, including compliance with the Americans with Disabilities Act and Title VI of the Civil Rights Act of 1964, a child-placing agency may decline to accept a referral for adoption or foster care services under a contract with the department based on the child-placing agency's sincerely held religious beliefs. If a child-placing agency declines to accept a referral, the department shall immediately refer those services to another child-placing agency. The department shall not take any adverse action against a child-placing agency or an organization that seeks to become a child-placing agency on the basis, wholly or partly, that such child-placing agency or organization has declined to accept a referral for adoption or foster care services that do not comply with such child-placing agency's or organization's sincerely held religious beliefs.

(c) For services not referred under a contract with the department, a child-placing agency may decline to perform any service that conflicts with the child-placing agency's sincerely held religious beliefs, and the department shall not take any adverse action against such child-placing agency for declining to perform such service.

(d) The department or child-placing agency may assert this Code section as a defense in any judicial or administrative proceeding and otherwise allowed by law. Nothing in this Code section shall be construed to constitute a waiver of sovereign immunity of the state or any of its boards, departments, bureaus, or agencies, or any officer or employee thereof."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator Cowsert of the 46th moved the previous question.

Senator Henson of the 41st objected.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	E Kirk	E Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 35, nays 19; motion prevailed, and the previous question was ordered.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	E Kirk	E Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 35, nays 19.

SB 375, having received the requisite constitutional majority, was passed by substitute.

At 1:04 p.m. the President announced that the Senate would stand at ease until 2:00 p.m.

At 2:06 p.m. the President called the Senate to order.

The following Senators were excused for business outside the Senate Chamber:

Heath of the 31st	Jones of the 10th	Sims of the 12th
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The Calendar was resumed.

SB 405. By Senators Millar of the 40th, Tippins of the 37th, Jackson of the 2nd, Cowsert of the 46th and Harbin of the 16th:

A BILL to be entitled an Act to amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, so as to provide for grants for certain eligible students enrolled in an institution of the University System of Georgia; to define certain terms; to provide for application and administration; to provide for pro rata application; to provide for audits; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Higher Education offered the following substitute to SB 405:

A BILL TO BE ENTITLED
AN ACT

To amend Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, so as to provide for grants for certain eligible students enrolled in an institution of the University System of Georgia; to define certain terms; to provide for application and administration; to provide for pro rata application; to provide for audits; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 3 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the Georgia Student Finance Authority, is amended by adding a new subpart to read as follows:

"Subpart 2A

20-3-360.

As used in this subpart, the term:

(1) 'Eligible student' means a person whose family income does not exceed \$48,000.00 and who:

(A) Has been accepted for enrollment as a first year student in a qualified institution who has qualified for and is receiving a federal Pell Grant, is not qualified to receive a HOPE scholarship, achieved a high school grade point average of 2.3 through 3.0, and meets at least one of the following requirements:

(i) Has achieved an ACT composite scale score of 21 or higher;

(ii) Has achieved an SAT score of 480 or higher on evidence based reading and writing and 530 on mathematics;

(iii) Has achieved a score of 3 or higher on at least two advanced placement examinations;

(iv) Has achieved a score of 4 or higher on at least two international baccalaureate examinations;

(v) Has passed an end-of-pathway assessment under the Carl D. Perkins Vocational and Technical Education Act, 20 U.S.C. Section 2301, et seq.; or

(vi) Has completed a work based learning experience in a field related to at least one course in the same pathway of study;

(B) Is an enrolled continuing first year student in a qualified institution who is making satisfactory progress in his or her degree program; or

(C) Is a continuing student in a qualified institution who has become ineligible for a

HOPE scholarship and qualifies under one of the provisions of divisions (i) through (vi) of subparagraph (A) of this paragraph during his or her high school career.

(2) 'Income' means federal adjusted gross income determined pursuant to the Internal Revenue Code of 1986, as amended, from all sources, and income derived from municipal bonds which is not included in federal adjusted gross income for federal income tax purposes.

(3) 'Qualified institution' means an institution of the university system.

20-3-361.

There is awarded to each eligible student a grant in an amount not to exceed \$1,500.00 per academic semester, contingent upon appropriations by the General Assembly. In order to remain eligible to receive such grant, a student must be employed at least 15 hours per week during the semester and maintain at least a 2.3 grade point average.

20-3-362.

Each eligible student wishing to receive the grant provided for in this subpart shall submit to the qualifying institution an application for the grant payment at the time and in accordance with procedures prescribed by the authority. The authority is authorized to define such terms and prescribe such rules, regulations, and procedures as may be reasonable and necessary to carry out the purposes of this subpart. The authority shall not approve payment of any grant until it has received from an appropriate officer of the qualifying institution a certification that the student applying for the grant is an eligible student. Upon timely receipt of such certification, in proper form, the authority is authorized to pay the grant to the qualifying institution on behalf of and to the credit of the student. In the event a student on whose behalf a grant is paid does not enroll as a full-time student for the academic semester for which the grant is paid, the qualifying institution shall make a refund to the authority in accordance with regulations of the authority.

20-3-363.

(a) In the event funds available to the authority are not sufficient to enable the authority to pay on behalf of eligible students the full grant prescribed by the General Assembly, grants payable for the remaining academic semesters shall be reduced by the authority on a pro rata basis.

(b) The authority shall use the following formula in calculating the budget for each qualifying institution: the combined amount of average annual tuition and mandatory fees minus the average annual Pell Grant award multiplied by the number of Pell Grant recipients from which has been subtracted the combined number of HOPE and Zell Miller scholarship recipients.

20-3-364.

Each qualified institution shall be subject to examination by the state auditor for the sole purpose of determining whether the institution has properly certified eligibility and

enrollment of students and credited grants paid on behalf of such students; provided, however, that nothing in this subpart shall be construed to interfere with the authority of the institution to determine admissibility of students or to control its own curriculum, philosophy, purpose, or administration. In the event it is determined that a qualified institution knowingly or through error certified an ineligible student to be eligible for a grant under this subpart, the amount of the grant paid to such institution pursuant to such certification shall be refunded by such institution to the authority.

20-3-365.

Any person who knowingly makes or furnishes any false statement or misrepresentation or who accepts such statement or misrepresentation knowing it to be false for the purpose of enabling an ineligible student to obtain wrongfully a grant under this subpart shall be guilty of a misdemeanor."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Millar of the 40th offered the following amendment #1:

Amend the Senate Higher Education Committee substitute to SB 405 (LC 21 5954S) by deleting line 46 and inserting in lieu thereof the following:

week during the semester and maintain at least a 2.3 grade point average; provided, however, that a student athlete shall be exempt from the employment requirement imposed by this Code section during the period beginning on the first day of the month preceding the month in which the first competition of the regular season occurs through the last day of the month in which the final competition of the regular season or postseason competition occurs.

On the adoption of the amendment, Senator Henson of the 41st called for the yeas and nays; the call was sustained, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	E Sims
Y Brass	N Jones, H	Stone
Y Burke	Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	E Kirk	E Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins

Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
E Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the adoption of the amendment, the yeas were 33, nays 16, and the Millar amendment #1 to the committee substitute was adopted.

Senators Tate of the 38th and Henson of the 41st offered the following amendment #2:

Amend SB 405 LC 21 5954S by

striking lines 45 and 46 and replacing them with: "remain eligible to receive such a grant, a student must maintain at least a 2.3 grade point average."

The Tate, Henson amendment #2 to the committee substitute was ruled out of order (moot), since it conflicts with the previously adopted Millar amendment #1.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	E Sims
Y Brass	Y Jones, H	Stone
Y Burke	Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowser	E Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
E Heath	Y Mullis	Y Williams, M
N Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 44, nays 5.

SB 405, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

Feb 23, 2018

Due to business outside the Senate Chamber, I missed the vote on SB 405. Had I been present, I would have voted "yes".

/s/ Jen Jordan
District 6

SB 363. By Senators Brass of the 28th, Miller of the 49th, Cowser of the 46th, Gooch of the 51st, Kennedy of the 18th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, so as to provide for the time for opening and closing of the polls; to provide for the tabulation of advance voting ballots in the same manner as absentee votes under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Ethics offered the following substitute to SB 363:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, so as to provide for the time for opening and closing of the polls; to provide for the tabulation of advance voting ballots in the same manner as absentee votes under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to elections and primaries generally, is amended by revising paragraphs (3), (4), (5), (6), and (7) of subsection (a) of Code Section 21-2-386, relating to safekeeping, certification, and validation of absentee ballots, rejection of ballot, delivery of ballots to manager, duties of managers, precinct returns, and notification of challenged elector, as follows:

"(3) A county election superintendent may, in his or her discretion, after 7:00 A.M. on the day of the primary, election, or runoff, open the inner envelopes in accordance with the procedures prescribed in this subsection and begin tabulating the absentee ballots and may begin processing and tabulating the advance voting ballots cast on direct recording electronic (DRE) voting equipment after 6:00 P.M. on the date of such primary, election, or runoff. If the county election superintendent chooses to open the inner envelopes and begin tabulating such ballots prior to the close of the polls on the day of the primary, election, or runoff or to begin processing and tabulating the advance voting ballots cast on DRE voting equipment, the superintendent shall notify in writing, at least seven days prior to the primary, election, or runoff, the Secretary of State of the superintendent's intent to begin the absentee ballot or advance voting tabulation prior to the close of the polls. The county executive committee or, if there is no organized county executive committee, the state executive committee of each political party and political body having candidates whose names appear on the ballot for such election in such county shall have the right to designate two persons and each independent and nonpartisan candidate whose name appears on the ballot for such election in such county shall have the right to designate one person to act as monitors for such process. In the event that the only issue to be voted upon in an election is a referendum question, the superintendent shall also notify in writing the chief judge of the superior court of the county who shall appoint two electors of ~~the~~ such county to monitor such process.

(4) The county election superintendent shall publish a written notice in the superintendent's office of the superintendent's intent to begin the absentee ballot tabulation or advance voting tabulation prior to the close of the polls and publish such notice at least one week prior to the primary, election, or runoff in the legal organ of the county.

(5) The process for opening the inner envelopes of and tabulating absentee ballots or processing and tabulating advance voting ballots cast on DRE voting equipment on the day of a primary, election, or runoff as provided in this subsection shall be a confidential process to maintain the secrecy of all ballots and to protect the disclosure of any balloting information before 7:00 P.M. on election day. No absentee ballots shall be tabulated before 7:00 A.M. on the day of a primary, election, or runoff and no advance voting tabulation shall be permitted before 6:00 P.M. on the day of the primary, election, or runoff.

(6) All persons conducting the tabulation of absentee ballots or advance voting

ballots during the day of a primary, election, or runoff, including the vote review panel required by Code Section 21-2-483, and all monitors and observers shall be sequestered until the time for the closing of the polls. All such persons shall have no contact with the news media; shall have no contact with other persons not involved in monitoring, observing, or conducting the tabulation; shall not use any type of communication device including radios, telephones, and cellular telephones; shall not utilize computers for the purpose of e-mail, instant messaging, or other forms of communication; and shall not communicate any information concerning the tabulation until the time for the closing of the polls; provided, however, that supervisory and technical assistance personnel shall be permitted to enter and leave the area in which the tabulation is being conducted but shall not communicate any information concerning the tabulation to anyone other than the county election superintendent; the staff of the superintendent; those persons conducting, observing, or monitoring the tabulation; and those persons whose technical assistance is needed for the tabulation process to operate.

(7) The absentee ballots shall be tabulated in accordance with the procedures of this chapter for the tabulation of absentee ballots. As such ballots are tabulated, they shall be placed into locked ballot boxes and may be transferred to locked ballot bags, if needed, for security. The advance voting ballots cast on DRE voting equipment shall be tabulated in accordance with the procedures for tabulating DRE ballots contained in Part 5 of Article 9 of this chapter; provided, however, that no results from such DRE units shall be transmitted by modem or other device prior to the close of the polls. The persons conducting the tabulation of the absentee ballots shall not cause the tabulating equipment to produce any count, partial or otherwise, of the absentee votes cast until the time for the closing of the polls."

SECTION 2.

Said chapter is further amended by revising Code Section 21-2-403, relating to time for opening and closing of polls, as follows:

"21-2-403.

At all primaries and elections the polls shall be opened at 7:00 A.M. eastern standard time or eastern daylight time, whichever is applicable, and shall remain open continuously until 7:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, at which time they shall be closed; ~~provided, however, that, in all cities having a population of 300,000 or more according to the United States decennial census of 1970 or any future such census, the polls shall remain open continuously until 8:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, during the cities' general elections, at which time they shall be closed and provided, further, that, in a special election held to fill a vacancy in an office in which the district represented by such office lies wholly within the boundaries of a city, the polls shall close at the same time as for a municipal general election in such city.~~"

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	E Sims
Y Brass	N Jones, H	Stone
Y Burke	Jordan	Strickland
N Butler	Y Kennedy	N Tate
Y Cowser	E Kirk	E Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
E Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 32, nays 16.

SB 363, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

Feb 23, 2018

Due to business outside the Senate Chamber, I missed the vote on SB 363. Had I been present, I would have voted "no".

/s/ Jen Jordan
District 6

Senator Stone of the 23rd was excused for business outside the Senate Chamber.

SB 74. By Senator McKoon of the 29th:

A BILL to be entitled an Act to amend Code Section 15-11-684 of the Official Code of Georgia Annotated, relating to the conduct of a hearing for the petition of an unemancipated minor seeking a waiver of the parental notification requirement for an abortion and appeal, so as to provide for clear and convincing evidence as the proper standard of proof; to repeal conflicting laws; and for other purposes.

Senator McKoon of the 29th moved the previous question.

Senator Henson of the 41st objected.

On the motion, the yeas were 29, nays 15; motion prevailed, and the previous question was ordered.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	E Sims
Y Brass	N Jones, H	E Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	E Kirk	E Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
E Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 33, nays 17.

SB 74, having received the requisite constitutional majority, was passed.

Senator Butch Miller, President Pro Tempore, assumed the Chair.

SB 373. By Senators Tippins of the 37th, Miller of the 49th, Cowsert of the 46th, Gooch of the 51st, Hill of the 4th and others:

A BILL to be entitled an Act to amend Code Section 15-6-2 of the Official Code of Georgia Annotated, relating to the number of judges of superior courts, so as to provide for an eleventh judge of the superior courts of the Cobb Judicial Circuit; to provide for the appointment of such additional judge by the Governor; to provide for the election of successors to the judge initially appointed; to prescribe the powers of such judge; to prescribe the compensation, salary, and expense allowance of such judge to be paid by the State of Georgia and the county of said circuit; to declare inherent authority; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	E Sims
Y Brass	Jones, H	E Stone
Y Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	Y Tate
Y Cowsert	E Kirk	E Thompson, B
Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Wilkinson
E Heath	Y Mullis	Y Williams, M
Henson	Orrock	Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 39, nays 0.

SB 373, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

February 23, 2018

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

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Ellis Black to serve as a permanent Ex-Officio for the Senate Finance Committee. This appointment is effective immediately.

Please call on me or Taylor Schindler if you have any questions regarding this appointment. Thank you for your attention to this matter.

Sincerely,

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

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Monday, February 26, 2018.

The motion prevailed, and the President announced the Senate adjourned at 2:58 p.m.

Senate Chamber, Atlanta, Georgia
Monday, February 26, 2018
Twenty-seventh Legislative Day

The Senate met pursuant to adjournment at 10:21 a.m. today and was called to order by the President.

Senator Harbison of the 15th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 664. By Representatives Teasley of the 37th, Hatchett of the 150th, Tankersley of the 160th, Reeves of the 34th, Carter of the 92nd and others:

A BILL to be entitled an Act to amend Code Section 48-7-27 of the Official Code of Georgia Annotated, relating to computation of taxable net income, so as to revise the deduction from income for contributions to savings trust accounts established pursuant to Article 11 of Chapter 3 of Title 20; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

HB 732. By Representatives Silcox of the 52nd, Coomer of the 14th, Reeves of the 34th, Ballinger of the 23rd and Golick of the 40th:

A BILL to be entitled an Act to amend Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to trafficking of persons for labor or sexual servitude, so as to expand the offense of trafficking an individual for sexual servitude; to change the punishment for a certain type of trafficking an individual for sexual servitude; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 784. By Representatives Dubnik of the 29th, Knight of the 130th, Nimmer of the 178th, Rhodes of the 120th and Ridley of the 6th:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, causes, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to promote the conservation and enhancement of waterfowl populations and their habitats; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

HB 790. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to the Office of State Administrative Hearings, so as to implement recommendations of the Court Reform Council to improve efficiencies and achieve best practices for the administration of justice; to provide administrative law judges with authority to issue final decisions; to provide for exceptions; to require agencies to forward a request for a hearing to the Office of State Administrative Hearings; to provide administrative law judges with the power to enforce subpoenas and sanction parties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 809. By Representatives Hitchens of the 161st, Lumsden of the 12th, Epps of the 144th, Tanner of the 9th and Williams of the 145th:

A BILL to be entitled an Act to amend Code Section 40-8-91 of the Official Code of Georgia Annotated, relating to marking and equipment of law enforcement vehicles and motorist allowed to continue to safe location before stopping for law enforcement officer vehicles, so as to provide that a motor vehicle used by any employee of the Georgia State Patrol for the enforcement of traffic laws may be a solid color; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 815. By Representatives Martin of the 49th, Willard of the 51st, Coleman of the 97th, England of the 116th and Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and

supporting certain beneficial projects, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to benefit Georgia Masonic Charities; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

HB 825. By Representatives Williams of the 145th, Collins of the 68th, Gravley of the 67th, Bentley of the 139th and Hitchens of the 161st:

A BILL to be entitled an Act to amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, so as to allow the chief medical examiner to inter and disinter unidentified human remains under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 830. By Representatives Harden of the 148th, Stephens of the 164th, Parrish of the 158th and Taylor of the 173rd:

A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedules I and II controlled substances; to change certain provisions relating to the definition of dangerous drug; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 833. By Representatives Rakestraw of the 19th, Maxwell of the 17th, Powell of the 32nd, Harrell of the 106th and Blackmon of the 146th:

A BILL to be entitled an Act to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to change provisions relating to professional land surveyors; to change and add certain defined terms; to provide for land surveyor interns; to change certain educational and examination requirements; to provide certain exceptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 847. By Representatives Chandler of the 105th, Gardner of the 57th, Hawkins of the 27th, Mathiak of the 73rd and Maxwell of the 17th:

A BILL to be entitled an Act to amend Chapter 39 of Title 43 of the Official Code of Georgia Annotated, relating to psychologists, so as to enter into an interstate compact known as the "Psychology Interjurisdictional Compact"; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 849. By Representatives Peake of the 141st, Knight of the 130th, Wilkerson of the 38th, Mosby of the 83rd and Carson of the 46th:

A BILL to be entitled an Act to amend Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income tax, so as to provide for reporting of federal partnership adjustments; to provide for Georgia partnership and pass-through entity adjustments and assessments and related appeals; to revise the provisions relating to the reporting of other federal adjustments; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 867. By Representatives Hitchens of the 161st, Lumsden of the 12th, Williams of the 145th, Petrea of the 166th and Tanner of the 9th:

A BILL to be entitled an Act to amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, so as to revise the quorum for transaction of business by the Georgia Peace Officer Standards and Training Council; to clarify that certain investigators employed by the council may retain their weapon and badge upon retirement; to repeal the requirement that peace officers who do not perform satisfactorily on the job related academy entrance examination be ineligible to retake the examination for a period of 30 days; to repeal requirements for the training and certification of police chaplains; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 479. By Senator Williams of the 27th:

A BILL to be entitled an Act to amend Article 8 of Chapter 12 of Title 16 of the O.C.G.A., relating to regulation of low THC oil, so as to provide for certain circumstances for the lawful possession or control of certain quantities of low THC oil and medical marijuana; to amend Chapter 2A of Title 31 of the O.C.G.A., relating to the Department of Public Health, so as to establish the Medical Marijuana Patient Registry; to provide for licensing for cultivation of marijuana for the purpose of producing, processing, and dispensing medical marijuana in this state; to provide for criteria for certain cultivation and production licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SR 906. By Senator Anderson of the 43rd:

A RESOLUTION recognizing United States military veterans and dedicating an interchange in their honor; and for other purposes.

Referred to the Committee on Transportation.

SR 914. By Senators Davenport of the 44th, James of the 35th, Harbison of the 15th, Henson of the 41st, Jones of the 10th and others:

A RESOLUTION creating the Senate Emergency Pursuits By Law Enforcement Officers Study Committee; and for other purposes.

Referred to the Committee on Public Safety.

SR 916. By Senators Albers of the 56th, Cowsert of the 46th, Hill of the 4th, Hufstetler of the 52nd, Ligon, Jr. of the 3rd and others:

A RESOLUTION creating the Senate Special Tax Exemption Study Committee; and for other purposes.

Referred to the Committee on Finance.

The following House legislation was read the first time and referred to committee:

HB 664. By Representatives Teasley of the 37th, Hatchett of the 150th, Tankersley of the 160th, Reeves of the 34th, Carter of the 92nd and others:

A BILL to be entitled an Act to amend Code Section 48-7-27 of the Official Code of Georgia Annotated, relating to computation of taxable net income, so as to revise the deduction from income for contributions to savings trust accounts established pursuant to Article 11 of Chapter 3 of Title 20; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 732. By Representatives Silcox of the 52nd, Coomer of the 14th, Reeves of the 34th, Ballinger of the 23rd and Golick of the 40th:

A BILL to be entitled an Act to amend Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to trafficking of persons for labor or sexual servitude, so as to expand the offense of trafficking an individual for

sexual servitude; to change the punishment for a certain type of trafficking an individual for sexual servitude; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 784. By Representatives Dubnik of the 29th, Knight of the 130th, Nimmer of the 178th, Rhodes of the 120th and Ridley of the 6th:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, causes, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to promote the conservation and enhancement of waterfowl populations and their habitats; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 790. By Representatives Efstration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to the Office of State Administrative Hearings, so as to implement recommendations of the Court Reform Council to improve efficiencies and achieve best practices for the administration of justice; to provide administrative law judges with authority to issue final decisions; to provide for exceptions; to require agencies to forward a request for a hearing to the Office of State Administrative Hearings; to provide administrative law judges with the power to enforce subpoenas and sanction parties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

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A BILL to be entitled an Act to amend Code Section 40-8-91 of the Official Code of Georgia Annotated, relating to marking and equipment of law enforcement vehicles and motorist allowed to continue to safe location before stopping for law enforcement officer vehicles, so as to provide that a motor

vehicle used by any employee of the Georgia State Patrol for the enforcement of traffic laws may be a solid color; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 815. By Representatives Martin of the 49th, Willard of the 51st, Coleman of the 97th, England of the 116th and Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to benefit Georgia Masonic Charities; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 825. By Representatives Williams of the 145th, Collins of the 68th, Gravley of the 67th, Bentley of the 139th and Hitchens of the 161st:

A BILL to be entitled an Act to amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, so as to allow the chief medical examiner to inter and disinter unidentified human remains under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 830. By Representatives Harden of the 148th, Stephens of the 164th, Parrish of the 158th and Taylor of the 173rd:

A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedules I and II controlled substances; to change certain provisions relating to the definition of dangerous drug; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HB 833. By Representatives Rakestraw of the 19th, Maxwell of the 17th, Powell of the 32nd, Harrell of the 106th and Blackmon of the 146th:

A BILL to be entitled an Act to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to change provisions relating to professional land surveyors; to change and add certain defined terms; to provide for land surveyor interns; to change certain educational and examination requirements; to provide certain exceptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

- HB 847. By Representatives Chandler of the 105th, Gardner of the 57th, Hawkins of the 27th, Mathiak of the 73rd and Maxwell of the 17th:

A BILL to be entitled an Act to amend Chapter 39 of Title 43 of the Official Code of Georgia Annotated, relating to psychologists, so as to enter into an interstate compact known as the "Psychology Interjurisdictional Compact"; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- HB 849. By Representatives Peake of the 141st, Knight of the 130th, Wilkerson of the 38th, Mosby of the 83rd and Carson of the 46th:

A BILL to be entitled an Act to amend Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income tax, so as to provide for reporting of federal partnership adjustments; to provide for Georgia partnership and pass-through entity adjustments and assessments and related appeals; to revise the provisions relating to the reporting of other federal adjustments; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

- HB 867. By Representatives Hitchens of the 161st, Lumsden of the 12th, Williams of the 145th, Petrea of the 166th and Tanner of the 9th:

A BILL to be entitled an Act to amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, so as to revise the quorum for transaction of business by the Georgia Peace Officer Standards and Training Council; to clarify that certain investigators employed by the council may retain their weapon and badge upon

retirement; to repeal the requirement that peace officers who do not perform satisfactorily on the job related academy entrance examination be ineligible to retake the examination for a period of 30 days; to repeal requirements for the training and certification of police chaplains; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

The following committee report was read by the Secretary:

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 918 Do Pass

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

The following legislation was read the second time:

SB 39	SB 232	SB 236	SB 314	SB 318	SB 335
SB 359	SB 382	SB 386	SB 403	SB 404	SB 414
SB 425	SB 426	SB 430	SB 431	SB 436	SB 437
SB 444	SB 450	SB 451	SB 453	SB 456	SB 457
SB 460	SB 461	SB 463	SR 681	SR 761	SR 772
SR 778	SR 865	SR 902			

Senator Henson of the 41st asked unanimous consent that the call of the roll be dispensed with. The consent was granted, and the roll call was dispensed with.

Senator Cowser of the 46th assumed the Chair.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Williams of the 27th introduced the chaplain of the day, Elder Rene Alba of Marietta, Georgia, who offered scripture reading and prayer.

Senator Davenport of the 44th introduced the doctor of the day, Dr. Todd Schmidt.

The following resolutions were read and adopted:

SR 907. By Senators Miller of the 49th, Gooch of the 51st, Ginn of the 47th, Wilkinson of the 50th and Unterman of the 45th:

A RESOLUTION commending Eva Jane "Sissy" Elliot, the Gainesville City School System's 2018 Teacher of the Year; and for other purposes.

SR 908. By Senators Unterman of the 45th and Wilkinson of the 50th:

A RESOLUTION commending the Georgia residents who have Type 1 Diabetes and whose families continually educate and advocate and recognizing March 16, 2018, as Type 1 Diabetes Day at the state capitol; and for other purposes.

SR 909. By Senators McKoon of the 29th, Dugan of the 30th and Shafer of the 48th:

A RESOLUTION recognizing and commending TydenBrooks Security Products Group on the 145th anniversary of their founding and for their exceptional service to our state and nation; and for other purposes.

SR 910. By Senators Martin of the 9th, Millar of the 40th, Parent of the 42nd, Jordan of the 6th, Gooch of the 51st and others:

A RESOLUTION recognizing and commending the Atlanta Spurs Supporters Club; and for other purposes.

SR 912. By Senators Jones of the 10th, Butler of the 55th, Jackson of the 2nd, Lucas of the 26th, Sims of the 12th and others:

A RESOLUTION recognizing and commending Nadine Thomas as the first African American woman to serve in the Georgia State Senate; and for other purposes.

SR 913. By Senators Jones of the 10th, Jackson of the 2nd, Butler of the 55th, Sims of the 12th, Orrock of the 36th and others:

A RESOLUTION recognizing and commending the proposed Liberty Bell monument at Stone Mountain; and for other purposes.

SR 915. By Senators Henson of the 41st, Orrock of the 36th, James of the 35th and Rhett of the 33rd:

A RESOLUTION celebrating the life and memory of the late James Herbert "Herb" Butler; and for other purposes.

SR 917. By Senator Tate of the 38th:

A RESOLUTION honoring and remembering the life of Martha Wright Barnes; and for other purposes.

SR 918. By Senator Millar of the 40th:

A RESOLUTION commending the Cystic Fibrosis Foundation and recognizing May 1, 2018, as Cystic Fibrosis Education and Awareness Day at the state capitol; and for other purposes.

SR 919. By Senators James of the 35th, Rhett of the 33rd, Seay of the 34th and Henson of the 41st:

A RESOLUTION honoring Father Augustus Tolton; and for other purposes.

SR 920. By Senators James of the 35th, Rhett of the 33rd, Seay of the 34th and Henson of the 41st:

A RESOLUTION recognizing and commending George Edward Clinton; and for other purposes.

SR 921. By Senators Butler of the 55th, Tate of the 38th, Orrock of the 36th, Henson of the 41st, Unterman of the 45th and others:

A RESOLUTION recognizing March 28, 2018, as Progressive Multiple Sclerosis Day at the state capitol; and for other purposes.

SR 922. By Senators Parent of the 42nd, Shafer of the 48th, Unterman of the 45th, Butler of the 55th, Martin of the 9th and others:

A RESOLUTION recognizing April, 2018, as Genocide Prevention and Awareness Month at the state capitol; and for other purposes.

Senator Martin of the 9th moved to remove SR 911 from the Consent Calendar for Privilege Resolutions. There was no objection; the motion prevailed and SB 911 was removed from the consent calendar.

Senator Martin of the 9th moved that the following resolution be withdrawn from the consideration of the Senate.

SR 911. By Senators Martin of the 9th, Wilkinson of the 50th, Millar of the 40th, Kirkpatrick of the 32nd, Unterman of the 45th and others:

A RESOLUTION recognizing and commending the Tottenham Hotspur Football Club; and for other purposes.

There was no objection; the motion prevailed, and SR 911 was withdrawn from consideration of the Senate.

The following Senators were excused for business outside the Senate Chamber:

Harbison of the 15th Tippins of the 37th

Senator Gooch of the 51st moved to engross SB 355, SB 309, SB 458, and SB 432, which were on today's Senate Rules Calendar.

Senator Henson of the 41st objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	Sims
Y Brass	Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Cowsert (PRS)	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 35, nays 13; the motion prevailed, and SB 355, SB 309, SB 458, and SB 432 were engrossed.

SENATE RULES CALENDAR
MONDAY, FEBRUARY 26, 2018
TWENTY-SEVENTH LEGISLATIVE DAY

SB 409 Railroad Crossings; persons driving vehicles shall exercise due care and caution for other on-track equipment; require (PUB SAF-7th)

- SB 446 Abandoned Motor Vehicles; motor vehicle or trailer becomes an abandoned motor vehicle; revise the times (PUB SAF-7th)
- SB 395 Georgia Joint Defense Commission; create (Substitute)(VM&HS-1st)
- SB 293 Retirement; employment of beneficiaries of the Teachers Retirement System of Georgia; repeal existing provisions (Substitute)(RET-8th)
- SB 452 Criminal Procedure and Penal Institutions; peace officer to take certain actions; verification that a suspect is illegal alien; require (Substitute) (JUDY-23rd)
- SB 294 Retirement; certain public employers and employee contributions; Employees' Retirement System of Georgia; employed beneficiaries; require (Substitute)(RET-8th)
- SB 324 Contracts with State Agencies and Adjoining Counties; municipalities may contract with abutting counties; provide (TRANS-56th)
- SR 821 Cyber Security And Information Technology Innovation Corridor; recognize Augusta; Logistics Technology Innovation Corridor; recognize Savannah (Substitute)(RULES-9th)
- SR 794 Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; create (RULES-49th)
- SB 350 Notice of Information Practices By Institution or Agent; policy renewal to comport with federal law; update notice practices requirements (Substitute) (I&L-20th)
- SB 334 Nurses; administrative purposes only; Georgia Board of Nursing to Department of Community Health; transfer (H&HS-45th)
- SB 355 Nuclear Generating Plant; recovery of the costs of financing the construction; provisions; change (Substitute)(RI&U-52nd)
- SB 376 Identity Theft; consumer credit reporting agencies charging a fee for placing/removing a security freeze; prohibit (B&FI-48th)
- SB 406 "Georgia Long-term Care Background Check Program" enact; public safety; promote (Substitute)(PUB SAF-17th)

- SB 407 Criminal Justice System; comprehensive reform for offenders; provide (Substitute)(JUDY-17th)
- SR 774 Joint Study Committee on Adoption Expenses; create (JUDY-23rd)
- SR 745 Robert H. "Bob" Bell Interchanges; DeKalb County; dedicate (Substitute) (TRANS-40th)
- SB 309 Elections; time for opening and closing of the polls; provide (Substitute) (ETHICS-29th)
- SB 325 "Interstate Medical Licensure Compact Act"; Georgia Composite Medical Board to administer the compact in this state; authorize (H&HS-32nd)
- SB 422 Clinical Laboratories; exempting pharmacists from provisions of said chapter when performing certain tests; provisions; change (H&HS-45th)
- SB 458 Ad Valorem Taxation; conditions; family owned farmed entities; discontinue a qualifying use of bona fide conservation use property; provide (FIN-50th)
- SB 337 Admissions and Confessions; effective date for the procedure; testimony of a child's description of sexual contact; provide (JUDY-45th)
- SB 432 'Georgia Tax Credit Business Case Act' (Substitute)(FIN-56th)
- SB 445 Department of Transportation; standards for contracts; contract bidding process and award procedure; provide (Substitute)(TRANS-51st)
- SB 339 Board of Regents and University System; establishment of free speech policies for institutions of the university system; provide (Substitute) (H ED-3rd)
- SB 434 Georgia Board for Physician Workforce; Georgia Board of Health Care Workforce; change the name (H&HS-45th)
- SB 82 HOPE; need based HOPE scholarship and grant; create (Substitute) (H ED-2nd)
- SR 104 State Ad Valorem Taxes; prohibit levy -CA (FIN-31st)

SB 443 Security Deposits; lists of existing defects and of damages before and after a tenancy; provisions; clarify (Substitute)(JUDY-23rd)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SB 409. By Senators Harper of the 7th, Albers of the 56th, Mullis of the 53rd, Jones of the 25th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to negotiating railroad crossings and entering highways from private driveways, so as to require that persons driving vehicles shall exercise due care and caution for other on-track equipment, as for trains, at railroad grade crossings; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Cowsert (PRS)	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 0.

SB 409, having received the requisite constitutional majority, was passed.

SB 446. By Senators Harper of the 7th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Chapter 11 of Title 40 of the O.C.G.A., relating to abandoned motor vehicles, so as to revise the times for which a motor vehicle or trailer becomes an abandoned motor vehicle; to revise and provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Cowsert (PRS)	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 1.

SB 446, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

Feb. 26, 2018

Due to business outside the Senate Chamber, I missed the vote on SB 446. Had I been present, I would have voted "yes".

/s/ Tonya Anderson
District 43

SB 395. By Senators Watson of the 1st, Harbison of the 15th, Walker III of the 20th, Black of the 8th, Jones II of the 22nd and others:

A BILL to be entitled an Act to amend Article 10 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Defense Community Economic Development Fund, so as to create the Georgia Joint Defense Commission; to provide for the membership and purposes of such commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Veterans, Military and Homeland Security offered the following substitute to SB 395:

A BILL TO BE ENTITLED
AN ACT

To amend Article 10 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Defense Community Economic Development Fund, so as to create the Georgia Joint Defense Commission; to provide for the membership and purposes of such commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 10 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Defense Community Economic Development Fund, is amended by adding a new Code section to read as follows:

"50-7-126.

(a)(1) There is hereby created the Georgia Joint Defense Commission. Such commission shall consist of 18 members as follows:

(A) The chairpersons of the House Committee on Defense and Veterans Affairs and the Senate Veterans, Military and Homeland Security Committee;

(B) The chairpersons of the House Committee on Economic Development and Tourism and the Senate Economic Development and Tourism Committee;

(C) Two members of the House of Representatives, one each from the majority party and the minority party, appointed by the Speaker of the House of Representatives;

(D) Two members of the Senate, one each from the majority party and the minority party, appointed by the Lieutenant Governor;

(E) One citizen member from each of the state's eight military installation regions appointed by the Governor;

(F) The director of the Governor's Defense Initiative; and

(G) The commissioner of economic development or his or her designee.

(2) The members of the commission appointed pursuant to subparagraphs (A) through (D) of paragraph (1) of this subsection shall serve two-year terms.

(3) The members of the commission appointed pursuant to subparagraph (E) of paragraph (1) of this subsection shall serve four-year terms, provided that of the initial appointees, two shall serve an initial two-year term, two shall serve an initial three-year term, and four shall serve an initial four-year term.

(4) The members of the commission appointed pursuant to subparagraphs (F) and (G) of paragraph (1) of this subsection shall serve the duration of their respective terms in office.

(5) The commission chairperson shall be the director of the Governor's Defense Initiative. The commission shall meet at such times and places as it deems necessary or convenient to perform its duties. The commission shall also meet upon the written call of the commission chairperson or of three of its members. The commission shall maintain minutes of its meetings and such other records as it deems necessary.

(6) Members of the commission shall serve without compensation, but shall receive for each day of attendance at commission meetings a daily expense allowance in the amount specified in subsection (b) of Code Section 45-7-21, plus reimbursement for actual transportation costs while traveling by public carrier, or the legal mileage rate for use of a personal car in connection with such attendance.

(7) Members of the commission shall serve at the pleasure of the Governor, President of the Senate, or Speaker of the House of Representatives, in accordance with who appointed them.

(b) The Georgia Joint Defense Commission shall:

(1) Advise the Governor and the General Assembly on defense and military issues within the state and nationally;

(2) Make recommendations regarding policies and plans to support the long-term viability and development of the military, both active and civilian, in this state;

(3) Develop methods to assist defense-dependent communities in the design and execution of programs that enhance each community's relationship with military installations and defense-related business;

(4) Serve as a task force to seek advice on and prepare for potential base realignment or closure of military installations in the state;

- (5) Develop and implement a plan to navigate potential base realignment or closure of military installations studies and proceedings; and
- (6) Produce and distribute a detailed report no later than December 1, 2018, and annually thereafter, regarding the status of the state's military installations, as well as a strategic plan for navigating any potential base realignment or closure of military installations in the state. Such annual reports shall be distributed to the Governor and the General Assembly and shall be made publicly available.
- (c) Staff of the department shall provide administrative support for the Georgia Joint Defense Commission."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Cowsert (PRS)	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

SB 395, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/26/2018

Due to business outside the Senate Chamber, I missed the vote on SB 395. Had I been present, I would have voted "yes".

/s/ Greg Kirk
District 13

SB 293. By Senators Black of the 8th, Hill of the 4th, Hufstetler of the 52nd, Rhett of the 33rd and Anderson of the 43rd:

A BILL to be entitled an Act to amend Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to retirement allowances, disability benefits, and spouses' benefits, so as to repeal existing provisions related to the employment of beneficiaries of the Teachers Retirement System of Georgia; to require certain public employers to make employer and employee contributions to such retirement system on behalf of certain employed beneficiaries; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Fiscal Notes were read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

March 17, 2017

The Honorable Ellis Black
State Senator
Coverdell Legislative Office Building, Room 304-A
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Senate Bill 293 (LC 43 0676)

Dear Senator Black:

This bill would amend provisions relating to beneficiaries receiving benefits under the Teachers Retirement System of Georgia. Specifically, this bill would repeal current

provisions relating to the employment of beneficiaries of the System. The revised provisions would require an employer that directly or indirectly hires a beneficiary to pay the System the required employer and employee contributions. If this legislation is enacted, the beneficiary would continue to receive his or her retirement allowance while employed. However, the beneficiary would not earn any creditable service.

Under the provisions of this bill, it would be the responsibility of the beneficiary to notify the employer of their status prior to accepting a position and the employer must notify the Board within 30 days of employment of this action. In the event the employer does not make the required contributions, the responsibility for the payment would be placed on the beneficiary.

This is to certify that this bill is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

October 18, 2017

Honorable Ellis Black, Chairman
Senate Retirement Committee
Coverdell Legislative Office Building, Room 303-B
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
Senate Bill 293 (LC 43 0676)
Teachers Retirement System of Georgia

Dear Chairman Black:

This substitute bill would amend provisions relating to the re-employment of a retired member under the Teachers Retirement System. Specifically, this bill would require an

employer that directly or indirectly hires a retired teacher to pay the System the required employer and employee contributions. If this legislation were enacted, the member would continue to receive his or her retirement allowance while employed, provided the member is employed part-time. The member would not earn any additional creditable service.

This legislation would not result in any additional cost to the Teachers Retirement System. Instead, the System may generate revenue in the first year since employers would be required to pay both the employee and employer contribution for any retired member that is rehired. An estimated additional \$62 million in contributions would be expected in the first year from employers currently employing retirees who have returned to work part-time. There would be no increase in the employer contribution rate or the unfunded actuarial accrued liability of the Teachers Retirement System because of this legislation. The estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost of this legislation. Approximately 54% of any future costs would be paid through State appropriations. The remaining 46% would be paid through federal and other funds.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the Senate Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u>N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u>0</u>
(5)	The employer contribution rate currently in effect.	<u>20.90%*</u>
(6)	The employer contribution rate recommended (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>20.90%</u>
(7)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u>0**</u>

**This rate represents the employer contribution rate that has been recommended by the actuary beginning July 1, 2018 for members of the Teachers Retirement System in order to meet the minimum funding standards.*

*** Although this legislation will not result in any additional cost to the Teachers Retirement System, this legislation would result in additional costs to the employers. Under the provisions of this bill, the revenue generated for the System would be funded by employers who would be required to pay the employer and employee contributions of rehired retirees. Based on the current salaries of rehired retirees, the System estimates receiving an additional \$62 million from employee and employer contributions.*

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The Senate Committee on Retirement offered the following substitute to SB 293:

A BILL TO BE ENTITLED
AN ACT

To amend Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to retirement allowances, disability benefits, and spouses' benefits, so as to require certain public employers to make employer and employee contributions to the Teachers Retirement System of Georgia for employed beneficiaries; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 7 of Chapter 3 of Title 47 of the Official Code of Georgia Annotated, relating to retirement allowances, disability benefits, and spouses' benefits, is amended by revising Code Section 47-3-127, relating to effect of restoration to service on retirement allowances and creditable service after restoration to service, and by adding two new Code sections to read as follows:

"47-3-127.

(a) ~~If, except as provided in Code Section 47-3-127.1,~~ a beneficiary is restored to service as a teacher, he or she may elect:

(1) Cessation of his or her retirement allowance, in which case he or she shall again become a contributing member of the retirement system and be governed by the retirement provisions of this chapter; or

(2) Not to reinstate his or her membership in the retirement system, in which case his or her retirement benefits shall be suspended during the period of time he or she is restored to service. Upon cessation of such service, his or her prior retirement allowance shall be resumed.

If the returning beneficiary fails to elect either choice, his or her status shall be as if he or she had elected paragraph (1) of this subsection.

~~(b)(1) Any Anything in this chapter to the contrary notwithstanding, any~~ prior service certificate, on the basis of which a member's creditable service was computed at the time of his or her retirement, shall be restored to full force and effect upon his or her restoration to service.

~~(2) Upon his such member's~~ subsequent retirement he or she shall be credited with all his or her service as a ~~member, including service~~ contributing member of the retirement system rendered after his or her restoration to service.

~~(3) If he such member~~ is restored to service on or after attaining age 50, his or her retirement benefits upon subsequent retirement shall not exceed the sum of the pension which he or she was receiving immediately prior to his or her last restoration to membership and the pension payable in respect to his or her subsequent service; ~~except as provided in subsection (c) of this Code section, provided that if unless he or she:~~

~~(A) Has has~~ served at least two school years as a contributing member after restoration to service; and ~~if he~~

~~(B) Reimburses reimburses~~ the retirement system for any retirement benefits received from the retirement system during his or her retirement, plus regular interest; ~~such person.~~

Thereupon, he or she shall receive credit for any prior creditable service; and upon subsequent retirement he shall, be credited with all his or her service as a member, which ~~service shall all~~ be counted in determining his or her retirement ~~benefits allowance upon his or her subsequent retirement. He shall not be without being~~ limited to the retirement ~~benefits allowance that he or she~~ was receiving prior to his or her last restoration to membership in the retirement system.

~~(c) The retirement benefits payable to a beneficiary who retired prior to July 1, 1961, who was restored to service and who subsequently retired on or after July 1, 1961, shall be determined under the pension provisions in effect at the time of that subsequent retirement, provided that such member completed at least one year of creditable service subsequent to such restoration to service.~~

~~(d) Anything in this chapter to the contrary notwithstanding, a beneficiary may elect to return to service on an hourly basis as a classroom aide, provided such service is less than full time, or as a substitute teacher without reinstating his membership in the system. If such election is made, he shall continue to receive his retirement benefits and any postretirement benefit adjustments granted, if any, during such part time service. Such part time service shall not constitute creditable service and such beneficiary shall not be entitled to a recomputation of retirement benefits upon a cessation of part-time service.~~

~~(e)~~(1) A beneficiary of this retirement system shall be deemed to be restored to service within the meaning of this Code section if, ~~except as otherwise provided in Code Section 47-3-127.1,~~ such beneficiary is employed by an employer:

(A) In a position previously held by a teacher; or

(B) In a capacity which would normally be held by a teacher, as determined by the board of trustees, whether employed directly or indirectly, for which the compensation is greater than the larger of:

(i) One-half ~~one-half~~ of the beneficiary's average annual compensation used to calculate his or her retirement benefit; or

(ii) The ~~the~~ beneficiary's final compensation at the time of his or her retirement, ~~whichever is larger~~;

~~provided, however,~~ that such amount prior compensation amounts shall be increased by any annual cost-of-living adjustment reflected in the state teacher salary schedule.

(2) If an employer employs a beneficiary in any manner specified in paragraph (1) of this subsection during the calendar month of the effective date of the beneficiary's retirement, the employer shall reimburse the retirement system for all benefits wrongly paid to the beneficiary.

(3) If an employer employs a beneficiary in any manner specified in paragraph (1) of this subsection any time after the last day of the calendar month of the effective date of the beneficiary's retirement, the employer shall:

(A) ~~So~~ notify the board of trustees, stating the beneficiary's name, salary, number of hours, whether the beneficiary is employed as a teacher, and such other information as the board of trustees requests; and

(B) ~~Reimburse the employer shall reimburse~~ the retirement system for all benefits wrongly paid to the beneficiary.

~~(4)~~(A) It shall be the duty of a beneficiary of this retirement system to notify an employer of his or her status as a beneficiary prior to accepting employment with that employer.

(B) If a beneficiary fails to so notify an employer and as a result the employer becomes obligated to this retirement system pursuant to paragraph (2) or (3) of this subsection, the beneficiary shall be liable to the employer for any amount the employer is obligated to pay to this retirement system.

(5) If an employer who is obligated to this retirement system pursuant to paragraph (2) or (3) of this subsection fails to pay the amount due, such amount shall be deducted from any funds payable to the employer by the state, including without limitation the Department of Education and the board of regents, and paid to the board of trustees of this retirement system.

47-3-127.1.

(a) Notwithstanding anything in this chapter to the contrary, a beneficiary may elect to return to service without becoming a contributing member of the retirement system as
a:

(1) Classroom aide who works less than full-time and is compensated on an hourly

basis; or

(2) Substitute teacher.

(b) Under the conditions described in subsection (a) of this Code section, he or she shall remain a beneficiary and continue to receive his or her retirement allowance and any postretirement benefit adjustments for which he or she is eligible.

(c) Such part-time service shall not constitute creditable service and such beneficiary shall not be entitled to a recomputation of retirement benefits upon a cessation of such part-time service.

47-3-127.2.

(a) An employer that directly or indirectly remunerates a beneficiary who is not a contributing member of the retirement system shall pay to the retirement system an amount equal to the product of:

(1) The combination of the rate required by this chapter for employer contributions and employee contributions; and

(2) The remuneration made to such beneficiary.

(b) An individual shall not receive creditable service as a result of employment described in subsection (a) of this Code section, and he or she shall be considered by the retirement system solely as a beneficiary.

(c) It shall be the duty of each beneficiary to notify an employer of his or her status as a beneficiary prior to accepting employment with an employer.

(d) Within 30 days of an employer's employment of a beneficiary, such employer shall notify the board of trustees of such beneficiary's name, salary, number of hours, and such other information as the board of trustees may prescribe.

(e) If an employer that is obligated to make contributions or reimbursements to the retirement system pursuant to this Code section does not make such contributions, unpaid amounts shall be deducted from any funds payable to the employer by the state, including without limitation the Department of Education and the board of regents, and paid to the retirement system."

SECTION 2.

This Act shall become effective on July 1, 2018, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2018, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The following Fiscal Notes were read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 25, 2018

The Honorable Ellis Black
State Senator
Coverdell Legislative Office Building, Room 303-B
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Substitute to Senate Bill 293
(LC 43 0778S)

Dear Senator Black:

This substitute bill would amend provisions relating to the re-employment of retired members under the Teachers Retirement System of Georgia. If this legislation is enacted, employers would be required to pay both the employee and employer contribution for any retired member that renders service for pay either directly or indirectly to an employer that participates in the System. The member will continue to receive a retirement allowance during the period of re-employment provided he or she does not exceed the compensation limitations outlined in O.C.G.A. §47-3-127. It should be noted that members would not earn any additional creditable service in the System if this legislation is enacted.

This is to certify that the changes made in this substitute bill are fiscal amendments as defined in the Public Retirement Systems Standards Law. An actuarial investigation will be necessary to determine the fiscal impact of this legislation.

Respectfully,

/s/ Greg S. Griffin
State Auditor



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 13, 2018

Honorable Ellis Black, Chairman
Senate Retirement Committee
Coverdell Legislative Office Building, Room 303-B
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
Senate Bill 293 (LC 43 0778S)
Teachers Retirement System of Georgia

Dear Chairman Black:

This substitute bill would amend provisions relating to the re-employment of a retired member under the Teachers Retirement System. Specifically, this bill would require an employer that directly or indirectly hires a retired teacher to pay the System the required employer and employee contributions. If this legislation were enacted, the member would continue to receive his or her retirement allowance while employed, provided the member is employed part-time. The member would not earn any additional creditable service.

This legislation would not result in any additional cost to the Teachers Retirement System. Instead, the System may generate revenue in the first year since employers would be required to pay both the employee and employer contribution for any retired member that is rehired. An estimated additional \$62 million in contributions would be expected in the first year from employers currently employing retirees who have returned to work part-time. There would be no increase in the employer contribution rate or the unfunded actuarial accrued liability of the Teachers Retirement System because of this legislation. The estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost of this legislation. Approximately 54% of any future costs would be paid through State appropriations. The remaining 46% would be paid through federal and other funds.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the Senate Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u> 0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u> 0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u> N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u> 0</u>
(5)	The employer contribution rate currently in effect.	<u> 20.90%*</u>
(6)	The employer contribution rate recommended (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u> 20.90%</u>
(7)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u> 0**</u>

**This rate represents the employer contribution rate that has been recommended by the actuary beginning July 1, 2018 for members of the Teachers Retirement System in order to meet the minimum funding standards.*

*** Although this legislation will not result in any additional cost to the Teachers Retirement System, this legislation would result in additional costs to the employers. Under the provisions of this bill, the revenue generated for the System would be funded by employers who would be required to pay the employer and employee contributions of rehired retirees. Based on the current salaries of rehired retirees, the System estimates receiving an additional \$62 million from employee and employer contributions.*

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Cowsert (PRS)	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	E Lucas	E Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

SB 293, having received the requisite constitutional majority, was passed by substitute.

The President assumed the Chair.

SB 452. By Senators Stone of the 23rd, Anderson of the 24th, Mullis of the 53rd, Albers of the 56th, Heath of the 31st and others:

A BILL to be entitled an Act to amend Title 17 and Title 42 of the Official Code of Georgia Annotated, relating to criminal procedure and penal institutions, respectively, so as to require a peace officer to take certain actions upon verification that a suspect is an illegal alien; to clarify and require certain actions by the Department of Corrections, sheriffs, municipal custodial officers, the State Board of Pardons and Paroles, and the Department of

Community Service regarding persons not lawfully present in the United States; to prohibit release from confinement persons who are illegal aliens; to require the State Board of Pardons and Paroles to consider certain factors; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 452:

A BILL TO BE ENTITLED
AN ACT

To amend Title 17 and Title 42 of the Official Code of Georgia Annotated, relating to criminal procedure and penal institutions, respectively, so as to require a peace officer to take certain actions upon verification that a suspect is an illegal alien; to require the sentencing court in any felony, misdemeanor, or ordinance violation case to take certain actions to determine whether the person to be sentenced is lawfully present in the United States and if not that certain actions be taken; to clarify and require certain actions by the Department of Corrections, sheriffs, municipal custodial officers, the State Board of Pardons and Paroles, and the Department of Community Supervision regarding persons not lawfully present in the United States; to prohibit release from confinement persons who are illegal aliens under certain circumstances; to require the State Board of Pardons and Paroles to consider certain factors if a prisoner would be legally subject to deportation from the United States while on parole; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is amended by revising subsection (e) of Code Section 17-5-100, relating to investigation of illegal alien status, as follows:

"(e) If during the course of the investigation into such suspect's identity, a peace officer receives verification that such suspect is an illegal alien, then such peace officer ~~may~~ shall take any action authorized by state and federal law, including, but not limited to, notifying and transferring all information gained from the investigation to the prosecuting attorney with jurisdiction over the alleged criminal violation, detaining such suspected illegal alien, securely transporting such suspect to any authorized federal or state detention facility, or notifying the United States Department of Homeland Security or successor agency. Nothing in this Code section shall be construed to hinder or prevent a peace officer or law enforcement agency from arresting or detaining any criminal suspect on other criminal charges."

SECTION 2.

Said title is further amended by revising Code Section 17-10-1.3, relating to factoring into sentencing determinations citizenship status of convict, as follows:

"17-10-1.3.

(a)(1) The sentencing court in any felony, misdemeanor, or ordinance violation case shall inquire and determine at the time of sentencing whether the person to be sentenced is lawfully present in the United States under federal law and, if not, whether United States Immigration and Customs Enforcement has placed a detainer on the person to be sentenced.

(2) If the sentencing court in any felony, misdemeanor, or ordinance violation case determines that the person to be sentenced is not lawfully present in the United States, the sentencing court shall immediately notify the United States Department of Homeland Security or other department or agency designated for notification by the federal government.

(3) If the sentencing court in any felony, misdemeanor, or ordinance violation case determines that the person to be sentenced is not lawfully present in the United States or that United States Immigration and Customs Enforcement has placed a detainer on such person, it shall be required that:

(A) The Department of Corrections must comply with Code Section 42-1-11.1;

(B) Seventy-two hours prior to such person's release from custody, or as soon as reasonably practical if such person is held for less than 72 hours, the sheriff or municipal custodial officer must notify United States Immigration and Customs Enforcement of the anticipated release;

(C) Prior to release on probation or parole, the State Board of Pardons and Paroles must comply with Code Section 42-1-11.1; and

(D) Seventy-two hours prior to such person's release from probation supervision, the Department of Community Supervision must notify United States Immigration and Customs Enforcement of the last known permanent address of such person and the date of conclusion of such person's term of probation.

(b) In determining whether to probate all or any part of any sentence of confinement in any felony, misdemeanor, or ordinance violation case, the sentencing court shall be authorized to make inquiry into inquire whether the person to be sentenced is lawfully present in the United States under federal law.

~~(b)(c)~~ If the court determines that the person to be sentenced is not lawfully present in the United States, the court shall be authorized to make inquiry into inquire whether the person to be sentenced would be legally subject to deportation from the United States while serving a probated sentence.

~~(e)(d)~~ If the court determines that the person to be sentenced would be legally subject to deportation from the United States while serving a probated sentence, the court may:

(1) Consider the interest of the state in securing certain and complete execution of its judicial sentences in criminal and quasi-criminal cases;

(2) Consider the likelihood that deportation may intervene to frustrate that state interest if probation is granted; and

(3) Where appropriate, decline to probate a sentence in furtherance of the state interest in certain and complete execution of sentences.

~~(d)(e)~~ This Code section shall apply with respect to a judicial determination as to

whether to suspend all or any part of a sentence of confinement in the same manner as this Code section applies to determinations with respect to probation."

SECTION 3.

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by revising subsection (d) of Code Section 42-4-14, relating to "Illegal alien" defined and determination of nationality of person charged with felony and confined in a jail facility, as follows:

"(d) Nothing in this Code section shall be construed to deny a person bond or from being released from confinement when such person is otherwise eligible for release; provided, however, that upon verification that any person confined in a jail is an illegal alien, such person ~~may~~ shall be detained, arrested, and transported as authorized by state and federal law."

SECTION 4.

Said title is further amended by revising subsection (c) of Code Section 42-9-43.1, relating to citizenship status of prisoner and deportation, as follows:

"(c) If the board determines that the prisoner would be legally subject to deportation from the United States while on parole, the board ~~may~~ shall:

- (1) Consider the interest of the state in securing certain and complete execution of its judicial sentences in criminal cases;
- (2) Consider the likelihood that deportation may intervene to frustrate that state interest if parole is granted; and
- (3) Where appropriate, decline to grant parole in furtherance of the state interest in certain and complete execution of sentences."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senators Stone of the 23rd, Kennedy of the 18th and Mullis of the 53rd offered the following amendment #1:

Amend the Senate Judiciary Committee substitute to SB 452 (LC 29 7959S) by replacing line 16 with the following:

amended by revising subsections (e) and (g) of Code Section 17-5-100, relating to investigation of

By inserting between lines 27 and 28 with the following:

"(g) A peace officer, prosecuting attorney, or government official or employee, and their employing governmental entity, acting in good faith to carry out any provision of this Code section, shall have immunity from damages or liability from such actions."

By replacing line 54 with the following:

Department of Community Supervision or probation provider under Article 6 of Chapter 8 of Title 42 must notify United States Immigration and

On the adoption of the amendment, there were no objections, and the Stone, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	E Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 36, nays 17.

SB 452, having received the requisite constitutional majority, was passed by substitute.

SB 294. By Senators Black of the 8th, Hill of the 4th, Hufstetler of the 52nd, Rhett of the 33rd and Anderson of the 43rd:

A BILL to be entitled an Act to amend Article 7 of Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to retirement allowances, disability benefits, and spouses' benefits, so as to require certain public employers to make employer and employee contributions to the Employees'

Retirement System of Georgia on behalf of certain employed beneficiaries; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

March 17, 2017

The Honorable Ellis Black
State Senator
Coverdell Legislative Office Building, Room 304-A
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Senate Bill 294 (LC 43 0681)

Dear Senator Black:

This bill would amend provisions relating to beneficiaries receiving benefits under the Employees' Retirement System of Georgia. Specifically, this bill require an employer that directly or indirectly hires a beneficiary to pay the System the required employer and employee contributions. If this legislation is enacted, the beneficiary would continue to receive his or her retirement allowance while employed. However, the beneficiary would not earn any creditable service. Under the provisions of this bill, it would be the responsibility of the beneficiary to notify the employer of their status prior to accepting a position and the employer must notify the Board within 30 days of employment of this action.

This is to certify that this bill is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The Senate Committee on Retirement offered the following substitute to SB 294:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 37 of the Official Code of Georgia Annotated, relating to administration of mental health, developmental disabilities, addictive diseases, and other disability services, so as to remove a cross-reference; to amend Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the Employees' Retirement System of Georgia, so as to require certain public employers to make employer and employee contributions to the Employees' Retirement System of Georgia on behalf of retired members employed by such employers either directly or indirectly; to remove a cross-reference; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 37 of the Official Code of Georgia Annotated, relating to administration of mental health, developmental disabilities, addictive diseases, and other disability services, is amended by revising subsection (k) of Code Section 37-2-6.1, relating to community service boards, executive director, staff, budget, facilities, powers and duties, and exemption from state and local taxation, as follows:

"(k) No community service board shall employ or retain in employment, either directly or indirectly through contract, any person who is receiving a retirement benefit from the Employees' Retirement System of Georgia ~~except in accordance with the provisions of subsection (c) of Code Section 47-2-110~~; provided, however, that any such person who is employed as of July 1, 2004, may continue to be employed."

SECTION 2.

Chapter 2 of Title 47 of the Official Code of Georgia Annotated, relating to the Employees' Retirement System of Georgia, is amended by revising Code Section 47-2-110, relating to retirement ages, application and eligibility for a retirement allowance, suspension of retirement allowance upon reemployment, and health benefits, as follows:

"47-2-110.

(a)(1)(A) Upon written application to the board of trustees, any member in service who has reached 60 years of age or who has 30 years of creditable service may retire on a service retirement allowance, provided that he or she has at least five years of creditable service; provided, further, that if he or she became a member after July 1, 1968, he or she has at least ten years of creditable service. The effective date of retirement shall be the first of the month in which the application is received by the board of trustees, provided that no retirement application will, in any case, be effective earlier than the first of the month following the final month of

the applicant's employment. Applications for retirement shall not be accepted more than 90 days in advance of the effective date of retirement. Separation from service pending approval of the retirement application shall not affect eligibility for a retirement allowance. The provisions of this subsection regarding the effective date of retirement shall apply to all persons making application for retirement on or after March 15, 1979, and to all persons who have made application prior to March 15, 1979, but to whom payments from the retirement system have not commenced as of that date. Each employer shall certify to the board of trustees the date on which the employee's employment is or will be severed.

(B) If the employee has not reached normal retirement age on the effective date of retirement, the employer shall certify that no agreement exists to allow the employee to return to service, including service as or for an independent contractor. Any return to employment or rendering of any paid service by such employee, including service as or for an independent contractor, for any employer within two consecutive calendar months of the effective date of retirement shall render the severance invalid, nullifying the application for retirement.

(2) Normal retirement age, for purposes of the retirement system, shall be the date the employee has reached 60 years of age, provided that he or she has at least ten years of creditable service or the age of an employee on the date he or she attains 30 years of creditable service; provided, however, that the provisions of this paragraph are subject to change by future legislation in order to comply with federal regulations. For those members who are in service with the Uniform Division of the Department of Public Safety as an officer, noncommissioned officer, or trooper, officers and agents of the Georgia Bureau of Investigation, conservation rangers of the Department of Natural Resources, or in the Department of Revenue as an alcohol and tobacco officer or agent, normal retirement age shall be the date the employee has reached 55 years of age, provided that he or she has at least ten years of creditable service. For purposes of Section 402(1) of the federal Internal Revenue Code regarding distributions from governmental plans for health and long-term care insurance for public safety officers, normal retirement age shall be the earliest date when the employee has satisfied the requirements for a retirement allowance under the retirement system. Except as provided under Article 2 of Chapter 1 of this title, a member's right to his or her retirement allowance is nonforfeitable upon attainment of normal retirement age.

~~(b)(1) Reserved. As used in this subsection, in addition to the definition provided in Code Section 47-2-1, the term 'employer' shall also include the retired member's last employer which reported to the retirement system prior to the member's effective date of retirement. Such term shall also include the Board of Regents of the University System of Georgia.~~

~~(2) Except as provided in this subsection, if a member accepts paid employment with or renders services for pay to any employer, including, without limitation, service directly or indirectly as or for an independent contractor, after his or her retirement, payment of his or her retirement allowance shall be suspended and no contributions to the retirement system shall be made on account of such service either by that member~~

~~or his or her employer, provided that, upon termination of such service, all rights shall vest in that member as if he or she had continued his or her option to retire.~~

~~(3) The retirement allowance of a retired member who accepts employment with or renders services to any employer after his or her retirement shall not be suspended if the employee has attained normal retirement age or has not been employed by or rendered service for any employer for at least two consecutive calendar months and performs no more than 1,040 hours of paid employment or paid service, including, without limitation, service as or for an independent contractor, for the employer in any calendar year; provided, however, that return to service as or for an independent contractor shall not result in the suspension of an employee's retirement allowance if the employing agency certifies to the board of trustees that:~~

~~(A) The contracting entity has multiple employees;~~

~~(B) The contracting entity has multiple contracts, and the contracts are not limited to employers, as such term is defined in Code Section 47-2-1; and~~

~~(C) The contractual relationship with the employer was not created to allow a retired employee to continue employment after retirement in a position similar to the one he or she held before retirement.~~

~~(4) Any employer that employs a retired plan member shall within 30 days of the employee's accepting employment notify the board of trustees in writing stating the name of the plan member and the number of hours the employee is expected to work annually and shall provide such other information as the board may request. If the retired plan member performs more than 1,040 hours in any calendar year, the employer shall so notify the board of trustees as soon as such information is available. Any employer that fails to notify the board of trustees as required by this subsection shall reimburse the retirement system for any benefits wrongfully paid. It shall be the duty of the retired plan member seeking employment by the employer to notify the employer of his or her retirement status prior to accepting such position. If a retired plan member fails to so notify the employer and the employer becomes liable to the retirement system, the plan member shall hold the employer harmless for all such liability.~~

(c) The board of trustees is authorized to provide by rule or regulation for the payment of benefits to members or beneficiaries of the retirement system at a time and under circumstances not provided for in this chapter to the extent that such payment is required to maintain the retirement system as a 'qualified retirement plan' for the purposes of federal income tax laws."

SECTION 3.

Said chapter is further amended by adding a new Code section to read as follows:

"47-2-112.

(a) As used in this Code section, in addition to the definition provided in Code Section 47-2-1, the term 'employer' shall also include the retired member's last employer which reported to the retirement system prior to the member's effective date of retirement. Such term shall also include the Board of Regents of the University System of Georgia.

(b) If a member who retired under this chapter accepts paid employment with or renders services for pay to any employer, including, without limitation, services directly or indirectly as or for an independent contractor, after his or her retirement:

(1) Such employer shall pay to the retirement system the employer and employee contributions required by this chapter for members; and

(2) Except as provided in subsection (c) of this Code section, payment of such member's retirement allowance shall be suspended.

Such member shall not receive creditable service as a result of such employment or rendering of services. Upon termination of such employment or rendering of services, all rights shall vest in that member as if he or she had continued his or her option to retire.

(c) The retirement allowance of a retired member who accepts paid employment with or renders services for pay to any employer after his or her retirement shall not be suspended if the employee has attained normal retirement age or has not been employed by or rendered services for pay to any employer for at least two consecutive calendar months and performs no more than 1,040 hours of paid employment or paid service, including, without limitation, services directly or indirectly as or for an independent contractor, for the employer in any calendar year; provided, however, that return to service directly or indirectly as or for an independent contractor shall not result in the suspension of an employee's retirement allowance or the requirement of an employer to pay to the retirement system the employer and employee contributions required by this chapter if the employing agency certifies to the board of trustees that:

(1) The contracting entity has multiple employees;

(2) The contracting entity has multiple contracts, and the contracts are not limited to employers, as such term is defined in Code Section 47-2-1; and

(3) The contractual relationship with the employer was not created to allow a retired employee to continue employment after retirement in a position similar to the one he or she held before retirement.

(d) Any employer that employs a retired plan member shall within 30 days of the employee's accepting employment notify the board of trustees in writing stating the name of the plan member and the number of hours the employee is expected to work annually and shall provide such other information as the board may request. If the retired plan member performs more than 1,040 hours in any calendar year, such employer shall so notify the board of trustees as soon as such information is available. Any employer that fails to notify the board of trustees as required by this subsection shall reimburse the retirement system for any benefits wrongfully paid. It shall be the duty of the retired plan member seeking employment with the employer to notify the employer of his or her retirement status prior to accepting such position. If a retired plan member fails to so notify the employer and such employer becomes liable to the retirement system, the plan member shall hold such employer harmless for all such liability."

SECTION 4.

Said chapter is further amended by revising subsection (c) of Code Section 47-2-290, relating to judges, solicitors, and other employees of state courts subject to merit system, membership in retirement system, contributions, and exemptions, as follows:

"(c) Reserved. ~~Subsection (b) of Code Section 47-2-110 shall not apply to the judges and solicitors of any state court, who may retire at their discretion at any time after becoming eligible to retire.~~"

SECTION 5.

This Act shall become effective on July 1, 2018, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2018, as required by subsection (a) of Code Section 47-20-50.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

The following Fiscal Notes were read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

May 29, 2017

The Honorable Ellis Black
State Senator
Coverdell Legislative Office Building, Room 304-A
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Substitute to Senate Bill 294
(LC 43 0722S)

Dear Senator Black:

This substitute bill would amend provisions relating to the re-employment of retired members under the Employees' Retirement System of Georgia. If this legislation is enacted, employers would be required to pay both the employee and employer

contribution for any retired member that renders services for pay either directly or indirectly. With respect to independent contractors, however, this provision would not apply if the employing agency certifies to the Board of Trustees that:

- The contracting entity has multiple employees;
- The contracting entity has multiple contracts, and the contracts are not limited to employers covered under the Employees' Retirement System of Georgia; and
- The contractual relationship with the employer was not created to allow a retired employee to continue employment after retirement in a position similar to the one he or she held before retirement.

This is to certify that this substitute bill is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

October 25, 2017

Honorable Ellis Black, Chairman
Senate Retirement Committee
Coverdell Legislative Office Building, Room 304-A
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
Senate Bill 294 (LC 43 0722S)
Employees' Retirement System of Georgia

Dear Chairman Black:

This bill would amend provisions relating to the re-employment of retired members under the Employees' Retirement System of Georgia. If this legislation is enacted, employers would be required to pay both the employee and employer contribution for any retired member that renders services for pay either directly or indirectly. The member's retirement allowance will not be suspended provided he or she either has reached normal

retirement age or has not been employed for at least two consecutive months and performs no more than 1,040 hours of paid service annually. Such member will not receive any additional service credit for such time worked. It should be noted that this provision would not apply to persons hired as independent contractors, provided the member meets certain criteria as noted in the Code section.

This legislation would not result in any additional cost to the Employees' Retirement System. Instead, the System may generate revenue since employers would be required to pay both the employee and employer contribution for any retired member that is rehired. There would be no increase in the employer contribution rate or the unfunded actuarial accrued liability of the Employees' Retirement System because of this legislation. The estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost of this legislation. Any future costs would be paid through State appropriations.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the Senate Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ _____
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u>N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u>0</u>
(5)	The employer contribution rate currently in effect for Non-GSEPS Members.	<u>24.66% *</u>
(6)	The employer contribution rate recommended for Non-GSEPS Members (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>24.66%</u>
(7)	The employer contribution rate currently in effect for GSEPS Members.	<u>21.66%*</u>
(8)	The employer contribution rate recommended for GSEPS Members (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>21.66%</u>
(9)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u>0**</u>

**This rate represents the employer contribution rate that has been recommended by the actuary beginning July 1, 2018 in order to meet the minimum funding standards.*

***Although this legislation will not result in any additional cost to the Employees' Retirement System, this legislation would result in additional costs to the employers. Under the provisions of this bill, the revenue generated for the System would be funded by employers who would be required to pay the employer and employee contributions of rehired retirees. Based on the current salaries of rehired retirees, the System estimates receiving an additional \$5.6 million from employee and employer contributions.*

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	E Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 294, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

Feb. 26, 2018

Due to business outside the Senate Chamber, I missed the vote on SB 294. Had I been present, I would have voted "yes".

/s/ Tonya Anderson
District 43

SB 324. By Senators Albers of the 56th, Beach of the 21st and Thompson of the 14th:

A BILL to be entitled an Act to amend Code Section 32-4-112 of the Official Code of Georgia Annotated, relating to contracts with state agencies and adjoining counties, so as to provide that municipalities may contract with abutting counties for the construction and maintenance of bridges within the limits of such municipalities and counties; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
N Ginn	E Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson

Y Harper
N Heath
Y Henson
Y Hill

Y Miller
Y Mullis
Y Orrock
Y Parent

Y Wilkinson
Y Williams, M
Y Williams, N

On the passage of the bill, the yeas were 50, nays 2.

SB 324, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

26 Feb. 2018

Due to business outside the Senate Chamber, I missed the vote on SB 324. Had I been present, I would have voted "yes".

/s/ Horacena Tate
District 38

SR 821. By Senators Martin of the 9th, Jackson of the 2nd, Watson of the 1st, Jones II of the 22nd and Dugan of the 30th:

A RESOLUTION recognizing Augusta as an official Cyber Security and Information Technology Innovation Corridor and Savannah as an official Logistics Technology Innovation Corridor in Georgia; and for other purposes.

The Senate Committee on Rules offered the following substitute to SR 821:

A RESOLUTION

Designating the Fort Gordon Cyber Security and Information Technology Innovation Corridor and the Savannah Logistics Technology Innovation Corridor as official technology innovation corridors in Georgia; and for other purposes.

WHEREAS, Georgia's economy would greatly benefit from further growth in the information technology arena; and

WHEREAS, it is highly desirable to review current state incentives as well as opportunities for future incentives for technology growth; and

WHEREAS, it would be beneficial to establish specific information technology corridors in this state, and such corridors would directly foster the growth of information technology and innovation through local collaboration among universities, hospitals, and logistics hubs; and

WHEREAS, it would be advantageous for official corridors to be established for the pursuit of state and federal grants; and

WHEREAS, the Fort Gordon Cyber Security and Information Technology Innovation Corridor shall encompass the counties of Augusta-Richmond, Burke, Columbia, Lincoln, and McDuffie; and

WHEREAS, the Savannah Logistics Technology Innovation Corridor shall extend one mile along each side of Interstate 16 from the Pooler Parkway to Stiles Avenue, and one mile out along each side of Interstate 95 from the Jimmy DeLoach Parkway to U.S. 17.

NOW, THEREFORE, BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA that the members of this body designate the Fort Gordon Cyber Security and Information Technology Innovation Corridor and the Savannah Logistics Technology Innovation Corridor as official technology innovation corridors in the State of Georgia.

BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed to make appropriate copies of this resolution available for distribution to the public and the press.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the adoption of the resolution by substitute, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson

Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 51, nays 0.

SR 821, having received the requisite constitutional majority, was adopted by substitute.

SR 794. By Senators Miller of the 49th, Gooch of the 51st, Wilkinson of the 50th, Ginn of the 47th, Unterman of the 45th and others:

A RESOLUTION creating the Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	N Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 47, nays 2.

SR 794, having received the requisite constitutional majority, was adopted.

Senator Thompson of the 5th was excused for business outside the Senate Chamber.

SB 350. By Senators Walker III of the 20th, Jones of the 25th, Shafer of the 48th, Harbison of the 15th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Code Section 33-39-5 of the Official Code of Georgia Annotated, relating to transactions requiring notice of information practices, form and content of notice, abbreviated notice, and satisfaction of obligations by another institution or agent, so as to update notice practices requirements by an insurance institution or agent to applicants or policyholders in the case of policy renewal to comport with federal law; to repeal conflicting laws; and for other purposes.

The Senate Committee on Insurance and Labor offered the following substitute to SB 350:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 33-39-5 of the Official Code of Georgia Annotated, relating to transactions requiring notice of information practices, form and content of notice, abbreviated notice, and satisfaction of obligations by another institution or agent, so as to update notice practices requirements by an insurance institution or agent to applicants or policyholders in the case of policy renewal to comport with federal law; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 33-39-5 of the Official Code of Georgia Annotated, relating to transactions requiring notice of information practices, form and content of notice, abbreviated notice, and satisfaction of obligations by another institution or agent, is amended by revising paragraph (2) of subsection (a) as follows:

"(2) In the case of a policy renewal, a notice shall be provided no later than the policy renewal date, except that no notice shall be required in connection with a policy renewal if:

(A) ~~Personal information is collected only from the policyholder or from public records; or~~ Nonpublic personal information is provided to nonaffiliated third parties only in accordance with this chapter; and

(B) ~~A notice meeting the requirements of this Code section has been given within the previous 24 months~~ The information collection or sharing practices of the insurance institution or agent relating to nonpublic personal information have not changed since the last notice of such information practices was given to the policyholder in accordance with this chapter;"

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
E Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 350, having received the requisite constitutional majority, was passed by substitute.

At 12:21 p.m. the President announced that the Senate would stand at ease until 1:00 p.m.

At 1:12 p.m. the President called the Senate to order.

Senator McKoon of the 29th was excused for business outside the Senate Chamber.

The Calendar was resumed.

SB 334. By Senators Unterman of the 45th, Miller of the 49th and Shafer of the 48th:

A BILL to be entitled an Act to amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to transfer the Georgia Board of Nursing from the jurisdiction of the Secretary of State to the Department of Community Health for administrative purposes only; to provide for a definition; to provide for the powers and duties of the board; to authorize the board to appoint an executive director; to provide for the powers and duties of such executive director; to revise certain provisions related to the division director; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 1.

SB 334, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

2/26/18

Due to business outside the Senate Chamber, I missed the vote on SB 334. Had I been present, I would have voted "yes".

/s/ Butch Miller
District 49

Senator Tate of the 38th was excused for business outside the Senate Chamber.

SB 355. By Senators Hufstetler of the 52nd, Millar of the 40th, Tippins of the 37th, Kirk of the 13th, Parent of the 42nd and others:

A BILL to be entitled an Act to amend Code Section 46-2-25 of the Official Code of Georgia Annotated, relating to procedure for changing any rate, charge, classification, or service and recovery of financing costs, so as to change certain provisions relating to the recovery of the costs of financing the construction of a nuclear generating plant; to prohibit the recovery of financing costs from certain customers; to provide for reimbursement of financing costs; to provide for applicability; to provide the accounting method to be used in the event the scheduled date for commercial operation of such plant is exceeded; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 355:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 46-2-25 of the Official Code of Georgia Annotated, relating to procedure for changing any rate, charge, classification, or service and recovery of financing costs, so as to change the applicability of certain provisions relating to the recovery of the costs of financing the construction of a nuclear generating plant; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 46-2-25 of the Official Code of Georgia Annotated, relating to procedure for changing any rate, charge, classification, or service and recovery of financing costs, is amended by revising paragraph (1) of subsection (c.1) as follows:

"(c.1)(1) Notwithstanding any provision to the contrary, a utility shall recover from

its customers, as provided in this subsection, the costs of financing associated with the construction of a nuclear generating plant which has been certified by the commission prior to January 1, 2018. The financing charges shall accrue on all applicable certified costs as they are recorded in the utility's construction work in progress accounts pursuant to generally accepted accounting and regulatory principles as approved by the commission. The financing costs shall be based on the utility's actual cost of debt, as reflected in its annual surveillance report filed with the commission, and based on the authorized cost of equity capital and capital structure as determined by the commission when setting the utility's current base rates. These financing costs shall be recovered from each customer through a separate rate tariff and allocated on an equal percentage basis to standard base tariffs which are designed to collect embedded capacity costs. The commission shall retain the discretion to consider the effect of this tariff when setting the level of any senior or low income assistance it may authorize; provided, however, that the income qualification for such assistance shall be 200 percent of the federal poverty level."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
N Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 2.

SB 355, having received the requisite constitutional majority, was passed by substitute.

SB 376. By Senators Shafer of the 48th, Kirk of the 13th, Albers of the 56th, Thompson of the 14th, Heath of the 31st and others:

A BILL to be entitled an Act to amend Article 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

SB 376, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

26 Feb 18

Due to business outside the Senate Chamber, I missed the vote on SB 376. Had I been present, I would have voted "yea".

/s/ Mike Dugan
District 30

2/26/18

Due to business outside the Senate Chamber, I missed the vote on SB 376. Had I been present, I would have voted "yes".

/s/ Fran Millar
District 40

SB 406. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to enact the "Georgia Long-term Care Background Check Program" and to promote public safety and provide for comprehensive criminal background checks for owners, applicants for employment, and employees providing care or owning a personal care home, assisted living community, private home care provider, home health agency, hospice care, nursing home, skilled nursing facility, or an adult day care as recommended by the Georgia Council on Criminal Justice from liability; to amend Article 1 of Chapter 2 of Title 49 of the O.C.G.A., relating to general provisions for the Department of Human Services; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Public Safety offered the following substitute to SB 406:

A BILL TO BE ENTITLED
AN ACT

To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to enact the "Georgia Long-term Care Background Check Program" and to promote public safety and provide for comprehensive criminal background checks for owners, applicants for employment, and employees providing care or owning a personal care home, assisted living community, private home care provider, home health agency, hospice care, nursing

home, skilled nursing facility, or an adult day care as recommended by the Georgia Council on Criminal Justice Reform; to repeal conflicting provisions relating to criminal background checks of such individuals and facilities; to provide for definitions; to require facilities to conduct a search of applicable registries for owners, applicants, and employees prior to a criminal background check; to provide the Department of Community Health the authority to conduct national fingerprint based criminal background checks; to provide for an appeal process when an owner, applicant, or employee has been disqualified from licensure or employment; to provide for civil penalties for not terminating an employee with an unsatisfactory criminal background check; to provide for application form notice; to provide for immunity from liability; to provide for rules and regulations; to provide the Department of Community Health with authority over matters relating to facility licensing and employee records checks; to establish a caregiver's registry to allow certain employers access to criminal background checks conducted by the department; to provide for procedure; to provide for an appeal process; to provide for immunity from liability; to provide a purpose and intent statement; to amend Article 1 of Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to general provisions for the Department of Human Services, so as to provide for conforming cross-references; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by repealing Code Section 31-2-9, relating to records check requirement for certain facilities, definitions, use of information gathered in investigation, penalties for unauthorized release or disclosure, and rules and regulations, and designating said Code section as reserved.

SECTION 1-2.

Said title is further amended by revising Code Section 31-7-12.3, relating to adoption of rules and regulations, as follows:

"31-7-12.3.

The department shall adopt rules and regulations to implement Code Sections 31-7-12 and 31-7-12.2. Such rules and regulations shall establish meaningful distinctions between the levels of care provided by personal care homes, assisted living communities, and nursing homes but shall not curtail the scope or levels of services provided by personal care homes or nursing homes as of June 30, 2011; provided, however, that nothing in this chapter shall preclude the department from issuing waivers or variances to personal care homes of the rules and regulations established pursuant to this Code section. Notwithstanding Code Section ~~31-2-9~~ or 31-7-12.2, the

department shall not grant a waiver or variance unless:

- (1) There are adequate standards affording protection for the health and safety of residents of the personal care home;
- (2) The resident of the personal care home provides a medical assessment conducted by a licensed health care professional who is unaffiliated with the personal care home which identifies the needs of the resident; and
- (3) The department finds that the personal care home can provide or arrange for the appropriate level of care for the resident."

SECTION 1-3.

Said title is further amended by repealing in its entirety Article 11 of Chapter 7, relating to facility licensing and employee records checks, and designating said article as reserved.

SECTION 1-4.

Said title is further amended by revising Article 14 of Chapter 7, relating to nursing homes employee records checks, as follows:

"ARTICLE 14

31-7-350.

(a) This article shall be known and may be cited as the 'Georgia Long-term Care Background Check Program.'

(b) The purpose of this article is to establish the minimum standards for the Georgia Long-term Care Background Check Program for conducting criminal background checks of owners, applicants for employment, and direct access employees at certain facilities.

31-7-351.

As used in this article, the term:

(1) 'Applicant' means an individual applying to be a direct access employee at a facility.

~~(1)(2)~~ (2) 'Conviction' means a finding or verdict of guilty or a plea of guilty regardless of whether an appeal of the conviction has been sought.

~~(2)(3)~~ (3) 'Crime' means commission of an offense which constitutes a felony with respect to the following:

(A) Any of the following offenses:

~~(A) A violation of Code Section 16-5-21;~~

~~(B) A violation of Code Section 16-5-24;~~

~~(C) A violation of Code Section 16-6-1;~~

~~(D) A violation of Code Section 16-8-2;~~

~~(E) A violation of Code Section 16-8-3;~~

~~(F) A violation of Code Section 16-8-4;~~

- ~~(G)~~ A violation of Code Section 16-5-1;
- ~~(H)~~ A violation of Code Section 16-4-1;
- ~~(I)~~ A violation of Code Section 16-8-40;
- ~~(J)~~ A violation of Code Section 16-8-41;
- ~~(K)~~ A felony violation of Code Section 16-9-1;
- ~~(L)~~ A violation of Article 8 of Chapter 5 of Title 16;
- ~~(M)~~ A violation of Chapter 13 of Title 16; or
- ~~(i)~~ A violation of Code Section 16-5-70;
- ~~(ii)~~ A violation of Code Section 16-5-101;
- ~~(iii)~~ A violation of Code Section 16-5-102;
- ~~(iv)~~ A violation of Code Section 16-6-4;
- ~~(v)~~ A violation of Code Section 16-6-5;
- ~~(vi)~~ A violation of Code Section 16-6-5.1; or
- ~~(vii)~~ A violation of Code Section 30-5-8;
- ~~(B)~~ A felony violation of:
- ~~(i)~~ Chapter 5, 6, 8, 9, or 13 of Title 16;
- ~~(ii)~~ Code Section 16-4-1;
- ~~(iii)~~ Code Section 16-7-2; or
- ~~(iv)~~ Subsection (f) of Code Section 31-7-12.1; or
- ~~(N)~~~~(C)~~ Any other offense committed in another jurisdiction which, if committed in this state, would be deemed to ~~be such a crime~~ constitute an offense identified in this paragraph without regard to its designation elsewhere.
- (4) 'Criminal background check' means a search of the criminal records maintained by GCIC and the Federal Bureau of Investigation to determine whether an owner, applicant, or employee has a criminal record.
- ~~(3)~~~~(5)~~~~(A)~~ 'Criminal record' means any of the following ~~which have reached final disposition within ten years of the date the criminal record check is conducted~~:
- ~~(A)~~~~(i)~~ Conviction of a crime;
- ~~(B)~~~~(ii)~~ Arrest, charge, and sentencing for a crime ~~where~~ when:
- ~~(i)~~~~(I)~~ A plea of nolo contendere was entered to the ~~charge~~ crime;
- ~~(ii)~~~~(II)~~ First offender treatment without adjudication of guilt ~~pursuant to the charge~~ was granted to the crime; or
- ~~(iii)~~~~(III)~~ Adjudication or sentence was otherwise withheld or not entered ~~on~~ for the charge crime; or
- ~~(C)~~~~(iii)~~ Arrest and charges for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to Chapter 3 of Title 17.
- (B) Such term shall not include an owner, applicant, or employee for which at least ten years have elapsed from the date of his or her criminal background check since the completion of all of the terms of his or her sentence; provided, however, that such ten-year period or exemption shall never apply to any offense identified in subsection (j) of Code Section 42-8-60.
- (6) 'Direct access' means having, or expecting to have, duties that involve routine personal contact with a patient, resident, or client, including face-to-face contact,

hands-on physical assistance, verbal cuing, reminding, standing by or monitoring or activities that require the person to be routinely alone with the patient's, resident's, or client's property or access to such property or financial information such as the patient's, resident's, or client's checkbook, debit and credit cards, resident trust funds, banking records, stock accounts, or brokerage accounts.

~~(4) 'Employment applicant' means any person seeking employment by a nursing home. This term shall not include persons employed by the nursing home prior to July 1, 1995.~~

(7) 'Employee' means any individual who has direct access and who is hired by a facility through employment, or through a contract with such facility, including, but not limited to, housekeepers, maintenance personnel, dieticians, and any volunteer who has duties that are equivalent to the duties of an employee providing such services. Such term shall not include an individual who contracts with the facility, whether personally or through a company, to provide utility, construction, communications, accounting, quality assurance, human resource management, information technology, legal, or other services if the contracted services are not directly related to providing services to a patient, resident, or client of the facility. Such term shall not include any health care provider, including, but not limited to, physicians, dentists, nurses, and pharmacists who are licensed by the Georgia Composite Medical Board, the Georgia Board of Dentistry, the Georgia Board of Nursing, or the State Board of Pharmacy.

(8) 'Facility' means:

(A) A personal care home required to be licensed or permitted under Code Section 31-7-12;

(B) An assisted living community required to be licensed under Code Section 31-7-12.2;

(C) A private home care provider required to be licensed under Article 13 of this chapter;

(D) A home health agency as licensed pursuant to Code Section 31-7-151;

(E) A provider of hospice care as licensed pursuant to Code Section 31-7-173;

(F) A nursing home, skilled nursing facility, or intermediate care home licensed pursuant to rules of the department; or

(G) An adult day care facility licensed pursuant to rules of the department.

(9) 'Fingerprint records check determination' means a satisfactory or unsatisfactory determination by the department based upon fingerprint based national criminal history information.

~~(5)~~(10) 'GCIC' means the Georgia Crime Information Center established under Article 2 of Chapter 3 of Title 35.

(11) 'License' means the document issued by the department to authorize a facility to operate.

~~(6) 'Nursing home' or 'home' means a home required to be licensed or permitted as a nursing home under the provisions of this chapter.~~

(12) 'Owner' in the context of a nursing home or intermediate care home means an

individual who is not an 'excluded party' as such term is defined in Code Section 31-7-3.3, otherwise such term means an individual or any person affiliated with a corporation, partnership, or association with 10 percent or greater ownership interest in a facility who performs one or more of the following:

- (A) Purports to or exercises authority of a facility;
- (B) Applies to operate or operates a facility;
- (C) Maintains an office on the premises of a facility;
- (D) Resides at a facility;
- (E) Has direct access at a facility;
- (F) Provides direct personal supervision of facility personnel by being immediately available to provide assistance and direction when such facility services are being provided; or
- (G) Enters into a contract to acquire ownership of a facility.

(13) 'Records check application' means fingerprints in such form and of such quality as prescribed by GCIC under standards adopted by the Federal Bureau of Investigation and a records search fee to be established by the department by rule and regulation, payable in such form as the department may direct to cover the cost of obtaining a criminal background check.

(14) 'Registry check' means a review of the nurse aide registry provided for in Code Section 31-2-14, the state sexual offender registry, and the List of Excluded Individuals and Entities as authorized in Sections 1128 and 1156 of the federal Social Security Act, as it existed on February 1, 2018, or any other registry useful for the administration of this article as specified by rules of the department.

~~(7)~~(15) 'Satisfactory determination' means a written determination by a nursing home that a person that an individual for whom a record criminal background check was performed was found to have no criminal record.

~~(8)~~(16) 'Unsatisfactory determination' means a written determination by a nursing home that a person that an individual for whom a record criminal background check was performed was found to have a criminal record.

~~31-7-351.~~

~~(a) Prior to hiring an employment applicant, each nursing home shall request a criminal record check from GCIC to determine whether the applicant has a criminal record. A nursing home shall make a written determination for each applicant for whom a criminal record check is performed. A nursing home shall not employ a person with an unsatisfactory determination.~~

~~(b) Any request for a criminal record check under this Code section shall be on a form approved by GCIC and submitted in person, by mail, or by facsimile request to any county sheriff or municipal law enforcement agency having access to GCIC information. The fee shall be no greater than the actual cost of processing the request. The law enforcement agency receiving the request shall perform a criminal record check for a nursing home within a reasonable time but in any event within a period not to exceed three days of receiving the request.~~

~~(e) Each application form provided by the employer to the employment applicant shall conspicuously state the following: 'FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A CRIMINAL RECORD CHECK AS A CONDITION OF EMPLOYMENT.'~~

31-7-352.

~~(a) Neither GCIC nor any law enforcement agency providing GCIC information pursuant to this article shall be responsible for the accuracy of information or have any liability for defamation, invasion of privacy, negligence, or any other claim in connection with any dissemination of information or determination based thereon pursuant to this article.~~

~~(b) A nursing home, its administrator, and its employees shall have no liability for wrongful discharge, unemployment security benefits, or any other claim based upon:~~

~~(1) Refusal to employ any person with a criminal record;~~

~~(2) Termination of employment of persons with a criminal record already employed by the home; or~~

~~(3) Other action taken in good faith reliance upon GCIC information received pursuant to this article.~~

(a) A registry check of an owner, applicant, or employee shall be required prior to a criminal background check and shall be initiated by the applicable facility. A registry check shall be performed by such facility and may include reviewing registries of any other states in which the applicant previously resided. If an applicant has not resided in this state for at least two years, the facility shall conduct registry checks of each state in which the applicant resided for the previous two years, as represented by such applicant or as otherwise determined by the applicable facility.

(b) If applicable to an owner, applicant, or employee, a query of available information maintained by the Georgia Composite Medical Board, the Secretary of State, or other applicable licensing boards shall be conducted prior to a criminal background check to validate that such individual's professional license is in good standing.

(c) Except as provided in subsection (c) of Code Section 31-7-359, nothing in this Code section shall be construed to limit the responsibility or ability of a facility to screen owners, applicants, or employees through additional methods.

31-7-353.

~~A nursing home that hires an applicant for employment with a criminal record shall be liable for a civil monetary penalty in the amount of the lesser of \$2,500.00 or \$500.00 for each day that a violation of subsection (a) of Code Section 31-7-351 occurs. The daily civil monetary penalty shall be imposed only from the time the nursing home administrator knew or should have known that the nursing home has in its employ an individual with a criminal record and until the date such individual is terminated.~~

(a) Accompanying any application for a new license, the candidate facility shall furnish to the department a records check application for each owner and each applicant and employee. In lieu of such records check application, such facility may submit evidence,

satisfactory to the department, that within the immediately preceding 12 months each owner, applicant, or employee received a satisfactory determination that includes a records check clearance date that is no more than 12 months old, or that any owner, applicant, or employee whose fingerprint records check determination revealed a criminal record of any kind has subsequently received a satisfactory determination.

(b) On or before January 1, 2021, each owner and employee of a currently licensed facility shall furnish to the department a records check application. In lieu of such records check application, a facility may submit evidence, satisfactory to the department, that within the immediately preceding 12 months each owner and employee received a satisfactory determination.

(c) Upon receipt of fingerprints submitted pursuant to a record check application, GCIC shall promptly transmit the fingerprints to the Federal Bureau of Investigation for a search of bureau records and shall promptly conduct a search of its own records and records to which it has access. Within ten days after receiving fingerprints acceptable to GCIC, it shall notify the department in writing of any criminal record or if there is no such finding. After a search of Federal Bureau of Investigation records and fingerprints and upon receipt of the bureau's report, the department shall make a determination about an owner's, applicant's, or employee's criminal record.

(d) Neither GCIC, the department, any law enforcement agency, nor the employees of any such entities shall be responsible for the accuracy of information nor have any liability for defamation, invasion of privacy, negligence, or any other claim in connection with any dissemination of information or determination based thereon pursuant to this Code section.

(e) All information received from the Federal Bureau of Investigation or GCIC shall be used exclusively for employment or licensure purposes and shall not be released or otherwise disclosed to any other person or agency. All such information collected by the department shall be maintained by the department pursuant to laws regarding and rules or regulations of the Federal Bureau of Investigation and GCIC, as is applicable. Penalties for the unauthorized release or disclosure of any such information shall be as prescribed pursuant to laws regarding and rules or regulations of the Federal Bureau of Investigation and GCIC, as is applicable.

31-7-354.

(a) An applicant seeking employment with a facility or a current employee at such facility shall consent to a national and state background check that includes a registry check, a check of information maintained by a professional licensing board, if applicable, and a criminal background check.

(b)(1) An individual required to submit to a registry check and criminal background check shall not be employed by, contracted with, or allowed to work as an employee at a facility if:

(A) The individual appears on a registry check;

(B) There is a substantiated finding of neglect, abuse, or misappropriation of property by a state or federal agency pursuant to an investigation conducted in

accordance with 42 U.S.C. Section 1395i-3 or 1396r as it existed on February 1, 2018;

(C) The individual's professional license, if applicable, is not in good standing; or

(D) The facility receives notice from the department that the individual has been found to have an unsatisfactory determination.

(2) An individual whose professional license is not in good standing may be employed by a facility in a position wherein his or her duties do not require professional licensure, provided that he or she provides a fingerprint record check determination in the same manner as an applicant.

(c) An owner, applicant, or employee may:

(1) Obtain information concerning the accuracy of his or her criminal record, and the department shall refer such individual to the appropriate state or federal law enforcement agency that was involved in the arrest or conviction;

(2) Challenge the finding that he or she is the true subject of the results from a registry check, and the department shall refer such individual to the agency responsible for maintaining such registry; and

(3) Appeal his or her disqualifying unsatisfactory determination pursuant to Code Section 31-7-358.

31-7-355.

(a) A personnel file for each employee shall be maintained by the applicable facility. Such files shall be available for inspection by the appropriate enforcement authorities but shall otherwise be maintained to protect the confidentiality of the information contained therein and shall include, but not be limited to, evidence of each employee's satisfactory determination, registry check, and licensure check, if applicable.

(b)(1) As used in this paragraph, the term:

(A) 'Abuse' means the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain, or mental anguish. Such term includes the deprivation by an individual of goods or services that are necessary to attain or maintain physical, mental, and psychosocial well-being. Such term includes verbal abuse, sexual abuse, physical abuse, and mental abuse, including abuse, facilitated or enabled through the use of technology.

(B) 'Willful' means acting deliberately, not that there is an intention to inflict injury or harm.

(2) The department may require a criminal background check on any owner of or employee at a facility during the course of an abuse investigation involving such owner or employee or if the department receives information that such owner or employee was arrested for a crime. In such instances, the department shall require the owner or employee to furnish two full sets of fingerprints which the department shall submit to GCIC together with appropriate fees collected from the owner or employee. Upon receipt thereof, GCIC shall promptly transmit one set of fingerprints to the Federal Bureau of Investigation for a search of bureau records and an appropriate report and shall retain the other set and promptly conduct a search of its own records

and records to which it has access. GCIC shall notify the department in writing of any unsatisfactory finding, including but not limited to any criminal record obtained through the fingerprint records check determination or if there is no such finding.

(3) When the department determines that an applicant or employee has an unsatisfactory determination, the department shall notify the facility that such applicant or employee is ineligible to hire or employ and the facility shall take the necessary steps so that such employee is no longer employed at the facility; provided, however, that a facility may retain a current employee during the period of his or her administrative appeal.

(4) When the department determines that an owner has an unsatisfactory determination, the department shall notify such owner of the ineligible status for ownership and shall take the necessary steps to revoke the facility's license.

(5) An owner, applicant, or employee may appeal their disqualifying unsatisfactory determination pursuant to Code Section 31-7-358.

31-7-356.

A facility that does not terminate an employee who has been found to have an unsatisfactory determination or failed a registry check shall be liable for a civil monetary penalty in the amount of the lesser of \$10,000.00 or \$500.00 for each day that a violation occurs. The daily civil monetary penalty shall be imposed only from the time the facility knew or should have known that it employed an individual with a criminal record and until the date such individual's employment is terminated.

31-7-357.

Each application form provided by a facility to an applicant shall conspicuously state the following: 'FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT.'

31-7-358.

(a)(1) An owner of a facility with an unsatisfactory determination or whose name appears on a registry check shall not operate or hold a license, and the department shall revoke the license of any owner operating such facility or refuse to issue a license to any owner operating such facility if such owner has an unsatisfactory determination or is on a registry check.

(2) Prior to approving any license for a facility and periodically as established by the department by rule, the department shall require each owner and employee to submit to a registry check and criminal background check pursuant to Code Sections 31-7-352 and 31-7-353.

(3)(A) An employee or applicant who received an unsatisfactory determination or whose name appears on a registry check shall be eligible to appeal such determination pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(B) In a hearing held pursuant to subparagraph (A) of this paragraph, the hearing officer shall consider in mitigation the length of time since the crime was committed, the absence of additional criminal charges, the circumstances surrounding the commission of the crime, and other indicia of rehabilitation.

(4)(A) The department's determination regarding an owner's unsatisfactory criminal background check, or any action by the department revoking or refusing to grant a license based on such determination, shall constitute a contested case for purposes of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' except that any hearing required to be held pursuant thereto may be held reasonably expeditiously after such determination or action by the department.

(B) In a hearing held pursuant to subparagraph (A) of this paragraph, the hearing officer shall consider in mitigation the length of time since the crime was committed, the absence of additional criminal charges, the circumstances surrounding the commission of the crime, other indicia of rehabilitation, the facility's history of compliance with the regulations, and the owner's involvement with the licensed facility in arriving at a decision as to whether the criminal record requires the denial or revocation of the license to operate the facility. When a hearing is required, at least 30 days prior to such hearing, the hearing officer shall notify the office of the prosecuting attorney who initiated the prosecution of the crime in question in order to allow the prosecuting attorney to object to a possible determination that the conviction would not be a bar for the grant or continuation of a license as contemplated within this Code section. If objections are made, the hearing officer shall take such objections into consideration.

(b) The requirements of this Code section are supplemental to any requirements for a license imposed by Article 1 of Chapter 7 of Title 31.

31-7-359.

(a) No person, including the department, a facility, or an individual acting on behalf of such entities, shall be liable for civil damages or be subject to any claim, demand, cause of action, or proceeding of any nature as a result of actions taken in good faith to comply with this article, including the disqualification of an applicant from employment on the basis of a disqualifying crime.

(b)(1) A facility that has obtained a satisfactory determination on an owner, applicant, or employee in accordance with this article, or confirmation that such owner, applicant, or employee has obtained a favorable final appeal decision under Code Section 31-7-358, shall be immune from liability for claims of negligent hiring when such claims are based upon the criminal record of such owner, applicant, or employee, even when the information contained in the criminal background check used by the department is later determined to have been incomplete or inaccurate; provided, however, that such immunity shall not preclude the liability of a facility concerning claims based on information beyond the scope of the criminal record and satisfactory determination about the owner, applicant, or employee which the facility knew or should have known.

(2) When a facility has obtained a satisfactory determination on an owner, applicant, or employee, there shall be a rebuttable presumption of due care for claims related to negligent hiring, negligent retention, or other similar claims as they relate to an owner's applicant's, or employee's criminal record.

(c) Nothing in this article shall require a facility to conduct any other type of criminal history check of an owner, applicant, or employee, and a facility shall not be held liable for claims of negligent hiring, negligent retention, or other similar claims based solely or in part on its failure to conduct other types of criminal history checks.

(d) Nothing in this article shall be construed to waive the sovereign immunity of the state, the department, or any other entity of the state.

31-7-360.

The Department of Community Health shall be authorized to enforce this article and to department shall promulgate written rules and regulations related to the requirements and implementation of this article.

31-7-361.

(a) Effective July 1, 2009, all matters relating to facility licensing and employee criminal background checks for personal care homes pursuant to Article 11 of this chapter as it existed on June 30, 2009, shall be transferred from the Department of Human Services to the department.

(b) The rights, privileges, entitlements, and duties of parties to contracts, leases, agreements, and other transactions entered into before July 1, 2009, by the Department of Human Resources which relate to the functions transferred to the department pursuant to this Code section shall continue to exist; and none of these rights, privileges, entitlements, and duties are impaired or diminished by reason of the transfer of the functions to the department. In all such instances, the department shall be substituted for the Department of Human Resources, and the department shall succeed to the rights and duties under such contracts, leases, agreements, and other transactions.

(c) All persons employed by the Department of Human Resources in capacities which relate to the functions transferred to the department pursuant to this Code section on June 30, 2009, shall, on July 1, 2009, become employees of the department in similar capacities, as determined by the commissioner of community health. Such employees shall be subject to the employment practices and policies of the department on and after July 1, 2009, but the compensation and benefits of such transferred employees shall not be reduced as a result of such transfer. Employees who are subject to the rules of the State Personnel Board and who are transferred to the department shall retain all existing rights under such rules. Retirement rights of such transferred employees existing under the Employees' Retirement System of Georgia or other public retirement systems on June 30, 2009, shall not be impaired or interrupted by the transfer of such employees and membership in any such retirement system shall continue in the same status possessed by the transferred employees on June 30, 2009. Accrued annual and sick leave possessed by said employees on June 30, 2009, shall be retained by said employees as employees of the department."

SECTION 1-5.

Said title is further amended by adding a new article to read as follows:

"ARTICLE 14A**31-7-380.**

The purpose of this article is to enable employers who are family members or guardians of elderly persons to obtain an employment eligibility determination from the department for applicants who are seeking to provide and employees who are providing personal care services to their family members or wards. It is the intent of the General Assembly to allow the department to establish and maintain a caregiver registry so as to provide such employers with access to employment eligibility determinations conducted by the department in a similar manner as licensed facilities receive employment determinations as provided in Article 14 of this chapter.

31-7-381.

As used in this article, the term:

- (1) 'Applicant' means an individual applying to provide personal care services to an elderly person in a residence or location not licensed by the department.
- (2) 'Criminal background check' means a search of the criminal records maintained by Georgia Crime Information Center and the Federal Bureau of Investigation to determine whether an applicant or employee has a criminal record.
- (3) 'Elderly person' means an individual who is 65 years of age or older.
- (4) 'Employee' means any individual who is providing personal care services to an elderly person in a residence or location not licensed by the department.
- (5) 'Employer' means an individual who is considering an applicant or has hired an employee for a family member or ward.
- (6) 'Family member' means an individual with a close familial relationship, including, but not limited to, a spouse, parent, sibling, or grandparent.
- (7) 'Personal care services' means home care, health care, companionship, or transportation and includes, but is not limited to, providing assistance with bathing, eating, dressing, walking, shopping, fixing meals, and housework.
- (8) 'Registry check' means a review of the nurse aide registry provided for in Code Section 31-2-14, the state sexual offender registry, and the List of Excluded Individuals and Entities as authorized in Sections 1128 and 1156 of the federal Social Security Act, as it existed on February 1, 2018, or any other registry useful for the administration of this article as specified by rules of the department.
- (9) 'Ward' means an elder person for whom a guardian has been appointed pursuant to Title 29.

31-7-382.

The department may establish and maintain a central caregiver registry which shall be accessible to employers as a data base operated by the department that contains

information on eligible and ineligible applicants and employees as determined by the department from criminal background checks and registry checks conducted on behalf of facilities as provided in Article 14 of this chapter and criminal background checks and registry checks conducted on behalf of employers as provided in this article.

31-7-383.

(a) The department shall allow an employer to inquire with the department about the eligibility or ineligibility for employment as if the applicant or employee were applying to work or working in one of the facilities licensed under Article 14 of this chapter so long as the applicant or employee agrees to such request, provides his or her fingerprints as set forth in Article 14 of this chapter, and consents to the inclusion of the results in the caregiver registry. Any fees associated with such check shall be paid by the employer, applicant, or employee.

(b) An employer shall be responsible for all employment decisions made based on the eligible or ineligible employment determination provided to the employer from the department.

31-7-384.

An applicant or employee who receives a determination of ineligibility for employment from the department shall be eligible to appeal such determination by requesting, in writing, an administrative review by the department. The department shall promulgate rules and regulations in order to implement this Code section. The department shall maintain the specifics of the employment determination in the same manner as required by subsection (e) of Code Section 31-7-353.

31-7-385.

No person, including the department, an employer, or an individual acting on behalf of such entities, shall be liable for civil damages or be subject to any claim, demand, cause of action, or proceeding of any nature as a result of actions taken in good faith to comply with this article, including the disqualification of an applicant or employee from employment on the basis of the results of a criminal background check or registry check.

31-7-386.

Except as provided in Code Section 31-7-384, the department shall promulgate rules and regulations related to the requirements and implementation of this article."

PART II

SECTION 2-1.

Article 1 of Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to general provisions for the Department of Human Services, is amended by revising subsection (e) of Code Section 49-2-14, relating to record search for conviction data on prospective employees, as follows:

"(e) Notwithstanding ~~the provisions of~~ subsection (c) of this Code section, when a contractor to this department is a personal care home, ~~the provisions of Code Sections 31-7-250 through 31-7-264~~ Article 14 of Chapter 7 of Title 31 shall apply."

SECTION 2-2.

Said article is further amended by revising subsection (e) of Code Section 49-2-14.1, relating to definitions and records check requirement for licensing certain facilities, as follows:

"(e) The requirements of this Code section are supplemental to any requirements for a license imposed by Article 3 of Chapter 5 of this title or Article ~~44~~ 14 of Chapter 7 of Title 31."

PART III SECTION 3-1.

This Act shall become effective on October 1, 2019.

SECTION 3-2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson

Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 1.

SB 406, having received the requisite constitutional majority, was passed by substitute.

SB 407. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to provide for comprehensive reform for offenders; to amend Title 15 and Chapter 6A of Title 35 of the O.C.G.A., relating to courts and the Criminal Justice Coordinating Council; to amend Title 17, Code Section 24-4-609, Chapter 5 of Title 40, Title 42, and Code Section 43-1-19 of the O.C.G.A., relating to criminal procedure, impeachment by evidence of conviction of a crime, drivers' licenses, penal institutions, and grounds for refusing to grant or revoking professional licenses; to amend Chapter 2 of Title 31 and Chapter 4 of Title 49 of the O.C.G.A., relating to the Department of Community Health and public assistance; to amend Title 16 of the O.C.G.A., relating to crimes and offenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 407:

A BILL TO BE ENTITLED
AN ACT

To provide for comprehensive reform for offenders entering, proceeding through, and leaving the criminal justice system so as to promote an offender's successful reentry into society, benefit the public, and enact reforms recommended by the Georgia Council on Criminal Justice Reform; to amend Title 15 and Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to courts and the Criminal Justice Coordinating Council, respectively, so as to provide for electronic filing in criminal cases and data collection and exchange in criminal and certain juvenile cases; to provide for definitions; to establish the Criminal Case Data Exchange Board under the Criminal Justice Coordinating Council and provide for its membership, terms, compensation, and duties; to provide for confidentiality of data; to provide for the Judicial Council of Georgia to develop a misdemeanor citation form; to allow misdemeanors to be prosecuted in state courts by use of citation; to amend Title 17, Chapter 5 of Title 40, Title 42, and Code Section 43-1-19 of the Official Code of Georgia Annotated, relating to criminal procedure, drivers' licenses, penal institutions, and grounds for refusing to grant or revoking professional licenses, respectively, so as to change provisions relating to the use

of citations and setting bail; to clarify matters relating to sentencing, first offender treatment, pay-only probation, and the use of community service; to allow the Department of Driver Services to issue certain types of licenses and permits under certain conditions; to expand the types of activities and organizations that can be used by the court in ordering community service and clarify provisions relating thereto; to require time frames for certain actions involving probation supervision; to allow different levels of courts to consider retroactive petitions for first offender sentencing; to amend an Act relating to the effect of a confinement sentence when guilt has not been adjudicated, approved March 20, 1985 (Ga. L. 1985, p. 380), so as to repeal a contingency based upon an amendment to the Constitution; to clarify the effect that a misdemeanor conviction involving moral turpitude or first offender punishment will have on a professional license; to amend Chapter 2 of Title 31 and Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to the Department of Community Health and public assistance, respectively, so as to change provisions relating to the department's duties and responsibilities; to change provisions relating to providing assistance to inmates who are eligible for Medicaid; to amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, so as to increase certain penalties relating to the theft of, the use of an altered identification mark on, or the transfer to certain individuals of a firearm; to change provisions relating to possession of firearms by convicted felons and first offender probationers; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising Code Section 15-6-11, relating to electronic filings and payments, as follows:

"15-6-11.

(a) Pursuant to rules promulgated by the Criminal Case Data Exchange Board, on and after January 1, 2019, a By court rule or standing order, any superior court may shall provide for the filing of pleadings in criminal cases and any other documents document related thereto and for the acceptance of payments and remittances by electronic means.

(b) By court rule or standing order, any superior court may provide for the filing of pleadings and any other document related thereto in civil cases in a superior court and for the acceptance of payments and remittances by electronic means.

(c) Nothing in this Code section shall be construed to prevent a clerk's acceptance of payments and remittances by electronic means under the clerk's own authority."

SECTION 1-2.

Said title is further amended by revising subparagraph (a)(4)(B) and paragraph (18) of subsection (a) of Code Section 15-6-61, relating to the duties of the clerk generally, as follows:

"(B) An automated criminal case management system which shall contain a summary record of all criminal indictments in which true bills are rendered and all criminal accusations filed in the office of clerk of superior court in accordance with rules promulgated by the Criminal Case Data Exchange Board. The criminal case management system shall contain entries of other matters of a criminal nature filed with the clerk, including quasi-civil proceedings and entries of cases which are ordered dead docketed ~~at the discretion of the presiding judge and which shall be called only at the judge's pleasure~~. When a case is ~~thus~~ dead docketed, all witnesses who may have been subpoenaed therein shall be released from further attendance until resubpoenaed; and"

"(18) To electronically collect ~~and transmit to the Georgia Superior Court Clerks' Cooperative Authority~~ all data elements required in subsection (g) of Code Section 35-3-36, and such clerk of superior court may transmit such data to the Georgia Superior Court Clerks' Cooperative Authority in a form and format required by ~~the Superior Court Clerks' Cooperative Authority~~ such authority and The Council of Superior Court Clerks of Georgia. ~~The~~ Any data transmitted to the authority pursuant to this paragraph shall be transmitted to the Georgia Crime Information Center in satisfaction of the clerk's duties under subsection (g) of Code Section 35-3-36 and to the Georgia Courts Automation Commission which shall provide the data to the Administrative Office of the Courts for use by the state judicial branch. Public access to said data shall remain the responsibility of the Georgia Crime Information Center. No release of collected data shall be made by or through the authority;"

SECTION 1-3.

Said title is further amended by revising Code Section 15-7-5, relating to electronic filings and payments, as follows:

"15-7-5.

(a) Pursuant to rules promulgated by the Criminal Case Data Exchange Board, on and after January 1, 2019, a ~~By court rule or standing order, any~~ state court may shall provide for the filing of pleadings in criminal cases and any other ~~documents~~ document related thereto and for the acceptance of payments and remittances by electronic means.

(b) By court rule or standing order, any state court may provide for the filing of pleadings and any other document related thereto in civil cases in a state court and for the acceptance of payments and remittances by electronic means.

(c) Nothing in this Code section shall be construed to prevent a clerk's acceptance of payments and remittances by electronic means under the clerk's own authority."

SECTION 1-4.

Said title is further amended in Code Section 15-11-64, relating to collection of information by juvenile court clerks and reporting requirements, by adding a new subsection to read as follows:

"(c) Pursuant to rules promulgated by the Judicial Council of Georgia, on and after January 1, 2019, each clerk of the juvenile court shall collect data on each child alleged

or adjudicated to be a delinquent child and transmit such data as required by such rules. The Judicial Council of Georgia shall make and publish in print or electronically such state-wide minimum standards and rules as it deems necessary to carry out this subsection. Each clerk of the juvenile court shall develop and enact policies and procedures necessary to carry out the standards and rules created by the Judicial Council of Georgia."

SECTION 1-5.

Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to the Criminal Justice Coordinating Council, is amended by revising Code Section 35-6A-2, relating to the creation of such council and assignment to the Georgia Bureau of Investigation, as follows:

"35-6A-2.

(a) There is established the Criminal Justice Coordinating Council of the State of Georgia which is assigned to the Georgia Bureau of Investigation for administrative purposes only, as prescribed in Code Section 50-4-3.

(b) As used in this chapter, the term:

(1) 'Board' means the Criminal Case Data Exchange Board.

(2) 'Council' means the Criminal Justice Coordinating Council."

SECTION 1-6.

Said chapter is further amended by adding two new Code sections to read as follows:

"35-6A-13.

(a) There is established the Criminal Case Data Exchange Board to the council which shall consist of 15 members as follows:

(1) The director of the council, the director of the Georgia Crime Information Center, the director of the Office of Planning and Budget, the director of the Administrative Office of the Courts, the director of the Georgia Public Defender Council, the commissioner of administrative services, the commissioner of corrections, the commissioner of community supervision, the executive director of the Georgia Technology Authority, the executive counsel of the Governor, and a representative of the Prosecuting Attorneys' Council of the State of Georgia, provided that any such member may allow a designee to represent him or her at a board meeting and vote in his or her stead; and

(2) Four members, one of whom is a superior court judge, one of whom is a clerk of a superior court, one of whom is a sheriff, and one of whom is a county commissioner, shall be appointed by the Governor for terms of four years; their initial appointments, however, shall be one for a four-year term, one for a three-year term, one for a two-year term, and one for a one-year term. No individual shall serve beyond the time he or she holds the office by reason of which he or she was initially eligible for appointment.

(b) In the event of death, resignation, disqualification, or removal of any member of the board for any reason, vacancies shall be filled in the same manner as the original

appointment and successors shall serve for the unexpired term.

(c) The initial terms for all members shall begin on July 1, 2018.

(d) Membership on the board shall not constitute public office, and no member shall be disqualified from holding public office by reason of his or her membership.

(e) The board shall elect a chairperson from among its membership and may elect such other officers and committees as it considers appropriate.

(f) Members of the board shall serve without compensation, although each member of the board shall be reimbursed for actual expenses incurred in the performance of his or her duties from funds available to the council. Such reimbursement shall be limited to all travel and other expenses necessarily incurred through service on the board, in compliance with this state's travel rules and regulations; provided, however, that in no case shall a member of the board be reimbursed for expenses incurred in the member's capacity as the representative of another state agency.

35-6A-14.

(a) The board shall:

(1) Meet at such times and places as it shall determine necessary or convenient to perform its duties. Such board shall also meet upon the call of the chairperson of the board, the chairperson of the council, or the Governor;

(2) Maintain minutes of its meetings;

(3) Promulgate rules with respect to courts receiving criminal case filings electronically and the exchange of data amongst agencies and entities with respect to a criminal case from its inception to its conclusion;

(4) Participate in the development and review of this state's criminal case data exchange and management system;

(5) Using the combined expertise and experience of its members, provide regular advice and counsel to the director of the council to enable the council to carry out its statutory duties under this chapter; and

(6) Carry out such duties that may be required by federal law or regulation so as to enable this state to receive and disburse federal funds for criminal case exchange and management.

(b) Public access to data that are collected or transmitted via the criminal case information exchange shall remain the responsibility of the Georgia Crime Information Center. No release of collected data shall be made by or through the Georgia Technology Authority."

PART II

SECTION 2-1.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by adding a new Code section to read as follows:

"15-5-21.1.

The Judicial Council of Georgia shall develop a uniform misdemeanor citation and

complaint form for use by all law enforcement officials who are empowered to arrest individuals for misdemeanors and local ordinance violations. Such form shall serve as the citation, summons, accusation, or other instrument of prosecution of the offense or offenses for which the accused is charged and as the record of the disposition of the matter by the court before which the accused is brought, and shall contain such other matter as the council shall provide. Each such form shall have a unique identifying number which shall serve as the docket number for the court having jurisdiction of the accused. The Judicial Council of Georgia shall promulgate rules for each class of court for the use of such citations."

SECTION 2-2.

Said title is further amended by revising Code Section 15-7-42, relating to hearing on merits in open court and proceedings allowed in chambers, as follows:

"15-7-42.

(a) The prosecution of misdemeanors may proceed by accusation as provided in Code Section 17-7-71, citation or citation and arrest as provided for by law, or summons.

(b) All trials on the merits shall be conducted in open court and, so far as convenient, in a regular courtroom.

(c) All other proceedings, hearings, and acts not included in subsection (b) of this Code section may be done or conducted by a judge in chambers and in the absence of the clerk or other court officials. The judge of the court may hear motions and enter interlocutory orders, in all cases pending in the court over which he or she presides, in open court or in chambers."

SECTION 2-3.

Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is amended by revising Code Section 17-4-23, relating to the procedure for arrests by citation for motor vehicle violations and issuance of warrants for arrest for failure of persons charged to appear in court, as follows:

"17-4-23.

(a)(1) A law enforcement officer may arrest a person accused of violating any law or ordinance enacted by local law governing the operation, licensing, registration, maintenance, or inspection of motor vehicles, ~~or~~ violating paragraph (2), (3), or (5) of subsection (a) of Code Section 3-3-23, or any misdemeanor violation of Code Section 16-7-21, 16-8-14, 16-8-14.1, or 16-13-30 by the issuance of a citation, provided that the offense is committed in his or her presence or information constituting a basis for arrest ~~concerning the operation of a motor vehicle or a violation of paragraph (2), (3), or (5) of subsection (a) of Code Section 3-3-23~~ was received by the arresting officer or an investigating officer from a law enforcement officer or other individual observing the or aware of such offense ~~being committed, except that, where the offense results in an accident, an investigating officer may issue citations regardless of whether the offense occurred in the presence of a law enforcement officer.~~ The arresting officer shall issue ~~to such person~~ a citation to the accused which shall

enumerate the specific charges ~~against the person~~ and the date upon which ~~the person~~ he or she is to appear and answer the charges or a notation that ~~the person~~ he or she will be later notified of the date upon which ~~the person~~ he or she is to appear and answer the charges. ~~Whenever~~ When an arresting officer makes an arrest concerning the operation of a motor vehicle based on information received from another law enforcement officer who observed the offense being committed, the citation shall list the name of each officer and each officer must be present when the charges against the accused ~~person~~ are heard.

(2) Nothing in this subsection shall supersede the requirements for a custodial arrest if required by law or fingerprinting if required by law or specified by the Attorney General.

(b) If the accused ~~person~~ fails to appear as specified in the citation, the judicial officer having jurisdiction of the offense may issue a warrant ordering the apprehension of the ~~person~~ accused and commanding that he or she be brought before the court to answer the charge contained within the citation and the charge of his or her failure to appear as required. The ~~person~~ accused shall then be allowed to make a reasonable bond to appear on a given date before the court.

(c) Notwithstanding subsection (b) of this Code section, when an accused was issued a citation for a violation of Code Section 16-7-21, 16-8-14, 16-8-14.1, or 16-13-30, and the accused fails to appear as specified in the citation, the judicial officer having jurisdiction of the offense, absent a finding of sufficient excuse to appear at the time and place specified in the citation, shall issue a warrant ordering the apprehension of the accused and commanding that he or she be brought before the court to answer the charge contained within the citation and the charge of his or her failure to appear as required. The accused shall then be allowed to make a reasonable bond to appear on a given date before the court."

SECTION 2-4.

Said title is further amended by revising paragraph (1) of subsection (b) and subsections (e), (f), and (i) of Code Section 17-6-1, relating to where offenses are bailable, procedure, bail schedules, and appeal bonds, as follows:

"(b)(1) All offenses not included in subsection (a) of this Code section, inclusive of offenses that are violations of local ordinances, are bailable by a court of inquiry. Except as provided in subsection (g) of this Code section, at no time, either before a court of inquiry, when indicted or accused, after a motion for new trial is made, or while an appeal is pending, shall any person charged with a misdemeanor be refused bail. When determining bail for a person charged with a misdemeanor, courts shall not impose excessive bail and shall impose only the conditions reasonably necessary to ensure such person attends court appearances and to protect the safety of any person or the public given the circumstances of the alleged offense and the totality of circumstances."

"(e)(1) A court shall be authorized to release a person on bail if the court finds that the person:

- ~~(1)~~(A) Poses no significant risk of fleeing from the jurisdiction of the court or failing to appear in court when required;
- ~~(2)~~(B) Poses no significant threat or danger to any person, to the community, or to any property in the community;
- ~~(3)~~(C) Poses no significant risk of committing any felony pending trial; and
- ~~(4)~~(D) Poses no significant risk of intimidating witnesses or otherwise obstructing the administration of justice.

(2) When determining bail, as soon as possible, the court shall consider:

- (A) The accused's financial resources and other assets, including whether any such assets are jointly controlled;
- (B) The accused's earnings and other income;
- (C) The accused's financial obligations, including obligations to dependents;
- (D) The purpose of bail; and
- (E) Any other factor the court deems appropriate.

(3) However, if ~~If~~ the person is charged with a serious violent felony and has already been convicted of a serious violent felony, or of an offense under the laws of any other state or of the United States which offense if committed in this state would be a serious violent felony, there shall be a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the person as required or assure the safety of any other person or the community. As used in this subsection, the term 'serious violent felony' means a serious violent felony as defined in Code Section 17-10-6.1.

(f)(1) Except as provided in subsection (a) of this Code section or as otherwise provided in this subsection, the judge of any court of inquiry may by written order establish a schedule of bails and unless otherwise ordered by the judge of any court, ~~a person charged with committing any offense~~ an accused shall be released from custody upon posting bail as fixed in the schedule.

(2) For offenses involving an act of family violence, as defined in Code Section 19-13-1, ~~the bail or other release from custody shall be set by a judge on an individual basis and a schedule of bails provided for in paragraph (1) of this subsection shall require increased bail and not be utilized;~~ provided, however, that the judge shall include a listing of specific conditions which shall include, but not be limited to, having no contact of any kind or character with the victim or any member of the victim's family or household, not physically abusing or threatening to physically abuse the victim, the immediate enrollment in and participation in domestic violence counseling, substance abuse therapy, or other therapeutic requirements.

(3) For offenses involving an act of family violence, the judge shall determine whether ~~the schedule of bails and~~ one or more of its specific conditions shall be used, except that any offense involving an act of family violence and serious injury to the victim shall be bailable only before a judge when the judge or the arresting officer is of the opinion that the danger of further violence to or harassment or intimidation of the victim is such as to make it desirable that the consideration of the imposition of additional conditions as authorized in this Code section should be made. Upon setting

bail in any case involving family violence, the judge shall give particular consideration to the exigencies of the case at hand and shall impose any specific conditions as he or she may deem necessary. As used in this Code section, the term 'serious injury' means bodily harm capable of being perceived by a person other than the victim and may include, but is not limited to, substantially blackened eyes, substantially swollen lips or other facial or body parts, substantial bruises to body parts, fractured bones, or permanent disfigurements and wounds inflicted by deadly weapons or any other objects which, when used offensively against a person, are capable of causing serious bodily injury.

(4) For violations of Code Section 16-15-4, the court shall require increased bail and shall include as a condition of bail or pretrial release that the ~~defendant~~ accused shall not have contact of any kind or character with any other member or associate of a criminal street gang and, in cases involving a an alleged victim, that the ~~defendant~~ accused shall not have contact of any kind or character with any such victim or any member of any such victim's family or household.

(5) For offenses involving violations of Code Section 40-6-393, bail or other release from custody shall be set by a judge on an individual basis and not a schedule of bails pursuant to this Code section."

"(i) As used in this Code section, the term 'bail' shall include ~~the~~ releasing of a person on such person's own recognizance, except as limited by ~~the provisions of~~ Code Section 17-6-12."

SECTION 2-5.

Said title is further amended by revising subsections (b) and (d) of Code Section 17-6-12, relating to discretion of court to release person charged with crime on own recognizance only and the failure of such person to appear for trial, as follows:

"(b) A person charged with a bail restricted offense shall not be released on bail on his or her own recognizance for the purpose of entering a pretrial release program, a pretrial release and diversion program as provided for in Article 4 of Chapter 3 of Title 42, or a pretrial intervention and diversion program as provided for in Article 4 of Chapter 18 of Title 15, ~~or Article 5 of Chapter 8 of Title 42~~, or pursuant to Uniform Superior Court Rule 27, unless an elected magistrate, elected state or superior court judge, or other judge sitting by designation under the express written authority of such elected judge, enters a written order to the contrary specifying the reasons why such person should be released upon his or her own recognizance."

"(d) Upon the failure of a person released on his or her own recognizance ~~only~~ to appear for trial, if the release is not otherwise conditioned by the court, absent a finding of sufficient excuse to appear, the court ~~may~~ shall summarily issue an order for his or her arrest which shall be enforced as in cases of forfeited bonds."

SECTION 2-6.

Said title is further amended by revising subparagraph (a)(1)(B), paragraph (2) of subsection (a), and subsection (d) of Code Section 17-10-1, relating to fixing of sentence, as follows:

"(B) When a defendant with no prior felony conviction is convicted of felony offenses or is charged with felony offenses and is sentenced pursuant to subsection (a) or (c) of Code Section 16-13-2 or Article 3 of Chapter 8 of Title 42, ~~has no prior felony conviction,~~ and the court imposes a sentence of probation or not more than 12 months of imprisonment followed by a term of probation, ~~not to include a split sentence,~~ the court shall include a behavioral incentive date in its sentencing order that does not exceed three years from the date such sentence is imposed. Within 60 days of the expiration of such incentive date, if the defendant has not been arrested for anything other than a nonserious traffic offense as defined in Code Section 35-3-37, has been compliant with the general and special conditions of probation imposed, and has paid all restitution owed, the Department of Community Supervision shall notify the prosecuting attorney and the court of such facts. The Department of Community Supervision shall provide the court with an order to terminate such defendant's probation which the court shall execute unless the court or the prosecuting attorney requests a hearing on such matter within 30 days of the receipt of such order. The court shall take whatever action it determines would be for the best interest of justice and the welfare of society."

"(2)(A) Active probation supervision shall terminate in all cases no later than two years from the commencement of active probation supervision unless specially extended or reinstated by the sentencing court upon notice and hearing and for good cause shown; provided, however, that in those cases involving ~~the~~:

(i) The collection of restitution, the period of active probation supervision shall remain in effect for so long as any such obligation is outstanding, or until termination of the sentence, whichever first occurs, ~~and for those cases involving a;~~

(ii) A conviction under Chapter 15 of Title 16, the 'Georgia Street Gang Terrorism and Prevention Act,' the period of active probation supervision shall remain in effect until the termination of the sentence, but shall not exceed five years unless as otherwise provided in this paragraph; ~~or~~

(iii) A conviction that requires the defendant to register on the state sexual offender registry pursuant to Code Section 42-1-12, the period of active probation supervision shall remain in effect until the court orders unsupervised probation, or until termination of the sentence, whichever first occurs.

(B) Probation supervision ~~Supervision~~ shall not be required for defendants sentenced to probation while the defendant is in the legal custody of the Department of Corrections or the State Board of Pardons and Paroles."

"(d)(1) As used in this subsection, the term:

(A) 'Developmental disability' shall have the same meaning as set forth in Code Section 37-1-1.

(B) 'Indigent' means an individual who earns less than 100 percent of the federal poverty guidelines unless there is evidence that the individual has other resources that might reasonably be used without undue hardship for such individual or his or her dependents.

(C) 'Significant financial hardship' means a reasonable probability that an individual will be unable to satisfy his or her financial obligations for two or more consecutive months.

(D) 'Totally and permanently disabled' shall have the same meaning as set forth in Code Section 49-4-80.

(2) In determining the financial obligations, other than restitution, to impose on the defendant, the court shall consider:

(A) The defendant's financial resources and other assets, including whether any such assets are jointly controlled;

(B) The defendant's earnings and other income;

(C) The defendant's financial obligations, including obligations to dependents;

(D) The period of time during which the probation order will be in effect;

(E) The goal of the punishment being imposed; and

(F) Any other factor the court deems appropriate.

(3) In any case involving a violation of local ordinance, misdemeanor, or a felony in which the defendant has been punished in whole or in part by a fine, the sentencing judge court shall be authorized to allow the defendant to satisfy such fine through community service as defined in Code Section 42-3-50 as set forth in Article 3 of Chapter 3 of Title 42. The court may also allow the defendant to satisfy the payment of statutory surcharges and any fee imposed in connection with probation supervision as set forth in Article 3 of Chapter 3 of Title 42. One hour of community service shall equal the dollar amount of one hour of paid labor at the minimum wage under the federal Fair Labor Standards Act of 1938, in effect on January 1, 2017 2018, unless otherwise specified by the sentencing judge court. A defendant shall be required to serve the number of hours in community service which equals the number derived by dividing the amount of the fine owed by the defendant for the fine, statutory surcharge, and any fee imposed in connection with probation supervision by the federal minimum hourly wage or by the amount specified by the sentencing judge court. If the court orders disabled person assistance or educational advancement, the court shall determine the numbers of hours required to be completed for such endeavors. Prior to or subsequent to sentencing, a defendant, or subsequent to sentencing, a community supervision officer, may request that the court make all or any portion of a fine, statutory surcharge, or any fee imposed in connection with probation supervision be satisfied under this subsection.

(4) The court may waive, modify, or convert fines, any fee imposed in connection with probation supervision, and any other moneys assessed by a provider of probation services or the court, other than statutory surcharges, upon a determination by the court, prior to or subsequent to sentencing, that a defendant has a significant financial hardship or inability to pay or other extenuating factors exist which prohibit payment or collection; provided, however, that the imposition of sanctions for failure to pay such sums shall be within the discretion of the court through judicial process or hearings. If the court waives a fine under this paragraph, it shall impose a theoretical fine and the defendant shall be required to pay the statutory surcharges associated

therewith.

(5) Unless rebutted by a preponderance of the evidence that a defendant will be able to satisfy his or her financial obligations without undue hardship to the defendant or his or her dependents, a defendant shall be presumed to have a significant financial hardship if he or she:

- (A) Has a developmental disability;
- (B) Is totally and permanently disabled; or
- (C) Is indigent."

SECTION 2-7.

Said title is further amended by revising Code Section 17-10-8, relating to the requirement of payment of fine as condition precedent to probation and the rebate or refund of fine upon probation revocation, as follows:

"17-10-8.

(a) In any a felony case where the judge may, by any law so authorizing, place on probation a person convicted of a felony, the judge may in his discretion impose a fine on the person so convicted as a condition to such probation. The fine shall when a maximum statutory fine amount is not set by law, upon conviction, the court may impose a fine not to exceed \$100,000.00 or the amount of the maximum fine which may be imposed for conviction of such a felony, whichever is greater.

(b) In any case where when probation is revoked, the defendant shall not be entitled to any rebate or refund of any part of the fine so paid."

SECTION 2-8.

Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, is amended by adding a new subsection to Code Section 40-5-22, relating to persons not to licensed, minimum ages for licensees, school enrollment requirements, driving training requirements, and limited driving permits, to read as follows:

"(e) The department may issue a probationary license, limited driving permit, or ignition interlock device limited driving permit to any individual whose driver's license is expired; provided, however, that he or she is otherwise eligible for such probationary license, limited driving permit, or ignition interlock device limited driving permit pursuant to Code Section 40-5-58, 40-5-64, 40-5-64.1, 40-5-75, or 40-5-76."

SECTION 2-9.

Said chapter is further amended by revising Code Section 40-5-76, relating to reinstatement or suspension of defendant's driver's license or issuance of ignition interlock device limited driving permit, as follows:

"40-5-76.

(a)(1) A judge presiding in a drug court division, mental health court division, veterans court division, or operating under the influence court division, as a reward or sanction to the defendant's behavior in such court division, may order the department to reinstate;

(A) Reinstate a defendant's Georgia driver's license that has been or should be suspended pursuant to Code Section 40-5-75, suspend such license, or issue under the laws of this state;

(B) Issue to a defendant a limited driving permit or ignition interlock device limited driving permit in accordance with the provisions using the guidance set forth in subsections (c), (c.1), and (d) of Code Section 40-5-64 or with whatever conditions the court determines to be appropriate under the circumstances as a reward or sanction to the defendant's behavior in such court division.;

(C) Issue to a defendant an ignition interlock device limited driving permit using the guidance set forth in subsections (c) and (e) of Code Section 40-5-64.1 or with whatever conditions the court determines to be appropriate under the circumstances;

or

(D) Suspend or revoke such license, limited driving permit, or ignition interlock device limited driving permit.

(2) The court shall determine what fees, if any, shall be paid to the department for such reward or sanction, provided that such fee shall not be greater than the fee normally imposed for such services require the defendant to pay to the department the fee normally required for the reinstatement of such driver's license or issuance of such limited driving permit or ignition interlock device limited driving permit or waive such fee.

(3) The court may order the department to issue to a defendant a limited driving permit or ignition interlock device limited driving permit pursuant to this subsection for a one-year period, and may allow such permit to be renewed for a one-year period, and shall provide the department with such order.

(b) If the offense for which the defendant was convicted did not directly relate to the operation of a motor vehicle, a judge presiding in any court, other than the court divisions specified in subsection (a) of this Code section, may order the department to reinstate a defendant's driver's license that has been or should be suspended pursuant to Code Section 40-5-75 or, issue to a defendant a limited driving permit or ignition interlock device limited driving permit in accordance with the provisions using the guidance set forth in subsections (c), (c.1), and (d) of Code Section 40-5-64 if the offense for which the defendant was convicted did not directly relate to the operation of a motor vehicle, or issue to a defendant an ignition interlock device limited driving permit using the guidance set forth in subsections (c) and (e) of Code Section 40-5-64.1. The court shall determine what fees, if any, shall be paid to the department require the defendant to pay to the department the fee normally required for the reinstatement of such driver's license or issuance of such limited driving permit or ignition interlock device limited driving permit, provided that such fee shall not be greater than the fee normally imposed for such services or waive such fee. Such judge may also order the department to suspend a defendant's driver's license that could have been suspended pursuant to Code Section 40-5-75, limited driving permit, or ignition interlock device limited driving permit as a consequence of the defendant's violation of the terms of his or her probation.

(c)(1) The department shall make a notation on a person's driving record when his or her driver's license was reinstated or suspended or he or she was issued a limited driving permit or ignition interlock device limited driving permit under this Code section, and such information shall be made available in accordance with Code Section 40-5-2.

(2) The driver's license of any person who has a driver's license reinstated or suspended in accordance with this Code section shall remain subject to any applicable disqualifications specified in Article 7 of this chapter.

(d) The department shall credit any time during which a defendant was issued a limited driving permit or ignition interlock device limited driving permit under subsection (a) of this Code section toward the fulfillment of the period of a driver's license suspension for which such permit was issued."

SECTION 2-10.

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by revising Article 3 of Chapter 3, relating to community service, as follows:

"ARTICLE 3

42-3-50.

(a) As used in this article, the term:

(1) 'Agency' means any private or public ~~agency or organization approved by the court to participate in a community service program~~ entity or organization that provides services to the public and enhances the social welfare and general well-being of the community. Such term may include religious and educational institutions.

(2) 'Community service' means uncompensated work by an offender with an agency ~~for the benefit of the community~~ pursuant to an order by a court as a condition of probation or in lieu of payment of financial obligations imposed by a court. Such term includes uncompensated service by an offender who lives in the household of a disabled person and provides aid and services to such disabled person, including, but not limited to, cooking, housecleaning, shopping, driving, bathing, and dressing.

(3) 'Community service officer' means an individual appointed by the court to place and supervise offenders sentenced to community service, disabled person assistance, or educational advancement. Such term ~~may mean~~ includes a paid professional or a volunteer.

(4) 'Disabled person assistance' means uncompensated service by an offender who lives in the household of a disabled person and provides aid and services to such disabled person, including, but not limited to, cooking, housecleaning, shopping, driving, bathing, and dressing.

(5) 'Educational advancement' means attending a work or job skills training program, a preparatory class for the general educational development (GED) diploma, or similar activity.

(b) Except as provided in subsection (c) of this Code section, it shall be unlawful for an

agency or community service officer to use or allow an offender to be used for any purpose resulting in private gain to any individual.

(c) Subsection (b) of this Code section shall not apply to:

(1) ~~Services provided by an offender to a disabled person in accordance with paragraph (1) of subsection (c) of Code Section 42-3-52 Allowing an offender to provide disabled person assistance~~;

(2) Work on private property because of a natural disaster; or

(3) An order or direction by the ~~sentencing~~ court.

(d) Any person who violates subsection (b) of this Code section shall be guilty of a misdemeanor.

42-3-51.

(a) Agencies desiring to allow offenders to participate in a community service ~~their~~ program shall file with the court a letter of application showing:

(1) Eligibility;

(2) Number of offenders who may be placed with the agency;

(3) Work to be performed by the offender; and

(4) Provisions for supervising the offender.

(b) An agency selected ~~for the community service program~~ by the court shall work offenders who are assigned to the agency by the court. If an offender violates a court order, the agency shall report such violation to the community service officer.

(c) If an agency violates any court order or ~~provision~~ of this article, the offender shall be removed from the agency and the agency shall no longer be eligible to participate in the court's community service, disabled person assistance, or educational advancement program.

(d) No agency or community service officer shall be liable at law as a result of any of such agency's or community service officer's acts performed while an offender was participating in a community service, disabled person assistance, or educational advancement program. This limitation of liability shall not apply to actions on the part of any agency or community service officer which constitute gross negligence, recklessness, or willful misconduct.

42-3-52.

(a) Community service, disabled person assistance, or educational advancement may be considered as a condition of probation or in lieu of court imposed financial obligations with primary consideration given to the following categories of offenders:

(1) Traffic violations;

(2) Ordinance violations;

(3) Noninjurious or nondestructive, nonviolent misdemeanors;

(4) Noninjurious or nondestructive, nonviolent felonies; and

(5) Other offenders considered upon the discretion of the court.

(b) The court may confer with the prosecuting attorney, the offender or his or her attorney if the offender is represented by an attorney, a community supervision officer,

a community service officer, or other interested persons to determine if ~~the~~ community service ~~program~~, disabled person assistance, or educational advancement is appropriate for an offender. A court order shall specify that the court has approved community service, disabled person assistance, or educational assistance for an offender. If community service or educational advancement is ordered ~~as a condition of probation~~, the court shall order:

(1) Not less than 20 hours nor more than 250 hours in cases involving traffic or ordinance violations or misdemeanors, such service to be completed within one year; or

(2) Not less than 20 hours nor more than 500 hours in felony cases, such service to be completed within three years.

(c)(1) Any agency may recommend to the court that certain disabled persons are in need of ~~a live-in attendant~~ disabled person assistance. ~~The court shall confer with the prosecuting attorney, the offender or his or her attorney if the offender is represented by an attorney, a community supervision officer, a community service officer, or other interested persons to determine if a community service program involving a disabled person is appropriate for an offender. If community service as a live-in attendant for a~~ If disabled person assistance is deemed appropriate and if both the offender and the disabled person consent to such service, the court may order ~~such live-in community service as a condition of probation~~ disabled person assistance but for no longer than two years.

(2) The agency shall be responsible for coordinating the provisions of the cost of food or other necessities for the offender which the disabled person is not able to provide. The agency, with the approval of the court, shall determine a schedule which will provide the offender with certain free hours each week.

(3) Such live-in arrangement shall be terminated by the court upon the request of the offender or the disabled person. Upon termination of such arrangement, the court shall determine if the offender has met the conditions of ~~probation~~ his or her sentence.

(4) The appropriate agency shall make personal contact with the disabled person on a frequent basis to ensure the safety and welfare of the disabled person.

(d) The court may order an offender to perform community service hours in a 40 hour per week work detail in lieu of incarceration.

(e) Community service, disabled person assistance, or educational advancement hours may be added to original court ordered hours as a disciplinary action by the court, as an additional requirement of any program in lieu of incarceration, or as part of the sentencing options system as set forth in Article 6 of this chapter.

42-3-53.

The community service officer shall place an offender sentenced to community service, disabled person assistance, or educational advancement ~~as a condition of probation~~ with an appropriate agency. The agency and work schedule shall be approved by the court. If the offender is employed at the time of sentencing or if the offender becomes employed after sentencing, the community service officer shall consider the offender's

work schedule and, to the extent practicable, shall schedule the community service, disabled person assistance, or educational advancement so that it will not conflict with the offender's work schedule. This scheduling accommodation shall not be construed as requiring the community service officer to alter scheduled community service, disabled person assistance, or educational advancement based on changes in an offender's work schedule. The community service officer shall supervise the offender for the duration of the sentence which requires community service sentence, disabled person assistance, or educational advancement. Upon completion of the ~~community service~~ such sentence, the community service officer shall prepare a written report evaluating the offender's performance which shall be used to determine if the conditions of probation or sentence have been satisfied.

42-3-54.

(a) ~~The provisions of Article 2 of Chapter 8 of this title shall be applicable to offenders sentenced to community service, disabled person assistance, or educational advancement as a condition of probation pursuant to this article. The provisions of Article 3 of Chapter 8 of this title shall be applicable to first offenders sentenced to community service, disabled person assistance, or educational advancement pursuant to this article. The provisions of Article 6 of Chapter 8 of this title shall be applicable to misdemeanor or ordinance violator offenders sentenced to community service, disabled person assistance, or educational advancement as a condition of probation pursuant to this article.~~

(b) Any offender who provides ~~live-in-community service~~ disabled person assistance but who is later incarcerated for breaking the conditions of probation or for any other cause may be awarded good time for each day of ~~live-in-community service~~ disabled person assistance the same as if such offender were in prison for such number of days."

SECTION 2-11.

Said title is further amended by revising paragraph (2) of subsection (e) of Code Section 42-8-34, relating to sentencing hearings and determinations, presentence investigations, payment of fees, fines, and costs, post-conviction, presentence bond, continuing jurisdiction, and transferral of probation supervision, as follows:

"(2) The court may convert fines, statutory surcharges, and probation supervision fees to community service, disabled person assistance, or educational advancement on the same basis as it allows a defendant to pay a fine through community service, disabled person assistance, or educational advancement as set forth in subsection (d) of Code Section 17-10-1."

SECTION 2-12.

Said title is further amended by revising paragraph (2) of subsection (d) of Code Section 42-8-37, relating to the effect of termination of the probated portion of a sentence and review of cases of persons receiving probated sentences, as follows:

"(2) When the court is presented with such petition, it shall take whatever action it

determines would be for the best interest of justice and the welfare of society. When such petition is unopposed, the court shall issue an order as soon as possible or otherwise set the matter for a hearing within 90 days of receiving such petition."

SECTION 2-13.

Said title is further amended by revising paragraph (1) of subsection (b) of Code Section 42-8-62.1, relating to limiting public access to first offender status, petitioning, and sealing a record, as follows:

"(b)(1) At the time of sentencing, or during the term of a sentence that was imposed before July 1, 2016, the defendant may seek to limit public access to his or her first offender sentencing information, and the court may, in its discretion, order any of the following:

- (A) Restrict dissemination of the defendant's first offender records;
- (B) The criminal file, docket books, criminal minutes, final record, all other records of the court, and the defendant's criminal history record information in the custody of the clerk of court, including within any index, be sealed and unavailable to the public; and
- (C) Law enforcement agencies, jails, or detention centers to restrict the defendant's criminal history record information of arrest, including any fingerprints or photographs taken in conjunction with such arrest."

SECTION 2-14.

Said title is further amended in Code Section 42-8-66, relating to a petition for exoneration and discharge, hearing, and retroactive grant of first offender status, by revising subsection (a) and adding a new subsection to read as follows:

"(a)(1) An individual who qualified for sentencing pursuant to this article but who was not informed of his or her eligibility for first offender treatment may, with the consent of the prosecuting attorney, petition the ~~superior court in the county~~ in which he or she was convicted for exoneration of guilt and discharge pursuant to this article.

(2) An individual who was sentenced between March 18, 1968, and October 31, 1982, to a period of incarceration not exceeding one year but who would otherwise have qualified for sentencing pursuant to this article may, with the consent of the prosecuting attorney, petition the ~~superior court in the county~~ in which he or she was convicted for exoneration of guilt and discharge pursuant to this article."

"(h) There shall be no filing fee charged for a petition filed pursuant to this Code section."

SECTION 2-15.

Said title is further amended by revising subsection (d) of Code Section 42-8-102, relating to probation and supervision, determination of fees, fines, and restitution, converting moneys owed to community service, continuing jurisdiction, revocation, and transfer, as follows:

"(d) The court may convert fines, statutory surcharges, and probation supervision fees

to community service, disabled person assistance, or educational advancement on the same basis as it allows a defendant to pay a fine through community service, disabled person assistance, or educational advancement as set forth in subsection (d) of Code Section 17-10-1."

SECTION 2-16.

Said title is further amended by revising subsection (b) of Code Section 42-8-103, relating to pay-only probation and discharge or termination of probation, as follows:

"(b) When pay-only probation is imposed, the ~~probation supervision fees~~ total maximum fee collected shall be capped so as not to exceed three months of ordinary probation supervision fees at a monthly rate not to exceed the rate set forth in the contract between the court and the provider of services, notwithstanding the number of cases for which a fine and statutory surcharge were imposed or that the defendant was sentenced to serve consecutive sentences; provided, however, that collection of ~~any probation supervision~~ such fee shall terminate as soon as all court imposed fines and statutory surcharges are paid in full; and provided, further, that when all such fines and statutory surcharges are paid in full, the probation officer or private probation officer, as the case may be, shall submit an order to the court terminating the probated sentence within 30 days of fulfillment of such conditions. ~~The~~ Within 90 days of receiving such order, the court shall ~~terminate~~ issue an order terminating such probated sentence or issue an order stating why such probated sentence shall continue."

SECTION 2-17.

Said title is further amended by revising paragraph (2) of subsection (b) of Code Section 42-8-105, relating to a probationer's obligation to keep officer informed of certain information and tolling for failure to meet certain obligations, as follows:

"(2) In the event the probationer ~~reports~~ does not report to his or her probation officer or private probation officer, as the case may be, within the period prescribed in subparagraph (D) of paragraph (1) of this subsection, ~~the probationer shall be scheduled to appear on the next available court calendar for a hearing to consider whether the probation sentence should be tolled~~ such officer shall submit the affidavit required by this subsection to the court. If the probationer reports to his or her probation officer or private probation officer, as the case may be, within the period prescribed in subparagraph (D) of paragraph (1) of this subsection, such officer shall neither submit such affidavit nor seek a tolling order."

SECTION 2-18.

An Act relating to the effect of a confinement sentence when guilt has not been adjudicated, approved March 20, 1985 (Ga. L. 1985, p. 380), is amended by revising Section 3 as follows:

"SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval."

SECTION 2-19.

Code Section 43-1-19 of the Official Code of Georgia Annotated, relating to grounds for refusing to grant or revoking professional licenses, is amended by revising paragraph (4) of subsection (a) and subsection (q) as follows:

"(4)(A) Been arrested, charged, and sentenced for the commission of any felony, or any crime involving moral turpitude, ~~where~~ when:

~~(A) First offender treatment without adjudication of guilt pursuant to the charge was granted; or~~

(i) A sentence for such offense was imposed pursuant to Article 3 of Chapter 8 of Title 42 or another state's first offender laws;

(ii) A sentence for such offense was imposed pursuant to subsection (a) or (c) of Code Section 16-13-2;

(iii) A sentence for such offense was imposed as a result of a plea of nolo contendere; or

~~(B)(iv) An adjudication of guilt or sentence was otherwise withheld or not entered on the charge, except with respect to a plea of nolo contendere.~~

(B) An ~~The~~ order entered pursuant to ~~the provisions of subsection (a) or (c) of Code Section 16-13-2, Article 3 of Chapter 8 of Title 42, relating to probation of first offenders, or other~~ or another state's first offender treatment order shall be conclusive evidence of an arrest and sentencing for such crime offense;"

"(q)(1) Notwithstanding paragraphs (3) and (4) of subsection (a) of this Code section or any other provision of law, and unless a felony or crime involving moral turpitude directly relates to the occupation for which the license is sought or held, no professional licensing board shall refuse to grant a license to an applicant therefor or shall revoke the license of ~~a person~~ an individual licensed by that board due solely or in part to ~~a conviction~~ such applicant's or licensee's:

(A) Conviction of any felony or any crime involving moral turpitude, whether it occurred in the courts of this state or any other state, territory, or country or in the courts of the United States; or due to any arrest, charge, and sentence

(B) Arrest, charge, and sentence for the commission of any felony such offense;

(C) Sentence for such offense pursuant to Article 3 of Chapter 8 of Title 42 or another state's first offender laws;

(D) Sentence for such offense pursuant to subsection (a) or (c) of Code Section 16-13-2;

(E) Sentence for such offense as a result of a plea of nolo contendere; or

(F) Adjudication of guilt or sentence was otherwise withheld or not entered.

~~unless such felony directly relates to the occupation for which the license is sought or held.~~

(2) In determining if a felony or crime involving moral turpitude directly relates to the occupation for which the license is sought or held, the professional licensing board shall consider:

(A) The nature and seriousness of ~~the~~ such felony or crime involving moral turpitude and the relationship of ~~the~~ such felony or crime involving moral turpitude

to the occupation for which the license is sought or held;

(B) The age of the ~~person~~ individual at the time ~~the~~ such felony or crime involving moral turpitude was committed;

(C) The length of time elapsed since ~~the~~ such felony or crime involving moral turpitude was committed;

(D) All circumstances relative to ~~the~~ such felony or crime involving moral turpitude, including, but not limited to, mitigating circumstances or social conditions surrounding the commission of ~~the~~ such felony or crime involving moral turpitude; and

(E) Evidence of rehabilitation and present fitness to perform the duties of the occupation for which the license is sought or held."

PART III SECTION 3-1.

Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, is amended by revising paragraph (1) of Code Section 31-2-1, relating to legislative intent and grant of authority, as follows:

"(1) Serve as the lead planning agency for all health issues in the state to remedy the current situation wherein the responsibility for health care policy, purchasing, planning, and regulation is spread among many different agencies and achieve determinations of Medicaid eligibility for inmates to attain services at long-term care facilities when he or she is being considered for parole;"

SECTION 3-2.

Said chapter is further amended in Code Section 31-2-4, relating to the department's powers, duties, functions, and responsibilities, by deleting "and" at the end of division (d)(10)(B)(ii), by replacing the period with "; and" at the end of subparagraph (d)(11)(D), and by adding two new paragraphs to read as follows:

"(12) In cooperation with the Department of Corrections and the State Board of Pardons and Paroles, shall establish and implement a Medicaid eligibility determination procedure so that inmates being considered for parole who are eligible for long-term care services may apply for Medicaid; and

(13) Shall request federal approval for and facilitate the application of certificates of need for facilities capable of providing long-term care services, with Medicaid as the primary funding source, to inmates who are eligible for such services and funding upon his or her release from a public institution, as such term is defined in Code Section 49-4-31."

SECTION 3-3.

Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public assistance, is amended by revising Code Section 49-4-31, relating to definitions for old-age assistance, as follows:

"49-4-31.

As used in this article, the term:

- (1) 'Applicant' means a person who has applied for assistance under this article.
- (2) 'Assistance' means money payments to, medical care in behalf of, or any type of remedial care recognized under state law in behalf of needy individuals who are 65 years of age or older but ~~does~~ shall not include any such payments to or care in behalf of any individual who is ~~an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental health or developmental disability services.~~
- (3) 'Medical institution' means an institution that is organized to provide medical, nursing, or convalescent care.
- (4) 'Public institution' means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control.
- ~~(3)~~(5) 'Recipient' means a person who has received assistance under this article."

SECTION 3-4.

Said chapter is further amended by revising Code Section 49-4-32, relating to eligibility for assistance under this article, as follows:

"49-4-32.

- (a) Assistance shall be granted under this article to any person who:
 - (1) Is 65 years of age or older;
 - (2) Does not have sufficient income or other resources to provide a reasonable subsistence compatible with decency and health;
 - (3) ~~Is not, at the time of receiving assistance, an inmate or patient of any public institution, except as a patient in a medical institution. An inmate or patient of such an institution may, however, make application for such assistance but the assistance, if granted, shall not begin until after he ceases to be an inmate;~~
 - (4) Has not made an assignment or transfer of property for the purpose of ~~rendering himself eligible~~ attaining eligibility for assistance under this article at any time within two years immediately prior to the filing of application for assistance pursuant to this article;
 - ~~(5)~~(4) Has been a bona fide resident of this state for not less than one year; and
 - ~~(6)~~(5) Is not receiving assistance under Article 3 of this chapter.
- (b) No applicant shall be required to subscribe to a pauper's oath in order to be eligible for assistance under this article.
- (c) ~~Final conviction of a crime or criminal offense and detention of one so convicted either by this state or by any subdivision thereof shall constitute a forfeiture or suspension of all rights to assistance under this article but only during the period of actual confinement~~ Inmates of any public institution meeting the requirements of subsection (a) of this Code section may be granted assistance, provided such public institution has entered into an agreement with the Department of Community Health to determine an inmate's eligibility for assistance and services. Such agreement shall require the public institution or medical institution providing services to such inmate to

provide the Department of Community Health with the required monetary payment to match the federal matching funds as set forth in federal law for the services received."

SECTION 3-5.

Said chapter is further amended in Code Section 49-4-51, relating to definitions for aid to the blind, by revising paragraph (2), by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and paragraphs (5) and (6) as paragraphs (7) and (8), respectively, and by adding new paragraphs to read as follows:

"(2) 'Assistance' means money payments to or hospital care in behalf of needy blind individuals but ~~does~~ shall not include any such payments to or care in behalf of any such individual who is ~~an inmate of a public institution (except as a patient in a medical institution)~~ nor any individual who:

(A) Is a patient in an institution for tuberculosis or mental illness or developmental disability; or

(B) Has been diagnosed as having tuberculosis or being mentally ill or developmentally disabled and is a patient in a medical institution as a result thereof.

(3) 'Medical institution' means an institution that is organized to provide medical, nursing, or convalescent care."

"(6) 'Public institution' means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control."

SECTION 3-6.

Said chapter is further amended by revising subsection (b) of Code Section 49-4-52, relating to eligibility for assistance under this article, as follows:

~~"(b) All assistance under this article shall be suspended in the event of and during the period of confinement in any public penal institution after final conviction of a crime against the laws of this state or any political subdivision thereof~~ Inmates of any public institution meeting the requirements of subsection (a) of this Code section may be granted assistance, provided such public institution has entered into an agreement with the Department of Community Health to determine an inmate's eligibility for assistance and services. Such agreement shall require the public institution or medical institution providing services to such inmate to provide the Department of Community Health with the required monetary payment to match the federal matching funds as set forth in federal law for the services received."

SECTION 3-7.

Said chapter is further amended in Code Section 49-4-80, relating to definitions for aid to the disabled, by revising paragraph (2), by redesignating paragraphs (3) and (4) as paragraphs (5) and (6), respectively, and by adding new paragraphs to read as follows:

"(2) 'Assistance' means money payments to, or hospital care in behalf of, needy individuals who are totally and permanently disabled but does not include ~~any such payments to or care in behalf of any such individual who is an inmate of a public~~

~~institution (except as a patient in a medical institution)~~ or any individual:

(A) Who is a patient in an institution for tuberculosis or mental illness or developmental disability; or

(B) Who has been diagnosed as having tuberculosis or being mentally ill or developmentally disabled and is a patient in a medical institution as a result thereof.

(3) 'Medical institution' means an institution that is organized to provide medical, nursing, or convalescent care.

(4) 'Public institution' means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control."

SECTION 3-8.

Said chapter is further amended in Code Section 49-4-81, relating to eligibility for assistance under this article, by adding a new subsection to read as follows:

"(c) Inmates of any public institution meeting the requirements of subsection (a) of this Code section may be granted assistance, provided such public institution has entered into an agreement with the Department of Community Health to determine an inmate's eligibility for assistance and services. Such agreement shall require the public institution or medical institution providing services to such inmate to provide the Department of Community Health with the required monetary payment to match the federal matching funds as set forth in federal law for the services received."

PART IV SECTION 4-1.

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by revising subparagraph (a)(6)(B) of Code Section 16-8-12, relating to penalties for theft in violation of Code Sections 16-8-2 through 16-8-9, as follows:

"(B) If the property which was the subject of the theft offense was a destructive device, explosive, or firearm, by imprisonment for not less than one year nor more than ten years; provided, however, that upon a second or subsequent conviction, by imprisonment for not less than five nor more than ten years;"

SECTION 4-2.

Said title is further amended by revising Code Section 16-9-70, relating to criminal use of an article with an altered identification mark, as follows:

"16-9-70.

(a) As used in this Code section, the term 'firearm' shall have the same meaning as set forth in division (a)(6)(A)(iii) of Code Section 16-8-12.

(b) A person commits the offense of criminal use of an article with an altered identification mark when he or she buys, sells, receives, disposes of, conceals, or has in his or her possession a radio, piano, phonograph, sewing machine, washing machine, typewriter, adding machine, comptometer, bicycle, firearm, safe, vacuum cleaner, dictaphone, watch, watch movement, watch case, or any other mechanical or electrical

device, appliance, contrivance, material, vessel as defined in Code Section 52-7-3, or other piece of apparatus or equipment, other than a motor vehicle as defined in Code Section 40-1-1, from which he or she knows the manufacturer's name plate, serial number, or any other distinguishing number or identification mark has been removed for the purpose of concealing or destroying the identity of such article.

~~(b)~~(c)(1) A person convicted of the offense of criminal use of an article, other than a firearm, with an altered identification mark shall be guilty of a felony and upon conviction shall be punished by imprisonment for not less than one year nor more than five years.

(2) A person convicted of the offense of criminal use of a firearm with an altered identification mark shall be guilty of a felony and upon conviction shall be punished by imprisonment for not less than one year nor more than ten years; provided, however, that upon a second or subsequent conviction, by imprisonment for not less than five nor more than ten years.

~~(e)~~(d) This Code section ~~does~~ shall not apply to those cases or instances ~~where~~ when any of the changes or alterations enumerated in subsection ~~(a)~~ (b) of this Code section have been customarily made or done as an established practice in the ordinary and regular conduct of business by the original manufacturer or by ~~his~~ its duly appointed direct representative or under specific authorization from the original manufacturer."

SECTION 4-3.

Said title is further amended by revising Code Section 16-11-113, relating to the offense of transferring a firearm to an individual other than the actual buyer, as follows:

"16-11-113.

(a) Any person who knowingly attempts to solicit, persuade, encourage, or entice any dealer to transfer or otherwise convey a firearm ~~other than~~ to an individual who is not the actual buyer, to an individual who is on probation as a felony first offender pursuant to Article 3 of Chapter 8 of Title 42, to an individual who is on probation and sentenced for a felony under subsection (a) or (c) of Code Section 16-13-2, or to an individual who has been convicted of a felony by a court of this state or any other state, as well as any other person who willfully and intentionally aids or abets such person, shall be guilty of a felony and upon conviction shall be punished by imprisonment for not less than one year nor more than five years; provided, however, that upon a second or subsequent conviction, by imprisonment for not less than five nor more than ten years.

(b) This Code section shall not apply to a federal law enforcement officer or a peace officer, as defined in Code Section 16-1-3, in the performance of his or her official duties or other person under such officer's direct supervision."

SECTION 4-4.

Said title is further amended by revising subsections (b), (b.1), and (f) of Code Section 16-11-131, relating to possession of firearms by convicted felons and first offender probationers, as follows:

"(b) Any person who is on probation as a felony first offender pursuant to Article 3 of

Chapter 8 of Title 42, who is on probation and was sentenced for a felony under subsection (a) or (c) of Code Section 16-13-2, or who has been convicted of a felony by a court of this state or any other state; by a court of the United States including its territories, possessions, and dominions; or by a court of any foreign nation and who receives, possesses, or transports any firearm commits a felony and, upon conviction thereof, shall be imprisoned for not less than one year nor more than five ten years; provided, however, that upon a second or subsequent conviction, such person shall be imprisoned for not less than five nor more than ten years; provided, further, that if the felony ~~as to~~ for which the person is on probation or has been previously convicted is a forcible felony, then upon conviction of receiving, possessing, or transporting a firearm, such person shall be imprisoned for a period of five years.

(b.1) Any person who is prohibited by this Code section from possessing a firearm because of conviction of a forcible felony or because of being on probation as a first offender or under conditional discharge for a forcible felony pursuant to this Code section and who attempts to purchase or obtain transfer of a firearm shall be guilty of a felony and upon conviction shall be punished by imprisonment for not less than one year nor more than five years; provided, however, that upon a second or subsequent conviction, such person shall be punished by imprisonment for not less than five nor more than ten years."

"(f) Any person ~~placed on probation~~ sentenced as a first offender pursuant to Article 3 of Chapter 8 of Title 42 or sentenced pursuant to subsection (a) or (c) of Code Section 16-13-2 and subsequently discharged without court adjudication of guilt as a matter of law pursuant to Code Section 42-8-60 or 16-13-2, as applicable, shall, upon such discharge, be relieved from the disabilities imposed by this Code section."

PART V SECTION 5-1.

All laws and parts of laws in conflict with this Act are repealed.

Senator Williams of the 27th offered the following amendment #1:

Amend SB 407 (LC 29 7957S) by

striking "or any misdemeanor violation of Code Section 16-7-21, 16-8-14, 16-8-14.1 or 16-13-30" at lines 201-202 and replacing with "or any misdemeanor violation of Code Section 16-13-30, 16-7-21 provided the act does not involve damage to property, or 16-18-14 and 16-18-14.1 provided that the property which was subject to the theft or fraud is \$100.00 or less in value."

On the adoption of the amendment, the President asked unanimous consent.

Senator Strickland of the 17th objected.

On the adoption of the amendment, the President ordered a roll call, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
N Beach	N Jones, B	Y Shafer
N Black	N Jones, E	N Sims
N Brass	N Jones, H	N Stone
N Burke	N Jordan	N Strickland
N Butler	N Kennedy	E Tate
N Cowsert	N Kirk	N Thompson, B
N Davenport	N Kirkpatrick	N Thompson, C
N Dugan	N Ligon	E Tillery
N Ginn	N Lucas	E Tippins
N Gooch	N Martin	N Unterman
N Harbin	Y McKoon	N Walker
Harbison	N Millar	N Watson
N Harper	N Miller	Y Wilkinson
Y Heath	N Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
N Hill	N Parent	

On the adoption of the amendment, the yeas were 5, nays 47, and the Williams of the 27th amendment #1 to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B

Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 407, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/26/2018

Due to business outside the Senate Chamber, I missed the vote on SB 407. Had I been present, I would have voted "yes".

/s/ Gail Davenport
District 44

SR 774. By Senators Stone of the 23rd, Mullis of the 53rd, Miller of the 49th, Cowsert of the 46th, Gooch of the 51st and others:

A RESOLUTION creating the Joint Study Committee on Adoption Expenses; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Jordan	Y Strickland

Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 48, nays 1.

SR 774, having received the requisite constitutional majority, was adopted.

The following communication was received by the Secretary:

2/26/18

Due to business outside the Senate Chamber, I missed the vote on SR 774. Had I been present, I would have voted "yes".

/s/ Butch Miller
District 49

Senator Butch Miller, President Pro Tempore, assumed the Chair.

SR 745. By Senators Millar of the 40th, Shafer of the 48th, Henson of the 41st and Unterman of the 45th:

A RESOLUTION recognizing Robert H. "Bob" Bell and dedicating interchanges in his honor; and for other purposes.

The Senate Committee on Transportation offered the following substitute to SR 745:

A RESOLUTION

Dedicating certain portions of the state highway system; and for other purposes.

PART I

WHEREAS, Robert H. "Bob" Bell honorably served this state as a member of the Georgia General Assembly from 1969 through 1982, serving four years in the House of Representatives and ten years in the Senate; and

WHEREAS, for his service in the General Assembly, he was honored by the *Atlanta Journal-Constitution Magazine* as one of Georgia's Ten Best Legislators in 1980 and by the National Conference of State Legislatures as one of the nation's Ten Outstanding Legislators in 1981; and

WHEREAS, he has been recognized with numerous honors and accolades, including the Georgia Municipal Association Award for outstanding service to Georgia citizens, the Association of the United States Army award for exceptional service in support of national defense, the Friend of the Children award of the Council for Children for his work in juvenile justice reform, and the Red Cross award for outstanding legislative contributions and was cited by the National Rifle Association and the Georgia Wildlife Association for his legislative service; and

WHEREAS, his leadership and guidance were instrumental as chairman of the Republican Party of Georgia, and he was the Republican Party nominee for Governor in 1982; and

WHEREAS, he served the citizens of Georgia with honor and distinction, and his vision and unyielding commitment set the standard for public service; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating interchanges in his honor.

PART II

WHEREAS, Honorable William "Bill" Jones serves as CEO of Jones Petroleum and JP Capital & Insurance, Inc.; and

WHEREAS, a native of Jackson, Georgia, Mr. Jones earned bachelor's and master's degrees from the University of Georgia and an L.L.B. degree from Atlanta Law School; and

WHEREAS, he founded Jones Petroleum in 1968 with the purchase of a single convenience store and through dedication and sacrifice built a diversified company with over 500 employees; and

WHEREAS, Mr. Jones served four terms in the Georgia General Assembly and is the youngest professional in Georgia history to serve as Superintendent of Schools in Butts County; and

WHEREAS, his leadership and guidance were instrumental as chairman of the Butts County Water & Sewage Department and the Industrial Development Authority of Butts County as well as numerous organizations, including the Georgia Oilman's Association,

Georgia Food Industry Association, C&S National Bank, Gordon State College Foundation, Partners for Smart Growth, National Senatorial Committee, Convenient Stores Association of Georgia, and the Piedmont and Georgia Cattleman's Associations; and

WHEREAS, Mr. Jones has been recognized with numerous honors and accolades, including the 2012 Butts County Chamber of Commerce Hall of Fame Award and the 2013 University of Georgia Graduate School Alumni of Distinction Award; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART III

WHEREAS, Mr. A. Frank Williams has long been recognized by the citizens of this state for the vital role that he has played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he has diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his 44 years of superlative service with the City of Hephzibah Commission; and

WHEREAS, Mr. Williams' significant organizational and leadership talents, his remarkable patience and diplomacy, his keen sense of vision, and his sensitivity to the needs of the citizens of this state earned him the respect and admiration of his colleagues and associates; and

WHEREAS, he is a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness; and

WHEREAS, Mr. Williams served with honor and distinction with the City of Hephzibah Commission, and his vision and unyielding commitment set the standard for public service; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART IV

WHEREAS, Attorney General Thurbert Baker served as attorney general for the State of Georgia for 13 years under three different Governors; and

WHEREAS, he earned a bachelor's degree from the University of North Carolina at Chapel Hill and a law degree from Emory University; and

WHEREAS, Attorney General Baker began his career in politics with the Georgia General Assembly, spending eight years in the House of Representatives, where he served as the House Floor Leader for Governor Zell Miller and was instrumental in shepherding the passage of legislation establishing the HOPE scholarship program; and

WHEREAS, Attorney General Baker has been consistently selected as one of the "100 Most Influential Georgians" by *Georgia Trend* magazine; and

WHEREAS, in 2009, he received the first annual Barack Obama Political Leadership award from the National Bar Association, and he was recently selected by *Men Looking Ahead* magazine as its Man of the Year; and

WHEREAS, his leadership and guidance have been instrumental to numerous organizations, including the National Association of Attorneys General, the American Bar Association's House of Delegates, the Democratic Attorneys General Association, and the Republican Attorneys General Association; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments of this distinguished Georgian be appropriately recognized by dedicating an interchange in his honor.

PART V

WHEREAS, Mr. Troy Simpson was born in Habersham County, Georgia, on August 5, 1933, and was a lifelong resident of the community; and

WHEREAS, a man of deep and abiding faith, Mr. Simpson was a devoted member of Hazel Creek Baptist Church and served as a Habersham County Rotarian; and

WHEREAS, Mr. Simpson sacrificed his own safety and comfort to protect and serve this nation in the United States Army and began a career in the automobile industry upon returning home from defending our nation; and

WHEREAS, Mr. Simpson dedicated himself to public service for more than 20 years, including service as a Habersham County Commissioner; and

WHEREAS, Mr. Simpson served with honor and distinction on the State Transportation Board from 1969 until 1982, which included a term as chairman; and

WHEREAS, during his service on the State Transportation Board, Mr. Simpson was instrumental in the development of one of the most prominent roadway projects in Georgia with the completion of State Route 365; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his honor.

PART VI

WHEREAS, Mr. Horace Fitzpatrick was born on January 18, 1930, the beloved son of Ernest Obediah Fitzpatrick and Chester Bonnie White and youngest of 13 children; and

WHEREAS, a graduate of Ila High School in 1947 where he served as class president, Mr. Fitzpatrick earned his bachelor's degree, master's degree, and specialist degree from the University of Georgia; and

WHEREAS, he dedicated 16 years to inspiring the future leaders of this state as an educator in White County, where he instilled in his pupils his core values, morals, and respect for others and how to become a valuable and contributing member of society; and

WHEREAS, a hero to many of his students, Mr. Fitzpatrick was elected to serve as White County Superintendent of Schools in 1968 and served in this position for 12 years; and

WHEREAS, he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of education for all Georgians as further evidenced by his ten years of service with the Department of Education; and

WHEREAS, he was a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating an intersection in his honor.

PART VII

WHEREAS, Mr. Rudy Bowen was born in Atlanta, Georgia, and attended Dawson County High School as well as the University of Georgia; and

WHEREAS, a former lumber salesman, Mr. Bowen founded Bowen Family Homes in 1969 when he built a new home in Gwinnett County; and

WHEREAS, over the next five years, Mr. Bowen constructed an average of 50 homes a year and, in 1985, the company began its own land development efforts, which allowed the company to avoid third-party costs; and

WHEREAS, to this day, Bowen Family Homes constructs entire communities and provides customers with a total home buying experience; and

WHEREAS, Bowen Family Homes was the fourth largest in metro Atlanta with 59 homes closed, according to the 2009-2010 *Atlanta Business Chronicle* Book of Lists, and it generated \$165 million in revenue in 2008 with 30 full-time employees; and

WHEREAS, Bowen Family Homes was recognized as the 25th largest privately owned builder in the country by *Builder Magazine* for 2005 and in 2007 and was named Georgia Family Business of the Year among medium sized companies by *Georgia Trend* and the Cox Family Enterprise Center at Kennesaw State University; and

WHEREAS, *The Atlanta Business Chronicle* ranked Bowen Family Homes fifth among metro Atlanta builders in 2007 and 40th among Atlanta's Top Private Companies for 2007; and

WHEREAS, Bowen Family Homes was ranked 83rd on the 2007 Professional Builder Giant 400 largest homebuilders in the United States list; and

WHEREAS, Mr. Bowen has been happily married to his wife, Jean, for 56 years; is the father of Allison, Beth, and David; and has eight wonderful grandchildren; and

WHEREAS, he has performed many unspoken acts of stewardship on behalf of the Gwinnett County community and the State of Georgia and made donations to Children's Healthcare of Atlanta and Gwinnett Children's Center; and

WHEREAS, Bowen Family Homes helped build a hospice for the children in Gwinnett, donated to the American Red Cross after Hurricane Katrina, and participated in several other civic projects and causes; and

WHEREAS, Mr. Bowen has served diligently on the Department of Transportation Board since 2007, representing the 7th Congressional District, and he previously served as chairman; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be appropriately recognized by dedicating a road in his honor.

PART VIII

WHEREAS, Mr. John D. Stephens may be best known for his long and accomplished career in construction, real estate, banking, and waste management, but he has also made his mark on the civic community of the Atlanta region; and

WHEREAS, in 2000, a lifetime in the contracting business led Mr. Stephens to take on what may be his legacy project - the construction of the fifth runway of the world's busiest airport at Hartsfield-Jackson International Airport; and

WHEREAS, needing 17 million cubic yards of fill to build up the runway, he and his three sons, Mike, Mark, and Mitch, formed Stephens MDS LP and acquired 485 acres of property adjacent to the airport; and

WHEREAS, to complete this mammoth project, the company built a four-mile overland conveyor system that crossed streams and interstate highways and, over a two-year period, moved enough dirt and rock to fill the Georgia Dome six times; and

WHEREAS, the conveyor system was reliable and cost efficient and hailed for limiting the project's impact on the environment; and

WHEREAS, as that project neared completion, Mr. Stephens recognized that the residential and commercial development trends in the region would produce a demand for a sustainable waste management facility, so he opened a construction and demolition disposal facility on the very land from which he borrowed fill for the runway project; and

WHEREAS, by 2005, Mr. Stephens had organized Stephens Rock and Dirt, Inc., an on-site recycling operation that accepts soil, concrete, and other inert materials which are processed and resold as raw materials, thereby preserving precious landfill space; and

WHEREAS, Stephens MDS continues to provide dirt and aggregate rock fill to the City of Atlanta for ongoing construction at the world's busiest airport, Hartsfield-Jackson International Airport; and

WHEREAS, his leadership and guidance have been instrumental to numerous organizations, including on the Board of Trustees of Georgia Gwinnett College, the Board of Directors of the Gwinnett County Chamber of Commerce, the Georgia Utility Contractors Association, and the Georgia Board of Industry, Trade, and Tourism; and

WHEREAS, he has been recognized with numerous honors and accolades, including the Citizen of the Year Award in 2006, the Gwinnett Clean and Beautiful Environmental Legacy Award in 2007, and the naming of the Gwinnett County Chamber of Commerce's Education Center in his honor; and

WHEREAS, Mr. Stephens and his wife, Beverly, reside in Snellville, Georgia, where they enjoy their five children and nine grandchildren and are active supporters of many charitable causes, including the American Heart Association, American Cancer Society, Boy Scouts of America, Hi-Hope Service Center in Lawrenceville, and Gwinnett Children's Shelter; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART IX

WHEREAS, Mr. Virgil R. Williams graduated from the Georgia Institute of Technology in 1963 and as a senior, developed a 40 home subdivision, a gas station, and 12 unit apartment project in his native Atlanta; and

WHEREAS, upon graduation, he became president of Williams Contracting, a company that has made its mark in industrial contracting, environmental services, civil and industrial engineering, construction services, and real estate; and

WHEREAS, Mr. Williams conceived the "Williams Plan," which showed companies how to save millions of dollars in maintenance costs and reinvented service in the heavy and complicated manufacturing and utility industries; and

WHEREAS, in the early 1980s, he purchased a small group of banks in the Atlanta area and convinced Kroger supermarkets to allow him to open branches in their Georgia stores; and

WHEREAS, this innovation changed the face of modern banking, with Mr. Williams utilizing this idea nationwide in the form of International Banking Technologies; his financial institutions eventually became part of Bank of America, one of the largest banks in the United States; and

WHEREAS, Mr. Williams was a member of the Bank of America Board of Directors, where he served on the Executive Committee and the Compensation Committee and chaired the Governance Committee until his retirement; and

WHEREAS, he served as Governor Zell Miller's chief of staff from 1991 to 1995, where he chaired a monumental study on effectiveness and economy in government; during his tenure in state government, Mr. Williams also served on the Georgia Board of Regents and assisted in other activities for Governor Miller; and

WHEREAS, Mr. Williams has served on the Board of Trustees at Young Harris College, the Board of Councilors of the Carter Center, and serves on the Board of the Savannah College of Art and Design; he is also a past director of the Georgia Chamber of Commerce and past executive committee member of the Metro Atlanta Chamber of Commerce; and he continues to serve as a director of the Gwinnett County Chamber of Commerce; and

WHEREAS, in 1994, he was recognized as a Distinguished Alumni by both the Georgia Institute of Technology School of Engineering and the School of Industrial Systems Engineering, and in 2005, became the managing member of LLI Management Company, LLC, a resort enterprise of the Virgil R. Williams Family, which owns the long-term leasehold interests in Lake Lanier Islands Resort; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART X

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA that the north and south interchanges of Interstate 85 at Exit 94/Chamblee Tucker Road are dedicated as the Robert H. "Bob" Bell Interchanges.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 16 from Interstate 75/State Route 401 to State Route 42 in Butts County is dedicated as the Honorable William "Bill" Jones Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of Georgia Highway 88 within the City of Hephzibah in Richmond County is dedicated as the A. Frank Williams Highway.

BE IT FURTHER RESOLVED AND ENACTED that the interchange on Interstate 20 at State Route 12/State Route 124/Turner Hill Road in DeKalb County is dedicated as the Thurbert Baker Interchange.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on Historic US 441 in Habersham County is dedicated as the Troy Simpson Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the intersection of U.S. 129 with Westmoreland Road in White County is dedicated as the Horace Fitzpatrick Intersection.

BE IT FURTHER RESOLVED AND ENACTED that the portion of GA 20 from Windermere Parkway in Forsyth County to Suwanee Dam Road in Gwinnett County is dedicated as the Rudy Bowen Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of GA 124 from State Route 10/US 78 to GA 316 in Gwinnett County is dedicated as the John D. Stephens Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of GA 347 from Interstate 985/GA 365 to McEver Road in Hall County is dedicated as the Virgil Williams Highway.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized and directed to erect and maintain appropriate signs dedicating the road facilities named in this resolution.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized to correct any errors in the spelling of names included in this resolution without further action from the General Assembly.

BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed to make appropriate copies of this resolution available for distribution to the Department of Transportation; to Robert H. "Bob" Bell, Honorable William "Bill" Jones, Mr. A. Frank Williams, Attorney General Thurbert Baker, Mr. Rudy Bowen, Mr. John D. Stephens, and Mr. Virgil Williams; and to the families of Mr. Troy Simpson and Mr. Horace Fitzpatrick.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the adoption of the resolution by substitute, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 51, nays 0.

SR 745, having received the requisite constitutional majority, was adopted by substitute.

SB 309. By Senators McKoon of the 29th, Mullis of the 53rd, Albers of the 56th, Gooch of the 51st, Miller of the 49th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide for the time for opening and closing of the polls; to provide that special primaries shall be conducted with special elections to fill vacancies in partisan offices; to provide for the filling of vacancies in certain offices; to amend Chapter 5 of Title 45 of the Official Code of Georgia Annotated, relating to vacation of office, so as to provide for the filling of vacancies in certain offices; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Ethics offered the following substitute to SB 309:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide for the time for opening and closing of the polls; to provide for the number of votes for nomination and election in special primaries; to provide that special primaries shall be conducted with special elections to fill vacancies in partisan offices; to provide for the filling of vacancies in certain offices; to amend Chapter 5 of Title 45 of the Official Code of Georgia Annotated, relating to vacation of office, so as to provide for the filling of vacancies in certain offices; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, is amended by revising Code Section 21-2-403, relating to time for opening and closing of polls, as follows:

"21-2-403.

At all primaries and elections the polls shall be opened at 7:00 A.M. eastern standard time or eastern daylight time, whichever is applicable, and shall remain open continuously until 7:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, at which time they shall be closed; ~~provided, however, that, in all cities having a population of 300,000 or more according to the United States decennial census of 1970 or any future such census, the polls shall remain open continuously until 8:00 P.M. eastern standard time or eastern daylight time, whichever is applicable, during the cities' general elections, at which time they shall be closed and provided, further, that, in a special election held to fill a vacancy in an office in which the district represented~~

~~by such office lies wholly within the boundaries of a city, the polls shall close at the same time as for a municipal general election in such city."~~

SECTION 2.

Said chapter is further amended by revising Code Section 21-2-501, relating to number of votes required for election, as follows:

"21-2-501.

(a)(1) Except as otherwise provided in this Code section, no candidate shall be nominated for public office in any primary for any public office or in a special primary for a federal office or elected to any public office in any election or special election unless such candidate shall have received a majority of the votes cast to fill such nomination or public office. In instances where no candidate receives a majority of the votes cast in such situations, a run-off primary, special primary runoff, run-off election, or special election runoff between the candidates receiving the two highest numbers of votes shall be held. Unless such date is postponed by a court order, such run-off primary, special primary runoff, run-off election, or special election runoff shall be held as provided in this subsection. Notwithstanding any provision of law to the contrary, in a special primary to nominate a candidate for any public office other than a federal office, the candidate receiving the highest number of the votes cast in such special primary shall be declared nominated and no special primary runoff shall be conducted.

(2) In the case of a runoff from a general primary or a special primary or special election held in conjunction with a general primary, the runoff shall be held on the Tuesday of the ninth week following such general primary.

(3) In the case of a runoff from a general election for a federal office or a runoff from a special primary or special election for a federal office held in conjunction with a general election, the runoff shall be held on the Tuesday of the ninth week following such general election.

(4) In the case of a runoff from a general election for an office other than a federal office or a runoff from a special primary or special election for an office other than a federal office held in conjunction with a general election, the runoff shall be held on the twenty-eighth day after the day of holding the preceding general election.

(5) In the case of a runoff from a special primary or special election for a federal office not held in conjunction with a general primary or general election, the runoff shall be held on the Tuesday of the ninth week following such special primary or special election.

(6) In the case of a runoff from a special primary or special election for an office other than a federal office not held in conjunction with a general primary or general election, the runoff shall be held on the twenty-eighth day after the day of holding the preceding ~~special primary or~~ special election; provided, however, that, if such runoff is from a special primary or special election held in conjunction with a special primary or special election for a federal office and there is a runoff being conducted for such federal office, the runoff from the special primary or special election

conducted for such other office may be held in conjunction with the runoff for the federal office.

(7) If any candidate eligible to be in a runoff withdraws, dies, or is found to be ineligible, the remaining candidates receiving the two highest numbers of votes shall be the candidates in the runoff.

(8) The candidate receiving the highest number of the votes cast in such run-off primary, special primary runoff, run-off election, or special election runoff to fill the nomination or public office sought shall be declared the winner.

(9) The name of a write-in candidate eligible for election in a runoff shall be printed on the election or special election run-off ballot in the independent column.

(10) The run-off primary, special primary runoff, run-off election, or special election runoff shall be a continuation of the primary, special primary, election, or special election for the particular office concerned. Only the electors who were duly registered to vote and not subsequently deemed disqualified to vote in the primary, special primary, election, or special election for candidates for that particular office shall be entitled to vote therein, and only those votes cast for the persons designated as candidates in such run-off primary, special primary runoff, run-off election, or special election runoff shall be counted in the tabulation and canvass of the votes cast. No elector shall vote in a run-off primary or special primary runoff in violation of Code Section 21-2-224.

(b) For the purposes of this subsection, the word 'plurality' shall mean the receiving by one candidate alone of the highest number of votes cast. If the municipal charter or ordinances of a municipality as now existing or as amended subsequent to September 1, 1968, provide that a candidate may be nominated or elected by a plurality of the votes cast to fill such nomination or public office, such provision shall prevail. Otherwise, no municipal candidate shall be nominated for public office in any primary or elected to public office in any election unless such candidate shall have received a majority of the votes cast to fill such nomination or public office.

(c) In instances in which no municipal candidate receives a majority of the votes cast and the municipal charter or ordinances do not provide for nomination or election by a plurality vote, a run-off primary or election shall be held between the candidates receiving the two highest numbers of votes. Such runoff shall be held on the twenty-eighth day after the day of holding the first primary or election, unless such run-off date is postponed by court order; provided, however, that, in the case of a runoff from a municipal special election that is held in conjunction with a special election for a federal office and not in conjunction with a general primary or general election, the municipality may conduct such runoff from such municipal special election on the date of the special election runoff for the federal office. Only the electors entitled to vote in the first primary or election shall be entitled to vote in any run-off primary or election resulting therefrom; provided, however, that no elector shall vote in a run-off primary in violation of Code Section 21-2-216. The run-off primary or election shall be a continuation of the first primary or election, and only those votes cast for the candidates receiving the two highest numbers of votes in the first primary or election shall be

counted. No write-in votes may be cast in such a primary, run-off primary, or run-off election. If any candidate eligible to be in a runoff withdraws, dies, or is found to be ineligible, the remaining candidates receiving the two highest numbers of votes shall be the candidates in such runoff. The municipal candidate receiving the highest number of the votes cast in such run-off primary or run-off election to fill the nomination or public office sought shall be declared the winner. The municipality shall give written notice to the Secretary of State of such runoff as soon as such municipality certifies the preceding primary, special primary, election, or special election.

(d) The name of a municipal write-in candidate eligible for election in a municipal runoff shall be printed on the municipal run-off election ballot in the independent column.

(e) In all cities having a population in excess of 100,000 according to the United States decennial census of 1980 or any future such census, in order for a municipal candidate to be nominated for public office in any primary or elected to public office in any municipal election, he or she must receive a majority of the votes cast.

(f) Except for presidential electors, to be elected to public office in a general election, a candidate must receive a majority of the votes cast in an election to fill such public office. To be elected to the office of presidential electors, no slate of candidates shall be required to receive a majority of the votes cast, but that slate of candidates shall be elected to such office which receives the highest number of votes cast."

SECTION 3.

Said chapter is further amended by revising Code Section 21-2-504, relating to special primary or election upon failure to nominate or elect or upon death, withdrawal, or failure of officer-elect to qualify, as follows:

"21-2-504.

(a) Whenever any primary or election shall fail to fill a particular nomination or office and such failure cannot be cured by a run-off primary or election, whenever any person elected to public office shall die or withdraw prior to taking office, or whenever any person elected to public office shall fail to take that office validly, the authority with whom the candidates for such nomination or office file notice of candidacy shall call a special primary ~~or and special~~ election to fill such position. ~~If a special primary will not be held and unless otherwise provided by law, the call of a~~ The call of the special primary and special election shall be made within 45 days after the occurrence of the vacancy.

(b) Whenever any person elected to municipal public office shall, after taking office, die, withdraw, or for any other reason create a vacancy in his or her office and the municipal charter fails to provide a method for the filling of such vacancy, the governing authority shall thereupon call a special election to fill such vacancy."

SECTION 4.

Said chapter is further amended by revising Code Section 21-2-540, relating to the conduct of special elections generally, as follows:

"21-2-540.

(a)(1) Every special election shall be held and conducted in all respects in accordance with the provisions of this chapter relating to general elections; and the provisions of this chapter relating to general elections shall apply thereto insofar as practicable and as not inconsistent with any other provisions of this chapter. All special elections held at the time of a general election, as provided by Code Section 21-2-541, shall be conducted by the poll officers by the use of the same equipment and facilities, ~~so far~~ insofar as practicable, as are used for such general election.

(2) Except as otherwise provided in Code Section 21-2-543.1, a vacancy in a partisan state or county elected office which is filled by special election shall require a special primary followed by a special election.

(b) At least 29 days shall intervene between the call of a special primary and the holding of same, and at least 29 days shall intervene between the call of a special election and the holding of same. The period during which candidates may qualify to run in a special primary or a special election shall remain open for a minimum of two and one-half days. Special elections and special primaries which are to be held in conjunction with ~~the~~ a presidential preference primary, a state-wide general primary, or a state-wide general election shall be called at least 90 days prior to the date of such presidential preference primary, state-wide general primary, or state-wide general election; provided, however, that this requirement shall not apply to special elections held on the same date as such presidential preference primary, state-wide general primary, or state-wide general election but conducted completely separate and apart from such state-wide general primary or state-wide general election using different ballots or voting equipment, facilities, poll workers, and paperwork. ~~Notwithstanding any provision of this subsection to the contrary, special elections which are to be held in conjunction with the state wide general primary or state wide general election in 2014 shall be called at least 60 days prior to the date of such state wide general primary or state wide general election.~~

(c)(1) Notwithstanding any other provision of law to the contrary, a special primary or special election to fill a vacancy in a county or municipal office shall be held only on one of the following dates which is at least 29 days after the date of the call for the special election:

(A) In odd-numbered years, any such special election shall only be held on:

- (i) The third Tuesday in March;
- (ii) The third Tuesday in June;
- (iii) The third Tuesday in September; or
- (iv) The Tuesday after the first Monday in November; and

(B) In even-numbered years, any such special election shall only be held on:

- (i) The third Tuesday in March; provided, however, that in the event that a special election is to be held under this provision in a year in which a presidential preference primary is to be held, then any such special election shall be held on the date of and in conjunction with the presidential preference primary;
- (ii) The date of the general primary; or

- (iii) The Tuesday after the first Monday in November; provided, however, that, in the event that a special election or special primary to fill a federal or state office on a date other than the dates provided in this paragraph has been scheduled and it is possible to hold a special election or special primary to fill a vacancy in a county, municipal, or school board office in conjunction with such special election or special primary to fill a federal or state office, the special election or special primary to fill such county, municipal, or school board office may be held on the date of and in conjunction with such special election or special primary to fill such federal or state office provided all other provisions of law regarding such elections are met.
- (2) Notwithstanding any other provision of law to the contrary, a special election to present a question to the voters shall be held only on one of the following dates which is at least 29 days after the date of the call for the special election:
- (A) In odd-numbered years, any such special election shall only be held on the third Tuesday in March or on the Tuesday after the first Monday in November; and
- (B) In even-numbered years, any such special election shall only be held on:
- (i) The date of and in conjunction with the presidential preference primary if one is held that year;
- (ii) The date of the general primary; or
- (iii) The Tuesday after the first Monday in November.
- (3) The provisions of this subsection shall not apply to:
- (A) Special elections held pursuant to Chapter 4 of this title, the 'Recall Act of 1989,' to recall a public officer or to fill a vacancy in a public office caused by a recall election; and
- (B) Special primaries or special elections to fill vacancies in federal or state public offices.
- (d) Except as otherwise provided by this chapter, the superintendent of each county or municipality shall publish the call of the special election or special primary.
- (e) ~~Candidates in special elections for partisan offices shall be listed alphabetically on the ballot and may choose to designate on the ballot their party affiliation. The party affiliation selected by a candidate shall not be changed following the close of qualifying.~~ A political body may nominate a candidate to seek office in a special election for a partisan state or county office by convention in accordance with the rules of the political body, provided that such convention is held prior to the time of the special primary. In the case of a special election to fill a federal or state office, only those candidates who file a certificate sworn to by the chairperson and secretary of a political body duly registered with the Secretary of State as required by Code Section 21-2-110, stating that the named candidate is the nominee of that political body by virtue of being nominated in a convention shall be listed on the special election ballot under the name of the political body. In the case of a special election to fill a federal or state office, the certificate shall be filed in the office of the Secretary of State not later than the close of business on the third day after the special primary. In the case of a special election to fill a county office, the certificate shall be filed in the office of the

superintendent not later than the close of business on the third day after the special primary."

SECTION 5.

Said chapter is further amended by revising Code Section 21-2-541, relating to the holding of special primary or election at time of general primary or election and inclusion of candidates and questions in special primary or election on ballot, as follows:

"21-2-541.

(a) A special primary or special election may be held at the time of a general primary or general election.

(b) If the times specified for the closing of the registration list for a special primary or special election are the same as those for a general primary or general election, the candidates and questions in such special primary or special election shall be included on the ballot for such general primary or general election. In such an instance, the name of the office and the candidates in such special primary or special election shall appear on the ballot in the position where such names would ordinarily appear if such contest was a general primary or general election."

SECTION 6.

Said chapter is further amended by revising Code Section 21-2-544, relating to special election for General Assembly vacancy, as follows:

"21-2-544.

Whenever a vacancy shall occur or exist in either house of the General Assembly, such vacancy shall be filled as follows:

~~(1) If such vacancy shall occur during a session of the General Assembly there are more than 12 months remaining in the unexpired term of office, the Governor shall issue, within ten days after the occurrence of such vacancy, a writ of election to the Secretary of State for a special primary and special election to fill such vacancy which shall be held on the ~~date~~ dates named in the writ, which shall not be fewer than 30 ~~nor more than 60~~ days after its issuance;~~

~~(2) Except as provided in paragraph (4) of this Code section, if such vacancy shall occur after the conclusion of the regular session which is held during the first year of the term of office of members of the General Assembly, but more than 60 days prior to the Tuesday following the first Monday in November of the first year of the term of office of members of the General Assembly, the Governor may issue at any time but no later than 60 days prior to the Tuesday following the first Monday in November of the first year of the term of office of members of the General Assembly a writ of election to the Secretary of State for a special election to fill such vacancy which shall be held not fewer than 30 days after its issuance nor later than 60 days prior to the Tuesday following the first Monday in November of the first year of the term of office of members of the General Assembly;~~

~~(3) If such vacancy shall occur after the conclusion of the regular session of the General Assembly held during the first year of the term of office of members of the~~

~~General Assembly during the period beginning 60 days prior to the Tuesday following the first Monday in November of such year and ending on the day prior to the beginning of the regular session of the General Assembly held during the second year of the term of office of members of the General Assembly, the Governor shall issue, within ten days after the occurrence of such vacancy, a writ of election to the Secretary of State for a special election to fill such vacancy which shall be held on the date named in the writ, which shall not be fewer than 30 nor more than 60 days after its issuance;~~

~~(4) If such vacancy shall occur following the election of a member of the General Assembly but prior to such member taking office, such vacancy shall be filled in accordance with Code Section 21-2-504, but such election shall be called within ten days of such vacancy and shall be held not fewer than 30 nor more than 60 days following the date of such call;~~

~~(5)(2) If there are 12 months or less remaining in the unexpired term of office~~ If such vacancy shall occur following the conclusion of the regular session of the General Assembly during the second year of the term of office of members of the General Assembly, the issuance of a writ of election to fill such vacancy shall be in the discretion of the Governor except as otherwise provided in paragraph (6) (3) of this Code section and if the Governor chooses to issue such writ of election to fill such vacancy, such special primary and special election shall be held on the date ~~dates~~ named in the writ, which shall not be fewer than 30 nor more than 60 days after its issuance; or

~~(6)(3)(A)~~ (A) If such vacancy shall exist at a time when the members of the General Assembly shall be required to meet in special session and there are 12 months or less remaining in the unexpired term of office, the Governor shall issue, within two days after the calling of an extraordinary session of the General Assembly during the existence of such vacancy, a writ of election to the Secretary of State for a special primary and special election to fill such vacancy which shall be held on the date ~~dates~~ named in the writ, which shall not be fewer than 30 nor more than 60 days after its issuance, provided that, in the reasonable judgment of the Governor, sufficient time exists to conduct such special primary and special election and any runoffs therefrom prior to the conclusion of the extraordinary session; or

(B) If such vacancy shall occur after the issuance by the Governor of a call for an extraordinary session of the General Assembly, but prior to the conclusion of such extraordinary session and there are 12 months or less remaining in the unexpired term of office, the Governor shall issue, within five days after the occurrence of such vacancy, a writ of election to the Secretary of State for a special primary and special election to fill such vacancy which shall be held on the date ~~dates~~ named in the writ, which shall not be fewer than 30 nor more than 60 days after its issuance, provided that, in the reasonable judgment of the Governor, sufficient time exists to conduct such special primary and special election and any runoffs therefrom prior to the conclusion of the extraordinary session.

Upon receiving the writ of election from the Governor, the Secretary of State shall then transmit the writ of election to the superintendent of each county involved and shall publish the call of the special primary and special election."

SECTION 7.

Chapter 5 of Title 45 of the Official Code of Georgia Annotated, relating to vacation of office, is amended by revising Code Section 45-5-3, relating to election or appointment of successor to fill unexpired terms, as follows:

"45-5-3.

(a) In those instances where the law applicable to an elective public office does not provide for filling a vacancy in such office and the Governor fills such vacancy pursuant to the authority of Article V, Section II, Paragraph VIII, subparagraph (a) of the Constitution and in those instances where the Governor fills a vacancy in the office of district attorney pursuant to Article VI, Section VIII, Paragraph I, subparagraph (a) of the Constitution, the vacancy shall be filled as follows:

(1) If the vacancy occurs during the final 27 months of a term of office, the Governor shall appoint a person to fill such vacancy for the remainder of the unexpired term of office; or

(2) If the vacancy occurs at any time prior to the time specified in paragraph (1) of this subsection, the Governor shall appoint a person to fill such vacancy until such vacancy is filled for the unexpired term of office at a special primary and special election provided for in subsection (b) of this Code section.

(b) When a special primary and special election ~~is~~ are required to fill a vacancy for the unexpired term of office as provided by paragraph (2) of subsection (a) of this Code section, such special primary shall be held on the same date as the general primary which is first held following the date of the vacancy and in conjunction with such general primary and such special election shall be held on the same date as the general election which is first held following the date of the vacancy and in conjunction with such general election.

(c) It shall be the duty of the appropriate state or local election officials to call and conduct the special primaries and special elections required by subsection (b) of this Code section in accordance with the applicable provisions of Chapter 2 of Title 21, known as the 'Georgia Election Code.' Any person elected to fill a vacancy pursuant to subsection (b) of this Code section shall possess the qualifications to seek and hold such office provided by law applicable to the office wherein the vacancy occurred.

(d) The provisions of this Code section shall not apply to a vacancy which occurs in any elective office of a municipality of this state."

SECTION 8.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 9.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 35, nays 19.

SB 309, having received the requisite constitutional majority, was passed by substitute.

The following Senators were excused for business outside the Senate Chamber:

Ginn of the 47th

Heath of the 31st

Williams of the 27th

SB 325. By Senators Kirkpatrick of the 32nd, Hufstetler of the 52nd, Burke of the 11th, Watson of the 1st, Tillery of the 19th and others:

A BILL to be entitled an Act to amend Chapter 34 of Title 43 of the O.C.G.A., relating to physicians, assistants, and others, so as to enter into an interstate compact known as the "Interstate Medical Licensure Compact Act"; to authorize the Georgia Composite Medical Board to administer the compact in

this state; to provide for the purpose of the compact; to provide definitions; to provide for eligibility; to provide for application of an expedited license; to provide for a coordinated information system; to provide for joint investigations and discipline; to provide for a commission to administer the compact among the member states; to provide for dispute resolution; to provide for withdrawal from the compact; to provide for construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
E Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
E Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

SB 325, having received the requisite constitutional majority, was passed.

SB 422. By Senators Unterman of the 45th, Walker III of the 20th and Orrock of the 36th:

A BILL to be entitled an Act to amend Chapter 22 of Title 31 of the Official Code of Georgia Annotated, relating to clinical laboratories, so as to provide for changes to provisions exempting pharmacists from provisions of said

chapter when performing certain tests; to remove a cross-reference; to provide for reporting of tests and standards; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
E Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
E Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

SB 422, having received the requisite constitutional majority, was passed.

SB 458. By Senators Wilkinson of the 50th, Gooch of the 51st, Ginn of the 47th, Brass of the 28th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to provide the conditions upon which family owned farmed entities may elect to discontinue a qualifying use of bona fide conservation use property while incurring reduced penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	N Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
N Dugan	Y Ligon	Y Tillery
E Ginn	N Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
E Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 3.

SB 458, having received the requisite constitutional majority, was passed.

SB 337. By Senators Unterman of the 45th, Miller of the 49th and Tillery of the 19th:

A BILL to be entitled an Act to amend Article 2 of Chapter 8 of Title 24 of the Official Code of Georgia Annotated, relating to admissions and confessions, so as to provide an effective date for the procedure relating to the testimony of a child's description of sexual contact or physical abuse; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
E Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

SB 337, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

2/26/18

Due to business outside the Senate Chamber, I missed the vote on SB 337. Had I been present, I would have voted “yes”.

/s/ Nikema Williams
District 39

The President resumed the Chair.

SB 432. By Senators Albers of the 56th, Hufstetler of the 52nd, Dugan of the 30th, Hill of the 4th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the O.C.G.A., relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain tax credits; to amend Code Section 48-8-3 of the O.C.G.A., relating to exemptions from state sales

and use taxes, so as to repeal and reserve certain exemptions from state sales and use taxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Finance offered the following substitute to SB 432:

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to fiscal bills generally, so as to require an economic analysis to be conducted by the state auditor of certain income tax credits and exemptions from sales and use taxes according to a schedule; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the 'Georgia Tax Credit Business Case Act.'

SECTION 2.

Article 3 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to fiscal bills generally, is amended by adding a new Code section to read as follows:

"28-5-41.1.

(a) An economic analysis shall include, but not be limited to, a good faith estimate as a result of the law, on an annual basis for ten years thereafter, of the following, on both a direct and indirect basis:

(1) Net change in state revenue;

(2) Net change in state expenditures, which shall include, but not be limited to, costs of administering the bill;

(3) Net change in economic activity; and

(4) Net change in public benefit.

(b) An economic analysis shall be issued by the state auditor to the House Committee on Ways and Means and the Senate Finance Committee according to the following schedule for the following Code sections or portions thereof:

(1) On or before December 1, 2018, Code Sections 48-7-29, 48-7-29.2, 48-7-29.6, 48-7-29.7, 48-7-29.14, 48-7-29.17, 48-7-40, 48-7-40.1, 48-7-40.5, 48-7-40.22, and 48-7-41 and paragraphs (7.2), (14), (15), (76), and (93) of Code Section 48-8-3;

(2) On or before December 1, 2019, Code Sections 48-7-40.6, 48-7-40.7, 48-7-40.8, 48-7-40.9, 48-7-40.15, 48-7-40.17, and 48-7-40.30 and paragraphs (15.1), (24), (38), (50), (57.3), and (62) of Code Section 48-8-3;

(3) On or before December 1, 2020, Code Sections 48-7-29.12, 48-7-29.13, 48-7-29.16, 48-7-40.27, and 48-7-40.28 and paragraphs (53) and (59) of Code Section 48-

8-3;

(4) On or before December 1, 2021, Code Sections 48-7-29.1, 48-7-29.4, 48-7-29.10, 48-7-29.15, and 48-7-40.26 and paragraphs (7.1), (39), (56), (57), (71), (97), and (98) of Code Section 48-8-3;

(5) On or before December 1, 2022, Code Sections 48-7-29.9, 48-7-40.2, 48-7-40.3, 48-7-40.4, 48-7-40.15A, and 48-7A-3 and paragraphs (47), (51), (52), and (54) of Code Section 48-8-3;

(6) On or before December 1, 2023, paragraphs (18), (36), (36.1), (40), (72), and (86) of Code Section 48-8-3; and

(7) On or before December 1, 2024, paragraphs (7), (30), (41), (46), and (63) of Code Section 48-8-3."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
E Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 432, having received the requisite constitutional majority, was passed by substitute.

SB 445. By Senators Gooch of the 51st, Beach of the 21st, Miller of the 49th, Ginn of the 47th and Dugan of the 30th:

A BILL to be entitled an Act to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for standards for contracts entered into by the Department of Transportation; to provide for a contract bidding process and award procedure; to prohibit camping on portions of the state highway system or property owned by the department; to provide for a definition; to declare property used for camping purposes in violation of such prohibition as contraband; to provide for forfeiture of such property; to provide for applicability; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Transportation offered the following substitute to SB 445:

A BILL TO BE ENTITLED
AN ACT

To amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for standards for contracts entered into by the Department of Transportation; to provide for the advertisement for contracts to be let by public bid on the department's website; to provide for a contract bidding process and award procedure; to prohibit camping on portions of the state highway system or property owned by the department; to provide for a definition; to provide for applicability; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended in Code Section 32-2-60, relating to authority of the Department of Transportation to contract, form and content of construction contracts, federal-aid highway contracts, and bonds, by revising subsections (d) and (e) as follows:

~~"(d) The provisions of subsections (b) and (c) of this Code section shall be applicable only to federal aid highway contracts.~~

~~(e)~~(d)(1) When the estimated amount of any department construction contract exceeds \$300 million, performance and payment bonds shall be required in the

amount of at least the total amount payable by the terms of the contract unless the department, after public notice, makes a written determination supported by specific findings that single bonds in such amount are not reasonably available, and the board approves such determination in a public meeting. In such event, the estimated value of the construction portion of the contract, excluding right of way acquisition and engineering, shall be guaranteed by a combination of security including, but not limited to, the following:

- (A) Payment, performance, surety, cosurety, or excess layer surety bonds;
- (B) Letters of credit;
- (C) Guarantees of the contractor or its parent companies;
- (D) Obligations of the United States and of its agencies and instrumentalities; or
- (E) Cash collateral;

provided, however, that the aggregate total guarantee of the project may not use a corporate guarantee of more than 35 percent. The combination of such guarantees shall be determined at the discretion of the department, subject to the approval of the board; provided, however, that such aggregate guarantees shall include not less than \$300 million of performance and payment bonds and shall equal not less than 100 percent of the contractor's obligation under the construction portion of the contract.

(2) Payment guarantees approved pursuant to this subsection shall be deemed to satisfy the requirements of Code Section 13-10-61. Contractors requesting payment under construction contracts guaranteed pursuant to this subsection shall provide the following certification under oath with each such request: 'All payments due to subcontractors and suppliers from previous payment received under the contract have been made, and timely payments will be made from the proceeds of the payment covered by this certification.'

SECTION 2.

Said title is further amended in Code Section 32-2-65, relating to advertising for bids, by revising subsection (a) as follows:

"(a) On all contracts required to be let by public bid, the commissioner shall advertise for competitive bids for at least two weeks; the public advertisement shall be inserted once a week in such newspapers or other publications, or both, as will ensure adequate publicity, the first insertion to be at least two weeks prior to the opening of bids, the second to follow one week after the publication of the first insertion; provided, however, that the advertisement requirement provided in this Code section shall be satisfied by posting the required information on the department's website for the required time period."

SECTION 3.

Said title is further amended in Code Section 32-2-69, relating to bidding process and award of contract, by adding a new subsection to read as follows:

"(f) The signed, notarized affidavit required in subsection (b) of Code Section 13-10-91 shall be submitted to the department prior to the award of any contract."

SECTION 4.

Said title is further amended in Article 1 of Chapter 6, relating to general provisions regarding the regulation of maintenance and use of public roads, by adding a new Code section to read as follows:

"32-6-6.

(a) For purposes of this Code section, the term 'camping' means temporary habitation outdoors as evidenced by one or more of the following actions: the erection or use of tents or other shelters; the laying down of sleeping bags, blankets, or other materials used for bedding; the placing or storing of personal belongings; the making of a fire; or the act of cooking.

(b) It shall be unlawful for any person to use any portion of road on the state highway system or any property owned by the department for camping.

(c) Nothing in this Code section shall prohibit the normal, customary, and temporary use of safety rest areas, welcome centers, tourist centers, and other property of the department or state highway system specifically designated for purposes of resting, sleeping, eating, or other similar activities by persons traveling by vehicle.

(d) This Code section shall not apply to state or local government officials or employees acting in their official capacity and while performing activities as part of their official duties and shall not apply to any employee of a contractor or subcontractor performing duties under a contract with the department.

(e) Any person convicted of violating this Code section shall be guilty of a misdemeanor."

SECTION 5.

Said title is further amended in Code Section 32-7-4, relating to procedure for disposition of property, by revising subparagraph (a)(2)(A) and paragraphs (2) and (3) of subsection (b) as follows:

"(2)(A) When an entire parcel acquired by the department, a county, or a municipality, or any interest therein, is being disposed of, it may be acquired under the right created in paragraph (1) of this subsection at such price as may be agreed upon, but in no event less than the price paid for its acquisition. When only remnants or portions of the original acquisition are being disposed of, they may be acquired for a price no less than 15 percent under the market value thereof at the time the department, county, or municipality decides the property is no longer needed. The department shall use a real estate appraiser with knowledge of the local real estate market who is licensed in Georgia to establish the fair market value of the property prior to listing such property."

"(2)(A) Such sale of property may be made by the department or a county or municipality by listing the property through a real estate broker licensed under Chapter 40 of Title 43 who has a place of business located in the ~~county where the property is located or outside the county if no such business is located in the county where the property is located~~ state. Property shall be listed for a period of at least ~~three months. Such property shall not be sold at less than its fair market value~~ 30

days. The department shall use a real estate appraiser with knowledge of the local real estate market who is licensed in Georgia to establish the fair market value of the property prior to listing such property. If the highest offer received to purchase is less than the appraised value but within 15 percent of such value, the department, county, or municipality may accept such offer and convey the property in accordance with the provisions of subsection (c) of this Code section. All sales shall be approved by the commissioner on behalf of the department or shall be approved by the governing authority of the county or municipality at a regular meeting that shall be open to the public, and public comments shall be allowed at such meeting regarding such sale.

(B) Commencing at the time of the listing of the property as provided in subparagraph (A) of this paragraph, the department, county, or municipality shall provide for a notice to be inserted once a week for two weeks in the legal organ of the county indicating the names of real estate brokers listing the property for the political subdivision. The department, county, or municipality may advertise in newspapers, on the Internet, or in magazines relating to the sale of real estate or similar publications.

(C) The department, county, or municipality shall have the right to reject any and all offers, in its discretion, and to sell such property pursuant to the provisions of paragraph (1) of this subsection.

(3)(A) Such sale of property may be made by the department, a county, or a municipality to the highest bidder at a public auction conducted by an auctioneer licensed under Chapter 6 of Title 43. ~~Such property shall not be sold at less than its fair market value.~~ If the highest offer received to purchase is less than the appraised value but within 15 percent of such value, the department, county, or municipality may accept such offer and convey the property in accordance with the provisions of subsection (c) of this Code section.

(B) The department, county, or municipality shall provide for a notice to be inserted once a week for the two weeks immediately preceding the auction in the legal organ of the county including, at a minimum, the following items:

- (i) A description sufficient to enable the public to identify the property;
- (ii) The time and place of the public auction;
- (iii) The right of the department or the county or municipality to reject any one or all of the bids;
- (iv) All the conditions of sale; and
- (v) Such further information as the department or the county or municipality may deem advisable as in the public interest.

The department, county, or municipality may advertise in magazines relating to the sale of real estate or similar publications.

(C) The department, county, or municipality shall have the right to reject any and all offers, in its discretion, and to sell such property pursuant to the provisions of paragraph (1) or (2) of this subsection."

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
E Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 445, having received the requisite constitutional majority, was passed by substitute.

Senator Walker III of the 20th was excused for business outside the Senate Chamber.

SB 339. By Senators Ligon, Jr. of the 3rd, Shafer of the 48th, McKoon of the 29th, Tippins of the 37th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the board of regents and university system, so as to provide for the establishment of free speech policies

for institutions of the university system; to provide for a cause of action and remedies; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Higher Education offered the following substitute to SB 339:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the board of regents and university system, so as to require the board of regents to develop a policy providing for free speech to be implemented at all institutions of the university system; to provide requirements for such policy; to provide for reports and the content of reports; to provide for disciplinary measures; to provide for regulations; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the board of regents and university system, is amended by adding a new part to read as follows:

"Part 1D

20-3-48.

The board of regents shall develop and adopt a policy or policies relevant to free expression that contains, at least, the following concepts:

(1) That the board of regents will honor the First Amendment of the United States Constitution and Paragraph V of Section I, Article I from Georgia's Bill of Rights ensuring that state colleges and universities do not allow policies or practices that curtail or restrain the freedom of speech or of the press and will ensure that all persons shall be held responsible for any abuse of these liberties;

(2) That the primary function of an institution of higher education is the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate. This statement shall provide that, to fulfill this function, the institution must strive to ensure the fullest degree of intellectual freedom and free expression;

(3) That it is not the proper role of the institution to shield individuals from speech protected by the First Amendment of the United State Constitution, including, without limitation, ideas and opinions which they find unwelcome, disagreeable, or even deeply offensive;

(4) That students and faculty have the freedom to discuss any problem that presents itself, as the First Amendment permits and within the limits of reasonable viewpoint neutral and content neutral restrictions on time, place, and manner of expression established by each institution and that are consistent with this part; provided, however, that these restrictions are clear, published, and reasonable pursuant to First Amendment jurisprudence. Students and faculty shall be permitted to assemble and engage in spontaneous expressive activity, as long as such activity is not unlawful and does not materially or substantially disrupt the functioning of the institution, and is not contrary to the institution's time, place, and manner restrictions, subject to the requirements of this paragraph;

(5) That any student or his or her invitee lawfully present on campus may protest or demonstrate there consistent with any time, place and manner policies at such campus, provided that protests and demonstrations that materially and substantially interfere with the ability of others to engage in or listen to previously scheduled or reserved activities on campus occurring at the same time shall not be permitted and shall be subject to sanction pursuant to the institution's time, place and manner policy. This policy does not prohibit professors or other instructors from maintaining order in the classroom;

(6) That a range of disciplinary sanctions shall be established for anyone under the jurisdiction of the institution who materially and substantially interferes with the free expression of others;

(7) That the campuses of the institution are open to any speaker whom students, student groups, or members of the faculty have invited so long as any such speaker complies with any applicable campus policies to reserve the time, place, and manner for such invited expression;

(8) That the institution shall make reasonable efforts and make available reasonable resources to ensure the safety of invited speakers. An institution shall not charge a security fee based on the content of the inviter's speech or the content of the speech of the invited speakers and may restrict the use of its nonpublic facilities to invited individuals. A security fee may be charged based upon the location utilized by the invited speaker pursuant to campus policies;

(9) That no institution may deny a student organization any benefit or privilege available to other campus student organizations, or otherwise discriminate against a religious student organization based on the content of that organization's expression, notwithstanding any requirement that the leaders of such organization:

(A) Affirm and adhere to the organization's sincerely held beliefs;

(B) Comply with the organization's standards of conduct; or

(C) Further the organization's mission or purpose, as defined by the student organization.

20-3-48.1.

The board of regents shall report to the public, the Governor, and the General Assembly on September 1 of every year. The report may include descriptions of the following:

- (1) Any barriers to or disruptions of free expression within state institutions of higher education;
(2) Administrative handling and discipline relating to these disruptions or barriers;
(3) Substantial difficulties, controversies, or successes in maintaining a posture of administrative and institutional neutrality with regard to political or social issues: and
(4) Any assessments, criticisms, commendations, or recommendations the board of regents sees fit to include.

20-3-48.2.

- (a) The board of regents is authorized to adopt regulations to further the purposes of the policies adopted pursuant to this part. Nothing in this part shall be construed to prevent institutions from regulating student speech or activity that is prohibited by law.
(b) Except as further limited by this part, institutions shall be allowed to restrict student expression only for expressive activity not protected by the First Amendment and shall be able to require reasonable time, place, and manner restrictions on expressive activities consistent with paragraph (4) of Code Section 20-3-48."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	E Walker
N Harbison	Y Millar	Y Watson

Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 33, nays 19.

SB 339, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/26/2018

Due to business outside the Senate Chamber, I missed the vote on SB 339. Had I been present, I would have voted "yea".

/s/ Kay Kirkpatrick
District 32

Senator Thompson of the 14th was excused for business outside the Senate Chamber.

SB 434. By Senators Unterman of the 45th, Burke of the 11th, Shafer of the 48th and Kirk of the 13th:

A BILL to be entitled an Act to amend Chapter 10 of Title 49 of the Official Code of Georgia Annotated, relating to the Georgia Board for Physician Workforce, so as to change the name of the Georgia Board for Physician Workforce to the Georgia Board of Health Care Workforce; to provide a definition; to add advanced practice registered nurses to the board's powers, duties, and responsibilities; to expand the board's membership; to amend the the Official Code of Georgia Annotated so as to conform cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims

Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 434, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

2/26/18

Due to business outside the Senate Chamber, I missed the vote on SB 434. Had I been present, I would have voted "yea".

/s/ Kay Kirkpatrick
District 32

SB 82. By Senators Jackson of the 2nd, Harbison of the 15th and Davenport of the 44th:

A BILL to be entitled an Act to amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, so as to create a need based HOPE scholarship and grant; to provide for definitions; to provide for eligibility; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Higher Education offered the following substitute to SB 82:

A BILL TO BE ENTITLED
AN ACT

To amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, so as to provide that members of

the Georgia National Guard and reservists meet residency requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, is amended in Code Section 20-3-519.1, relating to eligibility for HOPE scholarships and grants, by revising paragraph (1) of subsection (a) as follows:

"(1) Meets residency requirements by:

(A)(i) Being classified as a legal resident of Georgia as established by the program regulations promulgated by the Georgia Student Finance Commission which shall be based upon the in-state tuition policy of the board of regents and the in-state tuition guidelines set by the Technical College System of Georgia; and

(ii)(I) If the student was classified as a legal resident of Georgia at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in division (i) of this subparagraph for a period of at least 12 months immediately prior to the first day of classes for which the scholarship or grant is to be awarded; or

(II) If the student was not classified as a legal resident at the time of graduation from high school or from a home study program meeting the requirements of Code Section 20-2-690, then the student must have met the requirements set forth in division (i) of this subparagraph for a period of at least 24 months immediately prior to the first day of classes for which the scholarship or grant is to be awarded; or

(B) Being classified as a legal resident of Georgia if such student is a member of the Georgia National Guard; a member of a reserve component of the armed forces of the United States located in Georgia; or an active duty military service member or the spouse or dependent child of an active duty military service member and the active duty military service member is stationed in Georgia or lists Georgia as ~~their~~ his or her home of record; and"

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 82, having received the requisite constitutional majority, was passed by substitute.

SR 104. By Senators Heath of the 31st, Shafer of the 48th, Cowsert of the 46th, Kennedy of the 18th, Mullis of the 53rd and others:

A RESOLUTION proposing an amendment to the Constitution so as to prohibit the levy of state ad valorem taxes; to provide for applicability; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Senator Heath of the 31st asked unanimous consent that SR 104 be placed on the Table. The consent was granted, and SR 104 was placed on the Table.

Senator Burke of the 11th was excused for business outside the Senate Chamber.

SB 443. By Senator Stone of the 23rd:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to security deposits, so as to

clarify provisions relating to lists of existing defects and of damages before and after a tenancy; to clarify provisions relating to the return of a security deposit and an action to recover such security deposit; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 443:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to security deposits, so as to clarify provisions relating to lists of existing defects and of damages before and after a tenancy; to clarify provisions relating to the return of a security deposit and an action to recover such security deposit; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to security deposits, is amended by revising Code Sections 44-7-33 through 44-7-35, relating to lists of existing defects and of damages during tenancy, right of tenant to inspect and dissent, action to recover security deposit, return of security deposit, grounds for retention of part, delivery of statement and sum due to tenant, unclaimed deposit, court determination of disposition of deposit, and remedies for landlord's noncompliance with article, respectively, as follows:

"44-7-33.

(a) Prior to tendering a security deposit, the tenant shall be presented with a comprehensive list of any existing damage to the premises, which ~~list~~ shall be for the tenant's permanent retention. The tenant shall have the right to inspect the premises to ascertain the accuracy of ~~the~~ such list prior to taking occupancy. The landlord and the tenant shall sign the list, and this shall be conclusive evidence of the accuracy of the list but shall not be conclusive as to latent defects. If the tenant refuses to sign the list, the tenant shall state specifically in writing the items on ~~the~~ such list to which he or she dissents and shall sign such statement of dissent.

(b)(1) Within three business days after the date of the termination of ~~occupancy~~ the lease or rental agreement and surrender of the premises, the landlord or his or her agent shall inspect the premises and compile a comprehensive list of any damage done to the premises which is the basis for any charge against the security deposit and the estimated dollar value of such damage. After compiling such list, the landlord

shall maintain a copy of such list and make it available to the tenant upon request at any time on or prior to the fifth business day following the termination of the lease or rental agreement and surrender of the premises. The tenant shall have the right to inspect the premises within five business days after the termination of the ~~occupancy~~ lease or rental agreement and surrender of the premises in order to ascertain the accuracy of the list. ~~The~~ If the tenant exercises such inspection within five business days, the landlord shall make the list available to the tenant and the landlord and the tenant shall ~~may~~ sign the list, and this shall be conclusive evidence of the accuracy of the list. If the tenant refuses to sign the list, he or she shall state specifically in writing the items on the list to which he or she dissents and shall sign such statement of dissent.

(2) If the tenant ~~terminates occupancy~~ vacates or surrenders the premises without notifying the landlord, the landlord may make a final inspection and compile a comprehensive list of any damage done to the premises which is the basis for any charge against the security deposit and the estimated dollar value of such damage within a reasonable time, not to exceed seven business days, after discovering the ~~termination of occupancy~~ vacated or surrendered premises.

(c) A tenant who disputes the accuracy of the final damage list ~~given~~ compiled pursuant to subsection (b) of this Code section and provided to the tenant pursuant to Code Section 44-7-34 may bring an action in any court of competent jurisdiction in this state to recover the portion of the security deposit which the tenant believes to be wrongfully withheld for damages to the premises. The tenant's claims shall be limited to those items to which the tenant specifically dissented in accordance with this Code section. If the tenant fails to sign a list or to dissent specifically in accordance with this Code section, the tenant shall not be entitled to recover the security deposit or any other damages under Code Section 44-7-35, provided that the lists required under this Code section contain written notice of the tenant's duty to sign or to dissent to the list.

44-7-34.

(a) Except as otherwise provided in this article, within ~~one month~~ 30 days after the termination of the ~~residential~~ lease or rental agreement and the surrender and acceptance of the premises, ~~whichever occurs last,~~ a landlord shall return to the tenant the full security deposit which was deposited with the landlord by the tenant. No security deposit shall be retained to cover ordinary wear and tear which occurred as a result of the use of the premises for the purposes for which the premises were intended, provided that there was no negligence, carelessness, accident, or abuse of the premises by the tenant or members of his or her household or their invitees or guests. In the event that actual cause exists for retaining any portion of the security deposit, the landlord shall provide the tenant with a written statement ~~listing~~ identifying the exact reasons for the retention thereof, which shall include the comprehensive list of damages prepared as required by Code Section 44-7-33, if ~~If~~ the reason for retention is based on damages to the premises, ~~such damages shall be listed as provided in Code Section 44-7-33.~~ When ~~the~~ such statement is delivered, it shall be accompanied by a payment of the

difference between any sum deposited and the amount retained. The landlord shall be deemed to have complied with this Code section by mailing ~~the~~ such statement and any payment required to the last known address of the tenant via ~~first-class~~ first-class mail. If the letter containing the payment is returned to the landlord undelivered and if the landlord is unable to locate the tenant after reasonable effort, the payment shall become the property of the landlord 90 days after the date the payment was mailed. Nothing in this Code section shall preclude the landlord from retaining the security deposit for nonpayment of rent or of fees for late payment, for abandonment of the premises, for nonpayment of utility charges, for repair work or cleaning contracted for by the tenant with third parties, for unpaid pet fees, or for actual damages caused by the tenant's breach, provided that the landlord attempts to mitigate the actual damages.

(b) In any court action in which there is a determination that neither the landlord nor the tenant is entitled to all or a portion of a security deposit under this article, the judge or the jury, as the case may be, shall determine what would be an equitable disposition of the security deposit; and the judge shall order the security deposit paid in accordance with such disposition.

44-7-35.

(a) A landlord shall not be entitled to retain any portion of a security deposit if ~~the~~:

(1) The security deposit was not deposited in an escrow account in accordance with Code Section 44-7-31 or a surety bond was not posted in accordance with Code Section 44-7-32; and if the

(2) The initial ~~and final~~ damage lists required by subsection (a) of Code Section 44-7-33 ~~are was~~ not made and ~~provided~~ presented to the tenant as required by such subsection; and

(3) The final damage list required by subsection (b) of Code Section 44-7-33 was not compiled and made available to the tenant as required by such subsection.

(b) The failure of a landlord to provide ~~each of the lists and~~ written statements within the time periods specified in Code ~~Sections 44-7-33 and~~ Section 44-7-34 shall work a forfeiture of all ~~his~~ the landlord's rights to withhold any portion of the security deposit or to bring an action against the tenant for damages to the premises.

(c) Any landlord who fails to return any part of a security deposit which is required to be returned to a tenant pursuant to this article shall be liable to the tenant in the amount of three times the sum improperly withheld plus reasonable attorney's fees; provided, however, that the landlord shall be liable only for the sum erroneously withheld if the landlord shows by the preponderance of the evidence that the withholding was not intentional and resulted from a bona fide error which occurred in spite of the existence of procedures reasonably designed to avoid such errors."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Kirk of the 13th and Stone of the 23rd offered the following amendment #1:

Amend SB 443 CS (LC 29 7960ERS) by:

Striking on Line 43 "not to exceed seven business days"

On the adoption of the amendment, there were no objections, and the Kirk, Stone amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
E Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

SB 443, having received the requisite constitutional majority, was passed by substitute.

The following communications were received by the Secretary:

2/26/18

Due to business outside the Senate Chamber, I missed the vote on SB 443. Had I been present, I would have voted “yea”.

/s/ Butch Miller
District 49

2/26/18

Due to business outside the Senate Chamber, I missed the vote on SB 443. Had I been present, I would have voted “yes”.

/s/ Ben Watson
District 1

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to SR 631, until 10:00 a.m. Wednesday, February 28, 2018

The motion prevailed, and the President announced the Senate adjourned at 4:30 p.m.

Senate Chamber, Atlanta, Georgia
Wednesday, February 28, 2018
Twenty-eighth Legislative Day

The Senate met pursuant to adjournment at 10:19 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 121. By Representatives Efstoration of the 104th, Willard of the 51st, Powell of the 171st, Reeves of the 34th, Holcomb of the 81st and others:

A BILL to be entitled an Act to amend Chapter 12 of Title 53 of the Official Code of Georgia Annotated, relating to trusts, so as to change provisions relating to minor or unborn beneficiaries; to change provisions relating to nonjudicial settlement agreements, the modification and termination of noncharitable trusts, and distribution to another trust; to change provisions relating to modification or termination of uneconomic trusts; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 373. By Representative Knight of the 130th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to change certain requirements for proof of bona fide conservation use; to provide for payment of attorney's fees and interest in certain situations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 392. By Representatives Fleming of the 121st, Williams of the 145th, Lott of the 122nd, Ehrhart of the 36th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Code Section 20-2-161.3 of the Official Code of Georgia Annotated, relating to the "Move on When Ready Act" and dual credit courses, so as to allow funding for students taking dual credit courses at certain eligible postsecondary institutions which utilize nonstandard term systems to be eligible for payment for up to five nonstandard terms per academic year; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 493. By Representatives Stovall of the 74th, Turner of the 21st, Cantrell of the 22nd, Setzler of the 35th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Code Section 50-14-1 of the Official Code of Georgia Annotated, relating to meetings to be open to public, limitation on action to contest agency action, recording, notice of time and place, access to minutes, and telecommunications conferences, so as to require that public commentary be included in agency minutes and online videos; to repeal conflicting laws; and for other purposes.

HB 636. By Representatives Silcox of the 52nd, Drenner of the 85th, Newton of the 123rd, Hatchett of the 150th and Cooper of the 43rd:

A BILL to be entitled an Act to amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians, assistants, and others, so as to provide for the licensure of genetic counselors; to provide for continuing education requirements; to provide a short title; to provide for definitions; to provide for licensure requirements; to provide for renewal requirements; to provide for the duties and powers of the Georgia Composite Medical Board with respect to genetic counselors; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 647. By Representatives Dempsey of the 13th, Hatchett of the 150th, Newton of the 123rd and Cooper of the 43rd:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide for a pilot program to provide coverage for the treatment and management of obesity and related conditions, including medications and counseling; to provide a definition; to provide for eligibility; to provide for requirements; to provide for a review of results

and outcomes; to provide for an evaluation report on such program; to provide for automatic repeal; to provide for related matters; to provide for contingent effectiveness; to repeal conflicting laws; and for other purposes.

HB 703. By Representatives Hitchens of the 161st, Lott of the 122nd, Powell of the 32nd, Frazier of the 126th and Welch of the 110th:

A BILL to be entitled an Act to amend Chapter 5 of Title 24 of the Official Code of Georgia Annotated, relating to privileges, so as to provide for privileged communications between public safety officers and peer counselors; to amend Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, so as to create the Governor's Office of Public Safety Support; to provide for a director; to provide for responsibilities of the office; to provide for office space, staff, supplies, and materials; to provide for definitions; to provide for related matters; to provide for a contingent effective date based on funding; to repeal conflicting laws; and for other purposes.

HB 721. By Representatives Powell of the 32nd and Epps of the 144th:

A BILL to be entitled an Act to amend Code Section 40-5-27 of the Official Code of Georgia Annotated, relating to examination of applicants, so as to revise the criteria by which the Department of Driver Services shall authorize licensed driver training schools to administer the on-the-road driving skills testing; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 760. By Representatives Lumsden of the 12th, Smith of the 134th, Maxwell of the 17th, Taylor of the 173rd and Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to revise certain definitions; to clarify renewal, nonrenewal, and reduction in coverage applicability of certain automobile policies and property insurance; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 761. By Representatives Ridley of the 6th, Burns of the 159th, Powell of the 32nd, Meadows of the 5th, Harrell of the 106th and others:

A BILL to be entitled an Act to amend Code Section 40-3-33 of the Official Code of Georgia Annotated, relating to transfer of vehicle to or from a dealer, records to be kept by dealers, and electronic filing, so as to provide

for the filing of certificates of title by dealers; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 866. By Representatives Turner of the 21st, Ehrhart of the 36th, McCall of the 33rd, Houston of the 170th, LaRiccia of the 169th and others:

A BILL to be entitled an Act to amend Article 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal conflicting laws; and for other purposes.

HB 871. By Representatives LaRiccia of the 169th, Parrish of the 158th, Powell of the 171st, Burns of the 159th, Pirkle of the 155th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to create an exemption from state sales and use tax for 50 percent of the sales price of manufactured homes to be converted into real property in this state; to require proof of a qualifying purchase; to provide for recapture for unproven exemptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 885. By Representatives McCall of the 33rd, Knight of the 130th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Article 1 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, "The Georgia Air Quality Act," so as to revise certain provisions relating to limitations on the effect of said Act on powers of the Board of Natural Resources, Department of Natural Resources, Environmental Protection Division of said department, and director of said division; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 886. By Representatives Watson of the 172nd, Powell of the 171st, McCall of the 33rd, Dickey of the 140th, Pirkle of the 155th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use taxes, so as to provide for the cooperation of the Department of Revenue and the Department of Agriculture in the administration and enforcement of the state sales and use tax exemption for agricultural machinery and equipment; to provide for a change to the qualifying amounts for the

agricultural exemption; to provide for penalties; to provide for reporting; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 888. By Representatives Knight of the 130th, Harrell of the 106th, Rhodes of the 120th, Efstoration of the 104th and Rogers of the 10th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions from property tax, so as to change certain reporting requirements; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 890. By Representatives Fleming of the 121st, Burns of the 159th, Coomer of the 14th, Kelley of the 16th and Reeves of the 34th:

A BILL to be entitled an Act to amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public order, so as to make it unlawful to use an emergency exit after having shoplifted; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 898. By Representatives Powell of the 32nd, Ridley of the 6th, Trammell of the 132nd and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to revise provisions relative to fleet vehicles and fleet vehicle registration plans; to provide for definitions; to provide for fleet enrollment procedures; to provide for procedures for registering and licensing vehicles enrolled in a fleet; to provide for license plates; to remove revalidation decal requirements for vehicles in a fleet vehicle registration plan; to provide for the transfer of license plates between vehicles registered under a fleet vehicle registration plan; to provide for termination of participation in a fleet vehicle registration plan program; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstoration of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public

records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 909. By Representatives Silcox of the 52nd, Hatchett of the 150th, Cooper of the 43rd, Rynders of the 152nd and Price of the 48th:

A BILL to be entitled an Act to amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Public Health, so as to provide for the designation of perinatal facilities; to provide for legislative findings; to provide for definitions; to provide for criteria for levels of care; to provide for applications from perinatal facilities; to require the department to post a list of designated facilities; to provide for a self-assessment tool; to provide for statutory construction; to limit advertisement as a designated facility unless approved by the state; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 934. By Representatives Taylor of the 173rd, Watson of the 172nd and LaHood of the 175th:

A BILL to be entitled an Act to provide that future elections for the office of chief judge of the Magistrate Court of Thomas County shall be nonpartisan elections; to provide for the sitting chief judge of the magistrate court to serve out his or her term of office; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted, by the requisite constitutional majority, the following Resolutions of the House:

HR 1090. By Representatives Watson of the 172nd, Harden of the 148th, Tanner of the 9th, LaRiccia of the 169th and Pirkle of the 155th:

A RESOLUTION authorizing the change of use of certain property located in Jeff Davis County currently dedicated as a heritage preserve and authorizing the granting of a revocable license agreement and a nonexclusive easement for the construction, operation, and maintenance of facilities and ingress and egress in, on, over, under, upon, across, or through certain state owned real property located in Jeff Davis County; authorizing the change of use of certain property located in Crisp County currently dedicated as a heritage preserve and authorizing the granting of a revocable license agreement and a nonexclusive easement for the construction,

operation, and maintenance of facilities and ingress and egress in, on, over, under, upon, across, or through certain state owned real property; to repeal conflicting laws; and for other purposes.

HR 1103. By Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Lumsden of the 12th and Ealum of the 153rd:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Baldwin County, Bryan County, Chatham County, Dougherty County, Fulton County, Hall County, and Putnam County; authorizing the ground lease of certain state owned real property located in Cherokee County, Fulton County, and Muscogee County; authorizing the conveyance of certain state owned real property located in Rabun County; authorizing the conveyance of certain state owned real property located in Rockdale County; authorizing the conveyance of certain state owned real property located in White County; to provide an effective date; to repeal conflicting laws; and for other purposes.

HR 1104. By Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Lumsden of the 12th and Ealum of the 153rd:

A RESOLUTION authorizing the granting of non-exclusive easements for the construction, operation and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in Bartow, Bulloch, Butts, Chatham, Clay, Columbia, Emanuel, Floyd, Forsyth, Fulton, Harris, Henry, Liberty, Macon, Montgomery, Murray, Tattnall, Towns, and White Counties, to provide for an effective date, to repeal conflicting laws, and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 480. By Senator Mullis of the 53rd:

A BILL to be entitled an Act to authorize the governing authority of Walker County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 481. By Senator Jones of the 25th:

A BILL to be entitled an Act to amend an Act changing the method of electing members of the Board of Education of Putnam County, approved March 27, 1972 (Ga. L. 1972, p. 2679), as amended, particularly by an Act approved March 25, 1986 (Ga. L. 1986, p. 4525), so as to provide for the compensation of such members; to provide for the reimbursement of expenses; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 482. By Senators Albers of the 56th and Millar of the 40th:

A BILL to be entitled an Act to provide for a homestead exemption from Fulton County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SR 923. By Senator Mullis of the 53rd:

A RESOLUTION honoring the life of Mr. Jasper W. "JW" Dodd, Jr., and dedicating an intersection in his memory; and for other purposes.

Referred to the Committee on Transportation.

SR 924. By Senator Mullis of the 53rd:

A RESOLUTION honoring the life of Mr. Ben Napier and dedicating an intersection in his memory; and for other purposes.

Referred to the Committee on Transportation.

SR 925. By Senator Mullis of the 53rd:

A RESOLUTION honoring the life of Mr. William Calvert "Coach" Sandberg and dedicating an intersection in his memory; and for other purposes.

Referred to the Committee on Transportation.

SR 929. By Senator Thompson of the 14th:

A RESOLUTION creating the Joint Study Committee on Cyber Security Legislation; and for other purposes.

Referred to the Committee on Rules.

SR 935. By Senators Albers of the 56th, Mullis of the 53rd, Kennedy of the 18th, Miller of the 49th, Cowsert of the 46th and others:

A RESOLUTION creating the Senate School Safety Study Committee; and for other purposes.

Referred to the Committee on Rules.

The following House legislation was read the first time and referred to committee:

HB 121. By Representatives Efstoration of the 104th, Willard of the 51st, Powell of the 171st, Reeves of the 34th, Holcomb of the 81st and others:

A BILL to be entitled an Act to amend Chapter 12 of Title 53 of the Official Code of Georgia Annotated, relating to trusts, so as to change provisions relating to minor or unborn beneficiaries; to change provisions relating to nonjudicial settlement agreements, the modification and termination of noncharitable trusts, and distribution to another trust; to change provisions relating to modification or termination of uneconomic trusts; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 373. By Representative Knight of the 130th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to change certain requirements for proof of bona fide conservation use; to provide for payment of attorney's fees and interest in certain situations; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 392. By Representatives Fleming of the 121st, Williams of the 145th, Lott of the 122nd, Ehrhart of the 36th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Code Section 20-2-161.3 of the Official Code of Georgia Annotated, relating to the "Move on When Ready Act" and dual credit courses, so as to allow funding for students taking dual credit courses at certain eligible postsecondary institutions which utilize nonstandard term systems to be eligible for payment for up to five nonstandard terms per academic year; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

HB 493. By Representatives Stovall of the 74th, Turner of the 21st, Cantrell of the 22nd, Setzler of the 35th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Code Section 50-14-1 of the Official Code of Georgia Annotated, relating to meetings to be open to public, limitation on action to contest agency action, recording, notice of time and place, access to minutes, and telecommunications conferences, so as to require that public commentary be included in agency minutes and online videos; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Government Oversight.

HB 636. By Representatives Silcox of the 52nd, Drenner of the 85th, Newton of the 123rd, Hatchett of the 150th and Cooper of the 43rd:

A BILL to be entitled an Act to amend Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to physicians, assistants, and others, so as to provide for the licensure of genetic counselors; to provide for continuing education requirements; to provide a short title; to provide for definitions; to provide for licensure requirements; to provide for renewal requirements; to provide for the duties and powers of the Georgia Composite Medical Board with respect to genetic counselors; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

HB 647. By Representatives Dempsey of the 13th, Hatchett of the 150th, Newton of the 123rd and Cooper of the 43rd:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide for a pilot program to provide coverage for the treatment and

management of obesity and related conditions, including medications and counseling; to provide a definition; to provide for eligibility; to provide for requirements; to provide for a review of results and outcomes; to provide for an evaluation report on such program; to provide for automatic repeal; to provide for related matters; to provide for contingent effectiveness; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 703. By Representatives Hitchens of the 161st, Lott of the 122nd, Powell of the 32nd, Frazier of the 126th and Welch of the 110th:

A BILL to be entitled an Act to amend Chapter 5 of Title 24 of the Official Code of Georgia Annotated, relating to privileges, so as to provide for privileged communications between public safety officers and peer counselors; to amend Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, so as to create the Governor's Office of Public Safety Support; to provide for a director; to provide for responsibilities of the office; to provide for office space, staff, supplies, and materials; to provide for definitions; to provide for related matters; to provide for a contingent effective date based on funding; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 721. By Representatives Powell of the 32nd and Epps of the 144th:

A BILL to be entitled an Act to amend Code Section 40-5-27 of the Official Code of Georgia Annotated, relating to examination of applicants, so as to revise the criteria by which the Department of Driver Services shall authorize licensed driver training schools to administer the on-the-road driving skills testing; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 760. By Representatives Lumsden of the 12th, Smith of the 134th, Maxwell of the 17th, Taylor of the 173rd and Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to revise certain definitions; to clarify renewal, nonrenewal, and reduction in coverage applicability of certain automobile policies and property insurance; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 761. By Representatives Ridley of the 6th, Burns of the 159th, Powell of the 32nd, Meadows of the 5th, Harrell of the 106th and others:

A BILL to be entitled an Act to amend Code Section 40-3-33 of the Official Code of Georgia Annotated, relating to transfer of vehicle to or from a dealer, records to be kept by dealers, and electronic filing, so as to provide for the filing of certificates of title by dealers; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 866. By Representatives Turner of the 21st, Ehrhart of the 36th, McCall of the 33rd, Houston of the 170th, LaRiccia of the 169th and others:

A BILL to be entitled an Act to amend Article 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Banking and Financial Institutions.

HB 871. By Representatives LaRiccia of the 169th, Parrish of the 158th, Powell of the 171st, Burns of the 159th, Pirkle of the 155th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to create an exemption from state sales and use tax for 50 percent of the sales price of manufactured homes to be converted into real property in this state; to require proof of a qualifying purchase; to provide for recapture for unproven exemptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 885. By Representatives McCall of the 33rd, Knight of the 130th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Article 1 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, "The Georgia Air Quality Act," so as to revise certain provisions relating to limitations on the effect of said Act on powers of the Board of Natural Resources, Department of Natural Resources,

Environmental Protection Division of said department, and director of said division; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 886. By Representatives Watson of the 172nd, Powell of the 171st, McCall of the 33rd, Dickey of the 140th, Pirkle of the 155th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use taxes, so as to provide for the cooperation of the Department of Revenue and the Department of Agriculture in the administration and enforcement of the state sales and use tax exemption for agricultural machinery and equipment; to provide for a change to the qualifying amounts for the agricultural exemption; to provide for penalties; to provide for reporting; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

HB 888. By Representatives Knight of the 130th, Harrell of the 106th, Rhodes of the 120th, Efstrotation of the 104th and Rogers of the 10th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions from property tax, so as to change certain reporting requirements; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 890. By Representatives Fleming of the 121st, Burns of the 159th, Coomer of the 14th, Kelley of the 16th and Reeves of the 34th:

A BILL to be entitled an Act to amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public order, so as to make it unlawful to use an emergency exit after having shoplifted; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 898. By Representatives Powell of the 32nd, Ridley of the 6th, Trammell of the 132nd and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to revise provisions relative to fleet vehicles and fleet vehicle registration plans; to provide for definitions; to provide for fleet enrollment procedures; to provide for procedures for registering and licensing vehicles enrolled in a fleet; to provide for license plates; to remove revalidation decal requirements for vehicles in a fleet vehicle registration plan; to provide for the transfer of license plates between vehicles registered under a fleet vehicle registration plan; to provide for termination of participation in a fleet vehicle registration plan program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstoration of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 909. By Representatives Silcox of the 52nd, Hatchett of the 150th, Cooper of the 43rd, Rynders of the 152nd and Price of the 48th:

A BILL to be entitled an Act to amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Public Health, so as to provide for the designation of perinatal facilities; to provide for legislative findings; to provide for definitions; to provide for criteria for levels of care; to provide for applications from perinatal facilities; to require the department to post a list of designated facilities; to provide for a self-assessment tool; to provide for statutory construction; to limit advertisement as a designated facility unless approved by the state; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 934. By Representatives Taylor of the 173rd, Watson of the 172nd and LaHood of the 175th:

A BILL to be entitled an Act to provide that future elections for the office of chief judge of the Magistrate Court of Thomas County shall be nonpartisan elections; to provide for the sitting chief judge of the magistrate court to serve out his or her term of office; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HR 1090. By Representatives Watson of the 172nd, Harden of the 148th, Tanner of the 9th, LaRiccia of the 169th and Pirkle of the 155th:

A RESOLUTION authorizing the change of use of certain property located in Jeff Davis County currently dedicated as a heritage preserve and authorizing the granting of a revocable license agreement and a nonexclusive easement for the construction, operation, and maintenance of facilities and ingress and egress in, on, over, under, upon, across, or through certain state owned real property located in Jeff Davis County; authorizing the change of use of certain property located in Crisp County currently dedicated as a heritage preserve and authorizing the granting of a revocable license agreement and a nonexclusive easement for the construction, operation, and maintenance of facilities and ingress and egress in, on, over, under, upon, across, or through certain state owned real property; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Institutions and Property.

HR 1103. By Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Lumsden of the 12th and Ealum of the 153rd:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Baldwin County, Bryan County, Chatham County, Dougherty County, Fulton County, Hall County, and Putnam County; authorizing the ground lease of certain state owned real property located in Cherokee County, Fulton County, and Muscogee County; authorizing the conveyance of certain state owned real property located in Rabun County; authorizing the conveyance of certain state owned real property located in Rockdale County; authorizing the conveyance of certain state owned real property located in White County; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State Institutions and Property.

HR 1104. By Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Lumsden of the 12th and Ealum of the 153rd:

A RESOLUTION authorizing the granting of non-exclusive easements for the construction, operation and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in Bartow, Bulloch, Butts, Chatham, Clay, Columbia, Emanuel, Floyd, Forsyth, Fulton, Harris, Henry, Liberty, Macon, Montgomery, Murray, Tattnall, Towns, and White Counties, to provide for an effective date, to repeal conflicting laws, and for other purposes.

Referred to the Committee on State Institutions and Property.

The following committee report was read by the Secretary:

Mr. President:

The Committee on Banking and Financial Institutions has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 441 Do Pass by substitute

Respectfully submitted,
Senator Ligon, Jr. of the 3rd District, Chairman

The following legislation was read the second time:

HB 918

Senator Martin of the 9th introduced the doctor of the day, Dr. Snehal Dalal.

Senator McKoon of the 29th asked unanimous consent that Senator Ligon, Jr. of the 3rd be excused. The consent was granted, and Senator Ligon, Jr. was excused.

Senator Burke of the 11th asked unanimous consent that Senator Martin of the 9th be excused. The consent was granted, and Senator Martin was excused.

Senator Tippins of the 37th asked unanimous consent that Senator Kirk of the 13th be excused. The consent was granted, and Senator Kirk was excused.

Senator Jones of the 25th asked unanimous consent that Senator Lucas of the 26th be excused. The consent was granted, and Senator Lucas was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Rhett
Anderson, L	Hufstetler	Seay
Beach	Jackson	Shafer
Black	James	Sims
Brass	Jones, B	Strickland
Burke	Jones, E	Tate
Butler	Jones, H	Thompson, B
Cowsert	Jordan	Thompson, C
Davenport	Kennedy	Tillery
Dugan	Kirkpatrick	Tippins
Ginn	McKoon	Unterman
Gooch	Millar	Walker
Harbin	Mullis	Watson
Harbison	Orrock	Wilkinson
Harper	Parent	Williams, M
Heath	Payne	Williams, N
Henson		

Not answering were Senators:

Anderson, T.	Kirk (Excused)	Ligon, Jr. (Excused)
Lucas (Excused)	Martin (Excused)	Stone

Senator Anderson of the 43rd was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Albers of the 56th introduced the chaplain of the day, Major General Douglas Carver of Rome, Georgia, who offered scripture reading and prayer.

The following Senate legislation was introduced, read the first time and referred to committee:

SR 940. By Senators Jones of the 25th, Mullis of the 53rd, Kennedy of the 18th, Beach of the 21st, Tillery of the 19th and others:

A RESOLUTION supporting the infrastructure plan presented by the President of the United States; and for other purposes.

Referred to the Committee on Rules.

The following resolutions were read and adopted:

SR 926. By Senators Seay of the 34th, Butler of the 55th, Sims of the 12th, Anderson of the 43rd, Davenport of the 44th and others:

A RESOLUTION congratulating Sabrina Crawford for being a Nikki T. Randall Servant Leader Award recipient; and for other purposes.

SR 927. By Senator Martin of the 9th:

A RESOLUTION recognizing and commending the Tottenham Hotspur Football Club; and for other purposes.

SR 928. By Senators James of the 35th, Rhett of the 33rd, Parent of the 42nd and Seay of the 34th:

A RESOLUTION congratulating Lydia L. Glaize on her award as a Nikki T. Randall Servant Leader; and for other purposes.

SR 930. By Senators Davenport of the 44th, Butler of the 55th, Tate of the 38th, Anderson of the 43rd, James of the 35th and others:

A RESOLUTION congratulating Angela Thomas-Bethea on receiving the Nikki T. Randall Servant Leader Award from the Georgia Legislative Women's Caucus; and for other purposes.

SR 931. By Senators Ginn of the 47th, Walker III of the 20th, Kennedy of the 18th, Miller of the 49th, Burke of the 11th and others:

A RESOLUTION Commending Georgia linemen and recognizing the month of April, 2018, as Georgia Lineman Appreciation Month at the state capitol; and for other purposes.

SR 932. By Senators Payne of the 54th, Gooch of the 51st, Mullis of the 53rd, McKoon of the 29th, Hufstetler of the 52nd and others:

A RESOLUTION recognizing and commending Meghan Higgins, a Distinguished Finalist for the 2018 Prudential Spirit of Community award; and for other purposes.

SR 933. By Senators Martin of the 9th, Unterman of the 45th, Millar of the 40th, Shafer of the 48th and Butler of the 55th:

A RESOLUTION honoring the Korean Vietnam Veterans Association of the United States of America; and for other purposes.

- SR 934. By Senators Thompson of the 14th, Harbin of the 16th, Strickland of the 17th, Cowsert of the 46th and Albers of the 56th:

A RESOLUTION recognizing the Civil Air Patrol for their service to the citizens of Georgia; and for other purposes.

- SR 936. By Senators Beach of the 21st, Gooch of the 51st, Tillery of the 19th, Watson of the 1st and Walker III of the 20th:

A RESOLUTION commending Taiwan for its relations with the United States; and for other purposes.

- SR 937. By Senators Heath of the 31st, Miller of the 49th, Cowsert of the 46th, Dugan of the 30th, Kirkpatrick of the 32nd and others:

A RESOLUTION recognizing Dr. Sam Ogden as a valued Georgian and celebrating him on the grand occasion of his retirement; and for other purposes.

- SR 938. By Senators Anderson of the 43rd, Davenport of the 44th, Sims of the 12th, Parent of the 42nd, Tate of the 38th and others:

A RESOLUTION recognizing and commending Patricia Williams; and for other purposes.

- SR 939. By Senators Jones of the 10th, Sims of the 12th, Williams of the 39th, Black of the 8th, Jackson of the 2nd and others:

A RESOLUTION recognizing March 7, 2018, as Children's Day at the state capitol; and for other purposes.

- SR 941. By Senators Shafer of the 48th, Martin of the 9th, Kirkpatrick of the 32nd and McKoon of the 29th:

A RESOLUTION congratulating the winners of the annual David Shafer Essay Scholarship Contest; and for other purposes.

Senator Cowsert of the 46th moved to engross SB 403, which was on today's Senate Rules Calendar.

Senator Henson of the 41st objected.

On the motion, the yeas were 32, nays 15; the motion prevailed, and SB 403 was engrossed.

Senator McKoon of the 29th was excused for business outside the Senate Chamber.

SENATE RULES CALENDAR
WEDNESDAY, FEBRUARY 28, 2018
TWENTY-EIGHTH LEGISLATIVE DAY

- SB 451 State Soil and Water Conservation Commission; formulate certain rules and regulations in consultation with Environmental Protection Division of the Dept. Of Natural Resources; remove authority (Substitute)(AG&CA-20th)
- SB 401 Individual Graduation Plans; guidance in career oriented aptitudes and career interests; provide (Substitute)(ED&Y-37th)
- SB 463 Electric Motor Vehicles; exception for certain manufacturers; restrictions on the ownership, operation, and control of motor vehicle dealerships; provide (Substitute)(ED&T-30th)
- SB 359 "Consumer Coverage and Protection for Out-of-Network Medical Care Act" (Substitute)(H&HS-52nd)
- SB 336 Georgia Bureau of Investigation; general provisions; subpoena issued for production of electronic communication; not provide notice to the subscriber (Substitute)(JUDY-45th)
- SB 418 Selling and Trade Practices; banning the sales of goods, products, or items regulated; sold at properly zoned retail establishments; prohibit county, municipal and consolidated governments (AG&CA-50th)
- SB 39 Pimping and Pandering; increase the penalty provisions (Substitute) (JUDY-45th)
- SB 460 "Metropolitan Atlanta Rapid Transit Authority Act of 1965"; adoption of a logo and brand to include the term "ATL" by such Authority by certain date; provide (Substitute)(TRANS-21st)
- SB 232 "Facilitating Internet Broadband Rural Expansion (FIBRE) Act"; enact (Substitute)(RI&U-51st)
- SB 318 Mental Health; involuntary evaluation and treatment based on consultation with paramedic; execution of a physician's certificate for emergency examination; provide (Substitute)(H&HS-33rd)
- SB 450 Unlawful Enticement of Game; hunting in vicinity of feed or bait; remove definitions (NR&E-54th)

- SB 436 Probate Courts; general provisions; change and modernize (JUDY-17th)
- SB 411 Georgia Commission on African American History and Culture; create (UAff-2nd)
- SB 461 Barbers and Cosmetologists; provisions; change (Substitute)(JUDY-23rd)
- SB 386 Sales and Use Taxes; exception to the ceiling on local sales and use taxes; transit special purpose local option sales and use tax; provide; Atlanta-region Transit Link "ATL" Commission; create (Substitute)(TRANS-21st)
- SB 425 Professional Land Surveyors; provisions; change (Substitute)(RI&U-51st)
- SB 414 Charitable Solicitations; local governing authorities to issue written notices for failure to clean and maintain collection receptacles; allow (SLGO(G)-37th)
- SB 403 Primaries and Elections; uniform election equipment in this state; provide (Substitute)(ETHICS-14th)
- SB 396 Telephone System For Physically Impaired; state-wide dual party relay service and audible universal information access service; change provisions (RI&U-48th)
- SB 457 School Safety Plans; conduct drills on the execution of school safety plans based on guidance from Georgia Emergency Management and Homeland Security Agency; require (ED&Y-38th)
- SB 382 Optometrists guidance and consultation by the Department of Public Health; provide (Substitute)(H&HS-9th)
- SB 431 Liability Not Limited; effect of an owner of land charging an admission price or fee; provisions; clarify (JUDY-19th)
- SB 404 Public Water Systems; charging or assessing a separate fee for standby water service for fire sprinkler system connections; prohibit county, municipal and other public water systems (Substitute)(NR&E-28th)
- SB 391 State Road and Tollway Authority; requirements relating to identification and regulation of motor vehicles; exempt transit service buses, motor vehicles, and rapid rail systems (TRANS-21st)
- SB 236 Driving Under the Influence; county department of family and children services be notified; endangering; require (Substitute)(JUDY-35th)

- SB 430 Elections; compensation of various local government officials; modify (SLGO(G)-28th)
- SB 358 Counties/Municipal Corporations; establishment of banking improvement zones; agreement for deposit of public funds; provide (Substitute) (B&FI-33rd)
- SB 444 Georgia Alzheimer's and Related Dementias State Plan Advisory Council; create (H&HS-45th)
- SB 420 Health; health clubs have at least one functional automated external defibrillator on site at such facility; require (Substitute)(H&HS-33rd)
- SB 426 "Broadband Infrastructure Leads to Development (BILD) Act" (Substitute) (RI&U-51st)
- SB 335 Trafficking of Persons for Labor; offense of trafficking an individual for sexual servitude; expand (JUDY-45th)
- SB 349 Notaries Public; identification of persons evidenced satisfactorily by a valid Veterans Health Identification Card; provide (SJUDY-2nd)
- SB 264 Board of Commissioners for Rockdale County; membership; reconstitute (Substitute)(SLGO(G)-17th)
- SB 385 Solid Waste Disposal Facilities; surcharge imposed by host local governments; change (Substitute)(NR&E-25th)
- SB 437 Resuscitate; parental requirement for consent; revise (Substitute) (H&HS-54th)
- SB 453 Local Government; limit the distance between the new municipal corporations and existing municipal corporations; requirements for active municipalities; modify (Substitute)(SLGO(G)-19th)
- SB 351 Nurses; advanced nursing practice; provisions; revise (Substitute) (H&HS-45th)
- SR 537 State Property; unauthorized vehicular traffic; provide closure (Substitute) (SI&P-21st)
- SB 354 Technical College System of Georgia; classify certain active duty service members as in-state for tuition purposes; require (Substitute)(H ED-2nd)

- SR 681 U.S. Congress; propose the Parental Rights Amendment to the states for ratification; encourage (RULES-16th)
- SB 435 School Buses; civil monetary penalties regarding violations of the duties of a driver; enforcement; revise (Substitute)(PUB SAF-21st)
- SB 228 Motor Vehicles; criminal offense and minimum fines for improper operation of an authorized emergency or law enforcement vehicle; provide (Substitute)(PUB SAF-29th)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- SB 451. By Senators Walker III of the 20th, Martin of the 9th, Strickland of the 17th, Wilkinson of the 50th and Black of the 8th:

A BILL to be entitled an Act to amend Code Section 2-6-27 of the O.C.G.A., relating to the State Soil and Water Conservation Commission - additional duties and powers, so as to remove authority of the State Soil and Water Conservation Commission to formulate certain rules and regulations in consultation with the Environmental Protection Division of the Department of Natural Resources; to amend Chapter 5 of Title 12 of the O.C.G.A., relating to water resources, so as to modify provisions relating to regulated riparian rights to surface waters for general or farm use, permits for withdrawal, diversion or impoundment, coordination with water plans, metering of farm use, interbasin transfers, and appeal procedures; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to SB 451:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 2-6-27 of the Official Code of Georgia Annotated, relating to the State Soil and Water Conservation Commission – additional duties and powers, so as to remove authority of the State Soil and Water Conservation Commission to formulate certain rules and regulations in consultation with the Environmental Protection Division of the Department of Natural Resources; to amend Chapter 5 of Title 12 of the Official

Code of Georgia Annotated, relating to water resources, so as to modify provisions relating to regulated riparian rights to surface waters for general or farm use, permits for withdrawal, diversion or impoundment, coordination with water plans, metering of farm use, interbasin transfers, and appeal procedures, so as to modify provisions relating to regulated reasonable use of ground water for farm use, permits to withdraw, obtain, or utilize same, metering of same, and related procedures; to modify procedures relating to applications for such permits; to modify procedures relating to the suspension of farm use permits; to modify provisions relating to measuring farm uses of water; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 2-6-27 of the Official Code of Georgia Annotated, relating to the State Soil and Water Conservation Commission – additional duties and powers, is amended by deleting paragraph (7.2).

SECTION 2.

Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water resources, is amended by revising paragraph (3) of subsection (b) and subsection (m.1) of Code Section 12-5-31, relating to regulated riparian rights to surface waters for general or farm use, permits for withdrawal, diversion or impoundment, coordination with water plans, metering of farm use, interbasin transfers, and appeal procedures, as follows:

"(3)(A) Notwithstanding any other provision of this Code section to the contrary, a permit for the withdrawal or diversion of surface waters for farm uses shall be issued by the director to any person when the applicant submits an application which provides reasonable proof that the applicant's farm use of surface waters occurred prior to July 1, 1988, and when any such application is submitted prior to July 1, 1991. If submitted prior to July 1, 1991, an application for a permit to be issued based upon farm uses of surface waters occurring prior to July 1, 1988, shall be granted for the withdrawal or diversion of surface waters at a rate of withdrawal or diversion equal to the greater of the operating capacity in place for withdrawal or diversion on July 1, 1988, or, when measured in gallons per day on a monthly average for a calendar year, the greatest withdrawal or diversion capacity during the five-year period immediately preceding July 1, 1988. If submitted after July 1, 1991, or, regardless of when submitted, if it is based upon a withdrawal or diversion of surface waters for farm uses occurring or proposed to occur on or after July 1, 1988, an application shall be subject to evaluation and classification pursuant to subsections (e), (f), and (g) of this Code section, but a permit based upon such evaluation and classification shall be issued to ensure the applicant's right to a reasonable use of such surface waters. Any permit issued pursuant to this paragraph shall be conditioned upon the requirement that the permittee shall provide, on forms prescribed by the director, information relating to a general description of the lands

and number of acres subject to irrigation and the permit; a description of the general type of irrigation system used; the source of withdrawal water such as river, stream, or impoundment; and pump information, including rated capacity, pump location, and power information.

~~(B) Applications under this paragraph submitted on or after April 20, 2006, for farm use within the Flint River basin shall be assessed a nonrefundable application fee in the amount of \$250.00 per application.~~ Permits applied for under this paragraph on or after April 20, 2006, for farm use in the Flint River basin shall have a term of 25 years and shall be renewed at the original permitted capacity unless an evaluation of the water supply by the division indicates that renewal at the original capacity would have unreasonable adverse effects upon other water uses. The division may renew the original permit at a lower capacity, but such capacity shall be based on the reasonable use of the permittee and evaluation of the resource.

(C) All permits issued under this paragraph may be modified, amended, transferred, or assigned to subsequent owners of the lands which are the subject of such permit; provided, however, that:

(i) ~~the~~ The division shall receive written notice of any such transfer or assignment; and

(ii) Any modification in or amendment to the use or capacity conditions contained in the permit or in the lands which are the subject of such permit shall require the permittee to submit an application for review and approval by the director consistent with this Code section.

(4) Nothing in this paragraph shall be construed as a repeal or modification of Code Section 12-5-46."

~~"(m.1)(1) The State Soil and Water Conservation Commission~~ division shall have the duty of implementing a program of measuring farm uses of water in order to obtain clear and accurate information on the patterns and amounts of such use, which information is essential to proper management of water resources by the state and useful to farmers for improving the efficiency and effectiveness of their use of water, meeting the requirements of ~~subsection~~ subsections (b) and (m) of this Code section, and improving water conservation. ~~Accordingly, the State Soil and Water Conservation Commission shall on behalf of the state purchase, install, operate, and maintain water measuring devices for farm uses that are required by this Code section to have permits. As used in this paragraph, the term 'operate' shall include reading the water measuring device, compiling data, and reporting findings.~~

~~(2) For purposes of this subsection, the State Soil and Water Conservation Commission~~ The division:

(A) May conduct its duties with ~~commission~~ division staff and may contract with other persons to conduct any of its duties;

(B) May receive and use state appropriations, gifts, grants, or other sources of funding to carry out its duties;

(C) ~~In consultation with the director, shall~~ Shall develop a priority system for the installation of ~~water measuring~~ devices for measurement of farm uses of water at

~~the points of those withdrawals for which a that have permits permit was issued as of July 1, 2003. The commission shall, provided that adequate funding is received, install and commence operation and maintenance of water measuring devices for all such farm uses by July 1, 2009; provided, however, that the commission shall not install a water measuring device on any irrigation system for such a farm use if such irrigation system is equipped with a meter as of July 1, 2003, and such meter is determined by the commission to be properly installed and operable, but any subsequent replacement or maintenance of such an irrigation system that necessitates replacement of such meter shall necessitate installation of a water-measuring device by the commission; The division may refine the priority system from time to time based on the amount of funding received by the division, considerations regarding cost effectiveness, new technical information, changes in resource use or conditions, or other factors as deemed relevant by the director;~~

~~(D) May charge any permittee the commission's reasonable costs for purchase and installation of a water measuring device for any farm use permit issued by the director after July 1, 2003; however, for permit applications submitted to the division prior to December 31, 2002, Shall, on behalf of the state, purchase and install that subset of water-measuring devices according to the priority system required by this Code section and no charge shall be made to the permittee for such costs. However, when the division assesses the site or attempts to install such water-measuring devices and finds the withdrawal or irrigation infrastructure necessary for the proper installation of such a device is not present, the division shall document such withdrawal or irrigation infrastructure conditions, and notify the permittee in writing that a state funded water-measuring device or devices could not be installed, that a device or devices are still required. After the expiration of five years such permittee shall be responsible for the installation and all associated costs; and~~

~~(E) Shall, upon scheduled intervals, read an appropriate proportion of water-measuring devices installed for measuring farm use of surface water and compile the collected data for use in meeting the purposes in paragraph (1) of this subsection, and the division shall communicate in advance with private property owners to establish reasonable times for such readings; and~~

~~(F) Shall issue an annual progress report on the status of water-measuring device installation.~~

~~(3) Any person whose permit for agricultural water use was issued before July 1, 2003, and who desires to install a water-measuring device at no cost to the state may do so provided that use of such device does not commence prior to receiving approval from the division and that an acceptable type of water-measuring device is installed at each point of withdrawal other than agricultural pump storage facilities.~~

~~(3)(4) Any person who desires to commence a farm use of water for which a permit is issued after July 1, 2003, shall not commence such use prior to the installation of a receiving approval from the division that such person has installed an acceptable type of water-measuring device by the commission at each point of withdrawal other than~~

agricultural pump storage facilities. The permittee shall be responsible for all such costs.

~~(4) Subject to the provisions of subparagraph (C) of paragraph (2) of this subsection, after July 1, 2009, no one shall use water for a farm use required to have a permit under this Code section without having a water measuring device in operation that has been installed by the commission.~~

~~(5) Employees or agents of the commission are authorized to enter upon private property at reasonable times to conduct the duties of the commission under this subsection. Until a permittee whose permit was issued by the division before July 1, 2003, has a water-measuring device installed in accordance with paragraph (b) of this Code section or as provided in paragraph (2) or (3) of this subsection, such permittee shall have no obligations pursuant to this paragraph.~~

~~(6) The division may audit a subset of reported water-measuring device readings submitted by permittees for the purpose of understanding and improving the accuracy of such readings. As deemed appropriate by the division and in conjunction with the Georgia Department of Agriculture, the division may develop and require new methods for the reading, recording, and reporting of agricultural water use data that consider the burden on the permittee and improve the accuracy of the data submitted to the division.~~

~~(7) Employees, contractors, and agents of the division are authorized to enter upon private property at reasonable times and upon reasonable notice to carry out the duties of the division under this subsection, including, but not limited to, conducting monthly readings of a subset of all installed water-measuring devices state-wide, conducting installation of water-measuring devices, and conducting site assessments.~~

~~(6)(8) Any reports of amounts of use for recreational purposes under this Code section shall be compiled separately from amounts reported for all other farm uses."~~

SECTION 3.

Said chapter is further amended by revising subsections (b) and (b.1) of Code Section 12-5-105, relating to regulated reasonable use of ground water for farm use, permits to withdraw, obtain, or utilize same, metering of same, and related procedures, as follows:

"(b) Notwithstanding any provisions of Code Section 12-5-95, 12-5-96, or 12-5-97 to the contrary, permits to withdraw, obtain, or utilize ground waters for farm uses, as that term is defined in paragraph (5.1) of Code Section 12-5-92, whether for new withdrawals or under subsection (a) of this Code section, shall be governed as follows:

(1) ~~A permit issued, modified, or amended after July 1, 2003, for farm uses shall have annual reporting requirements.~~ Permits applied for under this Code section on or after April 20, 2006, for farm use within the Flint River basin shall have a term of 25 years and shall be renewed at the original permitted capacity unless an evaluation ~~of the water supply~~ by the division indicates that renewal at the original capacity would have unreasonable adverse effects upon other water uses. The division may renew the original permit at a lower capacity, but such capacity shall be based on the reasonable use of the permittee and evaluation of the resource.

(2) All permits issued under this Code section may be modified, amended, transferred, or assigned to subsequent owners of the lands which are the subject of such permit; provided, however, that:

(A) ~~the~~ The division shall receive written notice of any such transfer or assignment; ~~and;~~ and

(B) ~~any~~ Any modification in or amendment to the use or capacity conditions contained in the permit or in the lands which are the subject of such permit shall require the permittee to submit an application for review and approval by the director consistent with the requirements of this part;

~~(2)~~(3) Permits for farm use, after initial use has commenced, shall not be revoked, in whole or in part, for nonuse; except that the director may permanently revoke any permit under this Code section for farm use within the Flint River Basin applied for on or after April 20, 2006, if initial use for the purpose indicated on the permit application, as measured by a flow meter approved by the State Soil and Water Conservation Commission, has not commenced within two years of the date of issuance of the permit unless the permittee can reasonably demonstrate that his or her nonuse was due to financial hardship or circumstances beyond his or her control;

~~(3)~~(4) The director may suspend or modify a permit for farm use if he or she should determine through inspection, investigations, or otherwise that the quantity of water allowed would prevent other applicants from reasonable use of ground water beneath their property for farm use;

~~(4)~~(5) During emergency periods of water shortage, the director shall give first priority to providing water for human consumption and second priority to farm use; and

~~(5)~~(6) The importance and necessity of water for industrial purposes are in no way modified or diminished by this Code section.

(b.1)(1) ~~The State Soil and Water Conservation Commission~~ division shall have the duty of implementing a program of measuring farm uses of water in order to obtain clear and accurate information on the patterns and amounts of such use, which information is essential to proper management of water resources by the state and useful to farmers for improving the efficiency and effectiveness of their use of water, meeting the requirements of paragraph (1) of subsection (b) of this Code section, and improving water conservation. ~~Accordingly, the State Soil and Water Conservation Commission shall on behalf of the state purchase, install, operate, and maintain water-measuring devices for farm uses that are required by this Code section to have permits. As used in this paragraph, the term 'operate' shall include reading the water-measuring device, compiling data, and reporting findings.~~

~~(2) For purposes of this subsection, the State Soil and Water Conservation Commission~~ The division:

(A) May conduct its duties with ~~commission~~ division staff and may contract with other persons to conduct any of its duties;

(B) May receive and use state appropriations, gifts, grants, or other sources of funding to carry out its duties;

~~(C) In consultation with the director, shall~~ Shall develop a priority system for the installation of water measuring devices for measurement of farm uses that have permits of water at the points of those withdrawals for which a permit was issued as of July 1, 2003. The commission shall, provided that adequate funding is received, install and commence operation and maintenance of water measuring devices for all such farm uses by July 1, 2009; provided, however, that the commission shall not install a water measuring device on any irrigation system for such a farm use if such irrigation system is equipped with a meter as of July 1, 2003, and such meter is determined by the commission to be properly installed and operable, but any subsequent replacement or maintenance of such an irrigation system that necessitates replacement of such meter shall necessitate installation of a water-measuring device by the commission The division may refine the priority system from time to time based on the amount of funding received by the division, considerations regarding cost effectiveness, new technical information, changes in resource use or conditions, or other factors as deemed relevant by the director;

~~(D) May charge any permittee the commission's reasonable costs for purchase and installation of a water measuring device for any farm use permit issued by the director after July 1, 2003; however, for permit applications submitted to the division prior to December 31, 2002,~~ Shall, on behalf of the state, purchase and install that subset of water-measuring devices according to the priority system required by this Code section and no charge shall be made to the permittee for such costs. However, when the division assesses the site or attempts to install such water-measuring devices and finds the withdrawal or irrigation infrastructure necessary for the proper installation of such a device is not present, the division shall document such withdrawal or irrigation infrastructure conditions and notify the permittee in writing that a state funded water-measuring device or devices could not be installed, that a device or devices are still required. After the expiration of five years such permittee shall be responsible for the installation and all associated costs;
~~and~~

~~(E) Shall, upon scheduled intervals, read an appropriate proportion of water-measuring devices installed for measuring farm use of ground water and compile the collected data for use in meeting the purposes in paragraph (1) of this Code section, and the division shall communicate in advance with private property owners to establish reasonable times for such readings; and~~

~~(F) Shall issue an annual progress report on the status of water-measuring device installation.~~

(3) Any person whose permit for agricultural water use was issued before July 1, 2003, and who desires to install a water-measuring device at no cost to the state may do so, provided use of such device does not commence prior to receiving approval from the division and that an acceptable type of water-measuring device is installed at each point of withdrawal other than agricultural pump storage facilities.

(4) Any person who desires to commence a farm use of water for which a permit is issued after July 1, 2003, shall not commence such use prior to the installation of a

receiving approval from the division that such person has installed an acceptable type of water-measuring device by the commission at each point of withdrawal other than agricultural pump storage facilities. The permittee shall be responsible for all such costs.

~~(4) Subject to the provisions of subparagraph (C) of paragraph (2) of this subsection, after July 1, 2009, no one shall use water for a farm use required to have a permit under this Code section without having a water measuring device in operation that has been installed by the commission.~~

(5) Until a permittee whose permit was issued by the division before July 1, 2003, has a water-measuring device installed in accordance with subsection (b) of this Code section or as provided in paragraphs (2) or (3) of this subsection, such permittee shall have no obligations under this paragraph.

(6) The division may audit a subset of reported water-measuring device readings submitted by permittees for the purpose of understanding and improving the accuracy of such readings. As deemed appropriate by the division and in conjunction with the Georgia Department of Agriculture, the division may develop and require new methods for the reading, recording, and reporting of agricultural water use data that consider the burden on the permittee and improve the accuracy of the data submitted to the division.

(7) Employees, contractors, or agents of the ~~commission~~ division are authorized to enter upon private property at reasonable times and upon reasonable notice to conduct the duties of the ~~commission~~ division under this subsection, including, but not limited to, conducting monthly readings of a subset of all installed water-measuring devices state-wide, conducting installation of water-measuring devices, and conducting site assessments.

~~(6)~~(8) Any reports of amounts of use for recreational purposes under this part shall be compiled separately from amounts reported for all other farm uses."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer

Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	E Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
N Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 2.

SB 451, having received the requisite constitutional majority, was passed by substitute.

SB 401. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Tate of the 38th and others:

A BILL to be entitled an Act to amend Code Section 20-2-327 of the Official Code of Georgia Annotated, relating to recognition of advanced proficiency/honors courses and counseling and development of individual graduation plans, so as to provide for guidance in career oriented aptitudes and career interests in developing an individual graduation plan; to provide for a review and report of a school counselor's role, workload, program service delivery, and professional learning; to provide for legislative findings; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Education and Youth offered the following substitute to SB 401:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to provide for collection of enrollment and student record data by the Office of Student Achievement for students in dual credit courses; to provide for guidance in career oriented aptitudes and career

interests in developing an individual graduation plan; to provide for a review and report of a school counselor's role, workload, program service delivery, and professional learning; to provide for legislative findings; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," is amended in Code Section 20-2-161.3, relating to the dual credit courses, by revising subsection (j) and by adding a new subsection to read as follows:

"(j) In order to participate in the program, each eligible postsecondary institution shall be required to enter into a participation agreement with the commission agreeing to:

- (1) Waive all mandatory and noncourse related fees for eligible high school students participating in the program;
- (2) Provide course books to eligible high school students participating in the program at no charge to the student; ~~and~~
- (3) Accept the amount paid by the commission as full payment for an eligible high school student's tuition, mandatory and noncourse related fees, and course books; and
- (4) Provide enrollment and student record data to the Office of Student Achievement and to the state-wide longitudinal data system maintained by such office. Such data shall be submitted in accordance with timelines and formats established by the Office of Student Achievement."

"(n) The Office of Student Achievement shall collect and monitor enrollment and student record data for dual credit courses taken pursuant to this Code section. The Office of Student Achievement shall annually measure and evaluate the program. The commission, the department, eligible postsecondary institutions, and local boards of education shall cooperate with and provide data as necessary to the Office of Student Achievement to facilitate the provisions of this subsection. The Office of Student Achievement is authorized to promulgate rules and regulations as necessary to implement the provisions of this subsection."

SECTION 2.

Said article is further amended in Code Section 20-2-327, relating to recognition of advanced proficiency/honors courses and counseling and development of individual graduation plans, by revising subsection (c) as follows:

"(c)(1) ~~Beginning with the 2010-2011 school year, students~~ Students in the sixth, seventh, and eighth grades shall be provided counseling, advisement, career awareness, career interest inventories, and information to assist them in evaluating their academic skills, career oriented aptitudes, and career interests. Before the end of the second semester of the eighth grade, students shall develop an individual graduation plan based on their academic skills, career oriented aptitudes, and career

interests in consultation with their parents, guardians, or individuals appointed by the parents or guardians to serve as their designee. A student's individual graduation plan shall be taken into consideration when scheduling a student's courses in ninth grade. High school students shall be provided guidance, advisement, and counseling annually that will enable them to successfully complete update and implement their individual graduation plans, preparing them for a seamless transition to postsecondary study, further training, or employment. Beginning with the 2018-2019 school year, such guidance, advisement, and counseling for high school students shall include providing career oriented aptitude and career interest guidance. An individual graduation plan shall:

(1)(A) Include rigorous academic core subjects and focused ~~course-work~~ coursework in mathematics and science or in humanities, fine arts, and foreign language or sequenced career pathway ~~course-work~~ coursework;

(2)(B) Incorporate provisions of a student's Individualized Education Program (IEP), where applicable;

(3)(C) Align educational and broad career goals and a student's course of study;

(4)(D) Be based on the student's selected academic and career focus area as approved by the student's parent or guardian;

(5)(E) Include experience based, career oriented learning experiences which may include, but not be limited to, participation in work based learning programs such as internships, apprenticeships, cooperative education, service learning, and employability skill development;

(6)(F) Include opportunities for postsecondary studies through articulation, dual enrollment, and joint enrollment;

(7)(G) Be flexible to allow change in the course of study but be sufficiently structured to meet graduation requirements and qualify the student for admission to postsecondary education; and

(8)(H) Be approved by the student and the student's parent or guardian with guidance from the student's school counselor or teacher adviser.

(2) An individual graduation plan shall be reviewed annually, and revised, if appropriate, upon approval by the student and the student's parent or guardian with guidance from the student's school counselor or teacher adviser. An individual graduation plan may be changed at any time throughout a student's high school career upon approval by the student and the student's parent or guardian with guidance from the student's school counselor or teacher adviser.

(3) The General Assembly finds that school counselors help students focus on academic, career, social, and emotional development so that students can achieve success in school and be prepared to lead fulfilling lives as responsible members of society. The Department of Education shall review each school counselor's role, workload, and program service delivery in grades six through 12. Such review shall include the scope of school counselor professional learning and annual school counselor evaluation instruments. The Department of Education shall provide a report of its findings to the State Board of Education and the General Assembly by

December 31, 2018, that includes recommendations for counselor improvements to ensure student success in academic skills, career oriented aptitudes, and career interests. This paragraph shall stand repealed on December 31, 2018."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	E Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 1.

SB 401, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th was excused for business outside the Senate Chamber.

SB 463. By Senators Dugan of the 30th, Miller of the 49th and Gooch of the 51st:

A BILL to be entitled an Act to amend Titles 10 and 40 of the Official Code of Georgia Annotated, relating to commerce and trade and motor vehicles and traffic, respectively, so as to provide an exception for certain manufacturers of electric motor vehicles to restrictions on the ownership, operation, and control of motor vehicle dealerships; to provide an exception for electric motor vehicles to the inspection requirements for certificates of title if certain conditions are met; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Economic Development and Tourism offered the following substitute to SB 463:

A BILL TO BE ENTITLED
AN ACT

To amend Titles 10 and 40 of the Official Code of Georgia Annotated, relating to commerce and trade and motor vehicles and traffic, respectively, so as to provide an exception for certain low volume manufacturers of low volume electric motor vehicles to restrictions on the ownership, operation, and control of motor vehicle dealerships; to provide an exception for electric motor vehicles to the inspection requirements for certificates of title if certain conditions are met; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is amended by revising Code Section 10-1-664.1, relating to restrictions on the ownership, operation, or control of dealerships by manufacturers and franchisors, as follows:

"(a) It shall be unlawful for any manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor to own, operate, or control or to participate in the ownership, operation, or control of any new motor vehicle dealer in this state within a 15 mile radius of an existing dealer of such manufacturer or franchisor; to own, operate, or control, directly or indirectly, more than a 45 percent interest in a dealer or dealership in this state; to establish in this state an additional dealer or dealership in which such person or entity has any interest; or to own, operate, or control, directly or indirectly, any interest in a dealer or dealership in this state unless such person or entity has acquired such interest from a dealer or dealership which has been in operation for at least five years prior to such acquisition; provided, however, that this subsection shall not be construed to prohibit:

- (1) The ownership, operation, or control by a manufacturer or franchisor of a new motor vehicle dealer for a temporary period, not to exceed one year, during the transition from one owner or operator to another;
- (2) The ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor during a period in which such new motor vehicle dealer is being sold under a bona fide contract, shareholder agreement, or purchase option to the operator of the dealership;
- (3) The ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor at the same location at which such manufacturer or franchisor has been engaged in the retail sale of new motor vehicles as the owner, operator, or controller of such dealership for a continuous two-year period of time immediately prior to April 1, 1999, where there is no prospective new motor vehicle dealer available to own or operate the dealership in a manner consistent with the public interest;
- (4) The ownership, operation, or control by a manufacturer which manufactures only motorcycles or motor homes of a retail sales operation engaged in the retail sale of motorcycles or motor homes;
- (5) The ownership, operation, or control by a manufacturer which is selling motor vehicles directly to the public at an established place of business on January 1, 1999, and which has never sold its line make of new motor vehicles in this state through a franchised new motor vehicle dealer unless and until such manufacturer is wholly or partially acquired by another manufacturer or franchisor;
- (6) The ownership, operation, or control by a manufacturer which manufactures trucks with a gross vehicle weight rating of 12,500 pounds or more of a new motor vehicle dealer which only sells trucks with a gross vehicle weight rating of 12,500 pounds or more at the same location at which such manufacturer has been engaged in the retail sale of such trucks as the owner, operator, or controller of such dealership for a continuous two-year period of time immediately prior to April 1, 1999, or at one additional location which is not located within the relevant market area of an existing dealer of the same line make of trucks; provided, however, this exemption shall apply to a manufacturer described in this paragraph only until such manufacturer is wholly or partially acquired by another manufacturer or distributor;
- (7) A manufacturer from selling new motor vehicles to customers if such vehicles are manufactured or assembled in accordance with custom design specifications of the customer and such sales are limited to no more than 150 vehicles per year; ~~or~~
- (8) The ownership, operation, or control by a manufacturer of not more than five locations licensed as new motor vehicle dealerships for the sale of new motor vehicles and any number of locations that engage exclusively in the repair of such manufacturer's line make of motor vehicles, provided that such manufacturer was selling or otherwise distributing its motor vehicles at an established place of business in this state as of January 1, 2015, and:
 - (A) The manufacturer manufactures or assembles zero emissions motor vehicles exclusively and has never sold its line make of motor vehicles in this state through a

franchised new motor vehicle dealer; and

(B) The manufacturer has not acquired a controlling interest in a franchisor or a subsidiary or other entity controlled by such franchisor, or sold or transferred a controlling interest in such manufacturer to a franchisor or subsidiary or other entity controlled by such franchisor; or

(9) A manufacturer whose principal place of business and domicile was within this state prior to June 1, 2018, from manufacturing, assembling, selling, or leasing, or a combination thereof, in this state from July 1, 2018, through and including June 30, 2020, 2,500 motor vehicles fueled solely by electricity. This division shall stand repealed and reserved on July 1, 2020.

(b) It shall be unlawful for a manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor to compete unfairly with a new motor vehicle dealer of the same line make, operating under a franchise, in the State of Georgia, and, except as otherwise provided in this subsection, the mere ownership, operation, or control of a new motor vehicle dealer by a manufacturer or franchisor under the conditions set forth in paragraphs (1) through ~~(8)~~(9) of subsection (a) of this Code section shall not constitute a violation of this subsection. For purposes of this Code section, a manufacturer or franchisor or any parent, affiliate, wholly or partially owned subsidiary, officer, or representative of a manufacturer or franchisor shall be conclusively presumed to be competing unfairly if it gives any preferential treatment to a dealer or dealership of which any interest is directly or indirectly owned, operated, or controlled by such manufacturer or franchisor or any partner, affiliate, wholly or partially owned subsidiary, officer, or representative of such manufacturer or franchisor, expressly including, but not limited to, preferential treatment regarding the direct or indirect cost of vehicles or parts, the availability or allocation of vehicles or parts, the availability or allocation of special or program vehicles, the provision of service and service support, the availability of or participation in special programs, the administration of warranty policy, the availability and use of after warranty adjustments, advertising, floor planning, financing or financing programs, or factory rebates.

(c) Except as may otherwise be provided in subsection (a) and subsection (b) of this Code section, no manufacturer or franchisor shall offer to sell or sell, directly or indirectly, any new motor vehicle to a consumer in this state, except through a new motor vehicle dealer holding a franchise for the line make covering such new motor vehicle. This subsection shall not apply to manufacturer or franchisor sales of new motor vehicles to the federal government, charitable organizations, or employees of the manufacturer or franchisor."

SECTION 2.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended in Code Section 40-3-30.1, relating to definitions and inspections, as follows:
"40-3-30.1.

(a) As used in this Code section and in Code Section 40-2-27, the term:

- (1) 'Assembled motor vehicle or motorcycle' or 'kit motor vehicle or motorcycle' means any motor vehicle or motorcycle that is:
- (A) Manufactured from a manufacturer's kit or manufacturer's fabricated parts, including replicas and original designs:
 - (i) By an owner;
 - (ii) At the request of the owner by a third-party manufacturer of motor vehicles or motorcycles; and
 - (iii) Such manufacturer is not manufacturing and testing in accordance with federal safety standards issued pursuant to 49 U.S.C.A. Section 30101, et seq., unless and until the United States Customs ~~Service~~ and Border Protection Agency or the United States Department of Transportation has certified that the motor vehicle complies with such applicable federal standards;
 - (B) A new vehicle and consists of a prefabricated body, chassis, and drive train;
 - (C) Handmade and not mass produced by any manufacturer for retail sale; or
 - (D) Not otherwise excluded from emission requirements and is in compliance with Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles.
- (2)(A) 'Unconventional motor vehicle or motorcycle' means any motor vehicle or motorcycle that is manufactured, including, but not limited to, all-terrain vehicles, off-road vehicles, motor driven cycles, mopeds, and personal transportation vehicles, and that is not in compliance with the following:
- (i) Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles;
 - (ii) Applicable federal motor vehicle safety standards issued pursuant to 49 U.S.C.A. Section 30101, et seq., unless and until the United States Customs and Border Protection Agency or the United States Department of Transportation has certified that the motor vehicle complies with such applicable federal standards; or
 - (iii) Applicable federal emission standards issued pursuant to 42 U.S.C.A. Section 7401 through Section 7642, the 'Clean Air Act,' as amended.
- (B) Such term shall not include former military motor vehicles.
- (b) In addition to the requirements contained in Code Section 40-3-30 and except as provided in subsection (e) of this Code section, prior to the issuance of a certificate of title to the owner of an assembled motor vehicle or motorcycle, the owner shall cause such assembled motor vehicle or motorcycle to be inspected in order to establish:
- (1) The existence of a verifiable Manufacturer's Certificate of Origin (MCO) or other verifiable documentation of purchase of all major components; and
 - (2) That such assembled motor vehicle or motorcycle complies with:
 - (A) Chapter 8 of Title 40, relating to equipment and inspection of motor vehicles; and
 - (B) If applicable, federal emission standards issued pursuant to 42 U.S.C.A. Section 7401 through Section 7642, the 'Clean Air Act,' as amended.
- (c) The inspection conducted under subsection (b) of this Code section shall only be for the purpose of establishing that such assembled motor vehicle or motorcycle is eligible to receive a certificate of title.
- (d) The department shall be authorized to charge an inspection fee.

(e) No inspection shall be required under this Code section for an assembled motor vehicle that is fueled solely by electricity, provided that the owner of such vehicle submits to the department:

(1) A certification that the vehicle complies with:

(A) Chapter 8 of this title, relating to equipment and inspection of motor vehicles; and

(B) Applicable federal emission standards issued pursuant to 42 U.S.C.A. Section 7401 through Section 7642, the 'Clean Air Act,' as amended; and

(2) A Manufacturer's Certificate of Origin (MCO).

~~(e)~~(f) Unconventional motor vehicles or motorcycles shall not be titled or registered."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Dugan of the 30th offered the following amendment #1:

Amend the substitute to SB 463 (LC 36 3625S) by deleting "domicile" on line 71 and inserting in lieu thereof "sole manufacturing facility".

On the adoption of the amendment, there were no objections, and the Dugan amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
E Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	N Martin	Y Unterman

Y Harbin	E McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
N Henson	Y Orrock	N Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 35, nays 17.

SB 463, having received the requisite constitutional majority, was passed by substitute.

SB 359. By Senators Hufstetler of the 52nd, Burke of the 11th, Watson of the 1st, Kirkpatrick of the 32nd, Henson of the 41st and others:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to establish standards for carriers and health care providers with regard to payment under a managed care plan in the provision of emergency medical care; to provide for applicability; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 359:

A BILL TO BE ENTITLED
AN ACT

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to establish standards for carriers and health care providers with regard to payment under a managed care plan in the provision of emergency medical care; to provide for applicability; to provide for definitions; to provide for certain patient or prospective patient disclosures; to provide for insurer disclosures; to provide for requirements regarding the provision of emergency medical care for covered persons under a managed care plan; to provide for requirements for managed care plan contracts between carriers and covered persons; to provide for payments to providers; to provide for penalties for violations; to provide for mediation; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Consumer Coverage and Protection for Out-of-Network Medical Care Act."

SECTION 2.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by adding a new chapter to read as follows:

"CHAPTER 20E**33-20E-1.**

This chapter shall apply to all carriers providing a managed care plan that pays for the provision of medical care to covered persons.

33-20E-2.

As used in this chapter, the term:

(1) 'Balance bill' means the amount that a nonparticipating provider may charge a covered person. Such amount charged shall equal the difference between the amount paid by the carrier and the amount of the nonparticipating provider's bill charge but shall not include any amount for coinsurance, copayments, or deductibles due from the covered person.

(2) 'Carrier' means an accident and sickness insurer, fraternal benefit society, hospital service corporation, medical service corporation, health care corporation, health maintenance organization, provider sponsored health care corporation, or any similar entity and any self-insured health benefit plan not subject to the exclusive jurisdiction of the federal Employee Retirement Income Security Act of 1974, 29 U.S.C. Section 1001, et seq., which entity provides for the financing or delivery of emergency medical care or through an emergency medical services system or through a health benefit plan, or the plan administrator of any health benefit plan established pursuant to Article 1 of Chapter 18 of Title 45.

(3) 'Covered person' means an individual who is covered under a managed care plan.

(4) 'Elective medical care' means medical services not defined as 'emergency medical care' under this chapter.

(5) 'Emergency condition' means any medical condition of a recent onset and severity, including but not limited to severe pain that would lead a prudent layperson, possessing an average knowledge of medicine and health, to believe that his or her condition, sickness, or injury is of such a nature that failure to obtain immediate medical care could result in:

(A) Placing the patient's health in serious jeopardy;

(B) Serious impairment to bodily functions; or

(C) Serious dysfunction of any bodily organ or part.

(6) 'Emergency medical care' means emergency services which originate in a hospital emergency department after the onset of a medical or traumatic condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical or surgical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part, and services for the first

24 hours after the covered person's emergency condition has stabilized, whether or not the emergency services and services after stabilization occur in an emergency department. Such term shall include care for an emergency condition that continues once a patient is admitted to the hospital from the hospital emergency department and could include other specialists and providers.

(7) 'Emergency medical provider' means any physician licensed by the Georgia Composite Medical Board who provides emergency medical care and any other health care provider licensed in this state who renders emergency medical care.

(8) 'First dollar coverage' means payment by a carrier directly to a health care provider for services of the entire allowed amount for such services pursuant to Code Section 33-20E-3 without any reduction in payment for the managed care plan's required coinsurance, copayments, deductibles, or other patient financial responsibility. The carrier shall be responsible for collecting these amounts directly from the covered person.

(9) 'Health care provider' means any physician or other person who is licensed or otherwise authorized in this state to furnish emergency medical care.

(10) 'Managed care plan' means a major medical, hospitalization, or dental plan that provides for the financing and delivery of health care services to persons enrolled in such plan through:

(A) Arrangements with selected providers to furnish health care services;

(B) Explicit standards for the selection of participating providers; and

(C) Cost savings for persons enrolled in the plan to use the participating providers and procedures provided for by the plan;

The term 'managed care plan' shall not apply to Chapter 9 of Title 34, relating to workers' compensation.

(11) 'Minimum benefit standard' or 'MBS' means the eightieth percentile of all charges for the particular health care service performed by a health care provider in the same or similar specialty and provided in the same geographical area as reported in a benchmarking data base maintained by a nonprofit organization specified by the Commissioner. The nonprofit organization shall not be affiliated, financially supported, or otherwise supported by a health insurance company.

(12) 'Nonparticipating provider' means a health care provider who has not entered into a direct contract with a carrier for the delivery of emergency medical care to covered persons under a managed care plan.

(13) 'Participating provider' means a health care provider who has entered into a direct contract with a carrier for the delivery of emergency medical care to covered persons under a managed care plan.

(14) 'Stabilized' means the effect of providing medical or surgical treatment for an emergency condition as may be necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result from or occur during the transfer of the patient from a facility, or that with respect to a pregnant woman who is having contractions, the woman has delivered the child and the placenta.

(15) 'Surprise bill' means a bill to a patient after elective medical care where an unanticipated event results in the provision of services by an out-of-network provider.

(16) 'Usual and customary cost' means the charges routinely billed by the provider for its professional services regardless of the payor involved and before any discounts that are applied pursuant to charity or indigent patient charge policies or insurance carrier contracting discounts.

33-20E-3.

(a) A health care provider who is a physician shall provide a patient or prospective patient with the name or practice name, mailing address, and telephone number of any health care provider that the office or surgery center utilizes for the provision of anesthesiology, laboratory, pathology, radiology, or assistant surgeon services in connection with care to be provided in the physician's office or an ambulatory surgery center owned by the physician for the patient at least 48 hours prior to the provision of services where possible. Such information may be provided by publication on the provider's website.

(b) Where an unanticipated event causes a change in the providers of radiology, anesthesiology, pathology, or other services, the physician shall be held harmless for any resulting bills from such provider or providers.

(c) A hospital shall establish, update, and make public through posting on the hospital's website, to the extent required by federal guidelines, a list of the hospital's standard charges for items and services provided by the hospital, including for diagnosis related groups established under Section 1886(d)(4) of the federal Social Security Act.

(d) A hospital shall post on the hospital's website:

(1) The health benefit plans in which the hospital is a participating provider;

(2) A statement that physician services provided in the hospital are not included in the hospital's charges, that physicians who provide services in the hospital may or may not participate with the same health benefit plans as the hospital, and that the prospective patient should check with the physician arranging for the hospital services to determine the health benefit plans in which the physician participates; and

(3) As applicable, the name, mailing address, and telephone number of the physician groups with which the hospital has contracted to provide services, including anesthesiology, pathology, and radiology, and instructions on how to contact these groups to determine the health benefit plan participation of the physicians in such groups.

(e) In registration or admission materials provided in advance of nonemergency hospital services, a hospital shall:

(1) Advise the patient or prospective patient to check with the physician arranging the hospital services to determine:

(A) The name or practice name, mailing address, and telephone number of any other physician whose services will be arranged for by the physician; and

(B) Whether the services of physicians who are employed or contracted by the hospital to provide services, including anesthesiology, pathology, and radiology, are

reasonably anticipated to be provided to the patient; and

(2) Provide patients or prospective patients with information on how to timely determine the health benefit plans in which the physicians participate who are reasonably anticipated to provide services to the patient at the hospital, as determined by the physician arranging the patient's hospital services, and who are employees of the hospital or contracted by the hospital to provide services, including anesthesiology, pathology, and radiology.

(f) Unknown or unanticipated services are not subject to the requirements of this Code section.

33-20E-4.

(a) An insurer shall provide to an enrollee:

(1) Information that an enrollee may obtain a referral to a health care provider outside of the insurer's network or panel when the insurer does not have a health care provider who is geographically accessible to the enrollee and who has appropriate training and experience in the network or panel to meet the particular health care needs of the enrollee and the procedure by which the enrollee can obtain such referral;

(2) Notice that the enrollee shall have direct access to primary and preventive obstetric and gynecologic services, including annual examinations, care resulting from such annual examinations, and treatment of acute gynecologic conditions, or for any care related to a pregnancy, from a qualified provider of such services of her choice from within the plan;

(3) All appropriate mailing addresses and telephone numbers to be utilized by enrollees seeking information or authorization;

(4) A monthly updated listing by specialty, which may be in a separate document, of the name, address, and telephone number of all participating providers, including facilities, and in the case of physicians, the board certification, languages spoken, and any affiliations with participating hospitals. The listing shall also be posted on the insurer's website, and the insurer shall update the website within 15 days of the addition or termination of a provider from the insurer's network or a change in a physician's hospital affiliation;

(5) Where applicable, a description of the method by which an enrollee may submit a claim for health care services;

(6) With respect to out-of-network coverage:

(A) A clear description of the methodology used by the insurer to determine reimbursement for out-of-network health care services;

(B) The amount that the insurer will reimburse under the methodology for out-of-network health care services set forth as a percentage of the usual and customary cost for out-of-network health care services;

(C) Examples of anticipated out-of-pocket costs for frequently billed out-of-network health care services; and

(D) Notice that the patient may be responsible for the balance of the out-of-network provider's fee if the rate paid by the plan is below the provider's billed amount;

- (7) Information in writing and through an Internet website that reasonably permits an enrollee or prospective enrollee to estimate the anticipated out-of-pocket costs for out-of-network health care services in a geographical area or ZIP Code based upon the difference between the amount that the insurer will reimburse for out-of-network health care services, the patient's MBS, and the usual and customary cost for out-of-network health care services;
- (8) The written application procedures and minimum qualification requirements for health care providers to be considered by the insurer; and
- (9) Other information as required by the Commissioner.
- (b) An insurer shall furnish an explanation of benefits to an out-of-network provider within 30 days of receiving a bill from the insured or directly from the out-of-network provider. The explanation of benefits shall conspicuously indicate whether the health care plan coverage for the patient is subject to the requirements of this chapter, or otherwise preempted under 29 U.S.C. Section 1144(a) as a self-funded employee welfare plan regulated under the federal Employee Retirement Income Security Act of 1974, 29 U.S.C. Section 1002(1).
- (c) An insurer shall disclose whether a health care provider scheduled to provide a health care service is an in-network provider and, with respect to out-of-network coverage, disclose the approximate dollar amount that the insurer will pay for a specific out-of-network health care service. Insurers shall also inform an enrollee through such disclosure that such approximation shall not be binding on the insurer and that the approximate dollar amount that the insurer shall pay for a specific out-of-network health care service may change.
- (d) Where services have been precertified or preauthorized by an insurer, the insurer shall guarantee coverage of such services at the usual and customary cost regardless of any changes of network status following the precertification or preauthorization.
- (e) Where an insurer fails to adequately and correctly keep its directory pursuant to Code Section 33-20C-2 and such failure results in the unanticipated provision of out-network services, the insurer shall compensate the provider at the provider's usual and customary cost or MBS, whichever is less.
- (f) Where a delay in the credentialing of a provider causes the service to be deemed out-of-network, the insurer shall compensate the provider at the provider's full rate at no expense to the patient.

33-20E-5.

- (a) Notwithstanding any provision of law to the contrary, a carrier that provides any benefits to covered persons with respect to emergency medical care shall pay for such emergency medical care:
- (1) Without the need for any prior authorization determination and without any retrospective payment denial for services rendered; and
- (2) Regardless of whether the health care provider furnishing emergency medical care is a participating provider with respect to emergency medical care.
- (b) In the event a covered person receives emergency medical care by a

nonparticipating provider, the nonparticipating provider shall bill the carrier directly and the carrier shall directly pay, within 15 days for electronic claims and 30 days for paper claims, the nonparticipating provider as coded, with first dollar coverage, for the emergency medical care rendered to the covered person by the lesser of:

- (1) The nonparticipating provider's actual billed charges; or
- (2) The minimum benefit standard. The charges shall be tied to 2017 charges and may be adjusted for inflation according to the Consumer Price Index for medical care or another indicator as determined by the department. Such data base shall be accessible to providers without charge.

Payment shall be made without retrospective denials and without deductions for the plan's coinsurance, copayments, and deductibles. The carrier shall collect any required coinsurance, copayments, deductibles, or other patient financial responsibilities directly from the covered person pursuant to the provisions of the managed care plan contract. Patient responsibility is limited to the in-network payment as required under the managed care plan contract.

(c) A managed care plan shall not deny benefits for emergency medical care previously rendered, based upon a covered person's failure to provide subsequent notification in accordance with plan provisions, where the covered person's medical condition prevented timely notification.

(d) In the event a covered person receives emergency medical care by a nonparticipating provider, once such covered person is stabilized, as required by the federal Emergency Medical Treatment and Active Labor Act, the carrier shall arrange for transfer of the covered person to a participating provider at the carrier's cost. If the carrier fails to transfer such covered person within 24 hours after the covered person is stabilized, the carrier shall pay the entirety of the nonparticipating provider's charges for the care of the covered person thereafter in accordance with the payment criteria provided in subsection (b) of this Code section.

(e) Carriers shall not communicate or include in written form false, misleading, or confusing information in their explanation of benefits to patients or guarantors regarding usual and customary costs, balance billing, or mediation disputes between physicians and carriers.

(f) For purposes of an enrollee's financial responsibilities, the health care plan shall treat the health care services the enrollee receives from an out-of-network provider pursuant to this Code section as if the services were provided by an in-network provider, including counting the enrollee's cost sharing for such services toward the enrollee's deductible and maximum out-of-pocket limit applicable to services obtained from in-network providers under the health care plan.

33-20E-6.

No managed care plan shall deny or restrict in-network covered benefits to a covered person solely because the covered person obtained treatment outside the network. Notice of such protection shall be provided in writing to the covered person by the carrier.

33-20E-7.

(a)(1) A managed care plan contract issued, amended, or renewed on or after July 1, 2018, shall provide that if a covered person receives emergency medical care from a nonparticipating provider at either an in-network facility or an out-of-network facility, such covered person shall not be required to pay more to the carrier than the same amount that the covered person would have to pay to the carrier for the same emergency medical care received from a similar participating provider at a similar in-network facility. Such amount shall be referred to as the 'in-network cost-sharing amount.'

(2) Neither a nonparticipating provider nor a participating provider shall bill or collect any amount from the covered person for emergency medical care subject to paragraph (1) of this subsection. Coinsurance, copayments, and deductibles shall be collected by the carrier, and first dollar coverage shall be paid by the carrier directly to the provider in a timely manner, as coded and billed, and without retrospective denials.

(b) A managed care plan contract issued, amended, or renewed on or after July 1, 2018, shall provide that, if a covered person receives emergency medical care from a nonparticipating provider, any cost-sharing amount attributable to an out-of-network deductible shall be applied to such covered person's in-network deductible.

33-20E-8.

(a) A violation of this chapter by a carrier shall be considered an unfair trade practice under Article 1 of Chapter 6 of this title and shall be subject to penalties as determined by the department.

(b) This Code section shall not apply to any health care provider or emergency medical provider.

33-20E-9.

(a) Where a patient obtains elective medical care and an unexpected event arises resulting in a surprise bill to a patient, mediation shall be available from the department where the resulting bill to the patient is greater than \$1,000.00. Surprise bills under such threshold shall not qualify for mediation under this subsection, provided that:

(1) Participants in such a mediation shall include the patient or the patient's authorized representative, the insurer, and the provider of the care resulting in the bill to the patient;

(2) Patients shall submit accurate and complete health insurance information prior to receiving services;

(3) Where possible, mediation shall occur by teleconference;

(4) In determining appropriate payment, the Gould Standard shall be taken into account by the parties involved; and

(5) Costs not specific to any one party shall be shared evenly among all parties to the mediation.

(b) The department shall develop rules in accordance with the requirements of this Code section."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
E Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 359, having received the requisite constitutional majority, was passed by substitute.

SB 336. By Senators Unterman of the 45th, Miller of the 49th, Butler of the 55th and McKoon of the 29th:

A BILL to be entitled an Act to amend Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions relevant to the Georgia Bureau of Investigation, so as to provide that when a subpoena is issued for production of electronic communication service records for computer or electronic devices that are used in furtherance of certain offenses

against minors, such provider of electronic communication service or other computer service shall not provide notice of such subpoena to the subscriber or customer of such service; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 336:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions relevant to the Georgia Bureau of Investigation, so as to prevent the disclosure of a subpoena issued for production of electronic communication service records for computer or electronic devices that are used in furtherance of certain offenses against minors or involving trafficking of persons for labor or sexual servitude, to the subscriber or customer; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions relevant to the Georgia Bureau of Investigation, is amended in Code Section 35-3-4.1, relating to subpoena for production of electronic communication service records for computer or electronic device used in furtherance of certain offenses against minors, by revising subsection (a) as follows:

"(a)(1) In any investigation of a violation of Code Section 16-12-100, 16-12-100.1, or 16-12-100.2 involving the use of a computer or an electronic device in furtherance of an act related to a minor, or any investigation of a violation of Article 8 of Chapter 9 of Title 16, the director, assistant director, or deputy director for investigations shall be authorized to issue a subpoena, with the consent of the Attorney General, to compel the production of electronic communication service or remote communication service records or other information pertaining to a subscriber or customer of such service, exclusive of contents of communications.

(2) A provider of electronic communication service or remote computing service shall disclose to the bureau the:

- (A) Name;
- (B) Address;
- (C) Local and long distance telephone connection records, or records of session times and durations;
- (D) Length of service, including the start date, and types of service utilized;
- (E) Telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and

(F) Means and source of payment for such service, including any credit card or bank account number of a subscriber to or customer of such service.

(3) A provider of electronic communication service or remote computing service shall not provide notification of the subpoena issued pursuant to paragraph (1) of this subsection to the subscriber or customer of such service."

SECTION 2.

Said article is further amended by revising Code Section 35-3-4.3, relating to subpoena power for investigations of violations involving trafficking of persons for labor or sexual servitude, as follows:

"35-3-4.3.

(a) In any investigation of a violation of Code Section 16-5-46 involving trafficking of persons for labor or sexual servitude, the director, assistant director, or deputy director for investigations shall be authorized to issue a subpoena, with the consent of the Attorney General, to compel the production of books, papers, documents, or other tangible things, including records and documents contained within, or generated by, a computer or any other electronic device.

(b) A provider of electronic communication service or remote computing service shall not provide notification of the subpoena issued pursuant to subsection (a) of this Code section to the subscriber or customer of such service.

~~(b)~~(c) Upon the failure of a person without lawful excuse to obey a subpoena, the director, assistant director, or the deputy director for investigations, through the Attorney General or district attorney, may apply to a superior court having jurisdiction for an order compelling compliance. Such person may object to the subpoena on grounds that it fails to comply with this Code section or upon any constitutional or other legal right or privilege of such person. The court may issue an order modifying or setting aside such subpoena or directing compliance with the original subpoena. Failure to obey a subpoena issued under this Code section may be punished by the court as contempt of court."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
E Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

SB 336, having received the requisite constitutional majority, was passed by substitute.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

SB 418. By Senators Wilkinson of the 50th, Harper of the 7th, Mullis of the 53rd, Anderson of the 24th and Black of the 8th:

A BILL to be entitled an Act to amend Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, so as to prohibit county, municipal, and consolidated governments from banning the sales of goods, products, or items regulated by the United States Department of Agriculture, the United States Food and Drug Administration, or the Georgia Department of Agriculture, which are sold at properly zoned retail establishments; to provide for definitions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senator Unterman of the 45th moved that SB 418 be placed on the Table.

Senator Wilkinson of the 50th objected.

On the motion, Senator Unterman of the 45th called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers	Y Hufstetler	N Payne
N Anderson, L	N Jackson	Y Rhett
Y Anderson, T	James	Y Seay

N Beach	N Jones, B	N Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
N Burke	N Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
N Dugan	E Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
Gooch	E Martin	Y Unterman
N Harbin	N McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	N Wilkinson
N Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the motion, the yeas were 21, nays 31; the motion lost, and SB 418 was not placed on the Table.

Senators Kirk of the 13th, Wilkinson of the 50th, McKoon of the 29th, Shafer of the 48th and Walker III of the 20th offered the following amendment #1:

Amend SB 418 (LC 37 2578) by deleting line 6 and inserting in lieu thereof the following:
for definitions; to provide that no local governing authority is restricted in the prohibition of the sale of marijuana; to provide for related matters; to provide for an effective date; to repeal

By deleting line 27 and inserting in lieu thereof the following:

zoning regulations. Nothing in this Code section shall prohibit a local governing authority from restricting the sale of marijuana as defined in paragraph (16) of Code Section 16-13-21."

On the adoption of the amendment, the President asked unanimous consent.

Senator Unterman of the 45th objected.

On the adoption of the amendment, the yeas were 27, nays 17, and the Kirk, et al. amendment #1 was adopted.

Senators Heath of the 31st and Strickland of the 17th offered the following amendment #2:

Amend SB 418 (LC 37 2578) by deleting line 4 and inserting in lieu thereof the following:
Department of Agriculture or the Georgia

By deleting lines 23 and 24 and inserting in lieu thereof the following:
products, or items which are regulated by the United States Department of Agriculture or the Georgia Department of Agriculture.

Senator Heath of the 31st asked unanimous consent that his amendment be withdrawn. The consent was granted, and the Heath, Strickland amendment #2 was withdrawn.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	N Hufstetler	N Payne
Y Anderson, L	Y Jackson	N Rhett
N Anderson, T	N James	N Seay
N Beach	N Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
N Brass	N Jones, H	N Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	N Thompson, C
N Dugan	E Ligon	N Tillery
Y Ginn	Y Lucas	Y Tippins
Gooch	E Martin	N Unterman
N Harbin	Y McKoon	N Walker
N Harbison	N Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 19, nays 34.

SB 418, having failed to receive the requisite constitutional majority, was lost.

The following communication was received by the Secretary:

2/28/18

Due to business outside the Senate Chamber, I missed the vote on SB 418. Had I been present, I would have voted "no".

/s/ Steve Gooch
 District 51

At 1:10 p.m. the President announced that the Senate would stand at ease until 2:10 p.m.

At 2:23 p.m. the President called the Senate to order.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 410. By Representatives Powell of the 32nd, Clark of the 98th, Teasley of the 37th and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to regulation of specialized land transactions, so as to provide for limits on certain fees imposed on purchasers of condominiums and lots in a property owners' association; to provide for fees for statements of amounts owing to a property owners' association; to provide for the manner of providing such statements; to provide for expedited fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 951. By Representatives Shaw of the 176th, Watson of the 172nd, Houston of the 170th, Powell of the 171st, England of the 116th and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to establish the Center for Rural Prosperity and Innovation; to provide for a director; to provide for the incorporation of the Centers of Innovation Agribusiness administered by the Department of Economic Development; to provide for the incorporation and structure of a new Georgia Rural Development Council; to provide for members and duties; to provide for conditions related to appropriations; to provide for legislative findings; to amend Article 6 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Office of Rural Development and State Advisory Committee on Rural Development, so as to repeal the Georgia Rural Development Council; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 973. By Representatives Jones of the 47th, Burns of the 159th, England of the 116th, Trammell of the 132nd and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to

provide that lobbyists shall acknowledge receiving, reading, and agreeing to abide by the sexual harassment policy of the General Assembly as a condition to lobbyist registration; to provide that violation of the sexual harassment policy by a lobbyist shall be grounds for sanctioning such lobbyist; to provide that complaints regarding violation of the sexual harassment policy of the General Assembly by any lobbyist may be reported to the Georgia Government Transparency and Campaign Finance Commission by the General Assembly with recommendations for sanctions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 986. By Representatives Nimmer of the 178th, Shaw of the 176th, Spencer of the 180th, LaRiccia of the 169th and Corbett of the 174th:

A BILL to be entitled an Act to amend an Act providing that the governing authority of each county comprising the Waycross Judicial Circuit may supplement the compensation, salary, expenses, and allowances of each of the judges of the superior courts of the Waycross Judicial Circuit, approved March 20, 1985 (Ga. L. 1985, p. 3879), so as to increase the amounts of such supplements; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senator Cowser of the 46th assumed the Chair.

The Calendar was resumed.

SB 39. By Senators Unterman of the 45th, Shafer of the 48th, Beach of the 21st, Orrock of the 36th, Butler of the 55th and others:

A BILL to be entitled an Act to amend Code Section 16-6-13 of the Official Code of Georgia Annotated, relating to penalties for violating Code Sections 16-6-9 through 16-6-12, so as to increase the penalty provisions relating to pimping and pandering; to amend Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the State Sexual Offender Registry, so as to require registration on the State Sexual Offender Registry when an individual is convicted for the second time for pandering; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 39:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, so as to increase the penalty provisions relating to pimping and

pandering; to amend Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the State Sexual Offender Registry, so as to require registration on the State Sexual Offender Registry when an individual is convicted for a third or subsequent time for certain types of pandering; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 6 of Title 16 of the Official Code of Georgia Annotated, relating to sexual offenses, is amended by revising Code Section 16-6-12, relating to pandering, as follows:

"16-6-12.

A person commits the offense of pandering when he or she ~~solicits~~:

- (1) Solicits a person to perform an act of prostitution in his or her own behalf ~~or~~;
- (2) Solicits a person to perform an act of prostitution in behalf of a third person; or
- (3) Knowingly ~~when he or she knowingly~~ assembles persons at a fixed place for the purpose of being solicited by others to perform an act of prostitution."

SECTION 2.

Said chapter is further amended by revising subsection (a) and paragraph (2) of subsection (b) of Code Section 16-6-13, relating to penalties for violating Code Sections 16-6-9 through 16-6-12, as follows:

"(a) Except as otherwise provided in subsection (b) of this Code section, a person convicted of violating:

- (1) Code Section 16-6-10 shall be punished as for a misdemeanor of a high and aggravated nature, and at the sole discretion of the judge, all but 24 hours of any term of imprisonment imposed may be suspended, stayed, or probated;
- (2) Code Section 16-6-9 shall be punished as for a misdemeanor;
- (3) Code Section 16-6-11 shall be ~~punished as for a misdemeanor of a high and aggravated nature, and at the sole discretion of the judge, all but 24 hours of any term of imprisonment imposed may be suspended, stayed, or probated~~ guilty of a felony and shall be punished by a term of imprisonment of not less than one year nor more than ten years; or
- (4) Code Section 16-6-12 for a first or second offense shall be punished as for a misdemeanor of a high and aggravated nature, and at the sole discretion of the judge, all but 24 hours of any term of imprisonment imposed may be suspended, stayed, or probated, provided that upon a third or subsequent conviction for such offense he or she shall be guilty of a felony and punished by imprisonment of not less than one nor more than ten years."

"(2) A person convicted of any of the offenses enumerated in Code Sections 16-6-10 through 16-6-12 when such offense involves the conduct of a person under the age of 16 years shall be guilty of a felony and shall be punished by imprisonment for a period of not less than ten nor more than 30 years; and a fine of not more than \$100,000.00, ~~or both.~~"

SECTION 3.

Code Section 42-1-12 of the Official Code of Georgia Annotated, relating to the State Sexual Offender Registry, is amended by revising subparagraph (a)(10)(B.2) and adding a new subparagraph to read as follows:

"(B.2) 'Dangerous sexual offense' with respect to convictions occurring ~~after June 30, 2017~~ between July 1, 2017, and June 30, 2018, means any criminal offense, or the attempt to commit any criminal offense, under Title 16 as specified in this subparagraph or any offense under federal law or the laws of another state or territory of the United States which consists of the same or similar elements of the following offenses:

- (i) Aggravated assault with the intent to rape in violation of Code Section 16-5-21;
- (ii) Kidnapping in violation of Code Section 16-5-40 which involves a victim who is less than 14 years of age, except by a parent;
- (iii) Trafficking an individual for sexual servitude in violation of Code Section 16-5-46;
- (iv) Rape in violation of Code Section 16-6-1;
- (v) Sodomy in violation of Code Section 16-6-2;
- (vi) Aggravated sodomy in violation of Code Section 16-6-2;
- (vii) Statutory rape in violation of Code Section 16-6-3, if the individual convicted of the offense is 21 years of age or older;
- (viii) Child molestation in violation of Code Section 16-6-4;
- (ix) Aggravated child molestation in violation of Code Section 16-6-4, unless the person was convicted of a misdemeanor offense;
- (x) Enticing a child for indecent purposes in violation of Code Section 16-6-5;
- (xi) Sexual assault against persons in custody in violation of Code Section 16-6-5.1;
- (xii) Incest in violation of Code Section 16-6-22;
- (xiii) A second conviction for sexual battery in violation of Code Section 16-6-22.1;
- (xiv) Aggravated sexual battery in violation of Code Section 16-6-22.2;
- (xv) Sexual exploitation of children in violation of Code Section 16-12-100;
- (xvi) Electronically furnishing obscene material to minors in violation of Code Section 16-12-100.1;
- (xvii) Computer pornography and child exploitation in violation of Code Section 16-12-100.2;
- (xviii) Obscene telephone contact in violation of Code Section 16-12-100.3; or
- (xix) Any conduct which, by its nature, is a sexual offense against a victim who is a minor or an attempt to commit a sexual offense against a victim who is a minor.

(B.3) 'Dangerous sexual offense' with respect to convictions occurring after June 30, 2018, means any criminal offense, or the attempt to commit any criminal offense, under Title 16 as specified in this subparagraph or any offense under federal law or the laws of another state or territory of the United States which

consists of the same or similar elements of the following offenses:

- (i) Aggravated assault with the intent to rape in violation of Code Section 16-5-21;
- (ii) Kidnapping in violation of Code Section 16-5-40 which involves a victim who is less than 14 years of age, except by a parent;
- (iii) Trafficking an individual for sexual servitude in violation of Code Section 16-5-46;
- (iv) Rape in violation of Code Section 16-6-1;
- (v) Sodomy in violation of Code Section 16-6-2;
- (vi) Aggravated sodomy in violation of Code Section 16-6-2;
- (vii) Statutory rape in violation of Code Section 16-6-3, if the individual convicted of the offense is 21 years of age or older;
- (viii) Child molestation in violation of Code Section 16-6-4;
- (ix) Aggravated child molestation in violation of Code Section 16-6-4, unless the person was convicted of a misdemeanor offense;
- (x) Enticing a child for indecent purposes in violation of Code Section 16-6-5;
- (xi) Sexual assault against persons in custody in violation of Code Section 16-6-5.1;
- (xii) A third or subsequent conviction for pandering in violation of paragraph (2) or (3) of Code Section 16-6-12;
- (xiii) Incest in violation of Code Section 16-6-22;
- (xiv) A second conviction for sexual battery in violation of Code Section 16-6-22.1;
- (xv) Aggravated sexual battery in violation of Code Section 16-6-22.2;
- (xvi) Sexual exploitation of children in violation of Code Section 16-12-100;
- (xvii) Electronically furnishing obscene material to minors in violation of Code Section 16-12-100.1;
- (xviii) Computer pornography and child exploitation in violation of Code Section 16-12-100.2;
- (xix) Obscene telephone contact in violation of Code Section 16-12-100.3; or
- (xx) Any conduct which, by its nature, is a sexual offense against a victim who is a minor or an attempt to commit a sexual offense against a victim who is a minor."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	Tate
Cowsert (PRS)	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 0.

SB 39, having received the requisite constitutional majority, was passed by substitute.

The following communications were received by the Secretary:

Feb. 28, 2018

Due to business outside the Senate Chamber, I missed the vote on SB 39. Had I been present, I would have voted "yes".

/s/ Tonya Anderson
District 43

2/28

Due to business outside the Senate Chamber, I missed the vote on SB 39. Had I been present, I would have voted "yes".

/s/ Greg Kirk
District 13

28 Feb. 2018

Due to business outside the Senate Chamber, I missed the vote on SB 39. Had I been present, I would have voted "yes".

/s/ Horacena Tate
District 38

Senator Kirk of the 13th was excused for business outside the Senate Chamber.

SB 460. By Senator Beach of the 21st:

A BILL to be entitled an Act to amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, so as to provide for adoption of a logo and brand to include the term "ATL" by such Authority by a certain date; to remove a limitation on the amount of funds such Authority may receive from the state; to provide for the publishing of standards for bus service for a fiscal year; to provide for clarification on the responsible parties for debt in relation to the issuance of certain revenue bonds; to amend requirements for transportation services contracts between the Authority and a local government; to provide for related matters; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

The Senate Committee on Transportation offered the following substitute to SB 460:

A BILL TO BE ENTITLED
AN ACT

To amend an Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, so as to provide for adoption of a logo and brand to include the term "ATL" by such Authority by a certain date; to provide for the publishing of standards for bus service for a fiscal year; to provide for clarification on the responsible parties for debt in relation to the issuance of certain revenue bonds; to amend requirements for transportation services contracts between the Authority and a local government; to provide for related matters; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act known as the "Metropolitan Atlanta Rapid Transit Authority Act of 1965," approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, is amended by revising

subsection (a) of Section 8 as follows:

"(a) The powers, privileges and immunities authorized by law for private corporations and for instrumentalities of government. The Authority may sue or be sued in its corporate name but no execution shall be levied on any property of the Authority prior to ninety (90) days from the date of a final judgment against the Authority. The Board may adopt and use a common seal for the Authority and change it at its pleasure. On and after January 1, 2023, the board shall utilize a logo and brand upon Authority property which shall include the term 'ATL' as a prominent feature. Such branding and logo will in no manner change the official name, business, contracts, or other obligations of the Authority."

SECTION 2.

Said Act is further amended by revising paragraph (g) of Section 9 as follows:

"(g) Not later than 120 days after the end of each fiscal year, the Board shall adopt and publish standards of bus service for the Authority's current fiscal year for Clayton, Fulton, and DeKalb counties including, but not limited to, such service within the City of Atlanta. The Board may hold public hearings, as it may deem appropriate, prior to the adoption and publication of such standards and may prescribe rules and regulations to govern such hearings not inconsistent with this Act."

SECTION 3.

Said Act is further amended by adding two new paragraphs to Section 10 to read as follows:

"(x) Any bonds of the Authority issued on or after January 1, 2019, shall not be deemed to constitute a debt of any local government of the metropolitan area nor any local government of a county which enters into a transportation services contract pursuant to Section 24A of this Act.

"(y) Any bonds issued by a local government of a county which enters into a transportation services contract with the Authority shall be governed by the provisions of Article 5B of Chapter 8 of Title 48 of the Official Code of Georgia Annotated."

SECTION 4.

Said Act is further amended by revising Section 24A as follows:

"SECTION 24A.

(a) Notwithstanding the provisions of Section 24 of this Act or any other provision of this Act, the Authority may execute a transportation services contract with any county, municipality, special tax or community improvement district, political subdivision of this state, or any combination thereof being or lying within the counties of Clayton, Cobb, DeKalb, Fulton, or Gwinnett, to provide public transportation services, facilities, or both, for, to, or within such county, municipality, district, subdivision, or combination thereof. A transportation services contract executed pursuant to this Section:

- (1) Shall not be a rapid transit contract subject to the conditions established therefor in Section 24 of this Act;
- ~~(2) May not utilize a method of financing those public transportation services or facilities provided under the contract which involves:~~
- ~~(A) The issuance of bonds under subsection (c) of Section 24 of this Act;~~
 - ~~(B) The levy of the special retail sales and use tax described and authorized in Section 25 of this Act; or~~
 - ~~(C) Both methods described in subparagraphs (A) and (B) of this paragraph;~~
- ~~(3)(2) Shall require that the provision of transportation services or for facilities contracted for are from the approved project list from the regional transit plan developed by the Atlanta-region Transit Link 'ATL' Commission pursuant to Code Section 48-8-269.42 of the Official Code of Georgia Annotated or is otherwise authorized pursuant to such Code section~~ May not authorize the construction of any extension of or addition to the Authority's existing rapid rail system; and
- ~~(4)(3) Shall require that the costs of any transportation services and facilities contracted for, as determined by the Board of Directors on the basis of reasonable estimates, allocations of costs and capital, and projections shall be borne by one or more of the following:~~
- ~~(A) Fares;~~
 - ~~(B) Other revenues generated by such services or facilities; and~~
 - ~~(C) Any subsidy provided, directly or indirectly, by or on behalf of the public entity with which the Authority contracted for the services and facilities; and~~
 - ~~(D) A special retail sales and use tax described and authorized in Article 5B of Chapter 8 of Title 48 of the Official Code of Georgia Annotated.~~
- (b) Nothing in this Section shall be deemed to limit or preclude the Authority from providing public transportation services and facilities for, to, or within any other county, municipality, special tax or community improvement district, political subdivision of this state, or combination thereof if:
- (A) The Authority is otherwise authorized by law to provide such services and facilities;
 - (B) The services and facilities are provided pursuant to a transportation services contract meeting the requirements therefor under subsection (a) of this Section; and
 - (C) The parties to the transportation services contract are authorized by law to enter into such contract.
- (c) Nothing in this Section or in paragraph (2) of subsection (b) of Section 25 of this Act shall authorize the Authority to provide any public transportation service or facility to any county, municipality, special tax or community improvement district, or other political subdivision which, on January 1, 1988, is not a party to the Rapid Transit Contract and Assistance Agreement specified in subsection (k) of Section 25 of this Act unless that service or facility is provided pursuant to a contract approved by the governing authority of that political subdivision for which the service or facility is to be provided or pursuant to a contract approved in a referendum by a majority of the qualified electors voting in the political subdivision for which the service or facility is

to be provided. For purposes of this Section, when any public transportation service or facility is to be provided by the Authority to any special tax or community improvement district, the county or municipality for which that district was created shall be the political subdivision whose governing authority or electors shall be required to approve the contract for such service or facility."

SECTION 5.

(a) Except as otherwise provided by subsection (b) of this section, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

(b) Sections 3 and 4 of this Act shall become effective only upon the effective date of Senate Bill 386 from the 2018 legislative session.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Cowsert (PRS)	E Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	N Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 2.

SB 460, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/28

Due to business outside the Senate Chamber, I missed the vote on SB 460. Had I been present, I would have voted "yes".

/s/ Greg Kirk
District 13

Senator Lucas of the 26th moved to withdraw SB 424 from the Committee on Health and Human Services and commit it to the Committee of the Whole Senate.

Senator Heath of the 31st objected.

The President ruled the motion out of order as it was not made at the proper time in the order of business.

Senator Henson of the 41st moved to suspend the Senate Rules to withdraw SB 424 from the Committee on Health and Human Services and commit it to the Committee of the Whole Senate.

Senator Unterman of the 45th objected.

On the motion, a roll call was taken, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	Jones, B	N Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
Cowsert (PRS)	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
N Dugan	E Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	N Martin	N Unterman

N Harbin	N McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	N Wilkinson
N Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the motion, the yeas were 20, nays 33; motion lost, and the Senate did not suspend the Senate Rules.

The President resumed the Chair.

The Calendar was resumed.

SB 232. By Senators Gooch of the 51st, Wilkinson of the 50th, Harper of the 7th, Lucas of the 26th, Burke of the 11th and others:

A BILL to be entitled an Act to enact the "Facilitating Internet Broadband Rural Expansion (FIBRE) Act"; to amend Titles 36, 46, 48, and 50 of the O.C.G.A., relating to local government, public utilities and public transportation, revenue and taxation, and state government, respectively, so as to provide for broadband service planning, deployment, and incentives; to provide for the creation and administration of the Georgia Gigabit Ready Community Site designation program by the Department of Economic Development; to change the definitions relative to the "OneGeorgia Authority Act" to include broadband services in the terms "cost of project" and "project"; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 232:

A BILL TO BE ENTITLED
AN ACT

To amend Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public transportation, so as to specifically authorize electric membership corporations and their affiliates and subsidiaries to provide emerging communications technologies; to provide and change certain definitions; to prohibit cross-subsidation of certain activities of electric membership corporations; to establish certain requirements for attachments to utility poles owned by EMCs offering emerging communications technologies; to require electric membership corporations to obtain certain franchises; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public transportation, is amended by revising Code Section 46-3-200, relating to purposes of electric membership corporations, as follows:

"46-3-200.

An electric membership corporation may serve any one or more of the following purposes:

- (1) To furnish electrical energy and service;
- (2) To assist its members in the efficient and economical use of energy;
- (3) To engage in research and to promote and develop energy conservation and sources and methods of conserving, producing, converting, and delivering energy; ~~and~~
- (4) To provide and operate emerging communications technologies as provided in Code Section 46-5-223; and
- ~~(4)~~(5) To engage in any lawful act or activity necessary or convenient to effect the foregoing purposes."

SECTION 2.

Said Title 46 is further amended by revising Code Section 46-5-221, relating to definitions, as follows:

"46-5-221.

As used in this article, the term:

- (1) 'Affiliate' means another person which controls, is controlled by, or is under common control with such person.
- (2) 'Assigned area' shall have the same meaning as provided in Code Section 46-3-3.
- ~~(1) 'Broadband service' means a service that consists of the capability to transmit at a rate not less than 200 kilobits per second in either the upstream or downstream direction and in combination with such service provide either:~~
 - ~~(A) Access to the Internet; or~~
 - ~~(B) Computer processing, information storage, or protocol conversion.~~

'Broadband services' means Internet access capable of transmitting data at a rate of at least 25 megabits per second in the downstream direction and at least 3 megabits per second in the upstream direction to end users. For the purposes of this article, ~~broadband service~~ the term does not include any information content or service applications provided over such access service nor any intrastate service that was subject to a tariff in effect as of September 1, 2005.

(1.1) 'Communications services provider' means a cable operator as defined in 47 U.S.C. Section 522(5), as it existed on January 1, 2018; a telecommunications carrier as defined in 47 U.S.C. Section 153(512), as it existed on January 1, 2018; a provider of information services as defined in 47 U.S.C. Section 153(24), as it existed on January 1, 2018; and a wireless services provider.

(1.2) 'Electric membership corporation' or 'EMC' means an electric membership

corporation organized under this title or any prior electric membership corporation law of this state, or a corporation which elected, in accordance with the provisions thereof, to be governed by Ga. L. 1937, p. 644, the 'Electric Membership Corporation Act.'

(1.3) 'EMC gas affiliate' shall have the same meaning as provided in Code Section 46-4-152.

(1.4) 'Emerging communications technologies' means broadband services, VoIP, IP enabled services, wireless services, and all facilities and equipment associated therewith.

(1.5) 'IP enabled services' means any service, capability, functionality, or application that enables an end user to send or receive a communication in existing Internet Protocol format, or any successor format, regardless of whether the communication is voice, data, or video.

(1.6) 'Served area' means a geographic area of the state, identified as a census block, that has a provider of terrestrial broadband services other than an EMC or an affiliate of an EMC.

(1.7) 'Unserved area' means a geographic area of the state, identified as a census block, that does not have a provider of terrestrial broadband services other than an EMC or an affiliate of an EMC.

(1.8) 'Unserved location' means a physical address or group of addresses within a served area that does not have a provider of terrestrial broadband services other than an EMC or an affiliate of an EMC.

(2) 'VoIP' means Voice over Internet Protocol services offering real-time multidirectional voice functionality utilizing any Internet protocol.

(3) 'Wireless ~~service~~ services' means:

(A) Commercial ~~commercial~~ mobile radio service carried on between mobile stations or receivers and land stations and by mobile stations communicating among themselves; or

(B) Commercial fixed radio service carried on between or among land stations or receivers."

SECTION 3.

Said Title 46 is further amended by revising Code Section 46-5-222, relating to commission has no authority over setting of rates or terms and conditions for the offering of broadband service, voice over Internet protocol, or wireless service, and limitations, as follows:

"46-5-222.

(a) The Public Service Commission shall not have any jurisdiction, right, power, authority, or duty to impose any requirement or regulation relating to the setting of rates or terms and conditions for the offering ~~of broadband service, VoIP, or wireless services~~ or provision of emerging communications technologies.

(b) This Code section shall not be construed to affect:

(1) State laws of general applicability to all businesses, including, without limitation,

consumer protection laws and laws relating to restraint of trade;

(2) Any authority of the Public Service Commission with regard to consumer complaints; or

(3) Any authority of the Public Service Commission to act in accordance with federal laws or regulations of the Federal Communications Commission, including, without limitation, jurisdiction granted to set rates, terms, and conditions for access to unbundled network elements and to arbitrate and enforce interconnection agreements.

(c) Except as otherwise expressly provided in this Code section, nothing in this ~~Code section~~ article shall be construed to restrict or expand any other authority or jurisdiction of the Public Service Commission."

SECTION 4.

Said Title 46 is further amended by adding two new Code sections to read as follows:

"46-5-223.

(a)(1) Subject to the provisions of subsection (c) of this Code section, an EMC:

(A) That obtains a certificate of authority issued pursuant to Code Section 46-5-163 shall be authorized to provide and operate emerging communications technologies within such EMC's assigned area and within a five-mile radius thereof; and

(B) Shall be authorized to create an affiliate that shall be authorized to provide and operate emerging communications technologies within such EMC's assigned area and within a five-mile radius thereof, provided that such affiliate obtains a certificate of authority issued pursuant to Code Section 46-5-163.

(b) Subject to the provisions of subsection (c) of this Code section, an EMC shall be authorized to apply for, accept, repay, and utilize loans, grants, and other financing from the federal government, this state, or any department or agency thereof, or from any other public or private party, in order to provide funding to assist the EMC or an affiliate of such EMC in the planning, engineering, construction, extension, operation, repair, and maintenance of emerging communications technologies which the EMC or an affiliate of such EMC shall be authorized to provide under this article.

(c) In order to encourage and promote fair competition in the overall retail emerging technologies market, and to protect the privacy of electric and natural gas consumers, no cross-subsidization shall be permitted between an EMC's natural gas activities or an EMC's electricity services, and the provision or operation of emerging communications technologies by such EMC or through an affiliate of such EMC. Any EMC that provides or operates emerging communications technologies shall:

(1) Ensure that cross-subsidizations do not occur between the electricity services of an EMC, the gas activities of its EMC gas affiliate, and the emerging communications technologies it provides;

(2) Fully allocate all electricity activities costs, gas activities costs, or emerging communications technologies activities costs including costs for any shared services, between the EMC's electricity activities, the gas activities of its EMC gas affiliate, and the EMC's emerging communications technologies activities, in accordance with the applicable uniform system of accounts and generally accepted accounting

principles that are applicable to EMCs under either federal or state laws, rules, or regulations;

(3) Not charge any costs of the EMC's electricity activities or any costs of its EMC gas affiliate to the emerging communications technologies customers of such EMC;

(4) Not charge any costs of the EMC's emerging communications technologies activities to the EMCs electricity activities or its EMC gas affiliate's activities; and

(5) Not, for the protection and privacy of customer information, release any proprietary customer information about any of such EMC's emerging communications technologies customers to its electricity division, affiliate, or subsidiary or its EMC gas affiliate without obtaining prior verifiable authorization from such customers.

46-5-224.

(a) In order for an EMC or its affiliate to offer one or more emerging communications technologies, an EMC shall:

(1) Ensure that any rates and fees charged by such EMC for attachments to utility poles by communications services providers shall be nondiscriminatory regardless of the services provided by the communications services provider and shall not exceed the annual recurring rate permitted under rules and regulations adopted pursuant to 47 U.S.C. Section 224(d) by the Federal Communications Commission, as such existed on January 1, 2018, and any regulations and Federal Communications Commission decisions promulgated thereunder; provided, however, that this paragraph shall only apply if the EMC or its affiliate is providing an emerging technology to an area other than to an unserved area or unserved location;

(2) Establish nondiscriminatory, competitively neutral and commercially reasonable terms and conditions for attachments to utility poles by any provider of emerging communications technologies, which terms and conditions shall comply with the federal pole attachment requirements provided in 47 U.S.C. Section 224, as such existed on January 1, 2018, and any regulations and Federal Communications Commission decisions promulgated thereunder; and

(3) Not require compliance by a provider of emerging communications technologies with utility pole attachment specifications that exceed the specifications in the National Electrical Safety Code, applicable fire safety codes, and any building code or similar code of general applicability for the protection of the public health, safety, or welfare that was adopted by the applicable local government jurisdiction prior to the filing of a utility pole attachment application.

(b) For purposes of this Code section, an EMC may file a petition with the Georgia Technology Authority along with data demonstrating that no broadband services are offered to a physical address or group of physical addresses in a served area. Upon receipt of such petition and data, the Georgia Technology Authority shall determine whether such physical address or group of addresses is an unserved location. The Georgia Technology Authority shall provide notice of the petition and any data provided by the EMC in support of such petition or that the Georgia Technology Authority has related to the area that is the subject of such petition to any

communications services provider offering broadband services in the served area. The communications services provider shall have 45 days after the date such notice is sent to furnish information to the Georgia Technology Authority showing that the physical address or group of addresses that are the subject of the petition currently have broadband services available. The Georgia Technology Authority shall issue its determination within 75 days of the date the notice is sent to the communications services provider.

46-5-225.

Nothing in this chapter shall authorize an EMC or any other provider of emerging communications technologies to provide cable television or video service without first obtaining a state or local cable or video franchise.

46-5-226.

An EMC or an affiliate of an EMC that was offering retail broadband services prior to January 1, 2018, shall be authorized to continue to offer such retail broadband services and shall not be subject to the provisions of Code Sections 46-5-223 through 46-5-225."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senators Gooch of the 51st and Kennedy of the 18th offered the following amendment #1:

Amend the substitute to SB 232 (LC 36 3622S) by deleting lines 84 and 85 and inserting in lieu thereof the following:

conditions for the offering of broadband ~~service~~ services, VoIP, or wireless services.

By inserting a quotation mark at the end of line 180 and deleting lines 181 through 184.

On the adoption of the amendment, there were no objections, and the Gooch, Kennedy amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

SB 232, having received the requisite constitutional majority, was passed by substitute.

SB 318. By Senators Rhett of the 33rd, Unterman of the 45th, Burke of the 11th, Mullis of the 53rd, Brass of the 28th and others:

A BILL to be entitled an Act to amend Title 37 of the Official Code of Georgia Annotated, relating to mental health, so as to provide for the execution of a physician's certificate for emergency examination of a person for involuntary evaluation and treatment for mental illness or alcohol or drug abuse based on consultation with an emergency medical technician or paramedic who has personally observed the person; to provide for immunity; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 318:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated, relating to general provisions relative to governing and regulation of mental health, so as to establish a pilot program to provide for the execution of a physician's certificate for emergency examination of a person for involuntary evaluation and treatment for mental illness or alcohol or drug abuse based on consultation with an emergency medical

technician or paramedic who has personally observed such person; to provide for a definition; to provide for requirements; to provide for a review of results and outcomes; to provide for an evaluation report on such program; to provide for termination of the pilot program; to provide for immunity; to provide for an automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 1 of Title 37 of the Official Code of Georgia Annotated, relating to general provisions relative to governing and regulation of mental health, is amended by adding a new Code section to read as follows:

"37-1-7.

(a) As used in this Code section, the term 'department' means the Department of Community Health.

(b) Beginning 90 days after the effective date of this Code section, the department shall establish a one-year pilot program to provide for the execution of a physician's certificate for emergency examination of a person for involuntary evaluation and treatment for mental illness or alcohol or drug abuse based on consultation with an emergency medical technician or paramedic who has personally observed such person.

(c) The department shall establish the parameters for the pilot program and seek the input of local emergency personnel, hospitals, and mental health and addiction professionals to design the pilot program. The department shall be authorized to select a minimum of two counties in urban areas of the state for participation in the pilot program.

(d) The purpose of the pilot program shall be to determine the effects and outcomes for persons in crisis or potential crisis due to mental illness or alcohol or drug abuse, emergency receiving facilities, emergency personnel, local law enforcement, and the public when an emergency medical technician or paramedic, based upon his or her direct observations of a person who appears to be a person with mental illness requiring involuntary treatment, delivers such person to an emergency receiving facility for a physician's examination and certificate if warranted.

(e) The department shall review the results and outcomes of the pilot program beginning six months after program initiation. The department shall provide a final report by June 30, 2019, to the chairpersons of the House Committee on Health and Human Services and the Senate Health and Human Services Committee. The report shall include at a minimum all of the following:

(1) The number of deliveries to emergency receiving facilities made by an emergency medical technician or paramedic;

(2) The impact of such deliveries on the emergency receiving facilities including volume, expense, personnel, and any other effects of such deliveries;

(3) The interactions between law enforcement, emergency personnel, and the emergency receiving facilities as such interactions relate to challenges, obstacles, and

outcomes;

(4) The impact on persons transported by the emergency medical technician or paramedic;

(5) The impact on the public; and

(6) Recommendations on legislation that addresses whether an emergency medical technician or paramedic is authorized to transport a person for involuntary evaluation and treatment for mental illness or alcohol or drug abuse.

(f) Any emergency medical technician or paramedic, while participating in the pilot program under this Code section, who acts in good faith in compliance with the admission and discharge provisions of Chapter 7 of this title shall be immune from civil or criminal liability for his or her actions in connection with the admission of a patient to a facility or the discharge of a patient from a facility.

(g) This Code section shall stand repealed on July 1, 2019."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 1.

SB 318, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

SB 450. By Senators Payne of the 54th, Harper of the 7th, Mullis of the 53rd, Jones of the 25th, Brass of the 28th and others:

A BILL to be entitled an Act to amend Code Section 27-3-9 of the Official Code of Georgia Annotated, relating to unlawful enticement of game, so as to remove definitions relating to unlawful enticement of game and hunting in the vicinity of feed or bait; to remove certain prohibitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
N Cowsert	Y Kirk	Y Thompson, B
N Davenport	N Kirkpatrick	N Thompson, C
Y Dugan	E Ligon	N Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	N Millar	Y Watson
Y Harper	N Miller	N Wilkinson
N Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	Y Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 36, nays 19.

SB 450, having received the requisite constitutional majority, was passed.

SB 436. By Senators Strickland of the 17th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Chapter 9 of Title 15 of the O.C.G.A., relating to probate courts, so as to change and modernize certain general provisions for probate courts; to amend Code Section 1-3-1, relating to construction of statutes generally, so as to conform a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone

Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 436, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

2/28/18

Due to business outside the Senate Chamber, I missed the vote on SB 436. Had I been present, I would have voted “yes”.

/s/ Nikema Williams
District 39

The following Senators were excused for business outside the Senate Chamber:

Heath of the 31st Mullis of the 53rd

SB 411. By Senators Jackson of the 2nd, Henson of the 41st and Jones of the 10th:

A BILL to be entitled an Act to amend Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, so as to create the Georgia Commission on African American History and Culture; to provide for duties and objectives; to provide for membership and terms of office; to provide for reporting; to provide for funding; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
E Heath	E Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

SB 411, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

2-28-18

Due to business outside the Senate Chamber, I missed the vote on SB 411. Had I been present, I would have voted "yes".

/s/ Burt Jones
District 25

2/28/18

Due to business outside the Senate Chamber, I missed the vote on SB 411. Had I been present, I would have voted "yes".

/s/ Michael DOC Rhett
District 33

28 Feb. 2018

Due to business outside the Senate Chamber, I missed the vote on SB 411. Had I been present, I would have voted “yes”.

/s/ Horacena Tate
District 38

SB 461. By Senator Stone of the 23rd:

A BILL to be entitled an Act to amend Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to barbers and cosmetologists, so as to change certain provisions relating to barbering and the occupation of a cosmetologist; to provide for and change certain definitions; to provide for licensing; to add hair relaxing and straightening to the scope of practice of certain occupations licensed by the State Board of Cosmetology and Barbers; to provide for regulation of shops, salons, and schools by local governments; to change certain provisions related to instruction to be provided to licensees; to revise certain provisions related to penalties and the unlicensed practice of occupations licensed by the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 461:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to barbers and cosmetologists, so as to change certain provisions relating to barbering and the occupation of a cosmetologist; to provide for and change certain definitions; to provide for licensing; to add hair relaxing and straightening to the scope of practice of certain occupations licensed by the State Board of Cosmetology and Barbers; to provide for regulation of shops, salons, and schools by local governments; to change certain provisions related to instruction to be provided to licensees; to change certain provisions related to inspections of certain shops, salons, and schools; to change certain provisions relating to applications for registration; to provide for certain schools to offer additional courses of study; to provide for the board to be the repository for certain education records; to require schools to display certain documents to certain locations; to require certain schools to teach specific courses; to revise certain provisions related to penalties and the unlicensed practice of occupations licensed by the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to barbers and cosmetologists, is amended by revising Code Section 43-10-1, relating to definitions, as follows:

"43-10-1.

As used in this chapter, the term:

- (1) 'Barber apprentice' means an individual who practices barbering under the constant and direct supervision of a licensed master barber.
- (2) 'Barber II' means an individual who performs any one or more of the following services for compensation:
 - (A) Shaving or trimming the beard;
 - (B) Cutting or dressing the hair;
 - (C) Giving facial or scalp massages; or
 - (D) Giving facial or scalp treatment with oils or cream or other preparations made for this purpose, either by hand or by means of mechanical appliances.
- (3) 'Barbering' means the occupation of shaving or trimming the beard, cutting or dressing the hair, giving facial or scalp massages, giving facial or scalp treatment with oils or cream or other preparations made for this purpose, either by hand or by means of mechanical appliances, singeing and shampooing the hair, coloring or dyeing the hair, or permanently waving, relaxing, or straightening the hair of an individual for compensation.
- (4) 'Beautician' means 'cosmetologist' as such term is defined in this Code section.
- (5) 'Beauty shop' or 'beauty salon' or 'barber shop' means any premises where one or more ~~persons~~ individuals engage in barbering or in the occupation of a cosmetologist.
- (6) 'Board' means the State Board of Cosmetology and Barbers.
- (7) 'Cosmetologist' means any individual who performs any one or more of the following services for compensation:
 - (A) Cuts or dresses the hair;
 - (B) Gives facial or scalp ~~massage~~ massages or facial and scalp treatment with oils or ~~creams and cream or~~ cream or other preparations made for this purpose, either by hand or by means of mechanical appliance appliances;
 - (C) Singes and shampoos the hair, colors or dyes the hair, or does permanent waving, relaxing, or straightening of the hair;
 - (D) Performs ~~nail care, pedicure, or manicuring~~ the services of a nail technician as defined in paragraph ~~(9)~~ (12) of this Code section; or
 - (E) Performs the services of an esthetician as defined in paragraph ~~(5)~~ (8) of this Code section.

Such individual shall be considered as practicing the occupation of a cosmetologist within the meaning of this Code section; provided, however, that such term shall not mean an individual who only braids the hair by hairweaving; interlocking; twisting; plaiting; wrapping by hand, chemical, or mechanical devices; or using any natural or

synthetic fiber for extensions to the hair, and no such individual shall be subject to the provisions of this chapter. Such term shall not apply to an individual whose activities are limited to the application of cosmetics which are marketed to individuals and are readily commercially available to consumers.

(8) 'Esthetician' or 'esthetics operator' means an individual who, for compensation, engages in any one or a combination of the following practices, esthetics, or cosmetic skin care:

- (A) Massaging the face, neck, décolletage, or arms of ~~a person~~ an individual;
- (B) Trimming, tweezing, shaping, or threading eyebrows;
- (C) Dyeing eyelashes or eyebrows or applying eyelash extensions; or
- (D) Waxing, threading, stimulating, cleansing, or beautifying the face, neck, arms, ~~shoulders, back, chest, torso,~~ torso, or legs of ~~a person~~ an individual by any method with the aid of the hands or any mechanical or electrical apparatus or by the use of a cosmetic preparation.

Such practices of esthetics shall not include the diagnosis, treatment, or therapy of any dermatological condition or medical aesthetics or the use of lasers. Such term shall not apply to an individual whose activities are limited to the application of cosmetics during the production of film, television, or musical entertainment or to the application of cosmetics in a retail environment in which cosmetics are marketed to individuals and are readily commercially available to consumers.

(9) 'Hair designer' means an individual who performs any one or more of the following services for compensation:

- (A) Cuts or dresses the hair; or
- (B) Singes and shampoos the hair, applies a permanent ~~or~~ relaxer or straightener to the hair, or colors or dyes the hair.

(9.1) 'License' means a certificate of registration or other document issued by the board or by the division director on behalf of the board pursuant to the provisions of this chapter permitting an individual to practice in an occupation or operate a school.

(10) 'Master barber' means an individual who performs any one or more of the following services for compensation;

- (A) Shaving or trimming the beard;
- (B) Cutting or dressing the hair;
- (C) Giving facial or scalp massages;
- (D) Giving facial or scalp treatment with oils or cream or other preparations made for this purpose, either by hand or by means of mechanical appliances; or
- (E) Singeing and shampooing the hair, coloring or dyeing the hair, or permanently waving, relaxing, or straightening the hair.

(11) 'Master cosmetologist' means a cosmetologist who is possessed of the requisite skill and knowledge to perform properly all the services set forth in paragraph (7) of this Code section for compensation.

(12) 'Nail technician' means an individual who, for compensation, performs manicures or pedicures; or who trims, files, shapes, decorates, applies sculptured or otherwise artificial nail extensions, or in any way cares for the nails of another ~~person~~

individual.

(13) 'Person' means any individual, proprietorship, partnership, corporation, association, or ~~any~~ other legal entity.

(14) 'School of barbering' means any establishment that receives compensation for training more than one individual in barbering. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not ~~'barbering schools'~~ 'schools of barbering' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'

(15) 'School of cosmetology' means any establishment that receives compensation for training more than one individual in the occupation of a cosmetologist. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not 'schools of cosmetology' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'

(16) 'School of esthetics' means any establishment that receives compensation for training more than one individual in the occupation of an esthetician. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not 'schools of esthetics' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'

(17) 'School of hair design' means any establishment that receives compensation for training more than one individual in the occupation of a hair designer. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not ~~schools of hair design~~ 'schools of hair design' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'

(18) 'School of nail care' means any establishment that receives compensation for training more than one ~~person~~ individual in the occupation of a nail technician. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not 'schools of nail care' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'"

SECTION 2.

Said chapter is further amended by revising Code Section 43-10-6, relating to rules and regulations as to sanitary requirements, instruction on HIV and AIDS, inspections, and unsanitary condition as nuisance, as follows:

"43-10-6.

(a) The board is authorized to adopt reasonable rules and regulations prescribing the sanitary requirements of beauty shops, beauty salons, barber shops, schools of cosmetology, schools of esthetics, schools of hair design, schools of nail care, and schools of barbering ~~subject to the approval of the Department of Public Health,~~ and to

cause the rules and regulations or any subsequent revisions to be in suitable form; provided, however, that nothing in this chapter shall prevent a county or municipal corporation from adopting ordinances, rules, or regulations governing a business or occupational tax license or certificate; health or facility regulations; zoning; local licensing; or the operation of such shops, salons, or schools in addition to any requirements that may be imposed on such shops, salons, or schools under this chapter or by the board. The board shall make ~~the~~ its rules and regulations available to the proprietor of each beauty shop, beauty salon, barber shop, school of cosmetology, school of esthetics, school of hair design, school of nail care, and school of barbering. It shall be the duty of every proprietor or person operating a beauty shop, beauty salon, barber shop, school of cosmetology, school of esthetics, school of hair design, school of nail care, and school of barbering in this state to keep a copy of such rules and regulations posted in a conspicuous place in such business, so as to be easily read by customers thereof. Posting such rules and regulations by electronic means shall be allowed.

(b) The board is authorized to adopt reasonable rules and regulations requiring that individuals issued ~~certificates of registration~~ licenses under this chapter undergo instruction on ~~Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome~~ prevention of human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS).

(c) Any investigator or inspector employed by the Secretary of State shall have the power to enter and make reasonable examination of any beauty shop, beauty salon, barber shop, ~~or~~ school of cosmetology, school of hair design, school of esthetics, school of nail care, ~~and~~ or school of barbering in the state during business hours; during hours advertised by a shop, salon, or school as being open; and during hours a shop, salon, or school is open as indicated by the presence of patrons for the purpose of enforcing the rules and regulations of the board and for the purpose of ascertaining the sanitary conditions thereof.

(d) Any beauty shop, beauty salon, barber shop, ~~or~~ school of cosmetology, school of hair design, school of esthetics, school of nail care, and school of barbering in which tools, appliances, and furnishings used therein are kept in an unclean and unsanitary condition so as to endanger health is declared to be a public nuisance."

SECTION 3.

Said chapter is further amended by revising subsection (h) of Code Section 43-10-9, relating to application for certificate of registration, as follows:

"(h)(1) On and after July 1, 2015, but prior July 1, 2018, any ~~applicant~~ individual applying for a certificate of registration pursuant to this Code section shall pass both a board approved written and ~~the~~ practical examination within a 24 month period after having obtained the required credit hours or shall be required to repeat all of such required credit hours before retaking the ~~examination~~ examinations. Should an applicant fail to pass either the written or ~~the~~ practical examination, the board or the board's designee shall furnish the applicant a statement in writing, stating in what

manner the applicant was deficient.

(2) On and after July 1, 2018, any individual applying for a certificate of registration pursuant to this Code section shall pass both a board approved written and practical examination within a 48 month period after having obtained the required credit hours or shall be required to repeat all of such required credit hours before retaking the examinations. Should an applicant fail to pass either the written or practical examination, the board or the board's designee shall furnish the applicant a statement in writing, stating in what manner the applicant was deficient. Board members may attend and observe all written and practical examinations held for licenses or certificates of registration pursuant to this Code section."

SECTION 4.

Said chapter is further amended by revising subsections (a) through (c) of Code Section 43-10-12, relating to regulation and permits for schools, teachers and instructors, registration of apprentices, and certification as teacher by Department of Education, as follows:

"(a)(1) All schools of barbering, schools of cosmetology, schools of esthetics, schools of hair design, ~~or~~ and schools of nail care shall:

(A) Cause to be registered in writing with the board, at the time of opening, 15 bona fide students; provided, however, that any such school may petition to the board to add additional courses of study with a minimum of five students per course if such school has an active license in good standing;

(B) Have not less than one instructor for every 20 students or a fraction thereof;

(C) Keep permanently displayed a sign reading 'School of Cosmetology,' 'School of Hair Design,' 'School of Esthetics,' 'School of Nail Care,' or 'School of Barbering' as ~~the case may be applicable~~; and all such signs shall also display the words 'Service by Students Only.' Where service is rendered by a student, no commissions or premiums shall be paid to such student for work done in the schools; nor shall any ~~person~~ individual be employed by the schools to render professional service to the public; and

(D) Provide transcripts to students upon graduation or withdrawal from the school, provided that all tuition and fees due to the school have been satisfied. Student records shall be maintained by the schools for a minimum of five years. If a school closes its business, the owner is required to provide copies of all student records, including, but not limited to, transcripts, to the ~~Non-Public Postsecondary Education Commission~~ board within ~~thirty~~ 30 days of the school closure.

(2) All schools of cosmetology, schools of hair design, schools of esthetics, schools of nail care, and schools of barbering ~~are required to~~ shall keep in a conspicuous place as determined by the board through rules and regulations in such schools a copy of the rules and regulations adopted by the board.

(3) All ~~master barbers and~~ master cosmetologists, hair designers, estheticians, nail care technicians, master barbers, and barbers II who take an apprentice pursuant to Code Section 43-10-14 shall file immediately with the board through the division

director the name and age of such apprentice; and the board shall cause such information to be entered on a register kept by the division director for that purpose.

(b) Any person desiring to operate or conduct a school of cosmetology, school of hair design, school of esthetics, school of nail care, or school of barbering prior to opening shall first secure from the board a permit license to do so and shall keep the permit license prominently displayed in the school in a location determined by the board through rules and regulations.

(c) The board shall have the authority to pass upon the qualifications, appointments, courses of study, and hours of study in the school of cosmetology, school of hair design, school of esthetics, school of nail care, or school of barbering, provided that:

(1) All schools of cosmetology shall be required to teach the following courses: theory, permanent and cold hair waving, hair coloring ~~and~~, hair bleaching, hair relaxing, hair straightening, hair and scalp treatments, massaging the face, neck, and scalp, hair and scalp conditioning, hair cutting and shaping, hairdressing, shampooing, styling, comb out, ~~charm~~, waxing, threading, tweezing, reception, desk work, ~~art and laboratory~~, facials, makeup and arching, skin care, nail care, state law, state board rules and regulations, and any other subjects related to cosmetology and sanitation;

(1.1) All schools of hair design shall be required to teach the following courses: theory, permanent and cold hair waving, hair coloring, hair bleaching, hair relaxing, hair straightening, hair and scalp treatments, massaging the scalp, hair and scalp conditioning, hair cutting and shaping, hairdressing, shampooing, styling, comb out, reception, desk work, state law, board rules and regulations, and any other subjects related to hair design and sanitation;

(2) All schools of esthetics shall be required to teach the following courses: theory, skin care, facials, makeup and arching, eyelash extensions, ~~charm~~, reception, desk work, ~~art and laboratory~~, massaging the face, neck, ~~decolletage~~, décolletage, or arms, trimming, tweezing, or threading eyebrows and other facial hair, dyeing, waxing, stimulating, cleansing, or beautifying, state law, state board rules and regulations, and any other subjects related to esthetics and sanitation;

(3) All schools of nail care shall be required to teach the following courses: theory, trimming, filing, shaping, decorating, sculpturing and artificial nails, nail care, pedicuring, ~~charm~~, reception, desk work, ~~art and laboratory~~, state law, state board rules and regulations, and any other subjects related to nail care and sanitation; and

(4) All schools of barbering shall be required to teach the following courses: theory, hair and scalp treatments, massaging the face, neck, and scalp, shampooing and conditioning, shaving, coloring of hair, hair cutting and styling, facial hair design ~~and~~, facial hair waxing, permanent and cold hair waving, hair relaxing, ~~and~~ hair straightening, chemical application, reception, desk work, state law, board rules and regulations, and any other subjects related to barbering and sanitation."

SECTION 5.

Said chapter is further amended by revising Code Section 43-10-16, relating to injunction against unlicensed or unregistered practice, as follows:

"43-10-16.

The board may bring an action to enjoin any person, ~~firm, or corporation~~ from engaging in barbering or the practice or the occupation of a cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II if such person without being licensed ~~or registered~~ to do so by the board, engages in or practices barbering or the practice or occupation of cosmetology a cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II. The action shall be brought in the county in which such individual resides or, in the case of a firm or corporation, where the firm or corporation maintains its principal office; and, unless it appears that such person, ~~firm, or corporation~~ so engaging or practicing in barbering or the practice or occupation of a cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II is licensed ~~or registered~~, the injunction shall be issued, and such person, shall be perpetually enjoined from engaging or practicing in such activities throughout the state. It shall not be necessary in order to obtain the equitable relief provided in this Code section for the board to allege and prove that there is no adequate remedy at law. It is declared that the unlicensed activities referred to in this Code section are a menace and a nuisance dangerous to the public health, safety, and welfare."

SECTION 6.

Said chapter is further amended by revising subsection (a) of Code Section 43-10-19, relating to penalty, as follows:

"(a) If any ~~person~~ individual not lawfully entitled to a ~~certificate of registration license~~ under this chapter shall practice the occupation of a ~~barber or cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II~~; or if any such ~~person~~ individual shall endeavor to learn the trade of a ~~barber or cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II~~ by practicing the same under the instructions of a ~~barber or cosmetologist, hair designer, esthetician, nail technician, master barber, barber II, or other person individual~~, other than as provided in this chapter; or if any such person shall instruct or attempt to instruct any ~~person~~ individual in such trade; or if any proprietor of or person in control of or operating any beauty shop, beauty salon, school of cosmetology, school of hair design, school of esthetics, school of nail care, or school of barbering shall knowingly employ for the purpose of practicing such occupation any ~~barber or cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II~~ not ~~registered~~ licensed under this chapter; or if any person, beauty shop, beauty salon, barber shop, school of cosmetology, school of hair design, school of esthetics, school of nail care, or school of barbering shall engage in any of the acts covered in this chapter though not ~~registered~~ licensed under the provisions of this chapter; or if any ~~person~~ individual shall falsely or fraudulently pretend to be qualified under this chapter to practice or learn such trade or occupation; or if any person shall violate any provision of ~~the~~ this chapter for which a penalty is not specifically provided, such person shall be guilty of a misdemeanor."

SECTION 7.

All laws and parts of laws in conflict with this Act are repealed.

Senator Stone of the 23rd offered the following amendment #1:

Amend the substitute to SB 461 (LC 36 3616S) by deleting lines 155 through 159 and inserting in lieu thereof the following:

(b) The board is authorized to adopt reasonable rules and regulations requiring that individuals issued ~~certificates of registration~~ licenses under this chapter undergo instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

On the adoption of the amendment, there were no objections, and the Stone amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
N Dugan	E Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 1.

SB 461, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 489. By Representatives McCall of the 33rd, Powell of the 32nd, Glanton of the 75th and Bentley of the 139th:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide that the Georgia Procurement Registry shall be used in addition to the official legal organ and other media outlets for advertisement of certain bid opportunities for goods and services and public works construction contracts by a county, municipal corporation, or local board of education; to provide that advertisement via the Georgia Procurement Registry shall be at no cost to local government entities; to require advertisement of certain bid opportunities by local government entities via the Georgia Procurement Registry; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 754. By Representatives Shaw of the 176th, Smith of the 134th, Blackmon of the 146th, Hugley of the 136th and Taylor of the 173rd:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to provide for the division of a domestic insurer into two or more resulting domestic insurers; to provide for definitions; to provide for a plan of division subject to approval by the Insurance Commissioner; to provide for a certificate of division; to provide for the effect of a division; to provide for the responsibilities of a resulting insurer; to provide for shareholder appraisal rights; to provide for rules and regulations; to revise the authorization and procedure for merger or consolidation; to amend Part 1 of Article 13 of Chapter 2 of Title 14 of the O.C.G.A., relating to the right to dissent and obtain payment for shares, so as to add the right to dissent and obtain payment for shares for a division of a domestic insurer; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 775. By Representatives Powell of the 32nd and Maxwell of the 17th:

A BILL to be entitled an Act to amend Chapter 39A of Title 43 of the Official Code of Georgia Annotated, relating to real estate appraisers, so as

to change certain provisions relating to real estate management companies; to revise and provide for definitions; to provide requirements for the establishment and maintenance of a real estate appraisal management company; to authorize the Georgia Real Estate Appraisers Board to establish certain rules and regulations for appraisal management companies and to collect and remit certain fees; to authorize the board to take disciplinary action against appraisal management companies; to revise certain requirements relating to the board's authority to investigate certain violations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 791. By Representatives Efration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Chapter 21 of Title 50 of the Official Code of Georgia Annotated, relating to waiver of sovereign immunity as to actions ex contractu and state tort claims, so as to provide for a limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstances; to provide for definitions; to provide for exceptions; to provide for immunity of state officers and employees in their individual capacity; to provide for notice of a claim; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

SB 386. By Senators Beach of the 21st, Gooch of the 51st, Miller of the 49th, Cowsert of the 46th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the O.C.G.A., relating to sales and use taxes, so as to provide for an exception to the ceiling on local sales and use taxes; to provide for the imposition of a transit special purpose local option sales and use tax within special districts; to provide for other matters relative to the foregoing; to amend Chapter 32 of Title 50 of the O.C.G.A., relating to the Georgia Regional Transportation Authority, so as to create the Atlanta-region Transit Link "ATL" Commission to serve as a division within such authority; to provide for purposes of such commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Transportation offered the following substitute to SB 386:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to provide for an exception to the ceiling on local sales and use taxes; to provide for the imposition of a transit special purpose local option sales and use tax within special districts; to establish special districts; to provide for definitions, procedures, conditions, and limitations for the imposition, collection, disbursement, and termination of the tax; to provide for powers, duties, and authority of the state revenue commissioner; to provide for other matters relative to the foregoing; to amend Chapter 32 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Regional Transportation Authority, so as to create the Atlanta-region Transit Link "ATL" Commission to serve as a division within such authority; to provide for purposes of such commission; to provide for definitions; to provide for composition of the board of directors of such commission; to provide for powers and duties of such commission; to provide for the establishment of a special fund to carry out the purposes of the commission; to provide for immunity; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use taxes, is amended in Code Section 48-8-6, relating to prohibition of political subdivisions from imposing various taxes, ceiling on local sales and use taxes, and taxation of mobile telecommunications, by revising subsection (a) as follows:

"(a) There shall not be imposed in any jurisdiction in this state or on any transaction in this state local sales taxes, local use taxes, or local sales and use taxes in excess of 2 percent. For purposes of this prohibition, the taxes affected are any sales tax, use tax, or sales and use tax which is levied in an area consisting of less than the entire state, however authorized, including such taxes authorized by or pursuant to constitutional amendment, except that the following taxes shall not count toward or be subject to such 2 percent limitation:

(1) A sales and use tax for educational purposes exempted from such limitation under Article VIII, Section VI, Paragraph IV of the Constitution;

(2) Any tax levied for purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Georgia Laws, 1964, page 1008; the continuation of such amendment under Article XI, Section I, Paragraph IV(d) of the Constitution; and the laws enacted pursuant to such constitutional amendment; provided, however, that the exception provided for under this paragraph shall only apply:

(A) In a county in which a tax is being imposed under subparagraph (a)(1)(D) of Code Section 48-8-111 in whole or in part for the purpose or purposes of a water

capital outlay project or projects, a sewer capital outlay project or projects, a water and sewer capital outlay project or projects, water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200, or any combination thereof and with respect to which the county has entered into an intergovernmental contract with a municipality, in which the average waste-water system flow of such municipality is not less than 85 million gallons per day, allocating proceeds to such municipality to be used solely for water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200. The exception provided for under this subparagraph shall apply only during the period the tax under such subparagraph (a)(1)(D) is in effect. The exception provided for under this subparagraph shall not apply in any county in which a tax is being imposed under Article 2A of this chapter;

(B) In a county in which the tax levied for purposes of a metropolitan area system of public transportation is first levied after January 1, 2010, and before November 1, 2016. Such tax shall not apply to the following:

(i) The sale or use of jet fuel to or by a qualifying airline at a qualifying airport. For purposes of this division, a 'qualifying airline' means any person which is authorized by the Federal Aviation Administration or another appropriate agency of the United States to operate as an air carrier under an air carrier operating certificate and which provides regularly scheduled flights for the transportation of passengers or cargo for hire. For purposes of this division, a 'qualifying airport' means any airport in this state that has had more than 750,000 takeoffs and landings during a calendar year; and

(ii) The sale of motor vehicles; or

(C) In a county in which a tax is levied and collected pursuant to Part 2 of Article 2A of this chapter;

(3) In the event of a rate increase imposed pursuant to Code Section 48-8-96, only the amount in excess of the initial 1 percent sales and use tax and in the event of a newly imposed tax pursuant to Code Section 48-8-96, only the amount in excess of a 1 percent sales and use tax;

(4) A sales and use tax levied under Article 4 of this chapter;

(5) Either a A sales and use tax levied under Article 5 of this chapter or a sales and use tax levied under Article 5B of this chapter, but not both; and

(6) A sales and use tax levied under Article 5A of this chapter.

If the imposition of any otherwise authorized local sales tax, local use tax, or local sales and use tax would result in a tax rate in excess of that authorized by this subsection, then such otherwise authorized tax may not be imposed."

SECTION 2.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 5B

48-8-269.40.

As used in this article, the term:

(1) 'Commission' means the Atlanta-region Transit Link 'ATL' Commission created pursuant to Code Section 50-32-56.

(2) 'County' means any county created under the Constitution or laws of this state.

(3) 'Dealer' shall have the same meaning as provided for in paragraph (8) of Code Section 48-8-2.

(4) 'Intergovernmental agreement' means a contract entered into pursuant to Article IX, Section III, Paragraph I of the Constitution.

(5) 'Nonattainment area' means those counties currently having or previously deemed to have excess levels of ozone, carbon monoxide, or particulate matter in violation of the standards in the federal Clean Air Act, as amended in 1990 and codified at 42 U.S.C. Section 7401 through Section 7671q and which fall under the jurisdiction exercised by the Atlanta-region Transit Link 'ATL' Authority or any predecessor authority as described in Article 2 of Chapter 32 of Title 50.

(6) 'Qualified municipality' means a qualified municipality as defined in paragraph (4) of Code Section 48-8-110 and which is located wholly or partly within a special district.

(7) 'Rail based' means designed to be operated upon rail or rails.

(8) 'Regional transit plan' means the official multiyear plan for transit services and facilities adopted pursuant to Code Section 50-32-58.

(9) 'Transit' means modes of transportation serving the general public which are appropriate to transport people by highways or rail and which are operated by or under contract with the state, a public agency or authority, a county or municipality, a community improvement district, or any other similar public entity of this state and all accompanying infrastructure and services necessary to provide access to these modes of transportation.

(10) 'Transit projects' means and includes purposes to establish, enhance, operate, and maintain, or improve access to transit, including general obligation debt and other multiyear obligations issued to finance such projects.

(11) 'Transportation services contract' means a contract to provide transit services, facilities, or both in accordance with standards set forth in Section 24A of the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended.

48-8-269.41.

(a) Pursuant to the authority granted by Article IX, Section II, Paragraph VI of the Constitution of this state, 159 special districts are created within this state. The geographical boundary of each county shall correspond with and shall be conterminous with the geographical boundary of the 159 special districts created.

(b) Any county that is within a nonattainment area may, by following the procedures required by this article, impose within the special district, a transit special purpose local option sales and use tax for a period of 30 years, the proceeds of which shall be used only for transit projects.

48-8-269.42.

(a) Prior to the issuance of any call for the referendum by any county that desires to levy a tax for transit projects authorized under this article, the county shall determine whether the region has proposed a referendum on a tax under Article 5 of this chapter. This determination shall be based on whether, pursuant to paragraphs (2) and (3) of subsection (c) of Code Section 48-8-245, a majority of the governing authorities of counties within the region containing the county proposing the tax have passed resolutions calling for the levy of a tax under Article 5 of this chapter. If a majority of the governing authorities of the counties in the region have passed such a resolution, the county proposing a tax under this article shall postpone the referendum under this article until the regional referendum has been decided. No ballot shall propose a tax under this article and under Article 5 of this chapter at the same election.

(b) Prior to the issuance of any call for the referendum by any county that desires to levy a tax for transit projects authorized under this article, the county shall determine whether the county has proposed a referendum on or is levying a tax under Article 5A of this chapter. If a county has proposed a referendum on a tax under Article 5A of this chapter or is levying a tax under Article 5A of this chapter, no referendum for tax under this article shall be called. No ballot shall propose a tax under this article and under Article 5A of this chapter at the same election.

48-8-269.43.

(a) Prior to calling a referendum as provided for in this article, any county qualified to levy a tax under this article shall deliver or mail a written notice to the mayor or chief elected official in each qualified municipality located within the special district, the chief executive officer of the Metropolitan Atlanta Rapid Transit Authority, and a designee of the commission prior to the issuance of the call for the referendum. Such notice shall contain the date, time, place, and purpose of a meeting at which the governing authorities of the county and of each qualified municipality and such chief executive officer are to meet to discuss possible transit projects for inclusion in the referendum and the rate of tax. The notice shall be delivered or mailed at least ten days prior to the date of the meeting. Any project list developed at such meeting shall be finalized at least 60 days prior to the issuance of the call for the referendum.

(b) Following the meeting required by subsection (a) of this Code section, the county shall deliver or mail a written notice to the commission of the intent to call for such referendum. Such notice shall include a list of transit projects located within such county which the county intends to fund with proceeds from the tax authorized under this article.

(c) Upon receipt of such notice from a county, the commission shall have the authority to approve or deny any or all projects within a submitted transit project list. In making a determination upon whether to approve transit projects, the commission shall take into consideration any other transit projects the commission has approved for any neighboring counties, any transit projects in progress in any neighboring counties, and any additional federal or state funding that may be available for any projects. The

commission shall make a determination and send notification to a county approving or denying the submitted transit projects no later than 45 days from the receipt of such list.

(d) Following receipt of notification approving or denying transit projects and prior to any tax being imposed under this article, the county and all qualified municipalities therein may execute an intergovernmental agreement memorializing their agreement to the levy of a tax. If an intergovernmental agreement is entered into, it shall, at a minimum, include the following:

(1) A list of the transit projects proposed to be funded from the proceeds of the tax;

(2) An agreement that the operator of any transit services which are not rail based to be funded by the proceeds of the tax authorized under this article shall be selected by the commission;

(3) An agreement that all rail based transit services to be funded by the proceeds of the tax authorized under this article shall be operated by the Metropolitan Atlanta Rapid Transit Authority or any successor authority;

(4) Copies of transportation services contracts entered into between the county and the Metropolitan Atlanta Rapid Transit Authority, if applicable;

(5) Record-keeping and audit procedures necessary to carry out the purposes of this article; and

(6) Such other provisions as the county and qualified municipalities choose to address.

(e) The rate of the tax shall be 1 percent; provided, however, that if the county and all qualified municipalities fail to enter into the agreements described in paragraphs (2) and (3) of subsection (d) of this Code section, no tax shall be imposed pursuant to this article.

(f)(1) As soon as practicable after the meeting required in subsection (a) of this Code section and the execution of an intergovernmental agreement, if applicable, the governing authority of the county calling for a referendum shall, by a majority vote on a resolution offered for such purpose, submit the list of transit projects and the question of whether the tax should be approved to electors of the special district in the next scheduled election and shall notify the county election superintendent within the special district by forwarding to the superintendent a copy of such resolution calling for the imposition of the tax. Such list, or a digest thereof, shall be available during regular business hours in the office of the county clerk.

(2) The resolution authorized by paragraph (1) of this subsection shall describe or identify:

(A) The specific transit projects to be funded which have been approved by the authority;

(B) The approximate cost of such transit projects;

(C) A statement that the Metropolitan Atlanta Rapid Transit Authority shall serve, through a transportation services contract, as the operator of all rail based transit services within the county; and

(D) A statement that the commission shall select the operator of any transit services funded by the proceeds of the tax which are not rail based.

48-8-269.44.

(a)(1) The ballot submitting the question of the imposition of the tax to the voters within the special district shall have written or printed thereon the following:

' () YES Shall a special _____ percent sales and use tax be imposed in the special district consisting of _____ County for transit projects for a period of () NO 30 years?'

(2) If debt is to be issued, the ballot shall also have written or printed thereon, following the language specified by paragraph (1) of this subsection, the following:

'If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of _____ in the principal amount of \$ _____ for the above purpose.'

(b) The election superintendent shall issue the call and conduct the election in the manner authorized by general law. The superintendent shall canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the commissioner. The expense of the election shall be paid from county funds. All persons desiring to vote in favor of imposing the tax shall vote 'Yes,' and all persons opposed to imposing the tax shall vote 'No.' If more than one-half of the votes cast throughout the entire special district are in favor of imposing the tax, then the tax shall be imposed as provided in this article.

(c) Where such question is not approved by the voters, the county may resubmit such question from time to time upon compliance with the requirements of this article.

(d)(1) If the intergovernmental agreement, if applicable, and proposal include the authority to issue general obligation debt and if more than one-half of the votes cast are in favor of the proposal, then the authority to issue such debt in accordance with Article IX, Section V, Paragraph I of the Constitution is given to the proper officers of the county or qualified municipality; otherwise, such debt shall not be issued. If the authority to issue such debt is so approved by the voters, then such debt may be issued without further approval by the voters.

(2) If the issuance of general obligation debt is included and approved as provided in this Code section, then the governing authority of the county or qualified municipality may incur such debt either through the issuance and validation of general obligation bonds or through the execution of a promissory note or notes or other instrument or instruments. If such debt is incurred through the issuance of general obligation bonds, such bonds and their issuance and validation shall be subject to Articles 1 and 2 of Chapter 82 of Title 36 except as specifically provided otherwise in this article. If such debt is incurred through the execution of a promissory note or notes or other instrument or instruments, no validation proceedings shall be necessary, and such debt shall be subject to Code Sections 36-80-10 through 36-80-14 except as specifically provided otherwise in this article. In either event, such general obligation debt shall be payable first from the separate account in which are placed the proceeds received by the county or qualified municipality from the tax. Such general obligation debt shall, however, constitute a pledge of the full faith, credit, and taxing power of the

county or qualified municipality; and any liability on such debt which is not satisfied from the proceeds of the tax shall be satisfied from the general funds of the county or qualified municipality.

48-8-269.45.

(a)(1) If the imposition of the tax is approved at the election, the tax shall be imposed on the first day of the next succeeding calendar quarter which begins more than 80 days after the date of the election at which the tax was approved by the voters.

(2) With respect to services which are regularly billed on a monthly basis, however, the resolution shall become effective with respect to and the tax shall apply to services billed on or after the effective date specified in paragraph (1) of this subsection.

(b) The tax shall cease to be imposed on the earliest of the following dates:

(1) If the resolution calling for the imposition of the tax provided for the issuance of general obligation debt and such debt is the subject of validation proceedings, as of the end of the first calendar quarter ending more than 80 days after the date on which a court of competent jurisdiction enters a final order denying validation of such debt;

(2) As of the end of the calendar quarter during which the commissioner determines that the tax will have raised revenues sufficient to complete the transit projects included in the referendum; or

(3) On the final day of the 30 year period of time specified for the imposition of the tax.

(c) Following the expiration of a tax under this article, proceedings for the reimposition of a tax under this article may be initiated in the same manner as provided in this article for initial imposition of such tax.

48-8-269.46.

A tax levied pursuant to this article shall be exclusively administered and collected by the commissioner for the use and benefit of the county and qualified municipalities within the special district imposing the tax. Such administration and collection shall be accomplished in the same manner and subject to the same applicable provisions, procedures, and penalties provided in Article 1 of this chapter; provided, however, that all moneys collected from each taxpayer by the commissioner shall be applied first to such taxpayer's liability for taxes owed the state; and provided, further, that the commissioner may rely upon a representation by or on behalf of the special district or the Secretary of State that such a tax has been validly imposed, and the commissioner and the commissioner's agents shall not be liable to any person for collecting any such tax which was not validly imposed. Dealers shall be allowed a percentage of the amount of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting, and paying the amount due if such amount is not delinquent at the time of payment. The deduction shall be at the rate and subject to the requirements specified under subsections (b) through (f) of Code Section 48-8-50.

48-8-269.47.

Each sales tax return remitting taxes collected under this article shall separately identify the location of each transaction at which any of the taxes remitted were collected and shall specify the amount of sales and the amount of taxes collected at each such location for the period covered by the return in order to facilitate the determination by the commissioner that all taxes imposed by this article are collected and distributed according to situs of sale.

48-8-269.48.

The proceeds of the tax collected by the commissioner in each special district under this article shall be disbursed as soon as practicable after collection as follows:

- (1) One percent of the amount collected shall be paid into the general fund of the state treasury in order to defray the costs of administration; and
- (2) Except for the percentage provided in paragraph (1) of this Code section, the remaining proceeds of the tax shall be distributed to be paid toward the cost of or debt incurred, if applicable, in relation to the transit projects listed in the resolution provided for in Code Section 48-8-269.42.

48-8-269.49.

(a) The proceeds of a tax under this article shall not be subject to any allocation or balancing of state and federal funds provided for by general law, and such proceeds shall not be considered or taken into account in any such allocation or balancing.

(b) The approval of the tax under this article shall not in any way diminish the percentage of state or federal funds allocated to any of the local governments under Code Section 32-5-27 within the special district levying the tax.

48-8-269.50.

(a) Except as to rate, a tax imposed under this article shall correspond to the tax imposed by Article 1 of this chapter. No item or transaction which is not subject to taxation under Article 1 of this chapter shall be subject to a tax imposed under this article, except that a tax imposed under this article shall not apply to:

- (1) The sale or use of any type of fuel used for off-road heavy-duty equipment, off-road farm or agricultural equipment, or locomotives;
 - (2) The sale or use of jet fuel to or by a qualifying airline at a qualifying airport, as such terms are defined in paragraph (33.1) of Code Section 48-8-3;
 - (3) The sale or use of fuel that is used for propulsion of motor vehicles on the public highways;
 - (4) The sale or use of energy used in the manufacturing or processing of tangible goods primarily for resale, as such sale or use is described in Code Section 48-8-3.2;
 - (5) The sale or use of motor fuel, as defined under paragraph (9) of Code Section 48-9-2, for public mass transit; or
 - (6) The purchase or lease of any motor vehicle pursuant to Code Section 48-5C-1.
- (b) Except as otherwise specifically provided in this article, the tax imposed pursuant

to this article shall be subject to any sales and use tax exemption which is otherwise imposed by law; provided, however, that the tax levied by this article shall be applicable to the sale of food and food ingredients as provided for in paragraph (57) of Code Section 48-8-3.

48-8-269.51.

Where a local sales or use tax has been paid with respect to tangible personal property by the purchaser either in another local tax jurisdiction within this state or in a tax jurisdiction outside this state, the tax may be credited against the tax authorized to be imposed by this article upon the same property. If the amount of sales or use tax so paid is less than the amount of the tax due under this article, the purchaser shall pay an amount equal to the difference between the amount paid in the other tax jurisdiction and the amount due under this article. The commissioner may require such proof of payment in another local tax jurisdiction as he or she deems necessary and proper. No credit shall be granted, however, against the tax under this article for tax paid in another jurisdiction if the tax paid in such other jurisdiction is used to obtain a credit against any other local sales and use tax levied in the county or in a special district which includes the county.

48-8-269.52.

No tax shall be imposed upon the sale of tangible personal property which is ordered by and delivered to the purchaser at a point outside the geographical area of the special district in which the tax is imposed regardless of the point at which title passes, if the delivery is made by the seller's vehicle, United States mail, or common carrier or by private or contract carrier.

48-8-269.53.

The commissioner shall have the power and authority to promulgate such rules and regulations as shall be necessary for the effective and efficient administration and enforcement of the collection of the tax.

48-8-269.54.

Except as provided in Code Section 48-8-6, the tax authorized under this article shall be in addition to any other local sales and use tax. Except as otherwise provided in this article and except as provided in Code Section 48-8-6, the imposition of any other local sales and use tax within a county or qualified municipality within a special district shall not affect the authority of a county to impose the tax authorized under this article, and the imposition of the tax authorized under this article shall not affect the imposition of any otherwise authorized local sales and use tax within the special district.

48-8-269.55.

(a)(1) The proceeds received from the tax shall be used by the county and qualified municipalities within the special district exclusively for the transit projects specified in the resolution calling for imposition of the tax and in the ranking order so specified.

Such proceeds shall be kept in a separate account from other funds of any county or qualified municipality receiving proceeds of the tax and shall not in any manner be commingled with other funds of any county or qualified municipality prior to the expenditure.

(2) The governing authority of each county and the governing authority of each qualified municipality receiving any proceeds from the tax under this article shall maintain a record of each and every purpose for which the proceeds of the tax are used. A schedule shall be included in each annual audit which shows for each purpose in the resolution calling for imposition of the tax the original estimated cost, the current estimated cost if it is not the original estimated cost, amounts expended in prior years, and amounts expended in the current year. The auditor shall verify and test expenditures sufficient to provide assurances that the schedule is fairly presented in relation to the financial statements. The auditor's report on the financial statements shall include an opinion, or disclaimer of opinion, as to whether the schedule is presented fairly in all material respects in relation to the financial statements taken as a whole.

(b) No general obligation debt shall be issued in conjunction with the imposition of the tax unless the county or qualified municipality governing authority determines that, and if the debt is to be validated it is demonstrated in the validation proceedings that, during each year in which any payment of principal or interest on the debt comes due, the county or qualified municipality will receive from the tax net proceeds sufficient to fully satisfy such liability. General obligation debt issued under this article shall be payable first from the separate account in which are placed the proceeds received by the county or qualified municipality from the tax. Such debt, however, shall constitute a pledge of the full faith, credit, and taxing power of the county or qualified municipality; and any liability on such debt which is not satisfied from the proceeds of the tax shall be satisfied from the general funds of the county or qualified municipality.

(c) The intergovernmental agreement, if applicable, and resolution calling for the imposition of the tax may specify that all of the proceeds of the tax will be used for payment of general obligation debt issued in conjunction with the imposition of the tax, and, in that event, such proceeds shall be solely for such purpose except as otherwise provided in subsection (f) of this Code section.

(d) The intergovernmental agreement, if applicable, and resolution calling for the imposition of the tax may specify that a part of the proceeds of the tax will be used for payment of general obligation debt issued in conjunction with the imposition of the tax. The intergovernmental agreement, if applicable, and resolution shall specifically state the other purposes for which such proceeds will be used. In such a case, no part of the net proceeds from the tax received in any year shall be used for such other purposes until all debt service requirements of the general obligation debt for that year have first been satisfied from the account in which the proceeds of the tax are placed.

(e) The resolution calling for the imposition of the tax may specify that no general obligation debt is to be issued in conjunction with the imposition of the tax. The intergovernmental agreement, if applicable, and resolution shall specifically state the

purpose or purposes for which the proceeds will be used.

(f)(1)(A) If the proceeds of the tax are specified to be used solely for the purpose of payment of general obligation debt issued in conjunction with the imposition of the tax, then any net proceeds of the tax in excess of the amount required for final payment of such debt shall be subject to and applied as provided in paragraph (2) of this subsection.

(B) If the special district receives from the tax net proceeds in excess of the maximum cost of the transit projects stated in the resolution calling for the imposition of the tax or in excess of the actual cost of such projects, then such excess proceeds shall be subject to and applied as provided in paragraph (2) of this subsection unless otherwise specified in the intergovernmental agreement, if applicable.

(C) If the tax is terminated under paragraph (1) of subsection (b) of Code Section 48-8-269.45 by reason of denial of validation of debt, then all net proceeds received by the special district from the tax shall be excess proceeds subject to paragraph (2) of this subsection.

(2) Excess proceeds subject to this subsection shall be used solely for the purpose of reducing any indebtedness of any county or qualified municipality within the special district other than indebtedness incurred pursuant to this article. If there is no such other indebtedness or if the excess proceeds exceed the amount of any such other indebtedness, then the excess proceeds shall next be paid into the general fund of such county or qualified municipality, it being the intent that any funds so paid into the general fund of such county or qualified municipality be used for the purpose of reducing ad valorem taxes."

SECTION 3.

Chapter 32 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Regional Transportation Authority, is amended in Code Section 50-32-2, relating to definitions, by adding new paragraphs to read as follows:

"(3.1) 'Commission' means the Atlanta-region Transit Link 'ATL' Commission."

"(6.1) 'Land public transportation' means movement of people, animals, and goods from one location to another on land which is available for use by the general public; such term shall include transit."

"(14.1) 'Rail based' means designed to be operated upon rail or rails.

(14.2) 'Regional transit plan' means the official multiyear plan adopted by the commission for the provision of transit services and facilities throughout the jurisdiction of the authority pursuant to Code Section 50-32-58."

"(18.1) 'Transit' means movement of people from one location to another on land or by rail through a shared passenger-transport service which is available for use by the general public. Such transport is distinct from and shall exclude modes shared by the general public through private arrangement, including but not limited to transport provided by limousine carriers, taxi services, transportation referral services, and ride share network services as such terms are defined in Chapter 1 of Title 40."

SECTION 4.

Said chapter is further amended in Code Section 50-32-3, relating to creation of authority and board, quorum, and vacancies, by revising subsection (c) as follows:

"(c) Except as otherwise provided in this chapter, a majority of the members of the board then in office shall constitute a quorum for the transaction of business. The vote of a majority of the members of the board present at the time of the vote, if a quorum is present at such time, shall be the act of the board unless the vote of a greater number is required by law or by the bylaws of the board of directors. ~~The board of directors, by resolution adopted by a majority of the full board of directors, shall designate from among its members an executive committee and one or more other committees, each consisting of two or more members of the board, which shall have and exercise such authority as the board may delegate to it under such procedures as the board may direct by resolution establishing such committee or committees.~~"

SECTION 5.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 4A50-32-56.

There is created the Atlanta-region Transit Link 'ATL' Commission which shall serve as a division within the authority for purposes of planning and coordinating the provision of transit services, establishment of transit facilities, and funding of such purposes throughout the jurisdiction of the authority.

50-32-57.

(a) The commission shall be governed by a board of directors that shall initially consist of the following 14 members:

- (1) The Governor;
- (2) The commissioner of transportation;
- (3) The chief executive officer of the Metropolitan Atlanta Rapid Transit Authority;
- (4) The executive director of the Atlanta Regional Commission;
- (5) An appointee of the mayor of the City of Atlanta;
- (6) An appointee of the president of the Atlanta City Council;
- (7) An appointee of the chairperson of the Clayton County Board of Commissioners;
- (8) An appointee selected by a majority vote of a caucus of the mayors from municipalities within Clayton County;
- (9) An appointee of the chief executive officer of DeKalb County;
- (10) An appointee selected by a majority vote of a caucus of the mayors from municipalities within DeKalb County;
- (11) An appointee of the chairperson of the Fulton County Board of Commissioners;
- (12) An appointee selected by a majority vote of a caucus of the mayors from municipalities within Fulton County, excluding the City of Atlanta;

(13) An appointee of the chairperson of the Cobb County Board of Commissioners; and

(14) An appointee of the chairperson of the Gwinnett County Board of Commissioners.

(b) The chairperson of any county without an appointment to the board and which approves a referendum to levy a sales and use tax pursuant to Article 5B of Chapter 8 of Title 48 or an initial sales and use tax pursuant to or in accordance with Section 25 of the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, shall be provided an appointment to the initial board of directors. A mayor from such county selected by a majority vote of a caucus of the mayors from municipalities within such county shall also be given an appointment to the board of directors at the same time, provided that an intergovernmental agreement was entered into pursuant to Code Section 48-8-269.43 or the sales and use tax was an initial tax approved pursuant to or in accordance with the Metropolitan Atlanta Rapid Transit Authority Act.

(c) The Governor shall serve as the chairperson of the board of directors. The power of the commission shall be vested in the members of the board of directors and a majority of members in office shall constitute a quorum for the transaction of any business and for the exercise of any power or function of the commission. Action may be taken and motions and resolutions adopted by the board at any meeting thereof by the affirmative vote of a majority of present and voting board members. No vacancy in the membership of the board shall impair the right of the members to exercise all the powers and perform all duties of the board.

50-32-58.

In consultation with the metropolitan planning organization, as such term is defined in Code Section 48-8-242, which jurisdiction is located wholly or partially within the jurisdiction of the authority, the commission shall develop, annually review, and amend, as necessary, a regional transit plan. Such plan shall include, but not be limited to, transit projects based upon a region-wide approach to the provision of transit services through buses and rail, the establishment of multimodal stations within the jurisdiction of the authority, enhancement of connectivity throughout the region, cost-effective expansion of existing transit systems, and the coordination of schedules and methods of payment for transit service providers. Such plan shall include the creation of a unified brand to encompass all transit service providers within the jurisdiction of the authority.

50-32-59.

(a) In addition to all the powers and duties conferred upon the authority by this chapter, the commission may serve as the entity to discharge all duties imposed on the state by any act of Congress allotting federal funds to be expended for transit purposes within the jurisdiction of the authority.

(b) Upon receipt of notice of intent to levy a tax pursuant to Article 5B of Chapter 8 of

Title 48 by a county governing authority, the commission shall approve or deny any or all transit projects submitted with such notice to be included in the referendum to approve such tax. The commission shall serve notice to a county of the determination to deny or approve such projects no later than 45 days from receipt of such list.

(c) The commission shall select a single operator to provide transit services which are not rail based throughout the jurisdiction of the authority. Such procedures for making such selection may be adopted by rule or regulation of the commission and shall include, but not be limited to:

- (1) Prequalification requirements;
- (2) Public advertisement procedures;
- (3) Request for qualification requirements; and
- (4) Request for proposal requirements.

(d) The commission may employ and fix the compensation of consultants and professional personnel as it may deem necessary to assist in the exercise of its duties.

50-32-59.1.

(a) All moneys received by the commission shall be set aside as a special fund to be used by the commission to carry out the purposes of this article. The commission shall maintain and account for funds received by it for its purposes separately from the funds of the authority.

(b) To the extent otherwise provided by law, the authority may make its funds available to the commission for the purposes of the commission and shall be empowered to provide such other assistance to the commission as the commission and the authority deem appropriate.

(c) The commission, as a division and arm of the authority, shall hold the status of the authority as a public body corporate and politic and an instrumentality of the state, but neither the commission nor its members shall be amenable to any action of any kind or nature arising out of the discharge of its powers and responsibilities under this article. The commission shall otherwise have and enjoy the sovereign immunity of the state."

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

Senators Beach of the 21st and Ginn of the 47th offered the following amendment #1:

Amend the Senate Transportation Committee substitute to SB 386 (LC 39 1893S) by inserting between lines 117 and 118 the following:

(c) Any county that is contiguous with a nonattainment area, may, upon request by the chairperson of the board of commissioners to the commission and by following the procedures required by this article, impose within the special district a transit special purpose local option sales and use tax for a period of 30 years, the proceeds of which shall be used only for transit projects.

Senator Beach of the 21st asked unanimous consent that his amendment be withdrawn. The consent was granted, and the Beach, Ginn amendment #1 to the committee substitute was withdrawn.

Senator Beach of the 21st offered the following amendment #2:

Amend the Senate Committee on Transportation substitute to SB 386 (LC 39 1893S) by deleting line 504 and inserting in lieu thereof the following:

encompass all transit service providers within the jurisdiction of the authority. Such brand shall include the acronym 'ATL.'

Senator Beach of the 21st asked unanimous consent that his amendment be withdrawn. The consent was granted, and the Beach amendment #2 to the committee substitute was withdrawn.

Senators Albers of the 56th and Beach of the 21st offered the following amendment #3:

Amend SB 386 Committee sub LC 39 1893S by:

Replacing the word "directors" on line 457 with "advisors"

Insert between lines 455 and 456 then reorder:

(a) The Commission shall be governed by a board of directors that shall consist of the following 5 members:

- (1) The Governor
- (2) An appointee of the Lt. Governor
- (3) An appointee of the Speaker of the House
- (4) An appointee of the Senate Transportation Chairman
- (5) An appointee of the House Transportation Chairman

Senator Albers of the 56th asked unanimous consent that his amendment be withdrawn. The consent was granted, and the Albers, Beach amendment #3 to the committee substitute was withdrawn.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	N Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	N Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 4.

SB 386, having received the requisite constitutional majority, was passed by substitute.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate the following action:

HB 918 Pursuant to Senate Rule 2-1.10(b), referred to the Committee on Rules from the General Calendar.

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 918 Do Pass by substitute
SR 149 Do Pass

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Senator Martin of the 9th was excused for business outside the Senate Chamber.

The Calendar was resumed.

SB 425. By Senators Gooch of the 51st, Walker III of the 20th, Miller of the 49th, Kirk of the 13th, Albers of the 56th and others:

A BILL to be entitled an Act to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to change provisions relating to professional land surveyors; to change and add certain defined terms; to provide for land surveyor interns; to change certain educational and examination requirements; to provide certain exceptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 425:

A BILL TO BE ENTITLED
AN ACT

To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to change provisions relating to professional land surveyors; to change and add certain defined terms; to provide for land surveyor interns; to change certain educational and examination requirements; to provide certain exceptions; to provide for applicability; to make certain acts unlawful; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, is amended by revising Chapter 15, relating to professional engineers and land surveyors, as follows:

"CHAPTER 15

43-15-1.

This chapter is enacted to safeguard life, health, and property and to promote the public welfare.

43-15-2.

As used in this chapter, the term:

(1) 'Board' means the State Board of Registration for Professional Engineers and Land Surveyors created in subsection (a) of Code Section 43-15-3.

(2) 'Certificate' means any certificate issued under Code Section 43-15-8 or 43-15-12.

(3) 'Certificate of registration' means any certificate issued under Code Section 43-15-9, ~~43-15-13~~, or 43-15-16.

(4) 'Current certificate of registration' means a certificate of registration which has not expired or been revoked and the rights under which have not been suspended or otherwise restricted by the board.

(4.1) 'Current license' means a license issued under Code Section 43-15-13 which has not expired or been revoked and the rights under which have not been suspended or otherwise restricted by the board.

(5) 'Engineer-in-training' means an individual who meets the qualifications for and to whom the board has duly issued an engineer-in-training certificate.

(6) 'Land surveying' means any service, work, or practice, the adequate performance of which requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the requirements of relevant law in the evaluation and location of property rights, as applied to:

(A) Measuring and locating lines, angles, elevations, natural and manmade features in the air, on the surface of the earth, in underground works, and on the beds of bodies of water, for the purpose of determining and reporting positions, topography, areas, and volumes;

(B) Establishing or reestablishing, locating or relocating, or setting or resetting of monumentation for any property, easement, or right of way boundaries, or the boundary of any estate or interest therein;

(C) The platting and layout of lands and subdivisions thereof, including alignment and grades of streets and roads, excluding thoroughfares;

(D) The design, platting, and layout, incidental to subdivisions of any tract of land by a land surveyor, of:

(i) Grading plans and site plans;

(ii) Erosion and sediment control plans, including detention ponds, provided that no impoundment shall be designed on a live (perennial) stream; provided, further, that such detention ponds:

(I) Contain no more than five acre-feet of water storage at maximum pool (top of dam) or are no more than ten feet in height for a dry storage pond;

(II) Are no more than six feet in height for a permanent (wet) storage pond; or

(III) Contain no more than three acre-feet of water storage at maximum pool (top of dam) if the height is more than ten feet but less than 13 feet for a dry storage pond;

(iii) Storm water management plans and facilities, including hydrologic studies and temporary sediment basins, provided that the contributing drainage area shall not be larger than 100 acres; and

(iv) Extension of existing water distribution piping and gravity sewers, eight inches in diameter or smaller, provided that off-site length shall not exceed 1,000 feet, the design and construction of which shall conform to the local government ordinances and regulations, and such extensions shall be subjected to the review and approval of a local government which has been delegated approval authority by the Environmental Protection Division of the Department of Natural Resources;

provided that the design of any storm-water management plans, facilities, water distribution lines, and sanitary sewer collection systems shall be performed only by such professional land surveyors who are qualified to do so as provided in Code Section 43-15-13.1;

(E) Conducting horizontal and vertical control surveys, layout or stake-out of proposed construction, or the preparation of as-built surveys which relate to property, easement, or right of way boundaries;

(F) Utilization of measurement devices or systems, such as aerial photogrammetry, geodetic positioning systems, land information systems, or similar technology for evaluation or location of property, easement, or right of way boundaries; or

(G) The preparation and perpetuation of maps, record plats, drawings, exhibits, field notes, or property descriptions representing these services.

~~(7) 'Land surveyor' means an individual who is qualified to engage in the practice of land surveying and who possesses a current certificate of registration as a land surveyor issued by the board. A person shall be construed to practice or offer to practice land surveying within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, cards, or in any other way represents or holds himself or herself out as able or qualified to perform or who does perform any of the services defined as land surveying.~~

~~(8)~~(7) 'Land surveyor in training surveyor intern' means an individual who meets the qualifications for and to whom the board has duly issued a certificate as a land surveyor-in-training.

~~(9)~~(8) 'Person' means an individual ~~and~~ or any legal or commercial entity, including, by way of illustration and not limitation, a partnership, corporation, association, or governmental agency.

~~(10)~~(9) 'Professional engineer' means an individual who is qualified, by reason of knowledge of mathematics, the physical sciences, and the principles by which mechanical properties of matter are made useful to ~~man~~ mankind in structures and machines, acquired by professional education and practical experience, to engage in the practice of professional engineering and who possesses a current certificate of

registration as a professional engineer issued by the board.

~~(11)~~(10) 'Professional engineering' means the practice of the ~~art~~ arts and sciences, known as engineering, by which mechanical properties of matter are made useful to ~~man~~ mankind in structures and machines and shall include any professional service, such as consultation, investigation, evaluation, planning, designing, or responsible supervision of construction or operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare or the safeguarding of life, health, or property is concerned or involved, when such professional service requires the application of engineering principles and data and training in the application of mathematical and physical sciences. ~~A person~~ An individual shall be construed to practice or offer to practice professional engineering, within the meaning of this chapter, who by verbal claim, sign, advertisement, letterhead, card, or in any other way represents or holds himself or herself out as a professional engineer or engineer or as able or qualified to perform engineering services or who ~~does perform~~ performs any of the services set out in this paragraph. Nothing contained in this chapter shall include the work ordinarily performed by ~~persons~~ individuals who operate or maintain machinery or equipment.

(11) 'Professional land surveyor' or 'registered land surveyor' or 'land surveyor' means an individual who is qualified to engage in the practice of land surveying and who possesses a current license as a professional land surveyor issued by the board. An individual shall be construed to practice or offer to practice land surveying within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, cards, or in any other way represents or holds himself or herself out as able or qualified to perform or who does perform land surveying services.

43-15-3.

(a) A State Board of Registration for Professional Engineers and Land Surveyors is created whose duty it shall be to administer this chapter.

(b) The board shall consist of six professional engineers, two professional land surveyors, and a member appointed from the public at large who has no connection with the professions of engineering and land surveying, all of whom shall be appointed by the Governor for a term of five years. Of the professional engineers appointed to the board, one shall be a structural engineer, one shall be a mechanical engineer, one shall be an electrical engineer, two shall be civil or sanitary engineers, and one shall be from any discipline of engineering. Each member of the board shall be a citizen of the United States and a resident of this state.

(c) Each member shall hold office until his or her successor has been duly appointed and qualified. All successors shall be appointed in the same manner as the original appointment.

(d) A vacancy on the membership of the board shall be filled by appointment by the Governor, in the same manner as the original appointment to the position vacated, for the unexpired term.

(e) Professional engineers appointed to the board shall have been engaged in the

practice of engineering in their respective disciplines for at least 12 years and shall have been in responsible charge of important engineering work in their respective disciplines for at least five years. ~~Land~~ Professional land surveyors appointed to the board shall have been engaged in the practice of land surveying for at least 12 years and shall have been in responsible charge of important land surveying work for at least five years. Responsible charge of engineering or land surveying teaching may be construed as responsible charge of important engineering or land surveying work, respectively.

(f) Each member of the board shall be reimbursed as provided for in subsection (f) of Code Section 43-1-2.

(g) The Governor may remove any member of the board for misconduct, incompetency, neglect of duty, or ~~for~~ any other sufficient and just cause.

43-15-4.

(a) The board shall adopt all necessary rules, regulations, and bylaws, not inconsistent with this chapter and the Constitution and laws of this state or of the United States, to govern its times and place of meetings for organization and reorganization, for the holding of examinations, for fixing the length of terms of its officers, and for governing all other matters requisite to the exercise of its powers, the performance of its duties, and the transaction of its businesses. The board shall adopt an official seal.

(b) The board shall meet at such times as the business of the board shall require, as the board or its chairman may determine, but shall hold one annual meeting each year at which time the board shall elect a chairman and a vice chairman.

(c) The board shall be assigned to the office of the division director for those purposes described in Chapter 1 of this title.

43-15-5.

The board shall keep records of its proceedings.

43-15-6.

(a) In carrying out this chapter, in addition to other powers conferred upon it under this chapter, the board shall have the power:

(1) To adopt and enforce regulations implementing this chapter, including regulations governing the professional conduct of those individuals registered by it;

(2) Under the hand of its chairman or his or her delegate and the seal of the board, to subpoena witnesses and compel their attendance and to require thereby the production of books, papers, documents, and other things relevant to such investigation in order to investigate conduct subject to regulation by the board; the chairman or the member of the board who is his or her delegate may administer oaths to witnesses appearing before the board; and the board may secure the enforcement of its subpoenas in the manner provided by Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act'; and

(3) To maintain in its name an action for injunctive or other appropriate legal or equitable relief to remedy violations of this chapter and, in pursuing equitable

remedies, it shall not be necessary that the board allege or prove that it has no adequate remedy at law.

(b) In addition to other powers conferred upon the board under this chapter, the board shall through rules and regulations require each ~~person~~ individual seeking renewal of a certificate of registration as a professional engineer or a license as a professional land surveyor to complete board approved continuing education of not more than 30 hours biennially for professional engineers and not more than 15 hours biennially for professional land surveyors. The board shall be authorized to approve courses offered by institutions of higher learning or offered by other institutions or organizations. The board shall randomly audit some applications for renewal of a certificate of registration or license to enforce compliance with this subsection. The continuing education requirements adopted by the board shall recognize the continuing education requirements imposed by other states to the extent that such continuing education courses meet the requirements imposed by the board. The board shall be authorized to waive the continuing education requirements in cases of hardship, disability, or illness or under such other circumstances as the board deems appropriate. The board shall waive the continuing education requirement for individuals over the age of 65 who have retired from active practice and who apply for an inactive license and for individuals over the age of 65 who are engaged in the active practice of their profession who have had a valid active license for the previous 25 consecutive years. The requirement for continuing education including the exemptions provided for in this subsection shall apply to each licensing renewal cycle which begins after the 1996 renewal cycle.

43-15-7.

- (a) It shall be unlawful for any person other than a professional engineer to practice or to offer to practice professional engineering in this state.
- (b) It shall be unlawful for any person other than a professional land surveyor to practice or to offer to practice land surveying in this state.

43-15-8.

To be eligible for certification as an engineer-in-training, an applicant must meet the following minimum requirements:

- (1)(A) Graduate in an engineering curriculum of not less than four years from a school or college approved by the board; and
(B) Pass a written examination in fundamental engineering subjects (engineer-in-training examination);
- (2)(A) Graduate in an engineering curriculum of not less than four years or in a curriculum of four or more years in engineering technology or related science, from a school or college approved by the board; and
(B) Pass a written examination in fundamental engineering subjects (engineer-in-training examination); or
- (3)(A) Acquire not less than eight years of experience in engineering work of a

nature satisfactory to the board; and

(B) Pass a written examination in fundamental engineering subjects (engineer-in-training examination).

43-15-9.

To be eligible for a certificate of registration as a professional engineer, an applicant must meet the following minimum requirements:

(1)(A) Obtain certification by the board as an engineer-in-training under paragraph (1) of Code Section 43-15-8;

(B) Acquire a specific record of not less than four years' experience in engineering work of a character satisfactory to the board which indicates the applicant is competent to practice professional engineering; and

(C) Subsequently pass a written examination in the principles and practice of engineering (professional engineer's examination);

(2)(A) Obtain certification by the board as an engineer-in-training under paragraph (2) of Code Section 43-15-8;

(B) Acquire a specific record of not less than seven years' experience in engineering work of a character satisfactory to the board which indicates the applicant is competent to practice professional engineering; and

(C) Subsequently pass a written examination in the principles and practice of engineering (professional engineer's examination);

(3)(A) Obtain certification by the board as an engineer-in-training under paragraph (3) of Code Section 43-15-8;

(B) Acquire a specific record of not less than seven years' experience in engineering work of a character satisfactory to the board which indicates the applicant is competent to practice professional engineering; and

(C) Subsequently pass a written examination in the principles and practice of engineering (professional engineer's examination); or

(4)(A) Graduate in an engineering or related science curriculum of not less than four academic years;

(B) Acquire a specific record of not less than 16 years' experience in engineering work, of which at least eight years have been in responsible charge of important engineering work of a character satisfactory to the board, which indicates the applicant is competent to practice professional engineering; and

(C) Subsequently pass a written examination in the principles and practice of engineering (professional engineer's examination).

43-15-10.

(a) For the purpose of determining whether an applicant has acquired the experience required under Code Section 43-15-8 or 43-15-9:

(1) Responsible charge of engineering teaching may, in the board's sole discretion, be considered as responsible charge of engineering work;

(2) The satisfactory completion of each academic year of an approved course in

engineering or engineering technology in a school or college approved by the board, without graduation, may be considered as equivalent to a year of engineering experience;

(3) Partial credit may be granted by the board for the successful completion of one or more scholastic years of a four-year engineering curriculum in a school or college not approved by the board or in a curriculum in related science in a school or college approved by the board. The degree of credit shall be determined by the board upon consideration of the mathematics, science, and engineering courses completed by the applicant;

(4) No applicant shall receive experience credit for more than four years of undergraduate education; and

(5) The satisfactory completion of graduate study in an approved engineering curriculum may, in the board's sole discretion, be credited for not more than one year's experience.

(b) The execution, as a contractor, of work designed by a professional engineer or the supervision of the construction of such work as foreman, inspector, or superintendent shall not be deemed to be engineering experience unless such work involves the application of engineering principles and the applicant presents evidence of additional engineering experience of a character satisfactory to the board and indicating the applicant is competent to be placed in responsible charge of engineering work.

43-15-11.

An applicant for the professional engineer's examination shall designate the special branch of engineering in which the applicant proposes to engage. The scope of the professional engineer's examination administered to him or her shall be prescribed by the board with respect to that branch of engineering, with special reference to the applicant's ability to design and supervise engineering work so as to ensure the safety of life, health, and property.

43-15-12.

(a) To be eligible for certification as a land ~~surveyor-in-training~~ surveyor intern, an applicant must meet the following minimum requirements:

(1)(A) Earn a bachelor's degree in a curriculum approved by the board;

(B) Earn an associate degree, or its equivalent, in a curriculum approved by the board and acquire not less than two years of combined office and field experience in land surveying of a nature satisfactory to the board; or

(C) Earn a high school diploma, or its equivalent, and acquire not less than four years' experience in land surveying of a nature satisfactory to the board;

(2) Acquire a minimum of ~~15 quarter hours'~~ 18 semester hours of credit, or its equivalent, in land surveying subjects in a course of study approved by the board; ~~provided, however, that on and after January 1, 1995, the minimum requirement shall be 20 quarter hours' credit, five of which shall be in hydrology;~~ and

(3) Subsequently pass the board approved examination in the fundamentals of land

surveying (land ~~surveyor in training~~ surveyor intern examination).

(b) Land surveyor intern applicants may apply prior to July 1, 2020, with 15 quarter hours or its equivalent of credit in land surveying subjects in a course of study approved by the board and five quarter hours in hydrology. Such applicants applying prior to July 1, 2020, who meet the requirements of this subsection shall be eligible for licensure without the hydrology exam.

43-15-13.

To be eligible for a ~~certificate of registration~~ license as a professional land surveyor, an applicant must meet the following minimum requirements:

(1)(A) Obtain certification as a land ~~surveyor in training~~ surveyor intern under subparagraph (A) of paragraph (1) and paragraph (3) of subsection (a) of Code Section 43-15-12;

(B) Acquire a specific record of the equivalent of not less than four years of combined office and field experience in land surveying with a minimum of three years' experience in responsible charge of land surveying projects under the supervision of a ~~registered~~ professional land surveyor or such other supervision deemed by the board to be the equivalent thereof; and

(C) Subsequently pass a written examination on the principles and practices of land surveying and the laws of this state relating to land surveying (professional land surveyor examination);

(2)(A) Obtain certification as a land ~~surveyor in training~~ surveyor intern under subparagraph (B) of paragraph (1) and paragraph (3) of subsection (a) of Code Section 43-15-12;

(B) Acquire an additional specific record of the equivalent of not less than four years of combined office and field experience in land surveying which, together with the qualifying experience under subparagraph (B) of paragraph (1) of subsection (a) of Code Section 43-15-12, includes not less than four years' experience in responsible charge of land surveying projects under the supervision of a ~~registered~~ professional land surveyor or such other supervision deemed by the board to be the equivalent thereof; and

(C) Subsequently pass a written examination on the principles and practices of land surveying and the laws of Georgia relating to land surveying (professional land surveyor examination); or

(3)(A) Obtain certification as a land ~~surveyor in training~~ surveyor intern under subparagraph (C) of paragraph (1) and paragraph (3) of subsection (a) of Code Section 43-15-12;

(B) Acquire an additional specific record of not less than four years of experience in land surveying which, together with the qualifying experience under subparagraph (C) of paragraph (1) of subsection (a) of Code Section 43-15-12, includes not less than six years' experience in responsible charge of land surveying projects under the supervision of a ~~registered~~ professional land surveyor or such other supervision deemed by the board to be the equivalent thereof and of a grade

and character satisfactory to the board indicating that the applicant is competent to practice land surveying; and

(C) Subsequently pass a written examination on the principles and practices of land surveying and laws of this state relating to land surveying (professional land surveyor examination).

43-15-13.1.

For an individual to be eligible to engage in the practices described in divisions (6)(D)(ii) through (iv) of Code Section 43-15-2, he or she shall:

(1) Obtain licensure as a professional land surveyor, registered land surveyor, or land surveyor under this chapter prior to July 1, 2018; or

(2) Complete an additional three semester hours of coursework in hydrology, possess the requisite required by the board, and pass the hydrology exam. The licensing record for such individual as available to the public shall be marked as 'hydrology and design authorized.'

43-15-14.

Board approval of an applicant for examination entitles the applicant to admission to the next four consecutive examination offerings without reapplication. Following the first offering to which the applicant is entitled to admission, the applicant shall not be admitted to any of the succeeding three examination offerings except upon payment of a fee for each examination, to be determined by the board. Admission to any future examinations will be at the discretion of the board which may require the applicant to file a new application. An examination offering occurs regardless of whether the applicant attends.

43-15-15.

(a) Applications for certificates ~~and for~~, certificates of registration, and licenses shall be made under oath to the board and shall contain such information in the form and manner as shall be prescribed by the board. The application shall be accompanied by a fee in an amount prescribed by the board.

(b) No individual shall be eligible for a certificate ~~or~~, a certificate of registration, or a license under this chapter who is not of good character and reputation.

(c) If the board denies an application on the ground that the applicant lacks the requisite experience to admit him or her to the examination, the board may impose on the applicant a period of deferment on the filing of a new application, during which period the board shall not be required to accept for filing a new application by the applicant. The period of deferment shall not exceed the time reasonably required to acquire the requisite experience.

(d) An application shall contain the names of not less than five ~~persons~~ individuals, not related to the applicant by blood or marriage, of whom at least three shall be professional engineers or professional land surveyors having personal knowledge of the experience on which the applicant predicates his or her qualifications.

(e) Experience required under this chapter shall be of a character and nature approved by the board and consistent with the purposes of this chapter.

43-15-16.

(a) The board may, in its discretion, upon application therefor and the payment of a fee prescribed by the board, issue a certificate of registration as a professional engineer to any individual who holds a certificate of qualification or registration issued to him or her by proper authority of the National Council of Engineering Examiners or of any state or territory or possession of the United States if the requirements of the registration of professional engineers under which the certificate of qualification or registration was issued do not conflict with this chapter and are of a standard not lower than that specified in this chapter or if the applicant held such certificate on or before July 1, 1956. The fact that the statute under which the individual was issued a certificate of qualification or registration in another state does not provide that the required written examination be passed subsequent to the acquisition of the required experience shall not be deemed as a conflict with, or lower than, the Georgia requirements, provided that the written examination and the amount of experience required for registration are substantially equivalent to the Georgia requirements.

(b) The board may, in its discretion, upon application therefor and the payment of a fee prescribed by the board, issue a ~~certificate of registration~~ license as a professional land surveyor to any ~~person~~ individual who holds a ~~certificate of registration~~ license to practice land surveying issued by a state or territory or possession of the United States obtained:

(1) By written examination of not less than eight hours in duration prior to July 1, 1968;

(2) By written examination of not less than 16 hours in duration prior to July 1, 1978; or

(3) Under qualifications comparable to those prescribed by this chapter; and in addition passes a written examination on the laws of Georgia relating to land surveying (professional land surveyor examination).

43-15-17.

(a) Certificates ~~and~~, certificates of registration, or licenses shall be issued to applicants who successfully complete the respective requirements therefor upon the payment of fees prescribed by the board.

(b) Certificates of registration or licenses shall be renewable biennially. Renewal may be effected for the succeeding two years by the payment of the fee prescribed by the board. Certificates of registration or licenses may be renewed subsequent to their expiration upon the payment of accumulated unpaid fees and of a penalty in an amount to be determined by the board. A certificate of registration ~~which~~ or license that has been expired for a period of greater than four years shall be automatically revoked.

(c) The division director shall give notice by mail to each ~~person~~ individual holding a certificate of registration or license under this chapter of the date of the expiration of

the certificate of registration or license and the amount of the fee required for renewal, at least one month prior to the expiration date; but the failure to receive such notice shall not avoid the expiration of any certificate of registration or license not renewed in accordance with this Code section.

43-15-18.

(a) In the case of a ~~registered~~ professional engineer, the certificate of registration shall authorize the practice of professional engineering. In the case of a ~~registered~~ professional land surveyor, the ~~certificate of registration~~ license shall authorize the practice of land surveying. A certificate of registration or license shall show the full name of the registrant or licensee, shall have a serial number, and shall be signed by the chairman of the board and the division director under the seal of the board.

(b) The issuance of a certificate of registration or license by the board shall be evidence that the ~~person~~ individual named therein is entitled to all the rights and privileges of a ~~registered~~ professional engineer or a ~~registered~~ professional land surveyor, as the case may be, as long as the certificate or license remains unrevoked, unexpired, or unaffected by other discipline imposed by the board.

43-15-19.

(a) The board shall have the power, after notice and hearing, to deny any application made to it, to revoke or suspend any certificate ~~or~~, certificate of registration, or license issued by it, or to reprimand any ~~person~~ individual holding a certificate ~~or~~, certificate of registration, or license issued by it, upon the following grounds:

(1) Commission of any fraud or deceit in obtaining a certificate ~~or~~, certificate of registration, or license;

(2) Any gross negligence, incompetency, or unprofessional conduct in the practice of professional engineering or land surveying as a ~~registered~~ professional engineer or a professional land surveyor, respectively;

(3) Affixing a seal to any plan, specification, plat, or report contrary to Code Section 43-15-22;

(4) Conviction of a felony or crime involving moral turpitude in the courts of this state, the United States, or ~~of~~ any state or territory of the United States or the conviction of an offense in another jurisdiction which, if committed in this state, would be deemed a felony. 'Conviction' shall include a finding or verdict of guilt, a plea of guilty, or a plea of nolo contendere in a criminal proceeding, regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon pursuant to Article 3 of Chapter 8 of Title 42 or any comparable rule or statute; or

(5) Any violation of this chapter or any rule or regulation promulgated by the board pursuant to the powers conferred on it by this chapter.

(b) 'Unprofessional conduct,' as referred to in paragraph (2) of subsection (a) of this Code section, includes a violation of those standards of professional conduct for professional engineers and professional land surveyors adopted by the board pursuant to the power conferred upon it to promulgate rules and regulations to effectuate the duties and powers conferred on it by this chapter.

43-15-20.

(a) The board, in its sole discretion, may reissue a certificate ~~or~~, a certificate of registration, or a license to any ~~person~~ individual whose certificate ~~or~~, certificate of registration, or license has been revoked or may terminate any suspension imposed by it upon the affirmative vote of a majority of the members of the board and upon the payment of a fee prescribed by the board.

(b) A new certificate ~~or~~, certificate of registration, or license to replace any certificate or license lost, destroyed, or mutilated may be issued subject to the rules of the board upon the payment of a fee prescribed by the board.

43-15-21.

(a) The board, or its delegate, in its sole discretion, may issue a temporary permit to a ~~person~~ an individual who is not a resident of and who has no established place of business in this state, or who has recently become a resident thereof, to permit him or her, in accordance with the conditions of the temporary permit, to practice or offer to practice engineering in this state if:

(1) An application for a certificate of registration has been filed with the board and the fee required by this chapter has been paid;

(2) The applicant is legally qualified to practice such profession in the state or country of the applicant's residence or former residence; and

(3) The requirements and qualifications for obtaining a certificate of registration in that jurisdiction are not lower than those specified in this chapter.

(b) An application under subsection (a) of this Code section shall be made to the board in writing, containing such information and in the form and manner as shall be prescribed by the board.

(c) The temporary permit shall continue only for such time as the board requires for the consideration of the application for registration. The temporary permit shall contain such conditions with respect to the scope of the permission granted as the board deems necessary or desirable.

(d) Plans, specifications, plats, and reports issued by a ~~person~~ an individual holding a temporary permit shall bear his or her signature and a stamp containing his or her name, business address, and 'Georgia Professional Engineer Temporary Permit No. ____.' The signature and stamp shall be affixed only in accordance with the requirements of subsection (b) of Code Section 43-15-22.

(e) ~~A person~~ An individual who has obtained a temporary permit and practices in accordance therewith is deemed to be a professional engineer for purposes of this chapter, but a temporary permit shall not be deemed to be a registration under any provision of this chapter, including, by way of illustration and not limitation, Code Section 43-15-23.

43-15-22.

(a) Every professional engineer and professional land surveyor registered or licensed, as applicable, under this chapter shall, upon receipt of a certificate of registration or

license, obtain a seal of the design authorized by the board, bearing the registrant's or licensee's name, certificate or license number, and the legend '~~Registered~~ Professional Engineer,' or '~~Registered~~ Professional Land Surveyor,' in accordance with the certificate of registration or license.

(b) Plans, specifications, plats, and reports issued by a registrant or licensee shall be stamped or sealed and countersigned by the registrant or licensee; but it shall be unlawful for the registrant or licensee or any other person to stamp or seal any document with such seal after the certificate of the registrant or license of the licensee named thereon has expired, or has been revoked, or during the period of any suspension imposed by the board. No plans, specifications, plats, or reports shall be stamped with the seal of a registrant or a licensee unless such registrant or licensee has personally performed the engineering or land surveying work involved or, when the registrant or licensee has not personally performed the engineering or land surveying work reflected in any plan, specification, plat, or report, such registrant or licensee has affixed his or her seal thereto only if such document has been prepared by an employee or employees under the registrant's or licensee's direct supervisory control on a daily basis and after the registrant or licensee has thoroughly reviewed the work embodied in such document and has satisfied himself or herself completely that such work is adequate.

(c) No registrant or licensee shall affix his or her seal to any plan, specification, plat, or report unless he or she has assumed the responsibility for the accuracy and adequacy of the work involved.

(d) Any registrant or licensee who has affixed his or her seal to any plan, specification, plat, or report prepared by another ~~person~~ individual not under the registrant's or licensee's direct supervisory control on a daily basis, and without having thoroughly reviewed such work, shall be deemed to have committed a fraudulent act of misconduct in the practice of professional engineering or land surveying.

43-15-23.

(a) The practice of or offer to practice professional engineering, as defined in this chapter, by individual professional engineers registered under this chapter through a firm, corporation, professional corporation, partnership, association, or other entity offering engineering services to the public or by a firm, corporation, professional corporation, partnership, association, or other entity offering engineering services to the public through individual ~~registered~~ professional engineers as agents, employees, officers, members, or partners is permitted subject to the provisions of this chapter; provided, however, that one or more of the principals, officers, members, or partners of said firm, corporation, professional corporation, partnership, association, or other entity and all personnel of such firm, corporation, partnership, association, or entity who act in its behalf as professional engineers in this state shall be registered as provided in this chapter; and further provided that said firm, corporation, professional corporation, partnership, association, or entity has been issued a certificate of authorization by the board as provided in this chapter.

(b) A firm, corporation, professional corporation, partnership, association, or other

entity desiring a certificate of authorization shall file with the board an application upon a form to be prescribed by the board and accompanied by the registration fee prescribed by the board.

(c)(1) A corporation or professional corporation shall file with the board, using a form provided by the board, the names and addresses of all officers and board members of the corporation, including the principal officer or officers duly registered to practice professional engineering in this state and of an individual or individuals duly registered to practice professional engineering within this state who shall be in responsible charge of the practice of professional engineering in this state by said corporation.

(2) A partnership shall file with the board, using a form provided by the board, the names and addresses of all partners of the partnership, including the partner or partners duly registered to practice professional engineering in this state and of an individual or individuals duly registered to practice professional engineering in this state who shall be in responsible charge of the practice of professional engineering in this state by said partnership.

(3) Any firm, limited liability company, association, or entity which is not a corporation, professional corporation, or partnership shall file with the board, using a form provided by the board, the names and addresses of all principals or members of the firm, association, or entity duly registered to practice professional engineering in this state who shall be in responsible charge of the practice of professional engineering in this state by said firm, association, or other entity.

(4) The forms provided in paragraphs (1) through (3) of this subsection must accompany a biennial renewal fee prescribed by the board. In the event there shall be a change in any of these persons, such change shall be designated on the same form and filed with the board by the firm, corporation, professional corporation, partnership, association, or entity within 30 days after the effective date of the change.

(d)(1) After all of the requirements of this Code section have been complied with, the board shall issue to such firm, corporation, professional corporation, partnership, association, or other entity a certificate of authorization.

(2) The board may refuse to issue a certificate if any facts exist which would entitle the board to suspend or revoke an existing certificate or if the board shall determine that any of the officers, directors, principals, members, agents, or employees of the entity to be licensed are not ~~persons~~ individuals of good character.

43-15-23.1.

(a) The practice of or offer to practice land surveying, as defined in this chapter, by individual professional land surveyors ~~registered~~ licensed under this chapter through a firm, corporation, professional corporation, partnership, association, or other entity offering land surveying services to the public or by a firm, corporation, professional corporation, partnership, association, or other entity offering land surveying services to the public through individual ~~registered~~ professional land surveyors as agents, employees, officers, members, or partners is permitted subject to the provisions of this

chapter; provided, however, that one or more of the principals, officers, members, or partners of said firm, corporation, professional corporation, partnership, association, or other entity and all personnel of such firm, corporation, professional corporation, partnership, association, or entity who act in its behalf as professional land surveyors in this state shall be ~~registered~~ licensed as provided in this chapter; and further provided that said firm, corporation, professional corporation, partnership, association, or entity has been issued a certificate of authorization by the board as provided in this chapter.

(b) A firm, corporation, professional corporation, partnership, association, or other entity desiring a certificate of authorization shall file with the board an application upon a form to be prescribed by the board and accompanied by the registration fee prescribed by the board.

(c)(1) A corporation or professional corporation shall file with the board, using a form provided by the board, the names and addresses of all officers and board members of the corporation, including the principal officer or officers duly ~~registered~~ licensed to practice land surveying in this state and of an individual or individuals duly ~~registered~~ licensed to practice land surveying within this state who shall be in responsible charge of the practice of land surveying in this state by said corporation.

(2) A partnership shall file with the board, using a form provided by the board, the names and addresses of all partners of the partnership, including the partner or partners duly ~~registered~~ licensed to practice land surveying in this state and of an individual or individuals duly ~~registered~~ licensed to practice land surveying in this state who shall be in responsible charge of the practice of land surveying in this state by said partnership.

(3) Any firm, limited liability company, association, or entity which is not a corporation, professional corporation, or partnership shall file with the board, using a form provided by the board, the names and addresses of all principals or members of the firm, association, or entity duly ~~registered~~ licensed to practice land surveying in this state who shall be in responsible charge of the practice of land surveying in this state by said firm, association, or other entity.

(4) The forms provided in paragraphs (1) through (3) of this subsection must accompany a biennial renewal fee prescribed by the board. In the event there shall be a change in any of these persons, such change shall be designated on the same form and filed with the board by the firm, corporation, professional corporation, partnership, association, or entity within 30 days after the effective date of the change.

(d)(1) After all of the requirements of this Code section have been complied with, the board shall issue to such firm, corporation, professional corporation, partnership, association, or other entity a certificate of authorization.

(2) The board may refuse to issue a certificate if any facts exist which would entitle the board to suspend or revoke an existing certificate of authorization or if the board shall determine that any of the officers, directors, principals, members, agents, or employees of the entity to be licensed are not ~~persons~~ individuals of good character.

(3) Every firm, partnership, corporation, or other entity which performs or offers to perform land surveying services shall have a resident ~~registered~~ professional land

surveyor in responsible charge in each separate branch office in which land surveying services are performed or offered to be performed. ~~A resident~~ As used in this Code section, the term 'resident' means a registrant who spends the majority of his or her normal working time at his or her place of business. The registrant can be the resident licensee at only one place of business at one time.

43-15-24.

(a) It shall be unlawful for this state or any of its political subdivisions such as a county, municipality, or school district, or agencies thereof, or for any private or commercial entity to engage in the construction of any work or structures involving professional engineering which by the nature of their function or existence could adversely affect or jeopardize the health, safety, or welfare of the public unless the plans and specifications have been prepared under the direct supervision or review of and bear the seal of, and the construction is executed under the direct supervision of or review by, a ~~registered~~ professional engineer or architect.

(b) Nothing in this Code section shall be held to apply to any construction, including alterations, of which the completed cost is less than \$100,000.00 or which is used exclusively for private or noncommercial purposes, or to private residences, or to noncommercial farm buildings, or to residence buildings not exceeding two stories in height, excluding basements.

(c) Any county, municipality, or other governing body in this state that issues building permits is required to maintain a permanent record of the permit application and issuance thereon, ~~which record shall indicate~~ indicating the name of the professional engineer or architect, if any, ~~that~~ who has sealed the plans, specifications, plats, or reports pursuant to which said building permit is issued, ~~said record to~~ Such record shall include details on the size, type of building or structure, use for said building or structure, and estimated cost of construction.

43-15-25.

(a) Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or unprofessional conduct against any ~~person~~ individual holding a certificate ~~or~~ certificate of registration, or license. Such charges shall be in writing, shall be sworn to by the person making them, and shall be filed with the board.

(b) All such charges, unless dismissed by the board as unfounded or trivial, shall be acted upon by the board.

43-15-26.

(a) After notice and hearing, the board may issue an order prohibiting any person from violating Code Section 43-15-7 and may fine such person at least \$100.00 but not more than \$5,000.00 per violation.

(b) The violation of any order of the board issued under subsection (a) of this Code section shall subject the person violating the order to an additional civil penalty not in excess of \$100.00 for each transaction constituting a violation of such order. The board

may maintain an action in the superior courts of this state in its own name to recover the penalties provided for in this Code section.

43-15-27.

(a) It shall be the duty of all duly constituted law enforcement officers of this state and of the political subdivisions of this state to enforce this chapter and to prosecute any person violating this chapter.

(b) The Attorney General or his or her designated assistant shall act as legal adviser to the board and render such legal assistance as may be necessary in carrying out this chapter.

(c) Except as provided in Code Section 25-2-14, it shall be the duty of all public officials charged with the responsibility of enforcing codes related to construction to require compliance with Code Section 43-15-24 before engineering plans, drawings, and specifications are approved by construction. Except as provided in Code Section 25-2-14, no construction which is subject to Code Section 43-15-24 and which requires the service of an engineer shall be built without such approval prior to construction.

43-15-28.

The board shall exercise the powers and duties conferred upon it in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

43-15-29.

(a) Nothing in this chapter shall be construed as excluding a qualified architect registered in this state from such engineering practice as may be incident to the practice of his or her profession or as excluding a professional engineer from such architectural practice as may be incident to the practice of professional engineering.

(b) The following persons shall be exempt from this chapter:

(1) ~~A person~~ An individual working as an employee or a subordinate of ~~a person~~ an individual holding a certificate of registration or license under this chapter or an employee of ~~a person~~ an individual practicing lawfully under Code Section 43-15-21, provided that such work does not include final design decisions and is done under the supervision of, and responsibility therefor is assumed by, ~~a person~~ an individual holding a certificate of registration or license under this chapter or ~~a person~~ an individual practicing lawfully under Code Section 43-15-21;

(2) Officers and employees of the government of the United States while engaged within this state in the practice of professional engineering or land surveying for such government;

(3) All elected officers of the political subdivisions of this state while in the practice of professional engineering or land surveying in the performance of their official duties;

(4) Officers and employees of the Department of Transportation, except as required by Title 46, while engaged within this state in the practice of professional engineering or land surveying for such department;

(5) Any defense, aviation, space, or aerospace company. As used in this paragraph, the term 'company' shall mean any sole proprietorship, firm, limited liability company, partnership, joint venture, joint stock association, corporation, or other business entity and any subsidiary or affiliate of such business entity; ~~and~~

(6) Any employee, contract worker, subcontractor, or independent contractor who works for a defense, aviation, space, or aerospace company that is not required to be licensed under the provisions of this chapter pursuant to paragraph (5) of this subsection and who provides engineering for aircraft, space launch vehicles, launch services, satellites, satellite services, missiles, rockets, or other defense, aviation, space, or ~~aerospace-related~~ aerospace related products or services, or any components thereof; and

(7) Any officer, employee of, or contractor working on behalf of a state government agency or department, county or municipal government, regional commission, public education entity, or utility authority who is engaged in the gathering, processing, managing, and sharing of geospatial and photogrammetric data for cataloging or mapping purposes for his or her respective agency.

(c) This chapter shall not be construed as requiring registration or licensing for the purpose of practicing professional engineering or land surveying by an individual, firm, or corporation on property owned or leased by such individual, firm, or corporation unless the same involves the public safety or public health or for the performance of engineering which relates solely to the design or fabrication of manufactured products.

(d) This chapter shall not be construed to prevent or affect the practice of professional engineering and land surveying with respect to utility facilities by any public utility subject to regulation by the Public Service Commission, the Federal Communications Commission, the Federal Power Commission, or like regulatory agencies, including its parents, affiliates, or subsidiaries; or by the officers and full-time permanent employees of any such public utility, including its parents, affiliates, or subsidiaries, except where such practice involves property lines of adjoining property owners, provided that this exception does not extend to any professional engineer or professional land surveyor engaged in the practice of professional engineering or land surveying whose compensation is based in whole or in part on a fee or to any engineering services performed by the ~~above-referenced~~ utility companies referenced in this subsection not directly connected with work on their facilities.

(e) This chapter shall not be construed to affect the lawful practice of a person acting within the scope of a certificate of registration or license granted by the state under any other law.

(f) Nothing in this chapter shall be construed to require a contractor or an employee of a contractor that is performing layouts and measurements for a highway or construction project of such contractor to be licensed as a professional land surveyor; provided, however, that such individuals shall be prohibited from providing or offering to provide any other land surveying services and from performing a layout for a highway or construction project relative to a buffer, setback, or property line.

43-15-30.

(a) Any person ~~who~~ that violates Code Section 43-15-7 shall be guilty of a misdemeanor.

(b) Any ~~person~~ individual presenting or attempting to use as his or her own the certificate of registration or license or the seal of another obtained under this chapter shall be guilty of a misdemeanor.

(c) Any person ~~who~~ that gives any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate ~~or~~ certificate of registration, or license shall be guilty of a misdemeanor.

(d) Any person ~~who~~ that falsely impersonates any other registrant or licensee or any person ~~who~~ that attempts to use an expired or revoked certificate of registration or license shall be guilty of a misdemeanor.

~~(e) Each day or occurrence shall be considered a separate offense.~~

~~(f)~~(e) Any person offering services to the public ~~who~~ that uses by name, verbal claim, sign, advertisement, directory listing, ~~or~~ letterhead, or otherwise the words 'Engineer,' 'Engineers,' 'Professional Engineering,' 'Engineering,' or 'Engineered' shall be guilty of a misdemeanor unless said person has complied with the provisions of this chapter.

(f) Any person offering services to the public that uses by name, verbal claim, sign, advertisement, directory listing, letterhead, or otherwise the words 'Professional Land Surveyor,' 'Professional Land Surveyors,' 'Land Surveyor,' or 'Land Surveyors' shall be guilty of a misdemeanor unless such person has complied with the provisions of this chapter.

(g) Each day or occurrence in violation of any provision of this Code section shall be considered a separate offense."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

- | | | |
|---------------|--------------|--------------|
| Y Albers | Y Hufstetler | Y Payne |
| Y Anderson, L | Y Jackson | Y Rhett |
| Y Anderson, T | Y James | Y Seay |
| Y Beach | Y Jones, B | Y Shafer |
| Y Black | Y Jones, E | Y Sims |
| Y Brass | Y Jones, H | Y Stone |
| Y Burke | Y Jordan | Y Strickland |

Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 425, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

28 Feb 2018

Due to business outside the Senate Chamber, I missed the vote on SB 425. Had I been present, I would have voted "yes".

/s/ Horacena Tate
District 38

Senator Butch Miller, President Pro Tempore, assumed the Chair.

SB 414. By Senators Tippins of the 37th, Miller of the 49th, Kirk of the 13th, Shafer of the 48th, Black of the 8th and others:

A BILL to be entitled an Act to amend Chapter 17 of Title 43 of the O.C.G.A., relating to charitable solicitations, so as to allow local governing authorities to issue written notices for the failure to clean and maintain collection receptacles; to allow petition to superior court for an order for the removal of collection receptacles if the property owner or paid solicitor does not comply with violation notices for at least three occasions in one calendar year; to provide for a superior court to order collection receptacles to be removed at the cost of the paid solicitor or charitable organization; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

SB 414, having received the requisite constitutional majority, was passed.

The following Senators were excused for business outside the Senate Chamber:

Dugan of the 30th Hufstetler of the 52nd

SB 403. By Senators Thompson of the 14th, Brass of the 28th, Mullis of the 53rd, Albers of the 56th, Beach of the 21st and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide for uniform election equipment in this state; to provide that direct recording electronic voting systems shall not be used in primaries or elections in this state after January 1, 2024; to provide for definitions; to provide for ballot marking devices and standards and procedures for such devices; to provide for audits of election results and procedures therefor; to provide for conforming changes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Ethics offered the following substitute to SB 403:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide for uniform election equipment in this state; to provide that direct recording electronic voting systems shall not be used in primaries or elections in this state after January 1, 2024; to provide for definitions; to provide for ballot marking devices and standards and procedures for such devices; to provide for audits of election results and procedures therefor; to provide methods for recounts; to provide for conforming changes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, is amended by revising paragraphs (2), (4.1), and (18) of Code Section 21-2-2, relating to definitions, and adding new paragraphs to read as follows:

"(.3) 'Automatic tabulating equipment' means apparatus, including ballot scanning machines, that are utilized to ascertain the manner by which paper ballots have been marked by electors, whether by hand or by means of electronic ballot markers, and that count the votes marked on such ballots."

"(2) 'Ballot labels marking device' means ~~the cards, paper, or other material placed on the front of a voting machine containing the names of offices and candidates and statements of questions to be voted on a pen, pencil, or similar writing tool, or an electronic device designed for use in marking paper ballots so that its elector readable and verifiable mark may be detected as a vote so cast and then counted by automatic tabulating equipment.~~

"(2.1) 'Ballot scanner' means an electronic recording device which receives an elector's ballot and tabulates the votes on the ballot by its own devices; also known as a 'tabulating machine.'"

"(4.1) 'Direct recording electronic' or 'DRE' voting equipment means a computer driven unit for casting and counting votes on which an elector touches a video screen or a button adjacent to a video screen to cast his or her vote. Such term shall not encompass ballot marking devices or electronic ballot markers."

"(7.1) 'Electronic ballot marker' means an electronic device that does not compute or retain votes; may integrate components such as a ballot scanner, printer, touch screen monitor, audio output, and a navigational keypad; and uses electronic technology to independently and privately mark a paper ballot at the direction of an elector, interpret ballot selections, communicate such interpretation for elector verification, and print an elector-verifiable paper ballot."

"(18) 'Official ballot' means a ballot, whether paper, mechanical, or electronic, which is furnished by the superintendent or governing authority in accordance with Code Section 21-2-280, including ballots read by optical scanning tabulators that are read by ballot scanners. An electronic image of a scanning ballot shall not be considered an official ballot."

"(19.1) 'Optical scanning voting system' means a system employing paper ballots on which electors cast votes with a ballot marking device or electronic ballot marker after which votes are counted by automatic tabulating equipment."

"(28.1) 'Precinct ballot scanner' is a ballot scanner."

"(32.1) 'Scanning ballot' means a printed paper ballot designed to be marked by an elector with a ballot marking device or electronic ballot marker or a blank sheet of paper designed to be used in a ballot marking device or electronic ballot marker, which is then inserted for casting into a ballot scanner."

SECTION 2.

Said chapter is further amended by revising paragraph (15) of subsection (a) of Code Section 21-2-50, relating to the powers and duties of the Secretary of State and prohibition against serving in a fiduciary capacity, as follows:

"(15) To develop, program, build, and review ballots for use by counties and municipalities on ~~direct recording electronic (DRE)~~ voting systems in use in the state."

SECTION 3.

Said chapter is further amended by revising subsection (a) of Code Section 21-2-267, relating to equipment, arrangement, and storage at polling places, as follows:

"(a) The governing authority of each county and municipality shall provide and the superintendent shall cause all rooms used as polling places to be provided with suitable heat and light and, in precincts in which ballots are used, with a sufficient number of voting compartments or booths with proper supplies in which the electors may conveniently mark their ballots, with a curtain, screen, or door in the upper part of the front of each compartment or booth so that in the marking thereof they may be screened from the observation of others. A curtain, screen, or door shall not be required, however, for the self-contained units used as voting booths in which direct recording electronic (DRE) voting units or electronic ballot markers are located if such booths have been designed so as to ensure the privacy of the elector. When practicable, every polling place shall consist of a single room, every part of which is within the unobstructed view of those present therein and shall be furnished with a guardrail or barrier closing the inner portion of such room, which guardrail or barrier shall be so constructed and placed that only such persons as are inside such rail or barrier can approach within six feet of the ballot box and voting compartments, or booths, or voting machines, as the case may be. The ballot box and voting compartments or booths shall be so arranged in the voting room within the enclosed space as to be in full view of those persons in the room outside the guardrail or barrier. The voting machine or

machines shall be placed in the voting rooms within the enclosed space so that, unless its construction shall otherwise require, the ballot labels on the face of the machine can be plainly seen by the poll officers when the machine is not occupied by an elector. In the case of direct recording electronic (DRE) voting units or electronic ballot markers, the ~~units devices~~ shall be arranged in such a manner as to ensure the privacy of the elector while voting on such ~~units devices~~, to allow monitoring of the ~~units devices~~ by the poll officers while the polls are open, and to permit the public to observe the voting without affecting the privacy of the electors as they vote."

SECTION 4.

Said chapter is further amended by revising Code Section 21-2-293, relating to correction of mistakes and omissions on ballots, as follows:

"21-2-293.

(a) If the election superintendent discovers that a mistake or omission has occurred in the printing of official ballots or in the programming of the display of the official ballot on DRE voting equipment or electronic ballot markers for any primary or election, the superintendent is authorized on his or her own motion to take such steps as necessary to correct such mistake or omission if the superintendent determines that such correction is feasible and practicable under the circumstances; provided, however, that the superintendent gives at least 24 hours notice to the Secretary of State and any affected candidates of the mistake or omission prior to making such correction.

(b) When it is shown by affidavit that a mistake or omission has occurred in the printing of official ballots or in the programming of the display of the official ballot on DRE voting equipment or electronic ballot markers for any primary or election, the superior court of the proper county may, upon the application of any elector of the county or municipality, require the superintendent to correct the mistake or omission or to show cause why he or she should not do so."

SECTION 5.

Said chapter is further amended by revising subsection (a) of Code Section 21-2-300, relating to provision of new voting equipment by state, contingent upon appropriations, county responsibilities, education, and county and municipal contracts for equipment, as follows:

~~"(a)(1) Provided that the General Assembly specifically appropriates funding to the Secretary of State to implement this subsection, the~~ The equipment used for casting and counting votes in county, state, and federal elections shall, ~~by the July, 2004, primary election and afterwards~~, be the same in each county in this state and shall be provided to each county by the state, as determined by the Secretary of State. Notwithstanding any provision of law to the contrary, on and after January 1, 2024, only optical scanning voting system equipment shall be used in federal, state, and county primaries and elections in the State of Georgia.

(2) Not later than January 31, 2019, the Secretary of State shall issue a competitive public solicitation to select optical scanning voting system equipment and supporting

services for use in primaries and elections in each county in this state. A vendor selection shall be made, price and contract negotiations shall be completed, and the selection shall be announced by June 1, 2019.

(3) Provided that the General Assembly specifically appropriates funding to implement this subsection by not later than July 1, 2019, the Secretary of State shall provide optical scanning voting equipment to counties in Georgia for use in federal, state, and county primaries and elections by not later than the 2020 presidential preference primary.

(4) Notwithstanding any provision of law to the contrary, the Secretary of State is authorized to conduct pilot programs to test and evaluate the use of optical scanning voting systems and voter-verifiable ballots in primaries and elections in this state."

SECTION 6.

Said chapter is further amended by revising paragraph (5) of Code Section 21-2-365, relating to requirements for use of optical scanning voting systems, as follows:

"(5) ~~An optical scanning tabulator~~ A ballot scanner shall preclude the counting of votes for any candidate or upon any question for whom or upon which an elector is not entitled to vote; shall preclude the counting of votes for more persons for any office than he or she is entitled to vote for; and shall preclude the counting of votes for any candidate for the same office or upon any question more than once;"

SECTION 7.

Said chapter is further amended by revising subsection (a) of Code Section 21-2-369, relating to printing of ballots and arrangement, as follows:

"(a) The ballots shall be printed in black ink upon clear, white, or colored material, of such size and arrangement as will suit the construction of the ~~optical ballot~~ scanner, and in plain, clear type so as to be easily readable by persons with normal vision; provided, however, that red material shall not be used except that all ovals appearing on the ballot to indicate where a voter should mark to cast a vote may be printed in red ink."

SECTION 8.

Said chapter is further amended by revising Code Section 21-2-372, relating to ballot description, as follows:

"21-2-372.

Ballots shall be of suitable design, size, and stock to permit processing by a ~~tabulating machine~~ ballot scanner and shall be printed in black ink on clear, white, or colored material. ~~In counties using a central count tabulating system, a serially numbered strip shall be attached to each ballot in a manner and form similar to that prescribed in this chapter for paper ballots."~~

SECTION 9.

Said chapter is further amended by revising subsections (a) and (b) of Code Section 21-2-374, relating to proper programming, proper order, testing, and supplies, as follows:

"21-2-374.

(a) The superintendent of each county or municipality shall order the proper programming to be placed in each ~~tabulator~~ ballot scanner used in any precinct or central tabulating location.

(b) On or before the third day preceding a primary or election, including special primaries, special elections, and referendum elections, the superintendent shall have the ~~optical scanning tabulators~~ ballot scanners tested to ascertain that they will correctly count the votes cast for all offices and on all questions. Public notice of the time and place of the test shall be made at least five days prior thereto; provided, however, that, in the case of a runoff, the public notice shall be made at least three days prior thereto. Representatives of political parties and bodies, candidates, news media, and the public shall be permitted to observe such tests. The test shall be conducted by processing a preaudited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each question and shall include for each office one or more ballots which are improperly marked and one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the ~~optical scanning tabulator~~ ballot scanner to reject such votes. The ~~optical scanning tabulator~~ ballot scanner shall not be approved unless it produces an errorless count. If any error is detected, the cause therefor shall be ascertained and corrected; and an errorless count shall be made before the ~~tabulator~~ ballot scanner is approved. The superintendent shall cause the pretested ~~tabulators~~ ballot scanners to be placed at the various polling places to be used in the primary or election. The superintendent shall require that each ~~optical scanning tabulator~~ ballot scanner be thoroughly tested and inspected prior to each primary and election in which it is used and shall keep such tested material as certification of an errorless count on each ~~tabulator~~ ballot scanner. In counties using central count ~~optical scanning tabulators~~ ballot scanners, the same test shall be repeated immediately before the start of the official count of the ballots and at the conclusion of such count. Precinct ~~tabulators~~ ballot scanners shall produce a zero tape prior to any ballots being inserted on the day of any primary or election."

SECTION 10.

Said chapter is further amended by revising Code Section 21-2-375, relating to delivery of equipment to polling places, protection for equipment, and required accessories, as follows:

"21-2-375.

(a) In counties using precinct count ~~optical scanning tabulators~~ ballot scanners, the superintendent shall deliver the proper ~~optical scanning tabulator~~ ballot scanner to the polling places at least one hour before the time set for opening of the polls at each primary or election and shall cause each to be set up in the proper manner for use in voting.

(b) The superintendent shall provide ample protection against molestation of and injury to the ~~optical scanning tabulator~~ ballot scanner and, for that purpose, shall call upon any law enforcement officer to furnish such assistance as may be necessary; and it shall be

the duty of the law enforcement officer to furnish such assistance when so requested by the superintendent.

(c) The superintendent shall at least one hour before the opening of the polls:

- (1) Provide sufficient lighting to enable electors, while in the voting booth, to read the ballot, which lighting shall be suitable for the use of poll officers in examining the booth; and such lighting shall be in good working order before the opening of the polls;
- (2) Prominently post directions for voting ~~on the optical scanning ballot~~ within the voting booth; at least two sample ballots in use for the primary or election shall be posted prominently outside the enclosed space within the polling place;
- (3) Ensure that the precinct count ~~optical scanning tabulator~~ ballot scanner shall have a seal securing the memory pack in use throughout the election day; such seal shall not be broken unless the ~~tabulator~~ ballot scanner is replaced due to malfunction; and
- (4) Provide such other materials and supplies as may be necessary or as may be required by law."

SECTION 11.

Said chapter is further amended by revising Code Section 21-2-377, relating to custody and storage when not in use, as follows:

"21-2-377.

- (a) The superintendent shall designate a person or persons who shall have custody of the ~~optical scanning tabulators~~ ballot scanners of the county or municipality when they are not in use at a primary or election and shall provide for his or her compensation and for the safe storage and care of the ~~optical scanning tabulators~~ ballot scanners.
- (b) All ~~optical scanning tabulators~~ ballot scanners, when not in use, shall be properly covered and stored in a suitable place or places."

SECTION 12.

Said chapter is further amended by revising Part 5 of Article 9, relating to electronic recording voting systems, by repealing the part and inserting in lieu thereof the following:

"Part 6

21-2-379.21.

Each polling place in this state utilizing optical scanning voting systems shall be equipped with at least one electronic ballot marker that meets the requirements as set forth in this part.

21-2-379.22.

No electronic ballot marker shall be adopted or used in primaries or elections in this state unless it shall, at the time, satisfy the following requirements:

- (1) Provide facilities for marking ballots for all such candidates and questions for which the elector shall be entitled to vote in a primary or election;

- (2) Permit each elector, in one operation, to mark a vote for presidential electors for all the candidates of one party or body for the office of presidential elector;
- (3) Permit each elector to mark votes, at any election, for any person and for any office for whom and for which he or she is lawfully entitled to vote, whether or not the name of such person or persons appears as a candidate for election; to mark votes for as many persons for an office as he or she is entitled to vote for; and to mark votes for or against any question upon which he or she is entitled to vote;
- (4) Preclude the marking of votes for any candidate or upon any question for whom or upon which an elector is not entitled to vote; preclude the marking of votes for more persons for any office than the elector is entitled to vote for; and preclude the marking of votes for any candidate for the same office or upon any question more than once;
- (5) Permit voting in absolute secrecy so that no person can see or know for whom any other elector has voted or is voting, save an elector whom he or she has assisted or is assisting in voting, as prescribed by law;
- (6) Be constructed of material of good quality in a neat and workmanlike manner;
- (7) When properly operated, mark correctly and accurately every vote cast;
- (8) Be so constructed that an elector may readily learn the method of operating it; and
- (9) Be safely transportable.

21-2-379.23.

(a) Any person or organization owning, manufacturing, or selling, or being interested in the manufacture or sale of, any electronic ballot marker may request that the Secretary of State examine the device. Any ten or more electors of this state may, at any time, request that the Secretary of State reexamine any such device previously examined and approved by him or her. Before any such examination or reexamination, the person, persons, or organization requesting such examination or reexamination shall pay to the Secretary of State the reasonable expenses of such examination or reexamination. The Secretary of State shall publish and maintain on his or her website the cost of such examination or reexamination. The Secretary of State may, at any time, in his or her discretion, reexamine any such device.

(b) The Secretary of State shall thereupon examine or reexamine such device and shall make and file in his or her office a report, attested by his or her signature and the seal of his or her office, stating whether, in his or her opinion, the kind of device so examined can be safely and accurately used by electors at primaries and elections as provided in this chapter. If this report states that the device can be so used, the device shall be deemed approved, and devices of its kind may be adopted for use at primaries and elections as provided in this chapter.

(c) Any device that is not so approved shall not be used at any primary or election and if, upon the reexamination of any such device previously approved, it shall appear that the device can no longer be safely or accurately used by electors at primaries or elections as provided in this chapter because of an inability to accurately record votes, the approval of the same shall immediately be revoked by the Secretary of State, and no

such device shall thereafter be purchased for use or be used in this state.

(d) Any vendor who completes a sale of an electronic ballot marker that has not been certified by the Secretary of State to a governmental body in this state shall be subject to a penalty of \$100,000.00, payable to the State of Georgia, plus reimbursement of all costs and expenses incurred by the governmental body in connection with the sale. The State Election Board shall have the authority to impose such penalty upon a finding that such a sale has occurred.

(e) When a device has been so approved, no improvement or change that does not impair its accuracy, efficiency, or capacity shall render necessary a reexamination or reapproval of such device, or of its kind.

(f) Neither the Secretary of State, nor any custodian, nor the governing authority of any county or municipality or a member of such governing authority nor any other person involved in the examination process shall have any pecuniary interest in any device or in the manufacture or sale thereof.

21-2-379.24.

(a) The superintendent of each county or municipality shall cause the proper ballot design and style to be programmed for each electronic ballot marker which is to be used in any precinct within such county or municipality, cause each such device to be placed in proper order for voting, and examine each unit before it is sent to a polling place for use in a primary or election to verify that each device is properly recording votes and producing proper ballots.

(b) The superintendent may appoint, with the approval of the county or municipal governing authority, as appropriate, a custodian of the electronic ballot markers, and deputy custodians as may be necessary, whose duty shall be to prepare the devices to be used in the county or municipality at the primaries and elections to be held therein. Each custodian and deputy custodian shall receive from the county or municipality such compensation as shall be fixed by the governing authority of such county or municipality. Such custodian shall, under the direction of the superintendent, have charge of and represent the superintendent during the preparation of the devices as required by this chapter. The custodian and deputy custodians shall serve at the pleasure of the superintendent. Each custodian and deputy custodian shall take an oath of office prepared by the Secretary of State before each primary or election which shall be filed with the superintendent.

(c) On or before the third day preceding a primary or election, including special primaries, special elections, and referendum elections, the superintendent shall have each electronic ballot marker tested to ascertain that it will correctly record the votes cast for all offices and on all questions and produce a ballot reflecting such choices of the elector in a manner that the State Election Board shall prescribe by rule or regulation. Public notice of the time and place of the test shall be made at least five days prior thereto; provided, however, that, in the case of a runoff, the public notice shall be made at least three days prior thereto. Representatives of political parties and bodies, news media, and the public shall be permitted to observe such tests.

21-2-379.25.

(a) All electronic ballot markers and related equipment, when not in use, shall be properly stored and secured under conditions as shall be specified by the Secretary of State.

(b) The superintendent shall store the devices and related equipment under his or her supervision or shall designate a person or entity who shall provide secure storage of such devices and related equipment when it is not in use at a primary or election. The superintendent shall provide compensation for the safe storage and care of such devices and related equipment if the devices and related equipment are stored by a person or entity other than the superintendent."

SECTION 13.

Said chapter is further amended by revising subsection (e) of Code Section 21-2-413, relating to conduct of voters, campaigners, and others at polling places generally, as follows:

"(e) No person shall use photographic or other electronic monitoring or recording devices, cameras, or cellular telephones while such person is in a polling place while voting is taking place; provided, however, that a poll manager, in his or her discretion, may allow the use of photographic devices in the polling place under such conditions and limitations as the election superintendent finds appropriate, and provided, further, that no photography shall be allowed of a ballot or the face of a voting machine or DRE unit or electronic ballot marker while an elector is voting such ballot or machine or DRE unit or using such electronic ballot marker and no photography shall be allowed of an electors list, electronic electors list, or the use of an electors list or electronic electors list. This subsection shall not prohibit the use of photographic or other electronic monitoring or recording devices, cameras, or cellular telephones by poll officials for official purposes."

SECTION 14.

Said chapter is further amended by revising Code Section 21-2-482, relating to absentee ballots for precincts using optical scanning voting equipment, as follows:

"21-2-482.

Ballots in a precinct using optical scanning voting equipment for ~~use~~ voting by absentee electors shall be prepared sufficiently in advance by the superintendent and shall be delivered to the board of registrars as provided in Code Section 21-2-384. Such ballots shall be marked 'Official Absentee Ballot' and shall be in substantially the form for ballots required by Article 8 of this chapter, except that in counties or municipalities using voting machines, direct recording electronic (DRE) units, or ~~optical~~ ballot scanners, the ballots may be in substantially the form for the ballot labels required by Article 9 of this chapter or in such form as will allow the ballot to be machine tabulated. Every such ballot shall have printed on the face thereof the following:

'I understand that the offer or acceptance of money or any other object of value to vote for any particular candidate, list of candidates, issue, or list of issues included in this

election constitutes an act of voter fraud and is a felony under Georgia law.'
The form for either ballot shall be determined and prescribed by the Secretary of State."

SECTION 15.

Said chapter is further amended by revising subsection (a) of Code Section 21-2-495, relating to procedure for recount or recanvass of votes and losing candidate's right to a recount, and adding a new subsection to read as follows:

"(a) In precincts where paper ballots or scanning ballots have been used, the superintendent may, either of his or her own motion or upon petition of any candidate or political party, order the recount of all the ballots for a particular precinct or precincts for one or more offices in which it shall appear that a discrepancy or error, although not apparent on the face of the returns, has been made. Such recount may be held at any time prior to the certification of the consolidated returns by the superintendent and shall be conducted under the direction of the superintendent. Before making such recount, the superintendent shall give notice in writing to each candidate and to the county or municipal chairperson of each party or body affected by the recount. Each such candidate may be present in person or by representative, and each such party or body may send two representatives to be present at such recount. If upon such recount, it shall appear that the original count by the poll officers was incorrect, such returns and all papers being prepared by the superintendent shall be corrected accordingly. In cases in which scanning ballots have been used, the superintendent may, in his or her discretion, elect to recount the scanning ballots electronically, by using automatic tabulating equipment, or manually, by using the actual scanning ballots. Images of such scanning ballots shall not be used for performing recounts."

"(e) In performing a recount under this Code section in precincts in which scanning ballots have been used, the superintendent may, in his or her discretion, elect to recount the scanning ballots electronically, by using automatic tabulating equipment or manually, by using the actual scanning ballots. Images of such scanning ballots shall not be used for performing recounts."

SECTION 16.

Said chapter is further amended by revising Code Section 21-2-498, which was previously reserved, as follows:

"21-2-498.

(a) As used in this Code section, the term 'risk-limiting audit' means an audit protocol that makes use of statistical methods to limit to acceptable levels the risk of certifying a preliminary election outcome that is inconsistent with the election outcome that would be obtained by conducting a full manual tally count.

(b) Beginning with the 2020 presidential preference primary, the Secretary of State in conjunction with local election superintendents shall be authorized to conduct post-election, manual tally audits or risk-limiting audits for any primary, general, or special election, any runoffs of such elections, or any ballot question, in accordance with requirements set forth by rule or regulation of the Secretary of State.

(c) On and after January 1, 2024, the Secretary of State in conjunction with local election superintendents shall conduct post-election, risk-limiting audits for all federal and gubernatorial primary and general elections, any runoffs of such elections, and any state-wide ballot question, in accordance with requirements set forth by rule or regulation of the Secretary of State.

(d) In conducting each audit, the Secretary of State and local election superintendents shall:

(1) Complete the audit prior to final certification of the contest;

(2) Ensure that all ballots are included in the audit, whether cast in person, by absentee ballot, advance voting, provisional ballot, or otherwise;

(3) Provide to the public a report of the unofficial final tabulated vote results for the contest prior to conducting the audit;

(4) Complete the audit in public view; and

(5) Provide to the public details of the audit within 48 hours of completion.

(e) If the audit of any contest leads to a full manual tally count of the ballots cast, the results of such manual tally count shall determine the official contest results.

(f) The State Election Board shall promulgate rules, regulations, and procedures to implement and administer the provisions of this Code section. ~~Reserved.~~

SECTION 17.

Said chapter is further amended by revising paragraph (8) of Code Section 21-2-566, relating to interference with primaries and elections generally, as follows:

"(8) Willfully tampers with any electors list, voter's certificate, numbered list of voters, ballot box, voting machine, direct recording electronic (DRE) equipment, electronic ballot marker, or tabulating machine"

SECTION 18.

Said chapter is further amended by revising paragraph (3) of Code Section 21-2-579, relating to fraudulently allowing ballot or voting machine to be seen, casting unofficial ballot, and receiving unauthorized assistance in voting, as follows:

"(3) Without having made the affirmation under oath or declaration required by Code Section 21-2-409, or when the disability which he or she declared at the time of registration no longer exists, permits another to accompany him or her into the voting compartment or voting machine booth or to mark his or her ballot or to register his or her vote on the voting machine or direct recording electronic (DRE) equipment or use an electronic ballot marker; or"

SECTION 19.

Said chapter is further amended by revising Code Section 21-2-580, relating to tampering with, damaging, improper preparation of, or prevention of proper operation of voting machines, as follows:

"21-2-580.

Any person who:

- (1) Unlawfully opens, tampers with, or damages any voting machine or electronic ballot marker or tabulating machine to be used or being used at any primary or election;
- (2) Willfully prepares a voting machine or an electronic ballot marker or tabulating machine for use in a primary or election in improper order for voting; or
- (3) Prevents or attempts to prevent the correct operation of such electronic ballot marker or tabulating machine or voting machine shall be guilty of a felony."

SECTION 20.

Said chapter is further amended by revising Code Section 21-2-582, relating to tampering with, damaging, or preventing of proper operation of direct recording electronic equipment or tabulating device, as follows:

"21-2-582.

Any person who tampers with or damages any direct recording electronic (DRE) equipment or electronic ballot marker or tabulating ~~computer~~ machine or device to be used or being used at or in connection with any primary or election or who prevents or attempts to prevent the correct operation of any direct recording electronic (DRE) equipment or electronic ballot marker or tabulating ~~computer~~ machine or device shall be guilty of a felony."

SECTION 21.

Said chapter is further amended by revising Code Section 21-2-582.1, relating to penalty for voting equipment modification, as follows:

"21-2-582.1.

- (a) For the purposes of this Code section, the term 'voting equipment' shall mean a voting machine, tabulating machine, optical scanning voting system, ~~or~~ direct recording electronic voting system, or electronic ballot marker.
- (b) Any person or entity, including, but not limited to, a manufacturer or seller of voting equipment, who alters, modifies, or changes any aspect of such voting equipment without prior approval of the Secretary of State is guilty of a felony."

SECTION 22.

Said chapter is further amended by revising Code Section 21-2-587, relating to frauds by poll workers, as follows:

"21-2-587.

Any poll officer who willfully:

- (1) Makes a false return of the votes cast at any primary or election;
- (2) Deposits fraudulent ballots in the ballot box or certifies as correct a false return of ballots;
- (3) Registers fraudulent votes upon any voting machine or certifies as correct a return of fraudulent votes cast upon any voting machine;
- (4) Makes any false entries in the electors list;
- (5) Destroys or alters any ballot, voter's certificate, or electors list;

(6) Tamper with any voting machine, direct recording electronic (DRE) equipment, electronic ballot marker, or tabulating ~~computer~~ machine or device;

(7) Prepares or files any false voter's certificate not prepared by or for an elector actually voting at such primary or election; or

(8) Fails to return to the officials prescribed by this chapter, following any primary or election, any keys of a voting machine; ballot box; general or duplicate return sheet; tally paper; oaths of poll officers; affidavits of electors and others; record of assisted voters; numbered list of voters; electors list; voter's certificate; spoiled and canceled ballots; ballots deposited, written, or affixed in or upon a voting machine; DRE, electronic ballot marker, or tabulating machine memory cards; or any certificate or any other paper or record required to be returned under this chapter shall be guilty of a felony and, upon conviction thereof, shall be sentenced to imprisonment for not less than one nor more than ten years or to pay a fine not to exceed \$100,000.00, or both."

SECTION 23.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 24.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman

Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 1.

SB 403, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 759. By Representatives Turner of the 21st, Teasley of the 37th, Stovall of the 74th, Cantrell of the 22nd, Setzler of the 35th and others:

A BILL to be entitled an Act to amend Code Section 20-2-2114 of the Official Code of Georgia Annotated, relating to qualifications for the Georgia Special Needs Scholarship Program, so as to revise the prior school year requirement; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 808. By Representatives Nimmer of the 178th, Corbett of the 174th, LaRiccica of the 169th, Shaw of the 176th and Spencer of the 180th:

A BILL to be entitled an Act to amend Code Section 15-6-3 of the Official Code of Georgia Annotated, relating to the terms of superior courts, so as to change the term of court in Bacon, Brantley, Charlton, Coffee, Pierce, and Ware counties in the Waycross Circuit; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 831. By Representatives Rogers of the 10th, England of the 116th, Dempsey of the 13th, Rhodes of the 120th, Efrstration of the 104th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 49 of the Official Code of Georgia Annotated, relating to transfer of division of rehabilitation services to the Department of Labor, so as to establish the Employment

First Georgia Council; to provide for legislative findings and declarations; to provide for membership, duties, terms of office, meeting requirements, committee appointments, compensation, and expense allowances; to provide for a biannual report to the Governor and the General Assembly; to provide for a short title; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 844. By Representatives Houston of the 170th, Coleman of the 97th, Nix of the 69th, Dempsey of the 13th and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 1 of Title 30 of the O.C.G.A., relating to handicapped persons generally, so as to revise provisions relating to the Georgia Commission on Hearing Impaired and Deaf Persons; to provide for definitions; to expand the membership of the commission; to establish a task force; to require use of existing assessments; to monitor individual children's language and literacy progress; to develop a state-wide coordinated longitudinal data management system for all children who are deaf or hard of hearing; to require information sharing and collaboration among state agencies; to provide integrated and seamless services from birth through literacy; to require public reporting mechanisms; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 878. By Representatives Clark of the 147th, Smith of the 134th, Blackmon of the 146th, Raffensperger of the 50th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to procedure for cancellation by an insured and notice, so as to change certain provisions regarding cancellation of an insurance policy by an insured; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 938. By Representatives Taylor of the 173rd, Smith of the 134th, Lumsden of the 12th, Shaw of the 176th and Hugley of the 136th:

A BILL to be entitled an Act to amend Code Section 33-23-12 of the Official Code of Georgia Annotated, relating to limited licenses, so as to provide for a limited credit insurance agency license; to provide for requirements; to provide for application to the Commissioner; to provide for penalties; to provide for a decision appeal; to provide for license renewal; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 940. By Representatives Cauble of the 111th, Coomer of the 14th, Powell of the 32nd, Rutledge of the 109th and Alexander of the 66th:

A BILL to be entitled an Act to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to allow the Department of Driver Services to mark and return surrendered licenses and personal identification cards; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

SB 396. By Senators Shafer of the 48th, Ginn of the 47th, Ligon, Jr. of the 3rd, Unterman of the 45th, Payne of the 54th and others:

A BILL to be entitled an Act to amend Part 1A of Article 2 of Chapter 5 of Title 46 of the O.C.G.A., relating to telephone system for the physically impaired, so as to change certain provisions relating to the establishment, administration, and operation of the state-wide dual party relay service and audible universal information access service; to change certain legislative findings and declarations; to modify the prohibition as to the distribution of telecommunications equipment under the telecommunications equipment distribution program based on a certain income level; to provide that wireless devices and applications may be distributed as part of the telecommunications equipment distribution program; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins

Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 0.

SB 396, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

2/28/18

Due to business outside the Senate Chamber, I missed the vote on SB 396. Had I been present, I would have voted “yes”.

/s/ Renee Unterman
District 45

Senator Williams of the 27th was excused for business outside the Senate Chamber.

SB 457. By Senator Tate of the 38th:

A BILL to be entitled an Act to amend Code Section 20-2-1185 of the Official Code of Georgia Annotated, relating to school safety plans, so as to require every public school and private school to conduct drills on the execution of school safety plans based upon guidance from the Georgia Emergency Management and Homeland Security Agency; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims

Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	Y Tillery
N Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 2.

SB 457, having received the requisite constitutional majority, was passed.

SB 382. By Senators Martin of the 9th, Strickland of the 17th, Walker III of the 20th, Kirk of the 13th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Code Section 43-30-1 of the Official Code of Georgia Annotated, relating to definitions relative to optometrists, so as to provide for guidance and consultation by the Department of Public Health on certain training programs approved by the State Board of Optometry for doctors of optometry who administer pharmaceutical agents by injection; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 382:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 43-30-1 of the Official Code of Georgia Annotated, relating to definitions relative to optometrists, so as to provide for guidance by the Department of Public Health on certain training programs approved by the State Board of Optometry for doctors of optometry who administer pharmaceutical agents by injection; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 43-30-1 of the Official Code of Georgia Annotated, relating to definitions relative to optometrists, is amended by revising subparagraph (C) of paragraph (2) as follows:

"(C) A doctor of optometry may administer pharmaceutical agents related to the diagnosis or treatment of diseases and conditions of the eye and adnexa oculi by injection, except for sub-tenon, retrobulbar, peribulbar, facial nerve block, subconjunctival anesthetic, dermal filler, intravenous injections, intramuscular injections, intraorbital nerve block, intraocular, or botulinum toxin injections, if he or she:

(i) Holds a current license or certificate of registration issued by the board and has obtained a certificate showing successful completion of an injectables training program, sponsored by a school or college of optometry credentialed by the United States Department of Education and the Council on Postsecondary Accreditation, consisting of a minimum of 30 hours approved by the board; or

(ii)(I) Is enrolled in an injectables training program, sponsored by a school or college of optometry credentialed by the United States Department of Education and the Council on Postsecondary Accreditation, in order to fulfill the requirements of such training program consisting of a minimum of 30 hours approved by the board; and

(II) Is under the direct supervision of a physician licensed under Chapter 34 of this title and board certified in ophthalmology.

Any injectables training program approved by the board pursuant to this subparagraph shall, prior to its approval by the board, be subject to the guidance of the Department of Public Health as to the appropriate curriculum necessary to safeguard the public health of the people of this state."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 1.

SB 382, having received the requisite constitutional majority, was passed by substitute.

The following Senators were excused for business outside the Senate Chamber:

Strickland of the 17th Walker III of the 20th

SB 431. By Senators Tillery of the 19th, Ligon, Jr. of the 3rd and McKoon of the 29th:

A BILL to be entitled an Act to amend Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, so as to clarify provisions relating to the effect of an owner of land charging an admission price or fee; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
N Black	Y Jones, E	Y Sims

Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	E Walker
Y Harbison	Y Millar	Y Watson
N Harper	Miller (PRS)	N Wilkinson
N Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 43, nays 4.

SB 431, having received the requisite constitutional majority, was passed.

The following Senators were excused for business outside the Senate Chamber:

Gooch of the 51st

Martin of the 9th

SB 404. By Senators Brass of the 28th, Harper of the 7th, Albers of the 56th, Mullis of the 53rd, Jones of the 25th and others:

A BILL to be entitled an Act to amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to public water systems, so as to prohibit county, municipal, and other public water systems from charging or assessing a separate fee for standby water service for fire sprinkler system connections; to provide for a purpose; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Natural Resources and the Environment offered the following substitute to SB 404:

A BILL TO BE ENTITLED
AN ACT

To amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to public water systems, so as to prohibit county, municipal, and other public water systems from charging or assessing a separate fee for standby water service for fire sprinkler system connections; to provide for a purpose; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to public water systems, is amended by adding a new Code section to read as follows:

"12-5-180.2.

(a) The purpose of this Code section is to encourage the use of fire sprinkler systems.

(b) No county, municipal, or other public water system shall charge or assess a separate fee for standby water service for fire sprinkler system connections."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Kennedy of the 18th and Brass of the 28th offered the following amendment #1:

Amend SB 404 CS (LC 41 1441S) by:

Striking lines 12-14 and replace with:

(a) The purpose of this Code section is to encourage the use of fire sprinkler protection systems.

(b) No county, municipal, or other public water system shall charge or assess a separate fee for standing water service for fire sprinkler protection system connections for more than the costs to maintain such connections."

On the adoption of the amendment, there were no objections, and the Kennedy, Brass amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone

Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	N Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	Y Tillery
N Ginn	Y Lucas	Y Tippins
E Gooch	E Martin	N Unterman
N Harbin	Y McKoon	E Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 34, nays 14.

SB 404, having received the requisite constitutional majority, was passed by substitute.

SB 391. By Senator Beach of the 21st:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to general provisions relative to the State Road and Tollway Authority, so as to exempt transit service buses, motor vehicles, and rapid rail systems from requirements relating to identification and regulation of motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	Y Tillery

Y Ginn	Y Lucas	N Tippins
Y Gooch	E Martin	Y Unterman
N Harbin	Y McKoon	E Walker
Y Harbison	Y Millar	Y Watson
N Harper	Miller (PRS)	Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 41, nays 4.

SB 391, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

2/28/18

Due to business outside the Senate Chamber, I missed the vote on SB 391. Had I been present, I would have voted “yes”.

/s/ Lee Anderson
District 24

SB 236. By Senators James of the 35th, Rhett of the 33rd, Jones II of the 22nd, Davenport of the 44th and Orrock of the 36th:

A BILL to be entitled an Act to amend Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to driving under the influence of alcohol, drugs, or other intoxicating substances, penalties, publication of notice of conviction for persons convicted for a second time, and endangering a child, so as to require that the county department of family and children services be notified when certain offenders are convicted for endangering a child by driving under the influence of alcohol or drugs; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Judiciary offered the following substitute to SB 236:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to driving under the influence of alcohol, drugs, or other intoxicating substances, penalties, and endangering a child, so as to allow the county or district department of family and

children services to be notified when certain offenders are convicted of endangering a child by driving under the influence of alcohol or drugs; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 40-6-391 of the Official Code of Georgia Annotated, relating to driving under the influence of alcohol, drugs, or other intoxicating substances, penalties, and endangering a child, is amended by revising subsection (1) as follows:

"(1)(1) A person who violates this Code section while transporting in a motor vehicle a child under the age of 14 years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or drugs. The offense of endangering a child by driving under the influence of alcohol or drugs shall not be merged with the offense of driving under the influence of alcohol or drugs for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this ~~subsection~~ paragraph shall be punished in accordance with the provisions of subsection (d) of Code Section 16-12-1.

(2) If any offender who is convicted of a violation of this subsection is the parent or guardian of the child passenger, the prosecuting attorney may provide a copy of the traffic citation and all pertinent documents to the county or district department of family and children services of such person's residence to aid in an investigation of possible child neglect."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate

Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

SB 236, having received the requisite constitutional majority, was passed by substitute.

The President resumed the Chair.

SB 430. By Senators Brass of the 28th and Jones of the 25th:

A BILL to be entitled an Act to amend Title 15, Chapter 2 of Title 21, and Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to courts, primaries and elections generally, and ad valorem taxation of property, respectively, so as to modify the compensation of various local government officials; to provide a salary increase for various local government officials; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery

Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 3.

SB 430, having received the requisite constitutional majority, was passed.

SB 358. By Senators Rhett of the 33rd, Kennedy of the 18th, Ligon, Jr. of the 3rd, Mullis of the 53rd and Jones II of the 22nd:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 and Code Section 45-8-14 of the Official Code of Georgia Annotated, relating to general provisions relative to provisions applicable to counties and municipal corporations and depositories for county and school district moneys, respectively, so as to provide for the establishment of banking improvement zones to encourage opening of financial institutions in areas underserved by financial institutions; to provide for definitions; to provide for application and standards of approval for a banking improvement zone; to provide for the establishment of an agreement for the deposit of public funds in financial institutions within a banking improvement zone; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Banking and Financial Institutions offered the following substitute to SB 358:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions relative to provisions applicable to counties and municipal corporations, so as to provide for the establishment of banking improvement zones to encourage opening of banks in areas underserved by banks; to provide for definitions; to provide for application and standards of approval for a banking improvement zone; to provide for the establishment of an agreement for the deposit of public funds in banks within a banking improvement zone; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions relative to provisions applicable to counties and municipal corporations, is amended by adding a new Code section to read as follows:

"36-60-27.

(a) As used in this Code section, the term:

(1) 'Bank' shall have the same meaning as provided in paragraph (7) of Code Section 7-1-4.

(2) 'Department' means the Department of Community Affairs.

(3) 'Local government' means any county or municipality of this state.

(b) Upon submission of an application by a local government, the department may designate a banking improvement zone within the jurisdiction of such local government for the purpose of encouraging the establishment of branches or representative offices of a bank within an area which is underserved by banking services. Application to establish a banking improvement zone shall be made to the department in such form as shall be prescribed by the department. The department may exercise its discretion in its consideration to approve a local government as eligible for a banking improvement zone; provided, however, that prior to the designation of a banking improvement zone, the department shall make a determination whether any potential gains to a bank from a below rate interest agreement authorized pursuant to subsection (c) of this Code section is ample consideration for a substantial public benefit in compliance with Article III, Section VI, Paragraph VI(a) of the Georgia Constitution. Such decision shall also take into consideration:

(1) The location, number, and proximity of sites where banking services are available in the proposed banking improvement zone;

(2) Consumer needs for banking services in the proposed banking improvement zone;

(3) The economic viability and local credit needs of the local government in the proposed banking improvement zone;

(4) The existing commercial development in the proposed banking improvement zone; and

(5) The impact additional banking services would have on potential economic development in the proposed banking improvement zone.

(c) Upon approval of a banking improvement zone, the governing body of a local government may, through ordinance or resolution, designate a bank to be located within a banking improvement zone as the depository for local government funds, provided that applicable standards for deposits of public funds set forth in Chapter 8 of Title 45 have been satisfied. Subject to agreement between the governing body of a local government and a bank, such ordinance or resolution shall designate a fixed interest rate that is at or below the posted two-year certificate of deposit rate at the bank."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 1.

SB 358, having received the requisite constitutional majority, was passed by substitute.

SB 444. By Senators Unterman of the 45th, Hufstetler of the 52nd, Watson of the 1st, Burke of the 11th, Kirkpatrick of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to services for the aging, so as to create the Georgia Alzheimer's and Related Dementias State Plan Advisory Council; to provide for legislative declaration; to provide for definitions; to provide for membership; to provide for duties and reporting requirements; to provide for

related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senators Walker III of the 20th, Millar of the 40th, Unterman of the 45th, Hill of the 4th, Mullis of the 53rd and others offered the following amendment #1:

Amend SB 444 (LC 37 2584ER) by inserting after "requirements;" on line 4 "to provide for a short title;"

By inserting after line 8 the following:

This Act shall be known and may be cited as the "Senator Thorborn 'Ross' Tolleson, Jr., Act."

SECTION 2.

By redesignating Section 2 and Section 3 as Section 3 and Section 4, respectively.

On the adoption of the amendment, there were no objections, and the Walker III, et al. amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

SB 444, having received the requisite constitutional majority, was passed as amended.

Senator Harper of the 7th was excused for business outside the Senate Chamber.

SB 420. By Senators Rhett of the 33rd, Burke of the 11th, Jones II of the 22nd, Unterman of the 45th, Harbison of the 15th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, so as to require certain health clubs in this state to have at least one functional automated external defibrillator on site at such facility at all times for use during emergencies; to provide for definitions; to provide for requirements for maintaining and using the defibrillator; to provide for inspections; to provide for rules and regulations; to provide for penalties; to amend Code Section 51-1-29.3 of the Official Code of Georgia Annotated, relating to immunity for operators of external defibrillators, so as to provide tort immunity for individuals using a defibrillator at a health club; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 420:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, so as to require certain health clubs in this state to have at least one functional automated external defibrillator on site at such facility at all times for use during emergencies; to provide for definitions; to provide for requirements for maintaining and using the defibrillator; to provide for inspections; to provide for rules and regulations; to provide for penalties; to amend Code Section 51-1-29.3 of the Official Code of Georgia Annotated, relating to immunity for operators of external defibrillators, so as to provide tort immunity for individuals using a defibrillator at a health club; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, is amended by adding a new Code section to read as follows:

"31-1-16.

(a) As used in this Code section, the term:

(1) 'Automated external defibrillator' means a defibrillator which:

(A) Is capable of cardiac rhythm analysis;

(B) Will charge and be capable of being activated to deliver a countershock after electrically detecting the presence of certain cardiac dysrhythmias; and

(C) Is capable of continuous recording of the cardiac dysrhythmia at the scene with a mechanism for transfer and storage or for printing for review subsequent to use.

(2)(A) 'Health club' means any commercial enterprise with 250 or more clients that provides, as its primary purpose, services or facilities for the preservation, maintenance, encouragement, or development of physical fitness or well-being, including, but not limited to, athletic clubs, gyms, and fitness centers.

(B) Such term shall not include a hospital, a health care facility, or a hotel or motel, unless the hotel or motel allows membership by individuals who are not guests of the hotel or motel, or an apartment, a condominium, or a town home or similar neighborhood facility.

(b) No later than July 1, 2019, each health club operated in this state shall have at least one functional automated external defibrillator on site at such facility at all times which is easily accessible during business hours, for use during emergencies.

(c) Each health club shall:

(1) Ensure that persons authorized by the club to use the automated external defibrillator complete American Heart Association or American Red Cross training in cardiopulmonary resuscitation and automated external defibrillator use or complete an equivalent nationally recognized course;

(2) Ensure that the automated external defibrillator is maintained and tested according to the manufacturer's operational guidelines; and

(3) Ensure that designated personnel activate the emergency medical services system as soon as reasonably possible after any person renders emergency care or treatment to a person in cardiac arrest by using an automated external defibrillator.

(d)(1) The Department of Public Health is authorized and empowered to enforce compliance with this Code section and the rules and regulations adopted and promulgated under this Code section and, in connection therewith, to enter upon and inspect the premises of a health club at any reasonable time and in a reasonable manner, as provided in Article 2 of Chapter 5 of this title. An inspection shall be made in response to a complaint by a member of the public alleging noncompliance with this Code section.

(2) The department may adopt rules requiring a health club to have more than one automated external defibrillator on the premises based on the size of the area or the number of buildings or floors occupied by such health club and the number of persons using such health club, excluding spectators.

(e)(1) Any person who violates any provision of this Code section or any rule or regulation, or order issued under this Code section may be subject to a civil penalty as follows:

- (A) For a first offense, neither fine nor punishment, but only a written warning;
(B) For a second offense, a civil penalty of not less than \$1,500.00 nor more than \$2,000.00;
(C) For a third or subsequent offense, a civil penalty of not less than \$2,000.00; and
(D) If any violation is a continuing one, each day of such violation shall constitute a separate violation for the purpose of computing the applicable civil penalty.
- (2) Whenever the department proposes to subject a person to the imposition of a civil penalty under this subsection, it shall notify such person in writing:
(A) Setting forth the date, facts, and nature of each act or omission with which the person is charged;
(B) Specifically identifying the particular provision or provisions of the Code section, rule, regulation, or order involved in the violation; and
(C) Advising of each penalty which the department proposes to impose and its amount.
- Such written notice shall be sent by registered or certified mail or statutory overnight delivery by the department to the last known address of such person. The person so notified shall be granted an opportunity to show in writing, within such reasonable period as the department shall by rule or regulation prescribe, why such penalty should not be imposed. The notice shall also advise such person that, upon failure to pay the civil penalty provided for by this subsection, such penalty may be collected by civil action. Any person upon whom a civil penalty is imposed may contest such action in an administrative hearing pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'
- (3) On the request of the department, the Attorney General is authorized to institute a civil action to collect a penalty imposed pursuant to this subsection. The Attorney General shall have the exclusive power to compromise, mitigate, or remit such civil penalties as are referred to him for collection.
- (4) All moneys collected from civil penalties shall be paid to the state for deposit in the general fund."

SECTION 2.

Code Section 51-1-29.3 of the Official Code of Georgia Annotated, relating to immunity for operators of external defibrillators, is amended by revising subsection (a) as follows:

"(a) The persons described in this Code section shall be immune from civil liability for any act or omission to act related to the provision of emergency care or treatment by the use of or provision of an automated external defibrillator, as described in Code Sections 31-1-16, 31-11-53.1, and 31-11-53.2, except that such immunity shall not apply to an act of willful or wanton misconduct and shall not apply to a person acting within the scope of a licensed profession if such person acts with gross negligence. The immunity provided for in this Code section shall extend to:

- (1) Any person who gratuitously and in good faith renders emergency care or treatment by the use of or provision of an automated external defibrillator without objection of the person to whom care or treatment is rendered;

- (2) The owner or operator of any premises or conveyance who installs or provides automated external defibrillator equipment in or on such premises or conveyance;
- (3) Any physician or other medical professional who authorizes, directs, or supervises the installation or provision of automated external defibrillator equipment in or on any premises or conveyance other than any medical facility as defined in paragraph (5) of Code Section 31-7-1; and
- (4) Any person who provides training in the use of automated external defibrillator equipment as required by subparagraph (b)(1)(A) of Code Section 31-11-53.2, whether compensated or not. This Code section is not applicable to any training or instructions provided by the manufacturer of the automated external defibrillator or to any claim for failure to warn on the part of the manufacturer."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senators Burke of the 11th, Rhett of the 33rd, Unterman of the 45th, Watson of the 1st and Kirkpatrick of the 32nd offered the following amendment #1:

Amend the Committee sub to SB 420 (LC 37 2617S) by:

Striking "250" on line 23

Replace with "500"

On the adoption of the amendment, there were no objections, and the Burke, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate

N Cowsert	Y Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Tillery
Y Ginn	Y Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 42, nays 11.

SB 420, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 332. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to repeal and reenact Chapter 6A, relating to land conservation; to provide for a short title; to create the Georgia Outdoor Stewardship Trust Fund; to create funding mechanisms for the protection and preservation of conservation land and provide for their operation; to provide for legislative intent; to provide for definitions; to establish procedural requirements for approval of project proposals; to provide for related matters; to provide an effective date; to provide for contingent repeal; to repeal conflicting laws; and for other purposes.

HB 713. By Representatives Chandler of the 105th, Raffensperger of the 50th, Mathiak of the 73rd, Dreyer of the 59th and Barr of the 103rd:

A BILL to be entitled an Act to amend Code Section 20-3-519 of the Official Code of Georgia Annotated, relating to definitions relative to HOPE scholarships and grants, by providing for eligibility requirements to

receive the HOPE scholarship as a Zell Miller Scholarship Scholar relative to students who graduated from an ineligible high school or a home study program; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 811. By Representatives Powell of the 171st, Harrell of the 106th, England of the 116th, Stephens of the 164th, Blackmon of the 146th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administrative organization, so as to provide that the Department of Revenue is authorized to share tax information for the provision of services that assist the department in the identification of taxpayers that are noncompliant with sales and use taxes; to authorize compensation for such services on a contingency fee basis; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 956. By Representatives Pirkle of the 155th, McCall of the 33rd and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 50 of Title 43 of the O.C.G.A., relating to veterinarians and veterinary technicians, so as to change certain provisions relating to definitions relative to such chapter; to amend Article 11 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to military, emergency management, and veterans affairs generally, so as to revise a cross-reference; to repeal conflicting laws; and for other purposes.

At 6:02 p.m. the President announced that the Senate would stand at ease until 7:00 p.m.

At 7:07 p.m. the President called the Senate to order.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 513. By Representatives Dickerson of the 113th, Abrams of the 89th, Gardner of the 57th and Hugley of the 136th:

A BILL to be entitled an Act to amend Chapter 10A of Title 19 of the Official Code of Georgia Annotated, relating to safe place for newborns, so

as to provide for signs to be posted at certain medical facilities to indicate locations where a newborn child may be left such that the mother can avoid criminal prosecution; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 764. By Representatives Clark of the 98th, Peake of the 141st, Trammell of the 132nd, Gravley of the 67th, Meadows of the 5th and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 12 of Title 16 of the O.C.G.A., relating to regulation of low THC oil, so as to provide for certain circumstances for the lawful possession or control of certain quantities of low THC oil and marijuana; to amend Chapter 2A of Title 31 of the O.C.G.A., relating to the Department of Public Health, so as to add post traumatic stress disorder to the conditions authorized for the use of low THC oil; to provide for licensing for cultivation of cannabis for the purpose of producing, processing, and dispensing low THC oil in this state; to provide for criteria for certain cultivation and production licenses; to provide for state postsecondary educational institutions to have the option to bid on production facility licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 779. By Representatives Powell of the 32nd, Rogers of the 10th, Rhodes of the 120th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 3 of Title 38 of the O.C.G.A., relating to emergency management, so as to establish the homeland security division of the Georgia Emergency Management and Homeland Security Agency; to amend Code Section 16-11-130 of the O.C.G.A., relating to exemptions from Code Sections 16-11-126 through 16-11-127.2, so as to authorize any officer or agent or retired officer or agent of such division to carry a handgun on or off duty within this state with an exception; to amend Chapter 3 of Title 35 of the O.C.G.A., relating to the Georgia Bureau of Investigation, so as to revise the duties of the director of the Georgia Bureau of Investigation pertaining to the Georgia Information Sharing and Analysis Center; to revise the duties of the Georgia Information Sharing and Analysis Center; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

SB 426. By Senators Gooch of the 51st, Cowser of the 46th, Miller of the 49th, Kennedy of the 18th, Dugan of the 30th and others:

A BILL to be entitled an Act to amend Title 36 of the O.C.G.A., relating to local government, so as to streamline the deployment of wireless broadband in

the public rights of way; to enact the "Broadband Infrastructure Leads to Development (BILD) Act" to limit the ability of local governing authorities to prohibit, regulate, or charge for use of public rights of way under certain circumstances; to provide a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SB 426:

**A BILL TO BE ENTITLED
AN ACT**

To amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to streamline the deployment of wireless broadband in the public rights of way; to enact the "Broadband Infrastructure Leads to Development (BILD) Act" to limit the ability of local governing authorities to prohibit, regulate, or charge for use of public rights of way under certain circumstances; to provide for definitions; to specify that a local governing authority may require permit fees only under certain circumstances; to require a local governing authority to receive and process applications for and issue permits subject to specified requirements; to provide that approval of and charges by a local governing authority are not required for certain activities related to certain wireless facilities; to specify limitations for processing applications to deploy certain structures and wireless facilities in the rights of way; to require a local governing authority to approve the collocation of small wireless facilities on certain utility poles and wireless support structures, subject to certain requirements; to provide requirements for rates, fees, and other terms related to utility poles; to prohibit a local governing authority from adopting or enforcing any regulations on the placement or operation of certain facilities and from regulating any communications services or imposing or collecting any taxes, fees, or charges not specifically authorized under state law; to provide for determination of disputes; to provide a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Broadband Infrastructure Leads to Development (BILD) Act."

SECTION 2.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by adding a new chapter to read as follows:

"CHAPTER 66C36-66C-1.

As used in this chapter, the term:

(1) 'Antenna' means:

(A) Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services; or

(B) Similar equipment used for the transmission or reception of surface waves.

(2) 'Applicable codes' means:

(A) The Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq.; and

(B) The state minimum standard codes identified in Code Section 8-2-20.

(3) 'Applicant' means any wireless provider that submits an application to an authority pursuant to this chapter.

(4) 'Application' means a request submitted by an applicant to an authority:

(A) For a permit to collocate small wireless facilities; or

(B) To secure approval for the construction, installation, maintenance, modification, operation, or replacement of a utility pole or a wireless support structure.

(5) 'Authority' means any local governing authority, including without limitation any entity through which a municipality furnishes retail electric service.

(6) 'Authority pole' means a utility pole owned or operated by an authority in a right of way.

(7) 'Base station' means wireless facilities or a wireless support structure or utility pole that currently supports wireless facilities. The term shall not include a tower or any equipment associated with a tower.

(8) 'Cable operator' shall have the same meaning as provided in 47 U.S.C. Section 522(5), as it existed on January 1, 2018.

(9) 'Collocate' or 'collocation' means to install, mount, maintain, modify, operate, or replace one or more wireless facilities on, under, within, or adjacent to a wireless support structure or utility pole.

(10) 'Communications facility' means that set of equipment and network components including wires and cables and associated facilities used by a communications service provider to provide communications service.

(11) 'Communications service' means cable service as defined in 47 U.S.C. Section 522 (6), as it existed on January 1, 2018, telecommunications service as defined in 47 U.S.C. Section 153(53), as it existed on January 1, 2018, information service as defined in 47 U.S.C. Section 153(24), as it existed on January 1, 2018, or wireless services.

(12) 'Communications service provider' means a cable operator as defined in 47 U.S.C. § 522(5), as it existed on January 1, 2018, a telecommunications carrier as defined in 47 U.S.C. § 153(51), as it existed on January 1, 2018, a provider of information service as defined in 47 U.S.C. §153(24), as it existed on January 1, 2018, or a wireless provider.

(13) 'Decorative pole' means a pole owned by an authority that is specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than light fixtures, a small wireless facility, specially designed informational or directional signage, or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory resolutions, ordinances, or codes of such authority.

(14) 'Electric membership corporation' shall have the same meaning provided in Code Section 46-3-171.

(15) 'Fee' means a one-time charge.

(16) 'Historic district' means a group of buildings, properties, or sites that are either listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register, in accordance with Section VI.D.1.a.i-v of the Nationwide Programmatic Agreement codified at 47 C.F.R. Part 1, Appendix C.

(17) 'Information service' shall have the same meaning as provided in 47 U.S.C. Section 153(24), as it existed on January 1, 2018.

(18) 'Interstate highways' shall have the same meaning as provided in Code Section 32-1-3.

(19) 'Law' means any federal, state, or local law, statute, common law, code, rule, regulation, order, or ordinance.

(20) 'Local governing authority' means a municipality or county that has adopted land use or zoning regulations for all or the majority of land use within its jurisdiction or has adopted separate regulations pertaining to the location, construction, collocation, modification, or operation of wireless facilities.

(21) 'Micro wireless facility' means a small wireless facility not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.

(22) 'Permit' means a written authorization required by an authority to perform an action or initiate, continue, or complete a project.

(23) 'Person' means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including an authority.

(24) 'Rate' means a recurring charge.

(25) 'Right of way' shall have the same meaning as provided in Code Section 32-1-3. The term shall not include interstate highways.

(26) 'Small wireless facility' means a wireless facility that meets both of the following qualifications:

(A) Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and

(B) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. The following types of associated ancillary equipment shall not be included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding

equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

(27) 'Substantial modification' means a proposed modification to an existing wireless support structure or base station which will change the physical dimensions of the wireless support structure or base station by installing new equipment cabinets for the technology involved resulting in more than four cabinets total, by installing new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or by installing ground cabinets that are more than 10 percent larger in height or overall volume than any other ground cabinets associated with the structure.

(28) 'Telecommunications carrier' shall have the same meaning as provided in 47 U.S.C. Section 153(51), as it existed on January 1, 2018.

(29) 'Utility pole' means a pole or similar structure that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or a similar function, or for the collocation of small wireless facilities.

(30) 'Wireless facility' means equipment at a fixed location that enables wireless communications or surface wave communications between user equipment or nodes of a communications network, or both, including:

(A) Equipment associated with wireless communications or surface wave communications; and

(B) Radio transceivers, surface wave couplers, antennas, coaxial or fiber optic cables, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

The term shall include small wireless facilities. Such term shall not include the structure or improvements on, under, or within which the equipment is collocated nor shall it include wireline backhaul facilities or coaxial or fiber optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

(31) 'Wireless infrastructure provider' means any person, including a person authorized to provide telecommunications service in this state, that builds or installs wireless or surface wave communication transmission equipment, wireless facilities, or wireless support structures but that is not a wireless services provider.

(32) 'Wireless provider' means a wireless infrastructure provider or a wireless services provider.

(33) 'Wireless services' means any services provided using a licensed or unlicensed spectrum including, but not limited to the use of Wi-Fi, whether at a fixed location or mobile, using wireless facilities.

(34) 'Wireless services provider' means a person that provides wireless services.

(35) 'Wireless support structure' means a structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting wireless facilities. Such term shall not include a utility pole.

(36) 'Wireline backhaul facility' means an above-ground or underground facility used to transport communications data from a wireless facility to a network.

36-66C-2.

(a) The provisions of this Code section shall only apply to the collocation of small wireless facilities on utility poles and wireless support structures, and the deployment of utility poles to support small wireless facilities, by a wireless provider within a right of way.

(b)(1) Subject to the provisions of this Code section and approval of an application pursuant to Code Section 36-66C-3, if required, a wireless provider shall have the right to collocate small wireless facilities and construct, install, maintain, modify, operate, and replace utility poles along, across, upon, and under a right of way.

(2) The utility poles and small wireless facilities provided for in paragraph (1) of this subsection shall be so constructed and maintained as not to obstruct or hinder the usual travel or public safety on such right of way or obstruct the legal use of such right of way by other utilities. Each new or modified utility pole installed in such right of way shall not exceed the greater of:

(A) Ten feet in height above the tallest existing utility pole in place as of January 1, 2018, located within 500 feet of the new pole in the same right of way; or

(B) Fifty feet above ground level.

(3) New small wireless facilities in a right of way may not extend:

(A) More than ten feet above any utility pole or wireless support structure in place as of January 1, 2018; or

(B) Above the height permitted for a new utility pole under this Code section.

(4) A wireless provider may collocate small wireless facilities that exceed the height limits in paragraph (3) of this subsection and construct, install, maintain, modify, operate, and replace utility poles that exceed the height limits in paragraph (2) of this subsection along, across, upon, and under a right of way if the authority approves an application for such activities under Code Section 36-66C-4. A wireless provider may collocate wireless facilities that are not small wireless facilities and construct, install, maintain, modify, operate, and replace wireless support structures along, across, upon, and under a right of way if such wireless provider has an arrangement with the authority allowing such activities and if the authority approves an application for the deployment under Code Section 36-66C-4.

(5) A wireless provider shall comply with reasonable and nondiscriminatory requirements that prohibit communications service providers from installing utility poles in a right of way in an area designated solely for underground or buried cable and utility facilities where the authority:

(A) Has required all cable and utility facilities other than authority poles and attachments to be placed underground by a date certain that is three months prior to the submission of the application;

(B) Does not prohibit the replacement of authority poles or the collocation of small wireless facilities in the designated area; and

- (C) Permits wireless providers to seek a waiver of the underground requirements for the placement of a new utility pole to support small wireless facilities, which waivers shall be addressed in a nondiscriminatory manner that does not have the effect of prohibiting the provision of wireless services to any location.
- (c) The authority, in the exercise of its administration and regulation related to the management of a right of way, shall be competitively neutral with regard to other users of such right of way, and terms shall not be unreasonable or discriminatory and shall not violate any applicable law. The authority shall not enter into an exclusive arrangement with any person for use of the right of way for the collocation of small wireless facilities or the installation, operation, marketing, maintenance, modification, or replacement of utility poles or wireless support structures.
- (d) If the authority determines that a wireless provider's activity in a right of way pursuant to this Code section creates an imminent risk to public safety, the authority may provide written notice to the wireless provider and demand that such provider address such risk. If the wireless provider fails to reasonably address the risk with 24 hours of the written notice, the authority may take or cause to be taken actions to reasonably address such risk and charge such wireless provider the reasonable documented cost of such actions.
- (e) The authority may require a wireless provider to repair all damage to a right of way directly caused by the activities of such wireless provider, while occupying, installing, repairing, or maintaining wireless facilities, wireless support structures, or utility poles in such right of way, and to return such right of way to its functional equivalence before the damage pursuant to the competitively neutral, reasonable requirements and specifications of the authority. If the wireless provider fails to make the repairs required by the authority within 60 days after written notice, the authority may effect those repairs and charge the applicable party the reasonable documented cost of such repairs.
- (f) Nothing in this chapter precludes an authority from adopting reasonable and nondiscriminatory requirements with respect to the removal of abandoned small wireless facilities. A small wireless facility that is not operated for a continuous period of 12 months shall be considered abandoned and the owner of such wireless facility must remove such small wireless facility within 90 days after receipt of written notice from the authority notifying such owner of such small wireless facility of the abandonment. The authority shall send the notice by certified or registered mail, return receipt requested, to such owner at the last known address of such owner of the small wireless facility. If the owner neither provides written notice that the small wireless facility has not been out of operation for a continuous period of 12 months nor removes such small wireless facility within the 90 day period, the authority may remove or cause the removal of such small wireless facility pursuant to the terms of its wireless support structure or utility pole attachment agreement for authority poles or through whatever actions are provided for abatement of nuisances or by other law for removal and cost recovery.
- (g) If, in the reasonable exercise of its police powers, the Department of Transportation

or a local governing authority requires the widening, repair, reconstruction, or relocation of a public road or highway, a wireless provider shall relocate utility poles or wireless support structures it has installed in the right of way for the collocation of wireless facilities pursuant to this Code section at no cost to the Department of Transportation or local governing authority should such poles be found by the Department of Transportation or local governing authority to be unreasonably interfering with the widening, repair, reconstruction, or relocation project. If widening, repair, reconstruction, or relocation is required as a condition or result of a project by an entity other than the Department of Transportation or a local governing authority, the other entity shall bear the cost of relocating such wireless support structures or utility poles. The wireless provider shall relocate the wireless support structures or utility poles after it receives notice from the Department of Transportation or local governing authority and within the time reasonably provided for the relocation of other similarly situated structures.

(h) An authority shall not assess a rate for occupancy of the right of way pursuant to paragraph (1) of subsection (b) of this Code section that exceeds, in total, an amount equal to \$20 per year per small wireless facility.

(i) Subject to Code Section 36-66C-3, and except for facilities excluded from evaluation for effects on historic properties under 47 C.F.R. § 1.1307(a)(4), as such existed on January 1, 2018, an authority may require reasonable, technically feasible, nondiscriminatory and technologically neutral design or concealment measures in a historic district. Any such design or concealment measures shall not have the effect of prohibiting any provider's technology; nor shall any such measures be considered a part of the small wireless facility for purposes of the size restrictions provided in paragraph (26) of Code Section 36-66C-1.

(j) An authority may adopt written guidelines establishing reasonable and objective stealth or concealment criteria for small wireless facilities in designated downtown or residential areas, reasonable and objective design criteria for small wireless facilities to be collocated on decorative poles, and reasonable and objective design criteria for utility poles deployed in areas with decorative poles. Such guidelines may be adopted only if they apply on a nondiscriminatory basis to all other occupants of the right of way, including the authority itself. A wireless provider that seeks to collocate small wireless facilities on a decorative pole shall comply with Code Section 36-66C-3. A wireless provider that is required to replace a decorative pole in compliance with Code Section 36-66C-3 shall conform the new decorative pole to the design aesthetics and material look of the decorative pole being replaced.

36-66C-3.

(a) The provisions of this Code section shall apply to the collocation of small wireless facilities that comply with the height requirements of paragraph (3) of subsection (b) of Code Section 36-66C-2 by a wireless provider inside a right of way and to the permitting of the construction, installation, maintenance, modification, operation, and replacement of utility poles that comply with paragraph (2) of subsection (b) of Code

Section 36-66C-2 by a wireless provider inside such right of way.

(b) The authority may require a wireless provider to certify, as part of an application to install a utility pole, that after diligent investigation such wireless provider has determined that it cannot meet the service objectives of the permit request by collocating small wireless facilities on an existing structure:

(1) On which it has the right to collocate subject to reasonable terms and conditions; and

(2) That collating on an existing structure would impose technical limitations or additional costs.

(c) An authority may require an applicant to obtain one or more permits to collocate a small wireless facility or to construct, install, maintain, modify, operate, or replace a utility pole, provided that such permits are of general applicability and do not apply exclusively to small wireless facilities. An authority shall receive applications for, process, and issue such permits subject to the following requirements:

(1) An authority may not directly or indirectly require an applicant to perform services unrelated to the collocation for which approval is sought, such as in-kind contributions to the authority, including reserving fiber, conduit, or space on a utility pole or a wireless support structure for the authority, and such authority may not require an applicant to transfer small wireless facilities or wireless support structures to the authority, provided that the authority may require transfer of an authority pole replaced by the applicant to accommodate its collocation;

(2) An applicant shall not be required to provide more information to obtain a permit than communications service providers that are not wireless providers; provided, however, that an applicant shall be required to include construction and engineering drawings and information demonstrating compliance with the criteria in paragraph (6) of this subsection;

(3) Within 30 days of receiving an application, an authority shall determine and notify the applicant whether the application is complete. If an application is incomplete, the authority shall specifically identify the missing information and the applicant may cure the deficiencies identified by the authority and resubmit the application within 20 days of the notice without paying an additional application fee. The processing deadline in paragraph (5) of this subsection shall be tolled from the time the authority sends the notice of incompleteness to the time the applicant provides the missing information, and such processing deadline also may be tolled by agreement of the applicant and the authority;

(4) The authority may require an applicant to include an attestation that the small wireless facilities will be operational for use by a wireless services provider within nine months after the permit issuance date, unless the authority and the applicant agree to extend such period or delay occurs due to lack of power to the wireless support structure or utility pole or lack of communications transport facilities to the wireless support structure or utility pole;

(5) An application shall be processed on a nondiscriminatory basis and deemed approved if the authority fails to approve or deny the application within 75 days. An

applicant shall inform the authority in writing when it intends to act upon an application that has been deemed approved pursuant to this subsection;

(6) An authority shall approve an application unless it:

(A) Materially interferes with the operation of traffic control equipment;

(B) Materially interferes with sight lines or clear zones for transportation or pedestrians;

(C) Fails to comply with the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., or similar federal or state standards regarding pedestrian access or movement;

(D) Fails to comply with reasonable and nondiscriminatory spacing requirements of general application adopted by ordinance concerning the location of ground mounted equipment or new utility poles. Such spacing requirements shall not prevent a wireless provider from serving any location;

(E) Fails to comply with applicable codes; or

(F) Fails to comply with paragraph (2) of subsection (b) or subsections (i) or (j) of Code Section 36-66C-2.

(7) The authority shall document the basis for a denial, including the specific provisions of law on which the denial was based, and send the documentation to the applicant on or before the day the authority denies an application. The applicant may cure the deficiencies identified by the authority and resubmit the application within 30 days of the denial without paying an additional application fee. The authority shall approve or deny the revised application within 30 days. Any subsequent review shall be limited to the deficiencies cited in the denial;

(8) An applicant seeking to collocate small wireless facilities within the jurisdiction of a single authority shall be allowed at the applicant's discretion to file a consolidated application for the collation of up to 25 small wireless facilities and receive a single permit for the collocation of multiple small wireless facilities; provided, however, that the denial of one or more small wireless facilities in a consolidated application shall not delay processing of any other small wireless facilities in the same application. An authority may prohibit an applicant from submitting an additional application when such applicant has at least ten pending consolidated applications. For purposes of this paragraph, a request to install a utility pole with a collocated small wireless facility shall constitute a single request;

(9) Collocation for which a permit is granted shall be operational for use by a wireless services provider within nine months after the permit issuance date unless the authority and the applicant agree to extend this period or a delay occurs due to lack of power to the wireless support structure or utility pole or lack of communications facilities to the wireless support structure or utility pole. If the wireless services provider fails within such nine-month period to collocate small wireless facilities that are operational for use by a wireless services provider, the permit shall be void and such wireless services provider shall be subject to a fine of not more than \$500.00, unless such time period is extended or the failure is due to delay provided for in this paragraph. Approval of an application authorizes the applicant to:

- (A) Undertake the installation or collocation; and
 - (B) Subject to applicable relocation requirements and the applicant's right to terminate at any time, operate and maintain the small wireless facilities and any associated utility poles covered by the permit for a period of not less than ten years, which shall be renewed for equivalent durations so long as they are in compliance with the criteria set forth in paragraph (6) of this subsection; and
- (10) An authority may not institute, either expressly or de facto, a moratorium on:
 - (A) Filing, receiving, or processing applications; or
 - (B) Issuing permits or other approvals, if any, for the collocation of small wireless facilities.
- (d) Application fees shall be subject to the following requirements:
 - (1) An authority may charge an application fee only if such fee is required for similar types of commercial development within the authority's jurisdiction;
 - (2) An authority shall only charge fees for the actual, direct, and reasonable costs incurred by the authority relating to the granting or processing of an application. Such fees shall be reasonably related in time to the incurring of such costs. Where such costs are already recovered by existing fees, rates, or taxes paid by a wireless provider, no application fee shall be assessed to recover such costs;
 - (3) A fee may not include:
 - (A) Travel expenses incurred by a third party in its review of an application; or
 - (B) Direct payment or reimbursement of third-party rates or fees charged on a contingency basis or a result based arrangement;
 - (4) In any controversy concerning the appropriateness of a fee, the authority shall have the burden of proving that the fee is reasonably related to the actual, direct, and reasonable costs incurred by the authority;
 - (5) Except as provided in paragraph (6) of this subsection, total application fees, where permitted, shall not exceed the lesser of the amount charged by the authority for:
 - (A) A building permit for any similar commercial construction, activity, or land use development; or
 - (B) One hundred dollars each for up to five small wireless facilities addressed in an application and \$50.00 for each additional small wireless facility addressed in the application; and
 - (6) For the collocation of small cell wireless facilities on authority poles that are not owned or operated by an entity through which a municipality furnishes retail electric service, total application fees shall not exceed the lesser of the amount charged by the authority for:
 - (A) A building permit for any similar commercial construction, activity, or land use development; or
 - (B) Two hundred dollars each for up to five small wireless facilities addressed in an application and \$100.00 for each additional small wireless facility addressed in the application.
- (e)(1) An authority shall not require an application for:

- (A) Routine maintenance; or
- (B) The replacement of wireless facilities with wireless facilities that are substantially similar in nature or the same size or smaller.
- (2) An authority may, however, require a permit to work within a right of way for such activities, if applicable. Any such permits shall be subject to the requirements provided in subsections (c) and (d) of this Code section.
- (f) An authority shall not require a permit or any other approval or require fees or rates for the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are suspended on cables or power lines that are strung between utility poles or wireless support structures in compliance with applicable codes. Nothing in this subsection shall be construed to allow the installation, placement, maintenance, operation, or replacement of micro wireless facilities on such cables or power lines without the agreement, authorization, or permission of the person owning, managing, or controlling such cables or power lines.
- (g) If multiple applications are received by the authority to install two or more utility poles that would violate applicable spacing requirements under subparagraph (c)(6)(D) of this Code section, or to collocate two or more small wireless facilities on the same wireless support structure or utility pole, the authority shall resolve conflicting requests in an appropriate, reasonable, and nondiscriminatory manner.

36-66C-4.

- (a) The provisions of this Code section shall apply to reviews of applications for the construction, installation, maintenance, modification, operation, or replacement of wireless facilities, wireless support structures, and utility poles and for substantial modifications inside a right of way. The provisions of the Code section shall not apply to the collocation of small wireless facilities or the permitting of the construction, installation, maintenance, modification, operation, and replacement of utility poles to which Code section 36-66C-3 applies.
- (b) Authorities shall process applications within the following time frames:
 - (1) Within 30 days of receiving an application under this Code section, an authority shall notify the applicant as to whether the application is complete, and if incomplete, the authority shall specifically identify the missing information;
 - (2) An application under this Code section shall be processed on a nondiscriminatory basis and deemed approved if the authority fails to approve or deny the application within 150 calendar days of receipt of an application for installation of a new wireless support structure or within 90 calendar days of receipt of an application described in subsection (a) of this Code section or for a substantial modification. The time period for approval may be tolled to accommodate timely requests for information required to complete the application or may be extended by mutual agreement between the applicant and the authority; and
 - (3) A decision to deny an application pursuant to this Code section shall be in writing and supported by substantial evidence contained in a written record and publicly released contemporaneously. If an authority denies an application, there must be a

reasonable basis for the denial. An authority shall not deny an application if such denial is discriminatory against the applicant with respect to the placement of the facilities of other wireless providers.

(c) Application fees shall be subject to the same requirements as in subsection (d) of Code Section 36-66C-3 and total application fees, where permitted, shall not exceed the lesser of the amount charged by the authority for:

(1) A building permit for any similar commercial construction, activity, or land use development; or

(2) One thousand dollars for a new wireless support structure or a substantial modification of a wireless support structure.

(d) An authority shall receive and process applications under this Code section subject to the following requirements:

(1) An applicant's business decision on the type and location of wireless facilities, wireless support structures, utility poles, or technology to be used shall be presumed reasonable. This presumption shall not apply with respect to the height of wireless facilities, wireless support structures, or utility poles. An authority may consider the height of such structures in its review of an application, provided that it may not unreasonably discriminate between the applicant and other communications service providers;

(2) An authority shall not require an applicant to submit information about an applicant's business decisions with respect to the need for the wireless facilities, wireless support structure, or utility pole;

(3) An authority shall not require an applicant to submit information about or evaluate an applicant's business decisions with respect to its service, customer demand for service, or quality of service;

(4) Any requirements regarding the appearance of facilities, including those relating to materials used for arranging, screening, or landscaping, must be reasonable;

(5) Any setback or fall zone requirements must be substantially similar to such a requirement that is imposed on other types of commercial structures of a similar height;

(6) An approval term of an application shall be without expiration, except that construction of the approved structure or facilities shall commence within one year of final approval, and be diligently pursued to completion; and

(7) An authority may not institute, either expressly or de facto, a moratorium on:

(A) Filing, receiving, or processing applications; or

(B) Issuing approvals for substantial modifications or installations that are subject to this Code section.

36-66C-5.

(a) An authority shall not enter into an exclusive arrangement with any person for the right to attach to authority poles. A person who purchases or otherwise acquires an authority pole is subject to the requirements of this Code section unless such requirements are contrary to federal law.

(b) Except as set forth in subsection (c) of this Code section, the rates and fees for collocations on authority poles shall be nondiscriminatory regardless of the services provided by the collocating wireless provider and shall not exceed \$40.00 per year per authority pole.

(c) To the extent that a written agreement between a wireless provider and an authority providing rates and fees for collocations on poles owned or operated by any entity through which a municipality furnishes retail electric service becomes effective between June 1, 2018, and May 31, 2019, such rates and fees shall apply as set forth in such agreement.

(d) In any controversy concerning the appropriateness of a rate for an authority pole, the authority shall have the burden of proving that the rates are reasonably related to the actual, direct, and reasonable costs incurred for use of space on the pole for such period. This subsection shall not apply to rates and fees for collocations on authority poles set forth in a written agreement described in subsection (c) of this Code section.

(e) Should an authority have an existing authority pole attachment rate, fee, or other term that does not comply with the requirements of this Code section, it shall reform such rate, fee, or term in compliance with this Code section by January 1, 2019.

(f) Authorities shall offer rates, fees, and other terms that comply with subsections (b) through (e) of this Code section. On and after January 1, 2019, an authority shall make available the rates, fees, and terms for the collocation of small wireless facilities on authority poles that comply with the following:

(1) The rates, fees, and terms shall be nondiscriminatory, competitively neutral, and commercially reasonable and shall comply with this chapter. Such rates, fees, and terms shall be made publicly available so that a wireless provider may accept them without negotiation. Documents reflecting the rates, fees, and terms entered into with each wireless provider shall be made publicly available;

(2) For make-ready work required for authority poles that support aerial cables used for the provision of services by communications service providers or for electric service, the parties shall comply with all applicable federal laws and rules and regulations promulgated thereunder as such existed on January 1, 2018, including, but not limited to 47 U.S.C. Section 224. The good faith estimate of the person owning or controlling the authority pole for any make-ready work necessary to enable the authority pole to support the requested collocation shall include authority pole replacement if necessary;

(3) For authority poles that do not support aerial cables used for video, communications service, or electric service, the authority shall provide a good faith estimate for any make-ready work necessary to enable the authority pole to support the requested collocation, including authority pole replacement if necessary, within 60 days after receipt of a complete application. Make-ready work including any authority pole replacement shall be completed within 60 days of written acceptance of the good faith estimate by the applicant; and

(4) An authority shall not require more make-ready work than required to meet applicable codes or the authority's generally applicable safety, reliability, or

engineering standards that reasonably accommodate the collocation of small wireless facilities. Fees for make-ready work shall not include costs related to preexisting or prior damage or noncompliance. Fees for make-ready work including any authority pole replacement shall not exceed actual costs or the amount charged to other communications service providers for similar work and shall not include any consultants' fees or expenses.

(g) An authority shall authorize the collocation of small wireless facilities on authority poles and wireless support structures owned or controlled by an authority that are not located within a right of way to the same extent the authority permits access to such structures for other commercial projects or uses. Such collocations shall be subject to reasonable and nondiscriminatory rates, fees, and terms as provided in an agreement between the authority and the wireless provider.

36-66C-6.

Nothing in this chapter shall authorize this state or any political subdivision thereof, including, but not limited to, an authority, to require wireless facility deployment or to regulate wireless services.

36-66C-7.

A court of competent jurisdiction shall have jurisdiction to determine all disputes arising under this chapter.

36-66C-8.

(a) An authority shall not require a communications service provider to indemnify and hold the authority and its officers and employees harmless against any claims, lawsuits, judgments, costs, liens, losses, expenses, or fees, except when a court of competent jurisdiction has found that the negligence of the communications service provider while installing, repairing, or maintaining caused the harm that created such claims, lawsuits, judgments, costs, liens, losses, expenses, or fees, or to require a communications service provider to obtain insurance naming the authority or its officers and employees an additional insured against any of the foregoing.

(b) In no event shall any authority or any officer, employee, or agent affiliated therewith be liable for any claim related to the siting or location of wireless equipment, facilities, poles, or infrastructure, including, but not limited to, any claim for destruction, damage, business interruption, or signal interference with other communications service providers wherein such siting or location and associated installation and permitting was undertaken in substantial compliance with this chapter. This subsection shall not apply to gross negligence or willful misconduct.

36-66C-9.

A wireless provider that installs utility poles designed to support its own small wireless facilities in the rights of way in this state shall allow another wireless provider to collocate small wireless facilities on such utility poles, subject to technical feasibility and commercially reasonable rates, terms, and conditions, if the other wireless provider

agrees in writing to make available similar utility poles in the rights of way in this state for collocation subject to the same rates, terms, and conditions. The wireless provider seeking collocation shall be entitled to collocate on the same number of utility poles designed to support small wireless facilities as such wireless provider makes available in this state to the wireless provider that installed the poles upon which it seeks to collocate. A wireless provider that installs a utility pole designed to support the small wireless facilities of other wireless providers shall allow more than one wireless provider to collocate on the pole, subject to technical feasibility and commercially reasonable rates, terms and conditions.

36-66C-10.

(a) This chapter fully occupies the entire field governing the placement and regulation of small wireless facilities and associated utility poles in the public rights of way and supersedes and preempts any ordinance, resolution, or similar matter adopted by a municipality or county that purports to address or otherwise regulate the placement of such small wireless facilities and utility poles in the public rights of way.

(b) To the extent an authority does not adopt ordinances or enter into agreements that implement the provisions of this chapter or to the extent such ordinances or agreements are determined not to comply with this chapter or are otherwise determined to be invalid, wireless providers may collocate small wireless facilities and construct, install, maintain, modify, operate, and replace utility poles in the right of way pursuant to the requirements set forth in this chapter.

(c) Except as provided in this chapter or otherwise specifically authorized by state law, an authority shall not adopt or enforce any ordinances, regulations, or requirements as to the placement or operation of communications facilities in a right of way by a communications service provider authorized by state or local law to operate in a right of way, regulate any communications service, or impose or collect any tax, fee, or charge for the provision of communications service over the communications service provider's communications facilities in a right of way.

36-66C-11.

The approval of the installation, placement, maintenance, or operation of a small wireless facility pursuant to this chapter shall not authorize the provision of any communications service or the installation, placement, maintenance, or operation of any communications facility, including a wireline backhaul facility, other than a small wireless facility, in a right of way.

36-66C-12.

Nothing in this chapter shall be construed to impose or otherwise affect any tariff, contractual obligation or right, or federal or state law addressing utility poles, wireless support structures, or electric transmission structures or equipment of any type owned or controlled by an investor owned electric utility or an electric membership corporation."

SECTION 3.

This Act shall become effective on July 1, 2018.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator Unterman of the 45th offered the following amendment #1:

Amend the substitute to SB 426 (LC 36 3620S) by deleting lines 160 through 167 and inserting in lieu thereof the following:

(2)(A) The utility poles and small wireless facilities provided for in paragraph (1) of this subsection shall be so constructed and maintained as not to obstruct or hinder the usual travel or public safety on such right of way or obstruct the legal use of such right of way by other utilities.

(B) Each new utility pole installed in such right of way shall:

(i) Not exceed 50 feet above ground level;

(ii) Include a slip base system or other breakaway type system designed to allow the pole to detach from the ground at points close to ground level in order to reduce damage to a motor vehicle and its occupants in the event of a crash; and

(iii) Be subject to an additional application fee of up to \$1,000.00 per new utility pole.

(C) Each modified utility pole installed in such right of way shall not exceed the greater of:

(i) Ten feet in height above the tallest existing utility pole in place as of January 1, 2018, located within 500 feet of the new pole in the same right of way;

or

(ii) Fifty feet above ground level.

Senator Unterman of the 45th asked unanimous consent that her amendment be withdrawn. The consent was granted, and the Unterman amendment #1 to the committee substitute was withdrawn.

Senators Gooch of the 51st and Ginn of the 47th offered the following amendment #2:

Amend the substitute to SB 426 (LC 36 3620S) by deleting lines 571 through 589 and by deleting "36-66C-12" on line 595 and inserting in lieu thereof "36-66C-11".

On the adoption of the amendment, there were no objections, and the Gooch, Ginn amendment #2 to the committee substitute was adopted.

Senators Gooch of the 51st and Ginn of the 47th offered the following amendment #3:

Amend the substitute to SB 426 (LC 36 3620S) by deleting lines 99 and 100 and inserting in lieu thereof the following:

(25) 'Right of way' shall have the same meaning as provided in Code Section 32-1-3; provided, however, that such term shall not include property or any interest therein acquired for or devoted to an interstate highway and shall apply only to property or an interest therein that is under the control of an authority.

On the adoption of the amendment, there were no objections, and the Gooch, Ginn amendment #3 to the committee substitute was adopted.

Senators Gooch of the 51st and Ginn of the 47th offered the following amendment #4:

Amend the substitute to SB 426 (LC 36 3620S) by deleting lines 99 and 100 and inserting in lieu thereof the following:

(25) 'Right of way' shall have the same meaning as provided in Code Section 32-1-3 when such property or an interest therein is under the control of an authority.

By deleting "60" on line 214 and inserting "30" in lieu thereof.

By deleting "\$20" on line 246 and inserting "\$20.00" in lieu thereof.

By deleting "36-66C-3" on line 263 and inserting "36-66C-5" in lieu thereof.

By deleting "collating" on line 278 and inserting "collocating" in lieu thereof.

By deleting "the Code section" on line 422 and inserting "this Code section" in lieu thereof.

On the adoption of the amendment, there were no objections, and the Gooch, Ginn amendment #4 to the committee substitute was adopted.

Senator Watson of the 1st offered the following amendment #5:

Amend Committee Substitute SB 426 (LC 36 3620S) by:

Striking the word "An" on Line 283 and replacing with "Excluding any historic district, an "

Senator Gooch of the 51st objected.

On the adoption of the amendment, the yeas were 23, nays 12, and the Watson amendment #5 to the committee substitute was adopted.

Senator Unterman of the 45th offered the following amendment #6:

Amend Line 149, SB 426 Committee Sub (LC 36 3620S) by:

Adding "or any building."

Senator Gooch of the 51st objected.

On the adoption of the amendment, the yeas were 18, nays 25, and the Unterman amendment #6 to the committee substitute was lost.

Senator Gooch of the 51st offered the following amendment #7:

Amend the substitute to SB 426 (LC 36 3620S) by deleting lines 273 through 279 and inserting in lieu thereof the following:

(b) A wireless provider shall not apply to install a utility pole unless such wireless provider has determined after diligent investigation that it cannot meet the service objectives of the permit by collocating on an existing structure that meets the criteria set forth in paragraphs (1) and (2) of this subsection. The authority may require a wireless provider to certify that such wireless provider has made such a determination in good faith and to provide a documented summary of the basis for such determination. The wireless provider's determination shall be based on whether such wireless provider can meet the service objectives of the permit by collocating small wireless facilities on an existing structure on which:

(1) Such wireless provider has the right to collocate, subject to reasonable terms and conditions of the authority; and

(2) Such collocation would not impose technical limitations or additional costs.

By deleting line 296 and inserting in lieu thereof the following:

this subsection; provided, further that if the application includes a request to install a utility pole, such applicant shall be required to provide the certification and documentation required by subsection (b) of this Code section;

On the adoption of the amendment, there were no objections, and the Gooch amendment #7 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims

Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	N Tillery
Y Ginn	Y Lucas	N Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 2.

SB 426, having received the requisite constitutional majority, was passed by substitute.

SB 335. By Senators Unterman of the 45th, Miller of the 49th, Butler of the 55th and McKoon of the 29th:

A BILL to be entitled an Act to amend Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to trafficking of persons for labor or sexual servitude, so as to expand the offense of trafficking an individual for sexual servitude; to change the punishment for a certain type of trafficking an individual for sexual servitude; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 335, having received the requisite constitutional majority, was passed.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

SB 349. By Senators Jackson of the 2nd, Jones of the 10th, Anderson of the 43rd and Harbison of the 15th:

A BILL to be entitled an Act to amend Chapter 17 of Title 45 of the Official Code of Georgia Annotated, relating to notaries public, so as to provide that the identification of persons for whom notaries perform notarial acts shall be evidenced satisfactorily by a valid Veterans Health Identification Card issued by the United States Department of Veterans Affairs; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery

Y Ginn	Lucas	Y Tippins
Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 349, having received the requisite constitutional majority, was passed.

Senator Strickland of the 17th asked unanimous consent that SB 264 be committed to the Committee on State and Local Governmental Operations from the Rules Calendar. There was no objection, and the consent was granted.

SB 385. By Senators Jones of the 25th, Black of the 8th, Harper of the 7th, Lucas of the 26th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost reimbursement fees and surcharges, so as to change the surcharge imposed by host local governments regarding solid waste disposal facilities operated by private enterprises; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Senate Committee on Natural Resources and the Environment offered the following substitute to SB 385:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost reimbursement fees and surcharges, so as to change the surcharge imposed by host local governments regarding solid waste disposal facilities operated by private enterprises; to exempt from such change such facilities permitted for the disposal of construction or demolition waste; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost reimbursement fees and surcharges, is amended by revising subsection (d) as follows:

"(d) Effective ~~January 1, 1992~~ July 1, 2018, when a municipal solid waste disposal facility is operated by private enterprise, the host local government is authorized and required to impose a surcharge of ~~\$1.00~~ \$3.00 per ton or volume equivalent in addition to any other negotiated charges or fees which shall be imposed by and paid to the host local government for the facility and shall be used to offset the impact of the facility, public education efforts for solid waste management, the cost of solid waste management, and the administration of the local or regional solid waste management plan; provided, however, that ~~such~~ the surcharge imposed by any such local government for a municipal solid waste facility permitted for the disposal of construction or demolition waste or inert waste shall be \$1.00. Such surcharges may be used for other governmental expenses to the extent not required to meet the above or other solid waste management needs."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	N Jackson	Y Rhett
Y Anderson, T	Y James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
N Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	N Orrock	Y Williams, N
Hill	Y Parent	

On the passage of the bill, the yeas were 45, nays 7.

SB 385, having received the requisite constitutional majority, was passed by substitute.

SB 437. By Senators Payne of the 54th, Thompson of the 14th, Harbin of the 16th, Ligon, Jr. of the 3rd, Shafer of the 48th and others:

A BILL to be entitled an Act to amend Code Section 31-39-4 of the Official Code of Georgia Annotated, relating to persons authorized to issue order not to resuscitate, so as to revise parental requirement for consent; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 437:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 31-39-4 of the Official Code of Georgia Annotated, relating to persons authorized to issue order not to resuscitate, so as to revise parental requirement for consent; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 31-39-4 of the Official Code of Georgia Annotated, relating to persons authorized to issue order not to resuscitate, is amended by revising subsection (d) as follows:

"(d) ~~Any parent may consent orally or in writing to an order not to resuscitate for his or her minor child when such child is a candidate for nonresuscitation.~~ When a minor child is a candidate for nonresuscitation, an order not to resuscitate may be issued with the oral or written consent of the minor's parent. If in the opinion of the attending physician the minor is of sufficient maturity to understand the nature and effect of an order not to resuscitate, then no such order shall be valid without the assent of such minor."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Payne of the 54th, Shafer of the 48th and Mullis of the 53rd offered the following amendment #1:

Amend the Senate Committee on Health and Human Services substitute to SB 437 (LC 37 2627S) by deleting lines 10 and 11 and inserting in lieu thereof the following:

candidate for nonresuscitation, an order not to resuscitate may be issued only with the oral or written consent of the minor's parent, unless an exception applies pursuant to subsection (e) of this Code section. If in the opinion of the attending physician the minor

On the adoption of the amendment, there were no objections, and the Payne, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

SB 437, having received the requisite constitutional majority, was passed by substitute.

SB 453. By Senators Tillery of the 19th, Gooch of the 51st, Cowsert of the 46th, Kennedy of the 18th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to limit the distance between

new municipal corporations and existing municipal corporations; to modify the requirements for active municipalities; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on State and Local Governmental Operations-General offered the following substitute to SB 453:

A BILL TO BE ENTITLED
AN ACT

To amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to limit the distance between new municipal corporations and existing municipal corporations; to modify the requirements for active municipalities; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by revising paragraph (1) of subsection (b) of Code Section 36-30-7.1, relating to inactive municipalities, as follows:

"(1) Provides at least three of the following services as to municipal corporations in existence as of January 1, 2018, and at least five of the following services as to all other municipal corporations, either directly or by contract:"

SECTION 2.

Said title is further amended in Chapter 31, relating to incorporation of municipal corporations, by adding a new Code section to read as follows:

"36-31-13.

No local Act granting a municipal charter shall be enacted wherein any part of the proposed corporate boundary is less than three miles distance from the corporate boundary of any existing municipal corporation in this state; provided, however, that, if the residents of a certain geographical area within three miles of an existing municipal corporation have been denied annexation to the municipal corporation by the people of the municipal corporation, the residents of such geographical area shall be entitled to incorporate a new municipal corporation at any time within 12 months after such denial, and a local Act granting a municipal charter may be enacted; provided, further, that the population of the area proposed to be incorporated must exceed the population of the existing municipal corporation, and a certificate from the governing authority of the existing municipal corporation or from the judge of the superior court of the county, evidencing the denial of annexation and the population figures, must accompany the certificate of incorporation required by this chapter."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senators Watson of the 1st, Shafer of the 48th, Kennedy of the 18th, Mullis of the 53rd, Tillery of the 19th and others offered the following amendment #1:

Amend the Senate Committee on State and Local Governmental Operations-General substitute to SB 453 (LC 45 0102S) by replacing line 3 with:

corporations; to provide for an effective date and applicability; to provide for related

By adding between lines 30 and 31 the following:

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval; provided, however, that this Act shall not apply to any municipal charter enacted on or before January 1, 2019.

SECTION 4.

Senator Watson of the 1st asked unanimous consent that his amendment be withdrawn. The consent was granted, and the Watson, et al. amendment #1 to the committee substitute was withdrawn.

Senators Millar of the 40th, Albers of the 56th, Watson of the 1st and Thompson of the 5th offered the following amendment #2:

Amend SB 453 CS by

Delete "Section 3" and Add at Line 30 "This bill shall not apply to any proposed city bill introduced prior to April 1, 2018."

Renumber accordingly

On the adoption of the amendment, the President asked unanimous consent.

Senator Jones of the 10th objected.

On the adoption of the amendment, the yeas were 25, nays 18, and the Millar, et al. amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	N Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	N Tippins
Y Gooch	E Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	N Millar	N Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 7.

SB 453, having received the requisite constitutional majority, was passed by substitute.

SB 351. By Senators Unterman of the 45th, Hufstetler of the 52nd, Kirk of the 13th, McKoon of the 29th, Sims of the 12th and others:

A BILL to be entitled an Act to amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to revise certain provisions related to advanced nursing practice; to revise a definition; to add certain powers to the Georgia Board of Nursing; to provide for expansion of roles and restrictions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Health and Human Services offered the following substitute to SB 351:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice, so as to revise provisions related to delegation of certain medical acts to advanced practice nurse; to revise definitions to provide for changes to

radiographic imaging tests; to provide for changes to the ratio of a delegating physician to advanced practice registered nurses; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice, is amended in Code Section 43-34-25, relating to delegation of certain medical acts to advanced practice registered nurse, construction and limitations of such delegation, definitions, conditions of nurse protocol, and issuance of prescription drug orders, by revising paragraphs (9), (10), and (11) of subsection (a), and subsections (b), (g), (g.1), and (g.2) as follows:

"(9) ~~'Life threatening' means an emergency situation in which a patient's life or physical well being will be harmed if certain testing is not performed immediately.~~
Reserved.

(10) 'Nurse protocol agreement' means a written document mutually agreed upon and signed by an advanced practice registered nurse and a physician, by which document the physician delegates to that advanced practice registered nurse the authority to perform certain medical acts pursuant to this Code section, and which acts may include, without being limited to, the ordering of drugs, medical devices, medical treatments, diagnostic studies, or ~~in life threatening situations~~ radiographic imaging tests. Such agreements shall conform to the provisions set forth in subsection (c) of this Code section.

(11) 'Order' means to prescribe pursuant to a nurse protocol agreement which drug, medical device, medical treatment, diagnostic study, or ~~in life threatening situations~~ radiographic imaging test is appropriate for a patient and to communicate the same in writing, orally, via facsimile, or electronically."

"(b) In addition to and without limiting the authority granted pursuant to Code Section 43-34-23, a physician may delegate to an advanced practice registered nurse in accordance with a nurse protocol agreement the authority to order drugs, medical devices, medical treatments, diagnostic studies, or, ~~in life threatening situations,~~ radiographic imaging tests."

"(g) Except as otherwise provided in subsection (g.1) or (g.2) of this Code section, a delegating physician may not enter into a nurse protocol agreement pursuant to this Code section with more than ~~four~~ eight advanced practice registered nurses at any one time and may not supervise more than eight advanced practice registered nurses at any one time, except this limitation shall not apply to an advanced practice registered nurse who is practicing:

- (1) In a hospital licensed under Title 31;
- (2) In any college or university as defined in Code Section 20-8-1;
- (3) In the Department of Public Health;
- (4) In any county board of health;

- (4.1) In any community service board;
 - (5) In any free health clinic;
 - (6) In a birthing center;
 - (7) In any entity:
 - (A) Which is exempt from federal taxes pursuant to Section 501(c)(3) of the Internal Revenue Code, as defined in Code Section 48-1-2, and primarily serves uninsured or indigent Medicaid and medicare patients; or
 - (B) Which has been established under the authority of or is receiving funds pursuant to 42 U.S.C. Section 254b or 254c of the United States Public Health Service Act;
 - (8) In any local board of education which has a school nurse program;
 - (9) In a health maintenance organization that has an exclusive contract with a medical group practice and arranges for the provision of substantially all physician services to enrollees in health benefits of the health maintenance organization; or
 - (10) In any emergency medical services system operated by, or on behalf of, any county, municipality, or hospital authority with a full-time medical director and who does not order drugs.
- (g.1) ~~A delegating physician may not enter into a nurse protocol agreement pursuant to this Code section with more than eight advanced practice registered nurses at any one time, may not supervise more than four advanced practice registered nurses at any one time pursuant to nurse protocol agreements, and shall not be required to conduct any meetings, observations, or review of medical records except as otherwise provided in this subsection, if the advanced practice registered nurses practice at a location that:~~
- (1) Maintains evidence-based clinical practice guidelines;
 - (2) Is accredited by an accrediting body, approved by the board, such as the Joint Commission or a nationally recognized accrediting organization with comparable standards;
 - (3) Requires the delegating physician to document and maintain a record of review of at least 10 percent of the advanced practice registered nurses' medical records to monitor quality of care being provided to patients, which may be conducted electronically or onsite;
 - (4) Requires the delegating physician and advanced practice registered nurse to participate in and maintain documentation of quarterly clinical collaboration meetings, either by telephone, in person, or onsite, for purposes of monitoring care being provided to patients; and
 - (5) Requires the delegating physician's name, contact information, and record of the visit to be provided to the patient's primary care provider of choice with the patient's consent within 24 hours of the visit.
- (g.2) A delegating physician may not enter into a nurse protocol agreement pursuant to this Code section with more than eight advanced practice registered nurses at any one time or supervise more than four advanced practice registered nurses at any one time in any emergency medical services system operated by, or on behalf of, any county, municipality, or hospital authority with a full-time medical director."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Unterman of the 45th offered the following amendment #1:

Amend the Senate Health and Human Services Committee substitute to SB 351 (LC 37 2610S) by deleting line 33 and inserting in lieu of the following:

"(g) Except as otherwise provided in subsection (g.1) ~~or (g.2)~~ of this Code section, a

By deleting lines 80 through 84 and inserting in lieu thereof the following:

~~(g.2) A delegating physician may not enter into a nurse protocol agreement pursuant to this Code section with more than eight advanced practice registered nurses at any one time or supervise more than four advanced practice registered nurses at any one time in any emergency medical services system operated by, or on behalf of, any county, municipality, or hospital authority with a full time medical director."~~

Senator Unterman of the 45th asked unanimous consent that her amendment be withdrawn. The consent was granted, and the Unterman amendment #1 to the committee substitute was withdrawn.

Senator Unterman of the 45th offered the following amendment #2:

Amend SB 351 substitute by

Line 82 change the word "four" to "eight"

On the adoption of the amendment, there were no objections, and the Unterman amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	N Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	N Jones, B	Y Shafer
Y Black	Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone

Y Burke	N Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	Y Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	N Watson
N Harper	Y Miller	N Wilkinson
Y Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 41, nays 10.

SB 351, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

2/28/18

Due to business outside the Senate Chamber, I missed the vote on SB 351. Had I been present, I would have voted "yes".

/s/ Ed Harbison
District 15

Senator Tippins of the 37th was excused for business outside the Senate Chamber.

SR 537. By Senators Beach of the 21st, Shafer of the 48th, Cowsert of the 46th, Gooch of the 51st, Kennedy of the 18th and others:

A RESOLUTION providing for the closure of certain state property to unauthorized vehicular traffic; and for other purposes.

The Senate Committee on State Institutions and Property offered the following substitute to SR 537:

A RESOLUTION

Providing for the closure of certain City of Atlanta property to unauthorized vehicular traffic; and for other purposes.

WHEREAS, on Thursday, March 23, 2017, Khalid Masood committed an act of terror on and around the premises of the United Kingdom's Parliament, killing four people and injuring more than 50 primarily through the use of a vehicular attack on pedestrians; and

WHEREAS, the portion of Mitchell Street in Capitol Square serves as the main corridor between the Georgia State Capitol and the Coverdell Legislative Office Building and Judicial Building, where there is a consistent presence and high volume of pedestrian traffic, especially during the legislative session; and

WHEREAS, such location being open to vehicular traffic presents a dangerous opportunity for an act of terrorism; and

WHEREAS, a 2005 Homeland Security report listed 39 safety changes that could be implemented by the Georgia Building Authority in Capitol Square, and the number one priority in the report was the closure of Mitchell Street within the Square to vehicular traffic; and

WHEREAS, the Georgia Building Authority has implemented 36 of the 39 recommended actions contained in such report in order to improve safety in Capitol Square, with the remaining three recommendations pertaining to the closure of Mitchell Street to vehicular traffic; and

WHEREAS, a 2016 Homeland Security report again listed the closure of the portion of Mitchell Street within Capitol Square to vehicular traffic as the number one safety priority; and

WHEREAS, in 1953 the Georgia General Assembly passed SB 165, which designated the streets around the Capitol building as Capitol Square and gave full control to the state over such areas with the intention of closing the portion of Mitchell Street within the area to vehicular traffic; and

WHEREAS, the only reason such portion of Mitchell Street was not closed at the time was to help mitigate projected traffic conditions due to construction of a major interstate; and

WHEREAS, it is imperative for the safety of visitors to Capitol Square and its numerous employees that the portion of Mitchell Street within the square be closed to all unauthorized vehicular traffic.

BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY that the City of Atlanta property consisting of that portion of Mitchell Street between Washington Street and Capitol Avenue shall be closed to unauthorized vehicular traffic.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the adoption of the resolution by substitute, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 49, nays 3.

SR 537, having received the requisite constitutional majority, was adopted by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 605. By Representatives Spencer of the 180th, Oliver of the 82nd, Brockway of the 102nd, Frye of the 118th, Rakestraw of the 19th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of

limitation, so as to change provisions relating to the revival of certain claims involving childhood sexual abuse; to provide for civil actions by the Attorney General under certain circumstances; to provide for a civil penalty; to provide for a report; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 696. By Representatives Kelley of the 16th, Coomer of the 14th, Watson of the 172nd, Shaw of the 176th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, so as to create an exemption for certain computer equipment sold or leased to certain entities for use in high-technology data centers; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

SB 354. By Senators Jackson of the 2nd, Jones of the 10th, Watson of the 1st, Rhett of the 33rd and James of the 35th:

A BILL to be entitled an Act to amend Code Section 20-4-21 of the Official Code of Georgia Annotated, relating to tuition fees, so as to require that the Technical College System of Georgia classify certain active duty service members as in-state for tuition purposes; to provide for a definition; to require reporting; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Higher Education offered the following substitute to SB 354:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 20-4-21 of the Official Code of Georgia Annotated, relating to tuition fees, so as to require that the Technical College System of Georgia classify certain active duty service members as in-state for tuition purposes; to provide for a definition; to require reporting; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 20-4-21 of the Official Code of Georgia Annotated, relating to tuition fees, is amended by adding a new subsection to read as follows:

"(d)(1) As used in this subsection, the term 'active duty service member' means an active duty member of the regular or reserve component of the United States armed forces or the United States Coast Guard who physically resides in the State of Georgia.

(2) Active duty service members who would otherwise be classified as out-of-state for tuition purposes shall be classified as in-state for tuition purposes.

(3) On January 31 of each year, the Technical College System of Georgia shall provide an annual report to the Governor, the President of the Senate, and the Speaker of the House of Representatives on the total number and dollar value of the waiver of out-of-state tuition fees for active duty service members that have been provided for by this subsection during the preceding calendar year."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

SB 354, having received the requisite constitutional majority, was passed by substitute.

SR 681. By Senators Harbin of the 16th, Hill of the 4th, Albers of the 56th, Williams of the 27th, Mullis of the 53rd and others:

A RESOLUTION encouraging the United States Congress to propose the Parental Rights Amendment to the states for ratification; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the adoption of the resolution, the yeas were 33, nays 19.

SR 681, having received the requisite constitutional majority, was adopted.

Senator Cowsert of the 46th moved that SB 435 be dropped to the foot of today's Senate Supplemental Rules Calendar.

On the motion, there was no objection; the motion prevailed, and SB 435 was placed at the foot of the Supplemental Rules Calendar.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 900. By Representatives Caldwell of the 131st and Knight of the 130th:

A BILL to be entitled an Act to amend an Act providing for the election of members of the Board of Education of Lamar County, approved March 31, 1971 (Ga. L. 1971, p. 2710), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4000), so as to revise the rate and form of compensation of the members and chairperson of the Board of Education of Lamar County; to provide for a reduction in compensation for meetings or work sessions not attended; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 901. By Representatives Hatchett of the 150th and Parrish of the 158th:

A BILL to be entitled an Act to amend an Act to create and incorporate the City of Adrian in the Counties of Emanuel and Johnson, approved March 28, 1984 (Ga. L. 1984, p. 4745), so as to revise the terms of office of the mayor and members of the city council; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 911. By Representatives Knight of the 130th and Mathiak of the 73rd:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Griffin, approved May 17, 2004 (Ga. L. 2004, p. 4232), as amended, so as to provide for a mayor and a mayor pro tem; to provide for the duties and powers of the mayor and mayor pro tem; to provide for the election and qualifications of the mayor and how to fill vacancies in the office of mayor; to provide for quorums; to provide for procedures; to provide for related matters; to provide for a referendum and contingent effective dates; to repeal conflicting laws; and for other purposes.

HB 912. By Representatives Knight of the 130th and Mathiak of the 73rd:

A BILL to be entitled an Act to amend an Act creating the State Court of Spalding County, approved December 14, 1897 (Ga. L. 1897, p. 462), as amended, so as to provide for the imposition of court costs in certain criminal cases; to provide for failure to appear fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 929. By Representatives Efstoration of the 104th, Powell of the 171st and Burns of the 159th:

A BILL to be entitled an Act to amend Article 4 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the water and sewer projects and costs tax (MOST), so as to allow for additional renewals of the tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 933. By Representative Gurtler of the 8th:

A BILL to be entitled an Act to amend an Act to reincorporate the City of Dillard in the County of Rabun, approved March 21, 1974 (Ga. L. 1974, p. 2451), as amended, so as to eliminate one council post in the city; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 946. By Representatives Clark of the 147th, Blackmon of the 146th, Epps of the 144th, Harden of the 148th and Dickey of the 140th:

A BILL to be entitled an Act to amend an Act relating to the Board of Education of Houston County, approved March 31, 1994 (Ga. L. 1994, p. 4435), as amended, particularly by an Act approved April 16, 1999 (Ga. L. 1999, p. 4640), so as to modify the compensation of the members of the Board of Education of Houston County; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 952. By Representative Tanner of the 9th:

A BILL to be entitled an Act to amend an Act entitled "An Act to create a new charter for the City of Dahlonega in the County of Lumpkin," approved April 12, 1982 (Ga. L. 1982, p. 4353), as amended, particularly by an Act approved May 11, 2010 (Ga. L. 2010, p. 3522), so as to provide for the filling of vacancies; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 317. By Senators Albers of the 56th, Millar of the 40th, Beach of the 21st, Shafer of the 48th, James of the 35th and others:

A BILL to be entitled an Act to provide for a homestead exemption from Fulton County school district ad valorem taxes for educational purposes in

an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

SB 228. By Senator McKoon of the 29th:

A BILL to be entitled an Act to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for criminal offense and minimum fines for improper operation of an authorized emergency or law enforcement vehicle; to provide for an offense of operating an authorized emergency vehicle with a siren, bell, or whistle in certain instances; to provide for the mandatory license suspension of a driver convicted of a third or subsequent violation of such offense; to provide for fines; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Senate Committee on Public Safety offered the following substitute to SB 228:

A BILL TO BE ENTITLED
AN ACT

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, so as to provide for criminal offense and minimum fines for improper operation of an authorized emergency or law enforcement vehicle; to provide for an offense of operating an authorized emergency vehicle with a siren, bell, or whistle in certain instances; to provide for the mandatory license suspension of a driver convicted of a third or subsequent violation of such offense; to provide for fines; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles, is amended by revising Code Section 40-6-6, relating to authorized emergency vehicles, as follows:

"40-6-6.

(a) The driver of an authorized emergency vehicle or law enforcement vehicle, when responding to an emergency call, when in the pursuit of an actual or suspected violator

of the law, or when responding to but not upon returning from a fire alarm, may exercise the privileges set forth in this Code section.

(b) The driver of an authorized emergency vehicle or law enforcement vehicle may:

- (1) Park or stand, irrespective of the provisions of this chapter;
- (2) Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation;
- (3) Exceed the maximum speed limits so long as he or she does not endanger life or property; and
- (4) Disregard regulations governing direction of movement or turning in specified directions.

(c) The exceptions granted by this Code section to an authorized emergency vehicle shall apply only when such vehicle is making use of an audible signal and use of a flashing or revolving red light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, except that a vehicle belonging to a federal, state, or local law enforcement agency and operated as such shall be making use of an audible signal and a flashing or revolving blue light with the same visibility to the front of the vehicle.

(d)(1) The foregoing provisions shall not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of all persons.

(2) When a law enforcement officer in a law enforcement vehicle is pursuing a fleeing suspect in another vehicle and the fleeing suspect damages any property or injures or kills any person during the pursuit, the law enforcement officer's pursuit shall not be the proximate cause or a contributing proximate cause of the damage, injury, or death caused by the fleeing suspect unless the law enforcement officer acted with reckless disregard for proper law enforcement procedures in the officer's decision to initiate or continue the pursuit. Where such reckless disregard exists, the pursuit may be found to constitute a proximate cause of the damage, injury, or death caused by the fleeing suspect, but the existence of such reckless disregard shall not in and of itself establish causation.

(3) The provisions of this subsection shall apply only to issues of causation and duty and shall not affect the existence or absence of immunity which shall be determined as otherwise provided by law.

(4) Claims arising out of this subsection which are brought against local government entities, their officers, agents, servants, attorneys, and employees shall be subject to the procedures and limitations contained in Chapter 92 of Title 36.

(e) It shall be unlawful for any person to operate an authorized emergency vehicle with flashing lights other than as authorized by ~~subsection (c)~~ of this Code section and a person convicted of a violation of this Code section shall be punished as follows:

(1) Upon conviction of a first offense, the defendant shall be guilty of a misdemeanor and shall be fined \$500.00;

(2) Upon conviction of a second offense, the defendant shall be guilty of a misdemeanor and shall be fined \$1,000.00; and

(3) Upon conviction of a third or subsequent offense, the defendant shall be guilty of

a felony and such person's license shall be subject to suspension in accordance with paragraph (2) of subsection (a) of Code Section 40-5-54."

SECTION 2.

Said title is further amended by revising Code Section 40-8-94, relating to sirens, whistles, or bells on emergency vehicles, as follows:

"40-8-94.

(a) Any authorized emergency vehicle may be equipped with a siren, whistle, or bell capable of emitting sound audible under normal conditions from a distance of not less than 500 feet, but such siren shall not be used except when such vehicle is operated in response to an emergency call, in accordance with Code Section 40-6-76 while directing or escorting a funeral procession or in any other honorary procession, or in the immediate pursuit of an actual or suspected violator of the law, in which latter event the driver of such vehicle shall sound the siren when necessary to warn pedestrians and other drivers of the approach thereof.

(b) A person convicted of a violation of subsection (a) of this Code section shall be punished as follows:

(1) Upon conviction of a first offense, the defendant shall be guilty of a misdemeanor and shall be fined \$500.00;

(2) Upon conviction of a second offense, the defendant shall be guilty of a misdemeanor and shall be fined \$1,000.00; and

(3) Upon conviction of a third or subsequent offense, the defendant shall be guilty of a felony and such person's license shall be subject to suspension in accordance with paragraph (2) of subsection (a) of Code Section 40-5-54."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senators Harper of the 7th and McKoon of the 29th offered the following amendment #1:

Amend the Senate Committee on Public Safety substitute to SB 228 (LC 41 1468S) by replacing lines 2 through 6 with the following:

as to provide for exceptions for the use of audible signals, flashing lights, and sirens of authorized emergency vehicles or law enforcement vehicles; to provide for definitions; to provide for criminal offenses and minimum fines for the direction of improper use of such vehicles by certain elected or appointed officials; to provide for related matters; to repeal conflicting laws; and

By replacing line 15 with the following:

the law, ~~or~~ when responding to but not upon returning from a fire alarm, or when escorting an honorary procession, including, but not limited to, a funeral procession as provided for in Code Section 40-6-76, except when escorting an elected official unless the condition of paragraph (2) of subsection (f) of this Code section is satisfied, may exercise the

By replacing lines 49 through 57 with the following:

flashing lights other than as authorized by ~~subsection (e)~~ of this Code section.

(f)(1) As used in this subsection, the term 'elected official' means every elected state official, elected county official, elected municipal official, elected member of a local school board, or local school superintendent.

(2) Every instance of use of flashing lights by the driver of an authorized emergency vehicle or law enforcement vehicle transporting an elected official shall be by prior or contemporaneous written confirmation of the chief of police or department head of the law enforcement unit of the driver, or his or her law enforcement officer designee who shall not be the driver or a passenger in such vehicle, that such use is in compliance with subsection (a) of this Code section. Such written confirmation shall be a public document.

(3) It shall be unlawful for any elected official to direct any person to operate an authorized emergency vehicle with flashing lights other than as authorized by this Code section. An elected official convicted of a violation of this Code section shall be punished as follows:

(A) Upon conviction of a first offense, the elected official shall be guilty of a misdemeanor and shall be fined \$500.00;

(B) Upon conviction of a second offense, the elected official shall be guilty of a misdemeanor and shall be fined \$1,000.00; and

(C) Upon conviction of a third or subsequent offense, the elected official shall be guilty of a felony and such person's license shall be subject to suspension in accordance with paragraph (2) of subsection (a) of Code Section 40-5-54."

On the adoption of the amendment, there were no objections, and the Harper, McKoon amendment #1 to the committee substitute was adopted.

Senators Albers of the 56th and McKoon of the 29th offered the following amendment #2:

Amend the Senate Committee on Public Safety substitute to SB 228 (LC 41 1468S) by replacing lines 2 through 6 with the following:

as to provide for exceptions for the use of audible signals, flashing lights, and sirens of authorized emergency vehicles or law enforcement vehicles; to provide for definitions; to provide for criminal offenses and minimum fines for the direction of improper use of such vehicles by certain elected or appointed officials; to provide for related matters; to repeal conflicting laws;

By replacing lines 65 through 66 with the following:

to an emergency call; when escorting an honorary procession, including, but not limited to, a funeral procession as provided for in Code Section 40-6-76, except when escorting an elected official unless the condition of paragraph (2) of subsection (b) of this Code section is satisfied; or in the immediate pursuit of an

By replacing lines 70 through 78 with the following:

(b)(1) As used in this subsection, the term 'elected official' means every elected state official, elected county official, elected municipal official, elected member of a local school board, or local school superintendent.

(2) Every instance of the use of a siren by the driver of an authorized emergency vehicle or law enforcement vehicle transporting an elected official shall be by prior or contemporaneous written confirmation of the chief of police or department head of the law enforcement unit of the driver, or his or her law enforcement officer designee who shall not be a driver or passenger in such vehicle, that such use is in compliance with subsection (a) of this Code section. Such written confirmation shall be a public document.

(3) It shall be unlawful for any elected official to direct any person to operate an authorized emergency vehicle in violation of this Code section. An elected official convicted of a violation of this Code section shall be punished as follows:

(A) Upon conviction of a first offense, the elected official shall be guilty of a misdemeanor and shall be fined \$500.00;

(B) Upon conviction of a second offense, the elected official shall be guilty of a misdemeanor and shall be fined \$1,000.00; and

(C) Upon conviction of a third or subsequent offense, the elected official shall be guilty of a felony and such person's license shall be subject to suspension in accordance with paragraph (2) of subsection (a) of Code Section 40-5-54."

On the adoption of the amendment, the President asked unanimous consent.

Senator Henson of the 41st objected.

On the adoption of the amendment, the yeas were 27, nays 17, and the Albers, McKoon amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone

Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
N Cowsert	Y Kirk	N Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
N Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	N Walker
Y Harbison	Y Millar	N Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 41, nays 12.

SB 228, having received the requisite constitutional majority, was passed by substitute.

SENATE SUPPLEMENTAL RULES CALENDAR
WEDNESDAY, FEBRUARY 28, 2018
TWENTY-EIGHTH LEGISLATIVE DAY

SR 149 Childhood Cancer Awareness Day; designate September 1 (RULES-27th)

SB 435 School Buses; civil monetary penalties regarding violations of the duties of a driver; enforcement; revise (Substitute)(PUB SAF-21st)

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

SR 149. By Senators Williams of the 27th, Payne of the 54th, Tillery of the 19th, Brass of the 28th and Thompson of the 14th:

A RESOLUTION designating September 1 as Childhood Cancer Awareness Day in Georgia; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 53, nays 1.

SR 149, having received the requisite constitutional majority, was adopted.

The following communication was received by the Secretary:

2/28/18

I inadvertently voted “no” on SR 149. Please reflect in the Journal that my intent was to vote “yea”.

/s/ David E. Lucas, Sr.
District 26

The following messages were received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 642. By Representatives Nimmer of the 178th, Stephens of the 164th, Gardner of the 57th, Kelley of the 16th and Fleming of the 121st:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide definitions; to provide for the creation and termination of special improvement districts; to provide for the levying of a special improvement tax in such districts; to provide for the disposition and use of the funds from such districts; to provide for special services to the districts; to provide for an effective date; to provide for termination; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 707. By Representatives Price of the 48th, Jones of the 47th, Martin of the 49th and Willard of the 51st:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Roswell ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 708. By Representatives Raffensperger of the 50th, Hilton of the 95th, Jones of the 25th, Martin of the 49th and Willard of the 51st:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Johns Creek ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 710. By Representatives Jones of the 47th and Cantrell of the 22nd:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Milton ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a

homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 711. By Representative Jones of the 47th:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Mountain Park ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 712. By Representatives Martin of the 49th, Jones of the 47th and Price of the 48th:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Alpharetta ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 718. By Representatives Scott of the 76th, Stovall of the 74th, Nelson of the 125th, Thomas of the 39th and Beasley-Teague of the 65th:

A BILL to be entitled an Act to amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance, so as to excuse certain absences of students with parents in service of the armed forces of the United States, the Reserves, or the National Guard or veterans of same; to repeal conflicting laws; and for other purposes.

HB 803. By Representatives Willard of the 51st, Cooper of the 43rd, Cox of the 108th, Lumsden of the 12th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to protection of elder persons, so as to prohibit trafficking a disabled adult, elder person, or resident; to provide for definitions; to provide for elements of the crime; to provide for penalties, mandatory sentences, and exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 820. By Representatives Beskin of the 54th, Jones of the 47th, Martin of the 49th, Price of the 48th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Part 2 of Article 5 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to county boards of tax assessors, so as to establish a procedure for counties following a rejection of a tax digest; to provide for related matters; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 863. By Representatives Glanton of the 75th, Douglas of the 78th, Burnough of the 77th and Bazemore of the 63rd:

A BILL to be entitled an Act to conditionally repeal an Act providing for homestead exemptions from ad valorem taxes for city purposes for residents of the City of Jonesboro, approved May 14, 2002 (Ga. L. 2002, p. 5845), and to enact a new provision; to restate the amount of the homestead exemption for the assessed value of the homestead for residents of that city; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for compliance with constitutional requirements; to provide for a referendum, effective dates, specific conditional repeal, and automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 869. By Representatives Bruce of the 61st, Bazemore of the 63rd, Willard of the 51st, Boddie of the 62nd, Jackson of the 64th and others:

A BILL to be entitled an Act to repeal the amendment to the Constitution of Georgia creating within Fulton County the Fulton County Industrial District and prohibiting the governing authority of Fulton County from levying any tax for educational purposes within the boundaries of an independent school system; to provide for a referendum with respect to the effectiveness

of the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 870. By Representatives Bruce of the 61st, Bazemore of the 63rd, Willard of the 51st, Boddie of the 62nd, Jackson of the 64th and others:

A BILL to be entitled an Act to amend an Act to incorporate the City of South Fulton in Fulton County, Georgia, approved April 26, 2016 (Ga. L. 2016, p. 3726), so as to change the corporate boundaries of the municipality; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

HB 879. By Representatives Jones of the 167th, McCall of the 33rd, Powell of the 171st, Battles of the 15th, Williams of the 145th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to control of water pollution and surface-water use, so as to provide notice to local governing authorities prior to the dewatering of coal combustion residual surface impoundments; to provide for minimum notice requirements to the public of such dewatering at or close to the point of discharge; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 921. By Representatives Lumsden of the 12th, Dempsey of the 13th and Coomer of the 14th:

A BILL to be entitled an Act to authorize the governing authority of the City of Cave Spring to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 765. By Representatives Thomas of the 56th, Willard of the 51st, Gonzalez of the 117th, Boddie of the 62nd, Dreyer of the 59th and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules of the road, so as to

increase penalties for hit and run accidents that result in death or serious injury; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 818. By Representatives Hawkins of the 27th, Smith of the 134th, Newton of the 123rd, Cooper of the 43rd, Hugley of the 136th and others:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide that a health care provider shall choose the method by which such provider shall be reimbursed by an insurer for health care services performed; to provide for definitions; to provide disclosure requirements for insurers; to provide enforcement powers for violations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 904. By Representatives Hanson of the 80th, Willard of the 51st, Fleming of the 121st, Kelley of the 16th and Harrell of the 106th:

A BILL to be entitled an Act to amend Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, so as to clarify provisions relating to the effect of an owner of land charging an admission price or fee; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 81. By Representatives McCall of the 33rd, Powell of the 32nd, Harden of the 148th, Greene of the 151st, Taylor of the 173rd and others:

A BILL to be entitled an Act to amend Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income taxes, so as to allow certain health care facilities to receive income tax refund setoffs for collection of medical debts; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 834. By Representatives Ballinger of the 23rd, Beskin of the 54th, Blackmon of the 146th, Hilton of the 95th, Corbett of the 174th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions

concerning landlord and tenant, so as to provide for the termination of a rental or lease agreement for residential real estate under circumstances involving family violence; to provide for definitions; to provide for notice and terms of termination; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 887. By Representatives Powell of the 171st, England of the 116th, Watson of the 172nd, Parsons of the 44th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Titles 36, 38, 46, 48, and 50 of the O.C.G.A., relating to local government, military, emergency management, and veteran affairs, public utilities and public transportation, revenue and taxation, and state government respectively, so as to facilitate and incentivize adequate and expanded broadband and other communications services throughout the state; to provide for legislative findings and intent; to provide short titles; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills and Resolution of the House:

HB 843. By Representatives Shaw of the 176th, Blackmon of the 146th, Smith of the 134th, Williams of the 168th, Belton of the 112th and others:

A BILL to be entitled an Act to amend Code Section 48-7-40.1 of the Official Code of Georgia Annotated, relating to tax credits for business enterprises in less developed areas, so as to include any census tract that in a county that contains a certain federal military installation and also contains an industrial park that is owned and operated by a governmental entity; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 978. By Representatives Nimmer of the 178th, Coomer of the 14th, Carpenter of the 4th, Corbett of the 174th, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to school buses, so as to revise the enforcement of civil monetary penalties; to provide for procedures and enforcement; to provide for dedication of fees collected from local civil monetary penalties; to amend Article 2 of Chapter 14 of

Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, so as to provide for automated traffic enforcement safety devices in school zones; to provide for the operation of automated traffic enforcement safety devices; to provide for automated traffic enforcement safety device testing exceptions and procedures; to provide for automated traffic enforcement safety device use warning signs; safety devices; to provide for rules, regulations, and terms of use for automated traffic enforcement safety devices; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 992. By Representatives Lott of the 122nd, Mathiak of the 73rd, Newton of the 123rd, Martin of the 49th and Dollar of the 45th:

A BILL to be entitled an Act to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to eliminate certain requirements relating to the use of automated external defibrillators; to eliminate obsolete language relating to base station facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 996. By Representatives Dempsey of the 13th, Powell of the 171st, Houston of the 170th, Nimmer of the 178th, Welch of the 110th and others:

A BILL to be entitled an Act to amend Chapter 25 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Technology Authority, so as to establish the Strategic Integrated Data System; to create a governing board and provide for its membership and terms; to provide for oversight of the project; to provide for board responsibilities; to provide for reporting; to provide for funding; to provide for data sharing; to provide for immunity; to provide for open records and meetings; to provide for related matters; to repeal conflicting laws; and for other purposes.

HR 444. By Representative McCall of the 33rd:

A RESOLUTION honoring the life of Mr. Willie Thomas Murray and dedicating a bridge in his memory; and for other purposes.

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 519. By Representatives Cooper of the 43rd, Broadrick of the 4th, Houston of the 170th, Hatchett of the 150th and Taylor of the 173rd:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to require health benefit plans to utilize certain clinical review criteria to establish step therapy protocols; to provide for a step therapy override determination process; to provide for definitions; to provide for statutory construction; to provide for rules and regulations; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 995. By Representatives Newton of the 123rd, Rynders of the 152nd, Brockway of the 102nd and Holcomb of the 81st:

A BILL to be entitled an Act to amend Article 1 of Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, so as to provide for certain disclosures from consultants and other contractors who enter into contracts or arrangements with counties, municipal corporations, and other governmental entities to prepare or develop specifications or requirements for bids, requests for proposals, procurement orders, or purchasing orders; to provide for consequences for failure to disclose; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted, by the requisite constitutional majority, the following Resolutions of the House:

HR 238. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for an annual allocation of 75 percent of the revenue derived from the state sales and use tax with respect to the sale of outdoor recreation equipment to a trust fund to be used for the protection and preservation of conservation land; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

HR 993. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A RESOLUTION proposing an amendment to the Constitution so as to create a business court with state-wide jurisdiction; to provide for venue

and uniformity of jurisdiction and powers; to provide for selection, terms, and qualifications of business court judges; to provide for the submission of this amendment for ratification or rejection; to provide for related matters; and for other purposes.

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House:

HB 374. By Representative Knight of the 130th:

A BILL to be entitled an Act to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to allow for electronic filing of returns in certain cases; to provide for certain changes in proceedings before the county board of equalization; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 494. By Representatives Dempsey of the 13th, Coleman of the 97th, Chandler of the 105th, Glanton of the 75th and Carter of the 175th:

A BILL to be entitled an Act to amend Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning, so as to revise certain provisions relating to the safety of children in early care and education programs; to authorize hearsay in preliminary hearings regarding emergency closure of a program or the emergency placement of a monitor or monitors; to revise the definition of "crime" for purposes of background checks; to provide that background checks are not valid if an individual has been separated from employment for more than 180 consecutive days from an early care and education program; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 624. By Representatives Battles of the 15th, Powell of the 171st, Maxwell of the 17th, Burns of the 159th, Meadows of the 5th and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia Legislative Retirement System, so as to define certain terms; to change certain provisions relating to employee contributions to the retirement system, payment of employee contributions on behalf of the member, and additional contributions; to change certain provisions relating to prior service credit for military

service; to change certain provisions relating to eligibility and application for a retirement allowance, early retirement, amount of retirement allowance, compliance with federal tax laws, and increases in retirement allowance; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 673. By Representatives Carson of the 46th, Lumsden of the 12th, Golick of the 40th, Trammell of the 132nd, Smith of the 134th and others:

A BILL to be entitled an Act to amend Title 40 of the O.C.G.A., relating to motor vehicles and traffic, so as to prohibit actions which distract a driver while operating a motor vehicle; to provide for the proper and safe use of wireless telecommunications devices while driving; to provide for definitions; to provide for violations; to provide for punishments; to provide for the assessment of points upon conviction; to provide for additional fines to be collected by the Department of Driver Services; to provide for applicability; to provide for punishments for homicide by vehicle and for serious bodily injury by vehicle when driver was operating such motor vehicle while using a wireless telecommunications device; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 793. By Representatives LaRiccia of the 169th, Pirkle of the 155th, Lott of the 122nd, Dubnik of the 29th and Hanson of the 80th:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding state sales and use tax, so as to provide for an exemption for certain aquarium construction; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 852. By Representatives Smith of the 41st, Greene of the 151st, Burnough of the 77th, Lopez of the 99th and Carter of the 92nd:

A BILL to be entitled an Act to amend Part 13 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to organization of schools and school systems under the "Quality Basic Education Act," so as to provide for a student's continued enrollment in a public school under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 897. By Representatives Efstration of the 104th, Willard of the 51st, Trammell of the 132nd, Morris of the 156th and Caldwell of the 131st:

A BILL to be entitled an Act to amend Chapter 6B of Title 10 of the O.C.G.A., relating to the "Uniform Power of Attorney Act," so as to revise the short title; to provide for definitions; to change provisions relating to the application of Chapter 6 of this title; to update cross-references to federal law; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 899. By Representatives LaRiccia of the 169th, Harden of the 148th, Nimmer of the 178th, Morris of the 156th, Dunahoo of the 30th and others:

A BILL to be entitled an Act to amend Chapter 10 of Title 13 and Chapter 91 of Title 36 of the Official Code of Georgia Annotated, relating to contracts for public works and public works bidding, respectively, so as to change the limitation on disqualification of bidders; to prohibit the disqualification of bidders based upon lack of previous experience with the delivery method; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 917. By Representatives Dollar of the 45th, Frye of the 118th, Rakestraw of the 19th, Fleming of the 121st, Wallace of the 119th and others:

A BILL to be entitled an Act to amend Code Section 16-8-60 of the Official Code of Georgia Annotated, relating to reproduction of recorded material, transfer, sale, distribution, circulation, civil forfeiture, and restitution, so as to update terminology and change provisions relating to restitution; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 920. By Representatives Dempsey of the 13th, Reeves of the 34th, Willard of the 51st, Oliver of the 82nd and Nimmer of the 178th:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions for adoption, so as to allow for the use of the department's information concerning the parties to an adoption under certain circumstances; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 927. By Representatives Nimmer of the 178th, Dempsey of the 13th, Oliver of the 82nd, LaRiccia of the 169th, Houston of the 170th and others:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to dependency proceedings, so as to require certain information be provided to a caregiver, foster parent, preadoptive parent, or relative by DFCS upon placement of a child; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 972. By Representatives Willard of the 51st, Oliver of the 82nd, Reeves of the 34th, Thomas of the 39th, Peake of the 141st and others:

A BILL to be entitled an Act to amend Chapter 11 of Title 15 and Code Section 49-5-8 of the Official Code of Georgia Annotated, relating to the Juvenile Code and powers and duties of the Department of Human Services, respectively, so as to allow the Division of Family and Children Services of the Department of Human Services to offer extended care youth services to youths between 18 and 21 years of age under certain circumstances; to change a definition; to clarify juvenile court jurisdiction and the termination of dependency orders; to provide for voluntary agreements for services and court oversight; to change provisions relating to the Department of Human Services' powers and duties; to provide for effective dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 982. By Representatives Nimmer of the 178th, LaRiccia of the 169th, Ballinger of the 23rd, Corbett of the 174th, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to dependency proceedings, so as to change provisions relating to relative searches conducted by DFCS; to change provisions relating to termination of parental rights; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 999. By Representatives Coomer of the 14th, Cox of the 108th, Golick of the 40th, Burns of the 159th and Caldwell of the 131st:

A BILL to be entitled an Act to amend Code Section 16-11-129 of the O.C.G.A., relating to weapons carry license, temporary renewal permit, mandamus, and verification of license, so as to clarify the type of hospitalization as an inpatient in any mental hospital that prohibits the

issuance of a weapons carry license; to amend Code Section 35-3-34 of the O.C.G.A., relating to disclosure and dissemination of criminal records to private persons and businesses, resulting responsibility and liability of the Georgia Crime Information Center; to amend Title 37 of the O.C.G.A., relating to mental health, so to require judicial notification to certain persons admitted to certain facilities of certain firearm prohibitions that attach to such admission; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Cowser of the 46th moved that the Senate adjourn until 10:00 a.m. Thursday, March 1, 2018.

The motion prevailed, and the President announced the Senate adjourned at 9:13 p.m.

Senate Chamber, Atlanta, Georgia
Thursday, March 1, 2018
Twenty-ninth Legislative Day

The Senate met pursuant to adjournment at 10:22 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 483. By Senators Jordan of the 6th, Parent of the 42nd, Butler of the 55th, Seay of the 34th, Tate of the 38th and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 28 of the Official Code of Georgia Annotated, relating to legislative services generally, so as to provide for a private lactation room open to the public in either the Capitol Building or the Paul D. Coverdell Legislative Office Building; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SR 942. By Senators Davenport of the 44th, Butler of the 55th, Seay of the 34th, Tate of the 38th, Orrock of the 36th and others:

A RESOLUTION honoring the life of Mrs. Annie Lois Freeman Souder and dedicating a bridge in her memory; and for other purposes.

Referred to the Committee on Transportation.

SR 943. By Senator Harbison of the 15th:

A RESOLUTION honoring the life of Mr. David M. Anthony and dedicating a bridge in his memory; and for other purposes.

Referred to the Committee on Transportation.

SR 944. By Senators Davenport of the 44th, Seay of the 34th, Anderson of the 43rd, Williams of the 39th, Sims of the 12th and others:

A RESOLUTION honoring the life of Mr. Carl Genius Souder and dedicating a bridge in his memory; and for other purposes.

Referred to the Committee on Transportation.

SR 947. By Senators Davenport of the 44th, Jones of the 10th, Jackson of the 2nd, Seay of the 34th, Anderson of the 43rd and others:

A RESOLUTION honoring the lives of Jackson and Queen Mary Dixon and dedicating a road in their memory; and for other purposes.

Referred to the Committee on Transportation.

The following House legislation was read the first time and referred to committee:

HB 81. By Representatives McCall of the 33rd, Powell of the 32nd, Harden of the 148th, Greene of the 151st, Taylor of the 173rd and others:

A BILL to be entitled an Act to amend Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income taxes, so as to allow certain health care facilities to receive income tax refund setoffs for collection of medical debts; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 332. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to repeal and reenact Chapter 6A, relating to land conservation; to provide for a short title; to create the Georgia Outdoor Stewardship Trust Fund; to create funding mechanisms for the protection and preservation of conservation land and provide for their operation; to provide for legislative intent; to provide for definitions; to establish procedural requirements for approval of project proposals; to provide for related matters; to provide an effective date; to provide for contingent repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Appropriations.

HB 374. By Representative Knight of the 130th:

A BILL to be entitled an Act to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to allow for electronic filing of returns in certain cases; to provide for certain changes in proceedings before the county board of equalization; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 410. By Representatives Powell of the 32nd, Clark of the 98th, Teasley of the 37th and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to regulation of specialized land transactions, so as to provide for limits on certain fees imposed on purchasers of condominiums and lots in a property owners' association; to provide for fees for statements of amounts owing to a property owners' association; to provide for the manner of providing such statements; to provide for expedited fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 489. By Representatives McCall of the 33rd, Powell of the 32nd, Glanton of the 75th and Bentley of the 139th:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide that the Georgia Procurement Registry shall be used in addition to the official legal organ and other media outlets for advertisement of certain bid opportunities for goods and services and public works construction contracts by a county, municipal corporation, or local board of education; to provide that advertisement via the Georgia Procurement Registry shall be at no cost to local government entities; to require advertisement of certain bid opportunities by local government entities via the Georgia Procurement Registry; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

HB 494. By Representatives Dempsey of the 13th, Coleman of the 97th, Chandler of the 105th, Glanton of the 75th and Carter of the 175th:

A BILL to be entitled an Act to amend Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning, so as to revise

certain provisions relating to the safety of children in early care and education programs; to authorize hearsay in preliminary hearings regarding emergency closure of a program or the emergency placement of a monitor or monitors; to revise the definition of "crime" for purposes of background checks; to provide that background checks are not valid if an individual has been separated from employment for more than 180 consecutive days from an early care and education program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 513. By Representatives Dickerson of the 113th, Abrams of the 89th, Gardner of the 57th and Hugley of the 136th:

A BILL to be entitled an Act to amend Chapter 10A of Title 19 of the Official Code of Georgia Annotated, relating to safe place for newborns, so as to provide for signs to be posted at certain medical facilities to indicate locations where a newborn child may be left such that the mother can avoid criminal prosecution; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 519. By Representatives Cooper of the 43rd, Broadrick of the 4th, Houston of the 170th, Hatchett of the 150th and Taylor of the 173rd:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to require health benefit plans to utilize certain clinical review criteria to establish step therapy protocols; to provide for a step therapy override determination process; to provide for definitions; to provide for statutory construction; to provide for rules and regulations; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 605. By Representatives Spencer of the 180th, Oliver of the 82nd, Brockway of the 102nd, Frye of the 118th, Rakestraw of the 19th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, so as to change provisions relating to the revival of certain claims involving childhood sexual abuse; to provide for civil actions by the Attorney General

under certain circumstances; to provide for a civil penalty; to provide for a report; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 624. By Representatives Battles of the 15th, Powell of the 171st, Maxwell of the 17th, Burns of the 159th, Meadows of the 5th and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 47 of the Official Code of Georgia Annotated, relating to the Georgia Legislative Retirement System, so as to define certain terms; to change certain provisions relating to employee contributions to the retirement system, payment of employee contributions on behalf of the member, and additional contributions; to change certain provisions relating to prior service credit for military service; to change certain provisions relating to eligibility and application for a retirement allowance, early retirement, amount of retirement allowance, compliance with federal tax laws, and increases in retirement allowance; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Retirement.

HB 642. By Representatives Nimmer of the 178th, Stephens of the 164th, Gardner of the 57th, Kelley of the 16th and Fleming of the 121st:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide definitions; to provide for the creation and termination of special improvement districts; to provide for the levying of a special improvement tax in such districts; to provide for the disposition and use of the funds from such districts; to provide for special services to the districts; to provide for an effective date; to provide for termination; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

HB 673. By Representatives Carson of the 46th, Lumsden of the 12th, Golick of the 40th, Trammell of the 132nd, Smith of the 134th and others:

A BILL to be entitled an Act to amend Title 40 of the O.C.G.A., relating to motor vehicles and traffic, so as to prohibit actions which distract a driver while operating a motor vehicle; to provide for the proper and safe use of

wireless telecommunications devices while driving; to provide for definitions; to provide for violations; to provide for punishments; to provide for the assessment of points upon conviction; to provide for additional fines to be collected by the Department of Driver Services; to provide for applicability; to provide for punishments for homicide by vehicle and for serious bodily injury by vehicle when driver was operating such motor vehicle while using a wireless telecommunications device; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 696. By Representatives Kelley of the 16th, Coomer of the 14th, Watson of the 172nd, Shaw of the 176th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, so as to create an exemption for certain computer equipment sold or leased to certain entities for use in high-technology data centers; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 707. By Representatives Price of the 48th, Jones of the 47th, Martin of the 49th and Willard of the 51st:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Roswell ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 708. By Representatives Raffensperger of the 50th, Hilton of the 95th, Jones of the 25th, Martin of the 49th and Willard of the 51st:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Johns Creek ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide

for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 710. By Representatives Jones of the 47th and Cantrell of the 22nd:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Milton ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 711. By Representative Jones of the 47th:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Mountain Park ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 712. By Representatives Martin of the 49th, Jones of the 47th and Price of the 48th:

A BILL to be entitled an Act to provide for a new homestead exemption from City of Alpharetta ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 713. By Representatives Chandler of the 105th, Raffensperger of the 50th, Mathiak of the 73rd, Dreyer of the 59th and Barr of the 103rd:

A BILL to be entitled an Act to amend Code Section 20-3-519 of the Official Code of Georgia Annotated, relating to definitions relative to HOPE scholarships and grants, by providing for eligibility requirements to receive the HOPE scholarship as a Zell Miller Scholarship Scholar relative to students who graduated from an ineligible high school or a home study program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Higher Education.

HB 718. By Representatives Scott of the 76th, Stovall of the 74th, Nelson of the 125th, Thomas of the 39th and Beasley-Teague of the 65th:

A BILL to be entitled an Act to amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance, so as to excuse certain absences of students with parents in service of the armed forces of the United States, the Reserves, or the National Guard or veterans of same; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 754. By Representatives Shaw of the 176th, Smith of the 134th, Blackmon of the 146th, Hugley of the 136th and Taylor of the 173rd:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to provide for the division of a domestic insurer into two or more resulting domestic insurers; to provide for definitions; to provide for a plan of division subject to approval by the Insurance Commissioner; to provide for a certificate of division; to provide for the effect of a division; to provide for the responsibilities of a resulting insurer; to provide for shareholder appraisal rights; to provide for rules and regulations; to revise the authorization and procedure for merger or consolidation; to amend Part 1 of Article 13 of Chapter 2 of Title 14 of the O.C.G.A., relating to the right to dissent and obtain payment for shares, so as to add the right to dissent and obtain payment for shares for a division of a domestic insurer; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 759. By Representatives Turner of the 21st, Teasley of the 37th, Stovall of the 74th, Cantrell of the 22nd, Setzler of the 35th and others:

A BILL to be entitled an Act to amend Code Section 20-2-2114 of the Official Code of Georgia Annotated, relating to qualifications for the Georgia Special Needs Scholarship Program, so as to revise the prior school year requirement; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

HB 764. By Representatives Clark of the 98th, Peake of the 141st, Trammell of the 132nd, Grayley of the 67th, Meadows of the 5th and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 12 of Title 16 of the O.C.G.A., relating to regulation of low THC oil, so as to provide for certain circumstances for the lawful possession or control of certain quantities of low THC oil and marijuana; to amend Chapter 2A of Title 31 of the O.C.G.A., relating to the Department of Public Health, so as to add post traumatic stress disorder to the conditions authorized for the use of low THC oil; to provide for licensing for cultivation of cannabis for the purpose of producing, processing, and dispensing low THC oil in this state; to provide for criteria for certain cultivation and production licenses; to provide for state postsecondary educational institutions to have the option to bid on production facility licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 765. By Representatives Thomas of the 56th, Willard of the 51st, Gonzalez of the 117th, Boddie of the 62nd, Dreyer of the 59th and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules of the road, so as to increase penalties for hit and run accidents that result in death or serious injury; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 775. By Representatives Powell of the 32nd and Maxwell of the 17th:

A BILL to be entitled an Act to amend Chapter 39A of Title 43 of the Official Code of Georgia Annotated, relating to real estate appraisers, so as to change certain provisions relating to real estate management companies; to revise and

provide for definitions; to provide requirements for the establishment and maintenance of a real estate appraisal management company; to authorize the Georgia Real Estate Appraisers Board to establish certain rules and regulations for appraisal management companies and to collect and remit certain fees; to authorize the board to take disciplinary action against appraisal management companies; to revise certain requirements relating to the board's authority to investigate certain violations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

HB 779. By Representatives Powell of the 32nd, Rogers of the 10th, Rhodes of the 120th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 3 of Title 38 of the O.C.G.A., relating to emergency management, so as to establish the homeland security division of the Georgia Emergency Management and Homeland Security Agency; to amend Code Section 16-11-130 of the O.C.G.A., relating to exemptions from Code Sections 16-11-126 through 16-11-127.2, so as to authorize any officer or agent or retired officer or agent of such division to carry a handgun on or off duty within this state with an exception; to amend Chapter 3 of Title 35 of the O.C.G.A., relating to the Georgia Bureau of Investigation, so as to revise the duties of the director of the Georgia Bureau of Investigation pertaining to the Georgia Information Sharing and Analysis Center; to revise the duties of the Georgia Information Sharing and Analysis Center; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 791. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Chapter 21 of Title 50 of the Official Code of Georgia Annotated, relating to waiver of sovereign immunity as to actions ex contractu and state tort claims, so as to provide for a limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstances; to provide for definitions; to provide for exceptions; to provide for immunity of state officers and employees in their individual capacity; to provide for notice of a claim; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 793. By Representatives LaRiccia of the 169th, Pirkle of the 155th, Lott of the 122nd, Dubnik of the 29th and Hanson of the 80th:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding state sales and use tax, so as to provide for an exemption for certain aquarium construction; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 803. By Representatives Willard of the 51st, Cooper of the 43rd, Cox of the 108th, Lumsden of the 12th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to protection of elder persons, so as to prohibit trafficking a disabled adult, elder person, or resident; to provide for definitions; to provide for elements of the crime; to provide for penalties, mandatory sentences, and exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 808. By Representatives Nimmer of the 178th, Corbett of the 174th, LaRiccia of the 169th, Shaw of the 176th and Spencer of the 180th:

A BILL to be entitled an Act to amend Code Section 15-6-3 of the Official Code of Georgia Annotated, relating to the terms of superior courts, so as to change the term of court in Bacon, Brantley, Charlton, Coffee, Pierce, and Ware counties in the Waycross Circuit; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 811. By Representatives Powell of the 171st, Harrell of the 106th, England of the 116th, Stephens of the 164th, Blackmon of the 146th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administrative organization, so as to provide that the Department of Revenue is authorized to share tax information for the provision of services that assist the department in the identification of taxpayers that are noncompliant with sales and use taxes; to authorize compensation for such services on a contingency fee basis; to

provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 818. By Representatives Hawkins of the 27th, Smith of the 134th, Newton of the 123rd, Cooper of the 43rd, Hugley of the 136th and others:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide that a health care provider shall choose the method by which such provider shall be reimbursed by an insurer for health care services performed; to provide for definitions; to provide disclosure requirements for insurers; to provide enforcement powers for violations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 820. By Representatives Beskin of the 54th, Jones of the 47th, Martin of the 49th, Price of the 48th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Part 2 of Article 5 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to county boards of tax assessors, so as to establish a procedure for counties following a rejection of a tax digest; to provide for related matters; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 831. By Representatives Rogers of the 10th, England of the 116th, Dempsey of the 13th, Rhodes of the 120th, Efstoration of the 104th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 49 of the Official Code of Georgia Annotated, relating to transfer of division of rehabilitation services to the Department of Labor, so as to establish the Employment First Georgia Council; to provide for legislative findings and declarations; to provide for membership, duties, terms of office, meeting requirements, committee appointments, compensation, and expense allowances; to provide for a biannual report to the Governor and the General Assembly; to provide for a short title; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

HB 834. By Representatives Ballinger of the 23rd, Beskin of the 54th, Blackmon of the 146th, Hilton of the 95th, Corbett of the 174th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions concerning landlord and tenant, so as to provide for the termination of a rental or lease agreement for residential real estate under circumstances involving family violence; to provide for definitions; to provide for notice and terms of termination; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 843. By Representatives Shaw of the 176th, Blackmon of the 146th, Smith of the 134th, Williams of the 168th, Belton of the 112th and others:

A BILL to be entitled an Act to amend Code Section 48-7-40.1 of the Official Code of Georgia Annotated, relating to tax credits for business enterprises in less developed areas, so as to include any census tract that in a county that contains a certain federal military installation and also contains an industrial park that is owned and operated by a governmental entity; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

HB 844. By Representatives Houston of the 170th, Coleman of the 97th, Nix of the 69th, Dempsey of the 13th and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 1 of Title 30 of the O.C.G.A., relating to handicapped persons generally, so as to revise provisions relating to the Georgia Commission on Hearing Impaired and Deaf Persons; to provide for definitions; to expand the membership of the commission; to establish a task force; to require use of existing assessments; to monitor individual children's language and literacy progress; to develop a state-wide coordinated longitudinal data management system for all children who are deaf or hard of hearing; to require information sharing and collaboration among state agencies; to provide integrated and seamless services from birth through literacy; to require public reporting mechanisms; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- HB 852. By Representatives Smith of the 41st, Greene of the 151st, Burnough of the 77th, Lopez of the 99th and Carter of the 92nd:

A BILL to be entitled an Act to amend Part 13 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to organization of schools and school systems under the "Quality Basic Education Act," so as to provide for a student's continued enrollment in a public school under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Education and Youth.

- HB 863. By Representatives Glanton of the 75th, Douglas of the 78th, Burnough of the 77th and Bazemore of the 63rd:

A BILL to be entitled an Act to conditionally repeal an Act providing for homestead exemptions from ad valorem taxes for city purposes for residents of the City of Jonesboro, approved May 14, 2002 (Ga. L. 2002, p. 5845), and to enact a new provision; to restate the amount of the homestead exemption for the assessed value of the homestead for residents of that city; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for compliance with constitutional requirements; to provide for a referendum, effective dates, specific conditional repeal, and automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

- HB 869. By Representatives Bruce of the 61st, Bazemore of the 63rd, Willard of the 51st, Boddie of the 62nd, Jackson of the 64th and others:

A BILL to be entitled an Act to repeal the amendment to the Constitution of Georgia creating within Fulton County the Fulton County Industrial District and prohibiting the governing authority of Fulton County from levying any tax for educational purposes within the boundaries of an independent school system; to provide for a referendum with respect to the effectiveness of the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 870. By Representatives Bruce of the 61st, Bazemore of the 63rd, Willard of the 51st, Boddie of the 62nd, Jackson of the 64th and others:

A BILL to be entitled an Act to amend an Act to incorporate the City of South Fulton in Fulton County, Georgia, approved April 26, 2016 (Ga. L. 2016, p. 3726), so as to change the corporate boundaries of the municipality; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 878. By Representatives Clark of the 147th, Smith of the 134th, Blackmon of the 146th, Raffensperger of the 50th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to procedure for cancellation by an insured and notice, so as to change certain provisions regarding cancellation of an insurance policy by an insured; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 879. By Representatives Jones of the 167th, McCall of the 33rd, Powell of the 171st, Battles of the 15th, Williams of the 145th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to control of water pollution and surface-water use, so as to provide notice to local governing authorities prior to the dewatering of coal combustion residual surface impoundments; to provide for minimum notice requirements to the public of such dewatering at or close to the point of discharge; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

HB 887. By Representatives Powell of the 171st, England of the 116th, Watson of the 172nd, Parsons of the 44th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Titles 36, 38, 46, 48, and 50 of the O.C.G.A., relating to local government, military, emergency management, and veteran affairs, public utilities and public transportation, revenue and taxation, and state government respectively, so as to facilitate and incentivize adequate and expanded broadband and other communications services throughout the

state; to provide for legislative findings and intent; to provide short titles; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

HB 897. By Representatives Efstoration of the 104th, Willard of the 51st, Trammell of the 132nd, Morris of the 156th and Caldwell of the 131st:

A BILL to be entitled an Act to amend Chapter 6B of Title 10 of the O.C.G.A., relating to the "Uniform Power of Attorney Act," so as to revise the short title; to provide for definitions; to change provisions relating to the application of Chapter 6 of this title; to update cross-references to federal law; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

HB 899. By Representatives LaRiccia of the 169th, Harden of the 148th, Nimmer of the 178th, Morris of the 156th, Dunahoo of the 30th and others:

A BILL to be entitled an Act to amend Chapter 10 of Title 13 and Chapter 91 of Title 36 of the Official Code of Georgia Annotated, relating to contracts for public works and public works bidding, respectively, so as to change the limitation on disqualification of bidders; to prohibit the disqualification of bidders based upon lack of previous experience with the delivery method; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

HB 900. By Representatives Caldwell of the 131st and Knight of the 130th:

A BILL to be entitled an Act to amend an Act providing for the election of members of the Board of Education of Lamar County, approved March 31, 1971 (Ga. L. 1971, p. 2710), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4000), so as to revise the rate and form of compensation of the members and chairperson of the Board of Education of Lamar County; to provide for a reduction in compensation for meetings or work sessions not attended; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 901. By Representatives Hatchett of the 150th and Parrish of the 158th:

A BILL to be entitled an Act to amend an Act to create and incorporate the City of Adrian in the Counties of Emanuel and Johnson, approved March 28, 1984 (Ga. L. 1984, p. 4745), so as to revise the terms of office of the mayor and members of the city council; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 904. By Representatives Hanson of the 80th, Willard of the 51st, Fleming of the 121st, Kelley of the 16th and Harrell of the 106th:

A BILL to be entitled an Act to amend Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, so as to clarify provisions relating to the effect of an owner of land charging an admission price or fee; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

HB 911. By Representatives Knight of the 130th and Mathiak of the 73rd:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Griffin, approved May 17, 2004 (Ga. L. 2004, p. 4232), as amended, so as to provide for a mayor and a mayor pro tem; to provide for the duties and powers of the mayor and mayor pro tem; to provide for the election and qualifications of the mayor and how to fill vacancies in the office of mayor; to provide for quorums; to provide for procedures; to provide for related matters; to provide for a referendum and contingent effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 912. By Representatives Knight of the 130th and Mathiak of the 73rd:

A BILL to be entitled an Act to amend an Act creating the State Court of Spalding County, approved December 14, 1897 (Ga. L. 1897, p. 462), as amended, so as to provide for the imposition of court costs in certain criminal cases; to provide for failure to appear fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

- HB 917. By Representatives Dollar of the 45th, Frye of the 118th, Rakestraw of the 19th, Fleming of the 121st, Wallace of the 119th and others:

A BILL to be entitled an Act to amend Code Section 16-8-60 of the Official Code of Georgia Annotated, relating to reproduction of recorded material, transfer, sale, distribution, circulation, civil forfeiture, and restitution, so as to update terminology and change provisions relating to restitution; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HB 920. By Representatives Dempsey of the 13th, Reeves of the 34th, Willard of the 51st, Oliver of the 82nd and Nimmer of the 178th:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions for adoption, so as to allow for the use of the department's information concerning the parties to an adoption under certain circumstances; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- HB 921. By Representatives Lumsden of the 12th, Dempsey of the 13th and Coomer of the 14th:

A BILL to be entitled an Act to authorize the governing authority of the City of Cave Spring to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

- HB 927. By Representatives Nimmer of the 178th, Dempsey of the 13th, Oliver of the 82nd, LaRiccia of the 169th, Houston of the 170th and others:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to dependency proceedings, so as to require certain information be provided to a caregiver, foster parent, preadoptive parent, or relative by DFCS upon placement of a child; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 929. By Representatives Efration of the 104th, Powell of the 171st and Burns of the 159th:

A BILL to be entitled an Act to amend Article 4 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the water and sewer projects and costs tax (MOST), so as to allow for additional renewals of the tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Transportation.

HB 933. By Representative Gurtler of the 8th:

A BILL to be entitled an Act to amend an Act to reincorporate the City of Dillard in the County of Rabun, approved March 21, 1974 (Ga. L. 1974, p. 2451), as amended, so as to eliminate one council post in the city; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 938. By Representatives Taylor of the 173rd, Smith of the 134th, Lumsden of the 12th, Shaw of the 176th and Hugley of the 136th:

A BILL to be entitled an Act to amend Code Section 33-23-12 of the Official Code of Georgia Annotated, relating to limited licenses, so as to provide for a limited credit insurance agency license; to provide for requirements; to provide for application to the Commissioner; to provide for penalties; to provide for a

decision appeal; to provide for license renewal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Insurance and Labor.

HB 940. By Representatives Cauble of the 111th, Coomer of the 14th, Powell of the 32nd, Rutledge of the 109th and Alexander of the 66th:

A BILL to be entitled an Act to amend Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, so as to allow the Department of Driver Services to mark and return surrendered licenses and personal identification cards; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 946. By Representatives Clark of the 147th, Blackmon of the 146th, Epps of the 144th, Harden of the 148th and Dickey of the 140th:

A BILL to be entitled an Act to amend an Act relating to the Board of Education of Houston County, approved March 31, 1994 (Ga. L. 1994, p. 4435), as amended, particularly by an Act approved April 16, 1999 (Ga. L. 1999, p. 4640), so as to modify the compensation of the members of the Board of Education of Houston County; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 951. By Representatives Shaw of the 176th, Watson of the 172nd, Houston of the 170th, Powell of the 171st, England of the 116th and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to establish the Center for Rural Prosperity and Innovation; to provide for a director; to provide for the incorporation of the Centers of Innovation Agribusiness administered by the Department of Economic Development; to provide for the incorporation and structure of a new Georgia Rural Development Council; to provide for members and duties; to provide for conditions related to appropriations; to provide for legislative findings; to amend Article 6 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Office of Rural Development and State Advisory Committee on Rural Development, so as to repeal the Georgia Rural Development Council; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

HB 952. By Representative Tanner of the 9th:

A BILL to be entitled an Act to amend an Act entitled "An Act to create a new charter for the City of Dahlonega in the County of Lumpkin," approved April 12, 1982 (Ga. L. 1982, p. 4353), as amended, particularly by an Act approved May 11, 2010 (Ga. L. 2010, p. 3522), so as to provide for the filling of vacancies; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 956. By Representatives Pirkle of the 155th, McCall of the 33rd and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 50 of Title 43 of the O.C.G.A., relating to veterinarians and veterinary technicians, so as to change certain provisions relating to definitions relative to such chapter; to amend Article 11 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to military, emergency management, and veterans affairs generally, so as to revise a cross-reference; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

HB 972. By Representatives Willard of the 51st, Oliver of the 82nd, Reeves of the 34th, Thomas of the 39th, Peake of the 141st and others:

A BILL to be entitled an Act to amend Chapter 11 of Title 15 and Code Section 49-5-8 of the Official Code of Georgia Annotated, relating to the Juvenile Code and powers and duties of the Department of Human Services, respectively, so as to allow the Division of Family and Children Services of the Department of Human Services to offer extended care youth services to youths between 18 and 21 years of age under certain circumstances; to change a definition; to clarify juvenile court jurisdiction and the termination of dependency orders; to provide for voluntary agreements for services and court oversight; to change provisions relating to the Department of Human Services' powers and duties; to provide for effective dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 973. By Representatives Jones of the 47th, Burns of the 159th, England of the 116th, Trammell of the 132nd and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to provide

that lobbyists shall acknowledge receiving, reading, and agreeing to abide by the sexual harassment policy of the General Assembly as a condition to lobbyist registration; to provide that violation of the sexual harassment policy by a lobbyist shall be grounds for sanctioning such lobbyist; to provide that complaints regarding violation of the sexual harassment policy of the General Assembly by any lobbyist may be reported to the Georgia Government Transparency and Campaign Finance Commission by the General Assembly with recommendations for sanctions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Ethics.

HB 978. By Representatives Nimmer of the 178th, Coomer of the 14th, Carpenter of the 4th, Corbett of the 174th, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to school buses, so as to revise the enforcement of civil monetary penalties; to provide for procedures and enforcement; to provide for dedication of fees collected from local civil monetary penalties; to amend Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, so as to provide for automated traffic enforcement safety devices in school zones; to provide for the operation of automated traffic enforcement safety devices; to provide for automated traffic enforcement safety device testing exceptions and procedures; to provide for automated traffic enforcement safety device use warning signs; safety devices; to provide for rules, regulations, and terms of use for automated traffic enforcement safety devices; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 982. By Representatives Nimmer of the 178th, LaRiccia of the 169th, Ballinger of the 23rd, Corbett of the 174th, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to dependency proceedings, so as to change provisions relating to relative searches conducted by DFCS; to change provisions relating to termination of parental rights; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

HB 986. By Representatives Nimmer of the 178th, Shaw of the 176th, Spencer of the 180th, LaRiccia of the 169th and Corbett of the 174th:

A BILL to be entitled an Act to amend an Act providing that the governing authority of each county comprising the Waycross Judicial Circuit may supplement the compensation, salary, expenses, and allowances of each of the judges of the superior courts of the Waycross Judicial Circuit, approved March 20, 1985 (Ga. L. 1985, p. 3879), so as to increase the amounts of such supplements; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 992. By Representatives Lott of the 122nd, Mathiak of the 73rd, Newton of the 123rd, Martin of the 49th and Dollar of the 45th:

A BILL to be entitled an Act to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to eliminate certain requirements relating to the use of automated external defibrillators; to eliminate obsolete language relating to base station facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

HB 995. By Representatives Newton of the 123rd, Rynders of the 152nd, Brockway of the 102nd and Holcomb of the 81st:

A BILL to be entitled an Act to amend Article 1 of Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, so as to provide for certain disclosures from consultants and other contractors who enter into contracts or arrangements with counties, municipal corporations, and other governmental entities to prepare or develop specifications or requirements for bids, requests for proposals, procurement orders, or purchasing orders; to provide for consequences for failure to disclose; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

- HB 996. By Representatives Dempsey of the 13th, Powell of the 171st, Houston of the 170th, Nimmer of the 178th, Welch of the 110th and others:

A BILL to be entitled an Act to amend Chapter 25 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Technology Authority, so as to establish the Strategic Integrated Data System; to create a governing board and provide for its membership and terms; to provide for oversight of the project; to provide for board responsibilities; to provide for reporting; to provide for funding; to provide for data sharing; to provide for immunity; to provide for open records and meetings; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

- HB 999. By Representatives Coomer of the 14th, Cox of the 108th, Golick of the 40th, Burns of the 159th and Caldwell of the 131st:

A BILL to be entitled an Act to amend Code Section 16-11-129 of the O.C.G.A., relating to weapons carry license, temporary renewal permit, mandamus, and verification of license, so as to clarify the type of hospitalization as an inpatient in any mental hospital that prohibits the issuance of a weapons carry license; to amend Code Section 35-3-34 of the O.C.G.A., relating to disclosure and dissemination of criminal records to private persons and businesses, resulting responsibility and liability of the Georgia Crime Information Center; to amend Title 37 of the O.C.G.A., relating to mental health, so to require judicial notification to certain persons admitted to certain facilities of certain firearm prohibitions that attach to such admission; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

- HR 238. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for an annual allocation of 75 percent of the revenue derived from the state sales and use tax with respect to the sale of outdoor recreation equipment to a trust fund to be used for the protection and preservation of conservation land; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Referred to the Committee on Appropriations.

HR 444. By Representative McCall of the 33rd:

A RESOLUTION honoring the life of Mr. Willie Thomas Murray and dedicating a bridge in his memory; and for other purposes.

Referred to the Committee on Transportation.

HR 993. By Representatives Efstration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A RESOLUTION proposing an amendment to the Constitution so as to create a business court with state-wide jurisdiction; to provide for venue and uniformity of jurisdiction and powers; to provide for selection, terms, and qualifications of business court judges; to provide for the submission of this amendment for ratification or rejection; to provide for related matters; and for other purposes.

Referred to the Committee on Judiciary.

The following legislation was read the second time:

HB 441

Senator Kirk of the 13th asked unanimous consent that Senator Tippins of the 37th be excused. The consent was granted, and Senator Tippins was excused.

Senator Tillery of the 19th asked unanimous consent that Senator Williams of the 27th be excused. The consent was granted, and Senator Williams was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Mullis
Anderson, L	Hufstetler	Orrock
Anderson, T	Jackson	Parent
Beach	James	Payne
Black	Jones, B	Rhett
Brass	Jones, E	Shafer
Burke	Jones, H	Sims
Butler	Jordan	Stone
Cowsert	Kennedy	Strickland
Davenport	Kirk	Tate
Dugan	Kirkpatrick	Thompson, B
Ginn	Ligon	Tillery
Gooch	Lucas	Unterman

Harbin	Martin	Walker
Harbison	McKoon	Watson
Harper	Millar	Wilkinson
Heath	Miller	Williams, N
Henson		

Not answering were Senators:

Seay	Thompson, C.	Tippins (Excused)
Williams, M. (Excused)		

Senator Thompson of the 5th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Hill of the 4th introduced the chaplain of the day, Elder Mike Newman of Metter, Georgia, who offered scripture reading and prayer.

Senator Jordan of the 6th introduced the doctor of the day, Dr. Ammar Divan.

Senator Miller of the 49th recognized the long and steady friendship between Georgia and Japan shown by the 45th Anniversary of the Office of the State of Georgia in Japan, commended by SR 892, adopted previously. Takashi "Thomas" Shinozuka addressed the Senate briefly.

Senator James of the 35th recognized March 1, 2018, as Lupus Advocacy Day at the state capitol, commended by SR 645, adopted previously. Advocacy Co-Chair Chris Reed and Dr. Kelly Rouster-Stevens addressed the Senate briefly.

Senator Kirk of the 13th honored the Georgia Rural Health Association and recognized March 1, 2018, as Rural Health Day at the state capitol, commended by SR 786, adopted previously. Shelley Spires addressed the Senate briefly.

Senator Thompson of the 14th recognized Trevor Lawrence of Cartersville, Georgia, commended by SR 605, adopted previously. Trevor Lawrence addressed the Senate briefly.

Senator Martin of the 9th recognized the Georgia Swarm pro lacrosse team on becoming the 2017 National Lacrosse League (NLL) World Champions, commended by SR 724, adopted previously. Jordan MacIntosh addressed the Senate briefly.

The following resolutions were read and adopted:

SR 945. By Senators Anderson of the 24th, Stone of the 23rd, Jones II of the 22nd, Albers of the 56th, Kirk of the 13th and others:

A RESOLUTION honoring the life and memory of Sergeant Gregory Michael Meagher; and for other purposes.

SR 946. By Senator Lucas of the 26th:

A RESOLUTION honoring Elder Benjamin Ridley as an Outstanding Georgian; and for other purposes.

SR 948. By Senators Parent of the 42nd, Tate of the 38th, Butler of the 55th, Unterman of the 45th, Davenport of the 44th and others:

A RESOLUTION congratulating Arianne Weldon on receiving the 2018 Yellow Rose Nikki T. Randall Servant Leader award; and for other purposes.

SR 949. By Senators Williams of the 39th, Sims of the 12th, Anderson of the 43rd, Davenport of the 44th, Seay of the 34th and others:

A RESOLUTION recognizing and commending Dr. Georgianne Thomas on her outstanding public service; and for other purposes.

SR 950. By Senators Millar of the 40th, Thompson of the 14th, Anderson of the 24th, Davenport of the 44th, McKoon of the 29th and others:

A RESOLUTION commending University System of Georgia Outstanding Scholars on Academic Recognition Day for 2018; and for other purposes.

SR 951. By Senators Kirkpatrick of the 32nd, Orrock of the 36th, James of the 35th, Tippins of the 37th, Rhett of the 33rd and others:

A RESOLUTION recognizing and commending Leadership Cobb and the members of the Leadership Cobb Class of 2018; and for other purposes.

SR 952. By Senators Kirkpatrick of the 32nd, Orrock of the 36th, James of the 35th, Seay of the 34th, Williams of the 39th and others:

A RESOLUTION congratulating Missy Owen for receiving a Servant Leader Award; and for other purposes.

Senator Harbison of the 15th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

Senator Cowsert of the 46th moved to engross HB 918, which was on today's Senate Rules Calendar.

Senator Henson of the 41st objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	Jones, H	Y Stone
Y Burke	N Jordan	Strickland
N Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Thompson, B
N Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 34, nays 15; the motion prevailed, and HB 918 was engrossed.

SENATE RULES CALENDAR
THURSDAY, MARCH 1, 2018
TWENTY-NINTH LEGISLATIVE DAY

HB 273	Quality Basic Education Act; daily recess for students in kindergarten and grades one through five; provide (Substitute)(ED&Y-53rd) Douglas-78th
HB 918	Revenue and taxation; Internal Revenue Code; provisions (Substitute) (RULES-9th) Efstoration-104th

HB 287 Special license plates; honoring service members killed in action; provide at no cost to eligible family members (VM&HS-32nd) Kirby-114th

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HB 273. By Representatives Douglas of the 78th, Evans of the 42nd, Setzler of the 35th, Strickland of the 111th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to provide for a daily recess for students in kindergarten and grades one through five; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Mullis of the 53rd.

The Senate Committee on Education and Youth offered the following substitute to HB 273:

A BILL TO BE ENTITLED
AN ACT

To amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to provide for recess for students in kindergarten and grades one through five; to provide for statutory construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," is amended by revising Code Section 20-2-323, relating to unstructured break time for students in kindergarten through grade eight, as follows:

"20-2-323.

(a) Beginning in the 2018-2019 school year, each elementary school shall schedule recess for all students in kindergarten and grades one through five every school day;

provided, however, that recess shall not be required on any school day on which a student has had physical education or structured activity time or if reasonable circumstances impede such recess, such as inclement weather when no indoor space is available, assemblies or field trips exceeding their scheduled duration, conflicts occurring at the scheduled recess time over which the classroom teacher has no control, or emergencies, disasters, or acts of God. Each elementary school is encouraged to include an average of 30 minutes per day of supervised unstructured activity time, preferably outdoors. Local boards of education shall establish written policies to ensure that recess is a safe experience for students, that recess is scheduled so that it provides a break during academic learning, and that recess is not withheld for disciplinary or academic reasons.

(b) ~~Each~~ ~~By January 1, 2005,~~ each local board of education shall establish written policies allowing or prohibiting unstructured break time for students in ~~kindergarten~~ ~~and~~ grades ~~one~~ six through eight. If the policies allow one or more breaks, the policies shall include but shall not be limited to the following matters:

- (1) The school personnel who will be authorized to decide the length, frequency, timing, and location of breaks;
- (2) Whether breaks can be withheld from students for disciplinary or academic reasons and, if breaks can be withheld, under what conditions;
- (3) How to ensure break time is a safe experience for students, including the responsibility for supervision of students; and
- (4) How to ensure that break time is scheduled so as to provide a support for academic learning.

Local boards shall provide a copy of such policies to the State Board of Education.

(c) This Code section shall not be construed to be a statute relating to the protection of the physical health and safety of school students, employees, and visitors."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims

Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 273, having received the requisite constitutional majority, was passed by substitute.

HB 918. By Representatives Efstration of the 104th, Rogers of the 10th, Rhodes of the 120th, Powell of the 171st, Williamson of the 115th and others:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to define the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of the federal law into Georgia law; to revise the individual exemption amounts; to revise provisions relating to assignment of corporate income tax credits; to provide for related matters; to provide for an effective date and applicability; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Martin of the 9th.

The Senate Committee on Rules offered the following substitute:

A BILL TO BE ENTITLED
AN ACT

To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to define the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of the federal law into Georgia law; to double the standard deduction amounts; to lower the personal and corporate income tax rates; to revise provisions relating to assignment of corporate income tax credits; to

provide for no liability for state or local title ad valorem tax fees in a replacement title transaction for a vehicle not less than 15 years old; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by revising paragraph (14) of Code Section 48-1-2, relating to definitions regarding revenue and taxation, as follows:

"(14) 'Internal Revenue Code' or 'Internal Revenue Code of 1986' means for taxable years beginning on or after January 1, ~~2016~~ 2017, the provisions of the United States Internal Revenue Code of 1986, as amended, provided for in federal law enacted on or before ~~January 1, 2017~~ February 9, 2018, except that ~~Section 85(e), Section 108(i), Section 163(e)(5)(F), Section 164(a)(6), Section 164(b)(6), Section 168(b)(3)(I), Section 168(e)(3)(B)(vii), Section 168(e)(3)(E)(ix), Section 168(e)(8), Section 168(k) (but not excepting Section 168(k)(2)(A)(i), Section 168(k)(2)(D)(i), and Section 168(k)(2)(E)), Section 168(m), Section 168(n), Section 172(b)(1)(H), Section 172(b)(1)(J), Section 172(j), Section 179(d)(1)(B)(ii), Section 179(f), Section 199, Section 381(c)(20), Section 382(d)(3), Section 810(b)(4), Section 1400L, Section 1400N(d)(1), Section 1400N(f), Section 1400N(j), Section 1400N(k), and Section 1400N(o) of the Internal Revenue Code of 1986, as amended, shall be treated as if they were not in effect, and except that Section 168(e)(7), Section 172(b)(1)(F), and Section 172(i)(1), and Section 1221 of the Internal Revenue Code of 1986, as amended, shall be treated as they were in effect before the 2008 enactment of federal Public Law 110-343, and except that Section 163(i)(1) of the Internal Revenue Code of 1986, as amended, shall be treated as it was in effect before the 2009 enactment of federal Public Law 111-5, and except that Section 13(e)(4) of 2009 federal Public Law 111-92 shall be treated as if it was not in effect, and except that Section 118, Section 163(j), and Section 382(k)(1) of the Internal Revenue Code of 1986, as amended, shall be treated as they were in effect before the 2017 enactment of federal Public Law 115-97, and except that the limitations provided in Section 179(b)(1) shall be \$250,000.00 for tax years beginning in 2010, shall be \$250,000.00 for tax years beginning in 2011, shall be \$250,000.00 for tax years beginning in 2012, shall be \$250,000.00 for tax years beginning in 2013, and shall be \$500,000.00 for tax years beginning in 2014, and except that the limitations provided in Section 179(b)(2) shall be \$800,000.00 for tax years beginning in 2010, shall be \$800,000.00 for tax years beginning in 2011, shall be \$800,000.00 for tax years beginning in 2012, shall be \$800,000.00 for tax years beginning in 2013, and shall be \$2 million for tax years beginning in 2014, and provided that Section 1106 of federal Public Law 112-95 as~~

amended by federal Public Law 113-243 shall be treated as if it is in effect, except the phrase 'Code Section 48-2-35 (or, if later, November 15, 2015)' shall be substituted for the phrase 'section 6511(a) of such Code (or, if later, April 15, 2015),' and notwithstanding any other provision in this title, no interest shall be refunded with respect to any claim for refund filed pursuant to Section 1106 of federal Public Law 112-95, and provided that subsection (b) of Section 3 of federal Public Law 114-292 shall be treated as if it is in effect, except the phrase 'Code Section 48-2-35' shall be substituted for the phrase 'section 6511(a) of the Internal Revenue Code of 1986' and the phrase 'such section' shall be substituted for the phrase 'such subsection.' In the event a reference is made in this title to the Internal Revenue Code or the Internal Revenue Code of 1954 as it existed on a specific date prior to ~~January 1, 2017~~ February 9, 2018, the term means the provisions of the Internal Revenue Code or the Internal Revenue Code of 1954 as it existed on the prior date. Unless otherwise provided in this title, any term used in this title shall have the same meaning as when used in a comparable provision or context in the Internal Revenue Code of 1986, as amended. For taxable years beginning on or after January 1, ~~2016~~ 2017, provisions of the Internal Revenue Code of 1986, as amended, which were as of ~~January 1, 2017~~ February 9, 2018, enacted into law but not yet effective shall become effective for purposes of Georgia taxation on the same dates upon which they become effective for federal tax purposes."

SECTION 1-2.

Said title is further amended by revising paragraph (1) of subsection (b) of Code Section 48-7-20, relating to individual income tax rates, as follows:

"(b)(1) The tax imposed pursuant to subsection (a) of this Code section shall be computed in accordance with the following tables:

SINGLE PERSON

If Georgia Taxable Net Income Is:	The Tax Is:
Not over \$750.00.....	1%
Over \$750.00 but not over \$2,250.00	\$7.50 plus 2% of amount over \$750.00
Over \$2,250.00 but not over \$3,750.00	\$37.50 plus 3% of amount over \$2,250.00
Over \$3,750.00 but not over \$5,250.00	\$82.50 plus 4% of amount over \$3,750.00
Over \$5,250.00 but not over \$7,000.00	\$142.50 plus 5% of amount over \$5,250.00

Over \$7,000.00..... \$230.00 plus ~~6%~~ 5.75% of amount
over \$7,000.00

MARRIED PERSON FILING A SEPARATE RETURN

If Georgia Taxable
Net Income Is:

The Tax Is:

Not over \$500.00..... 1%

Over \$500.00 but not over \$1,500.00 \$5.00 plus 2% of amount over
\$500.00

Over \$1,500.00 but not over \$2,500.00 \$25.00 plus 3% of amount over
\$1,500.00

Over \$2,500.00 but not over \$3,500.00 \$55.00 plus 4% of amount over
\$2,500.00

Over \$3,500.00 but not over \$5,000.00 \$95.00 plus 5% of amount over
\$3,500.00

Over \$5,000.00..... \$170.00 plus ~~6%~~ 5.75% of amount
over \$5,000.00

HEAD OF HOUSEHOLD AND MARRIED PERSONS
FILING A JOINT RETURN

If Georgia Taxable
Net Income Is:

The Tax Is:

Not over \$1,000.00..... 1%

Over \$1,000.00 but not over \$3,000.00 \$10.00 plus 2% of amount over
\$1,000.00

Over \$3,000.00 but not over \$5,000.00 \$50.00 plus 3% of amount over
\$3,000.00

Over \$5,000.00 but not over \$7,000.00 \$110.00 plus 4% of amount over
\$5,000.00

Over \$7,000.00 but not over \$10,000.00 \$190.00 plus 5% of amount over
\$7,000.00

Over \$10,000.00..... \$340.00 plus ~~6%~~ 5.75% of amount
over \$10,000.00"

SECTION 1-3.

Said title is further amended by revising paragraph (1) of subsection (b) of Code Section 48-7-20, relating to individual income tax rates, as follows:

"(b)(1) The tax imposed pursuant to subsection (a) of this Code section shall be computed in accordance with the following tables:

SINGLE PERSON

If Georgia Taxable Net Income Is:	The Tax Is:
Not over \$750.00.....	1%
Over \$750.00 but not over \$2,250.00	\$7.50 plus 2% of amount over \$750.00
Over \$2,250.00 but not over \$3,750.00	\$37.50 plus 3% of amount over \$2,250.00
Over \$3,750.00 but not over \$5,250.00	\$82.50 plus 4% of amount over \$3,750.00
Over \$5,250.00 but not over \$7,000.00	\$142.50 plus 5% of amount over \$5,250.00
Over \$7,000.00.....	\$230.00 plus 5.75% <u>5.5%</u> of amount over \$7,000.00

MARRIED PERSON FILING A SEPARATE RETURN

If Georgia Taxable Net Income Is:	The Tax Is:
Not over \$500.00.....	1%
Over \$500.00 but not over \$1,500.00	\$5.00 plus 2% of amount over \$500.00
Over \$1,500.00 but not over \$2,500.00	\$25.00 plus 3% of amount over \$1,500.00
Over \$2,500.00 but not over \$3,500.00	\$55.00 plus 4% of amount over \$2,500.00
Over \$3,500.00 but not over \$5,000.00	\$95.00 plus 5% of amount over \$3,500.00

Over \$5,000.00..... \$170.00 plus ~~5.75%~~ 5.5% of amount over \$5,000.00

HEAD OF HOUSEHOLD AND MARRIED PERSONS
FILING A JOINT RETURN

If Georgia Taxable
Net Income Is:

The Tax Is:

Not over \$1,000.00..... 1%

Over \$1,000.00 but not over \$3,000.00 \$10.00 plus 2% of amount over \$1,000.00

Over \$3,000.00 but not over \$5,000.00 \$50.00 plus 3% of amount over \$3,000.00

Over \$5,000.00 but not over \$7,000.00 \$110.00 plus 4% of amount over \$5,000.00

Over \$7,000.00 but not over \$10,000.00 \$190.00 plus 5% of amount over \$7,000.00

Over \$10,000.00..... \$340.00 plus ~~5.75%~~ 5.5% of amount over \$10,000.00"

SECTION 1-4.

Said title is further amended by revising subsection (a) of Code Section 48-7-21, relating to taxation of corporations, as follows:

"(a) Every domestic corporation and every foreign corporation shall pay annually an income tax equivalent to ~~6~~ 5.75 percent of its Georgia taxable net income. Georgia taxable net income of a corporation shall be the corporation's taxable income from property owned or from business done in this state. A corporation's taxable income from property owned or from business done in this state shall consist of the corporation's taxable income as defined in the Internal Revenue Code of 1986, with the adjustments provided for in subsection (b) of this Code section and allocated and apportioned as provided in Code Section 48-7-31."

SECTION 1-5.

Said title is further amended by revising subsection (a) of Code Section 48-7-21, relating to taxation of corporations, as follows:

"(a) Every domestic corporation and every foreign corporation shall pay annually an income tax equivalent to ~~5.75~~ 5.5 percent of its Georgia taxable net income. Georgia taxable net income of a corporation shall be the corporation's taxable income from

property owned or from business done in this state. A corporation's taxable income from property owned or from business done in this state shall consist of the corporation's taxable income as defined in the Internal Revenue Code of 1986, with the adjustments provided for in subsection (b) of this Code section and allocated and apportioned as provided in Code Section 48-7-31."

SECTION 1-6.

Said title is further amended by revising subparagraphs (b)(8)(A) and (b)(10.1)(A) of Code Section 48-7-21, relating to taxation of corporations, as follows:

"(A) A corporation from sources outside the United States as defined in the Internal Revenue Code of 1986. For purposes of this subparagraph, dividends received by a corporation from sources outside of the United States shall include amounts treated as a dividend and income deemed to have been received under provisions of the Internal Revenue Code of 1986 by such corporation if such amounts could have been subtracted from taxable income under this paragraph, had such amounts actually been received but shall not include income specified in Section 951A of the Internal Revenue Code of 1986. The deduction provided by Section 250 shall apply to the extent the same income was included in Georgia taxable net income. The deduction, exclusion, or subtraction provided by Section 245A, Section 965, or any other section of the Internal Revenue Code of 1986 shall not apply to the extent income has been subtracted pursuant to this subparagraph. Amounts to be subtracted under this subparagraph shall include the following unless excluded by this paragraph, as defined by the Internal Revenue Code of 1986:

- (i) Qualified electing fund income;
- (ii) Subpart F income; and
- (iii) Income attributable to an increase in United States property by a controlled foreign corporation.

The amount subtracted under this subparagraph shall be reduced by any expenses directly attributable to the dividend income; and"

"(A) For any taxable year in which the taxpayer takes a federal net operating loss deduction on its federal income tax return, the amount of such deduction shall be added back to federal taxable income, and Georgia taxable net income for such taxable year shall be computed from the taxpayer's federal taxable income as so adjusted. There shall be allowed as a separate deduction from Georgia taxable net income so computed an amount equal to the aggregate of the Georgia net operating loss carryovers to such year, plus the Georgia net operating loss carrybacks to such year if such carrybacks are allowed by the Internal Revenue Code of 1986. Any limitations included in the Internal Revenue Code of 1986 on the amount of net operating loss that can be used in a taxable year shall be applied for purposes of this Code section; provided, however, that such limitations, including, but not limited to, the 80 percent limitation, shall be applied to Georgia taxable net income;"

SECTION 1-7.

Said title is further amended by revising paragraph (1) of subsection (a) of Code Section 48-7-27, relating to computation of taxable income of individuals, to read as follows:

"(1) Either the sum of all itemized nonbusiness deductions used in computing federal taxable income if the taxpayer used itemized nonbusiness deductions in computing federal taxable income or, if the taxpayer could not or did not itemize nonbusiness deductions, then a standard deduction as provided for in the following subparagraphs:

(A) In the case of a single taxpayer or a head of household, ~~\$2,300.00~~ \$4,600.00;

(B) In the case of a married taxpayer filing a separate return, ~~\$1,500.00~~ \$3,000.00;

(C) In the case of a married couple filing a joint return, ~~\$3,000.00~~ \$6,000.00;

(D) An additional deduction of \$1,300.00 for the taxpayer if the taxpayer has attained the age of 65 before the close of the taxpayer's taxable year. An additional deduction of \$1,300.00 for the spouse of the taxpayer shall be allowed if a joint return is made by the taxpayer and the taxpayer's spouse and the spouse has attained the age of 65 before the close of the taxable year; and

(E) An additional deduction of \$1,300.00 for the taxpayer if the taxpayer is blind at the close of the taxable year. An additional deduction of \$1,300.00 for the spouse of the taxpayer shall be allowed if a joint return is made by the taxpayer and the taxpayer's spouse and the spouse is blind at the close of the taxable year. For the purposes of this subparagraph, the determination of whether the taxpayer or the spouse is blind shall be made at the close of the taxable year except that, if either the taxpayer or the spouse dies during the taxable year, the determination shall be made as of the time of the death;"

SECTION 1-8.

Said title is further amended by adding a new paragraph to subsection (b) of Code Section 48-7-27, relating to computation of taxable income of corporations, to read as follows:

"(14) Georgia net operating losses shall be treated in the same manner as provided in paragraph (10.1) of subsection (b) of Code Section 48-7-21 but shall be based on the income as computed pursuant to this Code section. Any limitations included in the Internal Revenue Code of 1986 on the amount of net operating loss that can be used in a taxable year shall be applied for purposes of this Code section; provided, however, that such limitations, including, but not limited to, the 80 percent limitation, shall be applied to Georgia taxable net income."

SECTION 1-9.

Said title is further amended by revising subsection (c) and adding a new subsection to Code Section 48-7-42, relating to affiliated entities and assignment of corporate income tax credits, to read as follows:

"(c) The recipient of a tax credit assigned under subsection (b) of this Code section shall attach a statement to its return identifying the assignor of the tax credit, in addition to providing any other information required to be provided by a claimant of the

assigned tax credit. With the exception of the transferable credits in Code Sections 48-7-29.8, 48-7-29.12, 48-7-40.26, and 48-7-40.26A, the recipient of a tax credit assigned under subsection (b) of this Code section shall also be eligible to take any credit against payments due under Code Section 48-7-103, subject to the same requirements as the assignor of such credit at the time of the assignment."

"(g) For the purposes of all credits provided for by this chapter, the sale, merger, acquisition, or bankruptcy of any taxpayer shall not create new eligibility for the succeeding transferee in such transaction or event, but any unused credit eligible to be applied against income tax liability under this article may be transferred and continued by such transferee and applied against the transferee's income tax liability under this article."

PART II

SECTION 2-1.

Said title is further amended in Chapter 5C, relating to the alternative ad valorem tax on motor vehicles, by revising paragraph (15) of subsection (d) of Code Section 48-5C-1, relating to definitions, exemption from taxation, allocation and disbursement of proceeds collected by tag agents, fair market value of vehicle appealable, and report, as follows:

"(15) There shall be no liability for any state or local title ad valorem tax fees in any of the following title transactions:

(A) The addition or substitution of lienholders on a motor vehicle title so long as the owner of the motor vehicle remains the same;

(B) The acquisition of a bonded title by a person or entity pursuant to Code Section 40-3-28 if the title is to be issued in the name of such person or entity;

(C) The acquisition of a title to a motor vehicle by a person or entity as a result of the foreclosure of a mechanic's lien pursuant to Code Section 40-3-54 if such title is to be issued in the name of such lienholder;

(D) The acquisition of a title to an abandoned motor vehicle by a person or entity pursuant to Chapter 11 of Title 40 if such person or entity is a manufacturer or dealer of motor vehicles and the title is to be issued in the name of such person or entity;

(E) The obtaining of a title to a stolen motor vehicle by a person or entity pursuant to Code Section 40-3-43;

(F) The obtaining of a title by and in the name of a motor vehicle manufacturer, licensed distributor, licensed dealer, or licensed rebuilder for the purpose of sale or resale or to obtain a corrected title, provided that the manufacturer, distributor, dealer, or rebuilder shall submit an affidavit in a form promulgated by the commissioner attesting that the transfer of title is for the purpose of accomplishing a sale or resale or to correct a title only;

(G) The obtaining of a title by and in the name of the holder of a security interest when a motor vehicle has been repossessed after default in accordance with Part 6 of Article 9 of Title 11 if such title is to be issued in the name of such security

interest holder;

(H) The obtaining of a title by a person or entity for purposes of correcting a title, changing an odometer reading, or removing an odometer discrepancy legend, provided that, subject to subparagraph (F) of this paragraph, title is not being transferred to another person or entity; ~~and~~

(I) The obtaining of a title by a person who pays state and local title ad valorem tax fees on a motor vehicle and subsequently moves out of this state but returns and applies to retitle such vehicle in this state; ~~and~~

(J) The obtaining of a replacement title on a vehicle that is not less than 15 years old upon sufficient proof provided to the commissioner that such title no longer exists."

PART III SECTION 3-1.

(a) Sections 1-1, 1-6, and 1-8 of this Act shall become effective upon the approval of this Act by the Governor or upon this Act becoming law without such approval and such sections shall be applicable to all taxable years beginning on or after January 1, 2017.

(b) Sections 1-2 and 1-4 of this Act shall become effective upon the approval of this Act by the Governor or upon this Act becoming law without such approval and shall be applicable to all taxable years beginning on or after January 1, 2019. Sections 1-2 and 1-4 of this Act shall expire by operation of law on the last moment of December 31, 2025, and revert to the language of paragraph (1) of subsection (b) of Code Section 48-7-20 and subsection (a) of Code Section 48-7-21, respectively, as they existed on the day immediately preceding the effective date of this Act.

(c) Sections 1-3 and 1-5 of this Act shall become effective upon passage of a joint resolution that is signed by the Governor ratifying such sections by both houses of the Georgia General Assembly on or after January 13, 2020, and upon such passage shall be applicable to all taxable years beginning on or after January 1, 2020. Should Sections 1-3 and 1-5 of this Act become effective as prescribed in the foregoing, both sections shall expire by operation of law on the last moment of December 31, 2025, and revert to the language of paragraph (1) of subsection (b) of Code Section 48-7-20 and subsection (a) of Code Section 48-7-21, respectively, as they existed on the day immediately preceding the effective date of this Act.

(d) Section 1-7 of this Act shall become effective upon the approval of this Act by the Governor or upon this Act becoming law without such approval and shall be applicable to all taxable years beginning on or after January 1, 2018. Section 1-7 of this Act shall expire by operation of law on the last moment of December 31, 2025, and revert to the language of paragraph (1) of subsection (a) of Code Section 48-7-27 as it existed on the day immediately preceding the effective date of this Act.

(e) Section 1-9 of this Act shall become effective upon the approval of this Act by the Governor or upon this Act becoming law without such approval. The revisions to subsection (c) of Code Section 48-7-42 contained in Section 1-9 of this Act shall be

applicable to tax credits that are assigned in taxable years beginning on or after January 1, 2018. New subsection (g) of Code Section 48-7-42 contained in Section 1-9 of this Act shall be applicable to sales, mergers, acquisitions, or bankruptcies occurring in taxable years beginning on or after January 1, 2018.

(f) Part II of this Act shall become effective July 1, 2018.

(g) Part III of this Act shall become effective upon its approval by the Governor or upon becoming law without such approval.

SECTION 3-2.

All laws and parts of laws in conflict with this Act are repealed.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 23, 2018

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 918 (LC 34 5383-ECS)

Dear Chairman Powell:

The bill would make a number of changes to Georgia's tax code. Part I would amend Georgia law to conform with Internal Revenue Code changes through February 9, 2018, as well as phased-in changes to the state personal and corporate income taxes. The standard deduction amounts for personal income taxes would be doubled effective January 1, 2018. Effective January 1, 2019, the top corporate and personal income tax rates would be lowered to 5.75 percent. The following year, the rates would be lowered to 5.5 percent, subject to passage of a joint resolution. Part III would create a sales and use

tax exemption for jet fuel. The other parts of the bill, related to replacement vehicle titles and dates affecting bill provisions, would not have an impact on revenue.

Impact on Revenue – Part I

Georgia State University’s Fiscal Research Center (FRC) estimated that Part I of the bill would increase state revenues in fiscal years 2018 through 2020; however, state revenue would decline in the subsequent three years (Table 1). The revenue reductions are largely attributable to changes to personal income tax provisions.

Table 1. Estimated State Revenue Effects of Part 1 of LC 34 5383–ECS

(\$ millions)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
PIT Phased-In & Conformity Chgs	\$28	\$252	\$24	(\$520)	(\$466)	(\$453)
CIT Phased-In & Conformity Chgs	\$45	\$13	\$369	\$53	\$126	\$198
Total	\$73	\$265	\$393	(\$467)	(\$340)	(\$255)

Summary of Conformity Provisions

During 2017 several federal tax bills with consequences to state revenues were signed into law. These bills include the Tax Cuts and Jobs Act (TCJA) and the Disaster Tax Relief and Airport Extension Act of 2017 (DTRA EA). Although additional bills were also signed at the federal level in 2017, the Georgia Department of Revenue has determined that the provisions contained in these additional bills have no revenue impact to the State. In addition, the Bipartisan Budget Act (BBA) of 2018 was signed into law on February 9, 2018.

The TCJA, the DTRA EA, and the BBA make several changes to the federal income tax code and the subject bill adopts multiple provisions in these acts. Adoption of this legislation aligns the tax code of Georgia with the Internal Revenue Code of 1986 as amended on or before February 9, 2018.

HB 918 adopts all provisions applicable to Georgia included in the DTRA EA and the BBA. All provisions of the TCJA which are applicable to Georgia are being adopted as part of this legislation with the exception of the provisions relating to the following:

- the special 20 percent deduction from qualified business income
- bonus depreciation
- expansion of qualified property under section 179
- modifications of the depreciation rules for new farm machinery and equipment
- modifications related to contributions of capital
- limitations on the deduction of net business income

Table 2 shows the state revenue effects of adopting these provisions for FY 2018-FY 2023. In the case of TCJA provisions affecting state PIT revenues, certain of these are analyzed along with the phased-in changes discussed in the next section of this appendix, and thus are not included in the figures in Table 2. See that section for the list of these provisions.

Table 2. Projected State Revenue Effects of IRC Conformity Provisions

(\$ millions)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
Tax Cuts and Jobs Act	\$177.5	\$275.5	\$192.4	\$228.5	\$326.6	\$423.4
Disaster Tax Relief, and Airport & Airway Extension Act of 2017	(\$12.3)	(\$6.6)	\$7.6	\$3.1	\$1.9	\$1.1
Bipartisan Budget Act of 2018	(\$31.9)	(\$5.6)	\$1.2	\$0.8	\$0.5	\$0.3
Total Part I Conformity	\$133.3	\$263.4	\$201.2	\$232.4	\$329.0	\$424.9

Summary of Phased-In Provisions

This appendix section provides estimates of the state revenue effects of specified federal personal income tax changes under the TCJA together with the phased-in modifications to the state personal income tax. In addition, the effects of changes to the state corporate income tax rate to match the top personal rate are estimated separately and also shown in combination with the personal tax changes.

The modeled estimates with regard to the TCJA include most, but not all provisions affecting Georgia taxpayers; provisions included are as follows:

- Itemized deduction changes
 - Reduced floor for medical expense deductions to 7.5 percent of AGI from 10 percent, applicable for tax years 2017-18
 - Limitation on state and local tax (SALT) deductions to no more than \$10,000 per year
 - Elimination of casualty and theft loss deduction
 - Elimination of miscellaneous deductions subject to the 2 percent of AGI floor
 - Repeal of Pease limitations on itemized deductions
- Increased federal standard deduction, including induced switching from itemized to standard deductions (taxpayer chooses deduction type that minimizes combined state and federal taxes)
- Repeal of the moving expense deduction (taken before as a reduction in AGI)

Except as noted for the medical expense deduction, all modeled changes are effective for all tax years beginning after December 31, 2017. Because of data limitations, certain changes could not be modeled, including the following, the effects of which are included in the conformity estimates discussed above:

- Reduced limit on the size of new mortgages for which interest may be deducted
- Elimination of deduction for home equity loan interest
- Increased limit for deduction of charitable contributions
- Changes to deductibility or exclusion of alimony payments
- Changes to or clarification of the deductibility of certain gambling-related expenses

Estimates presented herein are derived from a microsimulation model of Georgia taxpayers using an anonymized sample of tax year (TY) 2015 tax return data, consisting

of approximately 3.45 million returns representing about 77 percent of all filers in the state for that year. Adjustments are made to the sample results to make them approximately representative of all filers. Modeled changes in aggregate tax liabilities are then applied to baseline PIT revenue projections for the state fiscal years affected, through FY 2023. Baseline projections through FY 2022 were provided by the Office of Planning and Budget; the FY 2023 baseline number is an FRC extension from the trend up to that point.

Modeled HB 918 modifications to the Georgia PIT are as follows:

- Effective January 1, 2018, double Georgia standard deduction amounts from \$2,300 to \$4,600 for Single and Head of Household filers, from \$3,000 to \$6,000 for Married Joint filers, and from \$1,500 to \$3,000 for Married Separate filers.
- Effective January 1, 2019, cut top bracket marginal tax rate from 6.0 percent to 5.75 percent.
- Effective January 1, 2020, cut top bracket marginal tax rate from 5.75 percent to 5.50 percent.

CIT revenue effects included below reflect the following:

- Effective for tax years beginning on or after January 1, 2019, cut state CIT rate from 6.0 percent to 5.75 percent.
- Effective for tax years beginning on or after January 1, 2020, cut state CIT rate from 5.75 percent to 5.50 percent.

The third of the phased-in PIT changes and the second of the CIT, in both cases a reduction in rate to 5.50 percent, are contingent on the passage and signing by the governor on or after January 13, 2020, of a joint resolution ratifying the effectiveness of these provisions. For this reason, estimated revenue effects absent effectiveness of these final rate reductions are also provided (see lines in Table A3 labeled “+ 5.75% Top Rate”).

Finally, rate cuts on both the PIT and the CIT would have the effect of reducing the gains or losses from other federal tax changes to which the state is anticipated to conform, so these effects are also presented below in summary form. Note that the “Other PIT Conformity” effects included in this final adjustment are only those that could not be included in the microsimulation modeling of federal changes as discussed above. The effects of rate cuts on the magnitude of gains from the business provisions, as well as on baseline CIT revenues, also reflect a degree of shifting (delaying) of income recognition by businesses from TY 2018-19 to TY 2019-20 to take advantage of the scheduled rate reductions.

State Revenue Effects of Phased-In and Conformity Provisions

Allocation of PIT tax year effects on tax liabilities to fiscal years assume that, for the early years, higher state tax liabilities for some filers will lead to those filers delaying filing or obtaining extensions on the time to file their returns. In addition, where changes

in tax liabilities would normally be assumed to be reflected in changes in withholding and estimated tax payments, the ability of taxpayers to make adjustments to those payments is assumed to be limited at least for TY 2018. These factors considered, TY effects are spread to FYs as shown in Table 3. By TY 2021, the FY effects of TY tax liability changes are assumed to be stabilized, with the spread across fiscal years largely reflecting the timing of withholding and estimated tax payments.

Table 4 below provides baseline revenue projections as well as proforma projections reflecting the federal changes and the phased-in changes listed above. Intermediate step estimates are also provided, as if the given set of changes were all effective January 1, 2018. Each set of estimates reflects the combined effects of i) the federal changes and ii) the particular scenario. The final two lines of the table reflect the combined effects of the federal changes and the phased-in changes, one with all three steps phased in and the other with only the first two steps.

Table 3. Timing Assumptions for FY Impact of TY Changes to PIT

Tax Year of Change in Liability:	Fiscal Year Impacted:					
	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
TY 2017*	100%					
TY 2018	17%	50%	33%			
TY 2019		38%	50%	13%		
TY 2020			42%	54%	4%	
TY 2021				46%	54%	
TY 2022					46%	54%
TY 2023						46%

* Retroactive change in medical expense deduction only.

Table 4. Estimated State Revenue Effects of Federal & Phased-In State PIT/CIT Changes

(\$ millions)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023	FY 2018-23
PIT:	-----OPB Baseline Forecast ----- FRC Proj						
Baseline PIT Revenue	\$11,416	\$12,026	\$12,603	\$13,195	\$13,802	\$14,423	\$77,466
% Change in Rev	3.99%	5.34%	4.80%	4.70%	4.60%	4.50%	
Modeled TCJA Chgs	\$118	\$760	\$1,147	\$1,089	\$1,055	\$1,058	\$5,226
3-Step Changes:	\$56	\$416	\$632	\$579	\$583	\$585	\$2,851
2x Standard Deduction (<i>effective CY 2018</i>)							
+ 5.75% Top Rate (<i>effective CY 2019</i>)	\$56	\$238	\$176	\$16	\$16	\$16	\$518
+ 5.5% Top Rate (<i>effective CY 2020</i>)	\$56	\$238	(\$30)	(\$587)	(\$547)	(\$549)	(\$1,418)
Other PIT Conformity Provision Chgs	(\$28)	\$14	\$54	\$67	\$81	\$96	\$284
3-Step Chgs + PIT Conformity Chgs	\$28	\$252	\$24	(\$520)	(\$466)	(\$453)	(\$1,134)

CIT:	-----OPB Baseline Forecast -----						FRC Proj	
Baseline CIT Revenue	\$999	\$1,068	\$1,089	\$1,114	\$1,131	\$1,148	\$6,550	
% Change in Rev	2.78%	6.92%	2.00%	2.30%	1.50%	1.50%		
Business Conformity Effects	\$161	\$249	\$144	\$159	\$240	\$320	\$1,274	
Adjusted Baseline Rev	\$1,160	\$1,317	\$1,233	\$1,273	\$1,371	\$1,468	\$7,823	
2-Step Changes*:	\$45	\$335	\$93	\$106	\$183	\$259	\$1,021	
5.75% CIT Rate (effective CY 2019)								
+ 5.50% CIT Rate (effective CY 2020)	\$45	\$13	\$369	\$53	\$126	\$198	\$804	
PIT + CIT Effects	\$73	\$265	\$393	(\$467)	(\$340)	(\$255)	(\$330)	

* Includes the effects of income shifting by businesses.

Impact on Revenue – Part III

Under the proposed bill, part III of the bill would change the tax treatment of jet fuel within Georgia. Jet fuel would be exempt from all local sales taxes except for those joint county/municipal LOSTs and MARTA taxes in affect prior to December 30, 1987, which would continue to apply at no more than the rate then in effect.

Under current law, jet fuel is subject to an estimated local sales tax rate of 2.1 percent. This is the average of local sales tax rates weighted by the estimated amount of jet fuel sold in each county. As such, this average rate is heavily influenced by the current two percent local sales tax rate for jet fuels in Clayton County. The grandfathered local taxes apply in counties where relatively small amounts of jet fuel are sold, thus the effective local tax rate for jet fuel would decrease to 0.01 percent statewide, on average.

The wide range of jet fuel prices experienced over recent years indicates there are a wide range of revenue impacts that are feasible under this proposed legislation. Georgia Department of Revenue (DOR) began in July 2015 requiring separate reporting of jet fuel sales and has provided data on sales tax collections from jet fuel for FY 2016, FY 2017 and the first six months of FY 2018. A key challenge in estimating the impact of this change over time is the extreme volatility of jet fuel prices. In July 2015 when DOR began collecting this revenue data, the price of spot jet fuel averaged \$1.56 per gallon. By January of 2016, the price had fallen to \$0.95 per gallon, a drop of 40% in a six-month period. This volatility is even more extreme in light of jet fuel prices ranging from \$2.50 per gallon to more than \$3.00 per gallon for 2011 through 2014.

Table 5 contains recent sales tax collections from jet fuel since DOR began requiring separate reporting. Note that this collections data through FY 2017 corresponds to a period of low jet fuel prices. In recent months jet fuel prices have fluctuated. In July 2017, jet fuel prices averaged \$1.41 per gallon. By December 2017, the average price had increased to \$1.81, a 40% increase. The FY 2019 budget estimates state revenue for jet fuel at \$35.2M.

Table 5. Sales Tax Collections from Jet Fuel

<i>(\$ millions)</i>	FY 2016	FY 2017	FY 2018*
State	\$31.4	\$34.9	\$19.4
Local	\$17.4	\$20.8	\$11.9

*FY 2018 reflects collections through December 31, 2017

Commodities such as oil and its refined products can experience highly volatile price changes that extend for multiple years. Changes in production capacity, demand, and geo-political conditions are just a few factors that contribute to this volatility. It is possible to devise feasible scenarios in which jet fuel prices are much lower than those assumed in these two pricing scenarios or are much higher.

Impact on State Expenditures

Given the recent revisions to the bill, the Department of Revenue (DOR) has not yet produced a cost estimate of complying with the changes.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

- | | | |
|---------------|---------------|---------------|
| Y Albers | Y Hufstetler | Y Payne |
| Y Anderson, L | Y Jackson | N Rhett |
| N Anderson, T | James | Y Seay |
| Y Beach | Y Jones, B | Y Shafer |
| Y Black | Y Jones, E | Y Sims |
| Y Brass | N Jones, H | Y Stone |
| Y Burke | Y Jordan | Y Strickland |
| N Butler | Y Kennedy | N Tate |
| Y Cowsert | Y Kirk | Y Thompson, B |
| Y Davenport | Y Kirkpatrick | Y Thompson, C |
| Y Dugan | Y Ligon | Y Tillery |
| Y Ginn | N Lucas | E Tippins |

Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 44, nays 10.

HB 918, having received the requisite constitutional majority, was passed by substitute.

Senator Martin of the 9th moved that HB 918 be immediately transmitted to the House.

On the motion, there was no objection, and HB 918 was immediately transmitted.

Senator Strickland of the 17th was excused for business outside the Senate Chamber.

HB 287. By Representatives Kirby of the 114th, Hitchens of the 161st, Lumsden of the 12th, Willard of the 51st, Smyre of the 135th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to provide for the issuance of special license plates honoring family members of service members killed in action at no cost to eligible family members; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirkpatrick of the 32nd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate

Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 287, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

Date: 2/29/18

Hon. David Cook
Secretary of the Senate

Dear Mr. Secretary:

Please add my name as a cosponsor of SR 800.

Signed: Jack Hill, District: 4
Cc: Lester Jackson, Author

At 12:22 p.m. the President announced that the Senate would stand at ease until 1:15 p.m.

At 1:15 p.m. the President announced that the Senate would stand at ease until 2:00 p.m.

At 2:14 p.m. the President announced that the Senate would stand at ease until 2:30 p.m.

At 2:30 p.m. President Pro Tempore Butch Miller called the Senate to order.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 683. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to amend an Act making and providing appropriations for the State Fiscal Year beginning July 1, 2017, and ending June 30, 2018, known as the "General Appropriations Act," Act No. 37, approved May 1, 2017 (Ga. L. 2017, Volume One, Appendix, commencing at page 1 of 249), to make, provide, and change certain appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Monday, March 5, 2018

The motion prevailed, and Butch Miller, President Pro Tempore, announced the Senate adjourned at 2:33 p.m.

Senate Chamber, Atlanta, Georgia
Monday, March 5, 2018
Thirtieth Legislative Day

The Senate met pursuant to adjournment at 10:13 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 131. By Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Black of the 8th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions for the Juvenile Code, so as to provide that adoption proceedings be stayed while an appeal of an order to terminate parental rights is pending; to clarify the court's duties to a case while an appeal is pending; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute to the following Bill of the House:

HB 918. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Powell of the 171st, Williamson of the 115th and others:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to define the terms "Internal Revenue Code" and "Internal Revenue Code of 1986" and thereby incorporate certain provisions of the federal law into Georgia law; to revise the individual exemption amounts; to revise provisions relating to assignment of corporate income tax credits; to provide for related matters; to provide for an effective date and applicability; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 484. By Senators Payne of the 54th and Mullis of the 53rd:

A BILL to be entitled an Act to exempt the City of Dalton from the election requirement of subsection (a) of Code Section 36-82-61.1 of the O.C.G.A. pursuant to subsection (b) of said Code section; to provide for related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SR 953. By Senators Gooch of the 51st, Dugan of the 30th, Tippins of the 37th, Wilkinson of the 50th, Harper of the 7th and others:

A RESOLUTION creating the Joint Study Committee on Evaluating the School Year Calendar of Georgia Public Schools; and for other purposes.

Referred to the Committee on Economic Development and Tourism.

SR 954. By Senator James of the 35th:

A RESOLUTION recognizing Samuel L. and LaTanya Jackson and dedicating a road in their honor; repealing a portion of a resolution dedicating portions of the state highway system approved on May 9, 2017 (Ga. L. 2017, p. 825); and for other purposes.

Referred to the Committee on Transportation.

The following committee report was read by the Secretary:

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SB 412 Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Senator Albers of the 56th asked unanimous consent that the call of the roll be dispensed with. The consent was granted, and the roll call was dispensed with.

Senator Millar of the 40th introduced the doctor of the day, Dr. Matt T. Keadey.

The President recognized U.S. Senator David Perdue who addressed the Senate briefly.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Harbin of the 16th introduced the chaplain of the day, Pastor Josh Saefkow of Fayetteville, Georgia, who offered scripture reading and prayer.

Senator Beach of the 21st recognized March 5, 2018, as Council for Quality Growth Day at the state capitol, commended by SR 848, adopted previously. Chairman Steve Leibowitz addressed the Senate briefly.

Senator Kennedy of the 18th recognized Mercer University for its commitment to higher education, commended by SR 777, adopted previously. President William D. Underwood addressed the Senate briefly.

Senator Thompson of the 14th recognized Dr. John Harper, commended by SR 670, and Dr. Howard Hinesley, commended by SR 690, adopted previously. Dr. John Harper and Dr. Howard Hinesley addressed the Senate briefly.

Senator Seay of the 34th recognized Senator Nan Orrock for her induction into the National Center for Civil and Human Rights Museum Walk of Fame, commended by SR 737, adopted previously. Senator Nan Orrock addressed the Senate briefly.

The following resolutions were read and adopted:

SR 955. By Senators Kirk of the 13th, Brass of the 28th, Stone of the 23rd, Hufstetler of the 52nd, Watson of the 1st and others:

A RESOLUTION recognizing March 19, 2018, as Georgia Hearing Day at the state capitol; and for other purposes.

SR 956. By Senators Tate of the 38th, Jones II of the 22nd, Rhett of the 33rd and Henson of the 41st:

A RESOLUTION recognizing and commending Aaron Scott; and for other purposes.

SR 957. By Senators Tate of the 38th, James of the 35th, Williams of the 39th and Orrock of the 36th:

A RESOLUTION commending the B.E.S.T. Academy Fencers of the Georgia High School Fencing League; and for other purposes.

SR 958. By Senators Shafer of the 48th, McKoon of the 29th, Wilkinson of the 50th, Ginn of the 47th, Hufstetler of the 52nd and others:

A RESOLUTION recognizing and honoring Emory A. Schwall for his many years of esteemed and outstanding contributions to the State of Georgia in the field of law and in charitable service; and for other purposes.

SR 959. By Senators Davenport of the 44th, Unterman of the 45th, Seay of the 34th, Anderson of the 43rd, Jackson of the 2nd and others:

A RESOLUTION recognizing April, 2018, as Sarcoidosis Awareness Month at the state capitol; and for other purposes.

SR 960. By Senators Davenport of the 44th, Harbison of the 15th, Jackson of the 2nd, Sims of the 12th, Seay of the 34th and others:

A RESOLUTION recognizing the Georgia Council of Deliberation and congratulating the council on the occasion of its 65th anniversary; and for other purposes.

Senator Williams of the 27th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Monday March 5, 2018
Thirtieth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 412 Orrock of the 36th
CITY OF HAPEVILLE

A BILL to be entitled an Act to authorize the governing authority of the City of Hapeville to levy an excise tax pursuant to subsection (b)

of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 47, nays 2.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

SENATE RULES CALENDAR
MONDAY, MARCH 5, 2018
THIRTIETH LEGISLATIVE DAY

HB 162	Income tax; transfer of setoffs by the Administrative Office of the Courts; revise procedures (Substitute)(JUDY-3rd) Price-48th
HB 309	State liability; activities of organized militia engaged in training or duty; provide exception (VM&HS-32nd) Barr-103rd

HB 475 Charitable solicitations; use of collection receptacles for donations; implement additional requirements (Substitute)(RI&U-13th) Harden-148th

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HB 162. By Representatives Price of the 48th, Willard of the 51st, Kelley of the 16th, Fleming of the 121st and Beskin of the 54th:

A BILL to be entitled an Act to amend Article 7 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to setoff debt collection, so as to revise the procedures for the transfer of setoffs by the Administrative Office of the Courts to the court to whom the debt is owed; to correct references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Ligon, Jr. of the 3rd.

The Senate Committee on Judiciary offered the following substitute to HB 162:

A BILL TO BE ENTITLED
AN ACT

To amend Article 7 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to setoff debt collection, so as to allow the Administrative Office of the Courts to waive the administrative collection assistance fee; to require the Administrative Office of the Courts to transfer funds owed to a court on at least a quarterly basis; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 7 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to setoff debt collection, is amended by revising subsection (c) of Code Section 48-7-163, relating to collection of debts through setoff, minimum debt, procedure, exceptions, request for setoff, and administrative collection assistance fee, as follows:

"(c) An administrative collection assistance fee ~~shall~~ may be imposed on each ~~such~~ certified debt submitted by the Administrative Office of the Courts to the department to recover the costs incurred by the Administrative Office of the Courts and the department in collecting debts under this article; provided, however, that the

Administrative Office of the Courts may waive receipt of an administrative collection assistance fee. ~~The~~ An administrative collection assistance fee shall be in addition to the debt to be set off and shall be fixed such that the proceeds of ~~the~~ such fee shall not exceed the total direct and indirect costs to the Administrative Office of the Courts and the department for administering such debt setoff collection. In no event shall the total amount of such fee exceed \$20.00 per debt. The Administrative Office of the Courts shall reimburse the department from the proceeds of such fee based upon the actual costs incurred by the department. Such proceeds shall be retained and expended pursuant to Code Section 45-12-92.1."

SECTION 2.

Said article is further amended by revising subsection (d) of Code Section 48-7-164, relating to procedure for setoffs and notification of taxpayers, certification of debts, transfer of refunds to claimant agency, notice to taxpayers, transferred funds in escrow account, and costs borne by claimant agency, as follows:

"(d) Upon receipt of funds transferred from the department pursuant to this Code section, the claimant agency or the Administrative Office of the Courts shall deposit and hold the funds in an escrow account until a final determination of the validity of the debt. Any interest accruing on proceeds in such escrow account shall not constitute any part of the setoff funds being held in escrow and shall be retained by the claimant agency ~~or~~ to cover administrative costs and may be retained by the Administrative Office of the Courts to cover administrative costs."

SECTION 3.

Said article is further amended by revising subsection (c) of Code Section 48-7-166, relating to final determination of debt due, transfer from escrow account to credit of debtor's account of debt due, notice of setoff, contents, refund of excess, and disbursement of funds, as follows:

"(c) Following finalization of the setoff pursuant to subsection (b) of this Code section, on at least a quarterly basis, the Administrative Office of the Courts shall transfer the funds to the court to which the debt is owed. Any funds ~~so~~ transferred by the Administrative Office of the Courts to such court shall be disbursed by ~~the~~ such court in the same manner as if such funds had been originally collected by such court without having resorted to collection under this article."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

HB 162, having received the requisite constitutional majority, was passed by substitute.

Senator Harbison of the 15th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

HB 309. By Representatives Barr of the 103rd, Clark of the 98th, Hitchens of the 161st, Deffenbaugh of the 1st, Coomer of the 14th and others:

A BILL to be entitled an Act to amend Code Section 50-21-24 of the Official Code of Georgia Annotated, relating to exceptions to state liability, so as to provide that the state shall have no liability for activities of the organized militia when engaged in state or federal training or duty; to provide an exception; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirkpatrick of the 32nd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 0.

HB 309, having received the requisite constitutional majority, was passed.

HB 475. By Representatives Harden of the 148th, Corbett of the 174th, Hogan of the 179th, Epps of the 144th and McCall of the 33rd:

A BILL to be entitled an Act to amend Chapter 17 of Title 43 of the Official Code of Georgia Annotated, relating to charitable solicitations, so as to implement additional requirements for use of collection receptacles for donations; to provide additional penalties for violation of said chapter; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirk of the 13th.

The Senate Committee on Regulated Industries and Utilities offered the following substitute to HB 475:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 17 of Title 43 of the Official Code of Georgia Annotated, relating to charitable solicitations, so as to implement additional requirements for use of collection

receptacles for donations; to revise penalties and provide additional penalties for violation of said chapter; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 17 of Title 43 of the Official Code of Georgia Annotated, relating to charitable solicitations, is amended by revising paragraph (4.1) of Code Section 43-17-2, relating to definitions, as follows:

"(4.1) 'Collection receptacle' means an unattended container, located outdoors, for the purpose of collecting donations of clothing, books, personal or household items, or other goods. Such term shall not include containers used for the purpose of collecting monetary donations."

SECTION 2.

Said chapter is further amended by adding new subsections to Code Section 43-17-8.1, relating to requirements for use of collection receptacles for donations, to read as follows:

"(e)(1) A person placing and operating any collection receptacle on property in which such person has no ownership or leasehold interest shall, prior to such placement and operation, obtain notarized, written permission from all owners of such property, a property management service, or all holders of a leasehold interest in such property to place and operate such collection receptacle on such property. Copies of such notarized, written permission shall be maintained by the person placing and operating such collection receptacle and provided to every owner or leaseholder of such property at any time upon request by any such owner or leaseholder. If such permission is obtained from such property owner or owners, the person placing and operating the collection receptacle shall provide written notification to any leaseholders, tenants, or other occupants of such property of the consent of such property owner or owners to such placement and operation. The notarized, written permission required by this subsection shall include the signature of the person placing and operating the collection receptacle, or such person's authorized agent, and of all owners or leaseholders of the property, as applicable.

(2) A person with an existing collection receptacle located on property in which such person has no ownership or leasehold interest shall have until December 31, 2018, to comply with the requirements of this subsection.

(f)(1) Any owner or leaseholder of property on which a collection receptacle is placed and operated in conformance with subsection (e) of this Code section may demand removal of such collection receptacle in writing by United States mail, return receipt requested, or statutory overnight delivery to the address listed on the collection receptacle pursuant to this Code section. Such owner or leaseholder shall also send a copy of any such demand to the office of the Secretary of State. The person placing the collection receptacle shall remove the collection receptacle as well as any contents left in and around the collection receptacle within 30 days of the date such demand is

either deposited in the United States mail, return receipt requested, or received by statutory overnight delivery.

(2) If the person placing and operating the collection receptacle on another's property fails to remove such collection receptacle as required by paragraph (1) of this subsection, any owner or any leaseholder of such property shall have the immediate right to take possession of, remove, and dispose of such collection receptacle and its contents without incurring any civil or criminal liability for such actions. Any expenses incurred in such removal and disposal by such owner or leaseholder shall be invoiced to, and paid by, the person who placed and operated such collection receptacle on such property. The owner or leaseholder may also request that law enforcement personnel take possession of, remove, and dispose of such collection receptacle and the contents thereof. If law enforcement personnel, in their discretion, honor such request, they will be immune from any civil or criminal liability for such actions.

(g) Any owner or any leaseholder of the property may demand immediate removal of a collection receptacle if the person who placed and operated the collection receptacle on the property fails to comply with subsection (e) of this Code section.

(h) The person placing and operating the collection receptacle shall maintain such receptacle in a structurally sound, clean, and sanitary condition and regularly empty such receptacle at least every two weeks. Such person shall also be responsible for ensuring that no donations are present on the ground area surrounding the collection receptacle for a time period exceeding 48 hours.

(i) Any owner or leaseholder of property who incurs expenses in removing or disposing of any collection receptacle or its contents following the expiration of the period referred to in paragraph (1) of subsection (f) of this Code section, or as a result of any violation of this Code section, may bring a civil action to recover actual damages. The action shall be brought in a court of competent jurisdiction in the county in which the collection receptacle was located, in the county in which the person who placed and operated the collection receptacle conducts, transacts, or has transacted business, or, if such person cannot be found in any of the foregoing locations, in the county in which such receptacle is located.

(j) Any violation of this Code section shall constitute a misdemeanor."

SECTION 3.

Said chapter is further amended by revising subparagraphs (a)(1)(A) and (a)(1)(B) of Code Section 43-17-13, relating to penalties, cease and desist orders, injunctions, restitution, appointment and powers of receiver, and subpoenas, as follows:

"(A) Subject to notice and opportunity for hearing in accordance with Code Section 43-17-16, unless the right to notice is waived by the person against whom the sanction is imposed, the Secretary of State may:

- (i) Issue a cease and desist order against any person;
- (ii) Censure the person if the person is registered as a paid solicitor;
- (iii) Bar or suspend the person from association with a paid solicitor or charitable

organization; ~~or~~

(iv) Issue an order against a paid solicitor who willfully violates this chapter, imposing a civil penalty up to a maximum of \$2,500.00 for a single violation or up to ~~\$25,000.00~~ \$5,000.00 for multiple violations in a single proceeding or a series of related proceedings; or

(v) Regarding any willful act, practice, or transaction, issue an order imposing a civil penalty up to a maximum of \$2,500.00 against any person for a single violation or \$5,000.00 for multiple violations in a single proceeding or a series of related proceedings;

(B) Imposition of the sanctions under this paragraph is limited as follows:

(i) If the Secretary of State revokes the registration of a charitable organization or paid solicitor or bars a person from association with a charitable organization or paid solicitor under subparagraph (A) of this paragraph, the imposition of that sanction precludes imposition of the ~~sanction~~ sanctions specified in ~~division (iv)~~ divisions (iv) and (v) of subparagraph (A) of this paragraph; and

(ii) The imposition by the Secretary of State of one or more sanctions under this paragraph with respect to a specific violation precludes the Secretary of State from later imposing any other sanctions under this paragraph with respect to the violation; or"

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator Tippins of the 37th offered the following amendment #1:

Amend the Senate Committee on Regulated Industries and Utilities substitute to HB 475 (LC 36 3512S) by adding after "to provide for related matters;" on line 4, the following:

to allow local governing authorities to issue written notices; to allow local governing authorities to petition the superior court for an order for the removal of collection receptacles; to provide for a superior court to order collection receptacles to be removed at the cost of the paid solicitor or charitable organization; to provide for local governing authorities to remove any collection receptacle subject to the court's order at the cost of the property owner, paid solicitor, or charitable organization;

By inserting between lines 73 and 74 the following:

Said chapter is further amended by adding a new Code section to read as follows:

"43-17-8.2.

(a) Notwithstanding any other provision of law to the contrary, any local governing authority which has collection receptacles located within its geographical boundaries shall be authorized to issue written notices of violations to both the property owner and the paid solicitor responsible for each collection receptacle at any time the immediate area surrounding such collection receptacle is not maintained in an orderly, clean, and sanitary manner. Notice shall be promptly sent to the property owner and the paid solicitor, with a copy to the charitable organization. The notice shall provide for a ten-

day period from the date of the notice to remediate the violation and clean and maintain the area around such collection receptacle.

(b)(1) If the property owner, paid solicitor, or charitable organization responsible for the operation of a collection receptacle fails to comply with the notice in accordance with subsection (a) of this Code section three times in any calendar year, or, if the governing authority finds that the area surrounding such collection receptacle is a nuisance, the local governing authority shall be authorized to petition the superior court to issue an order requiring the removal of such collection receptacle from the geographical boundaries of the jurisdiction for a period of not less than three years.

(2) The relief imposed by the superior court shall require the immediate removal of such collection receptacle at the cost of the property owner or paid solicitor responsible for it, or, alternatively, the charitable organization for which such collection receptacle was placed and the imposition of court costs.

(3) If a collection receptacle is not removed within 30 days of the superior court's order, the local governing authority shall be authorized to remove such collection receptacle and seek reimbursement from the property owner, paid solicitor, or charitable organization for court costs and fees related to the removal of such collection receptacle."

SECTION 4.

By redesignating Section 4 as Section 5.

By replacing "\$2,500.00" with "\$250.00" on lines 85 and 89 and by replacing "\$5,000.00" with "\$500.00" on lines 86 and 90.

Senator Tippins of the 37th offered the following amendment #1a:

Amend AM 45 0004 to HB 475 CS (LC 36 3512S) by

- 1) striking the words on line 38 "on lines 85 and" and adding in their place the words " on line."
- 2) striking the words on line 39 "on lines 86 and" and add in their place the words "on line".

On the adoption of the amendment #1a, there were no objections, and the Tippins amendment #1a to the Tippins amendment #1 to the committee substitute was adopted.

On the adoption of the amendment #1, there were no objections, and the Tippins amendment #1 to the committee substitute was adopted as amended.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 1.

HB 475, having received the requisite constitutional majority, was passed by substitute.

The following bill was taken up to consider House action thereto:

HB 683. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to amend an Act making and providing appropriations for the State Fiscal Year beginning July 1, 2017, and ending June 30, 2018, known as the "General Appropriations Act," Act No. 37, approved May 1, 2017 (Ga. L. 2017, Volume One, Appendix, commencing at page 1 of 249), to make, provide, and change certain appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate substitute to HB 683 by inserting the numbered sections and amounts appropriated therefor as contained in the attached document "HB 683 Senate Substitute As Amended By the House" in lieu of the corresponding numbered sections and amounts appropriated therefor as contained in the Senate substitute, which are hereby stricken:

HB 683 SENATE SUBSTITUTE AS AMENDED BY THE HOUSE
AMENDED FISCAL YEAR 2018 APPROPRIATIONS BILL

<u>FUND AVAILABILITY</u>	<u>GOVERNOR'S RECOMMENDATION</u>			<u>SENATE SUBSTITUTE AS AMENDED BY THE HOUSE</u>	
	<u>HOUSE</u>	<u>SENATE</u>	<u>SENATE</u>	<u>BY THE HOUSE</u>	<u>BY THE HOUSE</u>
State General Fund Revenue Estimate	\$ 21,760,373,602	\$ 21,760,373,602	\$ 21,760,373,602	\$ 21,869,357,487	\$ 21,869,357,487
Motor Fuel Funds	1,798,850,000	1,798,850,000	1,798,850,000	1,798,850,000	1,798,850,000
Lottery for Education	1,139,168,280	1,139,168,280	1,139,168,280	1,139,168,280	1,139,168,280
Tobacco Settlement Funds	136,509,071	136,509,071	136,509,071	136,509,071	136,509,071
Brain and Spinal Injury Trust Fund	1,422,131	1,422,131	1,422,131	1,422,131	1,422,131
Nursing Home Provider Fees	156,055,589	156,055,589	156,055,589	156,055,589	156,055,589
Hospital Provider Payment	311,652,534	311,652,534	311,652,534	311,652,534	311,652,534
	\$ 25,304,031,207	\$ 25,304,031,207	\$ 25,304,031,207	\$ 25,413,015,092	\$ 25,413,015,092

HB 683 Senate Substitute as Amended by the House

Item Number	Gov's Recommendation		House Version		Senate Version		House Amendment	
	House	Senate	State Funds	Total Funds	State Funds	Total Funds	State Funds	Total Funds
Section 1: Georgia Senate								
1.2	2.100	Secretary of the Senate's Office						
1.2.1.	2.1	Transfer funds from the Senate program to the Secretary of the Senate's Office program.[Secretary of the Senate's Office]	-	-	-	-	50,000	50,000
							50,000	50,000

1.3	3.100	Senate							
1.3.1.	3.1	Transfer funds from the Senate program to the Secretary of the Senate's Office program. <i>[Senate]</i>	-	-	-	-	(50,000)	(50,000)	(50,000) (50,000)
Section 3: Georgia General Assembly Joint Offices									
3.1	6.100	Ancillary Activities							
3.1.3.	6.3	Increase funds for operating expense. <i>[Ancillary Activities]</i>	-	-	173,505	173,505	347,009	347,009	347,009 347,009
3.2	7.100	Legislative Fiscal Office							
3.2.1.	7.1	Increase funds for operating expense. <i>[Legislative Fiscal Office]</i>	-	-	239,800	239,800	479,600	479,600	479,600 479,600
Section 6: Judicial Council									
6.5	19.100	Judicial Qualifications Commission							
6.5.2.	19.2	Reduce funds to reflect projected expenditures. <i>[Judicial Qualifications Commission]</i>	-	-	-	-	(100,000)	(100,000)	(100,000) (100,000)
Section 8: Prosecuting Attorneys									
8.2	24.100	District Attorneys							
8.2.1.	24.2	[S] Reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs. <i>[District Attorneys]</i>	-	-	7,619	7,619	102,431	102,431	102,431 102,431
8.2.2.	24.3	[S] Reflect an adjustment in merit system assessments. <i>[District Attorneys]</i>	-	-	(2,170)	(2,170)	(29,169)	(29,169)	(29,169) (29,169)
8.2.3.	24.1	Increase funds to provide an accountability court supplement for district attorneys in newly established accountability courts in the Lookout Mountain (October 1, 2017) and Oconee (December 1, 2017) Judicial Circuits. <i>[District Attorneys] (H:No) (S:Increase funds to provide an accountability court supplement for district attorneys in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges.) (CC:Increase funds to provide an</i>	13,023	13,023	0	0	4,884	4,884	4,884 4,884

		<i>accountability court supplement for district attorneys in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges.)</i>								
8.3	25.100	Prosecuting Attorney's Council								
8.3.1.	25.1	[S] Reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs. <i>[Prosecuting Attorney's Council]</i>	-	-	102,431	102,431	7,619	7,619	7,619	7,619
8.3.2.	25.2	[S] Reflect an adjustment in merit system assessments. <i>[Prosecuting Attorney's Council]</i>	-	-	(29,169)	(29,169)	(2,170)	(2,170)	(2,170)	(2,170)
Section 9: Superior Courts										
9.3	28.100	Superior Court Judges								
9.3.4.	28.2	Provide funds for the accountability court supplement in the Lookout Mountain Circuit effective October 1, 2017 and the Oconee Circuit effective December 1, 2017. <i>[Superior Court Judges] (H:No)(S:Increase funds to provide an accountability court supplement for judges in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges.) (CC:Increase funds to provide an accountability court supplement for judges in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges.)</i>	42,828	42,828	0	0	16,530	16,530	16,530	16,530
9.3.6.	28.6	Adjust funding for personal services based on actual start dates for new positions. <i>[Superior Court Judges]</i>	-	-	(44,813)	(44,813)	(44,813)	(44,813)	(78,442)	(78,442)

Section 13: Agriculture, Department of								
13.4	48.100	Marketing and Promotion						
13.4.3.	48.3	Provide funds for statewide facility repairs and sustainment for state farmers markets. <i>[Farmers Markets]</i>	-	-	-	-	2,400,000	2,400,000
Section 15: Behavioral Health and Developmental Disabilities, Department of								
15.2	56.100	Adult Developmental Disabilities Services						
15.2.3.	56.3	Increase funds for the Albany Advocacy Resource Center. <i>[Community Services - Adult Developmental Disabilities]</i>	-	-	-	220,000	220,000	220,000
15.4	58.100	Adult Mental Health Services						
15.4.3.	58.3	Provide funds to design the kitchen renovation at East Central Regional Hospital, Augusta, Richmond County. <i>[State Hospital Services - Adult Mental Health] (S:No)</i>	-	-	410,000	410,000	0	410,000
15.4.4.	58.4	Provide one-time funds for establishing additional Behavioral Health Crisis Center beds. <i>[Community Services - Adult Mental Health] (S:No; Implement plan to prioritize new additional Behavioral Health Crisis Center beds in FY 2019.) (CC:Provide one-time funds for establishing additional Behavioral Health Crisis Center beds.)</i>	-	-	1,000,000	1,000,000	0	2,782,225
15.12	66.100	Georgia Council on Developmental Disabilities						
15.12.1.	66.1	Increase funds for the Equal Access to Gainful Learning and Employment program. <i>[Georgia Council on Developmental Disabilities]</i>	-	-	-	-	26,000	26,000
Section 16: Community Affairs, Department of								
16.2	69.100	Coordinated Planning						
16.2.1.	69.1	Provide funds for one-time grants to local governments to offset losses in special purpose local option sales tax revenue resulting from federal spending requirements. <i>[Planning and Environmental Management]</i>	-	-	-	-	29,712,745	29,712,745

16.14	81.100	Payments to OneGeorgia Authority								
16.14.3.	81.3	Provide funds for economic development projects. <i>[Payments to OneGeorgia Authority]</i>	-	-	-	-	-	4,500,000	4,500,000	
Section 17: Community Health, Department of										
17.1	82.100	Departmental Administration (DCH)								
17.1.11.	82.11	Provide funds for the analysis of the Medicaid delivery system for the purposes of identifying efficiencies and service delivery improvement opportunities. <i>[Departmental Administration (DCH)]</i>	-	-	750,000	1,500,000	658,000	1,316,000	750,000	1,500,000
17.4	85.100	Health Care Access and Improvement								
17.4.6.	85.6	Provide funds for the State Office of Rural Health to conduct a request for proposal process to identify a postsecondary institution within the state as an appropriate location for the Rural Center for Health Care Innovation and Sustainability as recommended by the House Rural Development Council. <i>[Health Care Access and Improvement] (S:Increase funds to develop plans to establish and implement the Health Coordination and Innovation Council of the State of Georgia and Health System Innovation Center as outlined in SB 357 (2018 Session).)(CC:Increase funds to initiate a rural health center.)</i>	-	-	75,000	75,000	100,000	100,000	100,000	100,000
17.4.7.	85.7	Increase funds to the State Office of Rural Health to fund a grant program, as proposed in SB 14 (2017 Session), for the purpose of encouraging health systems or primary care providers to purchase data analytic or electronic/digital population health tools to improve health outcomes in rural Georgia. <i>[Health Care Access and Improvement] (CC:Increase funds to the State Office of Rural Health to fund a grant program, as proposed in SB 14 (2017 Session), to ensure health</i>	-	-	-	-	1,000,000	1,000,000	1,000,000	1,000,000

		<i>systems or primary care providers purchase interoperable data analytic or electronic/digital population health tools to improve health outcomes in rural Georgia.)</i>								
17.4.8.	85.8	Provide funds for grants to offset the cost due to the higher number of flu cases and services provided within hospitals. <i>[Health Care Access and Improvement]</i>	-	-	-	-	-	-	1,220,000	1,220,000
17.12	93.100	Georgia Board for Physician Workforce: Graduate Medical Education								
17.12.1.	93.1	Provide funds for a statewide residency recruitment fair as recommended by the House Rural Development Council. <i>[Georgia Board for Physician Workforce: Graduate Medical Education] (S:Increase funds for two statewide residency recruitment fairs.) (CC:Provide funds for a statewide residency recruitment fair.)</i>	-	-	40,000	40,000	80,000	80,000	40,000	40,000
17.17	98.1	Georgia Composite Medical Board								
17.17.2.	98.2	Increase funds to promulgate rules and ensure provider compliance with the physician registration and use requirements in HB 249 (2017 Session), and report to the House and Senate Appropriations Subcommittees on Health and Community Health the compliance rates and any enforcement actions taken for non-compliance after the July 1, 2018 deadline and again at six month intervals. <i>[Georgia Composite Medical Board] (CC:Yes; Utilize existing funds to ensure provider compliance with the physician registration and use requirements in HB 249 (2017 Session) to combat opioid abuse, and by September 1, 2018 report to the House and Senate Appropriations Subcommittees on Health and Community Health the compliance</i>	-	-	-	-	27,000	27,000	0	0

		<i>rates and any enforcement actions taken.)</i>							
Section 19: Corrections, Department of									
19.8	112.100	State Prisons							
19.8.4.	112.4	Increase funds for statewide emergency repairs, sustainment and equipment. <i>[SP-Admin Support @ Facility]</i>	-	-	-	-	-	3,000,000	3,000,000
Section 23: Economic Development, Department of									
23.1	124.100	Departmental Administration (DEcD)							
23.1.4.	124.4	Provide funds for one Rural Development position effective March 1, 2018. <i>[Departmental Administration (DEcD)]</i>	-	-	-	-	-	82,415	82,415
23.3	126.100	Georgia Council for the Arts							
23.3.1.	126.1	Provide funds for grants. <i>[Access]</i>	-	-	-	-	-	150,000	150,000
Section 24: Education, Department of									
24.2	134.100	Audio-Video Technology and Film Grants							
24.2.1.	134.1	Transfer funds from the Audio-Video Technology and Film Grants program to the Technology/Career Education program to provide funds for equipment grants to local school systems, and for grants for middle school STEM coding. <i>[Audio-Video Technology and Film Grants] (CC:No)</i>	-	-	-	-	(1,500,000)	(1,500,000)	0
24.3	135.100	Business and Finance Administration							
24.3.3.	135.3	Provide funds to purchase 194 school buses statewide. <i>[Transportation Administration] (H:Provide funds to purchase 200 school buses statewide.) (S:Provide funds to purchase 204 school buses statewide.) (CC:Provide funds to purchase 204 school buses statewide.)</i>	15,000,000	15,000,000	15,500,000	15,500,000	15,750,000	15,750,000	15,750,000
24.4	136.100	Central Office							
24.4.3.	136.3	Adjust funding for personal services based on actual start dates for new positions. <i>[Central Operations Admin]</i>	-	-	-	-	(75,000)	(75,000)	(75,000)

24.12	144.100	Non Quality Basic Education Formula Grants								
24.12.2.	144.1	Remove funds for the unfilled Residential Treatment Center program manager position with the expectation that the Department will fill the full-time position by July 1, 2018. <i>[Residential Treatment Centers] (S:No)(CC:Reduce funds for the unfilled Residential Treatment Center program manager position with the expectation that the Department will fill the full-time position by July 1, 2018.)</i>	-	-	(125,000)	(125,000)	0	0	(65,000)	(65,000)
24.12.3.	144.2	Reduce funds for Residential Treatment Facilities based on attendance. <i>[Residential Treatment Centers]</i>	-	-	-	-	(110,579)	(110,579)	(110,579)	(110,579)
24.17	149.100	Quality Basic Education Program								
24.17.1.	149.1	Increase funds for a midterm adjustment. <i>[Mid-Term Adjustment Reserve]</i>	86,614,105	86,614,105	86,614,105	86,614,105	86,801,725	86,801,725	85,867,907	85,867,907
24.22	154.100	Technology/Career Education								
24.22.3.	154.3	Transfer funds from the Audio-Video Technology and Film Grants program to the Technology/Career Education program and increase funds for equipment grants to local school systems. <i>[Vocational Industry Certification] (CC:No)</i>	-	-	-	-	1,250,000	1,250,000	0	0
24.22.4.	154.4	Transfer funds from the Audio-Video Technology and Film Grants program to the Technology/Career Education program for enhancing needed STEM preparation in rural communities by providing middle school coding (7th and 8th grade) grants for equipment and teacher professional development in the use of technology, coding and computing, based on findings from the Senate Information Technology Corridors in Georgia Study Committee. <i>[Vocational Industry Certification] (CC:Increase one-time funds for enhancing needed STEM preparation</i>	-	-	-	-	500,000	500,000	500,000	500,000

		<i>in rural communities by providing middle school coding (7th and 8th grade) grants for equipment and teacher professional development in the use of technology, coding and computing.)</i>							
24.23	155.100	Testing							
24.23.3.	155.3	Reduce funds to reflect projected expenditures and carryover funds. [State Mandated]	-	-	-	-	(500,000)	(500,000)	(500,000) (500,000)
Section 28: Human Services, Department of									
28.4	177.100	Child Care Services							
28.4.1.	177.98	Change the name of the Child Care Services program to the Child Care Assistance program[Child Care Services] (S:Yes)(CC:Yes)	-	-	-	-	0	0	0 0
28.6	179.100	Child Welfare Services							
28.6.7.	179.7	Provide funds for design, construction and equipment for the new Division of Family and Children Services Building, Fitzgerald, Ben Hill County.[Child Welfare Services] (S:No)(CC:Provide funds for design, construction and equipment for the new Division of Family and Children Services Building, Fitzgerald, Ben Hill County.)	-	-	550,000	550,000	0	0	550,000 550,000
28.6.8.	179.8	Increase funds for legal services. [Child Welfare Services] (CC:No)	-	-	-	-	1,615,500	1,615,500	0 0
28.9	182.100	Elder Abuse Investigations and Prevention							
28.9.3.	182.3	Adjust funding for personal services based on actual start dates for adult protective services supervisors. [Adult Protective Services]	-	-	-	-	-	-	(55,119) (55,119)
28.25	199.100	Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program							
28.25.3.	199.3	Reduce funds for the Warrior Alliance. [Field Services]	-	-	-	-	(100,000)	(100,000)	(100,000) (100,000)

Section 29: Insurance, Office of the Commissioner of										
29.1	200.100	Departmental Administration (COI)								
29.1.5.	200.5	Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to meet projected program expenditures. <i>[Departmental Administration (COI)]</i>	-	-	-	-	111,753	111,753	111,753	111,753
29.5	204.100	Insurance Regulation								
29.5.4.	204.4	Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to meet projected program expenditures. <i>[Special Fraud]</i>	-	-	-	-	(111,753)	(111,753)	(111,753)	(111,753)
Section 31: Juvenile Justice, Department of										
31.3	214.100	Secure Commitment (YDCs)								
31.3.3.	214.3	Increase funds for one-time funding for startup costs for the culinary vocational program at Macon YDC. <i>[Education]</i>	-	-	-	-	129,000	129,000	129,000	129,000
Section 34: Natural Resources, Department of										
34.5	226.100	Historic Preservation								
34.5.4.	226.4	Adjust funding for personal services based on actual start dates for new positions. <i>[Historic Preservation Services]</i>	-	-	(40,562)	(40,562)	(40,562)	(40,562)	(45,633)	(45,633)
34.7	228.100	Parks Recreation and Historic Sites								
34.7.4.	228.4	Provide for one-time improvements at the Jekyll Island Authority for the Great Dunes South Beach Park and the Ocean View Beach Park. <i>[Park Operations]</i>	-	-	-	-	-	-	1,600,000	1,600,000
Section 36: State Properties Commission										
36.1	400.100	Payments to Georgia Building Authority								
36.1.1.	400.1	Provide for equipment and furnishings for the new Judicial Building Complex.	-	-	-	-	-	-	8,665,329	8,665,329
Section 37: Public Defender Council, Georgia										
37.2	236.100	Public Defenders								

37.2.3.	236.3	Increase funds to reflect an accountability court supplement for circuit public defenders for two newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits.[Circuit Offices] (H:No) (S:Increase funds to provide an accountability court supplement for circuit public defenders in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges.)(CC:Increase funds to provide an accountability court supplement for circuit public defenders in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits upon their certification by the Council of Accountability Court Judges.)	12,781	12,781	0	0	4,793	4,793	4,793	4,793
Section 38: Public Health, Department of										
38.11	247.100	Office for Children and Families								
38.11.1.	247.1	Reduce funds.[Office for Children and Families] (CC:No)	-	-	-	-	(173,148)	(173,148)	0	0
Section 39: Public Safety, Department of										
39.6	257.100	Georgia Firefighter Standards and Training Council								
39.6.5.	257.5	Adjust funding for personal services based on actual start dates for new positions.[Georgia Firefighter Standards and Training Council]	-	-	(1,400)	(1,400)	(14,600)	(14,600)	(14,600)	(14,600)
Section 41: Regents, University System of Georgia Board of										
41.15	279.100	Public Service/Special Funding Initiatives								
41.15.2.	279.2	Provide funds for planning for the Center for Rural Prosperity and Innovations as recommended by the House Rural Development Council.[Health Professions Initiative]	-	-	75,000	75,000	25,000	25,000	75,000	75,000

41.18	282.100	Teaching							
41.18.2.	282.2	Perform a market study of professional and masters level degrees currently offered at university programs in South Georgia to include recommendations for adjustments to offerings based on matriculation, demand, and industry interest and report to the House Rural Development Council, Rural Georgia Senate Study Committee, and the House and Senate Higher Education Committees by September 1, 2018. <i>[Resident Instruction] (H & S:Yes) (CC:Yes; Perform a market study of professional and masters level degrees currently offered at university programs in South Georgia to include recommendations for adjustments to offerings based on matriculation, demand, and industry interest and report to the House Rural Development Council, Rural Georgia Senate Study Committee, and the House and Senate Higher Education Committees by October 1, 2018.)</i>	-	-	0	0	0	0	0
41.19	283.100	Veterinary Medicine Experiment Station							
41.19.1.	283.1	Adjust funding for personal services based on actual start dates for new positions. <i>[Vet Med. Experiment Station]</i>	-	-	(142,768)	(142,768)	(142,768)	(142,768)	(220,268)
Section 42: Revenue, Department of									
42.2	288.100	Forestland Protection Grants							
42.2.1.	288.1	Increase funds for Forestland Protection Act grant reimbursements. <i>[Forestland Protection Grants] (CC:Fully fund reimbursements for 'Forestland Protection Act' grants through tax year 2017.)</i>	17,616,054	17,616,054	17,616,054	17,616,054	17,616,054	17,616,054	60,742,127
42.6	292.100	Motor Vehicle Registration and Titling							
42.6.5.	292.5	Transfer funds from the Revenue Processing program to the Motor Vehicle Registration and Titling	-	-	-	-	-	-	2,100,000

47.12	341.100	Payments to State Road and Tollway Authority								
47.12.2.	341.2	No additional funds shall be expended for professional services on regional transit studies other than through joint participation of the Senate and House Transportation Committees. <i>[Payments to State Road and Tollway Authority]</i> (S:Yes)(CC:Yes)	-	-	-	-	0	0	0	0
Section 48: Veterans Service, Department of										
48.3	344.100	Georgia War Veterans Nursing Homes								
48.3.2.	344.2	Utilize \$28,650 in existing funds for a new survey requirement for the sub-acute rehabilitation therapy unit at the Georgia War Veterans Nursing Home (Milledgeville). <i>[Milledgeville Nursing Home]</i> (G:Yes)(H:Yes)(S:Increase funds for a new survey requirement for the sub-acute rehabilitation therapy unit at the Georgia War Veterans Nursing Home.) (CC:Increase funds for a new survey requirement for the sub-acute rehabilitation therapy unit at the Georgia War Veterans Nursing Home.)	0	0	0	0	28,650	28,650	28,650	28,650
48.4	345.100	Veterans Benefits								
48.4.3.	345.3	Adjust funding for personal services based on actual start dates for new positions. <i>[Field Operations]</i>	-	-	-	-	-	-	(69,496)	(69,496)

Senator Hill of the 4th moved that the Senate agree to the House amendment to the Senate substitute to HB 683.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 54, nays 0; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 683.

Senator Hill of the 4th moved that HB 683 be immediately transmitted to the House.

On the motion, there was no objection, and HB 683 was immediately transmitted.

Pursuant to Senate Rule 7-1.10(b), Senator Albers of the 56th served notice to consider House action on the following bill of the Senate:

SB 317. By Senators Albers of the 56th, Millar of the 40th, Beach of the 21st, Shafer of the 48th, James of the 35th and others:

A BILL to be entitled an Act to provide for a homestead exemption from Fulton County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption

and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

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

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Brandon Beach to serve as Ex-Officio for the Senate Insurance and Labor meeting on March 5, 2018. This appointment shall expire upon adjournment of the committee meeting.

Sincerely,

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

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Wednesday, March 7, 2018.

The motion prevailed, and the President announced the Senate adjourned at 12:13 p.m.

Senate Chamber, Atlanta, Georgia
Wednesday, March 7, 2018
Thirty-first Legislative Day

The Senate met pursuant to adjournment at 10:13 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House and Senate:

HB 979. By Representatives Raffensperger of the 50th, Jones of the 25th, Martin of the 49th, Hilton of the 95th and Willard of the 51st:

A BILL to be entitled an Act to amend an Act to incorporate the City of Johns Creek in Fulton County, Georgia, approved March 29, 2006 (Ga. L. 2006, p. 3503), as amended, so as to provide for term limits for the mayor and councilmembers; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 980. By Representatives Deffenbaugh of the 1st, Hill of the 3rd, Carpenter of the 4th, Tarvin of the 2nd and Raffensperger of the 50th:

A BILL to be entitled an Act to authorize the governing authority of Dade County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 985. By Representative McCall of the 33rd:

A BILL to be entitled an Act to amend an Act to incorporate the town of Hull, partly in Clarke County and partly in the county of Madison, Georgia,

approved August 24, 1905 (Ga. L. 1905, p. 893), as amended, so as to revise the terms of office and timing of elections for the mayor and councilmembers; to provide for posts; to revise provisions related to the appointment of a mayor pro tem; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 990. By Representatives Dickerson of the 113th, Stephenson of the 90th, Rutledge of the 109th and Kirby of the 114th:

A BILL to be entitled an Act to amend an Act providing for the compensation of the members and chairperson of the Board of Education of Rockdale County, approved March 10, 1988 (Ga. L. 1988, p. 3652), so as to modify the compensation of the members of the Board of Education of Rockdale County; to provide for future cost-of-living increases; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 991. By Representatives Rhodes of the 120th and Williams of the 145th:

A BILL to be entitled an Act to amend an Act changing the method of electing the members of the Board of Education of Putnam County, approved March 27, 1972 (Ga. L. 1972, p. 2678), as amended, particularly by an Act approved March 27, 1995 (Ga. L. 1995, p. 3722), so as to change the compensation of such members; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1003. By Representative Ralston of the 7th:

A BILL to be entitled an Act to amend an Act providing the method of election of the members of the Board of Education of Gilmer County, approved April 10, 1971 (Ga. L. 1971, p. 3471), as amended, particularly by an Act approved February 27, 2012 (Ga. L. 2012, p. 3710), so as to provide for the compensation of the members of the board of education; to repeal conflicting laws; and for other purposes.

SB 262. By Senator Jeffares of the 17th:

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Stockbridge, approved April 4, 1991 (Ga. L. 1991, p. 4359), as amended, so as to revise the corporate boundaries of the city; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

SB 270. By Senator Mullis of the 53rd:

A BILL to be entitled an Act to amend an Act reincorporating and providing a new charter for the City of Trenton in Dade County, approved March 26, 1987 (Ga. L. 1987, p. 4725), as amended, so as to change the position of city clerk from elective to appointive; to provide for the current city clerk to serve out the remainder of his or her term; to provide for the appointment of city clerks; to provide for the election of certain city officers; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 387. By Senator Gooch of the 51st:

A BILL to be entitled an Act to amend an Act entitled "An Act to create a new charter for the City of Dahlonega in the County of Lumpkin," approved April 12, 1982 (Ga. L. 1982, p. 4353), as amended, particularly by an Act approved May 11, 2010 (Ga. L. 2010, p. 3522), so as to provide for the filling of vacancies; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 392. By Senator Burke of the 11th:

A BILL to be entitled an Act to provide a new charter for the City of Doerun; to provide for incorporation boundaries, powers and construction; to provide for a governing authority and its membership, elections, and terms; to provide for other matters relative to the foregoing; to provide a specific repealer; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 2. By Senators Dugan of the 30th, Shafer of the 48th, Cowsert of the 46th, Gooch of the 51st, Hill of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36, Chapter 1 of Title 43, and Title 50 of the O.C.G.A., relating to general provisions applicable to counties and municipal corporations, general provisions regarding professions and businesses, and state government, respectively, so as to enhance accountability and notice requirements for agency rule making so as to reduce regulatory burdens on businesses; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SR 967. By Senator James of the 35th:

A RESOLUTION recognizing and commending Taos Wynn and Perfect Love Foundation and recognizing March 8, 2018, as Unify Georgia Day at the state capitol; and for other purposes.

Referred to the Committee on Rules.

SR 972. By Senators Miller of the 49th, Unterman of the 45th, Wilkinson of the 50th, Parent of the 42nd, Ginn of the 47th and others:

A RESOLUTION encouraging local educational agencies to support Georgia's talented and gifted students by complying with all State Board of Education and Georgia Professional Standards Commission guidelines for gifted education; and for other purposes.

Referred to the Committee on Education and Youth.

The following House legislation was read the first time and referred to committee:

HB 979. By Representatives Raffensperger of the 50th, Jones of the 25th, Martin of the 49th, Hilton of the 95th and Willard of the 51st:

A BILL to be entitled an Act to amend an Act to incorporate the City of Johns Creek in Fulton County, Georgia, approved March 29, 2006 (Ga. L. 2006, p. 3503), as amended, so as to provide for term limits for the mayor and councilmembers; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 980. By Representatives Deffenbaugh of the 1st, Hill of the 3rd, Carpenter of the 4th, Tarvin of the 2nd and Raffensperger of the 50th:

A BILL to be entitled an Act to authorize the governing authority of Dade County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 985. By Representative McCall of the 33rd:

A BILL to be entitled an Act to amend an Act to incorporate the town of Hull, partly in Clarke County and partly in the county of Madison, Georgia, approved August 24, 1905 (Ga. L. 1905, p. 893), as amended, so as to revise the terms of office and timing of elections for the mayor and councilmembers; to provide for posts; to revise provisions related to the appointment of a mayor pro tem; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 990. By Representatives Dickerson of the 113th, Stephenson of the 90th, Rutledge of the 109th and Kirby of the 114th:

A BILL to be entitled an Act to amend an Act providing for the compensation of the members and chairperson of the Board of Education of Rockdale County, approved March 10, 1988 (Ga. L. 1988, p. 3652), so as to modify the compensation of the members of the Board of Education of Rockdale County; to provide for future cost-of-living increases; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 991. By Representatives Rhodes of the 120th and Williams of the 145th:

A BILL to be entitled an Act to amend an Act changing the method of electing the members of the Board of Education of Putnam County, approved March 27, 1972 (Ga. L. 1972, p. 2678), as amended, particularly by an Act approved March 27, 1995 (Ga. L. 1995, p. 3722), so as to change the compensation of such members; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1003. By Representative Ralston of the 7th:

A BILL to be entitled an Act to amend an Act providing the method of election of the members of the Board of Education of Gilmer County, approved April 10, 1971 (Ga. L. 1971, p. 3471), as amended, particularly by an Act approved February 27, 2012 (Ga. L. 2012, p. 3710), so as to provide for the compensation of the members of the board of education; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Economic Development and Tourism has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 831 Do Pass
HB 843 Do Pass
HB 951 Do Pass

Respectfully submitted,
Senator Dugan of the 30th District, Chairman

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 811 Do Pass
HB 816 Do Pass

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 64 Do Pass by substitute
HB 592 Do Pass

Respectfully submitted,
Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 137	Do Pass by substitute	HB 668	Do Pass
HB 670	Do Pass	HB 808	Do Pass
HB 907	Do Pass		

Respectfully submitted,
 Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Natural Resources and the Environment has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 665	Do Pass	HB 695	Do Pass
HB 784	Do Pass	HB 885	Do Pass

Respectfully submitted,
 Senator Harper of the 7th District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 79	Do Pass	HB 253	Do Pass
HB 699	Do Pass by substitute	HB 815	Do Pass
SR 914	Do Pass		

Respectfully submitted,
 Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on Regulated Industries and Utilities has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 757	Do Pass by substitute
HB 775	Do Pass

Respectfully submitted,
 Senator Ginn of the 47th District, Chairman

Mr. President:

The Committee on Retirement has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 398 Do Pass
HB 571 Do Pass
HB 692 Do Pass by substitute

Respectfully submitted,
Senator Black of the 8th District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 899 Do Pass
SR 935 Do Pass
SR 940 Do Pass

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate the following action:

Pursuant to Senate Rule 2-1.10(b), referred the following legislation from the General Calendar:

HB 419 to the Committee on Public Safety

HB 694 to the Committee on Insurance and Labor

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 707	Do Pass	HB 708	Do Pass
HB 710	Do Pass	HB 711	Do Pass
HB 712	Do Pass	HB 832	Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Mr. President:

The Committee on State Institutions and Property has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HR 1090	Do Pass
HR 1104	Do Pass by substitute

Respectfully submitted,
Senator Harbison of the 15th District, Chairman

Mr. President:

The Committee on Transportation has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 882	Do Pass	SR 885	Do Pass
SR 906	Do Pass	SR 923	Do Pass
SR 924	Do Pass	SR 925	Do Pass
SR 942	Do Pass	SR 943	Do Pass
SR 944	Do Pass	SR 947	Do Pass
SR 954	Do Pass		

Respectfully submitted,
Senator Beach of the 21st District, Chairman

Mr. President:

The Committee on Veterans, Military and Homeland Security has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 422 Do Pass
HB 700 Do Pass
HB 840 Do Pass

Respectfully submitted,
Senator Watson of the 1st District, Chairman

Senator Albers of the 56th asked unanimous consent that the call of the roll be dispensed with. The consent was granted, and the roll call was dispensed with.

Senator Parent of the 42nd introduced the doctor of the day, Dr. Benjamin Lefkove.

The following resolution was read and adopted:

SR 961. By Senator Jones of the 25th:

A RESOLUTION commending Malcolm J. Mitchell and recognizing March 7, 2018, as Children's Literacy Day at the state capitol; and for other purposes.

Senator Jones of the 25th honored Malcolm J. Mitchell who addressed the Senate briefly.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator McKoon of the 29th introduced the chaplain of the day, Father Gerard Schreck of Savannah, Georgia, who offered scripture reading and prayer.

Senator Harbison of the 15th recognized Ranger Daniel Boatwright and the 2nd Airborne Ranger Company, commended by SR 859, adopted previously. Ranger Daniel Boatwright addressed the Senate briefly.

Senator Thompson of the 14th recognized Stanton Gatewood, commended by SR 731, adopted previously. Stanton Gatewood addressed the Senate briefly.

The following resolutions were read and adopted:

SR 962. By Senators Burke of the 11th, Sims of the 12th and Harper of the 7th:

A RESOLUTION commending Chief Nealie M. McCormick, Jr.; and for other purposes.

SR 963. By Senators Miller of the 49th, Unterman of the 45th, Wilkinson of the 50th, Ginn of the 47th and Gooch of the 51st:

A RESOLUTION recognizing and congratulating Lorry and Sherrie Schrage, owners/operators of Saul's of Gainesville; and for other purposes.

SR 964. By Senators Davenport of the 44th, Anderson of the 43rd, Butler of the 55th, Tate of the 38th, Jones of the 10th and others:

A RESOLUTION recognizing March 19, 2018, as Spelman College Day at the state capitol; and for other purposes.

SR 965. By Senators Wilkinson of the 50th, Anderson of the 24th, Black of the 8th, Burke of the 11th, Kirk of the 13th and others:

A RESOLUTION commending the Georgia peanut industry and recognizing March 12, 2018, as Peanut Butter and Jelly Day at the state capitol; and for other purposes.

SR 966. By Senators Mullis of the 53rd, Unterman of the 45th, Shafer of the 48th, McKoon of the 29th, Miller of the 49th and others:

A RESOLUTION recognizing March 12, 2018, as Jack Murphy Day at the state capitol; and for other purposes.

SR 968. By Senators Martin of the 9th, Unterman of the 45th, Millar of the 40th and Shafer of the 48th:

A RESOLUTION honoring the life and memory of Merri M. Brantley; and for other purposes.

SR 969. By Senator Martin of the 9th:

A RESOLUTION recognizing and commending Chief of Police Randy Johnson on the occasion of his retirement; and for other purposes.

SR 970. By Senators Harbin of the 16th, Payne of the 54th, Harper of the 7th, Thompson of the 14th, Walker III of the 20th and others:

A RESOLUTION recognizing and commending the TeenPact program; and for other purposes.

SR 971. By Senators Ligon, Jr. of the 3rd, James of the 35th, Dugan of the 30th, Thompson of the 5th and Shafer of the 48th:

A RESOLUTION commending and congratulating Robert "Bob" O'Brien; and for other purposes.

SR 973. By Senator Albers of the 56th:

A RESOLUTION recognizing and commending the STAR House Foundation; and for other purposes.

SR 974. By Senator Jackson of the 2nd:

A RESOLUTION honoring the life and memory of Deacon Alvin Collins, Sr.; and for other purposes.

SR 975. By Senator Sims of the 12th:

A RESOLUTION honoring the life and memory of Mrs. Charlie Will Thornton; and for other purposes.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Wednesday March 7, 2018

Thirty-first Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 832 Millar of the 40th
 Thompson of the 5th
 Shafer of the 48th

CITY OF PEACHTREE CORNERS

A BILL to be entitled an Act to provide a new charter for the City of Peachtree Corners; to provide for boundaries and powers of the city;

to provide for definitions and construction; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Pursuant to Article VII, Section II, Paragraph IV of the Constitution, the following five local bills relating to homestead exemptions require a two-thirds roll-call vote for passage:

HB 707

Albers of the 56th
Millar of the 40th

CITY OF ROSWELL

A BILL to be entitled an Act to provide for a new homestead exemption from City of Roswell ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 708

Albers of the 56th
Beach of the 21st
Shafer of the 48th

CITY OF JOHNS CREEK

A BILL to be entitled an Act to provide for a new homestead exemption from City of Johns Creek ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 710

Albers of the 56th
Beach of the 21st
CITY OF MILTON

A BILL to be entitled an Act to provide for a new homestead exemption from City of Milton ad valorem taxes for municipal

purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 711

Albers of the 56th

CITY OF MOUNTAIN PARK

A BILL to be entitled an Act to provide for a new homestead exemption from City of Mountain Park ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 712

Albers of the 56th

Beach of the 21st

Shafer of the 48th

CITY OF ALPHARETTA

A BILL to be entitled an Act to provide for a new homestead exemption from City of Alpharetta ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers
Y Anderson, L
Y Anderson, T

Y Hufstetler
Y Jackson
Y James

Y Payne
Y Rhett
Y Seay

Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Sims
Y Brass	Jones, H	Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 48, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3-7-18

Due to business outside the Senate Chamber, I missed the vote on the Local Consent Calendar. Had I been present, I would have voted "yea".

/s/ Jesse Stone
District 23

Senator Shafer of the 48th congratulated the winners of the annual David Shafer Essay Scholarship Contest, commended by SR 941, adopted previously.

Senator Millar of the 40th recognized Ashley Strong-Green, Jonathan Swinsburg, and Skylar Huggett, commended by SR 733, SR 734, and SR 735, respectively. Ashley Strong-Green, Jonathan Swinsburg, and Skylar Huggett addressed the Senate briefly.

The following Senators were excused for business outside the Senate Chamber:

Heath of the 31st Millar of the 40th

SENATE RULES CALENDAR
WEDNESDAY, MARCH 7, 2018
THIRTY-FIRST LEGISLATIVE DAY

- HB 275 Game and fish; rules and regulations used to establish criminal violations; change provisions (Substitute)(NR&E-7th) Dubnik-29th
- HB 354 Georgia International and Maritime Trade Center; reconstitute and authorize Department of Economic Development to contract for certain projects (Substitute)(ED&T-1st) Stephens-164th
- HB 448 Nonpublic Postsecondary Education Commission; require certain postsecondary institutions to qualify for exemptions; provisions (Substitute)(H ED-9th) Williams-119th

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- HB 275. By Representatives Dubnik of the 29th, Hawkins of the 27th, Knight of the 130th, Powell of the 32nd, Smith of the 70th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, so as to change provisions relative to rules and regulations used to establish criminal violations; to amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to general provisions relative to the registration, operation, and sale of watercraft, so as to regulate activities related to body surfing and wake surfing; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The Senate Committee on Natural Resources and the Environment offered the following substitute to HB 275:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, so as to remove a prohibition on hunting

without a wildlife management area license; to change provisions relative to rules and regulations used to establish criminal violations; to amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to general provisions relative to the registration, operation, and sale of watercraft, so as to regulate activities related to body surfing and wake surfing; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, is amended by revising subsection (a) of Code Section 27-1-33, relating to noncompliance with laws while on a fishing area, fish hatchery, natural area, or wildlife management area, hunting without a wildlife management area license, and acts constituting criminal trespass, as follows:

"(a) It shall be unlawful to enter upon or to hunt, trap, or fish on any public fishing area, fish hatchery, or natural area, or wildlife management area owned or operated by the department except in compliance with all applicable laws and all rules and regulations promulgated by the board including, but not limited to, any law, rule, or regulation relating to seasons or bag limits or requiring a special permit. ~~Further, it shall be unlawful for any person except those specifically excluded by law to hunt on a wildlife management area without a valid wildlife management area license as authorized by Code Section 27-2-23.~~"

SECTION 2.

Said chapter is further amended by revising Code Section 27-1-39, relating to rules and regulations used to establish criminal violations, as follows:

"27-1-39.

Notwithstanding any other law to the contrary, for purposes of establishing criminal violations of the rules and regulations promulgated by the Board of Natural Resources as provided in this title, the term 'rules and regulations' means those rules and regulations of the Board of Natural Resources in force and effect on January 1, ~~2016~~ 2018."

SECTION 3.

Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to general provisions relative to the registration, operation, and sale of watercraft, is amended by revising Code Section 52-7-16, relating to towing persons on water skis, aquaplanes, surfboards or similar devices, as follows:

"52-7-16.

(a) As used in this Code section, the term:

(1) 'Body surfing' means unassisted swimming or floating by a person on or in the wake directly behind a vessel that is underway. Such term shall not include a person

who is being towed by a vessel.

(2) 'Wake surfing' means using a surfboard, wakeboard, or similar device to ride on or in the wake directly behind a vessel that is underway. Such term shall not include a person who is being towed by a vessel.

(a.1) No person shall operate a vessel on any of the waters of this state for towing a person or persons on water skis, aquaplane, surfboard, or any similar device, or for producing wake for body surfing or wake surfing, unless the vessel is equipped with a wide-angle mirror mounted in such a manner as to permit the operator of the vessel to observe at all times the person or persons being towed, body surfing, or wake surfing or unless there is in such vessel a competent person, in addition to the operator, in a position to observe at all times the person or persons being towed, body surfing, or wake surfing.

(b) No person shall operate any vessel on any of the waters of this state for towing a person or persons on water skis, aquaplane, surfboard, or similar devices, or for producing wake for body surfing or wake surfing, nor shall any person or persons engage in body surfing, wake surfing, water skiing, aquaplaning, surfboarding, or similar activities unless such person or persons body surfing, wake surfing, or being towed are wearing a ski belt, ski jacket, or a Type I, II, or III United States Coast Guard approved personal flotation device.

(c) No person shall operate a vessel on any of the waters of this state for towing a person or persons on water skis, aquaplane, surfboard, or similar devices, or for producing wake for body surfing or wake surfing, nor shall any person engage in body surfing, wake surfing, water skiing, aquaplaning, surfboarding, or similar activity at any time between the hours from sunset to sunrise.

(d) No person shall operate a vessel on any of the waters of this state for producing wake for body surfing where such vessel is equipped with an outboard, stern drive, or inboard/outboard engine, nor shall a person engage in body surfing using the wake from a vessel equipped with an outboard, stern drive, or inboard/outboard engine.

~~(e)~~(e) Subsections ~~(a)~~ (a.1), (b), ~~and~~ (c), and (d) of this Code section ~~do~~ shall not apply to a performer engaged in a professional exhibition or a person or persons engaged in an activity authorized under Code Section 52-7-19."

SECTION 4.

This Act shall become effective on July 1, 2018, and shall apply to all offenses occurring on or after such date.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senator Harper of the 7th offered the following amendment #1:

Amend CS (LC 44 0712ERS) to HB 275 by:

Striking Section 3 and renumber accordingly

On the adoption of the amendment, there were no objections, and the Harper amendment #1 to the committee substitute was adopted.

Senators Mullis of the 53rd and Harper of the 7th offered the following amendment #2:

Amend the substitute to HB 275 (LC 44 0712ERS) by inserting after "violations;" on line 4 the following:

to amend Code Section 27-3-9 of the Official Code of Georgia Annotated, relating to unlawful enticement of game, so as to remove definitions relating to unlawful enticement of game and hunting in the vicinity of feed or bait; to remove certain prohibitions;

By inserting after line 31 the following:

Code Section 27-3-9 of the Official Code of Georgia Annotated, relating to unlawful enticement of game, is amended by deleting subsection (a), by redesignating subsection (a.1) as subsection (a), by deleting paragraph (2) of subsection (b), by redesignating paragraph (3) of subsection (b) as paragraph (2), by redesignating paragraph (4) of subsection (b) as paragraph (3), and by revising subsection (a.2), as follows:

"~~(a.2)~~(a.1) Nothing in ~~subsection (a.1)~~ of this Code section shall prohibit any person from placing, exposing, depositing, distributing, or scattering any corn, wheat, or other grains, salts, apples, or other feeds or bait so as to constitute a lure or attraction or enticement for deer on lands that are not under the ownership or control and management of the state or federal government; provided, however, that any such lure or attraction or enticement shall not cause hunting on any adjoining property to be prohibited under subsection (b) of this Code section."

SECTION 4.

By replacing line 70 with the following:

SECTION 5.

By replacing line 73 with the following:

SECTION 6.

On the adoption of the amendment, there were no objections, and the Mullis, Harper amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	Y Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	E Millar	Y Watson
Y Harper	N Miller	Y Wilkinson
E Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 5.

HB 275, having received the requisite constitutional majority, was passed by substitute.

HB 354. By Representatives Stephens of the 164th, Petrea of the 166th and Gilliard of the 162nd:

A BILL to be entitled an Act to amend Article 4 of Chapter 7 of Title 50 of the O.C.G.A., relating to the Georgia International and Maritime Trade Center, so as to reconstitute the Georgia International and Maritime Trade Center Authority; to provide for legislative findings; to provide for definitions; to provide for its membership, manner of appointment, terms of office, and powers and duties; to provide for exemption from taxation; to provide for venue; to provide for disposition of property; to exempt its property from levy and sale; to transfer certain assets and liabilities; to authorize the Department of Economic Development to contract with the authority for certain projects; to repeal certain laws; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Watson of the 1st.

The Senate Committee on Economic Development offered the following substitute to HB 354:

A BILL TO BE ENTITLED
AN ACT

To amend Article 4 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia International and Maritime Trade Center, so as to reconstitute the Georgia International and Maritime Trade Center Authority; to provide for legislative findings; to provide for definitions; to provide for its membership, manner of appointment, terms of office, and powers and duties; to provide for exemption from taxation; to provide for venue; to provide for disposition of property; to exempt its property from levy and sale; to transfer certain assets and liabilities; to authorize the Department of Economic Development to contract with the authority for certain projects; to repeal certain laws; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 4 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia International and Maritime Trade Center, is amended by revising the article as follows:

"ARTICLE 4
Part 1

50-7-50.

~~For purposes of this Code section the following definitions shall apply~~ As used in this article, the term:

(1) 'Authority' means the Georgia International and Maritime Trade Center Authority created by Part 2 of this article.

~~(1)(2)~~ (2) 'Department' means the Department of Economic Development.

~~(2) 'Local government' means, individually or in combination, the City of Savannah, Chatham County, or any development authority of either or both.~~

(3) 'Project' means a comprehensive convention and trade center, suitable for multipurpose use for housing trade shows; conventions; cultural, political, musical, educational, entertainment, athletic, or other events; for displaying exhibits of Georgia's counties, municipalities, industries, and attractions; and for promoting the maritime, transportation, coastal, agricultural, historical, natural, and recreational resources of the State of Georgia, including all facilities necessary or convenient to such purpose, regardless of whether such facilities are contiguous, including, by way of illustration and not limitation, the following facilities: exhibit halls; auditoriums; theaters; restaurants and other facilities for the purveying of foods, beverages,

publications, souvenirs, novelties, and goods and services of all kinds, whether operated or purveyed directly or indirectly through concessionaires, licensees or lessees, or otherwise; parking facilities and parking areas in connection therewith; meeting room facilities, including meeting rooms providing for simultaneous translation capabilities for several languages; related lands, buildings, structures, fixtures, equipment, and personalty appurtenant or convenient to the foregoing; and extension, addition, and improvement of such facilities.

50-7-51.

(a)(1) The department is authorized to acquire, construct, operate, maintain, expand, and improve a project for the purpose of promoting trade, commerce, industry, and employment opportunities within this state for the public good and general welfare and, without limitation of the foregoing, with the approval of the State Properties Commission, to acquire land for such purposes.

(2) The department may pay the costs of such project from any lawful fund source available for the purpose, including without limitation, where applicable, funds received by appropriation, proceeds of general obligation debt, funds of ~~local government~~ the authority, grants of the United States or any agency or instrumentality thereof, gifts, and otherwise.

(3) The project shall be located in Chatham County, Georgia, and shall be known as the 'Georgia International and Maritime Trade Center,' except that any facility included within the project may be otherwise designated.

(b) ~~A local government~~ The authority and the department are both authorized to contract with one another whereby ~~local government~~ the authority may exercise on behalf of the department such future responsibility in connection with the construction, operation, management, and maintenance of the project as is now or may be vested in the department; and the department is authorized by such contract to delegate to the ~~local government~~ authority corresponding responsibilities and powers with respect to the project and to transfer to the ~~local government~~ authority any and all contracts, plans, documents, or other papers of said department relating to the project, as compensation to the ~~local government~~ authority under such contract. To the extent provided by such contract with the department, ~~local government~~ the authority on behalf of the department shall acquire, plan, construct, erect, repair, remodel, maintain, add to, extend, improve, equip, operate, and manage the project.

(c) Without limiting the generality of any provision of this article, the general purpose of the ~~local government~~ authority is declared to be that of acquiring, constructing, equipping, maintaining, and operating the project, in whole or in part, directly or under contract with the department and engaging in such other activities as it deems appropriate to promote trade shows, conventions, and political, musical, educational, entertainment, recreational, athletic, or other events and related tourism within the state so as to promote the use of the project and the use of the industrial, maritime, agricultural, educational, historical, cultural, recreational, commercial, and natural resources of the State of Georgia by those using the project or visiting the state.

(d) The department shall have the authority with the approval of the State Properties Commission to lease any improved or unimproved land or other property acquired by it under this Code section to ~~local government~~ the authority for a term not to exceed 50 years but upon such other terms and conditions as the department may determine necessary or convenient. Any such lease may be for and in consideration of \$1.00 annually for each calendar year or portion thereof paid in kind to and received for by the Office of the State Treasurer and in further consideration that such property be held, constructed, operated, maintained, expanded, or improved for the purposes for which the department was authorized to acquire such property. It is determined that such consideration is good and valuable and sufficient consideration for such lease and in the interest of the public welfare of the State of Georgia and its citizens.

Part 2

50-7-55.

(a) It is declared that there exists in this state, a need for a state public authority to operate the Georgia International and Maritime Trade Center project for the purpose of developing and promoting for the public good, the growth of the state's import and export markets through its ports and other transportation modes and to facilitate economic growth, public welfare, education, and recreation for the people of the state, and without limiting the powers granted to the authority by this part, the creation of the authority shall be and is declared to be for public and governmental purposes, that is, for the promotion of the public general welfare in matters of economic growth, import and export, public welfare, education, and recreation, and in an effort to better the general condition of the people of the state.

(b) As used in this part, the term:

(1) 'Authority' means the Georgia International and Maritime Trade Center Authority created by this part.

(2) 'Project' or 'undertaking' shall be deemed to mean and include buildings and facilities to be used for trade shows, conferences, amusements, or educational purposes and for fairs, expositions, exhibitions, or marketing in connection therewith, together with all other undertakings which may be acquired, constructed, equipped, maintained, or operated by public authorities.

(c) There is created a body corporate and politic to be known as the Georgia International and Maritime Trade Center Authority, which shall be deemed to be a public corporation and instrumentality of the state by that name, style, and title and such body may contract and be contracted with, sue and be sued, implead and be impleaded, and complain and defend in all courts of law and equity. The authority shall have its principal office in Chatham County, and its legal situs or residence for the purposes of this part shall be Chatham County. It is found, determined, and declared that the creation of the authority and the carrying out of its corporate purpose are in all respects for the benefit of the people of this state and constitute a public purpose and that the authority will be performing an essential governmental function in the exercise

of the power conferred upon it by this part. This state covenants with the holders of any bonds issued by the authority that the authority shall be required to pay no taxes or assessments upon any of the property acquired or leased by it, or under its jurisdiction, control, possession, or supervision, or upon its activities in the operation or maintenance of the buildings erected or acquired by it, or upon any fees, rentals, or other charges received by the authority for the use of such buildings, or upon other income received by the authority and that the authority shall be exempt from all sales and use taxes. Further, this state covenants that bonds of the authority, their transfer, and the income therefrom shall at all times be exempt from all taxation within the state.

(d)(1) The authority shall consist of the following membership:

(A) One member shall be appointed by each member of the Georgia General Assembly representing a portion of Chatham County, each of whom shall have a vote;

(B) One member shall be the county manager of Chatham County, who shall serve ex officio and shall have a vote;

(C) One member shall be the city manager of the City of Savannah, who shall serve ex officio and shall have a vote;

(D) The president of the Savannah Economic Development Authority, who shall serve ex officio and shall have a vote; and

(E) The president of the Savannah Area Convention and Visitors' Bureau, who shall serve ex officio and shall have a vote.

(2) Except for the ex officio members, the terms of all members shall be for three years. The initial members of the authority shall be appointed not later than June 1, 2018, and shall take office on July 1, 2018. The terms of office of the members of the Georgia International and Maritime Trade Center Authority created by Georgia Laws 1995, p. 4499, as amended, shall end on July 1, 2018. The initial member appointed by the state senator representing a portion of Chatham County with the longest period of service in the Senate and the initial member appointed by the state representative representing a portion of Chatham County with the longest period of service in the House of Representatives shall each serve an initial term of three years and until each such member's respective successor is appointed and qualified. The initial member appointed by the state senator representing a portion of Chatham County with the second longest period of service in the Senate and the initial members appointed by the state representatives representing a portion of Chatham County with the second and third longest periods of service in the House of Representatives shall each serve an initial term of two years and until each such member's respective successor is appointed and qualified. The remaining initial members appointed by the other members of the legislative delegation representing portions of Chatham County shall each serve an initial term of one year and until each such member's respective successor is appointed and qualified.

(e) Vacancies on the authority by reason of expiration of term or otherwise shall be filled by the body or individual that appointed the member vacating the position.

(f) The authority shall have perpetual existence.

(g) The authority shall elect one of its members as chairperson and another as vice chairperson, and shall also elect a secretary and a treasurer or a secretary-treasurer which offices shall act as an executive committee for the authority.

(h) Six members of the authority shall constitute a quorum, and no vacancy on the authority shall impair the right of the quorum to exercise all the rights and perform all the duties of the authority at every meeting, and in every instance a majority vote shall authorize any legal act of the authority, including all things necessary to authorize and issue revenue bonds.

(i) A member other than an ex officio member shall be removed from office for failure to perform the appropriate duties of membership. Without limitation, this shall include a member's failure to attend more than three regularly scheduled meetings of the authority during any calendar year.

(j) The members shall not be entitled to compensation for their services but shall be entitled to and shall be reimbursed for their actual expenses properly incurred in the performance of their duties. Each member of the authority shall hold office until his or her successor shall have been appointed and qualified. The authority may make bylaws, rules, and regulations for its governance. The members of the authority shall be accountable in all respects as trustees. The authority shall keep suitable books and records of all its obligations, contracts, transactions, and undertakings and of all income and receipts of every nature and all expenditures of every kind and shall provide for an annual independent audit of income and expenditures.

(k) The authority shall be subject to the provisions of Chapter 14 of Title 50 of the O.C.G.A., relating to open and public meetings.

(l) The authority shall prepare and submit to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Board of Commissioners of Chatham County, the mayor and aldermen of the City of Savannah, and the Chatham County delegation of the Georgia General Assembly an annual report at the end of each fiscal year or calendar year of the authority outlining the work of the authority and furnishing to each such body a copy of its most recent annual independent audit of income and expenditure.

(m) The authority is authorized:

(1) To have a seal and alter the seal at its pleasure;

(2) To acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real and personal property of every kind and character for its corporate purposes;

(3) To acquire in its own name by purchase, on such terms and conditions and in such manner as it may deem proper, real property or rights of easements therein or franchises necessary or convenient for its corporate purposes, to use the same so long as its corporate existence shall continue, to lease or make contracts with respect to the use of the same or to dispose of the same in any manner it deems to the best advantage of the authority; and, if the authority shall deem it expedient to construct any property on any lands, the title to which shall then be in the State of Georgia, the Governor is authorized to convey for and on behalf of the state title to such lands to the authority upon payment to the State of Georgia for the credit of the general fund

of the state of the reasonable value of such lands or upon the receipt of such lawful consideration as may be determined by the parties to such conveyance. If the authority shall deem it expedient to acquire and construct any project on any lands, the title to which shall then be in the Board of Commissioners of Chatham County, the mayor and aldermen of the City of Savannah, or any other municipality incorporated in such county, the governing authority or body of such county or any of the municipalities is authorized to convey title to such lands to the authority upon the receipt of such lawful consideration as may be determined by the parties to such conveyance or upon payment for the credit of the general funds of such county or municipality of the reasonable value of such lands, such value to be determined by the mutual consent of such county or municipality and the authority or by an appraiser to be agreed upon by the governing authority or body of such county or municipality and the chairperson of the authority;

(4) To select, appoint, and employ professional, administrative, clerical, or other personnel and to contract for professional or other services and to allow suitable compensation for such personnel and services;

(5) To make contracts and leases and to execute all instruments necessary or convenient, including contracts for the acquisition and constructions of projects and leases of projects or contracts with respect to the use and management of projects which it causes to be erected or acquired, including contracts for acquiring, constructing, renting, managing, and leasing of its projects for use of the State of Georgia or any of its departments, agencies, or authorities, the Board of Commissioners of Chatham County, or the mayor and aldermen of the City of Savannah, and to dispose by conveyance of its title in fee simple of real and personal property of every kind and character, and any and all persons, firms, and corporations and the state and any and all political subdivisions, departments, institutions, or agencies of the state are authorized to enter into contracts, leases, or agreements with the authority upon such terms and for such purposes as they deem advisable; and, without limiting the generality of the above, authority is specifically granted to municipal corporations and counties and to the authority to enter into contracts and lease and sublease agreements with the State of Georgia or any agencies or departments thereof and relative to any property which such department or other agency or department of the State of Georgia has now or may hereafter obtain by lease from the United States government or any agency or department thereof and the authority is specifically authorized to convey title in fee simple to any and all of its lands and any improvements thereon to any persons, firms, corporations, political subdivisions, the State of Georgia, or the United States government, or any agency or department thereof;

(6) To acquire, construct, erect, own, repair, remodel, maintain, add to, extend, improve, equip, operate, and manage projects, the cost of any such project to be paid in whole or in part from the funds of the authority or funds from Chatham County or the City of Savannah and any grant from the State of Georgia, its departments, agencies, or authorities, or the United States or any agency or instrumentality thereof;

(7) To accept grants of money or materials or property of any kind from the United States or any agency or instrumentality thereof, upon such terms and conditions as the United States or such agency or instrumentality may impose;

(8) To accept grants of money or materials or property of any kind from the State of Georgia or any department, agency, authority, or instrumentality or political subdivision thereof, upon such terms and conditions as the State of Georgia or such department, agency, authority, or instrumentality or political subdivision thereof may impose;

(9) To receive, accept, and utilize gifts, grants, donations, or contributions of money, property, facilities, or services, with or without consideration, from any person, firm, corporation, foundation, or other entity;

(10) To exercise any power which is usually possessed by private corporations performing similar functions and which is not in conflict with the Constitution and laws of this state;

(11) From time to time to sell, lease, grant, exchange, or otherwise dispose of any surplus property, both real and personal, or interest therein not required in the normal operation of and usable in the furtherance of the purpose for which the authority was created;

(12) To advise the State of Georgia, its departments, agencies, or authorities, Chatham County, and the mayor and aldermen of the City of Savannah on land acquisition, facilities development, and other matters relating to the provision of convention and trade opportunities for the coastal region of the state;

(13) To procure insurance against any loss in connection with property and other assets of the authority;

(14) To exercise the power provided by Code Section 45-9-1 to procure policies of liability insurance or contracts of indemnity or to formulate sound programs of self-insurance to insure or indemnify members of the authority and its officers and employees against personal liability for damages arising out of the performance of their duties or in any way connected therewith to the extent that such members, officers, or employees are not immune from such liability;

(15) To make contracts and to execute all instruments necessary or convenient in connection therewith;

(16) To adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business may be transacted and in which the power granted to it may be enjoyed as the authority may deem necessary or expedient in facilitating its business;

(17) To accept loans of any kind from the government of the United States or any agency or instrumentality thereof upon such terms and conditions as the federal government or such agency or instrumentality may require;

(18) To accept loans of any kind from the State of Georgia or any agency or instrumentality or political subdivision thereof upon such terms and conditions as the State of Georgia or such agency or instrumentality or political subdivision may require;

- (19) To borrow money for any of its corporate purposes and to issue revenue bonds payable solely from funds pledged for that purpose and to provide for the payment of the same and for the rights of the holders thereof;
- (20) To exercise any power usually possessed by private corporations performing similar functions, including the power to obtain long- or short-term loans, to give deeds to secure debt on real property, security agreements on personal property, or any other security agreements, and approve, execute, and deliver appropriate evidence of such indebtedness, provided no such power is in conflict with the Constitution or general laws of this state;
- (21) To the extent that a contract between the authority and a public or private agency provides therefor, to act as an agent for such public or private agency in any matter coming within the purposes or powers of the authority; and
- (22) To do all things necessary or convenient to carry out the powers expressly given in this part.
- (n) The exercise of the powers conferred upon the authority in this part shall constitute an essential governmental function for a public purpose and the authority shall be required to pay no taxes or assessments upon any of the property acquired by it or under its jurisdiction, control, possession, or supervision or upon its activities in the operation and maintenance of property acquired by it or of buildings erected or acquired by it or any fees, rentals, or other charges for the use of such property or buildings or other income received by the authority. The authority shall be exempt from sales and use tax on property purchased by or for the use of the authority.
- (o) The property of the authority shall not be subject to levy and sale under legal process.
- (p) Any action to protect or enforce any rights under the provisions of this Act or any suit or action against such authority shall be brought in the Superior Court of the Eastern Judicial Circuit, Chatham County, Georgia.
- (q) All funds received by the authority pursuant to this part, whether as revenue, rents, fees, charges, or other earnings or as grants, gifts, or other contributions, shall be deemed to be trust funds to be held and applied by the authority solely as provided in this part.
- (r) This part and any other law enacted with reference to the authority shall be liberally construed for the accomplishment of its purposes.
- (s) Should the authority for any reason be dissolved, title to all property of any kind and nature, real and personal, held by the authority at the time of such dissolution shall be conveyed to the State of Georgia; or title to any such property may be conveyed prior to such dissolution in accordance with provisions which may be made therefor in any resolution or trust instrument relating to such property, subject to any liens, leases, or other encumbrances outstanding against or in respect to said property at the time of such conveyance.
- (t) On July 1, 2018, all powers, duties, assets, real and personal property, liabilities, and indebtedness of the Georgia International and Maritime Trade Center Authority created by Georgia Laws 1995, p. 4499, as amended, are transferred to the authority.

The authority shall be the successor to the Georgia International and Maritime Trade Center Authority created by Georgia Laws 1995, p. 4499, as amended, in all contracts entered into by the Georgia International and Maritime Trade Center Authority created by Georgia Laws 1995, p. 4499, as amended, which are in existence on July 1, 2018, and to all accounts of and debts owed to the Georgia International and Maritime Trade Center Authority created by Georgia Laws 1995, p. 4499, as amended, that are outstanding on July 1, 2018.

SECTION 2.

An Act to create the Georgia International and Maritime Trade Center Authority, approved April 21, 1995 (Ga. L. 1995, p. 4499), and all Acts amendatory thereto are repealed.

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval for the sole purpose of appointing the initial members of the authority. The Act shall become effective for all purposes on July 1, 2018.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison	E Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 1.

HB 354, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/7/2018

Due to business outside the Senate Chamber, I missed the vote on HB 354. Had I been present, I would have voted "yes".

/s/ Lindsey Tippins
District 37

HB 448. By Representatives Williams of the 119th, Jasperse of the 11th, Dempsey of the 13th and Gardner of the 57th:

A BILL to be entitled an Act to amend Chapter 3 of Title 20 of the O.C.G.A., relating to postsecondary education, so as to require certain education and postsecondary educational institutions to qualify for exemptions with the Nonpublic Postsecondary Education Commission and the maintenance of exemptions provided for under such part; to provide for an exception; to provide for the promulgation of rules, regulations, and policies for the effectuation of such exemptions; to revise the membership of the Nonpublic Postsecondary Education Commission; to provide for completion of current terms of appointment to the commission; to revise the membership of the Board of Trustees of the Tuition Guaranty Trust Fund; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Martin of the 9th.

The Senate Committee on Higher Education offered the following substitute to HB 448:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary education, so as to require certain education and postsecondary

educational institutions to qualify for exemptions with the Nonpublic Postsecondary Education Commission and the maintenance of exemptions provided for under Part 1A of Article 7 of such chapter; to provide for an exception; to provide for the promulgation of rules, regulations, and policies for the effectuation of such exemptions; to revise the membership of the Nonpublic Postsecondary Education Commission; to provide for completion of current terms of appointment to the commission; to revise the membership of the Board of Trustees of the Tuition Guaranty Trust Fund; to correct a cross-reference; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary education, is amended in Code Section 20-3-250.3, relating to educational institutions exempted from application of part, by revising subsection (a) and by adding a new subsection to read as follows:

"(a) The following education and postsecondary educational institutions ~~are~~ shall be exempted from this part except as expressly provided to the contrary and upon qualification with the commission pursuant to subsection (e) of this Code section:

(1) Institutions exclusively offering instruction at any or all levels from preschool through the twelfth grade regardless of the age of the student;

(2) Education sponsored by a bona fide trade, business, professional, or fraternal organization, so recognized by the commission, solely for that organization's membership or offered on a no-fee basis, not granting degrees;

(3) Education solely avocational or recreational in nature, as determined by the commission, and institutions, not granting degrees, offering such education exclusively;

(4) Postsecondary educational institutions established, operated, governed, or licensed by this state, its agencies, or its political subdivisions, as determined by the commission;

(5) Any flight school which holds an applicable federal air agency certificate issued by the administrator of the Federal Aviation Administration;

(6) Nonpublic, nonprofit, postsecondary educational institutions which demonstrate annually to the satisfaction of the commission that their purposes are solely to provide programs of study in theology, divinity, religious education, and ministerial training, and that they do not grant postsecondary degrees of a nonreligious nature and that such institutions:

(A) Accept no federal or state funds; and

(B) Accept no student who has a federal or state education loan to attend such institutions;

(7) Subject to the requirements of subsection (c) of Code Section 20-3-250.6, any nonpublic law schools not school accredited by the American Bar Association ~~which~~

are subject to the regulations and standards established by the Georgia Supreme Court for such schools whose principal office and campus are located in this state and which is not qualified for exemption under any other paragraph of this subsection; provided, however, that any such nonpublic law school shall be subject to the provisions of Code Section 20-3-250.14 for the purposes of satisfying the requirements of 34 C.F.R. Section 668.43(b) and shall designate the commission as the recipient of complaints from students of such nonpublic law school as a prerequisite for such nonpublic law school's acceptance of federal student financial aid funds; and provided, further, that the designation provided under this paragraph shall be provided solely to the extent necessary for institutional compliance of such nonpublic law school with the laws and regulations governing federal student financial aid and shall not affect, rescind, or supersede any preexisting authorizations, charters, or recognition;

(8) Nonpublic postsecondary educational institutions conducting postsecondary activity on the premises of military installations located in this state which are solely for military personnel stationed on active duty at such military installations, their dependents, or Department of Defense employees and other civilian employees of that installation;

(9) A school where the sole purpose of the instructional program is review or preparation for a specific occupational examination recognized by a government agency or bona fide trade, business, or fraternal organization and where the student's occupational training received from another school already makes the student eligible to sit for the examination;

(10) Subject to the requirements of subsection (c) of Code Section 20-3-250.6, any nonpublic, nonprofit college or university granting baccalaureate degrees whose principal office and campus are located in this state and its related graduate and professional programs, which have been in existence ten or more years as a nonpublic, nonprofit college or university and is accredited by a national or regional accrediting agency recognized by the United States Department of Education; provided, however, that such nonpublic, nonprofit college or university shall be subject to the provisions of Code Section 20-3-250.14 for the purposes of satisfying the requirements of 34 C.F.R. Section 668.43(b) and shall designate the commission as the recipient of complaints from students of such nonpublic, nonprofit college or university as a prerequisite for such nonpublic, nonprofit college's or university's acceptance of federal student financial aid funds; and provided, further, that the designation provided for under this paragraph shall be provided solely to the extent necessary for institutional compliance of such nonpublic, nonprofit college or university with the laws and regulations governing federal student financial aid and shall not affect, rescind, or supersede any preexisting authorizations, charters, or recognition;

(11) Subject to the requirements of subsection (c) of Code Section 20-3-250.6, any liberal arts college or university whose principal office and campus are located in this state and its related graduate and professional programs, if any, which was chartered prior to 1955 as a nonpublic, nonprofit, degree-granting institution, provided that it is

accredited by a regional or national accrediting agency recognized by the United States Department of Education; and provided, further, that such liberal arts college or university shall be subject to the provisions of Code Section 20-3-250.14 for the purposes of satisfying the requirements of 34 C.F.R. Section 668.43(b) and shall designate the commission as the recipient of complaints from students of such liberal arts college or university as a prerequisite for such liberal arts college's or university's acceptance of federal financial aid funds; and provided, further, that the designation provided for under this paragraph shall be provided solely to the extent necessary for institutional compliance of such liberal arts college or university with the laws and regulations governing federal student financial aid and shall not affect, rescind, or supersede any preexisting authorizations, charters, or recognition;

(12) Any institution offering only education or training in income tax theory or income tax return preparation when the total contract price for such education or training does not exceed \$1,000.00, provided that the total charges incurred by any student for all instruction, other than instruction which is solely avocational or recreational in nature as provided in paragraph (3) of this subsection, do not exceed \$1,000.00 in any one calendar year;

(13) Subject to the requirements of subsection (c) of Code Section 20-3-250.6, any nonpublic medical school accredited by the Liaison Committee on Medical Education and a national or regional accrediting agency recognized by the United States Department of Education; and

(14) Any college or university that confers both associate and baccalaureate or higher degrees, that is accredited by the Southern Association of Colleges and Schools, College Division, that is operated in a proprietary status or that if previously exempt under this subsection as a proprietary institution has subsequently changed to operate in a nonprofit status, that provides a \$200,000.00 surety bond, and that contributes to the Tuition Guaranty Trust Fund pursuant to Code Section 20-3-250.27; provided, however, that such college or university shall be subject to the provisions of Code Section 20-3-250.14 for the purposes of satisfying the requirements of 34 C.F.R. Section 668.43(b) and shall designate the commission as the recipient of complaints from students of such college or university as a prerequisite for such college's or university's acceptance of federal student financial aid funds; and provided, further, that the designation provided for under this paragraph shall be provided solely to the extent necessary for institutional compliance of such college or university with the laws and regulations governing federal student financial aid and shall not affect, rescind, or supersede any preexisting authorizations, charters, or recognition."

"(e) Except for postsecondary educational institutions exempted from this part pursuant to paragraph (4) of subsection (a) of this Code section, the commission shall establish and promulgate rules, regulations, and policies for education and postsecondary educational institutions to establish their qualifications for an exemption, or maintenance of such exemption, as provided for under subsection (a) of this Code section."

SECTION 2.

Said chapter is further amended in Code Section 20-3-250.4, relating to the Nonpublic Postsecondary Education Commission, by revising subsections (a) and (b) and by adding a new subsection to read as follows:

"(a) There is established the Nonpublic Postsecondary Education Commission consisting of 15 members whose members shall be as provided for pursuant to subsections (b) and (b.1) of this Code section and who shall be appointed by the Governor and confirmed by the Senate. ~~One member shall be appointed from each congressional district and the remaining member shall be appointed as an at large member. Members serving a term of appointment on January 1, 2015, shall complete their terms of appointment; thereafter, members~~ Members of the commission shall be appointed for terms of three years each. Each member shall serve for the term of office to which the person is appointed and until a successor is appointed, confirmed, and qualified, except as provided otherwise in this Code section. Members may be appointed to succeed themselves but shall not serve for more than two full consecutive terms.

(b) At least one member ~~Two members~~ of the commission shall be appointed to represent degree-granting nonpublic postsecondary educational institutions, ~~and two members at least one member~~ shall be appointed to represent nonpublic postsecondary educational institutions which grant certificates only, and at least one member shall be appointed to represent exempt education and postsecondary educational institutions as provided in subsection (a) of Code Section 20-3-250.3. The remaining members shall not be employed by or otherwise represent or have an interest in any nonpublic postsecondary educational institution.

(b.1)(1) Members serving a term of appointment which ended prior to or ends on July 1, 2018, shall complete their term of service on July 1, 2018.

(2) After the occurrence of paragraph (1) of this subsection, the commission shall consist of 11 members who shall be appointed pursuant to the requirements of this Code section."

SECTION 3.

Said chapter is further amended in Code Section 20-3-250.27, relating to the Tuition Guaranty Trust Fund, by revising paragraph (2) of subsection (b) and paragraph (1) of subsection (c) as follows:

"(2) The fund shall be administered by the Board of Trustees of the Tuition Guaranty Trust Fund. The board of trustees shall consist of five members of the commission designated by majority vote of the commission, ~~but one of such members shall be a representative of a nonpublic nondegree granting postsecondary educational institution, and one of such members shall be a representative of a nonpublic degree-granting~~ where at least two members, by June 30, 2020, shall represent postsecondary educational institutions. The five members of the commission who are so designated shall serve for such terms of office as members of the board as the commission shall establish by rule or regulation. The commission shall appoint one

of the members so designated as chairman of the board. The executive director shall also serve as executive director and secretary of the board. Three members of the board must vote in agreement in order for the board to take official action. The commission may by rule or regulation provide for another member of the commission to serve in the place of a member of the board who is absent from a meeting of the board.

(c)(1) All postsecondary educational institutions operating in this state, except those which are exempt from the provisions of this Code section pursuant to Code Section 20-3-250.3, shall participate in the tuition guaranty fund. Those postsecondary educational institutions specified in paragraphs (10) and ~~(15)~~ (14) of subsection (a) of Code Section 20-3-250.3 and in subsection (c) of Code Section 20-3-250.3 shall participate in the tuition guaranty fund."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	E Millar	Y Watson

Y Harper
 Y Heath
 Y Henson
 Y Hill

Y Miller
 Y Mullis
 Y Orrock
 Y Parent

Y Wilkinson
 Y Williams, M
 Y Williams, N

On the passage of the bill, the yeas were 54, nays 0.

HB 448, having received the requisite constitutional majority, was passed by substitute.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

SB 317. By Senators Albers of the 56th, Millar of the 40th, Beach of the 21st, Shafer of the 48th, James of the 35th and others:

A BILL to be entitled an Act to provide for a homestead exemption from Fulton County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
 AN ACT

To provide for a new homestead exemption from Fulton County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

(a) As used in this Act, the term:

(1) "Property taxes for educational purposes" means all ad valorem taxes for

educational purposes levied by, for, or on behalf of the Fulton County school district, but excluding any ad valorem taxes to pay interest on and to retire educational bonded indebtedness.

(2) "Adjusted base year value" means the previous adjusted base year value adjusted annually by the lesser of 3 percent or the inflation rate, plus any change in homestead value, provided that no such change in homestead value shall be duplicated as to the same addition or improvement.

(3) "Change in homestead value" means value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of the O.C.G.A., as amended, derived from additions or improvements to, or the removal of real property of, the homestead after the lowest base year value is determined.

(4) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of the O.C.G.A., as amended, with the additional qualification that it shall include only the primary residence and not more than five contiguous acres of land immediately surrounding such residence.

(5) "Inflation rate" means the Consumer Price Index for all urban consumers, U.S. City Average, all items 1967-100, or a successor index as reported by the United States Department of Labor Bureau of Labor statistics.

(6) "Lowest base year value" means:

(A) Among the 2016, 2017, and 2018 taxable years, the lowest assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of the O.C.G.A., as amended, of the homestead, with such assessed value being multiplied by 1.0423, which number represents inflation rate data for December, 2015, through December, 2017, with respect to an exemption under this Act which is first granted to a person on that person's homestead in the 2019 taxable year or who thereafter reapplies for and is granted such exemption in the 2020 taxable year, or thereafter, solely because of a change in ownership to a joint tenancy with right of survival; or

(B) In all other cases, the lower of the assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of the O.C.G.A., as amended, of the homestead, from the taxable year immediately preceding the taxable year in which the exemption under this Act is first granted to the most recent owner of such homestead or the assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of the O.C.G.A., as amended, of the homestead, from the taxable year in which the exemption under this Act is first granted to the most recent owner of such homestead, with respect to an exemption under this Act which is first granted to a person on that person's homestead in the 2020 taxable year or who thereafter reapplies for and is granted such exemption in the 2021 taxable year, or thereafter, solely because of a change in ownership to a joint tenancy with right of survival.

(7) "Previous adjusted base year value" means:

(A) With respect to an exemption under this Act that is first granted to a person on that person's homestead, the lowest base year value; or

- (B) In all other cases, the adjusted base year value as calculated in the taxable year immediately preceding the current year.
- (b) Each resident of the Fulton County school district is granted an exemption on that person's homestead from Fulton County school district property taxes for educational purposes in an amount equal to the amount by which the current year assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of the O.C.G.A., as amended, of that homestead exceeds the adjusted base year value of the homestead. The value of that property in excess of such exempted amount shall remain subject to taxation.
- (c) The surviving spouse of the person who has been granted the exemption provided for in subsection (b) of this section shall continue to receive the exemption provided under subsection (b) of this section, so long as that surviving spouse continues to occupy the home as a residence and homestead.
- (d) A person shall not receive the homestead exemption granted by subsection (b) of this section unless the person or person's agent files an application with the tax commissioner of Fulton County giving such information relative to receiving such exemption as will enable the governing authority, or its designee, to make a determination regarding the initial and continuing eligibility of such owner for such exemption. The tax commissioner of Fulton County shall provide application forms for this purpose.
- (e) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year so long as the owner occupies the residence as a homestead. After a person has filed the proper application as provided in subsection (d) of this section, it shall not be necessary to make application thereafter for any year and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this section to notify the tax commissioner of Fulton County in the event that person for any reason becomes ineligible for that exemption.
- (f) The exemption granted by subsection (b) of this section shall not apply to or affect state ad valorem taxes, municipal or independent school district ad valorem taxes for educational purposes, or county ad valorem taxes for county purposes. The homestead exemption granted by subsection (b) of this section shall be in addition to and not in lieu of any other homestead exemption applicable to property taxes for educational purposes.
- (g) The exemption granted by subsection (b) of this section shall apply to all taxable years beginning on or after January 1, 2019.

SECTION 2.

The county election superintendent of Fulton County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the Fulton County school district for approval or rejection. The county election superintendent shall conduct such election on November 6, 2018, and shall issue the call and conduct such

election as provided by general law. The county election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Fulton County. The ballot shall have written or printed thereon the words:

- "() YES Do you approve a new homestead exemption from Fulton County school district property taxes for educational purposes in the amount of the
- () NO difference between the current year assessed value of a home and its lowest base year value, provided that the lowest base year value will be adjusted yearly by the lesser of 3 percent or the inflation rate?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2019. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by Fulton County. It shall be the county election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 3.

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator Albers of the 56th moved that the Senate agree to the House substitute to SB 317.

On the motion, a roll call was taken and the vote was as follows:

- | | | |
|---------------|---------------|---------------|
| Y Albers | Y Hufstetler | Y Payne |
| Y Anderson, L | Y Jackson | Y Rhett |
| Y Anderson, T | Y James | Y Seay |
| Y Beach | Y Jones, B | Y Shafer |
| Y Black | Y Jones, E | N Sims |
| Y Brass | Y Jones, H | Y Stone |
| Y Burke | Y Jordan | Y Strickland |
| N Butler | Y Kennedy | Y Tate |
| Y Cowsert | Y Kirk | Y Thompson, B |
| Y Davenport | Y Kirkpatrick | Y Thompson, C |
| Y Dugan | Y Ligon | Y Tillery |
| Y Ginn | Y Lucas | Y Tippins |

Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	E Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 51, nays 2; the motion prevailed, and the Senate agreed to the House substitute to SB 317.

The President advised the Senate that, pursuant to Senate Rule 2-8.3, the Conference Committee Report on the following bill of the House was being placed on the desk:

HB 205. By Representatives Meadows of the 5th, Dempsey of the 13th, Jasperse of the 11th, Ridley of the 6th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 12 of the Official Code of Georgia Annotated, relating to mining and drilling, so as to regulate the exploration and extraction of gas and oil in this state; to provide for a definition; to provide for authority to create an Oil and Gas Board under certain circumstances; to require the promulgation of rules and regulations related to drilling and extraction; to amend provisions relating to drilling permits; to increase the amount of bond security for drilling operations; to provide for authority of local governments; to impose a severance tax on the extraction of oil and gas; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Friday, March 9, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:59 a.m.

Senate Chamber, Atlanta, Georgia
Friday, March 9, 2018
Thirty-second Legislative Day

The Senate met pursuant to adjournment at 10:10 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 964. By Representatives Jones of the 91st, Carter of the 92nd, Kirby of the 114th and Stephenson of the 90th:

A BILL to be entitled an Act to amend an Act providing for the compensation of the members and chairperson of the Board of Education of Rockdale County, approved March 10, 1988 (Ga. L. 1988, p. 3652), so as to modify the compensation of the members of the Board of Education of Rockdale County; to provide for future cost-of-living increases; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 485. By Senators Jordan of the 6th, Tate of the 38th, Williams of the 39th, Parent of the 42nd, Orrock of the 36th and others:

A BILL to be entitled an Act to amend an Act providing a homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that school district, approved May 4, 1992 (Ga.

L. 1992, p. 7003), as amended, so as to increase the exemption amount to \$50,000.00; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 486. By Senators Jordan of the 6th, Tate of the 38th, Williams of the 39th, Parent of the 42nd, Orrock of the 36th and others:

A BILL to be entitled an Act to provide a homestead exemption from City of Atlanta independent school district ad valorem taxes for educational purposes in the amount of \$100,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 487. By Senators Jones of the 10th, Butler of the 55th, Anderson of the 43rd, Henson of the 41st and Millar of the 40th:

A BILL to be entitled an Act to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County and creating a chairman and board of commissioners of said county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act approved May 12, 2015 (Ga. L. 2015, p. 3826), so as to provide for the filling of a vacancy on the audit oversight committee; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SR 977. By Senators Williams of the 39th, Jackson of the 2nd, Sims of the 12th, Millar of the 40th, Orrock of the 36th and others:

A RESOLUTION creating the Senate Study Committee on Historically Black Colleges and Universities; and for other purposes.

Referred to the Committee on Higher Education.

SR 983. By Senators Brass of the 28th, Unterman of the 45th, Watson of the 1st, Kennedy of the 18th, Kirk of the 13th and others:

A RESOLUTION creating the Joint Study Commission on Low THC Medical Oil Access; and for other purposes.

Referred to the Committee on Health and Human Services.

SR 989. By Senators Wilkinson of the 50th, Anderson of the 24th, Black of the 8th, Burke of the 11th and Harper of the 7th:

A RESOLUTION encouraging the Federal Motor Carrier Safety Administration (FMCSA) to withdraw the Electronic Logging Device (ELD) regulations on the agriculture industry and supporting agribusinesses; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

SR 993. By Senator Sims of the 12th:

A RESOLUTION honoring the life of Mr. Fred James Taylor and dedicating a bridge in his memory; and for other purposes.

Referred to the Committee on Transportation.

SR 995. By Senator Beach of the 21st:

A RESOLUTION creating the Senate Study Committee on Combat Sports; and for other purposes.

Referred to the Committee on Rules.

The following House legislation was read the first time and referred to committee:

HB 964. By Representatives Jones of the 91st, Carter of the 92nd, Kirby of the 114th and Stephenson of the 90th:

A BILL to be entitled an Act to amend an Act providing for the compensation of the members and chairperson of the Board of Education of Rockdale County, approved March 10, 1988 (Ga. L. 1988, p. 3652), so as to modify the compensation of the members of the Board of Education of Rockdale County; to provide for future cost-of-living increases; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Agriculture and Consumer Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 876 Do Pass
HB 886 Do Pass

Respectfully submitted,
Senator Wilkinson of the 50th District, Chairman

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HR 898 Do Pass

Respectfully submitted,
Senator Tippins of the 37th District, Chairman

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 374	Do Pass by substitute	HB 664	Do Pass
HB 729	Do Pass by substitute	HB 756	Do Pass
HB 849	Do Pass	HB 888	Do Pass by substitute

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 305	Do Pass	HB 513	Do Pass by substitute
HB 769	Do Pass by substitute	HB 844	Do Pass
HB 909	Do Pass	HB 920	Do Pass

Respectfully submitted,
 Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 734	Do Pass	HB 754	Do Pass
HB 760	Do Pass by substitute	HB 938	Do Pass
SR 329	Do Pass by substitute		

Respectfully submitted,
 Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 654	Do Pass	HB 825	Do Pass
HB 830	Do Pass	HB 897	Do Pass
HB 906	Do Pass	HB 917	Do Pass
HB 999	Do Pass		

Respectfully submitted,
 Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 419	Do Pass by substitute	HB 671	Do Pass by substitute
HB 721	Do Pass by substitute	HB 751	Do Pass by substitute
HB 809	Do Pass	HB 867	Do Pass

Respectfully submitted,
 Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 586	Do Pass	HB 610	Do Pass
HB 619	Do Pass	HB 626	Do Pass
HB 772	Do Pass	HB 807	Do Pass
HB 839	Do Pass	HB 846	Do Pass
HB 863	Do Pass	HB 864	Do Pass
HB 934	Do Pass	HB 1003	Do Pass
SB 264	Do Pass by substitute	SB 477	Do Pass
SB 478	Do Pass	SB 480	Do Pass

Respectfully submitted,
 Senator Kirk of the 13th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations (General) has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 189	Do Pass by substitute
HB 814	Do Pass

Respectfully submitted,
 Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

HB 79	HB 398	HB 422	HB 571	HB 592	HB 665
HB 668	HB 670	HB 692	HB 695	HB 699	HB 700
HB 757	HB 775	HB 784	HB 808	HB 811	HB 815
HB 816	HB 831	HB 840	HB 843	HB 885	HB 907
HB 951	HR 1090	HR 1104	SR 882	SR 885	SR 899
SR 906	SR 914	SR 923	SR 924	SR 925	SR 935
SR 940	SR 942	SR 943	SR 944	SR 947	SR 954

Senator Albers of the 56th asked unanimous consent that Senators Millar of the 40th and Ligon, Jr. of the 3rd be excused. The consent was granted, and Senators Millar and Ligon were excused.

Senator Hill of the 4th asked unanimous consent that Senator Miller of the 49th be excused. The consent was granted, and Senator Miller was excused.

Senator Harbison of the 15th asked unanimous consent that Senators Williams of the 39th and Thompson of the 5th be excused. The consent was granted, and Senators Williams and Thompson were excused.

Senator Heath of the 31st was excused for business outside the Senate Chamber.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Payne
Anderson, L	Jackson	Rhett
Anderson, T	James	Seay
Beach	Jones, B	Shafer
Black	Jones, E	Sims
Brass	Jones, H	Stone
Burke	Jordan	Strickland
Butler	Kennedy	Tate
Cowsert	Kirk	Thompson, B
Davenport	Kirkpatrick	Tillery
Dugan	Lucas	Tippins
Ginn	Martin	Unterman
Harbin	McKoon	Walker
Harbison	Mullis	Watson
Harper	Orrock	Wilkinson
Henson	Parent	Williams, M
Hill		

Not answering were Senators:

Gooch	Heath (Excused)	Ligon, Jr. (Excused)
Millar (Excused)	Miller (Excused)	Thompson, C. (Excused)
Williams, N. (Excused)		

Senator Thompson of the 5th was off the floor of the Senate when the roll was called and wished to be recorded as present.

Senator Tippins of the 37th introduced the doctor of the day, Dr. James Tallman.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Parent of the 42nd introduced the chaplain of the day, Reverend Dr. Joseph McBrayer of Decatur, Georgia, who offered scripture reading and prayer.

Senator Lucas of the 26th recognized February 22, 2018, as Pearl Jackson Day at the state capitol, commended by SR 740, adopted previously. Angela Green addressed the Senate briefly.

Senator Wilkinson of the 50th recognized Tim Harper for being awarded the title of Constitutional Officer of the Year of the State of Georgia, commended by SR 813, adopted previously. Tim Harper addressed the Senate briefly.

Senator Anderson of the 24th recognized Mr. Scott Winkler, commended by SR 872, adopted previously. Mr. Scott Winkler addressed the Senate briefly.

The following resolutions were read and adopted:

SR 976. By Senator Black of the 8th:

A RESOLUTION commending the benefits and contributions of purebred dogs to the State of Georgia and recognizing May 1 as Georgia Purebred Dog Day at the state capitol; and for other purposes.

SR 978. By Senators Beach of the 21st and Albers of the 56th:

A RESOLUTION commending Stephanie Owens Kohler, Creek View Elementary School's 2017-2018 Teacher of the Year; and for other purposes.

SR 979. By Senators Watson of the 1st, Jackson of the 2nd, Kirkpatrick of the 32nd, Dugan of the 30th, Kennedy of the 18th and others:

A RESOLUTION recognizing and commending the members of the St. Patrick's Day Parade Committee, Chairman Brian Counihan, and Grand Marshal Michael Aloysius Kenny on their roles in the 2018 St Patrick's Day Parade in Savannah, Georgia; and for other purposes.

SR 980. By Senators Tate of the 38th, Williams of the 39th, Orrock of the 36th, Butler of the 55th, Parent of the 42nd and others:

A RESOLUTION recognizing and commending Victoria Rowell; and for other purposes.

- SR 981. By Senators Wilkinson of the 50th, Miller of the 49th, Unterman of the 45th, Burke of the 11th and Watson of the 1st:

A RESOLUTION commending the Northeast Georgia Medical Center in Gainesville, Georgia, and recognizing May 6-12, 2018, as National Nurses Week at the state capitol; and for other purposes.

- SR 982. By Senators Jones of the 10th, Anderson of the 43rd, Jones II of the 22nd and Jackson of the 2nd:

A RESOLUTION recognizing and commending Mayor Anthony S. Ford on his outstanding public service; and for other purposes.

- SR 984. By Senators Anderson of the 43rd, Jones of the 10th, Davenport of the 44th, Jackson of the 2nd, Strickland of the 17th and others:

A RESOLUTION recognizing and commending Emmanuel Community Church on its 13th anniversary; and for other purposes.

- SR 985. By Senators Anderson of the 43rd, Harbison of the 15th, Davenport of the 44th, Dugan of the 30th, Jackson of the 2nd and others:

A RESOLUTION recognizing and commending Major Erika Dotson on the occasion of her retirement; and for other purposes.

- SR 986. By Senators Anderson of the 43rd, Harbison of the 15th, Davenport of the 44th, Butler of the 55th, Jackson of the 2nd and others:

A RESOLUTION recognizing and commending Fred Williams on the grand occasion of his retirement; and for other purposes.

- SR 987. By Senators Anderson of the 43rd, Harbison of the 15th, Davenport of the 44th, Dugan of the 30th, Jackson of the 2nd and others:

A RESOLUTION recognizing and commending Major Shelby Grant for his military service as a chaplain; and for other purposes.

- SR 988. By Senators Seay of the 34th, Butler of the 55th, Anderson of the 43rd, Tate of the 38th, Parent of the 42nd and others:

A RESOLUTION recognizing and commending Dr. Jocelyn Curry for being featured on the cover of People Magazine, Atlanta Edition 2018: Atlanta Women of the Year, and for her work as a podiatric surgeon; and for other purposes.

SR 990. By Senators Hill of the 4th, Tillery of the 19th and Stone of the 23rd:

A RESOLUTION commending and congratulating Cross Womack; and for other purposes.

SR 991. By Senators Cowsert of the 46th, Ligon, Jr. of the 3rd, Ginn of the 47th, Jones of the 25th, Anderson of the 43rd and others:

A RESOLUTION recognizing and commending Jerry K. Wages on the occasion of his retirement; and for other purposes.

SR 992. By Senator James of the 35th:

A RESOLUTION commending Taos Wynn, the Perfect Love Foundation, and all other citizens, organizations, and civic leaders for the Unify Georgia Initiative and their commitment to furthering unity and love throughout this state; and for other purposes.

SR 994. By Senator Beach of the 21st:

A RESOLUTION recognizing and commending Jacob Michael Paris for his outstanding accomplishments in both academics and fencing; and for other purposes.

Senator Shafer of the 48th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Friday March 9, 2018
Thirty-second Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 264 Strickland of the 17th
 Anderson of the 43rd
ROCKDALE COUNTY

A BILL to be entitled an Act to amend an Act to create a Board of Commissioners for Rockdale County, approved March 4, 1977 (Ga. L. 1977, p. 2817), as amended, so as to reconstitute the membership

of the board of commissioners; to provide for the manner of election and terms of office; to provide for the continuation in office of the current members; to provide for election districts; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

SUBSTITUTE

SB 477

Parent of the 42nd
CITY OF DECATUR

A BILL to be entitled an Act to authorize the governing authority of the City of Decatur to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 478

Parent of the 42nd
Millar of the 40th
CITY OF BROOKHAVEN

A BILL to be entitled an Act to create the City of Brookhaven Public Facilities Authority and to provide for the appointment of members of the authority; to confer powers upon the authority; to provide definitions; to authorize the issuance of revenue bonds of the authority; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to exempt the property and revenue bonds of the authority from taxation; to provide for the separate enactment of a certain provision of this Act; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 480

Mullis of the 53rd
WALKER COUNTY

A BILL to be entitled an Act to authorize the governing authority of Walker County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 586

Harbison of the 15th
CITY OF REYNOLDS

A BILL to be entitled an Act to provide a new charter for the City of Reynolds; to provide for incorporation, boundaries, powers, and construction; to provide for a governing authority, its election, and terms; to provide for related matters; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 610

Seay of the 34th
Davenport of the 44th
CLAYTON COUNTY

A BILL to be entitled an Act to amend an Act providing for a supplement to the salaries of the judges of the superior court of the Clayton Judicial Circuit, approved April 10, 1969 (Ga. L. 1969, p. 353), as amended, particularly by an Act approved May 5, 2006 (Ga. L. 2006, p. 4683), so as to increase the county supplement to the state salary of said judges; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 619

Black of the 8th
CITY OF PAVO

A BILL to be entitled an Act to provide a new charter for the City of Pavo; to provide for incorporation, boundaries, powers, and construction; to provide for a governing authority, its qualifications, terms, and related matters; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 626

Gooch of the 51st
Williams of the 27th
CITY OF SHARON SPRINGS

A BILL to be entitled an Act to incorporate the City of Sharon Springs; to provide a charter; to provide for a referendum; to provide for prior ordinances and rules, pending matters, and existing personnel; to provide for penalties; to provide for definitions and construction; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 772

Sims of the 12th
CITY OF CAMILLA

A BILL to be entitled an Act to provide a new charter for the City of Camilla; to provide for incorporation, boundaries, powers, and construction; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 807

Ligon, Jr. of the 3rd
CITY OF ST. MARYS

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in the City of St. Marys; to provide for a short title; to provide for the purposes of such districts; to provide for definitions; to provide for boards to administer said districts; to provide for the appointment and election of members of such boards; to provide for taxes, fees, and assessments; to provide for the boundaries of such districts; to provide for bonded indebtedness; to provide for cooperation with local governments; to provide for powers of such boards; to provide for construction; to provide that no notice, proceeding, publication, or referendum shall be required; to provide for dissolution; to provide the procedures connected with all of the foregoing; to repeal conflicting laws; and for other purposes.

HB 839

Seay of the 34th
Davenport of the 44th
CLAYTON COUNTY

A BILL to be entitled an Act to amend an Act creating the Clayton County Water Authority, approved March 7, 1955 (Ga. L. 1955, p. 3344), as amended, particularly by an Act approved May 6, 2005 (Ga. L. 2005, p. 3827), so as to change the compensation of members of the authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 846

Dugan of the 30th
CITY OF VILLA RICA

A BILL to be entitled an Act to authorize the City of Villa Rica to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as

amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 864

Seay of the 34th
Davenport of the 44th
CITY OF JONESBORO

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Jonesboro, approved April 4, 1996 (Ga. L. 1996, p. 4056), as amended, so as to change the corporate limits of such municipality; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 934

Burke of the 11th
Black of the 8th
THOMAS COUNTY

A BILL to be entitled an Act to provide that future elections for the office of chief judge of the Magistrate Court of Thomas County shall be nonpartisan elections; to provide for the sitting chief judge of the magistrate court to serve out his or her term of office; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1003

Gooch of the 51st
GILMER COUNTY

A BILL to be entitled an Act to amend an Act providing the method of election of the members of the Board of Education of Gilmer County, approved April 10, 1971 (Ga. L. 1971, p. 3471), as amended, particularly by an Act approved February 27, 2012 (Ga. L. 2012, p. 3710), so as to provide for the compensation of the members of the board of education; to repeal conflicting laws; and for other purposes.

Pursuant to Article VII, Section II, Paragraph IV of the Constitution, the following local bill relating to homestead exemptions requires a two-thirds roll-call vote for passage:

HB 863

Seay of the 34th
Davenport of the 44th
CITY OF JONESBORO

A BILL to be entitled an Act to conditionally repeal an Act providing for homestead exemptions from ad valorem taxes for city

purposes for residents of the City of Jonesboro, approved May 14, 2002 (Ga. L. 2002, p. 5845), and to enact a new provision; to restate the amount of the homestead exemption for the assessed value of the homestead for residents of that city; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for compliance with constitutional requirements; to provide for a referendum, effective dates, specific conditional repeal, and automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

The substitute to the following bill was put upon its adoption:

*SB 264:

The Senate Committee on State and Local Governmental Operations offered the following substitute to SB 264:

A BILL TO BE ENTITLED
AN ACT

To amend an Act to create a Board of Commissioners for Rockdale County, approved March 4, 1977 (Ga. L. 1977, p. 2817), as amended, so as to reconstitute the membership of the board of commissioners; to provide for the manner of election and terms of office; to provide for election districts; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act to create a Board of Commissioners for Rockdale County, approved March 4, 1977 (Ga. L. 1977, p. 2817), as amended, is amended by revising Sections 2 and 3 as follows:

"SECTION 2.

(a) On and after January 1, 2021, the board of commissioners established pursuant to this Act shall consist of five members, of which one shall be known as the chairperson and the other four as commissioners. The chairperson shall be elected by a majority vote of the voters of the entire county voting at the elections provided for in this Act. For the purpose of electing the other four members of the board of commissioners, Rockdale County is divided into four commissioner districts. One member of the board shall be elected from each such district by a majority vote of the voters of such district voting at the elections provided for in this Act. Those four districts shall be and

correspond to those four numbered districts described in and attached to and made a part of this Act and further identified as 'Plan: rockdale-p2-2017 Plan Type: Local Administrator: rockdale User: bak'.

(b)(1) For the purposes of such plan:

(A) The term 'VTD' shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual Blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia; and

(B) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2010 for the State of Georgia.

(2) Any part of Rockdale County which is not included in any district described in subsection (a) of this section shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

(3) Any part of Rockdale County which is described in subsection (a) of this section as being included in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

(c) The chairperson shall be a citizen of this state who has attained the age of 30 years and who has been a resident of Rockdale County for not less than one year next preceding the date of his or her election and shall hold no other elective public office. The chairperson shall be a full voting member of the board of commissioners.

(d) Members of the commission, other than the chairperson, shall be citizens of this state who have attained the age of 25 years and who have been residents of Rockdale County for not less than one year next preceding the date of their election and shall hold no other elective public office.

SECTION 3.

(a) All members of the board of commissioners serving in office on the effective date of this section shall continue to serve until the expiration of the terms for which they were elected and until their respective successors are elected and qualified unless otherwise removed from office as provided by the Constitution and laws of this state; provided, however, that the member who is elected in 2018 shall serve for a term of two years and until his or her successor is elected and qualified.

(b) In the 2020 November general election, there will be an election to fill the seats for the chairperson and members from Commission Districts 1, 2, 3, and 4. The chairperson and the members from Commission Districts 1 and 3 shall be elected to

initial four-year terms of office and until their respective successors are elected and qualified. The members from Commission Districts 2 and 4 shall be elected to initial two-year terms of office.

(c) Thereafter, successors to the chairperson and members of the board of commissioners shall be elected in the November general election immediately preceding the end of their respective terms of office and shall take office on January 1 following such election for four-year terms of office and until their respective successors are elected and qualified.

(d) All elections shall be conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the 'Georgia Election Code.'

SECTION 2.

The election superintendent of Rockdale County shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of Rockdale County for approval or rejection. The election superintendent shall conduct such election on the date of and in conjunction with the 2018 November General Election and shall issue the call and conduct such election as provided by general law. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Rockdale County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act be approved which changes the board of commissioners of
 () NO Rockdale County from a three member board to a five member board
 with a chairperson elected at large and four members elected by
 district?"

All persons desiring to vote for approval of this Act shall vote "Yes" and all persons desiring to vote for rejection of this Act shall vote "No." If more than one-half of the votes cast on such question are for approval of this Act, then this Act shall become fully effective on January 1, 2019. If more than one-half of the votes cast on such question are for rejection of this Act or if the election is not held as provided in this section, then this Act shall automatically be repealed on January 1, 2019. The expense of such election shall be borne by Rockdale County. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 3.

Except as provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Plan: rockdale-p2-2017

Plan Type: Local

Administrator: rockdale

User: bak

District 001

Rockdale County

VTD: 247BT - BETHEL

VTD: 247CO - CONYERS

060304:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1024
1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1042 1043
1044 1045 1046 1053 1057 1058 3002 3003 3012 3013 3015 3016
3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
3029 3051 3052 3065 3066 3067 3130 3131 3132 3133 3134 3135
3136 3139 3140 3141 3142 3145 4013

060309:

1005 1007 1008 1032 1033 1034 1035 1036 1037 2001 2002 2003
2004 2005 2006 2008 2009 2010 2011 2014 2015 2018 2019 2020
2021 2022 2023 3006 3007 3011 3012 3013 3014 3015 3016 3017
3018 3019 3024 3025 3026 3027 3028 3029 3030 3031 3036 3037
3039

VTD: 247HI - HIGHTOWER

VTD: 247LA - THE LAKES

VTD: 247MI - MILSTEAD

060101:

3035 3036 3037

060309:

1000 1003 1004 1006 1038 2007 2012 3000 3002 3003 3004 3005
3008 3009 3010 3020 3021 3022 3023 3034 3040

VTD: 247OT - OLDE TOWNE

060309:

3001

VTD: 247SH - SHEFFIELD

District 002

Rockdale County

VTD: 247FI - FIELDSTONE

VTD: 247FS - FLAT SHOALS

060304:

1050 1054 1055 1056

060305:

1000 1002 1009 1010 1011 2001 2007 2008 2011 2012 2013 2014
2015 2016 2017 2018 2019 2023 2028 2029 2030 3045 3060

060307:

2026 2028 2029 2034 3017 4000 4001 4002 4003 4004 4005 4006
4007 4008 4009 4010 4011

VTD: 247MI - MILSTEAD

060102:

3035 3095

060304:

1035 1036 1037 1038 4000 4011 4014 4015 4016 4017

060305:

3000 3001 3002 3003 3004 3005 3006 3008 3009 3010 3011 3012
3013 3014 3015 3016 3017 3018 3024 3027 3031 3033 3034 3035
3037 3038 3040 3046 3048 3049 3057 3058 3059 3063

060306:

1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
1013 1014 1015 1016 1017 1018 1019 1020 1021 1023 1025 1026
1027 1028 1029 1030 1031 1032 1033 1036 1040 1041 1042 1043
1070 1072 1073 1074

060308:

1004 1010 1011 1015 1016 1017 1018 1019 1020 1021 1022 1037
1038 1043 1052 1053 1054 1055 2000 2001 2004 2005 2007 2010
2012 2017 2018 3005 3016 3017 3019 3020

060309:

1030

VTD: 247OT - OLDE TOWNE

060102:

3034 3039 3040 3041 3042 3046 3048 3049 3050 3051 3052 3053
3055 3056 3057 3058 3059 3060 3061 3062 3063 3064 3065 3066
3067 3068 3069 3072 3081 3082 3084 3085 3086 3087 3088 3094
3097 3098 3100

060304:

1023 1039 1040 1041 1047 1048 1049 1051 1052 4001 4002 4003
4004 4005 4006 4007 4008 4009 4010 4012

060305:

1001 2000 2002 2003 2004 2005 2006 2009 2010 2020 2021 2022
2024 2025 2026 2027 2031 2032 3007 3019 3020 3021 3022 3023
3025 3026 3028 3029 3030 3032 3036 3039 3041 3042 3043 3044
3047 3050 3051 3052 3053 3054 3055 3056 3061 3062 3064 3065

060306:

1000 1022 1024 1034 1035 1037 1038 1039 1080

060308:

1012 1013 1014 1023 1024 1025 1029 1030 1031 1032 1033 1034
1035 1036 1040 1041 1042 1044 1045 1046 1047 1048 1049 1050
1051 2002 2003 2006 2008 2009 2011 2013 2014 2015 2016 2019

2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031
 2032 2033 2034 2035 3000 3001 3002 3003 3004 3006 3007 3008
 3009 3010 3011 3012 3013 3014 3015 3018

060309:

1010 1011 1015 1016 1017 1018 1019 1020 1021 1022 1023 1027
 1028 1029 1031 3032 3033 3035 3038

District 003

Rockdale County

VTD: 247CO - CONYERS

060304:

3054 3097

VTD: 247FS - FLAT SHOALS

060304:

2023 3104 3106 3107 3108 3109 3111 3112 3119

060307:

2008 2009 2010 2011 2012 2013 2015 2016 2017 2018 2019 2025

VTD: 247OT - OLDE TOWNE

060202:

4000 4026

060304:

2000 2001 2003 2004 2006 2007 2008 2009 2010 2011 2012 2016
 2017 2018 2019 2020 2022 2027 2028 3053 3055 3057 3058 3060
 3061 3063 3064 3070 3073 3078 3080 3081 3082 3083 3085 3086
 3087 3088 3089 3092 3093 3094 3095 3096 3098 3099 3100 3102
 3103 3105 3110 3113 3114 3116 3117 3118 3122 3127 3128 3129
 3137 3143 3147 3150

060305:

1003 1004 1005 1006 1007 1008 1012

060307:

2000 2001 2002 2003 2004 2005 2006 2007 2014 2020

VTD: 247RO - ROCKDALE

VTD: 247SA - SALEM

VTD: 247SM - SMYRNA

060202:

2031 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 4001
 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013
 4014 4015 4016 4017 4018 4019 4020 4021 4022 4023 4024 4025
 4028

VTD: 247SP - ST. PIUS

VTD: 247ST - STANTON

060404:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010

District 004

Rockdale County

VTD: 247BA - BARKSDALE

VTD: 247HC - HONEY CREEK

VTD: 247LO - LORRAINE

VTD: 247MA - MAGNET

VTD: 247SM - SMYRNA

060202:

4027

060403:

1000 1001 1008

VTD: 247ST - STANTON

060403:

1009 1010

060404:

3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011

3013 3014 3015 3016 3024 3025

060405:

1001 1002 1003 1004 1005 1006 1007 1017 1024

On the adoption of the substitute, there was no objection, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bills as reported, was agreed to.

On the passage of the bills on the Local Consent Calendar, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker

Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	E Williams, N
Y Hill	Y Parent	

On the passage of the local bills, the yeas were 46, nays 2.

The bills on the Local Consent Calendar, except SB 264, having received the requisite constitutional majority, were passed.

SB 264, having received the requisite constitutional majority, was passed by substitute.

Senator Gooch of the 51st moved that HB 626 be immediately transmitted to the House.

On the motion, there was no objection, and HB 626 was immediately transmitted.

SENATE RULES CALENDAR
FRIDAY, MARCH 9, 2018
THIRTY-SECOND LEGISLATIVE DAY

HB 135	Employees' Retirement System of Georgia; creditable service for certain law enforcement officers; expand (Substitute)(RET-7th) Hitchens-161st
HB 257	Local government authorities; register with Department of Community Affairs; require (SLGO(G)-7th) Tankersley-160th
HB 432	Tuition grants; certain institutions that lack accreditation be approved for tuition equalization purposes; provide (H ED-55th) Dubnik-29th
HB 777	Historic Chattahoochee Compact; repeal (I COOP-15th) Greene-151st

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HB 135. By Representatives Hitchens of the 161st, Carter of the 175th, Tanner of the 9th, Lumsden of the 12th and Welch of the 110th:

A BILL to be entitled an Act to amend Code Section 47-2-226 of the Official Code of Georgia Annotated, relating to certain law enforcement officers permitted to obtain creditable service in the Employees' Retirement System of Georgia under certain conditions, so as to expand the class of law enforcement

officers that may obtain creditable service in such retirement system under certain conditions; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The following Fiscal Notes were read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 20, 2017

The Honorable Amy Carter
State Representative
State Capitol, Room 245
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
House Bill 135 (LC 43 0501)

Dear Representative Carter:

This bill would amend provisions relating to creditable service for certain 'law enforcement officers' under the Employees' Retirement System. Currently, 'law enforcement officers' are eligible to obtain up to five years of creditable service for certain prior service with a local government provided they were not eligible for a defined benefit or defined contribution retirement or pension plan while employed by the local governing authority. This legislation clarifies that creditable service will only be granted for such prior service with a local government in this state. Additionally, if this legislation is enacted, 'law enforcement officers' would now be authorized to obtain such creditable service if they are not eligible to receive a present or future benefit from the local governing authority in which they were employed. Members wishing to purchase such creditable service would be required to pay the full actuarial cost of the service granted. It should be noted that no member may purchase such creditable service until he or she has been a member of the Employees' Retirement System for at least ten years.

Furthermore, this bill would expand the definition of 'law enforcement officer' to include any investigator of the Department of Driver Services. Therefore, if this legislation is enacted, members who hold such title would also be authorized to obtain creditable service for certain prior employment with a local government in this state in accordance with the provisions of O.C.G.A. §47-2-226.

This is to certify that this bill is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

October 2, 2017

Honorable Paul Battles, Chairman
House Retirement Committee
State Capitol, Room 401-K
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
House Bill 135 (LC 43 0501)
Employees' Retirement System of Georgia

Dear Chairman Battles:

This bill would amend provisions relating to creditable service for certain 'law enforcement officers' under the Employees' Retirement System. Specifically, this bill would expand the definition of 'law enforcement officer' to include any investigator of the Department of Driver Services. If this bill is enacted, this change would authorize such investigators to obtain creditable service in the Employees' Retirement System for prior service as a law enforcement officer, provided the service was obtained while employed by a local government in this state. This bill would also amend the eligibility criteria to specify that law enforcement officers may only purchase such creditable

service if they are not eligible to receive a present or future benefit from the local governing authority in which they were employed. Any member wishing to purchase such creditable service would be required to pay the full actuarial cost of the service granted. It should be noted that no member may purchase such creditable service until he or she has been a member of the Employees' Retirement System for at least ten years.

This legislation would not result in any additional cost to the Employees' Retirement System since eligible members would be required to pay the full actuarial cost of the service granted. There would be no increase in the employer contribution rate or the unfunded actuarial accrued liability of the Employees' Retirement System as a result of this legislation. The estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost of this legislation. Any future costs would be paid through State appropriations.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the House Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u>N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u>0</u>
(5)	The employer contribution rate currently in effect for Non-GSEPS Members.	<u>24.66%*</u>
(6)	The employer contribution rate recommended for Non-GSEPS Members (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>24.66%</u>
(7)	The employer contribution rate currently in effect for GSEPS Members.	<u>21.66%*</u>
(8)	The employer contribution rate recommended for GSEPS Members (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>21.66%</u>
(9)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u>0</u>

**This rate represents the employer contribution rate that has been recommended by the actuary beginning July 1, 2018 in order to meet the minimum funding standards.*

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The Senate Committee on Retirement offered the following substitute to HB 135:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 47-2-226 of the Official Code of Georgia Annotated, relating to certain law enforcement officers permitted to obtain creditable service in the Employees' Retirement System of Georgia under certain conditions, so as to expand the class of law enforcement officers that may obtain creditable service in such retirement system under certain conditions; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 47-2-226 of the Official Code of Georgia Annotated, relating to certain law enforcement officers permitted to obtain creditable service in the Employees' Retirement System of Georgia under certain conditions, is amended as follows:

"47-2-226.

(a) As used in this Code section, the term 'law enforcement officer' means any member in service of the Uniform Division of the Department of Public Safety, any conservation ranger of the Department of Natural Resources, any officer or agent of the Georgia Bureau of Investigation, any district attorney investigator who is compensated from state funds pursuant to Code Section 15-18-14.1, ~~and~~ any alcohol and tobacco officer or agent of the Department of Revenue, any investigator of the Department of Driver Services, and any criminal investigators or K9 handlers of the Department of Corrections.

(b) Any law enforcement officer who, prior to becoming a member of this retirement system, was employed by a local government in this state as a full-time employee, in a position in which he or she was vested with authority to enforce the criminal or traffic laws and with the power of arrest and whose duties include the preservation of public order, the protection of life and property, or the prevention, detection, or investigation

of crime, shall be eligible to obtain creditable service under this Code section for his or her years of service in such capacity if:

- (1) The member ~~was~~ is not eligible ~~for~~ to receive a present or future benefit from a defined benefit or defined contribution retirement or pension plan in which said member participated while employed by the local governing authority other than membership in the Peace Officers' Annuity and Benefit Fund; and
 - (2) The member has been a member of the retirement system for at least ten years.
- (c) Any member eligible as provided in subsection (b) of this Code section may obtain up to an additional five years of creditable service, not to exceed the actual number of years of service described in subsection (b) of this Code section. In order to obtain such additional creditable service, the member shall:
- (1) Make application to the board of trustees in such manner and provide such documentation as the board deems appropriate; and
 - (2) Pay to the board of trustees an amount determined by the board of trustees to be sufficient to cover the full actuarial cost of granting the creditable service as provided in this Code section.
- (d) Upon receipt of an application for additional creditable service, the board of trustees shall certify to the applicant the amount of the payment required by paragraph (2) of subsection (c) of this Code section."

SECTION 2.

This Act shall become effective on July 1, 2018, only if it is determined to have been concurrently funded as provided in Chapter 20 of Title 47 of the Official Code of Georgia Annotated, the "Public Retirement Systems Standards Law"; otherwise, this Act shall not become effective and shall be automatically repealed in its entirety on July 1, 2018, as required by subsection (a) of Code Section 47-20-50.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 8, 2018

Honorable Ellis Black
State Senator
Coverdell Legislative Office Building, Room 303-B
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
Substitute to House Bill 135
(LC 43 0849S)

Dear Senator Black:

This substitute bill would amend provisions relating to creditable service for certain 'law enforcement officers' under the Employees' Retirement System. Specifically, this bill would expand the definition of 'law enforcement officer' to include any investigator of the Department of Driver Services and law criminal investigators or K9 handlers of the Department of Corrections. If enacted, such members would be authorized to obtain creditable service in the Employees' Retirement System for prior service as a law enforcement officer, provided the service was obtained while employed by a local government in this state. This bill would also amend the eligibility criteria to specify that law enforcement officers may only purchase such creditable service if they are not eligible to receive a present or future benefit from the local governing authority in which they were employed. Any member wishing to purchase such creditable service would be required to pay the full actuarial cost of the service granted. It should be noted that no member may purchase such creditable service until he or she has been a member of the Employees' Retirement System for at least ten years.

This is to certify that the changes made in this substitute bill are nonfiscal amendments as defined in the Public Retirement Systems Standards Law. Therefore, the actuarial investigation prepared for House Bill 135 (LC 43 0501) would still apply. A copy of the actuarial investigation and State Auditor's Summary are attached.

Respectfully,

/s/ Greg S. Griffin
State Auditor

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	E Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 135, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3-9-18

Due to business outside the Senate Chamber, I missed the vote on HB 135. Had I been present, I would have voted "yea".

/s/ Jesse Stone
District 23

HB 257. By Representatives Tankersley of the 160th, Smith of the 70th, Powell of the 171st, Epps of the 144th, Hatchett of the 150th and others:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to require local government authorities to register with the Department of Community Affairs in order to be eligible for state funds; to change the deadline for local government authorities

to register with said department; to prohibit authorities from incurring debt or credit obligations prior to submitting a report to said department; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	E Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 257, having received the requisite constitutional majority, was passed.

Senator Williams of the 27th was excused for business outside the Senate Chamber.

HB 432. By Representatives Dubnik of the 29th, Jasperse of the 11th and Williams of the 119th:

A BILL to be entitled an Act to amend Code Section 20-3-411 of the Official Code of Georgia Annotated, relating to definitions relative to tuition equalization grants at private colleges and universities, so as to provide that

certain institutions that lack accreditation by the Southern Association of Colleges and Schools shall be deemed to be an approved school for tuition equalization purposes if previously deemed an approved school under certain alternative provisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Butler of the 55th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	N Tillery
N Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	N Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
N Harper	Y Miller	N Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	E Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 44, nays 8.

HB 432, having received the requisite constitutional majority, was passed.

HB 777. By Representatives Greene of the 151st, Taylor of the 173rd and Pezold of the 133rd:

A BILL to be entitled an Act to repeal Article 5 of Chapter 10 of Title 12 of the Official Code of Georgia Annotated, relating to the Historic Chattahoochee

Compact; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harbison of the 15th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	E Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 777, having received the requisite constitutional majority, was passed.

The following resolution was read and adopted:

SR 1002. By Senators Kirk of the 13th, Sims of the 12th, Burke of the 11th, Tillery of the 19th, Mullis of the 53rd and others:

A RESOLUTION commending and congratulating the Lee County High School Trojans football team for winning the 2017 GHSA Class 6A State Football Championship; and for other purposes.

The following bill was taken up to consider the Conference Committee Report thereto:

HB 205. By Representatives Meadows of the 5th, Dempsey of the 13th, Jasperse of the 11th, Ridley of the 6th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 4 of Title 12 of the Official Code of Georgia Annotated, relating to mining and drilling, so as to regulate the exploration and extraction of gas and oil in this state; to provide for a definition; to provide for authority to create an Oil and Gas Board under certain circumstances; to require the promulgation of rules and regulations related to drilling and extraction; to amend provisions relating to drilling permits; to increase the amount of bond security for drilling operations; to provide for authority of local governments; to impose a severance tax on the extraction of oil and gas; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Conference Committee Report was as follows:

The Committee of Conference on HB 205 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 205 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Senator Hufstetler of the 52nd
/s/ Senator Miller of the 49th
/s/ Senator Jones of the 25th

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Representative Meadows of the 5th
/s/ Representative Ehrhart of the 36th
/s/ Representative Harrell of the 106th

COMMITTEES OF CONFERENCE SUBSTITUTE TO HB 205

A BILL TO BE ENTITLED AN ACT

To amend Article 2 of Chapter 4 of Title 12 of the Official Code of Georgia Annotated, relating to mining and drilling, so as to regulate the exploration and extraction of gas and oil in this state; to provide for definitions; to provide for authority to create an Oil and Gas Board under certain circumstances; to require the promulgation of rules and regulations related to drilling and extraction; to amend provisions relating to drilling permits; to increase the amount of bond security for drilling operations; to provide for authority of local governments; to provide for a severance tax on the extraction of oil and

gas; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 4 of Title 12 of the Official Code of Georgia Annotated, relating to mining and drilling, is amended by revising Part 2, relating to deep drilling for oil, gas, and other minerals, as follows:

"Part 2

12-4-40.

This part shall be known and may be cited as the 'Oil and Gas and Deep Drilling Act of 1975.'

12-4-41.

The General Assembly finds and declares that its duty to protect the health, safety, and welfare of the citizens of this state requires that adequate protection of underground fresh water supplies be assured in any drilling operation which may penetrate through any stratum which contains fresh water. This duty further requires that adequate protection be assured in any drilling or the use of such drilled wells in certain other environmentally sensitive areas or in other circumstances where the result of such drilling and use may endanger the health, safety, and welfare of the citizens of this state. It is not the policy of the General Assembly to regulate the drilling of shallow exploration or engineering holes except in such environmentally sensitive areas as defined in this part. The General Assembly further finds and declares that, ~~with the current energy shortage which this state and nation face, it must encourage~~ oil and gas exploration to identify new sources of energy, ~~but not~~ should not occur at the expense of our important natural resources such as residential, municipal, and industrial supplies of fresh water. The General Assembly further finds and declares that it should continue to encourage oil and gas exploration. The General Assembly further finds and declares that with an increase in oil exploration, it must provide assurances to persons engaging in such exploration that adequate safeguards regarding results of exploration will remain privileged information for a specified time. The General Assembly further finds and declares that it is in the public interest to obtain, protect, and disseminate all possible geologic information associated with drilling operations in order to further the purposes of future energy related research.

12-4-42.

As used in this part, the term:

(1) 'Board' means the Board of Natural Resources.

(1.1) 'Director' means the director of the Environmental Protection Division of the

Department of Natural Resources.

(2) 'Drilling' means the boring of a hole in the earth by remote mechanical means and all associated activities, including but not limited to casing, perforating, plugging, cementing, and capping.

(3) 'Environmentally sensitive area of the coastal zone' means that area of the coastal zone where salt-water-bearing strata overlie the fresh-water aquifer system.

(4) 'Field' means the general area which is underlaid or appears to be underlaid by at least one pool. This term shall include the underground reservoir or reservoirs containing crude petroleum oil or natural gas, or both. The words 'field' and 'pool' mean the same thing when only one underground reservoir is involved; however, 'field,' unlike 'pool,' may relate to two or more pools.

(5) 'Gas' means all natural gas, including casing-head gas, and all other hydrocarbons not defined as oil in paragraph (10) of this Code section.

(5.1) 'Hydraulic fracturing' means those operations conducted in an individual well bore designed to increase the flow of hydrocarbons from the rock formation to such well bore through modification of the permeability of reservoir rock by fracturing it through application of fluids under pressure.

(6) 'Illegal mineral' means any mineral, including oil or gas, which has been produced within the State of Georgia in violation of this part, any rule or regulation adopted and promulgated pursuant to this part, or any order issued under this part.

(7) 'Illegal product' means any product of oil, gas, or other mineral, any part of which was processed or derived, in whole or in part, from an illegal mineral.

(8) 'Mineral' means any naturally occurring substance found in the earth which has commercial value. This term shall include oil and gas, as defined in this Code section, but shall not include fresh water.

(9) 'Mineral product' means any commodity made from any mineral.

(10) 'Oil' means crude petroleum oil and other hydrocarbons, regardless of gravity, which are produced at the well in liquid form by ordinary production methods and which are not the result of condensation of gas after it leaves the reservoir.

(11) 'Owner' means the person who has the right to drill into and produce from any pool and to appropriate the production either for himself or herself and another, or himself or herself and others.

(12) 'Person' means any natural person, corporation, joint venture, association, partnership, receiver, trustee, guardian, executor, administrator, fiduciary or representative of any kind, all agencies or instrumentalities of the state, and all county or municipal governments or any authority.

(13) 'Pool' means an underground reservoir containing a common accumulation of crude petroleum oil or natural gas, or both. Each zone of a general structure which is completely separated from any other zone in the structure is covered by the term 'pool' as used in this part.

(14) 'Producer' means the owner of a well or wells capable of producing oil or gas, or both.

(15) 'Tender' means a permit or certificate of clearance for the transportation of

minerals, including oil and gas, or mineral products produced under this part, approved and issued or registered under the authority of the board.

(16) 'Unitization agreement' means a voluntary agreement between operators to create operation units.

(17) 'Waste,' in addition to its ordinary meaning, means 'physical waste' as that term is generally understood in the oil and gas industry. The term shall also include, but not be limited to:

(A) The inefficient, excessive, or improper use or dissipation of reservoir energy and the locating, spacing, drilling, equipping, operating, or producing of any oil or gas well or wells in a manner which results, or tends to result, in a reduction in the quantity of oil or gas ultimately to be recovered from any pool in this state;

(B) The inefficient storing of oil and the locating, spacing, drilling, equipping, operating, or producing of any oil or gas well or wells in a manner causing, or tending to cause, unnecessary or excessive surface loss or destruction of oil or gas;

(C) Abuse of the correlative rights and opportunities of each owner of gas or oil in a common reservoir due to nonuniform, disproportionate, and unratable withdrawals causing undue drainage between tracts of lands;

(D) The production of oil or gas in such a manner as to cause unnecessary water channeling or zoning;

(E) The operation of any oil well or wells with an inefficient gas-oil ratio;

(F) The drowning with water of any stratum or part thereof capable of producing gas or oil, except where approval for such a project has been granted by the department;

(G) Underground waste, however caused and whether or not defined, as the same relates to any activity regulated by this part;

(H) The creation of unnecessary fire hazards as the same relates to any activity regulated by this part;

(I) The escape into the open air, from a well producing both oil and gas, of gas in excess of the amount which is necessary in the efficient drilling or operation of the well; and

(J) Permitting gas produced from a gas well to escape into the air, except for testing purposes.

(18) 'Well' means any boring drilled in the search for or the production of oil, gas, or other minerals or water.

12-4-43.

For the purpose of this part:

(1) The board shall have the authority to make such inquiries as it may deem necessary into any matter over which it has jurisdiction;

(2) The board shall have the jurisdiction of and authority over the drilling of and subsequent use of any well for the exploration or production of oil and gas; any well for the exploration or production of any other mineral drilled to a depth greater than 1,800 feet; any well for the exploration or production of any mineral located in the

environmentally sensitive area of the coastal zone and which is drilled to a depth sufficient to penetrate the fresh-water aquifer system; any underground storage well with the exception of those wells covered by Article 3 of Chapter 4 of Title 46; any well for the underground disposal of waste materials; any well for the production of fresh water drilled to a depth greater than 1,800 feet; and any well for the exploration or production of brine or salt water;

(3) The board shall have the authority to regulate the spacing of wells and the production of all oil and gas and the production of any other minerals produced through a well or bore hole in liquid or slurry form to a depth greater than 1,800 feet or located in the environmentally sensitive area; provided, however, that this authority does not extend to the drilling of wells for the production of fresh water used for drinking, residential, industrial, or agricultural purposes, except as provided for in paragraph (2) of this Code section;

(4) The board shall have the power to adopt and promulgate rules and regulations necessary to effectuate the purposes of this part;

(5) The board may delegate to the director the administrative duties and powers, including, without limitation, the power to consider and issue permits to drill wells and to establish drilling and operation units, created under the authority of this part; and

(6) Upon receipt of at least 12 applications during a calendar year for any permit to drill any well for the exploration or production of oil or gas, the board may delegate to the director the authority to create an Oil and Gas Board to review and issue permits and regulate drilling activity. Any such Oil and Gas Board shall consist of the state geologist and three other members appointed by the Governor.

12-4-44.

(a) The board shall have the authority to adopt and promulgate rules and regulations dealing with the control of matters over which it has jurisdiction under this part. Such rules and regulations shall include, but shall not be limited to, rules and regulations for the following purposes:

(1) To require the drilling, casing, and plugging of wells regulated under this part to be done in such a manner as to prevent the escape of oil or gas out of one stratum into another stratum; to prevent the pollution of ~~fresh water supplies~~ surface-water and ground-water supplies by oil, gas, salt water, or other contaminants; and to require reasonable bonds;

(2) To require the making of reports showing the location of all wells regulated under this part, including the filing of drill cutting samples, cores, and copies of all logs, and to further require that the operator submit the name classification used for each of the subsurface formations penetrated and the depth at which each such formation was penetrated;

(3) To prevent the drowning by water of any stratum or part thereof capable of producing oil or gas in paying quantities and to prevent the premature and irregular encroachment of water which reduces the total ultimate recovery of oil or gas from

any pool;

(4) To require the operation of wells regulated under this part with efficient gas-oil ratios and to fix such ratios;

(5) To prevent 'blowouts,' 'caving,' and 'seepage' in the sense that conditions indicated by such terms are generally understood in the oil and gas business;

(6) To prevent fires, waste, and spillage as same relates to any activity regulated by the provisions of this part;

(7) To identify the ownership of all oil or gas wells, producing leases, refineries, tanks, plants, structures, and all storage and transportation equipment and facilities;

(8) To regulate the 'shooting,' perforating, fracturing, hydraulic fracturing, and chemical treatment of wells;

(9) To regulate secondary recovery methods, including, but not limited to, the introduction of gas, oil, water, or other substances into producing formations;

(10) To limit and prorate the production of oil or gas, or both, from any pool or field for the prevention of waste as defined in Code Section 12-4-42;

(11) To require, either generally or in or from particular areas, certificates of clearance or tenders in connection with the transportation of oil or gas produced in Georgia;

(12) To regulate the spacing of wells and to establish drilling units;

(13) To prevent, insofar as is practical, avoidable drainage from each developed unit which is not equalized by counterdrainage;

(14) To establish procedures for the plugging and abandonment of wells regulated under this part and to establish procedures for the restoration and reclamation of well sites;

(15) To require that accurate records be kept on forms to be prescribed by the director, which records shall be reported to the director within the time specified in such rules and regulations; reports shall include such information as the director may prescribe, including, but not limited to, information concerning cuttings, subsurface samples, and lithologic and geophysical logs;

(16) To require that geologic and testing information obtained from a well regulated under this part be held in confidence by the director for a period of at least six months from the time of drilling to total depth, or, if the director approves, a longer period, if the operator makes a written request for the same stating the length of the extension desired and the reasons therefor; provided, however, that the guarantee of confidentiality provided for in this paragraph shall in no way impair the ability of the board or the director to enforce this part;

(17) To regulate the issuance, denial, and revocation of permits and to regulate bonds required under this part, except as to persons provided for in paragraph (18) of this ~~Code section~~ subsection;

(18) To regulate the issuance of permits to persons who have been found to have violated any provision of this part, any rule or regulation adopted and promulgated pursuant to this part, or any order or permit issued under this part, and to establish the amount of bond for such persons;

(19) To regulate the cooperative development or operation of all or part of an oil or gas pool as a unit;

(20) To require that certain geophysical logging and other tests be conducted to ensure that the requirements of paragraphs (1), (8), and (14) of this ~~Code section~~ subsection are met; and

(21) To regulate the underground storage or disposal of substances other than those substances covered by the provisions of Article 3 of Chapter 4 of Title 46.

(b) On or before July 1, 2019, the board shall adopt regulations governing hydraulic fracturing operations. Such regulations shall include, at a minimum:

(1) Provisions for public notice of any application for any permit for any hydraulic fracturing well, such notice to be given before any decision on the permit application.

The contents of such public notice shall include, at a minimum:

(A) The name, address, and telephone number of the division contact where further information can be obtained;

(B) The name and address of the applicant;

(C) The location of the well proposed to be fractured and the route of any directional borehole to the end point of such borehole;

(D) A brief description of the project, including information regarding the sources of water to be used as base fluid and estimated amounts and methods of waste-water disposal; and

(E) A brief description of the public comment period and procedures the director will follow to determine whether to issue the permit;

(2) Provisions for the identification of ground-water sources within one-half mile of any proposed wellhead and within one-half mile along the route of any directional borehole to the end point of such borehole, and for ground-water quality monitoring before, during, and after drilling operations;

(3) Provisions providing for the mandatory disclosure of the chemicals in the fluids used in hydraulic fracturing projects to the director and to the commissioner of public health, and a fair process for the disclosure of fracturing fluids to facilitate transparency, while protecting valuable trade secrets and allowing well owners, operators, and service companies to protect their right to obtain an advantage over competitors;

(4) Provisions for the safe disposal of all hydraulic fracturing fluids; and

(5) Provisions for the restoration and reclamation of abandoned well sites, storage facility sites, pits, and access roads.

12-4-45.

(a) In regard to the establishment of drilling units and operation units, the allocation of production, the integration of separately owned tracts of land, and agreements in the interest of conservation, the board, in addition to the jurisdiction, authority, or powers granted elsewhere in this part, shall have the specific powers with respect to the exploration or production of oil or gas enumerated below.

(1) **Drilling units.** For the prevention of waste and to avoid the augmenting and

accumulation of risk arising from the drilling of an excessive number of wells, the board shall, after due investigation and a hearing, have full power and authority to establish such drilling unit or units as may, in its discretion, seem most reasonable and practicable. The board shall have control of the allocation of production over such units and shall, after investigation and hearing, set up, establish, and allocate to each unit its just and equitable share of production, and shall make such orders, rules, and regulations as will give to each producer the opportunity to use his or her just and equitable share of the reservoir energy of any pool. The board shall have power after notice and hearing to review and approve, or disapprove, agreements made among owners or operators, or among owners and operators in the interest of conservation of oil or gas or both or for the prevention of waste. When two or more separately owned tracts of land are embraced within an established drilling unit, the owners thereof may validly agree to integrate their interests and to develop their lands as a drilling unit. Where, however, such owners have not agreed to integrate their interests, the board may, for the prevention of waste or to avoid the drilling of unnecessary wells, after notice and hearing, require such owners to do so and to develop their lands as a drilling unit. Should the owners of separate tracts embraced within a drilling unit fail to agree upon the integration of the tracts and the drilling of a well on the unit, and should it be established that the board is without authority to require integration as provided for above, then subject to all other applicable provisions of this part, the owner of each tract embraced within the drilling unit may drill on his or her tract, but the allowable production from said tract shall be such proportion of the allowable production for the full drilling unit as the area of such separately owned tracts bears to the full drilling unit.

(2) Operation units.

(A) For the prevention of waste and to assure the ultimate recovery of gas or oil, the board may hold a hearing to consider the need for the operation as a unit of an entire field, or of any pool or any portion thereof, or combination of pools, within a field, for the production of oil or gas or both and other minerals which may be associated and produced therewith by additional recovery methods.

(B) At the conclusion of the hearing the board shall issue an order requiring unit operation if it finds that:

(i) Unit operation of the field, or of any pool or of any portion or combinations thereof within the field, is reasonably necessary to prevent waste as defined in Code Section 12-4-42 or to increase the ultimate recovery of oil or gas by additional recovery methods; and

(ii) The estimated additional cost incident to the conduct of such operation will not exceed the value of the estimated additional recovery of oil or gas; provided, however, that the board shall be authorized to prohibit the production of gas or oil by any recovery method if it has determined that such recovery method will result in waste or reduce the ultimate recovery of gas or oil from any field or pool or portion or combination thereof.

(C) The phrase 'additional recovery methods' as used in this ~~Code section~~

subsection shall include, but shall not be limited to, the maintenance or partial maintenance of reservoir pressures by any method recognized by the industry and approved by the board; recycling; flooding a pool or pools, or parts thereof, with air, gas, water, liquid hydrocarbons or any other substance, or any combination or combinations thereof; or any other secondary method of producing hydrocarbons recognized by the industry and approved by the board.

(D) The order provided for in subparagraph (B) of this paragraph shall be fair and reasonable under all the circumstances, shall protect the rights of interested parties, and shall include:

- (i) A description of the area embraced, termed the unit area; and a description of the affected pool or pools, or portions thereof, which lie within the unit area;
- (ii) A statement of the nature of the operations contemplated;
- (iii) A method of allocation among the separately owned tracts in the unit area of all the oil or gas or both produced from the unit pool within the unit area and not required in the conduct of such operation or unavoidably lost, such method of allocation to be on a formula that is fair and equitable and will protect the correlative rights of all interested parties;
- (iv) A provision for adjustment among the owners of the unit area (not including royalty owners) of their respective investments in wells, tanks, pumps, machinery, materials, equipment, and other things and services of value attributable to the unit operations. The amount to be charged unit operations for any such item shall be determined by the owners of the unit area (not including royalty owners); provided, however, that if such owners of the unit area are unable to agree upon the amount of such charges, or to agree upon the correctness thereof, the board shall determine the amount after due notice and hearing thereon. The net amount charged against the owners of a separately owned tract shall be considered expense of unit operation chargeable against such tract. The adjustment provided for in this division may be treated separately and handled by agreements separate from the unitization agreement;
- (v) A provision that the costs and expenses of unit operations, including investment, past and prospective, be charged to the separately owned tracts in the same proportions that such tracts share in unit productions. The expenses chargeable to a tract shall be paid by the person or persons not entitled to share in production free of operating costs, and who, in the absence of unit operation, would be responsible for the expense of developing and operating such tracts, and such person's or persons' interest in the separately owned tract shall be primarily responsible therefor. The obligation or liability of such persons in the several, separately owned tracts for the payment of unit expense shall at all times be several and not joint or collective. The unit operator shall have a first and prior lien upon the leasehold estate exclusive of the royalty interest provided thereby and unleased oil and gas rights, exclusive of one-eighth interest therein, in and to each separately owned tract, and the interest of the owners thereof in and to the unit production and all equipment in possession of the unit, to secure the payment

of the amount of the unit expense charged to and assessed against such separately owned tract;

(vi) The designation of, or a provision for the selection of, a unit operator. The conduct of all unit operations by the unit operator and the selection of a successor to the unit operator shall be governed by the terms and provisions of the unitization agreements;

(vii) A provision that when the full amount of any charge made against any interest in a separately owned tract is not paid when due by the person or persons primarily responsible therefor, then all of the oil and gas production allocated to the interest in default in such separately owned tract, upon which production the unit operator has a lien, may be appropriated by the unit operator and marketed and sold for the payment of such charge, together with interest at a fair and equitable rate as determined by the board thereon. The remaining portion of the unit production or the proceeds derived therefrom allocated to each separately owned tract shall in all events be regarded as royalty to be paid to the owners, free and clear of all unit expense and free and clear of any lien therefor. The owner of any overriding royalty, oil and gas payment, or other interest, who is not primarily responsible for the unpaid obligation, shall, to the extent of any payment or deduction from his or her share, be subrogated to all the rights of the unit operator with respect to the interest or interests primarily responsible for such payment. Any surplus received by the operator from any such sale of production shall be credited to the person or persons from whom it was deducted in the proportion of their respective interest; and

(viii) The time the unit operation shall become effective, and the manner in which, and the circumstances under which, the unit operation shall terminate.

(E) An order requiring unit operation shall not become effective unless and until a contract incorporating the unitization agreement has been signed or in writing ratified or approved by the owners of at least ~~75~~ 85 percent in interest as costs are shared under the terms of the order and by ~~75~~ 85 percent in interest, as production is to be allocated, of the royalty owners in the unit area, and unless and until a contract incorporating the required arrangements for operations has been signed or in writing ratified or approved by the owners of at least ~~75~~ 85 percent in interest as costs are shared, and unless and until the board has made a finding, either in the order or in a supplemental order, that those contracts have been signed, ratified, or approved. Both contracts may be encompassed in a single document. In the event the required percentage interests have not signed, ratified, or approved such agreements within six months from and after the date of such order, or within such extended period as the board may prescribe, the order shall be automatically revoked.

(F)(i) The board, by entry of new or amending orders, may from time to time add to unit operations portions of pools not theretofore included, and may add to unit operations new pools or portions thereof, and may extend the unit area as required. Any such order, in providing for allocation of production from a unitized zone of

the unit area, shall first allocate to such pool or pools, or portion thereof so added, a portion of the total production of oil or gas, or both, from all pools affected within the unit area, as enlarged and not required in the conduct of unit operations or unavoidably lost. Such allocation shall be based on a formula for sharing that is considered to treat each tract and each owner fairly and equitably during the remaining course of unit operations. The production so allocated to such added pool or pools or portions thereof shall be allocated to the separately owned tracts which participate in such production on a fair and equitable basis. The remaining portion of unit production shall be allocated among the separately owned tracts within the previously established unit area in the same proportions as those specified prior to the enlargement unless such proportions are shown to be erroneous by data developed subsequent to the former determination, in which event the errors shall be corrected. Orders promulgated under this Code section shall become operative at 7:00 A.M. on the first day of the month next following the day on which the order becomes effective.

(ii) An order promulgated by the board under this subparagraph shall not become effective unless and until:

(I) All of the terms and provisions of the unitization agreement relating to the extension or enlargement of the unit area or to the addition of pools or portions thereof to unit operations have been fulfilled and satisfied, and evidence thereof has been submitted to the board; and

(II) The extension or addition effected by such order has been agreed to in writing by the owners of at least ~~75~~ 85 percent in interest as costs are shared in the area or pools or portions thereof to be added to the unit operation by such order and by ~~75~~ 85 percent in interest, as production is to be allocated, of the royalty owners in the area or pools or portions thereof to be added to the unit operations by such order, and evidence thereof has been submitted to the board.

(iii) In the event both of the requirements specified in subdivisions (I) and (II) of division (ii) of this subparagraph are not fulfilled within six months from and after the date of such order or within such extended period as the board may prescribe, the order shall be automatically revoked.

(G) When the contribution of a separately owned tract with respect to any unit pool has been established, such contribution shall not be subsequently altered except to correct a mathematical or clerical error that caused the tract contribution to be erroneous, unless an enlargement of the unit is effected. No change or correction of the contribution of any separately owned tract shall be given retroactive effect, but appropriate adjustment shall be made for the investment charges as provided in this Code section.

(H) The portion of unit production allocated to a separately owned tract within the unit area shall be deemed, for all purposes, to have been actually produced from such tract, and operations with respect to any unit pool within the unit area shall be deemed, for all purposes, to be the conduct of operations for the production of oil or gas, or both, from each separately owned tract in the unit area.

(b) Owners, operators, and royalty owners who have separate holdings in the same oil or gas pool or in any area that appears from geological or other data to be underlain by a common accumulation of oil or gas or both are authorized to make agreements among themselves for establishing and carrying out a plan for the cooperative development and operation of the pool or area, provided that such agreements must be approved by the board; provided, further, that such agreements must be for the purpose of conserving gas or oil or both, or for the prevention of waste, or to assure the ultimate recovery of gas or oil or both. Such agreements shall not be held or construed to violate any of the laws of this state relating to trusts, monopolies, or contracts and combinations in restraint of trade.

12-4-46.

(a) Before any well covered by this part, other than wells for the production of fresh water, may be drilled, the person desiring to drill the well shall apply to the director for a drilling permit, using such forms as the director may prescribe, and shall pay a fee of ~~\$25.00~~ \$500.00 for each permit.

(b) The director shall, within 30 days after the receipt of a properly completed application from any person desiring to drill a well covered by this part, ~~either issue or deny a permit for the well~~ issue a public notice for the permit application by posting such notice to the division website and by sending such notice via mail or e-mail to any persons who have requested notification of permit applications from the division. The director shall allow for a 30 day public comment period to begin running from the date the public notice is posted on the division website and as outlined in subsection (c) of this Code section. The director shall review and consider the public comments received during the public comment period.

(c) The permit applicant shall provide the director's public notice of the proposed well directly to property owners and residents who may be impacted by the issuance of the permit within ten days of the date of the public notice by, at a minimum:

(1) Posting the public notice along the road nearest to the proposed well;

(2) Providing the public notice to all persons owning real property within one-half mile of the proposed wellhead and within one-half mile along the route of any directional borehole and any residence that has any drinking water wells within one-half mile of the proposed wellhead and within one-half mile along the route of any directional borehole; and

(3) Publishing the public notice in at least one legal organ in the county where the well will be located.

(d) After considering the permit application, the director shall either issue or deny a permit for the well. The director shall notify the public of the final permit decision by posting the decision to the division website and by sending notice of the decision via mail or e-mail to any persons who have requested notification of permit applications from the division.

~~(e)~~(e) In issuing or denying a permit for the drilling of a well covered by this part, the director shall consider the extent to which the proposed well complies with this part, all

rules and regulations adopted and promulgated pursuant to this part, or any order under this part.

~~(d)~~(f) In issuing a permit for the drilling of any well covered by this part, the director shall specify therein such terms and conditions as he or she deems necessary to receive the permit and to lawfully operate thereunder. Permits shall include the following requirements:

(1) Requirements for testing the integrity of well casings;

(2) Requirements for maintenance and repair of roadways significantly impacted by drilling operations, including hydraulic fracturing activities; and

(3) Requirements for buffers around wells and property line setbacks that are sufficient to protect affected property owners from any noise, light, water, or air pollution resulting from any drilling operations.

~~(g)~~ Any permit issued under this Code section shall become final unless ~~the~~ any person ~~or persons~~ named therein ~~request~~ requests in writing a hearing before an administrative law judge appointed by the board no later than 30 days after the issuance of such permit.

~~(e)~~(h) The director shall have the power and the authority to revoke a permit for noncompliance with any of the provisions of this part, any rules and regulations promulgated under this part, or the special conditions contained in any permit.

~~(f)~~(i) The issuance of a permit under this part in no way indicates a determination by the director as to property or contractual rights of the applicant to drill such a well at the designated location.

12-4-47.

(a) Prior to the issuance of a permit to drill any well covered by this part, the owner, operator, contractor, driller, or other person responsible for the conduct of the drilling operation shall furnish the state a bond or undertaking in the form prescribed by the board and in an amount set by the board, executed by a bonding, surety, or insurance company authorized to do business in this state in the favor of the state. Alternatively, the board in its discretion may require a similar undertaking executed only by such person to ensure a faithful performance of the requirements of this part, of any rules or regulations adopted pursuant thereto, or of any condition of a permit. Such bond or undertaking is intended to protect the state or any citizen thereof from any injury which may result from improper drilling.

(b) Any bond required under this part shall be released two years from the date of receipt by the director of all geological information required under this part or any rule or regulation adopted pursuant to this part; provided, however, that the director shall have examined and approved the abandoned well for which the bond was furnished.

(c) No bond required under this part shall exceed ~~\$50,000.00~~ \$100,000.00.

12-4-48.

(a) Whenever the director has reason to believe that any person is violating the provisions of this part or any rule or regulation adopted pursuant to this part, the

director may issue an administrative order to that person. The order shall specify the provisions of this part alleged to have been violated and shall order that corrective action be taken within a reasonable period of time prescribed in the order. Any such order shall become final and enforceable unless the person or persons named therein request in writing a hearing before an administrative law judge appointed by the board no later than 30 days after the issuance of the order.

(b) Whenever the director finds that an emergency exists requiring immediate action to protect the public interest, the director may issue a provisional order reciting the existence of such an emergency and requiring that such action be taken as is reasonably necessary to meet the emergency under the circumstances, provided that such an emergency order shall be issued only after an affidavit has been filed with the director showing specific facts of such an emergency condition. Such order shall be effective immediately. Any person against whom such order is directed shall upon appropriate notice comply therewith immediately but on application to the director shall be afforded a hearing before an administrative law judge appointed by the board within ten days of receipt of such application by the director or, if the party applying so requests, within 48 hours of receipt of such application by the director. Prior to such hearing, the director shall be authorized to modify or revoke such order. After the hearing, the administrative law judge shall be authorized to make such order as is just and reasonable, including an order continuing, revoking, or modifying such provisional order.

(c) Whenever the director has reason to believe that any person is violating any provision of this part or any rule or regulation adopted pursuant to this part, the director may bring an action against such person in the proper superior court to restrain such person or persons from continuing such violations. In such action, the director may seek injunctions, including temporary restraining orders and temporary injunctions, without the necessity for showing lack of an adequate remedy at law.

(d) Any person who willfully or negligently violates any provision of this part, any rule or regulation adopted under this part, or any permit or final or emergency order of the director shall be subject to a civil penalty of not less than \$50.00, but in any event not to exceed \$10,000.00 for each act of violation. Each day of continued violation shall subject such person to a separate civil penalty. An administrative law judge appointed by the board, after a hearing shall determine whether or not any person has violated any provision of this part or any rule or regulation adopted under this part or any permit or final or emergency order of the director, and shall upon proper finding issue an order imposing such civil penalties as provided in this Code section. Any person so penalized under this Code section is entitled to judicial review. In this connection, all hearings and proceedings for judicial review under this Code section shall be in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' All civil penalties recovered by the director as provided by this chapter shall be paid into the state treasury to the credit of the general fund.

(e) In addition to any other enforcement remedy available to the director under this part, all illegal minerals and illegal products are declared to be contraband and forfeited

to the state in accordance with the procedures set forth in Chapter 16 of Title 9, except that:

- (1) Any seizure of contraband shall be delivered to the director or his or her duly authorized agent;
 - (2) Illegal minerals shall only be forfeited as provided for in Code Section 9-16-12; and
 - (3) Property seized pursuant to this subsection shall not be required to be stored in an area within the jurisdiction of the court if such storage is not possible.
- (f) Nothing in this Code section shall deny or abridge any cause of action a royalty owner, lienholder, or other claimant may have against any persons whose acts result in the forfeiture of the illegal oil, illegal gas, or illegal product.

12-4-49.

In the administration and enforcement of this part, all hearings before an administrative law judge shall be subject to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' Any party to said hearings (including the director) shall have the right of judicial review in accordance with Chapter 13 of Title 50.

12-4-50.

In any contested administrative hearing under this part, no person shall be excused from attending and testifying, or from producing books, papers, and records before the administrative law judge, or from obedience to the subpoena of the administrative law judge, on the ground or for the reason that the testimony or evidence, documentary or otherwise, required by him or her may tend to incriminate him or her or subject him or her to a penalty or forfeiture, provided that nothing contained in this Code section shall be construed as requiring any person to produce any books, papers, or records, or to testify in response to any inquiry, not pertinent to a question lawfully before the administrative law judge for determination. No evidence given by or required of any natural person shall be used or admitted against such a person in any criminal prosecution for any transaction, matter, or thing concerning which he or she may be required to testify or produce evidence, documentary or otherwise, before the administrative law judge in obedience to its subpoena; provided, however, that no person testifying shall be exempt from prosecution and punishment for perjury committed in so testifying.

12-4-51.

Any provision of Part 2 of Article 3 of Chapter 5 of this title which is inconsistent with this part shall not be repealed by this part and shall govern over this part.

12-4-52.

This part shall not be construed as limiting the authority or functions of any officer or agency of this state under any other law or regulation not inconsistent with this part.

12-4-52.1.

This part shall not be construed as limiting the authority of local governments to adopt local zoning or land use ordinances limiting the location or timing of activities defined herein for the purposes of protecting natural resources or human health and welfare.

12-4-53.

The following activities are prohibited:

- (1) The waste of oil or gas as defined in this part;
- (2) The sale, purchase, or acquisition or the transportation, refining, processing, or handling of illegal minerals or illegal products;
- (3) The sale, purchase, or acquisition or the transportation, refining, processing, or handling in any other way of any mineral, including oil and gas, or any mineral product without complying with this part or any rule or regulation of the board promulgated pursuant to this part;
- (4) Intentionally or negligently permitting any gas or oil well to get out of control;
- (5) The drilling of any well covered by the provisions of this part by any person without a permit for such drilling; and
- (6) Any other violation of any provision of this part or any rule or regulation promulgated under this part.

12-4-54.

(a) As used in this Code section, the term 'extractor' means any person removing oil or gas from the ground pursuant to this part.

(b)(1) A severance tax shall be levied on oil or gas removed from the ground in this state by an extractor as follows:

- (A) Three cents per barrel of oil; and
- (B) One cent per thousand cubic feet of gas.

(2) The Department of Revenue shall promulgate rules and regulations as necessary to implement and administer the provisions of this subsection and shall promulgate and make available forms for the use of extractors to assist in compliance with this subsection.

(c)(1) In addition to the tax provided for in subsection (b) of this Code section, the governing authority of each county and each municipal corporation is authorized to provide by local ordinance or resolution for the levy, assessment, and collection of a severance tax on oil or gas removed from the ground by an extractor within the jurisdiction of such county or municipality as follows:

- (A) An amount not to exceed nine cents per barrel of oil; and
- (B) An amount not to exceed two cents per thousand cubic feet of gas.

(2) The severance tax provided for in paragraph (1) of this subsection shall be collected by the Department of Revenue in the same manner and under the same procedures as provided for pursuant to subsection (b) of this Code section on behalf of each county and municipality electing to exercise the powers conferred herein and shall be remitted to each such county and municipality accordingly."

SECTION 2.

This Act shall become effective upon this Act's approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Hufstetler of the 52nd moved that the Senate adopt the Conference Committee Report on HB 205.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	E Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 51, nays 0; the motion prevailed, and the Senate adopted the Conference Committee Report on HB 205.

Senator Cowsert of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Monday, March 12, 2018.

The motion prevailed, and the President announced the Senate adjourned at 11:41 a.m.

Senate Chamber, Atlanta, Georgia
Monday, March 12, 2018
Thirty-third Legislative Day

The Senate met pursuant to adjournment at 10:15 a.m. today and was called to order by the President.

Senator Harbison of the 15th reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House and Senate:

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 937. By Representative Bentley of the 139th:

A BILL to be entitled an Act to provide a new charter for the City of Reynolds; to provide for incorporation, boundaries, powers, and construction; to provide for a governing authority, its election, and terms; to provide for vacancies; to provide for related matters; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 942. By Representatives Gilliard of the 162nd, Petrea of the 166th, Stephens of the 164th, Stephens of the 165th, Gordon of the 163rd and others:

A BILL to be entitled an Act to create the Savannah State Farmers Market Authority; to define certain terms; to provide for a board of trustees, appointment of members, and meetings; to provide for powers, duties, and purpose; to authorize the issuance of revenue bonds of the authority and to authorize the collection for the payment of such revenue bonds; to make the revenue bonds of the authority exempt from taxation; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to provide for the validation of bonds; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 994. By Representatives Marin of the 96th, Holcomb of the 81st, Hilton of the 95th and Lopez of the 99th:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Norcross, Georgia, in the County of Gwinnett, approved March 28, 1990 (Ga. L. 1990, p. 4934), as amended, so as to authorize the mayor and council to conduct advisory referendums; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1010. By Representatives Cantrell of the 22nd, Caldwell of the 20th, Ballinger of the 23rd, Turner of the 21st and Carson of the 46th:

A BILL to be entitled an Act to amend an Act placing the sheriff, clerk of the superior court, tax commissioner, and judge of the probate court of Cherokee County on the salary system, approved March 9, 1959 (Ga. L. 1959, p. 2494), as amended, particularly by an Act approved April 12, 1982 (Ga. L. 1982, p. 4578) and by an Act approved April 1, 1996 (Ga. L. 1996, p. 3813), so as to remove a maximum salary amount and provide for the authority of the sheriff of Cherokee County over personnel matters; to repeal provisions regarding the Cherokee County Sheriff's Office Termination Review Board; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1017. By Representative Rhodes of the 120th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Greensboro, approved March 16, 1978 (Ga. L. 1978, p. 3932), as amended, so as to change the corporate limits; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 389. By Senators Walker III of the 20th, Kennedy of the 18th and Lucas of the 26th:

A BILL to be entitled an Act to amend an Act to create and establish the State Court of Houston County, approved February 28, 1975 (Ga. L. 1975, p. 2584), as amended, so as to provide for the location of the state court; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has adopted the report of the Committee of Conference on the following Bill of the Senate:

SB 3. By Senators Tippins of the 37th, Wilkinson of the 50th, Brass of the 28th, Cowser of the 46th, Anderson of the 24th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to enact the "Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act"; to provide for industry credentialing for students who complete certain focused programs of study; to provide for industry credentialing in individual graduation plans; to provide for the identification of certain critical and emerging occupations; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 488. By Senators Anderson of the 24th, Stone of the 23rd, Jones of the 25th and Miller of the 49th:

A BILL to be entitled an Act to amend Chapter 2 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of fire and other hazards to persons and property generally, so as to provide for the seal and Georgia registration number of registered interior designers on certain plans and specifications submitted to the Safety Fire Commissioner for certain proposed buildings and bulk storage facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Public Safety.

The following House legislation was read the first time and referred to committee:

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Appropriations.

HB 937. By Representative Bentley of the 139th:

A BILL to be entitled an Act to provide a new charter for the City of Reynolds; to provide for incorporation, boundaries, powers, and construction; to provide for a governing authority, its election, and terms; to provide for vacancies; to provide for related matters; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 942. By Representatives Gilliard of the 162nd, Petrea of the 166th, Stephens of the 164th, Stephens of the 165th, Gordon of the 163rd and others:

A BILL to be entitled an Act to create the Savannah State Farmers Market Authority; to define certain terms; to provide for a board of trustees, appointment of members, and meetings; to provide for powers, duties, and purpose; to authorize the issuance of revenue bonds of the authority and to authorize the collection for the payment of such revenue bonds; to make the revenue bonds of the authority exempt from taxation; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to provide for the validation of bonds; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 994. By Representatives Marin of the 96th, Holcomb of the 81st, Hilton of the 95th and Lopez of the 99th:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Norcross, Georgia, in the County of Gwinnett, approved March 28, 1990 (Ga. L. 1990, p. 4934), as amended, so as to authorize the mayor and council to conduct advisory referendums; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1010. By Representatives Cantrell of the 22nd, Caldwell of the 20th, Ballinger of the 23rd, Turner of the 21st and Carson of the 46th:

A BILL to be entitled an Act to amend an Act placing the sheriff, clerk of the superior court, tax commissioner, and judge of the probate court of Cherokee County on the salary system, approved March 9, 1959 (Ga. L. 1959, p. 2494), as amended, particularly by an Act approved April 12, 1982 (Ga. L. 1982, p. 4578) and by an Act approved April 1, 1996 (Ga. L. 1996, p. 3813), so as to remove a maximum salary amount and provide for the authority of the sheriff of Cherokee County over personnel matters; to repeal provisions regarding the Cherokee County Sheriff's Office Termination Review Board; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1017. By Representative Rhodes of the 120th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Greensboro, approved March 16, 1978 (Ga. L. 1978, p. 3932), as amended, so as to change the corporate limits; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 967 Do Pass

Respectfully submitted,
 Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 507	Do Pass	HB 508	Do Pass
HB 549	Do Pass	HB 550	Do Pass
HB 557	Do Pass	HB 558	Do Pass
HB 901	Do Pass	HB 980	Do Pass
HB 985	Do Pass		

Respectfully submitted,
 Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

HB 189	HB 305	HB 374	HB 513	HB 654	HB 664
HB 671	HB 721	HB 729	HB 734	HB 751	HB 754
HB 756	HB 760	HB 769	HB 809	HB 814	HB 825
HB 830	HB 844	HB 849	HB 867	HB 876	HB 886
HB 888	HB 897	HB 906	HB 909	HB 917	HB 920
HB 938	HB 999	HR 898	SR 329		

Senator Martin of the 9th asked unanimous consent that Senator Burke of the 11th be excused. The consent was granted, and Senator Burke was excused.

Senator Seay of the 34th asked unanimous consent that Senator Orrock of the 36th be excused. The consent was granted, and Senator Orrock was excused.

Senator Harbison of the 15th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

Senator Tillery of the 19th asked unanimous consent that Senator Williams of the 27th be excused. The consent was granted, and Senator Williams was excused.

Senator Anderson of the 24th asked unanimous consent that Senator Stone of the 23rd be excused. The consent was granted, and Senator Stone was excused.

Senator Brass of the 28th asked unanimous consent that Senator Dugan of the 30th be excused. The consent was granted, and Senator Dugan was excused.

Senator Williams of the 39th asked unanimous consent that Senator Lucas of the 26th be excused. The consent was granted, and Senator Lucas was excused.

Senator Rhett of the 33rd asked unanimous consent that Senator James of the 35th be excused. The consent was granted, and Senator James was excused.

Senator Sims of the 12th was excused for business outside the Senate Chamber.

The roll was called and the following Senators answered to their names:

Albers	Hill	Parent
Anderson, L	Hufstetler	Payne
Anderson, T	Jones, B	Rhett
Beach	Jones, E	Seay
Black	Jones, H	Shafer
Brass	Jordan	Strickland
Butler	Kennedy	Tate
Cowsert	Kirk	Thompson, B
Davenport	Kirkpatrick	Tillery
Ginn	Ligon	Tippins
Gooch	Martin	Unterman
Harbin	McKoon	Walker
Harbison	Millar	Watson
Harper	Miller	Wilkinson
Heath	Mullis	Williams, N
Henson		

Not answering were Senators:

Burke (Excused)	Dugan (Excused)	Jackson
James (Excused)	Lucas (Excused)	Orrock (Excused)
Sims (Excused)	Stone (Excused)	Thompson, C. (Excused)
Williams, M. (Excused)		

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Harper of the 7th introduced the chaplain of the day, Pastor William Pope of Douglas, Georgia, who offered scripture reading and prayer.

Senator Hill of the 4th introduced the doctor of the day, Dr. Michelle Zeanah.

Senator Black of the 8th recognized March 12, 2018, as Valdosta State University Day at the state capitol and honored student leaders at Valdosta State University, commended by SR 787, adopted previously. President Dr. Richard A. Carvajal and Student Government Association President Maya Mapp addressed the Senate briefly.

Senator Jones of the 25th recognized Judge Matthew McCord on his outstanding public service as the chief judge of the Stockbridge Municipal Court and as the president-elect of the Georgia Municipal Court Judges Council, commended by SR 738, adopted previously. Judge Matthew McCord addressed the Senate briefly.

Senator Parent of the 42nd recognized April, 2018, as Genocide Prevention and Awareness Month at the state capitol, commended by SR 922, adopted previously. Jeffrey Silverstein and Mamie Dayan-Vogel of Atlanta Jewish Connector ACCESS addressed the Senate briefly.

Senator Brass of the 28th recognized Steve Barker on his selection as Georgia's 2018 School Superintendent of the Year, commended by SR 804, adopted previously. Steve Barker addressed the Senate briefly.

Senator Mullis of the 53rd recognized March 12, 2018, as Jack Murphy Day at the state capitol, commended by SR 966, adopted previously. Former Senator Jack Murphy addressed the Senate briefly.

Senator Watson of the 1st recognized the members of the St. Patrick's Day Parade Committee, Chairman Brian Counihan, and Grand Marshal Michael Aloysius Kenny on their roles in the 2018 St. Patrick's Day Parade in Savannah, Georgia, commended by SR 979, adopted previously. Grand Marshal Kenny addressed the Senate briefly.

The following resolutions were read and adopted:

SR 996. By Senators Hill of the 4th, Stone of the 23rd, Tillery of the 19th and Watson of the 1st:

A RESOLUTION recognizing and commending Delia Mobley, the Statesboro Rotary Clubs' 2018 Citizen of the Year; and for other purposes.

SR 997. By Senators Butler of the 55th, Henson of the 41st, Miller of the 49th, Ginn of the 47th, Unterman of the 45th and others:

A RESOLUTION honoring the life and memory of Agnes Doster; and for other purposes.

SR 998. By Senators Millar of the 40th and Albers of the 56th:

A RESOLUTION recognizing March 14, 2018, as Charter School Advocacy Day at the state capitol, commending members of the Georgia Charter Schools Association, and celebrating the 20th anniversary of the passage of legislation which allowed the start-up of charter schools; and for other purposes.

SR 999. By Senators Payne of the 54th, Kennedy of the 18th, Cowser of the 46th, Mullis of the 53rd, Albers of the 56th and others:

A RESOLUTION honoring Lucas Andrew Warren for becoming the first Gerber spokesbaby with special needs; and for other purposes.

SR 1000. By Senators Miller of the 49th, Millar of the 40th, Mullis of the 53rd, Ginn of the 47th, Gooch of the 51st and others:

A RESOLUTION recognizing and commending Sam Stone on his outstanding public service; and for other purposes.

SR 1001. By Senators Tillery of the 19th, Black of the 8th, Kennedy of the 18th, Walker III of the 20th, Thompson of the 14th and others:

A RESOLUTION recognizing and commending all Georgia PlanFirst communities for their outstanding and commendable community planning efforts and accomplishments; and for other purposes.

SR 1003. By Senators Hill of the 4th, Stone of the 23rd, Tillery of the 19th, Anderson of the 24th, Kirk of the 13th and others:

A RESOLUTION recognizing the Sunshine House Regional Children's Advocacy Center and honoring Executive Director Carol V. Donaldson; and for other purposes.

SR 1004. By Senators Hill of the 4th, Stone of the 23rd, Tillery of the 19th, Shafer of the 48th, Wilkinson of the 50th and others:

A RESOLUTION recognizing and commending Crider Foods; and for other purposes.

SR 1005. By Senators Hill of the 4th, Jackson of the 2nd, Stone of the 23rd, Tillery of the 19th, Watson of the 1st and others:

A RESOLUTION recognizing and commending Mayor Jonathan McCollar; and for other purposes.

SR 1006. By Senators Hill of the 4th, Stone of the 23rd, Jackson of the 2nd and Henson of the 41st:

A RESOLUTION recognizing and commending Dr. Charles Wesley Bonds II; and for other purposes.

SR 1007. By Senators Hill of the 4th, Stone of the 23rd, Shafer of the 48th, Harper of the 7th, Tillery of the 19th and others:

A RESOLUTION recognizing and commending Raybon Anderson; and for other purposes.

SR 1008. By Senators Anderson of the 43rd, Davenport of the 44th, Lucas of the 26th, Seay of the 34th, Jones II of the 22nd and others:

A RESOLUTION recognizing and commending Tony Brown; and for other purposes.

SR 1009. By Senators Anderson of the 43rd, Davenport of the 44th, Lucas of the 26th, Seay of the 34th, Jones II of the 22nd and others:

A RESOLUTION recognizing and commending Kevin "Koolin" Fox; and for other purposes.

SR 1010. By Senators Anderson of the 43rd, Davenport of the 44th, Lucas of the 26th, Seay of the 34th, Jones II of the 22nd and others:

A RESOLUTION recognizing and commending Cie Cie Wilson McGhee; and for other purposes.

SR 1011. By Senators Anderson of the 43rd, Davenport of the 44th, Lucas of the 26th, Seay of the 34th, Jones II of the 22nd and others:

A RESOLUTION recognizing and commending Derek Harper; and for other purposes.

SR 1012. By Senators Anderson of the 43rd, Davenport of the 44th, Lucas of the 26th, Seay of the 34th, Jones II of the 22nd and others:

A RESOLUTION recognizing and commending Charles Mitchell; and for other purposes.

Senator Unterman of the 45th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Monday March 12, 2018
Thirty-third Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 507 Seay of the 34th
 Davenport of the 44th
CITY OF JONESBORO

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Jonesboro, approved April 4, 1996 (Ga. L. 1996, p. 4056), as amended, so as to create districts for the election of members of the governing authority; to provide for definitions and inclusions; to provide for method of election; to provide for the continuation in office of current members; to provide for elections by plurality; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 508 Seay of the 34th
 Davenport of the 44th
CITY OF MORROW

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Morrow, approved June 3, 2003 (Ga. L. 2003, p. 4214), as amended, so as to provide for a governing authority; to create districts for the election of members of the governing authority; to provide for definitions and inclusions; to provide for method of election; to provide for the continuation in office of current members; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 549 Davenport of the 44th
CITY OF LOVEJOY

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Lovejoy in the County of Clayton, approved March 31, 1976 (Ga. L. 1976, p. 3897), as amended, so as to provide for a governing authority; to create districts for the election of

members of the governing authority; to provide for definitions and inclusions; to provide for method of election; to provide for the continuation in office of current members; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 550

Seay of the 34th
Davenport of the 44th
CITY OF LAKE CITY

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Lake City, approved April 4, 1996 (Ga. L. 1996, p. 4227), as amended, so as to provide for a governing authority; to create districts for the election of members of the governing authority; to provide for definitions and inclusions; to provide for method of election; to provide for the continuation in office of current members; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 557

Seay of the 34th
Davenport of the 44th
CLAYTON COUNTY

A BILL to be entitled an Act to amend an Act placing the judge of the Probate Court of Clayton County on an annual salary, approved February 7, 1950 (Ga. L. 1950, p. 2068), as amended, particularly by an Act approved May 5, 2006 (Ga. L. 2006, p. 4662), so as to change the compensation of the judge of the probate court; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 558

Seay of the 34th
Davenport of the 44th
CLAYTON COUNTY

A BILL to be entitled an Act to amend an Act placing the sheriff and clerk of the Superior Court of Clayton County on an annual salary, approved February 25, 1949 (Ga. L. 1949, p. 1910), as amended, particularly by an Act approved May 5, 2006 (Ga. L. 2006, p. 4656), so as to change the provisions relating to the compensation of the sheriff; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 901 Hill of the 4th
Stone of the 23rd
CITY OF ADRIAN

A BILL to be entitled an Act to amend an Act to create and incorporate the City of Adrian in the Counties of Emanuel and Johnson, approved March 28, 1984 (Ga. L. 1984, p. 4745), so as to revise the terms of office of the mayor and members of the city council; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 980 Mullis of the 53rd
DADE COUNTY

A BILL to be entitled an Act to authorize the governing authority of Dade County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 985 Ginn of the 47th
TOWN OF HULL

A BILL to be entitled an Act to amend an Act to incorporate the town of Hull, partly in Clarke County and partly in the county of Madison, Georgia, approved August 24, 1905 (Ga. L. 1905, p. 893), as amended, so as to revise the terms of office and timing of elections for the mayor and councilmembers; to provide for posts; to revise provisions related to the appointment of a mayor pro tem; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone

Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	E Lucas	Y Tippins
Gooch	Y Martin	E Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	E Williams, M
Y Henson	E Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 45, nays 2.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

SENATE RULES CALENDAR
MONDAY, MARCH 12, 2018
THIRTY-THIRD LEGISLATIVE DAY

HB 79	Law enforcement; retaining license plate data obtained from automated license plate recognition systems beyond certain periods; prohibit (PUB SAF-56th) Pezold-133rd
HB 422	Veterans Service, Department of; nonprofit corporation as a public foundation; authorize incorporation (VM&HS-1st) Hitchens-161st
HB 441	Trusts; establish qualified self-settled spendthrift trusts; provisions (Substitute)(B&FI-46th) Fleming-121st
HB 592	Insurance; compliance self-evaluative privilege; repeal applicability and sunset provisions (I&L-14th) Lumsden-12th
HB 670	Georgia State Council for Interstate Juvenile Supervision; number of legislative branch representatives; revise (JUDY-23rd) Powell-32nd
HB 816	Revenue, Department of; mandatory fingerprinting and criminal record checks for certain individuals; provide (FIN-52nd) Gravley-67th

HB 885 Georgia Air Quality Act; limitations on powers of certain Boards and Departments; revise certain provisions (NR&E-47th) McCall-33rd

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HB 79. By Representatives Pezold of the 133rd, Powell of the 32nd, Caldwell of the 20th, Jasperse of the 11th, Brockway of the 102nd and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions regarding law enforcement officers and agencies, so as to prohibit law enforcement from retaining license plate data obtained from automated license plate recognition systems beyond a certain period; to provide for definitions; to provide for the exchange of data obtained from license plate recognition systems by law enforcement; to provide for criminal penalties for misuse of captured license plate data; to provide for policies; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	E Lucas	Y Tippins
Gooch	Y Martin	E Unterman

Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	E Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 0.

HB 79, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

12 March 2018

Due to business outside the Senate Chamber, I missed the vote on HB 79. Had I been present, I would have voted “yea”.

/s/ Horacena Tate
District 38

HB 422. By Representatives Hitchens of the 161st, Rogers of the 10th, Corbett of the 174th, Deffenbaugh of the 1st, Ealum of the 153rd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 4 of Title 38 of the Official Code of Georgia Annotated, relating to the Department of Veterans Service, so as to authorize incorporation of a nonprofit corporation as a public foundation; to provide requirements for the same; to provide for the purpose and governance of such public foundation; to provide for annual reports; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Watson of the 1st.

Senator Watson of the 1st offered the following amendment # 1:

Amend HB 422 by changing "38-4-13 to 38-4-14 on Line 11

On the adoption of the amendment, there were no objections, and the Watson amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 422, having received the requisite constitutional majority, was passed as amended.

HB 441. By Representatives Fleming of the 121st, Morris of the 156th, Coomer of the 14th and Beskin of the 54th:

A BILL to be entitled an Act to amend Chapter 12 of Title 53 of the O.C.G.A., relating to trusts, so as to establish qualified self-settled spendthrift trusts; to provide for definitions; to provide for exceptions for spendthrift provisions of trusts which are not within qualified self-settled spendthrift trusts; to provide for claims by creditors for such trusts; to provide for the creation of such trusts; to provide for transfers to such trusts; to provide for vacancies of trustees; to provide for standards for such trusts to be considered nonrevocable; to provide for beneficiary rights to withdrawal; to provide for claims for relief; to amend Part 4 of Article 9 of Title 11 of the O.C.G.A., relating to rights of third parties to secured transactions, so as to exclude qualified self-settled spendthrift trusts from restrictions on assignment; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Cowsert of the 46th.

The Senate Committee on Banking and Financial Institutions offered the following substitute to HB 441:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 12 of Title 53 of the Official Code of Georgia Annotated, relating to trusts, so as to establish qualified self-settled spendthrift trusts; to provide for definitions; to provide for exceptions for spendthrift provisions of trusts which are not within qualified self-settled spendthrift trusts; to provide for claims by creditors for such trusts; to provide for the creation of such trusts; to provide for transfers to such trusts; to provide for vacancies of trustees; to provide for standards for such trusts to be considered nonrevocable; to provide for claims for relief; to amend Part 4 of Article 9 of Title 11 of the Official Code of Georgia Annotated, relating to rights of third parties to secured transactions, so as to exclude qualified self-settled spendthrift trusts from restrictions on assignment; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 12 of Title 53 of the Official Code of Georgia Annotated, relating to trusts, is amended by revising Code Section 53-12-80, relating to spendthrift provisions, as follows:

"53-12-80.

Except as otherwise provided for in Article 5A of this chapter:

~~(a)~~(1) A spendthrift provision shall only be valid if it prohibits both voluntary and involuntary transfers;:

~~(b)~~(2) A term of a trust providing that the interest of a beneficiary is held subject to a spendthrift trust, or words of similar import, shall be sufficient to restrain both voluntary and involuntary transfer of ~~the~~ such beneficiary's interest in the manner set forth in this article;:

~~(c)~~(3) A beneficiary shall not transfer an interest in a trust in violation of a valid spendthrift provision, and, except as otherwise provided in this Code section, a creditor or assignee of ~~the~~ such beneficiary shall not reach the interest or a distribution by the trustee before its receipt by ~~the~~ such beneficiary;:

~~(d)~~(4) A spendthrift provision shall not be valid as to the following claims against a beneficiary's right to a current distribution to the extent ~~the~~ such distribution would be subject to garnishment under Article 1 of Chapter 4 of Title 18 if ~~the~~ such distribution were disposable earnings:

~~(1)~~(A) Alimony or child support;

~~(2)~~(B) Taxes or other governmental claims;

~~(3)~~(C) Tort judgments;

~~(4)~~(D) Judgments or orders for restitution as a result of a criminal conviction of the beneficiary; or

~~(5)~~(E) Judgments for necessities.

The ability of a creditor or assignee to reach a beneficiary's interest under this ~~subsection~~ paragraph shall not apply to the extent that it would disqualify the trust as a special needs trust established pursuant to 42 U.S.C. Sections 1396p(d)(4)(A) or 1396p(d)(4)(C);

~~(e)~~(5) A provision in a trust instrument that a beneficiary's interest shall terminate or become discretionary upon an attempt by ~~the~~ such beneficiary to transfer it, an attempt by ~~the~~ such beneficiary's creditors to reach it, or upon the bankruptcy or receivership of ~~the~~ such beneficiary shall be valid except to the extent of the proportion of trust property attributable to such beneficiary's contribution;

~~(f)~~(6) If a beneficiary is also a contributor to the trust, a spendthrift provision shall not be valid as to such beneficiary to the extent of the proportion of trust property attributable to such beneficiary's contribution. This ~~subsection~~ paragraph shall not apply to a special needs trust established pursuant to 42 U.S.C. Sections 1396p(d)(4)(A) or 1396p(d)(4)(C); and

~~(g)~~(7) Notwithstanding any other provision in this Code section, a spendthrift provision in a pension or retirement arrangement described in sections 401, 403, 404, 408, 408A, 409, 414, or 457 of the federal Internal Revenue Code of 1986 shall be valid with reference to the entire interest of the beneficiary in the income, principal, or both, even if ~~the~~ such beneficiary is also a contributor of trust property, except where a claim is made pursuant to a qualified domestic relations order as defined in 26 U.S.C. Section 414(p)."

SECTION 2.

Said chapter is further amended by revising Code Section 53-12-82, relating to creditors' claims against a settlor, as follows:

"53-12-82.

Whether or not the trust instrument contains a spendthrift provision, the following rules shall apply:

(1) During the lifetime of the settlor, the property of a revocable trust shall be subject to claims of ~~the~~ such settlor's creditors;

(2) With respect to an irrevocable trust, creditors or assignees of the settlor may reach the maximum amount that can be distributed to or for ~~the~~ such settlor's benefit during ~~the~~ such settlor's life or that could have been distributed to or for ~~the~~ such settlor's benefit immediately prior to ~~the~~ such settlor's death. If a trust has more than one settlor, the amount the creditors or assignees of a particular settlor may reach shall not exceed ~~the~~ such settlor's interest in the portion of the trust attributable to ~~that~~ such settlor's contribution; and

(3) After the death of a settlor, and subject to ~~the~~ such settlor's right to direct the source from which liabilities shall be paid, the property of a trust that was revocable at ~~the~~ such settlor's death or had become irrevocable as a result of ~~the~~ such settlor's

incapacity shall be subject to claims of ~~the~~ such settlor's creditors to the extent the probate estate is inadequate. Payments that would not be subject to the claims of ~~the~~ such settlor's creditors if made by way of beneficiary designation to persons other than ~~the~~ such settlor's estate shall not be made subject to such claims by virtue of this Code section unless otherwise provided in the trust instrument."

SECTION 3.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 5A

53-12-90.

As used in this article, the term:

(1) 'Independent qualified trustee' means a qualified trustee who is not, and whose actions are not, subject to direction by:

(A) The settlor;

(B) Any natural person who is not a resident of Georgia;

(C) Any entity that is not authorized to engage in trust business within Georgia;

(D) The spouse of the settlor;

(E) A parent of the settlor;

(F) Any lineal descendants of the settlor, including adopted children and stepchildren;

(G) A sibling of the settlor;

(H) An employer of the settlor;

(I) A business entity in which the holdings of the settlor represent at least 30 percent of the total voting power of all interests entitled to vote;

(J) A subordinate employee of the settlor; or

(K) An employee of a business entity in which the settlor is an executive.

(2) 'Qualified interest' means the interest of a settlor of a qualified self-settled spendthrift trust to the extent that such interest entitles such settlor to receive distributions of income or principal or both in the sole discretion of one or more independent qualified trustees.

(3) 'Qualified self-settled spendthrift trust' means a trust that:

(A) Is created or declared in writing;

(B) Is signed by the settlor or an agent for such settlor acting under a power of attorney containing express authorization;

(C) Is irrevocable;

(D) Was created during the lifetime of a settlor;

(E) Has, at all times when distributions could be made to the settlor pursuant to the qualified interest, at least one beneficiary other than such settlor to whom:

(i) Income may be distributed, if the qualified interest relates to trust income;

(ii) Principal may be distributed, if the qualified interest relates to trust principal;

or

(iii) Both income and principal may be distributed, if the qualified interest relates to both trust income and principal;

(F) Has, at all times, at least one independent qualified trustee;

(G) Can grant the settlor powers under the terms of the trust to direct trust investments and execute other management powers, not including the ordering or withholding of trust distributions;

(H) Is created with a trust instrument which expressly incorporates the law of this state in governing the validity, construction, and administration of the trust; and

(I) Is created with a trust instrument that includes a spendthrift provision that restrains both voluntary and involuntary transfer of the qualified interest.

(4) 'Qualified trustee' means any person who is a natural person residing within this state or a legal entity authorized to engage in trust business within this state and who maintains or arranges for custody within this state some or all of the property that has been transferred to the trust by the settlor, maintains records within this state for the trust on an exclusive or nonexclusive basis, prepares or arranges for the preparation within this state of fiduciary income tax returns for the trust, or otherwise materially participates within this state in the administration of the trust.

53-12-91.

A settlor may transfer assets to a qualified self-settled spendthrift trust and retain in such trust a qualified interest, and, except as otherwise provided in this article, Code Sections 53-12-80 and 53-12-82 shall not apply to such qualified interest.

53-12-92.

A vacancy in the position of an independent qualified trustee that occurs for any reason, whether or not there is another trustee then serving, shall be filled by a person eligible to serve as an independent qualified trustee and in the following order of priority:

- (1) One designated pursuant to the terms of the trust to act as successor trustee;
- (2) One appointed by the settlor of the trust;
- (3) One appointed by the qualified beneficiaries by unanimous consent; and
- (4) One appointed by the court pursuant to Code Section 53-12-62.

53-12-93.

For the purpose of Code Sections 53-12-90, 53-12-91, and 53-12-92, no trust shall be considered revocable merely because the trust instrument includes one or more of the following rights, powers, or interests:

- (1) A power of appointment, exercisable by the settlor through a will or other written instrument effective only upon the death of such settlor;
- (2) The qualified interest in the trust;
- (3) The right of a settlor to receive income or principal pursuant to an ascertainable standard;
- (4) The right of a settlor, at any time, and from time to time, to release, in writing delivered to the independent qualified trustee, all or any part of the retained interest of

such settlor in such trust;

(5) Annual receipt by the settlor of a percentage, not to exceed 5 percent and specified in the trust instrument, of the initial value of the trust assets or the value of such assets determined from time to time pursuant to such trust instrument;

(6) The right of the settlor to remove an independent qualified trustee and appoint a new independent qualified trustee;

(7) The potential or actual use of real property by a settlor when such real property is held under a personal residence trust;

(8)(A) As used in this paragraph, the term 'qualified interest' shall have the same meaning as defined by 26 U.S.C. Section 2702.

(B) The potential or actual receipt of use by a settlor of a qualified interest;

(9) The ability of a qualified trustee, whether pursuant to discretion or direction, to pay, upon the death of a settlor, all or any part of debts owed by such settlor at the time of such settlor's death, the expenses of administering the estate of such settlor, or any estate inheritance tax imposed on or with respect to the estate of such settlor; and

(10) The potential or actual receipt of income or principal by a settlor to pay, in whole or in part, income taxes due on trust income, or the direct payment of such taxes to the applicable tax authorities, pursuant to a provision in the trust instrument that expressly provides for the direct payment of such taxes or reimbursement of such settlor for such tax payments.

53-12-94.

(a) A spendthrift provision contained in a qualified self-settled spendthrift trust shall not be valid as to the following claims against a settlor's or other beneficiary's right to a current distribution to the extent the distribution would be subject to garnishment under Chapter 4 of Title 18 if the distribution were disposable earnings:

(1) Alimony or child support;

(2) Taxes or other governmental claims;

(3) Tort judgments;

(4) Judgments or orders for restitution as a result of a criminal conviction of the beneficiary; or

(5) Judgments for necessities.

(b) Except as otherwise provided in Code Section 53-12-95, a spendthrift provision contained in a qualified self-settled spendthrift trust shall be valid as to all other claims against a settlor's or other beneficiary's right to a current distribution.

53-12-95.

(a) As used in this Code section, the term 'financial institution' shall have the same meaning as set forth in Code Section 7-1-911.

(b) A creditor with a claim against the settlor of a qualified self-settled spendthrift trust may bring a cause of action or claim for relief with respect to a transfer of assets to a qualified self-settled spendthrift trust under Article 4 of Chapter 2 of Title 18, the 'Uniform Voidable Transactions Act.'

(c) A financial institution and its successors or assigns may bring a cause of action or claim for relief against a trustee, settlor, qualified self-settled spendthrift trust, other beneficiary, or recipient with respect to assets currently within or at any time part of a qualified self-settled spendthrift trust that the settlor or other beneficiary has listed or disclosed at any time on the financial institution's application or any other financial disclosure provided to obtain, renew, extend, modify, or maintain credit, or in connection with credit, from the financial institution, including periodic reporting requirements, as being an asset of the settlor or beneficiary, regardless of whether a subsequent financial statement or disclosure thereafter provided that the applicable asset was subject to a qualified self-settled spendthrift trust. The financial institution and its successors or assigns shall not be precluded from recovering such assets transferred to such qualified self-settled spendthrift trust or the value of such assets."

SECTION 4.

Part 4 of Article 9 of Title 11 of the Official Code of Georgia Annotated, relating to rights of third parties to secured transactions, is amended by revising subsection (d) of Code Section 11-9-406, relating to discharge of account debtor, notification of assignment, identification and proof of assignment, and restrictions on assignment of accounts, chattel paper, payment intangibles, and promissory notes ineffective, as follows:

"(d) **Term restricting assignment generally ineffective.** Except as otherwise provided in subsection (e) of this Code section and Code Sections 11-2A-303, 11-9-407, ~~and~~ 53-12-80 through 53-12-83, and Article 5A of Chapter 12 of Title 53 and subject to subsection (h) of this Code section, a term in an agreement between an account debtor and an assignor or in a promissory note shall be ineffective to the extent that it:

- (1) Prohibits, restricts, or requires the consent of the account debtor or person obligated on the promissory note to the assignment or transfer of, or the creation, attachment, perfection, or enforcement of a security interest in, the account, chattel paper, payment intangible, or promissory note; or
- (2) Provides that the assignment, transfer, creation, attachment, perfection, or enforcement of the security interest may give rise to a default, breach, right of recoupment, claim, defense, termination, right of termination, or remedy under the account, chattel paper, payment intangible, or promissory note."

SECTION 5.

Said part is further amended by revising subsections (a) and (c) of Code Section 11-9-408, relating to restrictions on assignment of promissory notes, health care insurance receivables, and certain general intangibles, as follows:

"(a) **Term restricting assignment generally ineffective.** Except as otherwise provided in subsection (b) of this Code section, ~~or~~ in Code Section 53-12-80, and in Article 5A of Chapter 12 of Title 53, a term in a promissory note or in an agreement between an account debtor and a debtor which relates to a health care insurance

receivable or a general intangible, including a contract, permit, license, or franchise, and which term prohibits, restricts, or requires the consent of the person obligated on the promissory note or the account debtor to the assignment or transfer of, or creation, attachment, or perfection of a security interest in, the promissory note, health care insurance receivable, or general intangible, shall be ineffective to the extent that the term:

- (1) Would impair the creation, attachment, or perfection of a security interest; or
- (2) Provides that the assignment, transfer, creation, attachment, or perfection of the security interest may give rise to a default, breach, right of recoupment, claim, defense, termination, right of termination, or remedy under the promissory note, health care insurance receivable, or general intangible."

"(c) **Legal restrictions on assignment generally ineffective.** Except as otherwise provided in Code Section 53-12-80 and in Article 5A of Chapter 12 of Title 53, a rule of law, statute, or regulation that prohibits, restricts, or requires the consent of a government, governmental body or official, person obligated on a promissory note, or account debtor to the assignment or transfer of, or creation of a security interest in, a promissory note, health care insurance receivable, or general intangible, including a contract, permit, license, or franchise between an account debtor and a debtor, shall be ineffective to the extent that the rule of law, statute, or regulation:

- (1) Would impair the creation, attachment, or perfection of a security interest; or
- (2) Provides that the assignment, transfer, creation, attachment, or perfection of the security interest may give rise to a default, breach, right of recoupment, claim, defense, termination, right of termination, or remedy under the promissory note, health care insurance receivable, or general intangible."

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

Senators Jordan of the 6th and Henson of the 41st offered the following amendment #1:

Amend CS to HB 441, LC 29 7977ERS

by at Line 181 strike through "or"

at Line 182 strike "." at end of line and add "or"

at Line 183 add " (6) contract judgments."

at Line 192 insert after "Act.": "A transfer of assets to a qualified self-settled spendthrift trust may be considered a transfer to an insider under Article 4 of Chapter 2 of Title 18."

On the adoption of the amendment, there were no objections, and the Jordan, Henson amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	Y Rhett
N Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 41, nays 11.

HB 441, having received the requisite constitutional majority, was passed by substitute.

HB 592. By Representatives Lumsden of the 12th, Smith of the 134th, Maxwell of the 17th, Shaw of the 176th and Efstoration of the 104th:

A BILL to be entitled an Act to amend Code Section 33-2-34 of the Official Code of Georgia Annotated, relating to insurance compliance self-evaluative privilege, so as to repeal the applicability and sunset provisions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Thompson of the 14th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 592, having received the requisite constitutional majority, was passed.

HB 670. By Representatives Powell of the 32nd, Ballinger of the 23rd and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 4B of Title 49 of the Official Code of Georgia Annotated, relating to the Interstate Compact for Juveniles, so as to revise the number of legislative branch representatives on the Georgia State Council for Interstate Juvenile Supervision; to revise the appointing authorities for legislative representatives on such council; to provide for contingent effective dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Stone of the 23rd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 1.

HB 670, having received the requisite constitutional majority, was passed.

HB 816. By Representatives Gravley of the 67th, Coomer of the 14th, Willard of the 51st, Ballinger of the 23rd and Beskin of the 54th:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administrative organization of the Department of Revenue, so as to provide for mandatory fingerprinting and criminal record checks for certain individuals; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Hufstetler of the 52nd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 816, having received the requisite constitutional majority, was passed.

HB 885. By Representatives McCall of the 33rd, Knight of the 130th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Article 1 of Chapter 9 of Title 12 of the Official Code of Georgia Annotated, "The Georgia Air Quality Act," so as to revise certain provisions relating to limitations on the effect of said Act on powers of the Board of Natural Resources, Department of Natural Resources, Environmental Protection Division of said department, and director of said division; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Ginn of the 47th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer

Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

HB 885, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR

240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

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

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Josh McKoon to serve as Ex-Officio for the Senate Transportation Committee meeting on March 12, 2018. This appointment shall expire upon adjournment of the committee meeting.

Sincerely,

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

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Wednesday, March 14, 2018.

The motion prevailed, and the President announced the Senate adjourned at 12:03 p.m.

Senate Chamber, Atlanta, Georgia
Wednesday, March 14, 2018
Thirty-fourth Legislative Day

The Senate met pursuant to adjournment at 10:14 a.m. today and was called to order by Senator Butch Miller, President Pro Tempore.

Senator Gooch of the 51st reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the Senate:

SB 17. By Senators Unterman of the 45th, Miller of the 49th, Ginn of the 47th, Mullis of the 53rd, Beach of the 21st and others:

A BILL to be entitled an Act to amend Title 3 of the Official Code of Georgia Annotated, relating to alcoholic beverages, so as to provide that governing authorities of counties and municipalities in which the sale of alcoholic beverages for consumption on the premises is lawful may authorize sales of such alcoholic beverages during a certain time on Sundays; to change the time on Sunday during which farm wineries may sell certain wine for consumption on the premises; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 356. By Senators Kirkpatrick of the 32nd, Jackson of the 2nd, Unterman of the 45th, Jordan of the 6th, Beach of the 21st and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 12 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Commission on the Holocaust, so as to change the membership of the commission; to provide for the design and placement of a memorial to the Holocaust; to provide for funding; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 371. By Senators Anderson of the 24th, Stone of the 23rd, Mullis of the 53rd, Hufstetler of the 52nd, Millar of the 40th and others:

A BILL to be entitled an Act to amend Code Section 48-2-15 of the Official Code of Georgia Annotated, relating to confidential information secured in the administration of taxes, so as to change the provisions regarding the furnishing of sales and use tax information to municipalities and counties; to provide for additional procedures, conditions, and limitations; to provide for confidentiality; to provide for a criminal penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SR 1016. By Senator Thompson of the 5th:

A RESOLUTION urging the members of the Georgia Congressional delegation to cosponsor and press for passage of the Prevent All Soring Tactics (PAST) Act and to encourage the United States Department of Agriculture to finalize its proposed Horse Protection Act rule in the form it was announced by the Department and displayed in the Federal Register in January, 2017; and for other purposes.

Referred to the Committee on Agriculture and Consumer Affairs.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Banking and Financial Institutions has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 780 Do Pass by substitute
HB 866 Do Pass

Respectfully submitted,
Senator Ligon, Jr. of the 3rd District, Chairman

Mr. President:

The Committee on Economic Development and Tourism has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 489	Do Pass by substitute	HB 899	Do Pass
HB 995	Do Pass by substitute	SR 953	Do Pass

Respectfully submitted,
 Senator Brass of the 28th District, Vice-Chairman

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 494	Do Pass by substitute	HB 655	Do Pass by substitute
HB 740	Do Pass by substitute	HB 743	Do Pass
HB 852	Do Pass		

Respectfully submitted,
 Senator Tippins of the 37th District, Chairman

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 697	Do Pass	HB 723	Do Pass
HB 793	Do Pass	HB 820	Do Pass by substitute
HB 929	Do Pass		

Respectfully submitted,
 Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 701	Do Pass
HB 927	Do Pass by substitute
HB 972	Do Pass by substitute

Respectfully submitted,
 Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Higher Education has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 977 Do Pass

Respectfully submitted,
Senator Millar of the 40th District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 800 Do Pass
HB 818 Do Pass

Respectfully submitted,
Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 121 Do Pass
HB 381 Do Pass by substitute
HB 732 Do Pass

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Natural Resources and the Environment has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 785 Do Pass by substitute
HB 792 Do Pass by substitute
HB 879 Do Pass

Respectfully submitted,
Senator Harper of the 7th District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 487	Do Pass	HB 703	Do Pass by substitute
HB 714	Do Pass	HB 761	Do Pass
HB 856	Do Pass	HB 898	Do Pass by substitute

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on Retirement has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 588 Do Pass

Respectfully submitted,
Senator Black of the 8th District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 995 Do Pass

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 442	Do Pass	HB 600	Do Pass
HB 838	Do Pass	HB 845	Do Pass
HB 900	Do Pass	HB 911	Do Pass
HB 933	Do Pass	HB 991	Do Pass
HB 1017	Do Pass	SB 481	Do Pass
SB 487	Do Pass		

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Mr. President:

The Committee on State Institutions and Property has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HR 1103 Do Pass by substitute

Respectfully submitted,
Senator Harbison of the 15th District, Chairman

Mr. President:

The Committee on Transportation has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 930 Do Pass by substitute
HR 444 Do Pass by substitute

Respectfully submitted,
Senator Beach of the 21st District, Chairman

The following legislation was read the second time:

SR 967

Senator Heath of the 31st asked unanimous consent that Senator Dugan of the 30th be excused. The consent was granted, and Senator Dugan was excused.

Senator Seay of the 34th asked unanimous consent that Senator Henson of the 41st be excused. The consent was granted, and Senator Henson was excused.

Senator Albers of the 56th asked unanimous consent that the call of the roll be dispensed with. The consent was granted, and the roll call was dispensed with.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Brass of the 28th introduced the chaplain of the day, Reverend Ralph Caldwell of Bowdon, Georgia, who offered scripture reading and prayer.

The following resolution was read and adopted:

SR 1017. By Senators Jackson of the 2nd, Henson of the 41st, Kirkpatrick of the 32nd and Sims of the 12th:

A RESOLUTION recognizing and commending Ambassador Judith Varnai Shorer; and for other purposes.

Senator Jackson of the 2nd recognized Ambassador Judith Varnai Shorer who addressed the Senate briefly.

Senators Albers of the 56th and Harper of the 7th recognized March 14, 2018, as Law Enforcement Appreciation Day at the capitol and honored law enforcement officers in Georgia, commended by SR 808, adopted previously. Department of Juvenile Justice Commissioner Avery D. Niles addressed the Senate briefly.

Senator Wilkinson of the 50th introduced the doctor of the day, Dr. Stephen Jarrard.

The following resolutions were read and adopted:

SR 1013. By Senator Wilkinson of the 50th:

A RESOLUTION recognizing and commending the Georgia Cattlemen's Association for uniting and advancing Georgia's cattle industry; and for other purposes.

SR 1014. By Senator Wilkinson of the 50th:

A RESOLUTION recognizing and commending Sam Fullerton for his successful career and outstanding leadership; and for other purposes.

SR 1015. By Senator Lucas of the 26th:

A RESOLUTION recognizing and commending the James family; and for other purposes.

SR 1018. By Senators James of the 35th, Williams of the 39th, Anderson of the 43rd and Jones II of the 22nd:

A RESOLUTION recognizing and commending Elana Meyers Taylor on her many athletic achievements; and for other purposes.

The following Senators were excused for business outside the Senate Chamber:

Martin of the 9th Mullis of the 53rd Tippins of the 37th

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Wednesday March 14, 2018
Thirty-fourth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 481 Jones of the 25th
PUTNAM COUNTY

A BILL to be entitled an Act to amend an Act changing the method of electing members of the Board of Education of Putnam County, approved March 27, 1972 (Ga. L. 1972, p. 2679), as amended, particularly by an Act approved March 25, 1986 (Ga. L. 1986, p. 4525), so as to provide for the compensation of such members; to provide for the reimbursement of expenses; to repeal conflicting laws; and for other purposes.

SB 487 Jones of the 10th
Butler of the 55th
Anderson of the 43rd
Henson of the 41st
Millar of the 40th
Parent of the 42nd
DEKALB COUNTY

A BILL to be entitled an Act to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County and creating a chairman and board of commissioners of said county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act approved May 12, 2015 (Ga. L. 2015, p. 3826), so as to provide for the filling of a vacancy on the audit oversight committee; to repeal conflicting laws; and for other purposes.

HB 442

Seay of the 34th
Davenport of the 44th
CLAYTON COUNTY

A BILL to be entitled an Act to amend an Act creating the State Court of Clayton County, approved January 28, 1964 (Ga. L. 1964, p. 2032), as amended, particularly by an Act approved May 5, 2006 (Ga. L. 2006, p. 4654), so as to provide for the salaries of the judges of the state court; to provide for a county supplement; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 600

Jones of the 10th
Parent of the 42nd
Butler of the 55th
Anderson of the 43rd
Millar of the 40th
Davenport of the 44th
CITY OF STONECREST

A BILL to be entitled an Act to amend an Act to incorporate the City of Stonecrest in DeKalb County, approved April 21, 2016 (Ga. L. 2016, p. 3538), so as to revise the city's voting districts; to provide a term limit for the mayor; to modify provisions related to a quorum of and voting by the governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 838

Harbin of the 16th
PEACHTREE CITY

A BILL to be entitled an Act to amend an Act creating the Peachtree City Water and Sewerage Authority, approved March 31, 1987 (Ga. L. 1987, p. 5085), as amended, particularly by an Act approved April 1, 1996 (Ga. L. 1996, p. 3828), so as to revise the membership of the authority; to provide for a quorum; to provide for the officers

of the authority; to provide for certain rights and privileges of members of the authority; to provide for the approval of certain agreements; to provide for certain exemptions and the applicability of certain laws; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 845

Wilkinson of the 50th
CITY OF YOUNG HARRIS

A BILL to be entitled an Act to provide a new charter for the City of Young Harris; to provide for incorporation, boundaries, and property of the city; to provide for other matters relative to the foregoing; to provide for severability; to provide a specific repealer; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 900

Harbin of the 16th
LAMAR COUNTY

A BILL to be entitled an Act to amend an Act providing for the election of members of the Board of Education of Lamar County, approved March 31, 1971 (Ga. L. 1971, p. 2710), as amended, particularly by an Act approved April 13, 2001 (Ga. L. 2001, p. 4000), so as to revise the rate and form of compensation of the members and chairperson of the Board of Education of Lamar County; to provide for a reduction in compensation for meetings or work sessions not attended; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 911

Harbin of the 16th
CITY OF GRIFFIN

A BILL to be entitled an Act to amend an Act to provide a new charter for the City of Griffin, approved May 17, 2004 (Ga. L. 2004, p. 4232), as amended, so as to provide for a mayor and a mayor pro tem; to provide for the duties and powers of the mayor and mayor pro tem; to provide for the election and qualifications of the mayor and how to fill vacancies in the office of mayor; to provide for quorums; to provide for procedures; to provide for related matters; to provide for a referendum and contingent effective dates; to repeal conflicting laws; and for other purposes.

HB 933

Wilkinson of the 50th
CITY OF DILLARD

A BILL to be entitled an Act to amend an Act to reincorporate the City of Dillard in the County of Rabun, approved March 21, 1974 (Ga. L. 1974, p. 2451), as amended, so as to eliminate one council post in the city; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 991

Jones of the 25th
PUTNAM COUNTY

A BILL to be entitled an Act to amend an Act changing the method of electing the members of the Board of Education of Putnam County, approved March 27, 1972 (Ga. L. 1972, p. 2678), as amended, particularly by an Act approved March 27, 1995 (Ga. L. 1995, p. 3722), so as to change the compensation of such members; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1017

Jones of the 25th
CITY OF GREENSBORO

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Greensboro, approved March 16, 1978 (Ga. L. 1978, p. 3932), as amended, so as to change the corporate limits; to provide for related matters; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C

E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	E Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 48, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

Senator Cowser of the 46th moved to engross HB 888, which was on today's Senate Rules Calendar.

Senator Jackson of the 2nd objected.

On the motion, Senator Jackson of the 2nd, called for the yeas and nays; the call was sustained, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowser	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	E Mullis	Y Williams, M
E Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 34, nays 17; the motion prevailed, and HB 888 was engrossed.

Senator Harper of the 7th was excused for business outside the Senate Chamber.

SENATE RULES CALENDAR
WEDNESDAY, MARCH 14, 2018
THIRTY-FOURTH LEGISLATIVE DAY

- HB 513 Domestic relations; signs to be posted at certain medical facilities where a newborn child may be left; provide (Substitute)(H&HS-17th) Dickerson-113th
- HB 695 Special license plates; Georgia Forestry Foundation; establish (NR&E-18th) Epps-144th
- HB 784 Specialty license plates; promote conservation of waterfowl populations and their habitats; establish (NR&E-28th) Dubnik-29th
- HB 830 Controlled substances; Schedule I and II; change certain provisions (JUDY-13th) Harden-148th
- HB 888 Ad valorem tax; certain reporting requirements; change (Substitute) (FIN-28th) Knight-130th
- HB 909 Health; designation of perinatal facilities; provisions (H&HS-52nd) Silcox-52nd

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

- HB 513. By Representatives Dickerson of the 113th, Abrams of the 89th, Gardner of the 57th and Hugley of the 136th:

A BILL to be entitled an Act to amend Chapter 10A of Title 19 of the Official Code of Georgia Annotated, relating to safe place for newborns, so as to provide for signs to be posted at certain medical facilities to indicate locations where a newborn child may be left such that the mother can avoid criminal prosecution; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Strickland of the 17th.

The Senate Committee on Health and Human Services offered the following substitute to HB 513:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 10A of Title 19 of the Official Code of Georgia Annotated, relating to safe place for newborns, so as to provide for signs to be posted at certain medical facilities, fire stations, or police stations to indicate locations where a newborn child may be left such that the mother can avoid criminal prosecution; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 10A of Title 19 of the Official Code of Georgia Annotated, relating to safe place for newborns, is amended by adding a new Code section to read as follows:

"19-10A-8.

The Department of Human Services shall develop standards for a sign that shall be posted at any medical facility, fire station, or police station to inform the general public that such facility is an authorized location to leave a newborn child as provided in this chapter. The Department of Human Services shall provide by rule and regulation for the size and type of such sign and where such sign should be located within or outside of such facility."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland

Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Miller (PRS)	Y Wilkinson
Y Heath	E Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 0.

HB 513, having received the requisite constitutional majority, was passed by substitute.

The following communications were received by the Secretary:

March 14, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 513. Had I been present, I would have voted “yes”.

/s/ Tonya Anderson
District 43

3/14/2018

Due to business outside the Senate Chamber, I missed the vote on HB 513. Had I been present, I would have voted “yes”.

/s/ Gail Davenport
District 44

HB 695. By Representatives Epps of the 144th, England of the 116th, Nimmer of the 178th, McCall of the 33rd, Dickey of the 140th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate honoring Georgia's working forests and the Georgia Forestry Foundation; to provide for related

matters; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kennedy of the 18th.

Senators Harper of the 7th and Kennedy of the 18th offered the following amendment #1:

Amend LC 39 1713 HB 695 by:

Adding after line 19 the following: "Section 3."

"This Act shall become effective on July 1, 2019."

Then renumber accordingly

On the adoption of the amendment, there were no objections, and the Harper, Kennedy amendment #1 was adopted.

Senators Jackson of the 2nd and Sims of the 12th offered the following amendment #2:

Amend HB 695 (LC 39 1713) by inserting "to establish a special license plate supporting the Sickle Cell Foundation of Georgia, Inc.;" after "Foundation;" on line 4, by replacing "a new paragraph" with "two new paragraphs" on line 11, by deleting the quotation mark at the end of line 15, and by inserting between lines 15 and 16 the following:

(15) A special license plate supporting the Sickle Cell Foundation of Georgia, Inc. The funds raised by the sale of this special license plate shall be disbursed to the Sickle Cell Foundation of Georgia, Inc."

On the adoption of the amendment, there were no objections, and the Jackson, Sims amendment #2 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate

Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Miller (PRS)	Y Wilkinson
Y Heath	E Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 695, having received the requisite constitutional majority, was passed as amended.

The following bill was taken up to consider the Conference Committee Report thereto:

SB 3. By Senators Tippins of the 37th, Wilkinson of the 50th, Brass of the 28th, Cowsert of the 46th, Anderson of the 24th and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to enact the "Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act"; to provide for industry credentialing for students who complete certain focused programs of study; to provide for industry credentialing in individual graduation plans; to provide for the identification of certain critical and emerging occupations; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Conference Committee Report was as follows:

The Committee of Conference on SB 3 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to SB 3 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Senator Tippins of the 37th
 /s/ Senator Wilkinson of the 50th
 /s/ Senator Millar of the 40th

FOR THE HOUSE
 OF REPRESENTATIVES:

/s/ Representative Nimmer of the 178th
 /s/ Representative Coomer of the 14th
 /s/ Representative Hatchett of the 150th

COMMITTEES OF CONFERENCE SUBSTITUTE TO SB 3

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, so as to enact the "Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act"; to provide for industry credentialing for students who complete certain focused programs of study; to provide for industry credentialing in individual graduation plans; to provide for the identification of certain critical and emerging occupations; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Creating Opportunities Needed Now to Expand Credentialed Training (CONNECT) Act."

SECTION 2.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by revising Code Section 20-2-145.1, relating to career education, as follows:

"20-2-145.1.

The State Board of Education shall prescribe a minimum course of study in career education for students in grades ~~kindergarten~~ six through 12. Such minimum course of study shall be age appropriate and shall include, but not be limited to, ~~career awareness,~~ career exploration; and career oriented learning experiences. Career oriented learning experiences shall include, but not be limited to, participation in work based learning programs such as internships, apprenticeships, cooperative education, or employability skill development. The State Board of Education shall ensure that career oriented learning experiences include rigorous industry credentialing, as defined in Code Section 20-2-326, if such rigorous industry credentialing has been created or endorsed by Georgia employers."

SECTION 3.

Said chapter is further amended by revising Code Section 20-2-159.1, relating to focused programs of study, as follows:

"20-2-159.1.

(a) The ~~No later than July 1, 2013,~~ the Department of Education shall develop, and the State Board of Education shall approve, state models and industry required content standards, after consultation with industries in Georgia and in collaboration with the Technical College System of Georgia and the University System of Georgia to ensure

alignment with postsecondary opportunities, for the following focused programs of study, as defined in Code Section 20-2-326, including, but not limited to:

- (1) Agriculture, food, and natural resources;
- (2) Architecture and construction;
- (3) Arts, audio-video technology, and communications;
- (4) Business, management, and administration;
- (5) Education and training;
- (6) Finance;
- (7) Health science;
- (8) Hospitality and tourism;
- (9) Human services;
- (10) Information technology;
- (11) Law, public safety, and security;
- (12) Manufacturing;
- (13) Government and public administration;
- (14) Marketing, sales, and service;
- (15) Science, technology, engineering, and mathematics; ~~and~~
- (16) Transportation, distribution, and logistics; and
- (17) Energy.

Such focused programs of study may be combined around these and other related clusters.

(b) The focused programs of study established pursuant to this Code section may include or be revised to include industry certifications or industry credentialing, as defined in Code Section 20-2-326, pertinent to any such focused program of study. After consultation with employers and industries in Georgia, the Department of Education and the Technical College System of Georgia shall jointly establish a list of industry credentials that are required by Georgia employers. Such list shall be made available on the Department of Education and the Technical College System of Georgia websites. Such list shall be annually reviewed and updated as appropriate and made available prior to the beginning of the annual competitive grant application process provided for in subsection (j) of Code Section 20-2-260."

SECTION 4.

Said chapter is further amended by revising subsection (c) of Code Section 20-2-159.4, relating to policies and guidelines for awarding units of high school credit based on demonstrated proficiency, as follows:

"(c) The state board shall identify assessments, including various commercial assessments, for immediate use for students to demonstrate subject area competency, which may include, but not be limited to:

- (1) Advanced placement exams;
- (2) ACT course assessment;
- (3) Industry-specific certificates and ~~credentials~~ industry credentialing, as defined in Code Section 20-2-326, for career, technical, and agricultural education courses;

- (4) College Level Examination Program (CLEP) exams; and
- (5) Nationally recognized foreign language performance assessments.

The state board shall establish a process for reviewing and approving performance based assessments developed commercially, by the state, or by a local school system. Initially, the state board shall limit the number of credits earned through such educational options to three credits per student until the practice is proven to yield student outcomes at least equivalent to those found in standard seat-time courses. The policy shall ensure that credit for demonstrated proficiency is reported on student transcripts in the same way that seat-time credit is recorded. The state board shall review such policy after three years to determine if student outcomes from these educational options are equivalent to, if not better than, student outcomes in traditional courses."

SECTION 5.

Said chapter is further amended by revising subsection (b) of Code Section 20-2-161.2, relating to work based learning programs, as follows:

"(b) Any student aged ~~16~~ 15 or over in any public school in this state may enroll in a work based learning program which is offered at that public school and which is approved for secondary credit by the department. Such student shall be granted release time from the public school to work as a student learner for any business or governmental enterprise which is approved by the local work based learning coordinator as a qualified employer pursuant to this Code section and work based learning program guidelines established by the department. A student shall receive secondary credit for such work based learning only under the conditions established by the department. The department is authorized to establish work based learning programs and guidelines to assist local school systems in operating such programs and to promulgate such policies, standards, procedures, criteria, and administrative requirements as may be necessary to implement the program by rules and regulations. The work based learning programs established pursuant to this Code section may include, but not be limited to, employability skill development, ~~service learning~~, cooperative education, internships, and youth apprenticeships. The department shall collaborate with the Department of Labor and the Technical College System of Georgia in developing such policies and procedures. The department's work based learning programs shall include but not be limited to the following:

- (1) A detailed training agreement and training plan between employer and student that identifies specific work tasks that will develop workplace competency;
- (2) A minimum of one unit of credit in a career pathway course related to the work based learning placement;
- (3) A minimum number of hours of on-the-job training as required in the department's guidelines for awarding secondary credit;
- (4) On-site evaluation of the student's performance;
- (5) Training remediation as necessary at the school site;
- (6) A broad range of skills but shall be focused on skills related to the student's career

pathway;

(7) Development of materials by the business, industry, and labor community in conjunction with the department to promote the awareness of work based learning opportunities for high school students and encourage recruitment; and

(8) Structural linkage between secondary and postsecondary components of the program leading to the awarding of a high school diploma and a postsecondary credential, which may include industry credentialing, as defined in Code Section 20-2-326, related to the student's career pathway."

SECTION 6.

Said chapter is further amended by revising paragraph (5) of and adding a new paragraph to subsection (b) and by revising paragraph (5) of subsection (c) and subsections (j) and (k) of Code Section 20-2-260, relating to capital outlay funds generally, as follows:

"(5) 'Educational facilities' shall include buildings, fixtures, and equipment necessary for the effective and efficient operation of the program of public education required by this article, which, without limiting the generality of the foregoing, shall include classrooms, libraries, rooms and space for physical education, space for fine arts, restrooms, specialized laboratories, cafeterias, media centers, building equipment, building fixtures, furnishings, career, technical, and agricultural education labs and facilities to support industry credentialing, related exterior facilities, landscaping and paving, and similar items which the State Board of Education may determine necessary. The following facilities are specifically excluded: swimming pools, tracks, stadiums, and other facilities or portions of facilities used primarily for athletic competition and the central and area administrative offices of local units of administration."

"(8.1) 'Industry credentialing' shall have the same meaning as in Code Section 20-2-326."

"(5) To develop a state-wide needs assessment for purposes of planning and developing policies, anticipating state-wide needs for educational facilities, and providing assistance to local school systems in developing educational facilities plans. The state-wide needs assessment shall be developed from, among other sources, vital statistics published by the Department of Public Health, census data published by the Bureau of the Census, local school system educational facilities and real property inventories, educational facilities surveys, full-time equivalent student projection research, and educational facilities construction plans; shall reflect circumstances where rapid population growth is caused by factors not reflected in full-time equivalent student projection research; and shall give priority to elementary school construction. In addition, the state board shall develop a consistent, systematic research approach to full-time equivalent student projections which will be used in the development of needs within each local unit. Projections shall not be confined to full-time equivalent resident students but shall be based on full-time equivalent student counts which include full-time equivalent nonresident students, whether or not such full-time equivalent nonresident students attend school pursuant to a contract between

local school systems and shall also account for properties owned by the Technical College System of Georgia for the purposes of a college and career academy. The full-time equivalent projection shall be calculated in accordance with subsection (m) of this Code section. The survey team will use such projections in determining the improvements needed for the five-year planning period. The state board shall also develop schedules for allowable square footage and cost per square foot and review these schedules annually. The cost estimate for each recommended improvement included in the plan shall be based on these schedules. Any increase in cost or square footage for a project beyond that allowed by state board schedules for such projects shall be the responsibility of the local school system and shall not count toward present or future required local participation. The schedules for allowable square footage and cost per square foot shall be specified in regulations by the State Board of Education;"

"(j) The State Board of Education shall establish an annual competitive grant program for renovation, modernization, replacement, or purchase of equipment for the enhancement of programs that are currently certified or in the process of achieving industry certification in educational facilities that align with industry credentials on the list developed pursuant to Code Section 20-2-159.1 or have been (1) linked to an occupation that addresses a critical local or state-wide workforce need, (2) linked to an occupation that is identified as part of the skilled trade industry, or (3) linked to an occupation that is identified in an emerging field or technology. The State Board of Education in awarding grants shall give priority to local programs that demonstrate local industry support and postsecondary partnerships that are linked to the verified industry need. ~~Reserved.~~

(k) The State Board of Education shall request separate appropriations for each of the following categories:

- (1) Regular entitlements pursuant to subsection (g) of this Code section;
- (2) Regular advance funding projects pursuant to paragraphs (1) through (4) of subsection (h) of this Code section;
- (3) Construction projects resulting from the consolidation of schools across local school system lines pursuant to paragraph (5) of subsection (h) of this Code section;
- (4) Construction projects resulting from merger of local school systems pursuant to subsection (a) of Code Section 20-2-291 or by agreement between two or more local school systems; and
- (5) Advance funding projects for consolidation or reorganization of schools pursuant to subsection (i) of this Code section; and
- (6) Equipment grants to enhance industry credentialing pursuant to subsection (j) of this Code section."

SECTION 7.

Said chapter is further amended by revising Code Section 20-2-326, relating to definitions relative to the "Building Resourceful Individuals to Develop Georgia's Economy Act," as follows:

"20-2-326.

For purposes of this part, the term:

(1) 'Articulation' means agreement between a high school and a postsecondary institution regarding the awarding of both secondary and postsecondary credit for a dual enrollment course.

(2) 'Choice technical high school' means a high school, other than the high school to which a student is assigned by virtue of his or her residence and attendance zone, which is designed to prepare a high school student for postsecondary education and for employment in a career field. A choice technical high school may be operated by a local school system or a technical school or college. A choice technical high school may also be operated as a charter school under a governance board composed of parents, employers, and representatives from the local board of education.

(3) 'Chronically low-performing high school' means a public high school in this state that has a graduation rate of less than 60 percent for three consecutive years, as determined in accordance with methodology established by the National Governors Association's Compact on High School Graduation Data, or that has received an unacceptable rating for three consecutive years, as defined by the Office of Student Achievement.

(4) 'College and career academy' means a specialized school established as a charter school or pursuant to a contract for a strategic waivers school system or charter system, which formalizes a partnership that demonstrates a collaboration between business, industry, and community stakeholders to advance work force development between one or more local boards of education, a private individual, a private organization, or a state or local public entity in cooperation with one or more postsecondary institutions.

(5) 'Focused program of study' means a rigorous academic core combined with a focus in mathematics and science; a focus in humanities, fine arts, and foreign language; or a coherent sequence of career pathway courses that is aligned with graduation requirements established by the State Board of Education and content standards established pursuant to Part 2 of this article that prepares a student for postsecondary education or immediate employment after high school graduation.

(6) 'Graduation plan' means a student specific plan developed in accordance with subsection (c) of Code Section 20-2-327 detailing the courses necessary for a high school student to graduate from high school and to successfully transition to postsecondary education and the work force.

(7) 'Industry certification' means a process of program evaluation that ensures that individual programs meet state, national, or international industry standards in the areas of curriculum, teacher qualification, lab specifications, equipment, and industry involvement.

(7.1) 'Industry credentialing' means a process through which students are assessed by an independent third-party certifying entity using predetermined standards for knowledge, skills, and competencies, resulting in the award of individual certification or state licensure or an occupational competency that is state, nationally, or

internationally recognized.

(8) 'Public college or university' means a two-year or four-year college, university, or other institution under the auspices of the Board of Regents of the University System of Georgia.

(9) 'Small learning community' means an autonomous or semiautonomous small learning environment within a large high school which is made up of a subset of students and teachers for a two-year, three-year, or four-year period. The goal of a small learning community is to achieve greater personalization of learning with each community led by a principal or instructional leader. A small learning community blends academic studies around a broad career or academic theme where teachers have common planning time to connect teacher assignments and assessments to college and career readiness standards. Students voluntarily apply for enrollment in a small learning community but must be accepted, and such enrollment must be approved by the student's parent or guardian. A small learning community also includes a college and career academy organized around a specific career theme which integrates academic and career instruction, provides work based learning opportunities, and prepares students for postsecondary education and employment, with support through partnerships with local employers, community organizations, and postsecondary institutions.

(10) 'Teacher adviser system' means a system where an individual professional educator in the school assists a small group of students and their parents or guardians throughout the students' high school careers to set postsecondary goals and help them prepare programs of study, utilizing assessments and other data to track academic progress on a regular basis; communicates frequently with parents or guardians; and provides advisement, support, and encouragement as needed.

(11) 'Technical school or college' means a ~~school~~, college, institution, or other branch of the Technical College System of Georgia."

SECTION 8.

Said chapter is further amended by revising subsection (c) of Code Section 20-2-327, relating to recognition of advanced proficiency/honors courses and counseling and development of individual graduation plans, as follows:

"(c) Beginning with the 2010-2011 school year, students in the sixth, seventh, and eighth grades shall be provided counseling, advisement, career awareness, career interest and career demand inventories, and information to assist them in evaluating their academic skills and career interests. Before the end of the second semester of the eighth grade, students shall develop an individual graduation plan in consultation with their parents, guardians, or individuals appointed by the parents or guardians to serve as their designee. High school students shall be provided guidance, advisement, and counseling annually that will enable them to successfully complete their individual graduation plans, preparing them for a seamless transition to postsecondary study, further training, or employment, including information regarding occupations, degrees, industry credentials, certifications, and technical skills; work-ready skills in demand by

Georgia employers through the department's career pipeline website; and other career related inventories made available through the Technical College System of Georgia or the Office of Student Achievement. An individual graduation plan shall:

- (1) Include rigorous academic core subjects and focused ~~course-work~~ coursework in mathematics and science or in humanities, fine arts, and foreign language or sequenced career pathway ~~course-work~~ coursework;
- (2) Incorporate provisions of a student's Individualized Education Program (IEP), where applicable;
- (3) Align educational and broad career goals and a student's course of study;
- (4) Be based on the student's selected academic and career focus area as approved by the student's parent or guardian;
- (5) Include experience based, career oriented learning experiences which may include, but not be limited to, participation in work based learning programs such as internships, apprenticeships, cooperative education, ~~service-learning~~, and employability skill development;
- (6) Include any applicable industry credentialing that pertains to the student's focused program of study;
- ~~(6)~~(7) Include opportunities for postsecondary studies through articulation, dual enrollment, and joint enrollment;
- ~~(7)~~(8) Be flexible to allow change in the course of study but be sufficiently structured to meet graduation requirements and qualify the student for admission to postsecondary education; and
- ~~(8)~~(9) Be approved by the student and the student's parent or guardian with guidance from the student's school counselor or teacher adviser.

An individual graduation plan shall be reviewed annually, and revised, if appropriate, upon approval by the student and the student's parent or guardian with guidance from the student's school counselor or teacher adviser. An individual graduation plan may be changed at any time throughout a student's high school career upon approval by the student and the student's parent or guardian with guidance from the student's school counselor or teacher adviser."

SECTION 9.

Said chapter is further amended by adding a new Code section to read as follows:

"20-2-327.1.

(a) The State Board of Education, in collaboration with the Technical College System of Georgia, shall facilitate and encourage industry credentialing for career, technical, and agricultural education programs utilizing existing career pathways and individual graduation plans. Further, local school systems are authorized and encouraged to align competency based career education, along with enhanced work based learning experiences, as provided for in Code Section 20-2-161.2, to facilitate and make available to students opportunities to receive industry credentialing in critical and emerging occupations in Georgia.

(b) No later than December 31, 2018, and annually thereafter, the Department of

Education shall produce a report identifying the industry credentialing attainment levels for the previous calendar year. Such report shall include the current and projected regional business and industry needs for the purpose of establishing annual goals and strategies to increase attainment rates of industry credentialing, including the development of additional industry credentials to enhance current industry certified programs."

SECTION 10.

Said chapter is further amended by revising Code Section 20-2-328, relating to a competitive grant program, as follows:

"20-2-328.

(a) Subject to appropriations by the General Assembly, the State Board of Education shall establish a competitive grant program for local school systems to implement school reform measures in selected high schools. The state board shall establish program requirements in accordance with the provisions of this Code section and shall establish grant criteria, which shall ~~include that priority~~ encourage alignment with industry credentialing, including postsecondary partnerships between the Technical College System of Georgia and college and career academies and other career, technical, and agricultural education programs in high schools. Priority for reform grants shall be given to chronically low-performing high schools in accordance with subsection (b) of this Code section or to high schools enhancing career, technical, and agricultural education programs to allow for greater attainment of industry credentialing in accordance with subsection (b.1) of this Code section.

(b)(1) The State Board of Education shall develop an evidence based model program for chronically low-performing high schools receiving a reform grant pursuant to this Code section for addressing at-risk students, which shall include various programs and curricula that have proven to be effective for at-risk students focusing on:

- (A) Identification of students at risk for being poorly prepared for the next grade level or for dropping out of school;
- (B) Strengthening retention of ninth grade students in school and reducing high failure rates;
- (C) Improving more students' performances to grade level standards in reading and mathematics by the end of ninth grade;
- (D) Assisting students and their parents or guardians in setting an outcome career and educational goal and identifying a focused program of study to achieve such goal; and
- (E) Assisting students in learning and applying study skills, coping skills, and other habits that produce successful students and adults.

(2) The at-risk model program shall include:

- (A) Diagnostic assessments to identify strengths and weaknesses in the core academic areas;
- (B) A process for identifying at-risk students, closely monitored by the Department of Education in collaboration with local school systems to ensure that students are

being properly identified and provided timely, appropriate guidance and assistance and to ensure that no group is disproportionately represented; and

(C) An evaluation component in each high school to ensure the programs are providing students an opportunity to graduate with a high school diploma.

(3) The at-risk model program may include various components designed to result in more students facilitating a successful start in high school and passing ninth grade such as:

(A) Utilizing a flexible schedule that increases students' time in core language arts/reading and mathematics studies designed to eliminate academic deficiencies;

(B) Maintaining a student-teacher ratio in ninth grade that is no higher than any other grade level ratio in high school;

(C) Utilizing experienced and effective teachers as leaders for teacher teams in ninth grade to improve instructional planning, delivery, and reteaching strategies;

(D) Assigning students to a teacher mentor who will meet with them frequently to provide planned lessons on study skills and other habits of success that help students become independent learners and who will help them receive the assistance they need to successfully pass ninth grade; and

(E) Including ninth grade career courses which incorporate a series of miniprojects throughout the school year that require the application of ninth grade level reading, mathematics, and science skills to complete while students learn to use a range of technology and help students explore a range of educational and career options that will assist them in formulating post high school goals and give them a reason to stay in school and work toward achieving their stated goals.

(b.1) The State Board of Education shall develop criteria for reform grants for high schools that enhance career, technical, and agricultural education programs to allow for greater attainment of industry credentialing including postsecondary partnerships between the Technical College System of Georgia and college and career academies and other career, technical, and agricultural education programs in high schools. The grants may also be used to require that career, technical, and agricultural education teachers participate in industry credentialing training to teach courses that lead to industry credentialing.

(c) The State Board of Education shall promulgate rules and regulations for ~~chronically low performing~~ high schools receiving a reform grant pursuant to this Code section to make the high schools more relevant to and effective for all students. Such rules shall encourage high schools to implement a comprehensive school reform research based model that focuses on:

(1) Setting high expectations for all students;

(2) Personalizing individual graduation plans for students;

(3) Developing small learning communities or college and career academies with a rigorous academic foundation and emphasis in broad career fields of study;

(4) Using project based instruction embedded with strong academics to improve relevancy in learning;

(5) Fostering collaboration among academic and career/technical teachers;

- (6) Implementing nontraditional scheduling in ninth grade for students behind in their grade level;
 - (7) Promoting parental involvement; and
 - (8) Training teachers to work with low-performing students and their parents or guardians.
- (d) This Code section shall be subject to appropriations by the General Assembly."

SECTION 11.

Said chapter is further amended by revising Code Section 20-2-329, relating to requirements for high schools that receive a reform grant, as follows:

"20-2-329.

High schools that receive a reform ~~grant~~ grants as chronically low-performing high schools pursuant to subsection (b) of Code Section 20-2-328 shall:

(1) Provide focused programs of study which are designed to provide a well-rounded education for students by fostering artistic creativity, critical thinking, and self-discipline through the teaching of academic content, knowledge, and skills that students will use in the workplace, further education, and life. The focused programs of study, whether provided at a choice technical high school, a college and career academy, a traditional high school, or on site at a technical school or college or a public college or university, shall be aligned with graduation requirements established by the State Board of Education and content standards established pursuant to Part 2 of this article, including, at a minimum, four years of mathematics, Algebra I and higher, and four years of English, with an emphasis on developing reading and writing skills to meet college and career readiness standards or including high school diploma requirements established pursuant to Code Section 20-2-149.2;

(2) Implement a teacher adviser system;

(3) Provide students in the ninth through twelfth grades information on educational programs offered in high school, in technical and community colleges, in colleges and universities, and through work based learning programs and how these programs can lead to a variety of career fields. Local school systems shall provide career awareness and exploratory opportunities such as field trips, speakers, educational and career information centers, job shadowing, and classroom centers to assist students and their parents or guardians, with guidance from school counselors and teacher advisers, in revising, if appropriate, the individual graduation plan developed pursuant to subsection (c) of Code Section 20-2-327;

(4) Enroll students no later than ninth grade into one of the following options for earning a high school diploma and preparing students for postsecondary education and a career which will include a structured program of academic study with in-depth studies in:

(A) Mathematics and science;

(B) Humanities, fine arts, and foreign language; or

(C) A career pathway that leads to passing an ~~employer certification~~ industry credentialing exam in a high demand, high skill, or high wage career field or to an

associate's degree or bachelor's degree.

The awarding of a special education diploma to any disabled student who has not completed all of the requirements for a high school diploma, but who has completed his or her Individualized Education Program (IEP) shall be deemed to meet the requirements of this paragraph;

(5) Implement the at-risk model program developed by the State Board of Education pursuant to subsection (b) of Code Section 20-2-328;

(6) Comply with the rules and regulations promulgated by the State Board of Education for chronically low-performing high schools pursuant to subsection (c) of Code Section 20-2-328; and

(7) Schedule annual conferences to assist students and their parents or guardians in setting educational and career goals and creating individual graduation plans beginning with students in the eighth grade and continuing through high school. These conferences shall include, but are not limited to, assisting the student in identifying educational and career interests and goals, selecting a career and academic focus area, and developing an individual graduation plan."

SECTION 12.

All laws and parts of laws in conflict with this Act are repealed.

Senator Tippins of the 37th moved that the Senate adopt the Conference Committee Report on SB 3.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	E Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 51, nays 0; the motion prevailed, and the Senate adopted the Conference Committee Report on SB 3.

Senator Harper of the 7th was excused for business outside the Senate Chamber.

The Calendar was resumed.

HB 784. By Representatives Dubnik of the 29th, Knight of the 130th, Nimmer of the 178th, Rhodes of the 120th and Ridley of the 6th:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, causes, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to promote the conservation and enhancement of waterfowl populations and their habitats; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Brass of the 28th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Miller (PRS)	Y Wilkinson

Y Heath	E Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 784, having received the requisite constitutional majority, was passed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 1031. By Representatives Collins of the 68th and Gravley of the 67th:

A BILL to be entitled an Act to provide a new charter for the City of Villa Rica; to provide for incorporation, boundaries, powers, and construction; to provide for exercise of powers; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 1033. By Representatives England of the 116th, Kirby of the 114th and Gonzalez of the 117th:

A BILL to be entitled an Act to provide for a nonbinding, advisory referendum for the purpose of ascertaining whether an independent commission, consisting of representatives of the county and all municipal corporations located wholly or partially within such county, should be created to study whether Barrow County and the municipal corporations located wholly within Barrow County should be reconstituted as a single consolidated government; to provide for the configuration of such independent commission; to provide for an independent contractor to conduct a study; to limit the cost of such study; to provide for procedures and requirements relating thereto; to provide for a referendum; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Harbison of the 15th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

The Calendar was resumed.

HB 830. By Representatives Harden of the 148th, Stephens of the 164th, Parrish of the 158th and Taylor of the 173rd:

A BILL to be entitled an Act to amend Chapter 13 of Title 16 of the Official Code of Georgia Annotated, relating to controlled substances, so as to change certain provisions relating to Schedules I and II controlled substances; to change certain provisions relating to the definition of dangerous drug; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirk of the 13th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Miller (PRS)	Y Wilkinson
Y Heath	E Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 0.

HB 830, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3/14/18

Due to business outside the Senate Chamber, I missed the vote on HB 830. Had I been present, I would have voted "yea".

/s/ Dean Burke
District 11

HB 888. By Representatives Knight of the 130th, Harrell of the 106th, Rhodes of the 120th, Efstoration of the 104th and Rogers of the 10th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions from property tax, so as to change certain reporting requirements; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Brass of the 28th.

The Senate Committee on Finance offered the following substitute to HB 888:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions from property tax, so as to change certain reporting and proof of filing requirements; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions from property tax, is amended by revising Code Section 48-5-48.1, relating to the tangible personal property inventory exemption, as follows:

"48-5-48.1.

(a) Any person, firm, or corporation seeking a level 1 freeport exemption from ad valorem taxation of certain tangible personal property inventory when such exemption has been authorized by the governing authority of any county or municipality after approval of the electors of such county or municipality pursuant to the authority of the Constitution of Georgia or Code Section 48-5-48.2 shall file a written application and ~~schedule~~ summary of property with the county board of tax assessors on forms

furnished by such board. Such application shall be filed in the year in which exemption from taxation is sought no later than the date on which the tax receiver or tax commissioner of the county in which the property is located closes the books for the return of taxes.

(b) The application for the level 1 freeport exemption shall provide for:

(1) A ~~schedule~~ summary, as prescribed by the department, of the inventory of goods in the process of manufacture or production which shall include all partly finished goods and raw materials held for direct use or consumption in the ordinary course of the taxpayer's manufacturing or production business in the State of Georgia;

(2) A ~~schedule~~ summary, as prescribed by the department, of the inventory of finished goods manufactured or produced within the State of Georgia in the ordinary course of the taxpayer's manufacturing or production business when held by the original manufacturer or producer of such finished goods;

(3) A ~~schedule~~ summary, as prescribed by the department, of the inventory of finished goods which on January 1 are stored in a warehouse, dock, or wharf, whether public or private, and which are destined for shipment outside the State of Georgia and the inventory of finished goods which are shipped into the State of Georgia from outside this state and which are stored for transshipment to a final destination outside this state. The information required by Code Section 48-5-48.2 to be contained in the official books and records of the warehouse, dock, or wharf where such property is being stored, which official books and records are required to be open to the inspection of taxing authorities of this state and political subdivisions thereof, shall not be required to be included as a part of or to accompany the application for such exemption; and

(4) A ~~schedule~~ summary, as prescribed by the department, of the stock in trade of a fulfillment center which on January 1 is stored in the fulfillment center. The information required by Code Section 48-5-48.2 to be contained in the official books and records of the fulfillment center where such property is being stored, which official books and records are required to be open to the inspection of the taxing authorities of this state and political subdivisions thereof, shall not be required to be included as a part of or to accompany the application for such exemption.

(c)(1) For purposes of this subsection, the term 'file properly' shall mean and include the timely filing of the completed application ~~and complete schedule of the inventory~~ for which exemption is sought on or before the due date specified in subsection (a) of this Code section. Any clerical error, including, but not limited to, a typographical error, scrivener's error, or any unintentional immaterial error or omission in the application shall not be construed as a failure to file properly.

(2) The failure to file properly the completed application ~~and schedule~~ shall constitute a waiver of the exemption on the part of the person, firm, or corporation failing to make the application for such exemption for that year as follows:

(A) The failure to report any inventory for which such exemption is sought in the ~~schedule~~ summary provided for in the application shall constitute a waiver of the exemption on the part of the person, firm, or corporation failing to so report for that

taxable year in an amount equal to the difference between fair market value of the inventory as reported and the fair market value finally determined to be applicable to the inventory for which the exemption is sought; and

(B) The failure to file timely such completed application ~~and schedule~~ shall constitute a waiver of the exemption until the first day of the month following the month such completed application ~~and schedule are~~ is filed properly with the county tax assessor; provided, however, that unless ~~the~~ such completed application ~~and schedule are~~ is filed on or before June 1 of such year, the exemption shall be waived for that entire year.

(d) Upon receiving the application required by this Code section, the county board of tax assessors shall determine the eligibility of all types of tangible personal property listed on the application. If any property has been listed which the board believes is not eligible for the exemption, the board shall issue a letter notifying the applicant, not later than 180 days after receiving the application, that all or a portion of the application has been denied. The denial letter shall list the type and total fair market value of all property listed on the application for which the exemption has been approved and the type and total fair market value of all property listed on the application for which the exemption has been denied. The applicant shall have the right to appeal from the denial of the exemption for any property listed and such appeal shall proceed as provided in Code Section 48-5-311. Except as otherwise provided in subparagraph (c)(2)(A) of this Code section, the county board of assessors shall not send a second letter of notification denying the exemption of all or a portion of such property listed on the application on new grounds that could and should have been discerned at the time the initial denial letter was issued. If, however, the county board of tax assessors fails to issue a letter of denial within 180 days after receiving the taxpayer's application, then the freeport exemption sought in the application shall be deemed accepted in its entirety.

(e) If the level 1 freeport exemption has been granted to a taxpayer for a taxable year, the county board of tax assessors shall issue a notice of renewal to the taxpayer for the immediately following taxable year. Such notice of renewal shall be issued not later than January 15 of such immediately following taxable year to facilitate the filing of a timely completed application ~~and schedule~~ by the taxpayer for such taxable year."

SECTION 2.

Said part is further amended by revising Code Section 48-5-48.2, relating to the level 1 freeport exemption and referendum, as follows:

"48-5-48.2.

(a) This Code section shall be known and may be cited as the 'Level 1 Freeport Exemption.'

(b) As used in this Code section, the term:

(1) 'Destined for shipment to a final destination outside this state' means, for purposes of a level 1 freeport exemption, that portion or percentage of an inventory of finished goods which the taxpayer can establish, through a historical sales or shipment analysis, either of which utilizes information from the preceding calendar year, or

other reasonable, documented method, is reasonably anticipated to be shipped to a final destination outside this state. Such other reasonable, documented method may only be utilized in the case of a new business, in the case of a substantial change in scope of an existing business, or in other unusual situations where a historical sales or shipment analysis does not adequately reflect future anticipated shipments to a final destination outside this state. It is not necessary that the actual final destination be known as of January 1 in order to qualify for the exemption.

(2) 'Finished goods' means, for purposes of a level 1 freeport exemption, goods, wares, and merchandise of every character and kind but shall not include unrecovered, unextracted, or unsevered natural resources or raw materials or goods in the process of manufacture or production or the stock in trade of a retailer.

(3) 'Foreign merchandise in transit' means, for purposes of a level 1 freeport exemption, any goods which are in international commerce where the title has passed to a foreign purchaser and the goods are temporarily stored in this state while awaiting shipment overseas.

(4) 'Fulfillment center' means, for purposes of a level 1 freeport exemption, a business location in Georgia which is used to pack, ship, store, or otherwise process tangible personal property sold by electronic, Internet, telephonic, or other remote means, provided that such a business location does not allow customers to purchase or receive goods onsite at such business location.

(5) 'Raw materials' means, for purposes of a level 1 freeport exemption, any material, whether crude or processed, that can be converted by manufacture, processing, or a combination thereof into a new and useful product but shall not include unrecovered, unextracted, or unsevered natural resources.

(6) 'Stock in trade of a fulfillment center' means, for purposes of a level 1 freeport exemption, goods, wares, and merchandise held by one in the business of making sales of such goods when such goods are held or stored at a fulfillment center.

(7) 'Stock in trade of a retailer' means, for purposes of a level 1 freeport exemption, finished goods held by one in the business of making sales of such goods at retail in this state, within the meaning of Chapter 8 of this title, when such goods are held or stored at a business location from which such retail sales are regularly made. Goods stored in a warehouse, dock, or wharf, including a warehouse or distribution center which is part of or adjoins a place of business from which retail sales are regularly made, shall not be considered stock in trade of a retailer to the extent that the taxpayer can establish, through a historical sales or shipment analysis, either of which utilizes information from the preceding calendar year, or other reasonable, documented method, the portion or percentage of such goods which is reasonably anticipated to be shipped outside this state for resale purposes.

(c) The governing authority of any county or municipality may, subject to the approval of the electors of such political subdivision, exempt from ad valorem taxation, including all such taxes levied for educational purposes and for state purposes, all or any combination of the following types of tangible personal property:

(1) Inventory of goods in the process of manufacture or production which shall

include all partly finished goods and raw materials held by the taxpayer or the taxpayer's designated agent for direct use or consumption in the ordinary course of the taxpayer's manufacturing or production business in this state. The exemption provided for in this paragraph shall apply only to tangible personal property which is substantially modified, altered, combined, or changed in the ordinary course of the taxpayer's manufacturing, processing, or production operations in this state. For purposes of this paragraph, the following activities shall constitute substantial modification in the ordinary course of manufacturing, processing, or production operations:

(A) The cleaning, drying, pest control treatment, or segregation by grade of grain, peanuts or other oil seeds, or cotton;

(B) The remanufacture of aircraft engines or aircraft engine parts or components, meaning the substantial overhauling or rebuilding of aircraft engines or aircraft engine parts or components; ~~and~~

(C) The blending of fertilizer bulk materials into a custom mixture, whether performed at a commercial fertilizer blending plant, retail outlet, or any application site; and

(D) The substantial assembly of finished parts;

(2) Inventory of finished goods manufactured or produced within this state in the ordinary course of the taxpayer's manufacturing or production business when held by the original manufacturer or producer of such finished goods. The exemption provided for in this paragraph shall be for a period not exceeding 12 months from the date such property is produced or manufactured;

(3) Inventory of finished goods which, on January 1, are stored in a warehouse, dock, or wharf, whether public or private, and which are destined for shipment to a final destination outside this state and inventory of finished goods which are shipped into this state from outside this state and stored for transshipment to a final destination outside this state, including foreign merchandise in transit. The exemption provided for in this paragraph shall be for a period not exceeding 12 months from the date such property is stored in this state. Such period shall be determined based on application of a first-in, first-out method of accounting for the inventory. The official books and records of the warehouse, dock, or wharf where such property is being stored shall contain a full, true, and accurate inventory of all such property, including the date of the receipt of the property, the date of the withdrawal of the property, the point of origin of the property, and the point of final destination of the same, if known. The official books and records of any such warehouse, dock, or wharf, whether public or private, pertaining to any such property for which a freeport exemption has been claimed shall be at all times open to the inspection of all taxing authorities of this state and of any political subdivision of this state; or

(4) Stock in trade of a fulfillment center which, on January 1, is stored in a fulfillment center and which is made available to remote purchasers who may make such purchases by electronic, Internet, telephonic, or other remote means, and where such stock in trade of a fulfillment center will be shipped from the fulfillment center

and delivered to the purchaser at a location other than the location of the fulfillment center. The exemption provided for in this paragraph shall be for a period not exceeding 12 months from the date such property is stored in this state. Such period shall be determined based on application of a first-in, first-out method of accounting for the inventory. The official books and records of the fulfillment center where such property is being stored shall contain a full, true, and accurate inventory of all such property, including the date of the receipt of the property and the date of the withdrawal of the property. The official books and records of any such fulfillment center pertaining to any such property for which a freeport exemption has been claimed shall be at all times open to the inspection of all taxing authorities of this state and of any political subdivision of this state.

(d) Whenever the governing authority of any county or municipality wishes to exempt such tangible property from ad valorem taxation, as provided in this Code section, the governing authority thereof shall notify the election superintendent of such political subdivision, and it shall be the duty of said election superintendent to issue the call for an election for the purpose of submitting to the electors of the political subdivision the question of whether such exemption shall be granted. The referendum ballot shall specify as separate questions the type or types of property as defined in this Code section which are being proposed to be exempted from taxation. The election superintendent shall issue the call and shall conduct the election on a date and in the manner authorized under Code Section 21-2-540.

(e) The governing authority of any county or municipality wherein an exemption has been approved by the voters as provided in this Code section may, by appropriate resolution, a copy of which shall be immediately transmitted to the state revenue commissioner, exempt from taxation 20 percent, 40 percent, 60 percent, 80 percent, or all of the value of such tangible personal property as defined in this Code section; provided, however, that once an exemption has been granted, no reduction in the percent of the value of such property to be exempted may be made until and unless such exemption is revoked or repealed as provided in this Code section. An increase in the percent of the value of the property to be exempted may be accomplished by appropriate resolution of the governing authority of such county or municipality, and a copy thereof shall be immediately transmitted to the state revenue commissioner, provided that such increase shall be in increments of 20 percent, 40 percent, 60 percent, or 80 percent of the value of such tangible personal property as defined in this Code section, within the discretion of such governing authority.

(f)(1) If more than one-half of the votes cast on such question are in favor of such exemption, then such exemption may be granted by the governing authority commencing on the first day of any ensuing calendar year; otherwise, such exemption may not be granted. This paragraph is intended to clearly provide that following approval of such exemption in such referendum, such exemption may be granted on the first day of any calendar year following the year in which such referendum was conducted. This paragraph shall not be construed to imply that the granting of such exemption could not previously be delayed to any such calendar year.

- (2) Exemptions may only be revoked by a referendum election called and conducted as provided in this Code section, provided that the call for such referendum shall not be issued within five years from the date such exemptions were first granted and, if the results of said election are in favor of the revocation of such exemptions, then such revocation shall be effective only at the end of a five-year period from the date of such referendum.
- (g) Level 1 freeport exemptions effected pursuant to this Code section may be granted either in lieu of or in addition to level 2 freeport exemptions under Code Section 48-5-48.6.
- (h) The commissioner shall by regulation adopt uniform procedures and forms for the use of local officials in the administration of this Code section."

SECTION 3.

Said part is further amended by revising Code Section 48-5-48.5, relating to the application for the level 2 freeport exemption, as follows:

"48-5-48.5.

(a) Any person, firm, or corporation seeking a level 2 freeport exemption from ad valorem taxation of certain tangible personal property inventory when such exemption has been authorized by the governing authority of any county or municipality after approval of the electors of such county or municipality pursuant to the authority of the Constitution of Georgia and Code Section 48-5-48.6 shall file a written application and schedule summary, as prescribed by the department, of property with the county board of tax assessors on forms furnished by such board. Such application shall be filed in the year in which exemption from taxation is sought no later than the date on which the tax receiver or tax commissioner of the county in which the property is located closes the books for the return of taxes.

(b) The application for the level 2 freeport exemption shall provide for a schedule summary, as prescribed by the department, of the inventory of finished goods held by one in the business of making sales of such goods in this state.

(c)(1) For purposes of this subsection, the term 'file properly' shall mean and include the timely filing of the application and complete schedule summary, as prescribed by the department, of the inventory for which exemption is sought on or before the due date specified in subsection (a) of this Code section. Any clerical error, including, but not limited to, a typographical error, scrivener's error, or any unintentional immaterial error or omission in the application shall not be construed as a failure to file properly.

(2) The failure to file properly the application and schedule summary, as prescribed by the department, shall constitute a waiver of the exemption on the part of the person, firm, or corporation failing to make the application for such exemption for that year as follows:

(A) The failure to report any inventory for which such exemption is sought in the schedule summary, as prescribed by the department, provided for in the application shall constitute a waiver of the exemption on the part of the person, firm, or corporation failing to so report for that taxable year in an amount equal to the

difference between fair market value of the inventory as reported and the fair market value finally determined to be applicable to the inventory for which the exemption is sought; and

(B) The failure to file timely such application and schedule summary, as prescribed by the department, shall constitute a waiver of the exemption until the first day of the month following the month such application and schedule summary, as prescribed by the department, are filed properly with the county tax assessor; provided, however, that unless the application and schedule are filed on or before June 1 of such year, the exemption shall be waived for that entire year.

(d) Upon receiving the application required by this Code section, the county board of tax assessors shall determine the eligibility of all types of tangible personal property listed on the application. If any property has been listed which the board believes is not eligible for the exemption, the board shall issue a letter notifying the applicant that all or a portion of the application has been denied. The denial letter shall list the type and total fair market value of all property listed on the application for which the exemption has been approved and the type and total fair market value of all property listed on the application for which the exemption has been denied. The applicant shall have the right to appeal from the denial of the exemption for any property listed, and such appeal shall proceed as provided in Code Section 48-5-311. Except as otherwise provided in subparagraph (c)(2)(A) of this Code section, the county board of assessors shall not send a second letter of notification denying the exemption of all or a portion of such property listed on the application on new grounds that could and should have been discerned at the time the initial denial letter was issued.

(e) If the level 2 freeport exemption has been granted to a taxpayer for a taxable year, the county board of tax assessors shall issue a notice of renewal to the taxpayer for the immediately following taxable year. Such notice of renewal shall be issued not later than January 15 of such immediately following taxable year to facilitate the filing of a timely application and schedule summary, as prescribed by the department, by the taxpayer for such taxable year."

SECTION 4.

Said part is further amended by adding a new Code section to read as follows:

"48-5-48.7.

(a) Any document required to be filed under Code Section 48-5-48.1 or 48-5-48.5 shall be considered properly and timely filed if the postal date on the mailed document, whether metered or stamped, is on or before the date on which the tax receiver or tax commissioner of the county in which the property is located closes the book for the return of taxes.

(b) Any document properly and timely filed pursuant to subsection (a) of this Code section and incorrectly determined to be untimely filed, upon sufficient proof thereof, shall entitle the applicant to a credit against future ad valorem assessments from the county which improperly denied the applicant the exemption under Code Section 48-5-48.1 or 48-5-48.5."

SECTION 5.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 1.

HB 888, having received the requisite constitutional majority, was passed by substitute.

The following communications were received by the Secretary:

3/14/2018

I inadvertently voted “No” on HB 888. Please reflect in the Journal that my intent was to vote “Yes”.

/s/ Gloria S. Butler
District 55

14 March 2018

Due to business outside the Senate Chamber, I missed the vote on HB 888. Had I been present, I would have voted “Yes”.

/s/ Horacena Tate
District 38

HB 909. By Representatives Silcox of the 52nd, Hatchett of the 150th, Cooper of the 43rd, Rynders of the 152nd and Price of the 48th:

A BILL to be entitled an Act to amend Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Public Health, so as to provide for the designation of perinatal facilities; to provide for legislative findings; to provide for definitions; to provide for criteria for levels of care; to provide for applications from perinatal facilities; to require the department to post a list of designated facilities; to provide for a self-assessment tool; to provide for statutory construction; to limit advertisement as a designated facility unless approved by the state; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Hufstetler of the 52nd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	E Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 909, having received the requisite constitutional majority, was passed.

The following bill was taken up to consider House action thereto:

SB 2. By Senators Dugan of the 30th, Shafer of the 48th, Cowsert of the 46th, Gooch of the 51st, Hill of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36, Chapter 1 of Title 43, and Title 50 of the O.C.G.A., relating to general provisions applicable to counties and municipal corporations, general provisions regarding professions and businesses, and state government, respectively, so as to enhance accountability and notice requirements for agency rule making so as to reduce regulatory burdens on businesses; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Department of Community Affairs, so as to provide for the development of a ready for partnership certification for each county and municipality by the Department of Community Affairs; to revise the procedure by which a state agency modifies its rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the

Department of Community Affairs, is amended by adding a new article to read as follows:

"ARTICLE 14

50-8-320.

(a) The Department of Community Affairs shall establish a voluntary certification program for each county and municipality in this state that shall be known as Ready for Partnership Georgia.

(b)(1) There shall be a council created to establish metrics in accordance with subsection (c) of this Code section for certifying counties and municipalities as Ready for Partnership Georgia certified and to provide for a process of review, renewal, and revocation of such certifications.

(2) Such council shall be chaired by the commissioner of the Department of Community Affairs, who shall be a voting member, and shall be composed of 12 additional members as follows:

(A) Three members to be appointed by the Governor;

(B) Three members to be appointed by the President of the Senate;

(C) Three members to be appointed by the Speaker of the House of Representatives;

(D) One member to be recommended by the Georgia Municipal Association and approved by the Governor;

(E) One member to be recommended by the Association County Commissioners of Georgia and approved by the Governor; and

(F) One member to be recommended by the Georgia Chamber of Commerce and approved by the Governor.

(c) The certification shall be based upon metrics which shall include, but are not limited to:

(1) Licensing and permitting fees charged by the county or municipality;

(2) The time required by the county or municipality to process applications for licenses and permits and other regulatory requirements for businesses and professions in the county or municipality;

(3) The manner by which dispute resolution over such licensing, permitting, and regulatory requirements is handled;

(4) The consolidation of forms and documents to avoid repetitive or duplicative requests for information; and

(5) Other items which are determined by the council to be relevant to the development of such certification."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Cowsert of the 46th asked unanimous consent that the Senate disagree to the House substitute to SB 2.

The consent was granted, and the Senate disagreed to the House substitute to SB 2.

Senator Cowsert of the 46th moved that the Senate adjourn until 10:00 a.m. Thursday, March 15, 2018.

The motion prevailed, and Senator Butch Miller, President Pro Tempore, announced the Senate adjourned at 12:04 p.m.

Senate Chamber, Atlanta, Georgia
Thursday, March 15, 2018
Thirty-fifth Legislative Day

The Senate met pursuant to adjournment at 10:20 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House and Senate:

HB 1021. By Representative Harden of the 148th:

A BILL to be entitled an Act to amend an Act entitled "An Act to create the office of Commissioner of Roads and Revenues in and for the County of Pulaski, State of Georgia," approved August 18, 1919 (Ga. L. 1919, p. 729), as amended, so as to provide for the filling of vacancies in such office; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1022. By Representatives Pirkle of the 155th and LaRiccia of the 169th:

A BILL to be entitled an Act to amend an Act creating the Board of Education of Coffee County, approved March 10, 1970 (Ga. L. 1970, p. 2441), as amended, so as to revise provisions regarding filling vacancies on the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1023. By Representatives Spencer of the 180th and Corbett of the 174th:

A BILL to be entitled an Act to create a Joint Board of Elections and Registration for Camden County, which shall conduct primaries and

elections for Camden County, the City of St. Marys, the City of Woodbine, and the City of Kingsland, and provide for its powers and duties; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 1024. By Representative Werkheiser of the 157th:

A BILL to be entitled an Act to provide a new charter for the City of Glennville; to provide for boundaries and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, election management, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 1026. By Representatives Hill of the 3rd, Tarvin of the 2nd and Deffenbaugh of the 1st:

A BILL to be entitled an Act to authorize the governing authority of the City of Ringgold to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1028. By Representatives Knight of the 130th and Mathiak of the 73rd:

A BILL to be entitled an Act to provide for a homestead exemption from Spalding County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1030. By Representatives Bruce of the 61st, Alexander of the 66th, Collins of the 68th, Gravley of the 67th and Boddie of the 62nd:

A BILL to be entitled an Act to authorize the City of Douglasville to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal

under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1034. By Representatives Gasaway of the 28th and Gurtler of the 8th:

A BILL to be entitled an Act to amend an Act to amend, revise, consolidate, and supersede the several Acts incorporating the Town of Tallulah Falls in Habersham and Rabun counties, approved February 6, 1984 (Ga. L. 1984, p. 3547), as amended, particularly by an Act approved March 22, 1990 (Ga. L. 1990, p. 4384), so as to change certain provisions relating to quorum, voting, and special meetings of the town council; to provide for related matters; to repeal conflicting laws; and for the other purposes.

HB 1035. By Representatives Smyre of the 135th, Smith of the 134th, Hugley of the 136th, Buckner of the 137th and Pezold of the 133rd:

A BILL to be entitled an Act to authorize the Magistrate Court of Muscogee County to impose and collect county law library fees as part of the court costs in the magistrate court; to provide for practices and procedures connected therewith; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1036. By Representatives Martin of the 49th, Jones of the 47th, Thomas of the 56th, Bruce of the 61st, Raffensperger of the 50th and others:

A BILL to be entitled an Act to provide for the clerk of the Superior Court of Fulton County to require that tax parcel identification number information be included on documents recorded in the real property records of said clerk; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 333. By Senators Black of the 8th, Anderson of the 43rd, Watson of the 1st, Rhett of the 33rd and Burke of the 11th:

A BILL to be entitled an Act to amend Article 2 of Chapter 18 of Title 45 of the Official Code of Georgia Annotated, relating to deferred compensation plans, so as to provide that the governing authority of a municipality may pay costs or fees associated with an employee's participation in a deferred compensation plan; to provide that certain public employees may be automatically enrolled in deferred compensation plans; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 382. By Senators Martin of the 9th, Strickland of the 17th, Walker III of the 20th, Kirk of the 13th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Code Section 43-30-1 of the Official Code of Georgia Annotated, relating to definitions relative to optometrists, so as to provide for guidance and consultation by the Department of Public Health on certain training programs approved by the State Board of Optometry for doctors of optometry who administer pharmaceutical agents by injection; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 398. By Senator Harbison of the 15th:

A BILL to be entitled an Act to amend an Act reconstituting the Board of Education of Talbot County, approved April 5, 1993 (Ga. L. 1993, p. 4710), as amended, particularly by an Act approved March 27, 1995 (Ga. L. 1995, p. 3541), so as to provide for compensation of the members of the Board of Education of Talbot County; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 440. By Senator Tillery of the 19th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Soperton, approved March 14, 1984 (Ga. L. 1984, p. 4212), as amended, particularly by an Act approved May 29, 2007 (Ga. L. 2007, p. 4206), so as to annex certain tracts or parcels of land into the City of Soperton and to change the description of the council districts; to provide for definitions and inclusions; to provide for continuation in office of current members; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has adopted, by the requisite constitutional majority, the following Resolution of the Senate:

SR 794. By Senators Miller of the 49th, Gooch of the 51st, Wilkinson of the 50th, Ginn of the 47th, Unterman of the 45th and others:

A RESOLUTION creating the Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 425. By Senators Gooch of the 51st, Walker III of the 20th, Miller of the 49th, Kirk of the 13th, Albers of the 56th and others:

A BILL to be entitled an Act to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to change provisions relating to professional land surveyors; to change and add certain defined terms; to provide for land surveyor interns; to change certain educational and examination requirements; to provide certain exceptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 489. By Senator Tippins of the 37th:

A BILL to be entitled an Act to amend an Act creating the Cobb-Marietta Coliseum and Exhibit Hall Authority, approved March 26, 1980 (Ga. L. 1980, p. 4091), as amended, so as to provide that revenue bonds shall only be issued in connection with projects owned or leased by the authority which are managed and operated by the authority for its own use; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SR 1019. By Senators Ginn of the 47th, Kennedy of the 18th, Gooch of the 51st, Albers of the 56th, Miller of the 49th and others:

A RESOLUTION creating the Senate Advanced Communications Technologies and Use of State and Local Government Right of Way Policy Modernization Study Committee; and for other purposes.

Referred to the Committee on Regulated Industries and Utilities.

SR 1020. By Senator Strickland of the 17th:

A RESOLUTION recognizing September as Georgia Injured Workers Month; and for other purposes.

Referred to the Committee on Insurance and Labor.

The following House legislation was read the first time and referred to committee:

HB 1021. By Representative Harden of the 148th:

A BILL to be entitled an Act to amend an Act entitled "An Act to create the office of Commissioner of Roads and Revenues in and for the County of Pulaski, State of Georgia," approved August 18, 1919 (Ga. L. 1919, p. 729), as amended, so as to provide for the filling of vacancies in such office; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1022. By Representatives Pirkle of the 155th and LaRiccia of the 169th:

A BILL to be entitled an Act to amend an Act creating the Board of Education of Coffee County, approved March 10, 1970 (Ga. L. 1970, p. 2441), as amended, so as to revise provisions regarding filling vacancies on the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1023. By Representatives Spencer of the 180th and Corbett of the 174th:

A BILL to be entitled an Act to create a Joint Board of Elections and Registration for Camden County, which shall conduct primaries and elections for Camden County, the City of St. Marys, the City of Woodbine, and the City of Kingsland, and provide for its powers and duties; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1024. By Representative Werkheiser of the 157th:

A BILL to be entitled an Act to provide a new charter for the City of Glennville; to provide for boundaries and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, election management, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1026. By Representatives Hill of the 3rd, Tarvin of the 2nd and Deffenbaugh of the 1st:

A BILL to be entitled an Act to authorize the governing authority of the City of Ringgold to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1028. By Representatives Knight of the 130th and Mathiak of the 73rd:

A BILL to be entitled an Act to provide for a homestead exemption from Spalding County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1030. By Representatives Bruce of the 61st, Alexander of the 66th, Collins of the 68th, Gravley of the 67th and Boddie of the 62nd:

A BILL to be entitled an Act to authorize the City of Douglasville to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1031. By Representatives Collins of the 68th and Gravley of the 67th:

A BILL to be entitled an Act to provide a new charter for the City of Villa Rica; to provide for incorporation, boundaries, powers, and construction; to provide for exercise of powers; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1033. By Representatives England of the 116th, Kirby of the 114th and Gonzalez of the 117th:

A BILL to be entitled an Act to provide for a nonbinding, advisory referendum for the purpose of ascertaining whether an independent commission, consisting of representatives of the county and all municipal corporations located wholly or partially within such county, should be created to study whether Barrow County and the municipal corporations located wholly within Barrow County should be reconstituted as a single consolidated government; to provide for the configuration of such independent commission; to provide for an independent contractor to conduct a study; to limit the cost of such study; to provide for procedures and requirements relating thereto; to provide for a referendum; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1034. By Representatives Gasaway of the 28th and Gurtler of the 8th:

A BILL to be entitled an Act to amend an Act to amend, revise, consolidate, and supersede the several Acts incorporating the Town of Tallulah Falls in Habersham and Rabun counties, approved February 6, 1984 (Ga. L. 1984, p. 3547), as amended, particularly by an Act approved March 22, 1990 (Ga. L. 1990, p. 4384), so as to change certain provisions relating to quorum, voting, and special meetings of the town council; to provide for related matters; to repeal conflicting laws; and for the other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1035. By Representatives Smyre of the 135th, Smith of the 134th, Hugley of the 136th, Buckner of the 137th and Pezold of the 133rd:

A BILL to be entitled an Act to authorize the Magistrate Court of Muscogee County to impose and collect county law library fees as part of the court costs in the magistrate court; to provide for practices and procedures connected therewith; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1036. By Representatives Martin of the 49th, Jones of the 47th, Thomas of the 56th, Bruce of the 61st, Raffensperger of the 50th and others:

A BILL to be entitled an Act to provide for the clerk of the Superior Court of Fulton County to require that tax parcel identification number information be

included on documents recorded in the real property records of said clerk; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 718 Do Pass
HB 739 Do Pass

Respectfully submitted,
Senator Tippins of the 37th District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 782 Do Pass by substitute
HB 982 Do Pass by substitute
SR 983 Do Pass by substitute

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 878 Do Pass

Respectfully submitted,
Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 190 Do Pass by substitute
HB 765 Do Pass
HB 834 Do Pass by substitute

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 149 Do Pass by substitute
HB 779 Do Pass by substitute
HB 992 Do Pass by substitute

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 724 Do Pass
HB 937 Do Pass
HB 979 Do Pass by substitute

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

HB 121	HB 381	HB 487	HB 489	HB 494	HB 588
HB 655	HB 697	HB 701	HB 703	HB 714	HB 723

HB 732	HB 740	HB 743	HB 761	HB 780	HB 785
HB 792	HB 793	HB 800	HB 818	HB 820	HB 852
HB 856	HB 866	HB 879	HB 898	HB 899	HB 927
HB 929	HB 930	HB 972	HB 995	HR 444	HR 1103
SR 953	SR 977	SR 995			

Senator Jones II of the 22nd asked unanimous consent that Senator Anderson of the 43rd be excused. The consent was granted, and Senator Anderson was excused.

Senator Harbison of the 15th asked unanimous consent that Senators Jackson of the 2nd and Thompson of the 5th be excused. The consent was granted, and Senators Jackson and Thompson were excused.

Senator McKoon of the 29th asked unanimous consent that Senator Millar of the 40th be excused. The consent was granted, and Senator Millar was excused.

Senator Tillery of the 19th asked unanimous consent that Senator Strickland of the 17th be excused. The consent was granted, and Senator Strickland was excused.

Senator Seay of the 34th asked unanimous consent that Senator Rhett of the 33rd be excused. The consent was granted, and Senator Rhett was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Parent
Anderson, L	Hufstetler	Payne
Beach	James	Seay
Black	Jones, B	Shafer
Brass	Jones, E	Sims
Burke	Jones, H	Stone
Butler	Jordan	Tate
Cowsert	Kennedy	Thompson, B
Davenport	Kirk	Tillery
Dugan	Kirkpatrick	Tippins
Ginn	Ligon	Unterman
Gooch	Martin	Walker
Harbin	McKoon	Watson
Harbison	Miller	Wilkinson
Harper	Mullis	Williams, M
Heath	Orrock	Williams, N
Henson		

Not answering were Senators:

Anderson, T. (Excused)	Jackson (Excused)	Lucas
Millar (Excused)	Rhett (Excused)	Strickland (Excused)
Thompson, C. (Excused)		

Senator Lucas of the 26th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Dugan of the 30th introduced the chaplain of the day, Pastor Steve McFall of Douglasville, Georgia, who offered scripture reading and prayer.

Senator Wilkinson of the 50th introduced the doctor of the day, Dr. Clark Hill.

Senator Unterman of the 45th honored the Georgia residents who have Type 1 Diabetes and whose families continually educate and advocate and recognized March 16, 2018, as Type 1 Diabetes Day at the state capitol, commended by SR 908, adopted previously. Della "Trip" Stoner addressed the Senate briefly.

Senators James of the 35th and Williams of the 39th recognized the South Fulton Chamber of Commerce on the grand occasion of its 71st anniversary, commended by SR 860, adopted previously. President and CEO Dyan Matthews addressed the Senate briefly.

Senator Butler of the 55th honored the life and memory of Agnes Doster, commended by SR 997, adopted previously. John Doster addressed the Senate briefly.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the House:

HB 1038. By Representatives Hilton of the 95th, Chandler of the 105th, Clark of the 98th, Coleman of the 97th, Brockway of the 102nd and others:

A BILL to be entitled an Act to authorize the governing authority of Gwinnett County to levy an excise tax pursuant to subsection (b) of Code

Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following resolutions were read and adopted:

SR 1021. By Senators Parent of the 42nd, Orrock of the 36th, Henson of the 41st, Anderson of the 43rd, Davenport of the 44th and others:

A RESOLUTION honoring the life and memory of Dr. H. Kenneth Walker; and for other purposes.

SR 1022. By Senators Anderson of the 43rd, Jones II of the 22nd, Jackson of the 2nd, Jones of the 10th, Butler of the 55th and others:

A RESOLUTION commending Morgan Dukes and recognizing March 23, 2018, as Women and Men in Radio Day at the state capitol; and for other purposes.

SR 1023. By Senators Anderson of the 43rd, Jones II of the 22nd, Jackson of the 2nd, Jones of the 10th, Butler of the 55th and others:

A RESOLUTION congratulating and commending Saint Paul African Methodist Episcopal Church on its 140th anniversary; and for other purposes.

SR 1024. By Senator Harbison of the 15th:

A RESOLUTION recognizing and honoring the valiant service of the Special Forces soldiers who were sent to Afghanistan in the immediate aftermath of September 11; and for other purposes.

Senator Tillery of the 19th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Thursday March 15, 2018
Thirty-fifth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 724

Jones of the 25th
CITY OF MONTICELLO

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Monticello, approved March 10, 1959 (Ga. L. 1959, p. 2683), as amended, so as to change the corporate limits of the City of Monticello; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 937

Harbison of the 15th
CITY OF REYNOLDS

A BILL to be entitled an Act to provide a new charter for the City of Reynolds; to provide for incorporation, boundaries, powers, and construction; to provide for a governing authority, its election, and terms; to provide for vacancies; to provide for related matters; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 979

Albers of the 56th
Beach of the 21st
Shafer of the 48th
CITY OF JOHNS CREEK

A BILL to be entitled an Act to amend an Act to incorporate the City of Johns Creek in Fulton County, Georgia, approved March 29, 2006 (Ga. L. 2006, p. 3503), as amended, so as to provide for term limits for the mayor and councilmembers; to provide for related matters; to repeal conflicting laws; and for other purposes.

SUBSTITUTE

The substitute to the following bill was put upon its adoption:

*HB 979:

The Senate Committee on State and Local Governmental Operations offered the following substitute to HB 979:

**A BILL TO BE ENTITLED
AN ACT**

To amend an Act to incorporate the City of Johns Creek in Fulton County, Georgia, approved March 29, 2006 (Ga. L. 2006, p. 3503), as amended, so as to provide for term

limits for the mayor and councilmembers; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act to incorporate the City of Johns Creek in Fulton County, Georgia, approved March 29, 2006 (Ga. L. 2006, p. 3503), as amended, is amended by adding new subsections to Section 2.10 to read as follows:

"(c) No person elected as mayor in the general municipal election of 2019, or any election thereafter, shall serve as mayor for more than three consecutive, four-year terms of office and shall not include any partial terms of office. No terms of office served prior to January 1, 2020, and no terms of office served as a councilmember shall be considered in determining if a person has served more than three consecutive terms of office.

(d) No person elected as councilmember in the general municipal election of 2019, or any election thereafter, shall serve as councilmember for more than three consecutive, four-year terms of office and shall not include any partial terms of office. No terms of office served prior to January 1, 2020, and no terms of office served as mayor shall be considered in determining if a person has served more than three consecutive terms of office."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there was no objection, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bills as reported, was agreed to.

On the passage of the bills on the Local Consent Calendar, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	E Tillery
Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local bills, the yeas were 50, nays 0.

The bills on the Local Consent Calendar, except HB 979, having received the requisite constitutional majority, were passed.

HB 979, having received the requisite constitutional majority, was passed by substitute.

Senator Burke of the 11th moved to engross HB 769, which was on today's Senate Rules Calendar.

Senator Tate of the 38th objected.

On the motion, the yeas were 27, nays 17; the motion lost, and HB 769 was not engrossed.

Senator Unterman of the 45th moved to reconsider defeating the motion to engross HB 769.

On the motion, the yeas were 24, nays 5; the motion prevailed, and the motion to engross HB 769 was reconsidered.

Senator Unterman of the 45th moved to engross HB 769.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
N Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
N Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland

N Butler	Y Kennedy	N Tate
N Cowser	N Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	N Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
N Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 39, nays 13; the motion prevailed, and HB 769 was engrossed.

SENATE RULES CALENDAR
THURSDAY, MARCH 15, 2018
THIRTY-FIFTH LEGISLATIVE DAY

HB 344	Paternity; parties beyond movants in a child support case request a genetic test; allow (Substitute)(JUDY-13th) Dempsey-13th
HB 751	Georgia Emergency Communications Authority Act; enact (Substitute) (PUB SAF-18th) Powell-32nd
HB 754	Insurance; division of a domestic insurer into two or more resulting domestic insurers; provisions (I&L-9th) Shaw-176th
HB 769	Health; recommendations from the House Rural Development Council; implement (Substitute)(H&HS-11th) Jasperse-11th
HB 831	Georgia's Employment First Act; enact (ED&T-30th) Rogers-10th
HB 844	Georgia Commission on Hearing Impaired and Deaf Persons; revise provisions (H&HS-9th) Houston-170th
HB 907	Public officers and employees; appointment and election of successor in event of vacancy in the office of district attorney; provide (JUDY-23rd) Fleming-121st
HR 1090	Jeff Davis County; Crisp County; change of use of certain property; authorize (SI&P-51st) Watson-172nd

HR 1104 Property; granting of non-exclusive easements; authorize (Substitute)
(SI&P-15th) Greene-151st

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HB 344. By Representatives Dempsey of the 13th, Quick of the 117th, Ballinger of the 23rd, Oliver of the 82nd, Willard of the 51st and others:

A BILL to be entitled an Act to amend Code Section 19-7-54 of the Official Code of Georgia Annotated, relating to motion to set aside determination of paternity, so as to allow parties beyond movants in a case concerning a child support order to request a genetic test from the Department of Human Services under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirk of the 13th.

The Senate Committee on Judiciary offered the following substitute to HB 344:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 19-7-54 of the Official Code of Georgia Annotated, relating to a motion to set aside determination of paternity, so as to allow individuals other than movants in a child support case to request a genetic test from the Department of Human Services under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 19-7-54 of the Official Code of Georgia Annotated, relating to motion to set aside determination of paternity, is amended by revising subsection (d) as follows:

"(d)(1) In any case when the underlying child support order was issued by a court of this state or by the Department of Human Services and is being enforced by the Department of Human Services, ~~a movant~~ an individual who is involved in the Department of Human Services' enforcement of such order and who intends to file a motion as provided for in subsection (a) of this Code section may request a genetic

test from the Department of Human Services, contingent upon advance payment of the genetic test fee ~~by such movant~~. Such request shall be accompanied by a statement setting forth that the requirements to set aside a determination of paternity described in paragraphs (2) through (5) of subsection (b) of this Code section are met. The Department of Human Services may deny such request if:

(A) Genetic testing was previously completed;

(B) The child was adopted either by the requester or the other individual involved in the enforcement by the Department of Human Services;

(C) The child was conceived by means of artificial insemination; or

(D) The Department of Human Services has previously offered genetic testing and the requester refused the opportunity for such testing at that time.

(2) In any case when the ~~eustodian of the child~~ nonrequesting individual does not consent to genetic testing, ~~a movant~~ the requesting individual may petition the court to ask for such testing of the ~~other parent and the child or children~~ appropriate individuals."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath
 Henson
 Y Hill

Y Mullis
 Y Orrock
 Y Parent

Y Williams, M
 Y Williams, N

On the passage of the bill, the yeas were 51, nays 0.

HB 344, having received the requisite constitutional majority, was passed by substitute.

HB 751. By Representatives Powell of the 32nd, Rogers of the 10th, Rhodes of the 120th, Efstration of the 104th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 3 of Title 38 of the O.C.G.A., relating to emergency management, so as to establish the Georgia Emergency Communications Authority; to amend Title 46 of the O.C.G.A., relating to public utilities and public transportation, so as to revise the Georgia Emergency Telephone Number 9-1-1 Service Act of 1977 to account for the establishment of the authority; to amend Chapter 8 of Title 35, Title 45, and Article 1 of Chapter 2 of Title 48 of the O.C.G.A., relating to employment and training of peace officers, public officers and employees, and state administrative organization, respectively, so as to make conforming changes; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kennedy of the 18th.

The Senate Committee on Public Safety offered the following substitute to HB 751:

A BILL TO BE ENTITLED
 AN ACT

To amend Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management, so as to establish the Georgia Emergency Communications Authority; to provide for definitions; to provide for a short title; to provide for members, powers, duties, and responsibilities of the authority; to provide for a board of directors and executive director of the authority; to provide for legal services for the authority; to provide for remittance of certain 9-1-1 charges to the authority; to provide for payment by service suppliers to the authority; to provide for administrative costs; to provide for audits; to provide for the assessment of penalties and interest by the authority for noncompliance; to provide for the nondisclosure of certain information submitted to the authority or Department of Revenue; to provide for the use of funds; to amend Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public transportation, so as to revise the Georgia Emergency Telephone Number 9-1-1 Service Act of 1977 to account for the establishment of the authority; to revise definitions; to

transfer certain duties from the Georgia Emergency Management and Homeland Security Agency to the authority; to abolish the 9-1-1 Advisory Committee; to revise provisions regarding the registration of certain information by service suppliers and Voice over Internet Protocol service suppliers; to revise standards for the establishment and approval of 9-1-1 systems; to establish criteria for county-wide imposition of 9-1-1 charges; to revise the 9-1-1 charge assessed to telephone subscribers; to revise the administrative fee retained by service suppliers; to provide for a cost recovery fee billed to subscribers; to revise the prepaid wireless 9-1-1 charge that counties and municipalities may assess and such charge's terms of remittance; to amend Chapter 8 of Title 35, Title 45, and Article 1 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, public officers and employees, and state administrative organization, respectively, so as to make conforming changes; to provide for the nonconfidentiality and nonprivilege of certain information collected by the authority and Department of Revenue; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management, is amended by adding a new article to read as follows:

"ARTICLE 12

38-3-180.

This article shall be known and may be cited as the 'Georgia Emergency Communications Authority Act.'

38-3-181.

As used in this article, the term:

(1) 'Authority' means the Georgia Emergency Communications Authority established pursuant to Code Section 38-3-182.

(2) 'Board of directors' or 'board' means the governing body of the authority.

(3) 'Emergency 9-1-1 system' or '9-1-1 system' has the same meaning as provided in Code Section 46-5-122.

(4) 'Enhanced ZIP Code' has the same meaning as provided in Code Section 46-5-122.

(5) 'Local government' means a county, municipality, regional authority, or consolidated government in this state that operates or contracts for the operation of a public safety answering point and has adopted a resolution or ordinance pursuant to Code Section 46-5-133 to impose 9-1-1 charges under Code Section 46-5-134.

(6) 'Next Generation 9-1-1' or 'NG911' is a secure, nationwide, interoperable, standards-based, all Internet protocol emergency communications infrastructure enabling end-to-end transmission of all types of data, including, but not limited to, voice and multimedia communications from the public to a public safety answering point.

(7) '9-1-1 charge' has the same meaning as provided in Code Section 46-5-122.

(8) 'Public safety answering point' has the same meaning as provided in Code Section 46-5-122.

(9) 'Service supplier' has the same meaning as provided in Code Section 46-5-122.

(10) 'Telephone subscriber' has the same meaning as provided in Code Section 46-5-122.

(11) 'Wireless enhanced 9-1-1 charge' has the same meaning as provided in Code Section 46-5-122.

38-3-182.

(a)(1) There is established the Georgia Emergency Communications Authority as a body corporate and politic, an instrumentality of the state, and a public corporation, and by that name the authority may contract and be contracted with and defend and bring actions, including, but not limited to, a private right of action to enforce this article. The authority shall be an entity within the Georgia Emergency Management and Homeland Security Agency and attached to said agency for all operational purposes.

(2) All local governments as of July 1, 2018, shall be members of the authority. Additional local governments shall become members upon adoption of a resolution or ordinance to impose the monthly 9-1-1 charge as authorized by Code Section 46-5-133 and contingent upon approval by the authority which shall not be unreasonably withheld. Any local government member of the authority that ceases operating or contracting for the operation of a public safety answering point shall withdraw from the authority subject to the terms of any contract, obligation, or agreement with the authority.

(b) The primary purpose of the authority shall be to administer, collect, audit, and remit 9-1-1 revenues for the benefit of local governments, as specified in this article, and on such terms and conditions as may be determined to be in the best interest of the operation of local governments in light of the following factors:

(1) The public interest in providing cost-efficient collection of revenues;

(2) Increasing compliance in collection of revenues;

(3) Easing the administrative burden on vendors and service suppliers; and

(4) Such other factors as are in the public interest and welfare of the citizens of Georgia.

(c) In addition to the purposes specified in subsection (b) of this Code section, the authority shall have the duties and responsibilities to:

(1) Apply for, receive, and use federal grants or state grants or both;

(2) Study, evaluate, and recommend technology standards for the regional and state-

- wide provision of a public safety communications network and 9-1-1 system;
- (3) Identify any changes necessary to accomplish more effective and efficient 9-1-1 service across this state including consolidation and interoperability of 9-1-1 systems;
- (4) Identify any changes necessary in the assessment and collection of fees under Part 4 of Article 2 of Chapter 5 of Title 46;
- (5) Develop, offer, or make recommendations to the Georgia Public Safety Training Center, Georgia Peace Officers and Standards Training Council, and other state agencies as to training that should be provided to telecommunicators, trainers, supervisors, and directors of public safety answering points;
- (6) Recommend minimum standards for operation of public safety answering points;
- (7) Collect data and statistics regarding the performance of public safety answering points; and
- (8) Identify any necessary changes or enhancements to develop and deploy NG911 statewide.
- (d)(1) Control and management of the authority shall be vested in a board of directors which shall consist of the following:
- (A) The commissioner of the Department of Public Safety or his or her designee;
- (B) The commissioner of the Department of Revenue or his or her designee;
- (C) The director of the Georgia Public Safety Training Center or his or her designee;
- (D) Three members appointed by the Governor who shall be 9-1-1 directors, each of whom shall be currently employed by a public safety answering point. The Georgia 9-1-1 Directors Association, the Georgia Chapter of the Association of Public Safety Communications Officials, and the Georgia Chapter of the National Emergency Number Association may provide recommendations to the Governor for such appointments;
- (E) One member appointed by the Governor who shall be an elected member of a county governing authority that operates or contracts for the operation of a public safety answering point. The Association County Commissioners of Georgia may provide recommendations to the Governor for such appointment;
- (F) One member appointed by the Governor who shall be a county manager, county administrator, or finance officer from a county that operates or contracts for the operation of a public safety answering point. The Association County Commissioners of Georgia may provide recommendations to the Governor for such appointment;
- (G) One member appointed by the Governor who shall be an elected member of a city governing authority that operates or contracts for the operation of a public safety answering point. The Georgia Municipal Association may provide recommendations to the Governor for such appointment;
- (H) One member appointed by the Governor who shall be a city manager, city administrator, or finance officer from a city that operates or contracts for the operation of a public safety answering point. The Georgia Municipal Association may provide recommendations to the Governor for such appointment;

- (I) Two members from the telecommunications industry who shall be appointed by the Governor;
- (J) One member appointed by the Governor who is a sheriff responsible for managing a public safety answering point. The Georgia Sheriffs' Association may provide recommendations to the Governor for such appointment;
- (K) One police chief appointed by the Governor who is serving a local government. The Georgia Association of Chiefs of Police may provide recommendations to the Governor for such appointment; and
- (L) One fire chief appointed by the Governor who is serving a local government. The Georgia Association of Fire Chiefs may provide recommendations to the Governor for such appointment.
- (2) The initial term for appointments made pursuant to subparagraphs (D), (E), (F), (G), and (H) of paragraph (1) of this subsection shall be from July 1, 2018, until June 30, 2021. The initial term for appointments made pursuant to subparagraphs (I), (J), (K), and (L) of paragraph (1) of this subsection shall be from July 1, 2018, until June 30, 2020. All subsequent terms shall be for three years. Any vacancies that occur prior to the end of a term shall be filled by appointment in the same manner as the original appointment and shall be for the remainder of the unexpired term.
- (3) The board may appoint additional persons to serve in an advisory role to the board. Such advisers shall be nonvoting and shall not be counted in ascertaining if a quorum is present.
- (4) Members of the board of directors shall receive no compensation for their services but may be authorized by the authority to receive an expense allowance and reimbursement from funds of the authority in the same manner as provided for in Code Section 45-7-21, but only in connection with the member's physical attendance at a meeting of the board.
- (5) Nine members of the board of directors shall constitute a quorum, and the affirmative votes of a majority of a quorum shall be required for any action to be taken by the board.
- (6) The executive director of the authority shall convene the initial meeting of the board of the authority no later than September 1, 2018, at which time the board shall elect one of its members as chairperson. In addition, the board shall elect from its membership a vice chairperson and a secretary/treasurer.
- (7) The board of directors shall promulgate bylaws and may adopt other procedures for governing its affairs and for discharging its duties as may be permitted or required by law or applicable rules and regulations.
- (e) The authority shall have perpetual existence.
- (f) The authority through its board of directors shall have the power and authority to:
- (1) Have a seal and alter the same at its pleasure;
 - (2) Make and execute contracts, lease agreements, and all other instruments necessary or convenient to exercise the powers of the authority or to further the public purpose for which the authority is created;
 - (3) Acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real or

personal property of every kind and character, or any interest therein, in furtherance of the purpose of the authority;

(4) Apply for and to accept any gifts or grants, loan guarantees, loans of funds, property, or financial or other aid in any form from the federal government or any agency or instrumentality thereof, from the state government or any agency or instrumentality thereof, or from any other source for any or all purposes specified in this article and to comply, subject to the provisions of this article, with the terms and conditions thereof;

(5) Deposit or otherwise invest funds held by it in any state depository or in any investment that is authorized for the investment of proceeds of state general obligation bonds and to use for its corporate purposes or redeposit or reinvest interest earned on such funds;

(6) Exercise any powers granted by the laws of this state to public or private corporations that are not in conflict with the public purpose of the authority;

(7) Do all things necessary or convenient to carry out the powers conferred by this article and to carry out such duties and activities as are specifically imposed upon the authority by law;

(8) Bring and defend actions;

(9) Provide for the collection of moneys;

(10) Manage, control, and direct proceeds retained under subsection (a) of Code Section 38-3-188 and the expenditures made therefrom;

(11) Distribute the proceeds identified under subsection (b) of Code Section 38-3-188 in such manner and subject to such terms and limitations as provided by such Code section; and

(12) Exercise all other powers necessary for the development and implementation of the duties and responsibilities provided for in this article.

(g) The creation of the authority and the carrying out of its purpose under this article are in all respects for the benefit of the people of this state. The authority shall be carrying out an essential governmental function on behalf of local governments in the exercise of the powers conferred upon it by this article and is, therefore, given the same immunity from liability for carrying out its intended functions as other state officials and employees.

(h) The authority shall not be required to pay taxes or assessments upon any real or personal property acquired under its jurisdiction, control, possession, or supervision.

(i) All moneys received by the authority pursuant to this article shall be deemed to be trust funds to be held and applied solely as provided in this article.

(j) This article, being for the welfare of the state and its inhabitants, shall be liberally construed to affect the purposes thereof.

(k) Notwithstanding any provision of this Code section to the contrary, the authority shall have no jurisdiction concerning the setting of rates, terms, and conditions for the offering of telecommunications services, as defined in Code Section 46-5-162, or for the offering of broadband service, VoIP, or wireless service, as such terms are defined in Code Section 46-5-221.

(1) The board shall be subject to and shall comply with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' in the same manner as an agency as such term is defined in Code Section 50-13-2. The board may promulgate and amend, from time to time, such rules or regulations, consistent with this article and Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' as it deems consistent with or required for the public welfare, for the administration of any provision of this article, or for the orderly conduct of the board's affairs. Any claim by the authority that a service supplier has violated any provision of this article shall be adjudicated as a contested proceeding under Code Section 50-13-13 and be subject to judicial review under Code Section 50-13-19.

38-3-183.

The director of the Georgia Emergency Management and Homeland Security Agency shall appoint an executive director, subject to approval by the board, who shall be the administrative head of the authority, and shall establish the salary of the executive director. The executive director shall serve at the pleasure of such director. The executive director, with the concurrence and approval of such director, shall hire officers, agents, and employees; prescribe their duties, responsibilities, and qualifications; set their salaries; and perform such other duties as may be prescribed by the authority. Such officers, agents, and employees shall serve at the pleasure of the executive director.

38-3-184.

The Attorney General shall provide legal services for the authority and, in connection therewith, Code Sections 45-15-13 through 45-15-16 shall be fully applicable.

38-3-185.

(a) Beginning January 1, 2019, all 9-1-1 charges and all wireless enhanced 9-1-1 charges imposed by the governing authority of a local government pursuant to Code Section 46-5-133 and collected by a service supplier pursuant to Code Sections 46-5-134 and 46-5-134.1 shall be remitted monthly by each service supplier to the authority not later than the twentieth day of the month following the month in which they are collected. Any charges not remitted in a timely manner shall accrue interest at the rate specified in Code Section 48-2-40, until the date they are paid.

(b)(1) Each service supplier collecting and remitting 9-1-1 and wireless enhanced 9-1-1 charges to the authority pursuant to subsection (a) of this Code section shall submit with the remitted charges a report identifying the amount of the charges being collected and remitted from telephone subscribers attributable to each county or municipality that operates a public safety answering point, including counties and municipalities that operate multijurisdictional or regional 9-1-1 systems or have created a joint authority pursuant to Code Section 46-5-138.

(2) For purposes of the monthly report required in paragraph (1) of this subsection, the service supplier shall attempt to utilize enhanced ZIP Codes. If an enhanced ZIP

Code designation is not available for an address or if the service supplier is unable to determine the applicable enhanced ZIP Code designation after exercising due diligence to determine the designation, the service supplier may apply the five-digit ZIP Code to that address. For purposes of this subsection, there is a rebuttable presumption that a service supplier has exercised due diligence if the service supplier has attempted to determine the enhanced ZIP Code designation by utilizing software used by the Streamlined Sales Tax Governing Board pursuant to Code Section 48-8-70.

38-3-186.

(a) The authority shall contract with the Department of Revenue for the collection and disbursement of charges remitted to the authority under subsection (a) of Code Section 38-3-185, other than prepaid wireless 9-1-1 charges under Code Section 46-5-134.2. Under such nonmonetary contract and to defray the cost of administering such collection and disbursement, the Department of Revenue shall receive payment equal to 1 percent of the total amount of the gross charges remitted to the authority under subsection (a) of Code Section 38-3-185, other than prepaid wireless 9-1-1 charges under Code Section 46-5-134.2.

(b) The authority shall also contract with the Department of Revenue for the collection and disbursement of prepaid wireless 9-1-1 charges remitted to counties and municipalities under Code Section 46-5-134.2. Under such nonmonetary contract and to defray the cost of administering such collection and disbursement, the Department of Revenue shall receive payment equal to 1 percent of the total amount of the gross charges remitted to the authority or Department of Revenue under Code Section 46-5-134.2.

38-3-187.

The authority and telecommunications service suppliers shall work in cooperation with the state to plan for and implement a state-wide public safety communications network.

38-3-188.

(a) The Department of Revenue shall retain from the charges remitted to it pursuant to subsection (a) of Code Section 38-3-185 and pursuant to Code Section 46-5-134.2 an amount equal to 1 percent of the total amount of such charges and remit such amount to the authority.

(b) Except for the amounts retained by the authority, Department of Revenue, and service suppliers pursuant to Code Sections 38-3-186 and 46-5-134 and this Code section, the remainder of the charges remitted by service suppliers shall be paid by the Department of Revenue to each local government on a pro rata basis based on the remitted amounts attributable to each such local government reported by service suppliers in the reports required by subsection (b) of Code Section 38-3-185. Such payments shall be made by the Department of Revenue to such local governments not later than 30 days following the date charges must be remitted by service suppliers to

the Department of Revenue pursuant to subsection (a) of Code Section 38-3-185. Under no circumstances shall such payments be, or be deemed to be, revenues of the state and such payments shall not be subject to or available for appropriation by the state for any purpose.

38-3-189.

(a)(1) Beginning January 1, 2019, the authority is authorized to employ or contract with an independent auditor or the Department of Revenue to audit the financial and business records of any service supplier offering communication services capable of connecting 9-1-1 service to the extent necessary to ensure proper collection and remittance of charges in accordance with this article and with Part 4 of Article 2 of Chapter 5 of Title 46. If the authority chooses to contract with the Department of Revenue to audit the financial and business records of any service supplier offering communication services capable of connecting 9-1-1 service, the contract shall be nonmonetary and any and all costs associated with the performance of such audits shall be considered paid for by the administrative fee retained by the Department of Revenue under Code Section 38-3-186. Under no circumstances shall the Department of Revenue retain any additional charges for the purpose of conducting such audits. Such audits shall apply only to charges required to be imposed and collected pursuant to Part 4 of Article 2 of Chapter 5 of Title 46 on or after January 1, 2019. Any audits other than those conducted by the Department of Revenue shall be conducted at the authority's sole expense. The Department of Revenue shall provide to the authority access to all of the department's collection data and records of monthly returns of service suppliers under this Code section. Except as provided by Code Section 38-3-190, such data and records shall not be used by the authority for any purpose other than audits under this Code section and shall otherwise retain any confidential status while in the possession of or use by the authority or others retained by the authority.

(2) The board shall develop a schedule for auditing service suppliers according to criteria adopted by the board. Such schedule shall provide for an audit of a service supplier not more than once every three years. Any such audit shall cover a representative sample of the service supplier's customer base in the state.

(3) Any claim by the authority seeking to adjust the amount of any billing, remittance, or charge reported by the service supplier as required under Code Section 38-3-185 or imposing any penalty shall be limited to a period of three years prior to the date of the initial notice to the service supplier of the audit.

(b) Failure of a service supplier to comply with any audit required under paragraph (2) of subsection (a) of this Code section, when notice of such audit has been duly served upon a service supplier's registered agent, shall result in a civil penalty of not more than \$1,000.00 per day for each day the service supplier refuses to comply, commencing on a date certain as stated in such notice, which in no case shall be less than 45 days, unless otherwise agreed in writing by the parties. A good faith attempt by a service supplier to comply with any such audit shall serve as a defense to a claim of failure to comply in any contested proceeding under Code Section 50-13-13 or judicial review

under Code Section 50-13-19, and if upheld, there shall be no civil penalty.

(c) Willful failure of any service supplier to have billed the monthly charges under Code Section 38-3-185 or 46-5-134.2 or to have remitted such collected charges as required shall be subject to a civil penalty of not more than \$25,000.00 in the aggregate or 3 percent of the amount that should have been remitted, whichever is less. The civil penalty shall be in addition to the amount that should have been remitted and shall accrue interest at the rate specified in Code Section 48-2-40. The remedy set forth in this Code section shall be enforced solely by the authority and shall be the only remedy for any claim against a service supplier for failure to bill or remit the monthly charges under Code Section 38-3-185 or 46-5-134.2.

(d)(1) A service supplier shall not incur any liability, including, but not limited to, liability for the payment of unbilled or unremitted charges, for any billing practice previously or subsequently approved in writing by the authority or otherwise approved pursuant to paragraph (2) of this subsection. A service supplier may request that the authority approve a billing practice by a written request sent to the executive director of the authority by certified mail. The authority may request additional information from the service supplier regarding the billing practice.

(2)(A) The authority shall issue a written decision within 90 days of the executive director's receipt of the service supplier's written request for approval of the billing practice; provided, however, that the authority may, in its discretion, either request additional information or determine that it needs more time, in which case the authority shall provide notice of same to the service supplier and a single additional 90 day period shall commence.

(B) In the event the authority does not issue a written decision within the time period specified under subparagraph (A) of this paragraph, the billing practice shall be deemed approved pursuant to this subsection.

(3) The written approval of a billing practice under this subsection or the approval of a billing practice under subparagraph (B) of paragraph (2) of this subsection shall not impair or prohibit the board from adopting and implementing subsequently new requirements by rule or regulation that the board deems appropriate which supersede any such prior approved billing practices; provided, however, that in no case shall any approval of a billing practice by the authority be superseded for a period of at least three years following the date of approval.

38-3-190.

(a) Except as otherwise provided in this Code section, all information submitted by a service supplier to the authority or Department of Revenue pursuant to this article shall be presumed to be confidential, proprietary, a trade secret, or subject to exemption from disclosure under state or federal law and shall not be subject to disclosure under Article 4 of Chapter 18 of Title 50. Except as provided in this Code section, such information shall not be released to any person other than to the submitting service supplier, the authority, or auditors or attorneys employed by or under contract with the authority or the Georgia Emergency Management and Homeland Security Agency without the

express permission of the submitting service supplier. Members of the authority shall also have access to information for the purpose of determining the accuracy of collections and remittances of individual service suppliers related to the member's jurisdiction. Such information shall be used solely for the purposes stated under this article.

(b) Information collected by the authority and Department of Revenue related to this article and Part 4 of Article 2 of Chapter 5 of Title 46 may be publicly released or published but only in aggregate amounts that do not identify or allow identification of numbers of subscribers or revenues attributable to an individual service supplier. All requests for information shall be submitted to the authority and not directly to the Department of Revenue.

(c) Nothing in this Code section shall prohibit the authority or Department of Revenue from complying with a court order or request of a state or federal grand jury, taxing or regulatory authority, law enforcement agency, or prosecuting attorney in conjunction with an ongoing administrative, criminal, or tax investigation.

38-3-191.

All funds, distributions, revenues, grants, appropriations, and rights and privileges of value of every nature accruing to the authority shall be used only for the purpose of developing, maintaining, administering, managing, and promoting the authority, state-wide 9-1-1 advancements, and state-wide public safety communications interoperability and may never be appropriated for any other purpose."

PART II SECTION 2-1.

Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public transportation, is amended in Code Section 46-5-122, relating to definitions, by revising paragraphs (2), (2.3), (3), (7), (16.1), (17), and (17.1), as follows:

"(2) 'Authority' ~~'Agency'~~ means the ~~Georgia Emergency Management and Homeland Security Agency established pursuant to Code Section 38-3-20 unless the context clearly requires otherwise~~ Georgia Emergency Communications Authority established pursuant to Code Section 38-3-182."

~~"(2.3) 'Department' means the Department of Community Affairs established pursuant to Code Section 50-8-1.~~

(3) ~~'Director' means the director of emergency management appointed pursuant to Code Section 38-3-20~~ Reserved."

"(7) 'Exchange access facility' means the access from a particular telephone subscriber's premises to the telephone system of a service supplier. Exchange access facilities include service supplier provided access lines, PBX trunks, and Centrex network access registers, all as defined by tariffs of the telephone companies as approved by the Georgia Public Service Commission or, in the case of detariffed services, as defined in publicly available guidebooks or other publicly available

service supplier publications. The term 'exchange access facility' also includes Voice over Internet Protocol service suppliers and any other communication, message, signal, or information delivery system capable of initiating a 9-1-1 emergency call. Exchange access facilities do not include service supplier owned and operated telephone pay station lines, Wide Area Telecommunications Services (WATS), Foreign Exchange (FX), or incoming only lines."

"(16.1)(A) 'Telephone service' means any method by which a 9-1-1 emergency call is delivered to a public safety answering point. ~~The term 'telephone service'~~ Such term shall include local exchange ~~telephone service access facilities~~ or other telephone communication service, wireless service, ~~prepaid wireless service~~, mobile telecommunications service, computer service, Voice over Internet Protocol service, or any technology that delivers ~~or is required by law to deliver~~ a call to a public safety answering point that is:

- (i) Capable of contacting and has been enabled to contact a public safety answering point via a 9-1-1 system by entering or dialing the digits 9-1-1;
- (ii) A telecommunications service as such term is defined in Code Section 48-8-2;
and
- (iii) Neither a prepaid calling service nor a prepaid wireless calling service as such terms are defined in Code Section 48-8-2.

(B) When a service supplier provides to the same person, business, or organization the voice channel capacity to make more than one simultaneous outbound call from an exchange access facility, then each such separate outbound call voice channel capacity, regardless of technology, shall constitute a separate telephone service.

(C) When the same person, business, or organization has several wireless telephones, each wireless telecommunications connection shall constitute a separate telephone service; provided, however, that multiple wireless devices that share a single telephone number and which are generally offered for use primarily by a single individual shall constitute a single telephone service.

(D) A broadband connection used for telephone service shall not constitute a separate voice channel capacity subscription for purposes of the 9-1-1 charge.

(17) 'Telephone subscriber' means a person or entity to ~~whom~~ which retail telephone service, either residential or commercial, is provided. ~~When the same person, business, or organization has several telephone access lines, each exchange access facility shall constitute a separate subscription. When the same person, business, or organization has several wireless telephones, each wireless telecommunications connection shall constitute a separate connection.~~

(17.1) 'Voice over Internet Protocol service' ~~means~~ includes any technology that permits a voice conversation through any device using a voice connection to a computer, whether through a microphone, a telephone, or other device, ~~which that~~ sends a digital signal over the Internet through a broadband connection to be converted back to the human voice at a distant terminal and that delivers ~~or is required by law to deliver~~ a call to a public safety answering point. Voice over Internet Protocol service shall also include interconnected Voice over Internet Protocol

service, which is service that enables real-time, two-way voice communications, requires a broadband connection from the user's location, requires Internet protocol compatible customer premises equipment, and allows users to receive calls that originate on the public service telephone network and to terminate calls to the public switched telephone network."

SECTION 2-2.

Said title is further amended by repealing Code Section 46-5-123, relating to creation of 9-1-1 Advisory Committee, selection of members, filling vacancies, organization, and roles and responsibilities, and designating such Code section as reserved.

SECTION 2-3.

Said title is further amended by revising Code Section 46-5-124, relating to guidelines for implementing state-wide emergency 9-1-1 system and training and equipment standards, as follows:

"46-5-124.

(a) The agency authority shall develop guidelines for implementing a state-wide emergency 9-1-1 system. The guidelines shall provide for:

(1) Steps of action necessary for public agencies to effect the necessary coordination, regulation, and development preliminary to a 9-1-1 system that shall incorporate the requirements of each public service agency in each local government of Georgia;

(2) Identification of mutual aid agreements necessary to effect the 9-1-1 system, including coordination on behalf of the State of Georgia with any federal agency to secure financial assistance or other desirable activities in connection with the receipt of funding that may be provided to communities for the planning, development, or implementation of the 9-1-1 system;

(3) The coordination necessary between local governments planning or developing a 9-1-1 system and other state agencies, the Public Service Commission, all affected utility and telephone companies, wireless service suppliers, and other agencies;

(4) The actions to establish emergency telephone service necessary to meet the requirements for each local government, including law enforcement, fire-fighting, medical, suicide prevention, rescue, or other emergency services; and

(5) The actions to be taken by a local government desiring to provide wireless enhanced 9-1-1 service, including requirements contained in 47 ~~Code of Federal Regulations~~ C.F.R. Section 20.18.

(b) The agency authority shall be responsible for encouraging and promoting the planning, development, and implementation of local 9-1-1 system plans. The agency authority shall develop any necessary procedures to be followed by public agencies for implementing and coordinating such plans and shall mediate whenever disputes arise or agreements cannot be reached between the local political jurisdiction and other entities involving the 9-1-1 system.

(c) Notwithstanding any other law to the contrary, no communications officer hired to the staff of a public safety answering point shall be required to complete his or her

training pursuant to Code Section 35-8-23 prior to being hired or employed for such position.

(d) The ~~agency~~ authority shall maintain the registry of wireless service suppliers provided for in Code Section 46-5-124.1."

SECTION 2-4.

Said title is further amended by revising Code Section 46-5-124.1, relating to service suppliers or Voice over Internet Protocol service suppliers must register certain information with the director, updating information, and notices of delinquency, as follows:

"46-5-124.1.

(a) Any service supplier or Voice over Internet Protocol service supplier doing business in Georgia shall register the following information by January 1, 2019, with the ~~director~~ authority:

(1) The name, address, and telephone number of the representative of the service supplier or Voice over Internet Protocol service supplier to whom the resolution adopted pursuant to Code Section 46-5-133 or other notification of intent to provide automatic number identification or automatic location identification, or both, of a telephone service connection ~~should be submitted~~;

(2) The name, address, and telephone number of the representative of the service supplier or Voice over Internet Protocol service supplier with whom a local government must coordinate to implement automatic number identification or automatic location identification, or both, of a telephone service connection;

(3) The counties in Georgia in which the service supplier or Voice over Internet Protocol service supplier is authorized to provide and is actively providing telephone service at the time the filing is made; and

(4) Every corporate name under which the service supplier or Voice over Internet Protocol service supplier is authorized to provide telephone service in Georgia.

(b) After the initial submission by each service supplier or Voice over Internet Protocol service supplier doing business in this state, if the information required by subsection (a) of this Code section changes, it shall be updated and submitted to the director by the tenth day of January and the tenth day of July of each year or such other semiannual schedule as the director may establish authority within 60 days of such change.

(c) ~~Every~~ ~~The director shall send a notice of delinquency to any~~ service supplier or Voice over Internet Protocol service supplier ~~which fails to~~ shall comply with ~~subsection~~ subsections (a) and (b) of this Code section. Such notice shall be sent by certified mail or statutory overnight delivery. Any service supplier or Voice over Internet Protocol service supplier that fails to register and provide the information required by this Code section after receiving notice of the deficiency or noncompliance duly served upon the service supplier's or Voice over Internet Protocol service supplier's registered agent and failing to cure the deficiency or noncompliance within 60 days of receiving notice within 30 days after receipt of a notice of delinquency shall:

(1) ~~Not~~ not be eligible to receive cost recovery funds as provided in subsection (e) of

Code Section 46-5-134 until the service supplier or Voice over Internet Protocol service supplier is in compliance with ~~subsection~~ subsections (a) and (b) of this Code section;

(2) Be subject to a fine by the authority in the amount of \$1,000.00 per day for each day of failure to comply with subsection (b) of this Code section; and

(3) When audited, not be subject to the three-year limit under paragraph (3) of subsection (a) of Code Section 38-3-189.

(d) Subsection (c) of this Code section shall apply only so long as the deficiency or noncompliance remains uncured.

(e) The authority may share the service supplier registry with the Department of Revenue to ensure proper collection and remittance of all 9-1-1 charges."

SECTION 2-5.

Said title is further amended by revising Code Section 46-5-126, relating to cooperation by commission and telephone industry, as follows:

"46-5-126.

The agency authority shall coordinate its activities with those of the Public Service Commission, which shall encourage the Georgia telephone industry to activate facility modification plans for a timely 9-1-1 implementation."

SECTION 2-6.

Said title is further amended by revising Code Section 46-5-127, relating to approval of 9-1-1 systems by agency, as follows:

"46-5-127.

(a) After January 1, 1978, and prior to January 1, 2019, no emergency 9-1-1 system shall be established, and no existing system shall be expanded to provide wireless enhanced 9-1-1 service, without written confirmation by the agency Georgia Emergency Management and Homeland Security Agency that the local plan conforms to the guidelines and procedures provided for in Code Section 46-5-124.

(b) On or after January 1, 2019, no emergency 9-1-1 system shall be established, and no existing system shall be expanded to provide wireless enhanced 9-1-1 service, without written confirmation by the authority that the local plan conforms to the guidelines and procedures provided for in Code Section 46-5-124. The authority shall not deny establishment of a new system or an expansion to provide wireless enhanced 9-1-1 service if the local plan conforms to the guidelines and procedures provided for in Code Section 46-5-124."

SECTION 2-7.

Said title is further amended by revising Code Section 46-5-128, relating to cooperation by public agencies, as follows:

"46-5-128.

All public agencies shall assist the agency authority in its efforts to carry out the intent of this part; and such agencies shall comply with the guidelines developed pursuant to

Code Section 46-5-124 by furnishing a resolution of intent regarding an emergency 9-1-1 system."

SECTION 2-8.

Said title is further amended by revising Code Section 46-5-129, relating to use of 9-1-1 emblem, as follows:

"46-5-129.

The agency authority may develop a 9-1-1 emblem which may be utilized on marked vehicles used by public safety agencies participating in a local 9-1-1 system."

SECTION 2-9.

Said title is further amended by revising Code Section 46-5-130, relating to federal assistance, as follows:

"46-5-130.

The agency authority is authorized to apply for and accept federal funding assistance in the development and implementation of a state-wide emergency 9-1-1 system."

SECTION 2-10.

Said title is further amended by revising Code Section 46-5-131, relating to exemptions from liability in operation of 9-1-1 system, as follows:

"46-5-131.

(a) Whether participating in a state-wide emergency 9-1-1 system or an emergency 9-1-1 system serving one or more local governments, neither the state nor the authority nor any local government of the state nor any emergency 9-1-1 system provider or service supplier or its employees, directors, officers, contractors, and agents, except in cases of wanton and willful misconduct or bad faith, shall be liable for death or injury to any person or for damage to property as a result of either developing, adopting, establishing, participating in, implementing, maintaining, or carrying out duties involved in operating the emergency 9-1-1 system or in the identification of the telephone number, address, or name associated with any person accessing an emergency 9-1-1 system.

(b) No local government of the State of Georgia shall be required to release, indemnify, defend, or hold harmless any emergency 9-1-1 system provider from any loss, claim, demand, suit, or other action or any liability whatsoever which arises out of subsection (a) of this Code section, unless the local government agrees or has agreed to assume such obligations."

SECTION 2-11.

Said title is further amended in Code Section 46-5-133, relating to authority of local government to adopt resolution to impose monthly 9-1-1 charge, by adding a new subsection to read as follows:

"(d) Unless a municipality has imposed any charge authorized by this part, a county's imposition by resolution of any charge authorized by this part shall be applied

countywide and the emergency 9-1-1 system shall be provided as a county-wide service. Any emergency call from a member of the public received by such a county or contracted public safety answering point shall be directed to the appropriate county or municipality public safety agency personnel who are able to respond to such call or other county or municipal dispatching personnel, and such public safety answering point shall maintain the connection with the caller or such public safety or dispatching personnel until the public safety answering point relays sufficient information for such personnel to respond to the call. Such county shall not impose fees or charges on the municipality or its public safety agency for the emergency call and connection services described in this subsection; provided, however, that nothing in this subsection is intended to supersede any existing intergovernmental agreements not otherwise in conflict with this subsection. The authority is authorized to adopt rules and regulations consistent with this subsection to ensure that emergency callers receive public safety services in an efficient, effective, and responsive manner and that responding public safety personnel are provided the necessary information to provide such services."

SECTION 2-12.

Said title is further amended in Code Section 46-5-134, relating to billing of subscribers, liability of subscriber for service charge, taxes on service, establishment of Emergency Telephone System Fund, records, and use of funds, by revising subsections (a), (b), (d), (e), and (i) as follows:

"(a)(1)(A)(i) Unless exempt, the ~~The~~ telephone subscriber of any telephone service ~~may~~ shall be billed for the monthly 9-1-1 charge, if any, imposed with respect to such telephone service by the service supplier. Such 9-1-1 charge ~~may not exceed~~ shall be \$1.50 per month per telephone service provided to the telephone subscriber except as reduced pursuant to paragraph (4) of subsection (d) of this Code section. ~~In the event that any telephone service supplier, due to its normal billing practices, is unable to charge differing amounts set by each local government as the 9-1-1 charge, such telephone service supplier shall collect on behalf of local governments that have authorized a 9-1-1 charge \$1.50 per month per telephone service provided to the telephone subscribers to whom it provides telephone service in every area served by the emergency 9-1-1 system.~~

(ii) In computing the amount due under this subsection, the number of 9-1-1 charges a telephone subscriber shall be assessed shall not exceed the number of simultaneous outbound calls that can be made from voice channels the service supplier has activated and enabled. For telephone service that provides to multiple locations shared simultaneous outbound voice channel capacity configured to and capable of accessing a 9-1-1 system in different states, the monthly 9-1-1 charge shall be assessed only for the portion of such shared voice channel capacity in this state as identified by the service supplier's books and records. In determining the portion of shared capacity in this state, a service supplier may rely on, among other factors, a customer's certification of its allocation of capacity in this state, which may be based on each end user location, the total number of end users, and

the number of end users at each end user location.

(B) All telephone services billed to federal, state, or local governments shall be exempt from the 9-1-1 charge. Each service supplier shall, on behalf of the local government, collect the 9-1-1 charge from those telephone subscribers to whom it provides telephone service in the area served by the emergency 9-1-1 system. As part of its normal billing process, the service supplier shall collect the 9-1-1 charge for each month a telephone service is in service, and it shall list the 9-1-1 charge as a separate entry on each bill. Nothing in this Code section shall be construed to require a service supplier to list the 9-1-1 charge as a surcharge or separate entry on each bill. Service suppliers that do not list the 9-1-1 charge as a separate entry on each bill shall remit the 9-1-1 charge for each telephone subscriber that pays the bill; provided, however, that this information shall be maintained in a form auditors can access. If a service supplier receives a partial payment for a bill from a telephone subscriber, the service supplier shall apply the payment against the amount the telephone subscriber owes the service supplier first.

(C) This paragraph shall not apply to wireless service or prepaid wireless service or the telephone subscribers or service suppliers of such services.

(2)(A) If the governing authority body of a local government operates or contracts for the operation of ~~an emergency 9-1-1 system which~~ a public safety answering point that is capable of providing or provides automatic number identification of a wireless telecommunications connection and the location of the base station or cell site which receives a 9-1-1 call from a wireless telecommunications connection, the subscriber of a wireless telecommunications connection whose ~~billing address~~ place of primary use is within the geographic area that is served by the local government or that would be served by the local government for the purpose of such ~~an emergency 9-1-1 system~~ a public safety answering point may be billed for the monthly wireless enhanced 9-1-1 charge, if any, imposed with respect to that connection by the wireless service supplier. Such wireless enhanced 9-1-1 charge ~~may not exceed the amount of the monthly 9-1-1 charge imposed upon other telephone subscribers pursuant to paragraph (1) of this subsection nor exceed \$1.00~~ shall be \$1.50 per month per wireless telecommunications connection provided to the telephone subscriber except as otherwise provided in paragraph (4) of subsection (d) of this Code section.

(B) If the governing authority body of a local government operates or contracts for the operation of an emergency 9-1-1 system which is capable of providing or provides automatic number identification and automatic location identification of a wireless telecommunications connection, the subscriber of a wireless telecommunications connection whose place of primary use is within the geographic area that is served by the local government or that would be served by the local government for the purpose of such an emergency 9-1-1 system may be billed for the monthly wireless enhanced 9-1-1 charge, if any, imposed with respect to that connection by the wireless service supplier. Such wireless enhanced 9-1-1 charge may not exceed the amount of the monthly 9-1-1 charge imposed upon other

telephone subscribers pursuant to paragraph (1) of this subsection and shall be imposed on a monthly basis for each wireless telecommunications connection provided to the telephone subscriber.

(C) All wireless telecommunications connections billed to federal, state, or local governments shall be exempt from the wireless enhanced 9-1-1 charge. Each wireless service supplier shall, on behalf of the local government, collect the wireless enhanced 9-1-1 charge from those telephone subscribers whose place of primary use is within the geographic area that is served by the local government or that would be served by the local government for the purpose of such an emergency 9-1-1 system. As part of its normal billing process, the wireless service supplier shall collect the wireless enhanced 9-1-1 charge for each month a wireless telecommunications connection is in service, and it ~~shall~~ may list the wireless enhanced 9-1-1 charge as a separate entry on each bill. Nothing in this Code section shall be construed to require a wireless service supplier to list the 9-1-1 charge as a separate entry on each bill. Wireless service suppliers that do not list the 9-1-1 charge as a separate entry on each bill shall remit the 9-1-1 charge for each telephone subscriber that pays the bill; provided, however, that this information shall be maintained in a form auditors can access. If a wireless service supplier receives partial payment for a bill from a telephone subscriber, the wireless service supplier shall apply the payment against the amount the telephone subscriber owes the wireless service supplier first.

(D) Notwithstanding the foregoing, the application of any 9-1-1 service charge with respect to a mobile telecommunications service, as defined in 4 U.S.C. Section 124(7), shall be governed by the provisions of Code Section 48-8-6.

(E) This paragraph shall not apply to prepaid wireless service or the telephone subscribers or service suppliers of such service.

(b) Every telephone subscriber in the area served by the emergency 9-1-1 system shall be liable for the 9-1-1 charges and the wireless enhanced 9-1-1 charges imposed under this Code section until it has been paid to the service supplier. A service supplier shall have no obligation to take any legal action to enforce the collection of the 9-1-1 charge or wireless enhanced 9-1-1 charge. The service supplier shall provide the governing authority within 60 days with the name and address of each subscriber who has refused to pay the 9-1-1 charge or wireless enhanced 9-1-1 charge after such 9-1-1 charge or wireless enhanced 9-1-1 charge has become due. A collection action may be initiated against the subscriber by the authority ~~local government that imposed the charges,~~ and reasonable costs and attorneys' fees associated with that collection action may be awarded to the authority ~~local government collecting the 9-1-1 charge or wireless enhanced 9-1-1 charge.~~"

"(d)(1) Each service supplier that collects 9-1-1 charges or wireless enhanced 9-1-1 charges on behalf of the local government is entitled to retain as an administrative fee an amount equal to ~~3~~ 1 percent of the gross 9-1-1 or wireless enhanced 9-1-1 charge receipts to be remitted to the local government; provided, however, that such amount shall not exceed ~~3¢~~ 1¢ for every dollar so remitted. ~~The remaining amount shall be~~

~~due quarterly to the local government and shall be remitted to it no later than 60 days after the close of a calendar quarter.~~

(2) The 9-1-1 charges and the wireless enhanced 9-1-1 charges collected by the service supplier and transmitted to the authority for distribution to local governments pursuant to Code Section 38-3-185 shall, upon being received by a local government, be deposited and accounted for in a separate restricted revenue fund known as the Emergency Telephone System Fund maintained by the local government. The local government may invest the money in the fund in the same manner that other moneys of the local government may be invested and any income earned from such investment shall be deposited into the Emergency Telephone System Fund.

(3) On or before July 1, 2005, any funds that may have been deposited in a separate restricted wireless reserve account required by this Code section prior to such date shall be transferred to the Emergency Telephone System Fund required by paragraph (2) of this subsection.

~~(4) The local government may on an annual basis, and at its expense, audit or cause to be audited the books and records of service suppliers with respect to the collection and remittance of 9-1-1 charges.~~

~~(5) Such monthly 9-1-1 charges and wireless enhanced 9-1-1 charges may be reduced at any time by the governing authority by resolution; provided, however, that said governing authority~~ The governing body of a local government shall be required to reduce such monthly 9-1-1 charge or wireless enhanced 9-1-1 charge at any time the projected revenues from 9-1-1 charges or wireless enhanced 9-1-1 charges will cause the unexpended revenues in the Emergency Telephone System Fund at the end of the fiscal year to exceed by one and one-half times the unexpended revenues in such fund at the end of the immediately preceding fiscal year or at any time the unexpended revenues in such fund at the end of the fiscal year exceed by one and one-half times the unexpended revenues in such fund at the end of the immediately preceding fiscal year. Such reduction in the 9-1-1 charge or wireless enhanced 9-1-1 charge shall be in an amount which will avert the accumulation of revenues in such fund at the end of the fiscal year which will exceed by one and one-half times the amount of revenues in the fund at the end of the immediately preceding fiscal year.

(e)(1) A ~~wireless~~ service supplier may recover its costs expended on the implementation and provision of ~~wireless enhanced~~ 9-1-1 services to subscribers ~~in an amount not to exceed 30¢ of each 9-1-1 charge collected from a place of primary use that is within the geographic area that is served by the local government or would be served by the local government for the purpose of such emergency 9-1-1 system; provided, however, that such amount may be increased to 45¢ upon implementation of step two of the state plan governing 9-1-1 enhanced communications as provided in subsection (g) of this Code section. Such cost recovery amount shall be based on the actual cost incurred by the wireless service supplier in providing wireless enhanced 9-1-1 services~~ by imposing a cost recovery fee not to exceed 45¢ per month or including such costs in existing cost recovery or regulatory recovery fees billed to the subscriber. In no event shall a service supplier deduct any amounts for cost recovery

or otherwise from the charges to be remitted to the authority pursuant to Code Section 38-3-185 or 46-5-134.2.

(2) A wireless service supplier shall not be authorized to recover any costs under paragraph (1) of this subsection with respect to any prepaid wireless services."

"(i) The service supplier shall maintain records of the amount of the 9-1-1 charges and wireless enhanced 9-1-1 charges collected for a period of at least three years from the date of collection. ~~The local government may, at its expense, require an annual audit of the service supplier's books and records with respect to the collection and remittance of the 9-1-1 charges and wireless enhanced 9-1-1 charges.~~"

SECTION 2-13.

Said title is further amended by revising Code Section 46-5-134.1, relating to counties where the governing authorities of more than one local government have adopted a resolution to impose an enhanced 9-1-1 charge, as follows:

"46-5-134.1.

(a) This Code section shall apply in counties where the governing ~~authorities~~ bodies of more than one local government have adopted a resolution to impose a 9-1-1 charge in accordance with the provisions of subsection (a) of Code Section 46-5-133 and notwithstanding any contrary provision of Code Section 46-5-133 or 46-5-134.

(b) A wireless service supplier may certify to any of the governing ~~authorities~~ bodies described in subsection (a) of this Code section that the wireless service supplier is unable to determine whether the billing addresses of its subscribers are within the geographic area that is served by such local government. Upon such certification, the wireless service supplier shall be authorized to collect the 9-1-1 charge for wireless enhanced 9-1-1 services from any of its subscribers whose billing address is within the county and is within an area that is as close as reasonably possible to the geographic area that is served by such local government. The wireless service supplier shall notify such subscribers that if such subscriber's billing address is not within the geographic area served by such local government, such subscriber is not obligated to pay the 9-1-1 charge for wireless enhanced 9-1-1 service.

(c) Unless otherwise provided in an agreement among the governing ~~authorities~~ bodies described in subsection (a) of this Code section, the charges collected by a wireless service supplier pursuant to this Code section shall be remitted to such governing ~~authorities~~ bodies based upon the number of calls from wireless telecommunications connections that each such individual local government receives and counts relative to the total number of calls from wireless telecommunications connections that are received and counted by all of such local governments.

(d) The ~~authority~~ powers granted to a wireless service supplier pursuant to this Code section shall terminate:

(1) On the date that the wireless service supplier certifies to a governing ~~authority~~ body of a local government described in subsection (a) of this Code section that the wireless service supplier is able to determine whether the billing addresses of its subscribers are within the geographic area that is served by such governing ~~authority~~

body; or

(2) On the date which is 180 days from the date that any of its subscribers were first billed under this Code section, whichever is earlier.

Upon termination of such authority powers, the wireless service supplier shall collect the 9-1-1 charge for wireless enhanced 9-1-1 service as provided in Code Section 46-5-134."

SECTION 2-14.

Said title is further amended in Code Section 46-5-134.2, relating to prepaid wireless 9-1-1 charge, definitions, imposition of fee by localities, collection and remission of charges, and distribution of funds, by revising subsections (b) and (j) as follows:

"(b)(1) Counties and municipalities that operate a 9-1-1 public safety answering point, including counties and municipalities that operate multijurisdictional or regional 9-1-1 systems or have created a joint authority pursuant to Code Section 46-5-138, are authorized to impose by ordinance or resolution a prepaid wireless 9-1-1 charge in the amount of ~~75¢~~ \$1.50 per retail transaction. Imposition of the charge authorized by this Code section by a county or municipality shall be contingent upon compliance with the requirements of paragraph (1) of subsection (j) of this Code section.

(2) Where a county or municipality that operates a 9-1-1 public safety answering point fails to comply with the requirements of paragraph (1) of subsection (j) of this Code section by December 31, 2011, on and after that date, the prepaid wireless 9-1-1 charge authorized by paragraph (1) of this subsection shall be imposed within the jurisdiction of such counties and municipalities as a state fee for state purposes."

"(j) Prepaid wireless 9-1-1 charges remitted to the commissioner as provided in this Code section shall be distributed to counties, municipalities, and the State of Georgia as follows:

(1) On or before December 31 of the year prior to the first year that the prepaid wireless 9-1-1 charge is imposed, each county and municipal corporation levying the prepaid wireless 9-1-1 charge, including counties and municipalities levying the prepaid wireless 9-1-1 charge that operate multijurisdictional or regional 9-1-1 systems or have created a joint authority pursuant to Code Section 46-5-138, shall file with the commissioner a certified copy of the pertinent parts of all ordinances and resolutions and amendments thereto which levy the prepaid wireless 9-1-1 charge authorized by this Code section. The ordinance or resolution specified herein shall specify an effective date of January 1, 2012, and impose a prepaid wireless 9-1-1 charge in the amount specified in paragraph (1) of subsection (b) of this Code section. The filing required by this paragraph shall be a condition of the collection of the prepaid wireless 9-1-1 charge within any county or municipality;

(2)(A) Each county or municipality operating a public safety answering point that has levied the prepaid wireless 9-1-1 charge authorized by this Code section and complied with the filing requirement of paragraph (1) of this subsection shall receive an amount calculated by multiplying the total amount remitted to the

commissioner ~~during the 12 month period ending on June 30~~ monthly times a fraction, the numerator of which is the population of the jurisdiction or jurisdictions operating the public safety answering point and the denominator of which is the total population of this state. An amount calculated by multiplying the total amount remitted to the commissioner ~~during the 12 month period ending on June 30~~ monthly times a fraction, the numerator of which is the total population of any jurisdiction or jurisdictions operating public safety answering points that have not complied with the filing requirement of paragraph (1) of this subsection and the denominator of which is the total population of this state, shall be deposited as provided in paragraph ~~(5)~~ (4) of this subsection.

(B) Notwithstanding the provisions of subparagraph (A) of this paragraph, the initial monthly distribution shall be calculated using the total amount remitted to the commissioner ~~during the six month period~~ beginning January 1, ~~2012~~ 2019, and ending ~~June 30, 2012~~ January 31, 2019.

(C) For the purposes of this paragraph, population shall be measured by the United States decennial census of 2010 or any future such census plus any corrections or revisions contained in official statements by the United States Bureau of the Census made prior to the first day of September immediately preceding the distribution of the proceeds of such charges by the commissioner and any official census data received by the commissioner from the United States Bureau of the Census or its successor agency pertaining to any newly incorporated municipality. Such corrections, revisions, or additional data shall be certified to the commissioner by the Office of Planning and Budget on or before August 31 of each year;

(3) Funds shall be distributed ~~annually on or before October 15 of each year~~ monthly not later than 30 days following the date charges must be remitted by the seller to the department. Such distribution shall include any delinquent charges actually collected by the commissioner for a previous fiscal year which have not been previously distributed;

~~(4) Prior to calculating the distributions to county and municipal governments as provided in this subsection, the commissioner shall subtract an amount, not to exceed 2 percent of remitted charges, to defray the cost of administering and distributing funds from the prepaid wireless 9-1-1 charge. Such amount shall be paid into the general fund of the state treasury;~~

~~(5) Funds distributed to a county or municipality pursuant to this Code section shall be deposited and accounted for in a separate restricted revenue fund known as the Emergency Telephone System Fund, maintained by the local government pursuant to paragraph (2) of subsection (d) of Code Section 46-5-134. The commissioner shall deposit all funds received pursuant to paragraph (2) of subsection (b) of this Code section, other than the funds received pursuant to paragraph (4) of this subsection, into the general fund of the state treasury in compliance with Article 4 of Chapter 12 of Title 45, the 'Budget Act.' It is the intention of the General Assembly, subject to the appropriation process, that an amount equal to the amount deposited into the general fund of the state treasury as provided in this paragraph be appropriated each~~

year to a program of state grants to counties and municipalities administered by the department for the purpose of supporting the operations of public safety answering points in the improvement of 9-1-1 service delivery. The department shall promulgate rules and regulations for the administration of the 9-1-1 grant program; and

~~(6)~~(5) Notwithstanding a county's or municipality's failure to comply with the filing requirement of paragraph (1) of this subsection prior to January 1, 2012, a county or municipality that subsequently meets such filing requirements prior to January 1 of any subsequent year shall become eligible to participate in the next succeeding distribution of proceeds pursuant to subparagraph (A) of paragraph (2) of this subsection."

PART III SECTION 3-1.

Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, is amended by revising Code Section 35-8-23, relating to basic training course for communications officers, certification requirements, duties of council, and rules and regulations, as follows:

"35-8-23.

(a) As used in this Code section, the term 'communications officer' means and includes any person employed by the state or a local governmental agency to receive, process, or transmit public safety information and dispatch law enforcement officers, firefighters, medical personnel, or emergency management personnel.

(b) Any person employed on or after July 1, 1995, as a communications officer shall satisfactorily complete a basic training course approved by the council. Persons who are employed on July 1, 1994, shall register with the council and may be certified by voluntarily complying with the certification process. Any person who fails to comply with the registration or certification process of the council shall not perform any duties of a communications officer and may have his or her certificate sanctioned or revoked.

(c) The council shall conduct administrative compliance reviews with respect to the requirements of this Code section. The council, in coordination with the Georgia Emergency Communications Authority, shall be authorized to promulgate rules and regulations to facilitate the administration and coordination of standards, certification, and compliance reviews consistent with the provisions of this Code section.

(d) On and after July 1, 1998, the basic training course for communications officers shall include training in the use of telecommunications devices for the deaf (TDD's), and no person shall on or after that date be certified by the council under this Code section unless such person has satisfactorily completed such training."

SECTION 3-2.

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended in Code Section 45-7-21, relating to expense allowance and travel

cost reimbursement for members of certain boards and commissions, by revising paragraph (6) of subsection (a) as follows:

"(6) ~~Reserved~~ Georgia Emergency Communications Authority;"

SECTION 3-3.

Said title is further amended by revising Code Section 45-15-13, relating to representation of state authorities by Attorney General, as follows:

"45-15-13.

As used in Code Sections 45-15-14 through 45-15-16, the term 'state authorities' means the following instrumentalities of the state: Georgia Building Authority, Georgia Education Authority (Schools), Georgia Education Authority (University), Georgia Highway Authority, Georgia Ports Authority, State Road and Tollway Authority, Jekyll Island—State Park Authority, ~~and~~ Stone Mountain Memorial Association, and Georgia Emergency Communications Authority."

SECTION 3-4.

Article 1 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administrative organization, is amended by revising Code Section 48-2-15, relating to confidential information, as follows:

"48-2-15.

(a) Except as otherwise provided in this Code section, information secured by the commissioner incident to the administration of any tax shall be confidential and privileged. Neither the commissioner nor any officer or employee of the department shall divulge or disclose any such confidential information obtained from the department's records or from an examination of the business of any taxpayer to any person other than the commissioner, an officer or employee of the department, an officer of the state or local government entitled in his or her official capacity to have access to such information, or the taxpayer.

(b) This Code section shall not:

- (1) Be construed to prevent the use of confidential information as evidence before any state or federal court in the event of litigation involving tax liability of any taxpayer;
- (2) Be deemed to prevent the print or electronic publication of statistics so arranged as not to reveal information respecting an individual taxpayer;
- (3) Apply in any way whatsoever to any official finding of the commissioner with respect to any assessment or any information properly entered upon an assessment roll or other public record;
- (4) Affect any information which in the regular course of business is by law made the subject matter of a public document in any federal or state office or in any local office in this state;
- (5) Apply to information, records, and reports required and obtained under Article 1 of Chapter 9 of this title, which requires distributors of motor fuels to make reports of the amounts of motor fuels sold and used in each county by the distributor, or under

Article 2 of Chapter 9 of this title, relating to road tax on motor carriers; ~~or~~

(6) Be construed to prevent the disclosure of information, so arranged as not to reveal information respecting an individual taxpayer, requested by the House Committee on Ways and Means or the Senate Finance Committee regarding the department's administration of any tax; or

(7) Apply to information, records, and reports required and obtained under Title 38 or Title 46 as each pertains to collection and remittance of prepaid and postpaid 9-1-1 fees or charges. The application of the exemption provided for under this paragraph to Code Section 38-3-190 shall apply exclusively to the Georgia Emergency Communications Authority and Department of Revenue in the handling of such information.

(c) The provisions of this Code section shall not apply with respect to Chapter 7 of this title, relating to income taxation.

(d) Notwithstanding this Code section, the commissioner, upon request by resolution of the governing authority of any municipality of this state having a population of 350,000 or more according to the United States decennial census of 1970 or any future such census, shall furnish to the finance officer or taxing official of the municipality any pertinent tax information from state tax returns to be used by those officials in the discharge of their official duties. Any information so furnished shall retain, in the hands of the local officials, its privileged and confidential nature to the same extent and under the same conditions as that information is privileged and confidential in the hands of the commissioner. The commissioner may make a nominal charge for any information so furnished, not to exceed the actual cost of furnishing the information. Nothing contained in this subsection shall be construed to prevent the use of the information as evidence in any state or federal court in the event of litigation involving any municipal or county tax liability of a taxpayer.

(e) This Code section shall not be construed to prohibit persons or groups of persons other than employees of the department from having access to tax information when necessary to conduct research commissioned by the department or where necessary in connection with the processing, storage, transmission, and reproduction of such tax information; the programming, maintenance, repair, testing, and procurement of equipment; and the providing of other services for purposes of tax administration. Any such access shall be pursuant to a written agreement with the department providing for the handling, permitted uses, and destruction of such tax information, requiring security clearance checks for such persons or groups of persons similar to those required of employees of the department, and including such other terms and conditions as the department may require to protect the confidentiality of the tax information to be disclosed. Any person who divulges or makes known any tax information obtained under this subsection shall be subject to the same civil and criminal penalties as those provided for divulgence of information by employees of the department.

(f) This Code section shall not be construed to prohibit disclosure as required in subsection (h) of Code Section 48-2-35."

PART IV
SECTION 4-1.

(a) This Act shall become effective July 1, 2018, for the purposes of creating the Georgia Emergency Communications Authority and appointing the members thereof and the enactment of Section 2-11 and the provisions regarding billing practices contained in subsection (d) of Code Section 38-3-189. For all other purposes, this Act shall become effective on January 1, 2019.

(b) The provisions of this Act shall not in any manner diminish, extinguish, reduce, or affect any cause of action for audits, services, or the recovery of funds from service providers which may have existed prior to January 1, 2019. Any such cause of action is expressly preserved.

SECTION 4-2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	N Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 3.

HB 751, having received the requisite constitutional majority, was passed by substitute.

HB 754. By Representatives Shaw of the 176th, Smith of the 134th, Blackmon of the 146th, Hugley of the 136th and Taylor of the 173rd:

A BILL to be entitled an Act to amend Title 33 of the O.C.G.A., relating to insurance, so as to provide for the division of a domestic insurer into two or more resulting domestic insurers; to provide for definitions; to provide for a plan of division subject to approval by the Insurance Commissioner; to provide for a certificate of division; to provide for the effect of a division; to provide for the responsibilities of a resulting insurer; to provide for shareholder appraisal rights; to provide for rules and regulations; to revise the authorization and procedure for merger or consolidation; to amend Part 1 of Article 13 of Chapter 2 of Title 14 of the O.C.G.A., relating to the right to dissent and obtain payment for shares, so as to add the right to dissent and obtain payment for shares for a division of a domestic insurer; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Martin of the 9th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath
Y Henson
Y Hill

Y Mullis
Y Orrock
Y Parent

Y Williams, M
Y Williams, N

On the passage of the bill, the yeas were 51, nays 0.

HB 754, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3/15/18

Due to business outside the Senate Chamber, I missed the vote on HB 754. Had I been present, I would have voted “yes”.

/s/ Donzella James
District 35

HB 769. By Representatives Jasperse of the 11th, England of the 116th, Powell of the 171st, Jackson of the 128th, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 26 and Title 31 of the O.C.G.A., relating to pharmacists and pharmacies and health, respectively, so as to implement recommendations from the House Rural Development Council relating to health care issues; to revise provisions relative to pharmacy practices; to provide for and revise definitions; to revise provisions relative to credentialing and billing; to provide for the establishment of the Rural Center for Health Care Innovation and Sustainability; to revise provisions relative to certificate of need; to provide for the establishment of micro-hospitals; to provide for a grant program for insurance premium assistance for physicians practicing in medically underserved rural areas of the state; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Burke of the 11th.

The Senate Committee on Health and Human Services offered the following substitute to HB 769:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 4 of Title 26 and Title 31 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies and health, respectively, so as to implement

recommendations from the House Rural Development Council relating to health care issues; to revise provisions relative to pharmacy practices; to provide for and revise definitions; to revise provisions relative to credentialing and billing; to provide for the establishment of the Rural Health System Innovation Center; to revise provisions relative to certificate of need; to provide for the establishment of micro-hospitals; to provide for a grant program for insurance premium assistance for physicians practicing in medically underserved rural areas of the state; to amend Code Section 48-7-29.20 of the Official Code of Georgia Annotated, relating to tax credits for contributions to rural hospital organizations, so as to increase the value of the tax credit to 100 percent; to remove limitations on total amounts allowed to individual taxpayers; to provide that credits are allowable to certain pass-through entities; to provide for limits on contributions by individual taxpayers during the first six months of the year; to extend the date for automatic repeal; to provide for related matters; to provide for effective dates and contingent effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 4 of Title 26 of the Official Code of Georgia Annotated, relating to pharmacists and pharmacies, is amended in Code Section 26-4-5, relating to definitions, by revising paragraph (37.2) as follows:

"(37.2) 'Remote order entry' means the entry made by a pharmacist ~~located within the State of Georgia~~ licensed in this state, who is an employee or contractor of a pharmacy licensed in this state or that holds a nonresident pharmacy permit issued pursuant to Code Section 26-4-114.1, from a remote location anywhere in the United States indicating that the pharmacist has reviewed the patient specific drug order for a hospital patient, has approved or disapproved the administration of the drug for such patient, and has entered the information in the hospital's patient record system."

SECTION 2.

Said chapter is further amended in Code Section 26-4-80, relating to license required for practice of pharmacy, dispensing of prescription drugs, prescription drug orders, electronically transmitted drug orders, refills, and Schedule II controlled substance prescriptions, by revising paragraph (7) of subsection (c) as follows:

"(7)(A) The board shall promulgate rules and regulations under this Code section for institutional settings such as hospital pharmacies, nursing home pharmacies, clinic pharmacies, or pharmacies owned or operated directly by health maintenance organizations.

(B) The rules established pursuant to subparagraph (A) of this paragraph shall specifically authorize hospital pharmacies to use remote order entry when:

(i) The licensed pharmacist is not physically present in the hospital, the hospital pharmacy is closed, and a licensed pharmacist will be physically present in the hospital pharmacy within 24 hours or the next business day;

(ii) At least one licensed pharmacist is physically present in the hospital pharmacy ~~and at least one other licensed pharmacist is practicing pharmacy in the hospital but not physically present in the hospital pharmacy~~; or

(iii) At least one licensed pharmacist is physically present in a another hospital within this state which remotely serves only on weekends not more than four other hospitals under the same ownership or management which have an average daily census of less than 12 acute patients.

(C) Before a hospital may engage in remote order entry as provided in this paragraph, the director of pharmacy of the hospital shall submit to the board written policies and procedures for the use of remote order entry. The required policies and procedures to be submitted to the board shall be in accordance with the American Society of Health-System Pharmacists and shall contain provisions addressing quality assurance and safety, mechanisms to clarify medication orders, processes for reporting medication errors, documentation and record keeping, secure electronic access to the hospital pharmacy's patient information system and to other electronic systems that the on-site pharmacist has access to, access to hospital policies and procedures, confidentiality and security, and mechanisms for real-time communication with prescribers, nurses, and other caregivers responsible for the patient's health care.

(D) If the board concludes that the hospital's actual use of remote order entry does not comply with this paragraph or the rules adopted pursuant to this chapter, it may issue a cease and desist order after notice and hearing."

SECTION 3A.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in Chapter 2, relating to the Department of Community Health, by adding new Code sections to read as follows:

"31-2-15.

(a) As used in this Code section, the term 'state medical plan' means the state health benefit plan under Article 1 of Chapter 18 of Title 45, the medical assistance program under Article 7 of Chapter 4 of Title 49, the PeachCare for Kids Program under Article 13 of Chapter 5 of Title 49, and any other health benefit plan or policy administered by or on behalf of the state.

(b) The department shall take all reasonable steps to streamline and expedite the credentialing and billing processes for state medical plans, including but not limited to examining the potential for a uniform billing platform or portal; examining the potential for the standardization of billing codes among providers; posting billing criteria and codes on the department's website; enabling a dual track process for credentialing and contract negotiation for new providers; allowing billing for telehealth delivered care and allowing payment for both the on-site provider and off-site provider; and maximizing billing for multiple specialists and multiple encounters with one provider at a single visit in safety net settings, critical access settings, federally qualified health centers, and general practitioner settings.

(c) This Code section shall not be construed to require the department to act in violation of any federal law, rule, or regulation.

31-2-16.

(a) There is created and established the Rural Health System Innovation Center within the department's State Office of Rural Health to serve as a research organization that utilizes Georgia's academic, public health policy, data, and workforce resources to develop new approaches for financing and delivering health care in this state. The department shall release a request for proposals, no later than December 1, 2018, to identify a postsecondary institution within the state in which the center shall be located. Such postsecondary institution shall have a health program or college that focuses on rural and underserved areas of the state. The department shall reissue a request for proposal after five years and every five years thereafter.

(b) The purposes and duties of the Rural Health System Innovation Center shall be to:

(1) Develop a research program to identify and analyze significant health system problems and to propose solutions and best practices to such problems;

(2) Focus on access improvement to affordable health care in rural Georgia;

(3) Synthesize existing studies, reports, and data to provide a baseline assessment and set measurable goals as part of Georgia's strategic reform plan;

(4) Incorporate recommendations from state reform efforts to build the state's reform plan;

(5) Evaluate and make recommendations for the fiscal stabilization of rural health care delivery systems and ensure their design is appropriate for the community served by such systems;

(6) Provide technical assistance and expertise to address immediate needs of rural communities;

(7) Develop state-wide pilot projects, identify innovative approaches to funding these projects, and track and evaluate the projects' performance;

(8) Connect to a central health data repository for collection and dissemination of health data and serve as a clearinghouse for data integration and analysis;

(9) Produce studies that address cost-drivers and duplication to eliminate barriers to health care and reduce costs;

(10) Monitor current and future health care workforce needs and advise the Georgia Board for Physician Workforce of significant changes in need or demand;

(11) Participate in other state-wide health initiatives or programs affecting the entire state and nonrural areas of Georgia. The center shall cooperate with other health related state entities, including, but not limited to, the department, the Department of Public Health, the Department of Human Services, the Department of Behavioral Health and Developmental Disabilities, and the Health Coordination and Innovation Council, and all other health related state boards, commissions, committees, councils, offices, and other entities on state-wide health initiatives or programs; and

(12)(A) In conjunction with the State Office of Rural Health, develop standards for education curriculum no later than January 1, 2019, which will be provided to

leadership, including, but not limited to, hospital executive leadership, hospital board members, and hospital authority members of rural hospital organizations, as defined in Code Section 31-8-9.1, and to other rural health care facilities upon request. The curriculum shall include, at a minimum, legal, fiduciary, grant management, planning, and compliance training. The center shall approve education programs by any entity that the center determines to meet such standards.

(B) The chief executive officer, the chief financial officer, every board member, and every hospital authority member, if operated by a hospital authority pursuant to Article 4 of Chapter 7 of this title, of a rural hospital organization as defined in Code Section 31-8-9.1 shall be required to complete an education program approved by the center pursuant to this paragraph no later than December 31, 2020, or within 12 months of initial hiring or appointment and every two years thereafter.

(C) Any board member or hospital authority member who does not complete the education program as required pursuant to subparagraph (B) of this paragraph shall be ineligible to continue serving as a board member or hospital authority member. The center may provide for notice and a grace period for board members and hospital authority members to come into compliance with such requirement. A vacancy created pursuant to this subparagraph on the board of a hospital authority shall be filled in the same manner as provided in subsection (c) of Code Section 31-7-72 for the initial appointment of members of the hospital authority.

(D) At the discretion of the department, any rural hospital organization that fails to ensure compliance by the chief executive officer, the chief financial officer, every board member, and every hospital authority member with the education requirements contained in subparagraph (B) of this paragraph may be deemed:

(i) Ineligible to receive contributions from the tax credit provided pursuant to Code Section 48-7-29.20;

(ii) Ineligible to participate in any grant programs offered by the state; or

(iii) Subject to a fine of \$10,000.00 per violation.

(c) The center is authorized to make application for and receive funds and grants as may be necessary to, and utilize and disburse such funds for such purposes and projects as will, carry out the purposes of the center.

(d) The center is authorized to enter into contracts, agreements, and arrangements with colleges and universities to advance the work of the center. The center shall also be authorized to enter into contracts and agreements with the federal government; political subdivisions of this state; private firms, foundations, or institutions; or individuals for specific research on any aspects of rural health care as may be related to the purposes of this Code section. The center shall contract with a school of medicine in this state to provide clinical health care expertise to the center.

(e) On or before October 1 of each year, the center shall file a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the House Committee on Health and Human Services, the Senate Health and Human Services Committee, the House Committee on Appropriations, the Senate Appropriations Committee, and the Health Coordination and Innovation

Council. The report shall include a summary of the activities of the center during the calendar year, including, but not limited to, the total number of hospital executives, hospital board members, and hospital authority members who received training from the center; the status of rural health care in the state; and recommendations, if any, for legislation as may be necessary to improve the programs and services offered by the center."

SECTION 3B.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended in Chapter 2, relating to the Department of Community Health, by adding new Code sections to read as follows:

"31-2-15.

(a) As used in this Code section, the term 'state medical plan' means the state health benefit plan under Article 1 of Chapter 18 of Title 45, the medical assistance program under Article 7 of Chapter 4 of Title 49, the PeachCare for Kids Program under Article 13 of Chapter 5 of Title 49, and any other health benefit plan or policy administered by or on behalf of the state.

(b) The department shall take all reasonable steps to streamline and expedite the credentialing and billing processes for state medical plans, including but not limited to examining the potential for a uniform billing platform or portal; examining the potential for the standardization of billing codes among providers; posting billing criteria and codes on the department's website; enabling a dual track process for credentialing and contract negotiation for new providers; allowing billing for telehealth delivered care and allowing payment for both the on-site provider and off-site provider; and maximizing billing for multiple specialists and multiple encounters with one provider at a single visit in safety net settings, critical access settings, federally qualified health centers, and general practitioner settings.

(c) This Code section shall not be construed to require the department to act in violation of any federal law, rule, or regulation.

31-2-16.

(a) There is created and established the Rural Health System Innovation Center within the department's State Office of Rural Health to serve as a research organization that utilizes Georgia's academic, public health policy, data, and workforce resources to develop new approaches for financing and delivering health care in this state. The department shall release a request for proposals, no later than December 1, 2018, to identify a postsecondary institution within the state in which the center shall be located. Such postsecondary institution shall have a health program or college that focuses on rural and underserved areas of the state. The department shall reissue a request for proposal after five years and every five years thereafter.

(b) The purposes and duties of the Rural Health System Innovation Center shall be to:

(1) Develop a research program to identify and analyze significant health system problems and to propose solutions and best practices to such problems;

- (2) Focus on access improvement to affordable health care in rural Georgia;
- (3) Synthesize existing studies, reports, and data to provide a baseline assessment and set measurable goals as part of Georgia's strategic reform plan;
- (4) Incorporate recommendations from state reform efforts to build the state's reform plan;
- (5) Evaluate and make recommendations for the fiscal stabilization of rural health care delivery systems and ensure their design is appropriate for the community served by such systems;
- (6) Provide technical assistance and expertise to address immediate needs of rural communities;
- (7) Develop state-wide pilot projects, identify innovative approaches to funding these projects, and track and evaluate the projects' performance;
- (8) Connect to a central health data repository for collection and dissemination of health data and serve as a clearinghouse for data integration and analysis;
- (9) Produce studies that address cost-drivers and duplication to eliminate barriers to health care and reduce costs;
- (10) Monitor current and future health care workforce needs and advise the Georgia Board for Physician Workforce of significant changes in need or demand;
- (11) Participate in other state-wide health initiatives or programs affecting the entire state and nonrural areas of Georgia. The center shall cooperate with other health related state entities, including, but not limited to, the department, the Department of Public Health, the Department of Human Services, and the Department of Behavioral Health and Developmental Disabilities, and all other health related state boards, commissions, committees, councils, offices, and other entities on state-wide health initiatives or programs; and
 - (12)(A) In conjunction with the State Office of Rural Health, develop standards for education curriculum no later than January 1, 2019, which will be provided to leadership, including, but not limited to, hospital executive leadership, hospital board members, and hospital authority members of rural hospital organizations, as defined in Code Section 31-8-9.1, and to other rural health care facilities upon request. The curriculum shall include, at a minimum, legal, fiduciary, grant management, planning, and compliance training. The center shall approve education programs by any entity that the center determines to meet such standards.
 - (B) The chief executive officer, the chief financial officer, every board member, and every hospital authority member, if operated by a hospital authority pursuant to Article 4 of Chapter 7 of this title, of a rural hospital organization as defined in Code Section 31-8-9.1 shall be required to complete an education program approved by the center pursuant to this paragraph no later than December 31, 2020, or within 12 months of initial hiring or appointment and every two years thereafter.
 - (C) Any board member or hospital authority member who does not complete the education program as required pursuant to subparagraph (B) of this paragraph shall be ineligible to continue serving as a board member or hospital authority member. The center may provide for notice and a grace period for board members and

hospital authority members to come into compliance with such requirement. A vacancy created pursuant to this subparagraph on the board of a hospital authority shall be filled in the same manner as provided in subsection (c) of Code Section 31-7-72 for the initial appointment of members of the hospital authority.

(D) At the discretion of the department, any rural hospital organization that fails to ensure compliance by the chief executive officer, the chief financial officer, every board member, and every hospital authority member with the education requirements contained in subparagraph (B) of this paragraph may be deemed:

(i) Ineligible to receive contributions from the tax credit provided pursuant to Code Section 48-7-29.20;

(ii) Ineligible to participate in any grant programs offered by the state; or

(iii) Subject to a fine of \$10,000.00 per violation.

(c) The center is authorized to make application for and receive funds and grants as may be necessary to, and utilize and disburse such funds for such purposes and projects as will, carry out the purposes of the center.

(d) The center is authorized to enter into contracts, agreements, and arrangements with colleges and universities to advance the work of the center. The center shall also be authorized to enter into contracts and agreements with the federal government; political subdivisions of this state; private firms, foundations, or institutions; or individuals for specific research on any aspects of rural health care as may be related to the purposes of this Code section. The center shall contract with a school of medicine in this state to provide clinical health care expertise to the center.

(e) On or before October 1 of each year, the center shall file a report to the Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the House Committee on Health and Human Services, the Senate Health and Human Services Committee, the House Committee on Appropriations, and the Senate Appropriations Committee. The report shall include a summary of the activities of the center during the calendar year, including, but not limited to, the total number of hospital executives, hospital board members, and hospital authority members who received training from the center; the status of rural health care in the state; and recommendations, if any, for legislation as may be necessary to improve the programs and services offered by the center."

SECTION 4.

Said title is further amended by revising paragraphs (21), (32), and (38) of and by adding a new paragraph to Code Section 31-6-2, relating to definitions, to read as follows:

"(21) 'Hospital' means an institution which is primarily engaged in providing to inpatients, by or under the supervision of physicians, diagnostic services and therapeutic services for medical diagnosis, treatment, and care of injured, disabled, or sick persons or rehabilitation services for the rehabilitation of injured, disabled, or sick persons. Such term includes public, private, psychiatric, rehabilitative, geriatric, osteopathic, micro-hospitals, and other specialty hospitals."

"(23.1) 'Micro-hospital' means a hospital in a rural county which has at least two and

not more than seven inpatient beds and which provides emergency services seven days per week and 24 hours per day."

"(32) 'Rural county' means a county having a population of less than ~~35,000~~ 50,000 according to the United States decennial census of ~~2000~~ 2010 or any future such census."

"(38) 'Urban county' means a county having a population equal to or greater than ~~35,000~~ 50,000 according to the United States decennial census of ~~2000~~ 2010 or any future such census."

SECTION 5.

Said title is further amended by adding a new paragraph to and by revising paragraph (24) of subsection (a) of Code Section 31-6-47, relating to exemptions from chapter, as follows:

"(9.2) The purchase of a closing hospital or of a hospital that has been closed for no more than 12 months by a hospital in a contiguous county to repurpose the facility as a micro-hospital;"

"(24) The relocation of any skilled nursing facility, ~~or~~ intermediate care facility, or micro-hospital within the same county, any other health care facility in a rural county within the same county, and any other health care facility in an urban county within a three-mile radius of the existing facility so long as the facility does not propose to offer any new or expanded clinical health services at the new location;"

SECTION 6.

Said title is further amended by redesignating the existing provisions of Chapter 34, relating to medical professionals for rural assistance, as Article 1 of such chapter, by replacing "This chapter" and "this chapter" with "This article" and "this article", respectively, everywhere each such term occurs in the new Article 1, and by adding a new article to read as follows:

"ARTICLE 2

31-34-20.

(a) Subject to appropriations, the Georgia Board for Physician Workforce shall establish a grant program for the purpose of increasing the number of physicians who remain in Georgia to practice in medically underserved rural areas of the state. The grant program shall provide medical malpractice insurance premium assistance for physicians practicing in such medically underserved rural areas of the state, as identified by the Georgia Board for Physician Workforce pursuant to Code Section 49-10-3.

(b) To be eligible to receive a grant under the grant program, a physician shall meet the following qualifications:

- (1) Maintain a practice in a medically underserved rural area of the state;
- (2) Be licensed to practice in this state and board certified;

- (3) Complete a minimum of 100 hours of continuing medical education as approved by the Georgia Composite Medical Board;
- (4) Provide weekend or extended hours; and
- (5) Accept Medicaid and medicare patients.
- (c) A physician receiving a grant pursuant to the grant program shall agree to practice medicine in such medically underserved rural areas of the state for a period of time determined by the Georgia Board for Physician Workforce.
- (d) The Georgia Board for Physician Workforce may adopt and prescribe such rules and regulations as it deems necessary or appropriate to administer and carry out the grant program provided for in this chapter. In establishing the amount of grants, the Georgia Board for Physician Workforce shall determine the average insurance premium rates for physicians in rural areas of this state."

SECTION 7.

Code Section 48-7-29.20 of the Official Code of Georgia Annotated, relating to tax credits for contributions to rural hospital organizations, is amended by revising subsections (b) and (c), paragraph (1) of subsection (e), and subsection (i) and by adding a new subsection to read as follows:

"(b) An individual taxpayer shall be allowed a credit against the tax imposed by this chapter for qualified rural hospital organization expenses as follows:

- (1) In the case of a single individual or a head of household, ~~90 percent of the actual amount expended; or \$5,000.00 per tax year, whichever is less; or~~
- (2) In the case of a married couple filing a joint return, ~~90 percent of the actual amount expended or \$10,000.00 per tax year, whichever is less; or~~
- (3) In the case of an individual who is a member of a limited liability company duly formed under state law, a shareholder of a Subchapter 'S' corporation, or a partner in a partnership, the amount expended; provided, however, that tax credits pursuant to this paragraph shall be allowed only for the portion of the income on which such tax was actually paid by such individual.

(b.1) From January 1 to June 30 each taxable year, an individual taxpayer shall be limited in its qualified rural hospital organization expenses allowable for credit under this Code section, and the commissioner shall not approve qualified rural hospital organization expenses incurred from January 1 to June 30 each taxable year, which exceed the following limits:

- (1) In the case of a single individual or a head of household, \$5,000.00;
- (2) In the case of a married couple filing a joint return, \$10,000.00; or
- (3) In the case of an individual who is a member of a limited liability company duly formed under state law, a shareholder of a Subchapter 'S' corporation, or a partner in a partnership, \$10,000.00.

(c) A corporation or other entity shall be allowed a credit against the tax imposed by this chapter for qualified rural hospital organization expenses in an amount not to exceed ~~90 percent of the actual amount expended or 75 percent of the corporation's income tax liability, whichever is less."~~

"(e)(1) In no event shall the aggregate amount of tax credits allowed under this Code section exceed \$60 million ~~in 2017, \$60 million in 2018, and \$60 million in 2019~~ per taxable year."

"(i) This Code section shall stand automatically repealed on December 31, ~~2019~~ 2021."

SECTION 8.

(a) Except as provided in subsections (b) and (c) of this section, this Act shall become effective on July 1, 2018.

(b) Section 1 of this Act shall become effective on January 1, 2019.

(c)(1) Section 3A of this Act shall become effective on July 1, 2018, only if SB 357 or another Act creating the Health Coordination and Innovation Council is enacted by the General Assembly and becomes law in 2018, in which event Section 3B of this Act shall not become effective and shall stand repealed on July 1, 2018.

(2) If SB 357 or another Act creating the Health Coordination and Innovation Council does not become law in 2018, then Section 3B of this Act shall become effective on July 1, 2018, and Section 3A of this Act shall not become effective and shall stand repealed on July 1, 2018.

SECTION 9.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison
 Y Harper
 Y Heath
 N Henson
 Y Hill

Y Millar
 Miller
 Y Mullis
 Orrock
 Y Parent

Y Watson
 Y Wilkinson
 Y Williams, M
 Y Williams, N

On the passage of the bill, the yeas were 48, nays 3.

HB 769, having received the requisite constitutional majority, was passed by substitute.

The following communications were received by the Secretary:

3/15/2018

I inadvertently voted “No” on HB 769. Please reflect in the Journal that my intent was to vote “Yes”.

/s/ Gloria S. Butler
 District 55

15 March 2018

I inadvertently voted “No” on HB 769. Please reflect in the Journal that my intent was to vote “Yes”.

/s/ Horacena Tate
 District 38

3/15/18

Due to business outside the Senate Chamber, I missed the vote on HB 769. Had I been present, I would have voted “yea”.

/s/ David E. Lucas, Sr.
 District 26

Senator Kennedy of the 18th recognized the 2017 Georgia Peach Queens. The queens were Tiny Miss Georgia Peach Adyson Ricketson, Little Miss Georgia Peach Amelia Reed, Teen Miss Georgia Peach Bella Hayes, and Miss Georgia Peach Sydney Locke.

The following Senators were excused for business outside the Senate Chamber:

Hill of the 4th

Hufstetler of the 52nd

The Calendar was resumed.

HB 831. By Representatives Rogers of the 10th, England of the 116th, Dempsey of the 13th, Rhodes of the 120th, Efstration of the 104th and others:

A BILL to be entitled an Act to amend Chapter 9 of Title 49 of the Official Code of Georgia Annotated, relating to transfer of division of rehabilitation services to the Department of Labor, so as to establish the Employment First Georgia Council; to provide for legislative findings and declarations; to provide for membership, duties, terms of office, meeting requirements, committee appointments, compensation, and expense allowances; to provide for a biannual report to the Governor and the General Assembly; to provide for a short title; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Dugan of the 30th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
E Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 1.

HB 831, having received the requisite constitutional majority, was passed.

Senator Tillery of the 19th was excused for business outside the Senate Chamber.

HB 844. By Representatives Houston of the 170th, Coleman of the 97th, Nix of the 69th, Dempsey of the 13th and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 1 of Title 30 of the O.C.G.A., relating to handicapped persons generally, so as to revise provisions relating to the Georgia Commission on Hearing Impaired and Deaf Persons; to provide for definitions; to expand the membership of the commission; to establish a task force; to require use of existing assessments; to monitor individual children's language and literacy progress; to develop a state-wide coordinated longitudinal data management system for all children who are deaf or hard of hearing; to require information sharing and collaboration among state agencies; to provide integrated and seamless services from birth through literacy; to require public reporting mechanisms; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Martin of the 9th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	E Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson

Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
E Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

HB 844, having received the requisite constitutional majority, was passed.

Senator Butch Miller, President Pro Tempore, assumed the Chair.

HB 907. By Representatives Fleming of the 121st, Rynders of the 152nd and Brockway of the 102nd:

A BILL to be entitled an Act to amend Chapter 5 of Title 45 of the Official Code of Georgia Annotated, relating to vacation of office, so as to provide for the appointment and election of a successor in the event of a vacancy in the office of district attorney; to provide for the term of such successor; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Stone of the 23rd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson

Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
E Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 2.

HB 907, having received the requisite constitutional majority, was passed.

HR 1090. By Representatives Watson of the 172nd, Harden of the 148th, Tanner of the 9th, LaRiccia of the 169th and Pirkle of the 155th:

A RESOLUTION authorizing the change of use of certain property located in Jeff Davis County currently dedicated as a heritage preserve and authorizing the granting of a revocable license agreement and a nonexclusive easement for the construction, operation, and maintenance of facilities and ingress and egress in, on, over, under, upon, across, or through certain state owned real property located in Jeff Davis County; authorizing the change of use of certain property located in Crisp County currently dedicated as a heritage preserve and authorizing the granting of a revocable license agreement and a nonexclusive easement for the construction, operation, and maintenance of facilities and ingress and egress in, on, over, under, upon, across, or through certain state owned real property; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Gooch of the 51st.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins

Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
E Hill	Y Parent	

On the adoption of the resolution, the yeas were 50, nays 0.

HR 1090, having received the requisite constitutional majority, was adopted.

Senator Gooch of the 51st was excused for business outside the Senate Chamber.

HR 1104. By Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Lumsden of the 12th and Ealum of the 153rd:

A RESOLUTION authorizing the granting of non-exclusive easements for the construction, operation and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in Bartow, Bulloch, Butts, Chatham, Clay, Columbia, Emanuel, Floyd, Forsyth, Fulton, Harris, Henry, Liberty, Macon, Montgomery, Murray, Tattnall, Towns, and White Counties, to provide for an effective date, to repeal conflicting laws, and for other purposes.

Senate Sponsor: Senator Harbison of the 15th.

The Senate Committee on State Institutions and Property offered the following substitute to HR 1104:

A RESOLUTION

Authorizing the granting of non-exclusive easements for the construction, operation and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in Bartow, Bulloch, Butts, Chatham, Clay, Columbia, DeKalb, Emanuel, Floyd, Forsyth, Fulton, Hall, Harris, Henry, Liberty, Macon, Montgomery, Murray, Richmond, Tattnall, Towns, and White Counties, to provide for an effective date, to repeal conflicting laws, and for other purposes.

WHEREAS, the State of Georgia is the owner of certain real property located in Bartow, Bulloch, Butts, Chatham, Clay, Columbia, DeKalb, Emanuel, Floyd, Forsyth, Fulton, Hall, Harris, Henry, Liberty, Macon, Montgomery, Murray, Richmond, Tattnall, Towns, and White Counties; and

WHEREAS, Atlanta Gas Light Company, Blackhall Studios, Coastal Electric Cooperative, Chatham County, City of Atlanta, City of Cumming, City of Emerson, Diverse Power Incorporated, Excelsior Electric Membership Corporation, Flint Electric Membership Corporation, Georgia Department of Transportation, Georgia Power Company, Georgia Transmission Corporation, Greystone Power Corporation, Habersham Electrical Membership Corporation, and TOJV, LLC, desire to operate and maintain facilities, utilities, and ingress and egress in on, over, under, upon, across, or through a portion of said property; and

WHEREAS, these non-exclusive easements, facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through the above-described State property have been requested or approved by the Department of Corrections, Department of Defense, Department of Economic Development, Department of Education, Department of Natural Resources, Department of Public Safety, State Properties Commission, and Technical College System of Georgia.

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I
SECTION 1.

That the State of Georgia is the owner of the hereinafter described real property commonly known as the Western and Atlantic Railroad, Bartow County, Georgia; and said property is in the custody of the State Properties Commission which does not object to the granting of an easement and, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 2.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Emerson, or its successors and assigns, a non-exclusive easement to construct, operate and maintain a bridge over the Western and Atlantic Railroad to access the economic development project known as Lakepoint Development. Said easement area is located in Bartow County, and is more particularly described as follows:

That approximately 0.32 of an acre, lying and being in Land Lot 899, 4th District, 3rd Section, Bartow County, Georgia, and that portion only as shown on a drawing furnished by the City of Emerson, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 3.

That the above described easement area shall be used solely for the purpose of the construction, operation and maintenance of the bridge.

SECTION 4.

That the City of Emerson shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the bridge construction.

SECTION 5.

That, after the City of Emerson has put into use the bridge that this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the City of Emerson, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the bridge shall become the property of the State of Georgia, or its successors and assigns.

SECTION 6.

That no title shall be conveyed to the City of Emerson and, except as herein specifically granted to the City of Emerson, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the City of Emerson.

SECTION 7.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and the City of Emerson shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, the City of Emerson provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from the City of Emerson or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the road without cost, expense or reimbursement from the State of Georgia.

SECTION 8.

That the easement granted to the City of Emerson shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is

authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 9.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. The City of Emerson shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 10.

That, given the public benefit to the state by the economic development project known as Lakepoint Development, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 11.

That this grant of easement shall be recorded by the City of Emerson in the Superior Court of Bartow County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 12.

That the authorization in this resolution to grant the above described easement to the City of Emerson shall expire three years after the date that this resolution becomes effective.

SECTION 13.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE II

SECTION 14.

That the State of Georgia is the owner of the hereinafter described real property lying and being in the 1209th G.M.D., Bulloch County, Georgia, and is commonly known as Ogeechee Technical College, and the property is in the custody of the Technical College System of Georgia which, by official action dated February 1, 2018, does not object to the granting of an easement and, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 15.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Excelsior Electric Membership Corporation, or its successors and assigns, a non-exclusive easement to construct, install, operate and maintain the underground electrical transmission lines to serve the project TCSG-330 (Plant Operations Building). Said easement area is located in Bulloch County, and is more particularly described as follows:

That approximately 0.40 of an acre, lying and being in the 1209th G.M.D., Bulloch County, Georgia, and that portion only as shown on a drawing furnished by the Excelsior Electric Membership Corporation, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 16.

That the above described easement area shall be used solely for the purpose of constructing, installing, operating and maintaining the underground electrical transmission lines.

SECTION 17.

That Excelsior Electric Membership Corporation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of said underground electrical transmission lines.

SECTION 18.

That, after Excelsior Electric Membership Corporation has put into use the underground electrical transmission lines this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Excelsior Electric Membership Corporation, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event underground electrical transmission lines shall become the property of the State of Georgia, or its successors and assigns.

SECTION 19.

That no title shall be conveyed to Excelsior Electric Membership Corporation and, except as herein specifically granted to Excelsior Electric Membership Corporation, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Excelsior Electric Membership Corporation.

SECTION 20.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Excelsior Electric Membership Corporation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Excelsior Electric Membership Corporation provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Excelsior Electric Membership Corporation or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 21.

That the easement granted to Excelsior Electric Membership Corporation shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 22.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. The Excelsior Electric Membership Corporation shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 23.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 24.

That this grant of easement shall be recorded by the Excelsior Electric Membership Corporation in the Superior Court of Bulloch County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 25.

That the authorization in this resolution to grant the above described easement to Excelsior Electric Membership Corporation shall expire three years after the date that this resolution becomes effective.

SECTION 26.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE III**SECTION 27.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in the 614th G.M.D., Butts County, Georgia, and is commonly known as Indian Springs State Park, and the property is in the custody of the Department of Natural Resources which, by official action dated September 27, 2017, does not object to the granting of an easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 28.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive easement to construct, install, operate and maintain electrical distribution lines and associated equipment to serve the conference center at Indian Springs State Park. Said easement area is located in Butts County, and is more particularly described as follows: That approximately 0.4 of an acre, lying and being in 614th G.M.D., Butts County, Georgia, and that portion only as shown on a drawing furnished by the Georgia Power Company, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 29.

That the above described easement area shall be used solely for the purpose of constructing, installing, operating and maintaining electrical distribution lines and associated equipment.

SECTION 30.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for

the proper construction, installation, operation and maintenance of said electrical distribution lines and associated equipment.

SECTION 31.

That after Georgia Power Company has put into use the electrical distribution lines and associated equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the electrical distribution lines and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 32.

That no title shall be conveyed to Georgia Power Company and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 33.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 34.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission

is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 35.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 36.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 37.

That this grant of easement shall be recorded by Georgia Power Company in the Superior Court of Butts County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 38.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 39.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE IV
SECTION 40.

That the State of Georgia is the owner of the hereinafter described real property lying and being in the 8th G.M.D., Chatham County, Georgia, and the property is commonly known as Coastal State Prison in the custody of the Department of Corrections which, by official action dated February 15, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 41.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive easement to construct, install, operate, and maintain an electrical service line and associated equipment to serve a new welding shop at Coastal State Prison. Said easement area is located in Chatham County, and is more particularly described as follows:

That approximately 0.05 of an acre, lying and being in the 8th G.M.D., Chatham County, Georgia, and that portion only as shown on a drawing furnished by Georgia Power Company, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 42.

That the above described easement area shall be used solely for the purpose of constructing, installing, operating and maintaining electrical service line and associated equipment.

SECTION 43.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of said electrical service line and associated equipment.

SECTION 44.

That after Georgia Power Company has put into use the electrical service line and associated equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the electrical service line and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 45.

That no title shall be conveyed to Georgia Power Company and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 46.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed

or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 47.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 48.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. The Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 49.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 50.

That this grant of easement shall be recorded by the Georgia Power Company in the Superior Court of Chatham County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 51.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 52.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE V**SECTION 53.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in 7th G.M.D., City of Pooler, Chatham County, Georgia, and the property is commonly known as the Quickstart Regional Training Center in the custody of the Technical College System of Georgia which, by official action dated September 7, 2017, does not object to the granting of this easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 54.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive easement to construct, install, operate and maintain electrical distribution lines and associated equipment to serve TCSG-335 (Quickstart training center). Said easement area is located in Chatham County, and is more particularly described as follows:

That approximately 2.76 acres, lying and being in the 7th G.M.D., Chatham County, Georgia, and that portion only as shown on a drawing furnished by Georgia Power Company, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 55.

That the above described easement area shall be used solely for the purpose of constructing, installing, operating and maintaining electrical distribution lines and associated equipment.

SECTION 56.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of said electrical distribution lines and associated equipment.

SECTION 57.

That, after Georgia Power Company has put into use the electrical distribution lines and associated equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the electrical distributions lines and any associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 58.

That no title shall be conveyed to Georgia Power Company and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 59.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 60.

That the easement granted to Georgia Power Company contains such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 61.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 62.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 63.

That this grant of easement shall be recorded by Georgia Power Company in the Superior Court of Chatham County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 64.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 65.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE VI**SECTION 66.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lots 227 and 254, 7th District, Clay County, Georgia, and the property commonly known as the George T. Bagby State Park is in the custody of the Department of Natural Resources which, by official action dated September 27, 2017, does not object to the granting of this easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 67.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Transmission Corporation, or its successors and assigns, a non-exclusive easement to relocate their existing easement and construct, install and maintain the new

electrical transmission lines and associated equipment to serve George T. Bagby State Park. Said easement area is located in Clay County, and is more particularly described as follows:

That approximately 0.5 of an acre, lying and being in Land Lots 227 and 254, 7th District, Clay County, Georgia, and that portion only as shown on a drawing furnished by Georgia Transmission Corporation and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 68.

That the above described easement area shall be used solely for the purpose of relocation of the existing easement and construction, installation and maintenance of the new electrical transmission lines and associated equipment.

SECTION 69.

That Georgia Transmission Corporation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the relocation of the existing easement and construction, installation and maintenance of the new electrical transmission lines and associated equipment.

SECTION 70.

That, after Georgia Transmission Corporation has put into use said electrical transmission lines and associated equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Transmission Corporation, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the said electrical transmission lines and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 71.

That no title shall be conveyed to the Georgia Transmission Corporation and, except as herein specifically granted to Georgia Transmission Corporation, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Transmission Corporation.

SECTION 72.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially

equivalent nonexclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Transmission Corporation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Transmission Corporation provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Transmission Corporation or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent nonexclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 73.

That the easement granted to Georgia Transmission Corporation shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 74.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. Georgia Transmission Corporation shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 75.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00, Georgia Transmission Corporation will relinquish its rights to the existing 1.5 acre easement upon acceptance of the new easement and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 76.

That this grant of easement shall be recorded by the Georgia Transmission Corporation in the Superior Court of Clay County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 77.

That the authorization in this resolution to grant the above described easement to Georgia Transmission Corporation shall expire three years after the date that this resolution becomes effective.

SECTION 78.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE VII**SECTION 79.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in 1285th G.M.D., Columbia County, Georgia, and is commonly known as the Grovetown-Columbia Campus of Augusta Technical College and the property is in the custody of the Technical College System of Georgia, which, by official action dated May 31, 2017, does not object to the granting of an easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 80.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive easement to construct, install, operate and maintain electrical distribution lines and associated equipment to serve the Grovetown-Columbia Campus of Augusta Technical College. Said easement area is located in Columbia County, and is more particularly described as follows:

That approximately 1.1 acres, lying and being in the 1285th G.M.D., Columbia County, Georgia, and that portion only as shown on a drawing furnished by the Georgia Power Company, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 81.

That the above described easement area shall be used solely for the purpose of constructing, installing, operating and maintaining electrical distribution lines and associated equipment.

SECTION 82.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of said electrical distribution lines and associated equipment.

SECTION 83.

That, after Georgia Power Company has put into use the electrical distribution lines and associated equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the electrical distribution lines and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 84.

That no title shall be conveyed to Georgia Power Company and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 85.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 86.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 87.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 88.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 89.

That this grant of easement shall be recorded by the Georgia Power Company in the Superior Court of Columbia County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 90.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 91.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE VIII**SECTION 92.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in 1285th G.M.D., Columbia County, Georgia, and is commonly known as the Grovetown-Columbia Campus of Augusta Technical College and the property is in the custody of the Technical College System of Georgia, which, by official action dated May 31, 2017, does not object to the granting of an easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 93.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive

easement to construct, install, operate and maintain electrical distribution lines and associated equipment. Said easement area is located in Columbia County, and is more particularly described as follows:

That approximately 1.38 acres, lying and being in the 1285th G.M.D., Columbia County, Georgia, and that portion only as shown on a drawing furnished by Georgia Power Company, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 94.

That the above described easement area shall be used solely for the purpose of constructing, installing, operating and maintaining electrical distribution lines and associated equipment.

SECTION 95.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of said electrical distribution lines and associated equipment.

SECTION 96.

That, after Georgia Power Company has put into use the electrical distribution lines and associated equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the electrical distribution lines and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 97.

That no title shall be conveyed to Georgia Power Company and, except as herein specifically granted to Georgia Power Company all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 98.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties

Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 99.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 100.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 101.

That, the consideration for such easement shall be for fair market value but not less than \$650.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 102.

That this grant of easement shall be recorded by the Georgia Power Company in the Superior Court of Columbia County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 103.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 104.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

**ARTICLE IX
SECTION 105.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 79, 15th District, DeKalb County, Georgia, commonly known as Metro State Prison, and said property is in the custody of the Department of Corrections which, by official action dated February 1, 2018, does not object to the granting of an easement, and, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 106.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Blackhall Studios, or its successors and assigns, a non-exclusive easement to construct, operate and maintain a sound barrier to attenuate the sound of gunfire at the firing range located in Metro State Prison. Said easement area is located in DeKalb County, and is more particularly described as follows:

That approximately 0.23 of an acre, lying and being in Land Lot 79, 15th District, DeKalb County, Georgia, and that portion only as shown on a drawing furnished by the Blackhall Studios, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 107.

That the above described easement area shall be used solely for the purpose of the construction, operation and maintenance of the sound barrier.

SECTION 108.

That Blackhall Studios shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the sound barrier.

SECTION 109.

That, after Blackhall Studios has put into use the sound barrier that this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Blackhall Studios, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the sound barrier shall become the property of the State of Georgia, or its successors and assigns.

SECTION 110.

That no title shall be conveyed to Blackhall Studios and, except as herein specifically granted to Blackhall Studios, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Blackhall Studios.

SECTION 111.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Blackhall Studios shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Blackhall Studios provide a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Blackhall Studios or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the road without cost, expense or reimbursement from the State of Georgia.

SECTION 112.

That the easement granted to Blackhall Studios shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 113.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. Blackhall Studios shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 114.

That, the consideration for such easement shall be for fair market value but not less than \$650.00 and such further consideration and provisions as the State Properties

Commission may determine to be in the best interest of the State of Georgia.

SECTION 115.

That this grant of easement shall be recorded by Blackhall Studios in the Superior Court of DeKalb County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 116.

That the authorization in this resolution to grant the above described easement to Blackhall Studios shall expire three years after the date that this resolution becomes effective.

SECTION 117.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE X

SECTION 118.

That the State of Georgia is the owner of the hereinafter described real property lying and being in 1560th G.M.D., Emanuel County, Georgia, and is commonly known as George L. Smith State Park in the custody of the Department of Natural Resources which, by official action dated February 28, 2017, does not object to the granting of an easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 119.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Excelsior Electric Membership Corporation, or its successors and assigns, a non-exclusive easement for constructing, installing, operating and maintaining electrical distribution lines and associated equipment to serve new office buildings at the park. Said easement area is located in Emanuel County, and is more particularly described as follows:

That approximately 0.5 of an acre, lying and being in the 1560th G.M.D., Emanuel County, Georgia, and that portion only as shown on a drawing furnished by Excelsior Electric Membership Corporation, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 120.

That the above described easement area shall be used solely for the purpose of constructing, installing, operating and maintaining electrical distribution lines and associated equipment.

SECTION 121.

That, after Excelsior Electric Membership Corporation has put into use its electrical distribution lines and associated equipment easement area for which this easement is granted, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Excelsior Electric Membership Corporation, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the electrical distribution lines and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 122.

That no title shall be conveyed to Excelsior Electric Membership Corporation and, except as herein specifically granted to Excelsior Electric Membership Corporation, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Excelsior Electric Membership Corporation.

SECTION 123.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Excelsior Electric Membership Corporation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Excelsior Electric Membership Corporation provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Excelsior Electric Membership Corporation or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 124.

That the easement granted to Excelsior Electric Membership Corporation shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 125.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Excelsior Electric Membership Corporation shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 126.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 127.

That this grant of easement shall be recorded by the Excelsior Electric Membership Corporation in the Superior Court of Emanuel County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 128.

That the authorization in this resolution to grant the above described easement to Excelsior Electric Membership Corporation shall expire three years after the date that this resolution becomes effective.

SECTION 129.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XI**SECTION 130.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 325, 23rd Land District, Floyd County, Georgia, and the property is commonly known as the Floyd County Campus of Georgia Northwestern Technical College in the custody of the Technical College System of Georgia which, by official action dated August 3, 2017, does not object to the granting of this easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 131.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive

easement for constructing, installing, operating and maintaining electrical distribution lines and associated equipment to serve the Machine Tools Renovation project. Said easement area is located at the Floyd County Campus of Georgia Northwestern Technical College, and is more particularly described as follows:

That approximately 0.14 of an acre easement, lying and being in Land Lot 325, 23rd Land District, Floyd County, Georgia, and that portion only as shown on a Georgia Power Company drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 132.

That the above described easement area shall be used solely for constructing, installing, operating and maintaining electrical distribution lines and associated equipment.

SECTION 133.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for constructing, installing, operating and maintaining electrical distribution lines and associated equipment.

SECTION 134.

That, after Georgia Power Company has put into use the electrical distribution lines and associated equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the electrical distribution lines and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 135.

That no title shall be conveyed to Georgia Power Company and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 136.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially

equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 137.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 138.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 139.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 140.

That this grant of easement shall be recorded by Georgia Power Company in the Superior Court of Floyd County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 141.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 142.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XII**SECTION 143.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lots 1113 and 1114, of the 3rd Land District, 1st Section, Forsyth County, Georgia, and the property is commonly known as the Cumming Readiness Center in the custody of the Department of Defense which, by official action dated September 29, 2017, does not object to the granting of this easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 144.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Cumming, or its successors and assigns, a non-exclusive easement for the relocation of the existing easement and to construct, install and maintain a new water pipe for the road widening on Pilgrim Mill Road. Said easement area is located in Forsyth County, and is more particularly described as follows:

That approximately 0.098 of an acre, lying and being in Land Lots 1113 and 1114, of the 3rd Land District, 1st Section, Forsyth County, Georgia, and that portion only as shown on a City of Cumming drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 145.

That the above described easement area shall be used solely for the relocation of the existing easement and to construct, install and maintain a new water pipe.

SECTION 146.

That the City of Cumming shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the relocation of the existing easement and to construct, install and maintain a new water pipe.

SECTION 147.

That, after the City of Cumming has put into use the water pipe this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the City of Cumming, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the water pipe shall become the property of the State of Georgia, or its successors and assigns.

SECTION 148.

That no title shall be conveyed to the City of Cumming and, except as herein specifically granted to the City of Cumming, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the City of Cumming.

SECTION 149.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and the City of Cumming shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, the City of Cumming provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from the City of Cumming or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 150.

That the easement granted to the City of Cumming shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 151.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. The City of Cumming shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 152.

That, the consideration for such easement shall be for fair market value but not less than \$650.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 153.

That this grant of easement shall be recorded by the City of Cumming in the Superior Court of Forsyth County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 154.

That the authorization in this resolution to grant the above described easement to the City of Cumming shall expire three years after the date that this resolution becomes effective.

SECTION 155.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XIII**SECTION 156.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 83, 14th District, Fulton County, Georgia, and the property is commonly known as the Georgia World Congress Center Blue Lot located at 271 Northside Drive NW in the custody of the Department of Economic Development and managed by the Geo. L. Smith II Georgia World Congress Center Authority under that Management Agreement dated April 8, 1974 which, by official action dated February 21, 2018, does not object to the granting of this easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 157.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the City of Atlanta, or its successors and assigns, a non-exclusive easement for

the construction, installation, and maintenance of a storm sewer as part of a sewer capacity relief project. Said easement area is located in Fulton County, and is more particularly described as follows:

That approximately 0.012 of an acre, lying and being in Land Lot 83, 14th District of Fulton County, Georgia, and that portion only as shown on a City of Atlanta survey and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 158.

That the above described easement area shall be used solely for construction, installation and maintenance of a storm sewer.

SECTION 159.

That the City of Atlanta shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, and maintenance of a storm sewer.

SECTION 160.

That, after the City of Atlanta has put into use the storm sewer this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the City of Atlanta, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the storm sewer shall become the property of the State of Georgia, or its successors and assigns.

SECTION 161.

That no title shall be conveyed to the City of Atlanta and, except as herein specifically granted to the City of Atlanta, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the City of Atlanta.

SECTION 162.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and the City of Atlanta shall remove or relocate its facilities to the alternate easement area at its

sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, the City of Atlanta provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from the City of Atlanta or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 163.

That the easement granted to the City of Atlanta shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 164.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the state highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. The City of Atlanta shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 165.

That, the consideration for such easement shall be \$12,300.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 166.

That this grant of easement shall be recorded by the City of Atlanta in the Superior Court of Fulton County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 167.

That the authorization in this resolution to grant the above described easement to the City of Atlanta shall expire three years after the date that this resolution becomes effective.

SECTION 168.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XIV
SECTION 169.

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 76 of the 14th Land District, Fulton County, Georgia, and the property is commonly known as the Probation Officers Facility located at 276 Memorial Drive in the custody of the Department of Corrections which, by official action dated August 2, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 170.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of an underground electrical transmission distribution system and the demolition of an overhead power line in order to provide power to the Probation Officers Facility. Said easement area is located in Fulton County, and is more particularly described as follows:

That approximately 0.04 of an acre, lying and being in Land Lot 76 of the 14th Land District, Fulton County, Georgia, and that portion only as shown on a Georgia Power engineer drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 171.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of an underground electrical transmission distribution system and the demolition of an overhead power line.

SECTION 172.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of an underground electrical transmission distribution system and the demolition of an overhead power line.

SECTION 173.

That after Georgia Power Company has put into use the underground electrical transmission distribution system and completed the demolition of an overhead power line this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the underground

electrical transmission distribution system and associated equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 174.

That no title shall be conveyed to Georgia Power Company and, except as herein specifically granted to the Georgia Power Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the Georgia Power Company.

SECTION 175.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 176.

That the easement granted to the Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 177.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are

necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 178.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 179.

That this grant of easement shall be recorded by Georgia Power Company in the Superior Court of Fulton County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 180.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 181.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XV

SECTION 182.

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 58, District 9C, Fulton County, Georgia, and the property is commonly known as the Campbellton Road Boat Ramp in the custody of the Department of Natural Resources which, by official action dated January 26, 2018, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 183.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Greystone Power Corporation, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of overhead electrical equipment to provide electrical service to illuminate the parking area at the boat ramp. Said easement area is located in Fulton County, and is more particularly described as follows:

That approximately 0.4 of an acre, lying and being in Land Lot 58, District 9C, Fulton County, Georgia, and that portion only as shown on a Greystone Power Corporation drawing and being on file in the offices of the State Properties Commission and may be

more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 184.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of overhead electrical equipment.

SECTION 185.

That Greystone Power Corporation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of overhead electrical equipment.

SECTION 186.

That after Greystone Power Corporation has put into use the overhead electrical equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Greystone Power Corporation, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the overhead electrical equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 187.

That no title shall be conveyed to Greystone Power Corporation and, except as herein specifically granted to the Greystone Power Corporation, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the Greystone Power Corporation.

SECTION 188.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Greystone Power Corporation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Greystone Power Corporation provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and

relocation is for the sole benefit of the State of Georgia. Upon written request from Greystone Power Corporation or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 189.

That the easement granted to the Greystone Power Corporation shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 190.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Greystone Power Corporation shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 191.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 192.

That this grant of easement shall be recorded by Greystone Power Corporation in the Superior Court of Fulton County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 193.

That the authorization in this resolution to grant the above described easement to Greystone Power Corporation shall expire three years after the date that this resolution becomes effective.

SECTION 194.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XVI
SECTION 195.

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 78 of the 14th Land District, Fulton County, Georgia, and the property is commonly known as Omni Hotel Connector in the custody of the Department of Economic Development and managed by the Geo. L. Smith II Georgia World Congress Center Authority under that Management Agreement dated April 8, 1974, which, by official action dated March 5, 2014, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 196.

That the State of Georgia, acting by and through its State Properties Commission, may grant to TOJV, LLC, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of the Omni Hotel Connector near CNN Center and adjoining the College Football Hall of Fame and the World Congress Center. Said easement area is located in Fulton County, and is more particularly described as follows:

That approximately 0.1419 of an acre and 24 feet high from the top of the area known as the "Plaza", lying and being in Land Lot 78 of the 14th Land District, Fulton County, Georgia, and that portion only as shown on a TOJV, LLC, survey and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 197.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of the Omni Hotel Connector (the Connector) near CNN Center and adjoining the College Football Hall of Fame and the World Congress Center.

SECTION 198.

That TOJV, LLC, shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of the Connector.

SECTION 199.

That after TOJV, LLC, has put into use the Connector this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, TOJV, LLC, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the

same in place, in which event the Connector shall become the property of the State of Georgia, or its successors and assigns.

SECTION 200.

That no title shall be conveyed to TOJV, LLC, and, except as herein specifically granted to the TOJV, LLC, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the TOJV, LLC.

SECTION 201.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and TOJV, LLC, shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, TOJV, LLC, provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from TOJV, LLC, or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 202.

That the easement granted to the TOJV, LLC, shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 203.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. TOJV, LLC, shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 204.

That the consideration for such easement shall be \$36,350.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 205.

That this grant of easement shall be recorded by TOJV, LLC, in the Superior Court of Fulton County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 206.

That the authorization in this resolution to grant the above described easement to TOJV, LLC, shall expire three years after the date that this resolution becomes effective.

SECTION 207.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XVII**SECTION 208.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 135, 10th District, Hall County, Georgia, commonly known as State Patrol 6, and said property is in the custody of the Department of Public Safety which, by official action dated January 24, 2018, does not object to the granting of an easement and, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 209.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive easement to relocate, construct, install, operate and maintain electrical transmission lines to serve the Patrol Post 6. Said easement area is located in Hall County, and is more particularly described as follows:

That approximately 0.03 of an acre, lying and being in Land Lot 135, 10th District, Hall County, Georgia, and that portion only as shown on a drawing furnished by Georgia Power Company, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 210.

That the above described easement area shall be used solely for the purpose of the relocation, construction, installation, operation and maintenance of electrical transmission lines.

SECTION 211.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper relocation, construction, installation, operation and maintenance of said electrical transmission lines.

SECTION 212.

That, after Georgia Power Company has put into use the electrical transmission lines this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the electrical transmission lines shall become the property of the State of Georgia, or its successors and assigns.

SECTION 213.

That no title shall be conveyed to Georgia Power Company and, except as herein specifically granted to Georgia Power Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 214.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 215.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall

deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 216.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 217.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 218.

That this grant of easement shall be recorded by Georgia Power Company in the Superior Court of Hall County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 219.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 220.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XVIII

SECTION 221.

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 16 of the 3rd Land District, Harris County, Georgia, and the property is commonly known as the Franklin D. Roosevelt State Park in the custody of the Department of Natural Resources which, by official action dated June 28, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 222.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Diverse Power Incorporated, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of underground electrical lines and equipment to provide electrical service to the group camp dining hall. Said easement area is located in Harris County, and is more particularly described as follows:

That approximately 0.05 of an acre, lying and being in Land Lot 16 of the 3rd Land District, Harris County, Georgia, and that portion only as shown on a Diverse Power Incorporated drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 223.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of underground electrical lines and equipment.

SECTION 224.

That Diverse Power Incorporated shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of underground electrical lines and equipment.

SECTION 225.

That after Diverse Power Incorporated has put into use the underground electrical lines and equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Diverse Power Incorporated, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the underground electrical lines and equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 226.

That no title shall be conveyed to Diverse Power Incorporated and, except as herein specifically granted to the Diverse Power Incorporated, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the Diverse Power Incorporated.

SECTION 227.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed

or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Diverse Power Incorporated shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Diverse Power Incorporated provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Diverse Power Incorporated or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 228.

That the easement granted to the Diverse Power Incorporated shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 229.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Diverse Power Incorporated shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 230.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 231.

That this grant of easement shall be recorded by Diverse Power Incorporated in the Superior Court of Harris County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 232.

That the authorization in this resolution to grant the above described easement to Diverse Power Incorporated shall expire three years after the date that this resolution becomes effective.

SECTION 233.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XIX**SECTION 234.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 136 of the 7th Land District, Henry County, Georgia, and the property is commonly known as Southern Crescent Technical College in the custody of the Technical College System of Georgia which, by official action dated March 2, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 235.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Atlanta Gas Light Company, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of gas distribution lines to serve TCSG-317 Industrial Training and Technology Building. Said easement area is located in Henry County, and is more particularly described as follows:

That approximately 0.92 of an acre, lying and being in Land Lot 136 of the 7th Land District, Henry County, Georgia, and that portion only as shown on the Atlanta Gas Light Company drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 236.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of gas distribution lines.

SECTION 237.

That Atlanta Gas Light Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of gas distribution lines.

SECTION 238.

That after Atlanta Gas Light Company has put into use the gas distribution lines this easement is granted for, a subsequent abandonment of the use thereof shall cause a

reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Atlanta Gas Light Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the gas distribution lines shall become the property of the State of Georgia, or its successors and assigns.

SECTION 239.

That no title shall be conveyed to Atlanta Gas Light Company and, except as herein specifically granted to the Atlanta Gas Light Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Atlanta Gas Light Company.

SECTION 240.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Atlanta Gas Light Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Atlanta Gas Light Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Diverse Power Incorporated or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 241.

That the easement granted to the Atlanta Gas Light Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 242.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State

highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Atlanta Gas Light Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 243.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 244.

That this grant of easement shall be recorded by Atlanta Gas Light Company in the Superior Court of Henry County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 245.

That the authorization in this resolution to grant the above described easement to Atlanta Gas Light Company shall expire three years after the date that this resolution becomes effective.

SECTION 246.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XX

SECTION 247.

That the State of Georgia is the owner of the hereinafter described real property lying and being in the 1359th Land District, Liberty County, Georgia, and the property is commonly known as the Fort Morris Historic Site in the custody of the Department of Natural Resources which, by official action dated September 27, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 248.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Coastal Electric Cooperative, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of underground electrical service equipment for a new automatic gate. Said easement area is located in Liberty County, and is more particularly described as follows:

That approximately 0.05 of an acre, lying and being in the 1359th Land District, Liberty County, Georgia, and that portion only as shown on the Coastal Electric Cooperative drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 249.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of underground electrical service equipment.

SECTION 250.

That Coastal Electric Cooperative shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of underground electrical service equipment.

SECTION 251.

That after Coastal Electric Cooperative has put into use the underground electrical service equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Coastal Electric Cooperative, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the underground electrical service equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 252.

That no title shall be conveyed to Coastal Electric Cooperative and, except as herein specifically granted to the Coastal Electric Cooperative, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Coastal Electric Cooperative.

SECTION 253.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Coastal Electric Cooperative shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of

Georgia unless, in advance of any construction being commenced, Coastal Electric Cooperative provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Coastal Electric Cooperative or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 254.

That the easement granted to Coastal Electric Cooperative shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 255.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Coastal Electric Cooperative shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 256.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 257.

That this grant of easement shall be recorded by Coastal Electric Cooperative in the Superior Court of Liberty County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 258.

That the authorization in this resolution to grant the above described easement to Coastal Electric Cooperative shall expire three years after the date that this resolution becomes effective.

SECTION 259.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XXI**SECTION 260.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 161, 9th District, Macon County, Georgia, and the property is commonly known as Camp John Hope in the custody of the Department of Education which, by official action dated December 14, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 261.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Flint Electric Membership Corporation, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of underground electrical distribution lines to service a shooting range. Said easement area is located in Macon County, and is more particularly described as follows:

That approximately 0.0381 of an acre, lying and being in Land Lot 161, 9th District, Macon County, Georgia, and that portion only as shown on the Flint Electric Membership Corporation drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 262.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of underground electrical distribution lines.

SECTION 263.

That Flint Electric Membership Corporation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of underground electrical distribution lines.

SECTION 264.

That after Flint Electric Membership Corporation has put into use the underground electrical distribution lines this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Flint Electric Membership Corporation, or its successors and assigns, shall

have the option of removing their facilities from the easement area or leaving the same in place, in which event the underground electrical distribution lines shall become the property of the State of Georgia, or its successors and assigns.

SECTION 265.

That no title shall be conveyed to Flint Electric Membership Corporation and, except as herein specifically granted to the Flint Electric Membership Corporation, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Flint Electric Membership Corporation.

SECTION 266.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Flint Electric Membership Corporation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Flint Electric Membership Corporation provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Flint Electric Membership Corporation or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 267.

That the easement granted to Flint Electric Membership Corporation shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 268.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Flint Electric Membership

Corporation shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 269.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 270.

That this grant of easement shall be recorded by Flint Electric Membership Corporation in the Superior Court of Macon County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 271.

That the authorization in this resolution to grant the above described easement to Flint Electric Membership Corporation shall expire three years after the date that this resolution becomes effective.

SECTION 272.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XXII

SECTION 273.

That the State of Georgia is the owner of the hereinafter described real property lying and being in 1343rd and 1757th G.M.D., Montgomery County, Georgia, and the property is commonly known as Montgomery State Prison in the custody of the Department of Corrections which, by official action dated December 14, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 274.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Atlanta Gas Light Company, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of a natural gas pipeline to serve the prison fire station. Said easement area is located in Montgomery County, and is more particularly described as follows:

That approximately 0.12 of an acre, lying and being in 1343rd and 1757th G.M.D., Montgomery County, Georgia, and that portion only as shown on the Atlanta Gas Light Company drawing and being on file in the offices of the State Properties Commission and

may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 275.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of a natural gas pipeline.

SECTION 276.

That Atlanta Gas Light Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of a natural gas pipeline.

SECTION 277.

That after Atlanta Gas Light Company has put into use the natural gas pipeline this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Atlanta Gas Light Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the natural gas pipeline shall become the property of the State of Georgia, or its successors and assigns.

SECTION 278.

That no title shall be conveyed Atlanta Gas Light Company and, except as herein specifically granted to the Atlanta Gas Light Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Atlanta Gas Light Company.

SECTION 279.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Atlanta Gas Light Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Atlanta Gas Light Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Atlanta Gas Light Company or any third party, the State Properties Commission, in its

sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 280.

That the easement granted to Atlanta Gas Light Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 281.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Atlanta Gas Light Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 282.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 283.

That this grant of easement shall be recorded by Atlanta Gas Light Company in the Superior Court of Montgomery County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 284.

That the authorization in this resolution to grant the above described easement to Atlanta Gas Light Company shall expire three years after the date that this resolution becomes effective.

SECTION 285.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XXIII
SECTION 286.

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lot 224, 9th District, Murray County, Georgia, and the property is commonly known as the Chief Vann House Historic Site in the custody of the Department of Natural Resources which, by official action dated September 27, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 287.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Georgia Power Company, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of a support pole and anchor for the widening of SR52 Alternate. Said easement area is located in Murray County, and is more particularly described as follows:

That approximately 0.003 of an acre, lying and being in Land Lot 224, 9th District, Murray County, Georgia, and that portion only as shown on the Georgia Power Company engineer drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 288.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of a support pole and anchor.

SECTION 289.

That Georgia Power Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of a support pole and anchor.

SECTION 290.

That after Georgia Power Company has put into use the support pole and anchor this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Georgia Power Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the support pole and anchor shall become the property of the State of Georgia, or its successors and assigns.

SECTION 291.

That no title shall be conveyed to Georgia Power Company and, except as herein

specifically granted to the Georgia Power Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Georgia Power Company.

SECTION 292.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Georgia Power Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Georgia Power Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Georgia Power Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 293.

That the easement granted to Georgia Power Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 294.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Georgia Power Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 295.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 296.

That this grant of easement shall be recorded by Georgia Power Company in the Superior Court of Murray County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 297.

That the authorization in this resolution to grant the above described easement to Georgia Power Company shall expire three years after the date that this resolution becomes effective.

SECTION 298.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XXIV**SECTION 299.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in the 119th and 1269th G.M.D, Richmond County, Georgia, and is commonly known as Augusta State Medical Prison, and the property is in the custody of the Department of Corrections which, by official action dated February 1, 2018 does not object to the granting of an easement, and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 300.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Department of Transportation, or its successors and assigns, a non-exclusive easement to construct, install, operate and maintain the widening and reconstruction of SR10 from Fort Gordon New ACP/Gate 6 to SR223 and a driveway easement to provide smooth transition into the new alignment from Augusta State Medical Prison (PI0013248). Said easement area is located in Richmond County, and is more particularly described as follows:

That approximately 0.21 of an acre, lying and being the 119th and 1269th G.M.D, Richmond County, Georgia, and that portion only as shown on a drawing furnished by the Department of Transportation, and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 301.

That the above described easement area shall be used solely for the purpose of constructing, installing, operating and maintaining the road widening and reconstruction of SR10 and driveway.

SECTION 302.

That the Department of Transportation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of said road widening and reconstruction of SR10 and driveway.

SECTION 303.

That after the Department of Transportation has put into use the widening and reconstruction of SR10 and driveway this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the Department of Transportation, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the road and driveway shall become the property of the State of Georgia, or its successors and assigns.

SECTION 304.

That no title shall be conveyed to the Department of Transportation and, except as herein specifically granted to the Department of Transportation, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the Department of Transportation.

SECTION 305.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on state owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and the Department of Transportation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, the Department of Transportation provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from the Department of Transportation or any third party, the State Properties Commission, in

its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 306.

That the easement granted to the Department of Transportation shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 307.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the state highway system, or of a county with respect to the county road system or of a municipality with respect to the city street system. The Department of Transportation shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable state and federal environmental statutes in its use of the easement area.

SECTION 308.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 309.

That this grant of easement shall be recorded by the Department of Transportation in the Superior Court of Richmond County and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 310.

That the authorization in this resolution to grant the above described easement to the Department of Transportation shall expire three years after the date that this resolution becomes effective.

SECTION 311.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XXV
SECTION 312.

That the State of Georgia is the owner of the hereinafter described real property lying and being in 1645th G.M.D., Tattnall County, Georgia, and the property is commonly known as Rogers State Prison in the custody of the Department of Corrections which, by official action dated September 7, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 313.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Atlanta Gas Light Company, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of a natural gas pipeline to serve the prison and to include the existing pipeline into the new easement. Said easement area is located in Tattnall County, and is more particularly described as follows:

That approximately 11.146 acres, lying and being in the 1645th G.M.D., Tattnall County, Georgia, and that portion only as shown on the Atlanta Gas Light Company drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 314.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of a natural gas pipeline.

SECTION 315.

That Atlanta Gas Light Company shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of a natural gas pipeline.

SECTION 316.

That after Atlanta Gas Light Company has put into use the natural gas pipeline this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Atlanta Gas Light Company, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the natural gas pipeline shall become the property of the State of Georgia, or its successors and assigns.

SECTION 317.

That no title shall be conveyed to Atlanta Gas Light Company and, except as herein

specifically granted to the Atlanta Gas Light Company, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Atlanta Gas Light Company.

SECTION 318.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Atlanta Gas Light Company shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Atlanta Gas Light Company provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Atlanta Gas Light Company or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 319.

That the easement granted to Atlanta Gas Light Company shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 320.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Atlanta Gas Light Company shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 321.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 322.

That this grant of easement shall be recorded by Atlanta Gas Light Company in the Superior Court of Tattnall County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 323.

That the authorization in this resolution to grant the above described easement to Atlanta Gas Light Company shall expire three years after the date that this resolution becomes effective.

SECTION 324.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XXVI**SECTION 325.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lots 117 and 118, 17th District, 1st Section, Towns County, Georgia, and the property is commonly known as Brasstown Valley Resort in the custody of the Department of Natural Resources which, by official action dated August 30, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 326.

That the State of Georgia, acting by and through its State Properties Commission, may grant to the Department of Transportation, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of a bridge for the road widening project for State Route 66 over Brasstown Creek. Said easement area is located in Tattnall County, and is more particularly described as follows:

That approximately 3.6 acres, lying and being in Land Lots 117 and 118, 17th District, 1st Section, Towns County, Georgia, and that portion only as shown on the Department of Transportation Right of Way drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 327.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of a bridge.

SECTION 328.

That the Department of Transportation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of a bridge.

SECTION 329.

That after the Department of Transportation has put into use the bridge this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, the Department of Transportation, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the bridge shall become the property of the State of Georgia, or its successors and assigns.

SECTION 330.

That no title shall be conveyed to the Department of Transportation and, except as herein specifically granted to the Department of Transportation, all rights, title, and interest in and to said easement area is reserved in the State of Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to the Department of Transportation.

SECTION 331.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and the Department of Transportation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, the Department of Transportation provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from the Department of Transportation or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 332.

That the easement granted to the Department of Transportation shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 333.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. The Department of Transportation shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 334.

That, the consideration for such easement shall be for fair market value but not less than \$650.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 335.

That this grant of easement shall be recorded by the Department of Transportation in the Superior Court of Towns County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 336.

That the authorization in this resolution to grant the above described easement to the Department of Transportation shall expire three years after the date that this resolution becomes effective.

SECTION 337.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XXVII**SECTION 338.**

That the State of Georgia is the owner of the hereinafter described real property lying and being in Land Lots 130, 159, and 162, 3rd Land District, White County, Georgia, and the property is commonly known as Unicoi State Park in the custody of the Department of

Natural Resources which, by official action dated April 26, 2017, does not object to the granting of this easement and that, in all matters relating to the easement, the State of Georgia is acting by and through its State Properties Commission.

SECTION 339.

That the State of Georgia, acting by and through its State Properties Commission, may grant to Habersham Electrical Membership Corporation, or its successors and assigns, a non-exclusive easement for the construction, installation, operation and maintenance of underground electrical equipment to provide electrical service to the new well house for the Smith Creek Cottages. Said easement area is located in White County, and is more particularly described as follows:

That approximately 0.22 of an acre, lying and being in Land Lots 130, 159, and 162, 3rd Land District, White County, Georgia, and that portion only as shown on the Habersham Electrical Membership Corporation drawing and being on file in the offices of the State Properties Commission and may be more particularly described by a plat of survey prepared by a Georgia registered land surveyor and presented to the State Properties Commission for approval.

SECTION 340.

That the above described easement area shall be used solely for the construction, installation, operation and maintenance of underground electrical equipment.

SECTION 341.

That the Habersham Electrical Membership Corporation shall have the right to remove or cause to be removed from said easement area only such trees and bushes as may be reasonably necessary for the proper construction, installation, operation and maintenance of underground electrical equipment.

SECTION 342.

That after Habersham Electrical Membership Corporation has put into use the underground electrical equipment this easement is granted for, a subsequent abandonment of the use thereof shall cause a reversion to the State of Georgia, or its successors and assigns, of all the rights, title, privileges, powers, and easement granted herein. Upon abandonment, Habersham Electrical Membership Corporation, or its successors and assigns, shall have the option of removing their facilities from the easement area or leaving the same in place, in which event the underground electrical equipment shall become the property of the State of Georgia, or its successors and assigns.

SECTION 343.

That no title shall be conveyed to Habersham Electrical Membership Corporation and, except as herein specifically granted to Habersham Electrical Membership Corporation, all rights, title, and interest in and to said easement area is reserved in the State of

Georgia, which may make any use of said easement area not inconsistent with or detrimental to the rights, privileges, and interest granted to Habersham Electrical Membership Corporation.

SECTION 344.

That if the State of Georgia, acting by and through its State Properties Commission, determines that any or all of the facilities placed on the easement area should be removed or relocated to an alternate site on State-owned land in order to avoid interference with the State's use or intended use of the easement area, it may grant a substantially equivalent non-exclusive easement to allow placement of the removed or relocated facilities across the alternate site under such terms and conditions as the State Properties Commission shall in its discretion determine to be in the best interests of the State of Georgia, and Habersham Electrical Membership Corporation shall remove or relocate its facilities to the alternate easement area at its sole cost and expense without reimbursement by the State of Georgia unless, in advance of any construction being commenced, Habersham Electrical Membership Corporation provides a written estimate for the cost of such removal and relocation and the State Properties Commission determines, in its sole discretion, that the removal and relocation is for the sole benefit of the State of Georgia. Upon written request from Habersham Electrical Membership Corporation or any third party, the State Properties Commission, in its sole discretion, may grant a substantially equivalent non-exclusive easement within the property for the relocation of the facilities without cost, expense or reimbursement from the State of Georgia.

SECTION 345.

That the easement granted to Habersham Electrical Membership Corporation shall contain such other reasonable terms, conditions, and covenants as the State Properties Commission shall deem in the best interest of the State of Georgia and that the State Properties Commission is authorized to use a more accurate description of the easement area, so long as the description utilized by the State Properties Commission describes the same easement area herein granted.

SECTION 346.

That this resolution does not affect and is not intended to affect any rights, powers, interest, or liability of the Georgia Department of Transportation with respect to the State highway system, or of a County with respect to the County road system or of a municipality with respect to the city street system. Habersham Electrical Membership Corporation shall obtain any and all other required permits from the appropriate governmental agencies as are necessary for its lawful use of the easement area or public highway right of way and comply with all applicable State and Federal environmental statutes in its use of the easement area.

SECTION 347.

That, given the public purpose of the project, the consideration for such easement shall be \$10.00 and such further consideration and provisions as the State Properties Commission may determine to be in the best interest of the State of Georgia.

SECTION 348.

That this grant of easement shall be recorded by Habersham Electrical Membership Corporation in the Superior Court of White County and a recorded copy shall promptly be forwarded to the State Properties Commission.

SECTION 349.

That the authorization in this resolution to grant the above described easement to Habersham Electrical Membership Corporation shall expire three years after the date that this resolution becomes effective.

SECTION 350.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect the grant of the easement area.

ARTICLE XXVIII**SECTION 351.**

That this resolution shall become effective as law upon its approval by the Governor or upon its becoming law without such approval.

SECTION 352.

That all laws and parts of laws in conflict with this resolution are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the adoption of the resolution by substitute, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	E Hufstetler	Y Payne
Y Anderson, L	E Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Burke	Y Jordan	Y Strickland

Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
E Hill	Y Parent	

On the adoption of the resolution, the yeas were 46, nays 0.

HR 1104, having received the requisite constitutional majority, was adopted by substitute.

The following communications were received by the Secretary:

3/15/2018

Due to business outside the Senate Chamber, I missed the vote on HR 1104. Had I been present, I would have voted "Yes".

/s/ Gloria S. Butler
District 55

15 March 2018

Due to business outside the Senate Chamber, I missed the vote on HR 1104. Had I been present, I would have voted "Yes".

/s/ Horacena Tate
District 38

Senator Cowsert of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Monday, March 19, 2018.

The motion prevailed, and the President announced the Senate adjourned at 12:24 p.m.

Senate Chamber, Atlanta, Georgia
Monday, March 19, 2018
Thirty-sixth Legislative Day

The Senate met pursuant to adjournment at 10:15 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House and Senate:

HB 1011. By Representatives Gasaway of the 28th and Powell of the 32nd:

A BILL to be entitled an Act to amend an Act to provide a new charter for the Town of Martin, approved March 18, 1980 (Ga. L. 1980, p. 3215), as amended, particularly by an Act approved March 21, 1989 (Ga. L. 1989, p. 3883), so as to change certain provisions relating to the mayoral term; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1025. By Representatives Werkheiser of the 157th and Nimmer of the 178th:

A BILL to be entitled an Act to authorize the governing authority of the City of Jesup to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1037. By Representatives Watson of the 172nd and Powell of the 171st:

A BILL to be entitled an Act to provide a new charter for the City of Meigs in Thomas County, Georgia and Mitchell County, Georgia; to provide for boundaries and powers of the city; to provide for a governing authority of

such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for definitions and construction; to provide for other matters relative to the foregoing; to repeal a specific Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1039. By Representatives Jasperse of the 11th and Ralston of the 7th:

A BILL to be entitled an Act to create the Big Canoe Water and Sewer Authority; to provide a short title; to define certain terms; to provide for membership, appointment, terms, term limits, qualifications, officers, quorums, vacancies, and audits of the authority; to provide for purposes; to provide for powers and duties; to provide for the issuance of revenue bonds; to provide for the public nature of authority property; to provide for limitations on debt; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1044. By Representatives Shaw of the 176th, Corbett of the 174th, LaHood of the 175th, Watson of the 172nd, Sharper of the 177th and others:

A BILL to be entitled an Act to amend an Act providing for a supplement to the compensation of the judges of the superior courts of the Southern Judicial Circuit, approved March 6, 1956 (Ga. L. 1956, p. 537), as amended, particularly by an Act approved May 10, 2005 (Ga. L. 2005, p. 4150), so as to increase the amount of such supplement; to provide for the payment of such supplement in specified amounts by the counties comprising the circuit; to repeal conflicting laws; and for other purposes.

HB 1047. By Representative Jackson of the 128th:

A BILL to be entitled an Act to amend an Act to create the State Court of Washington County, approved October 31, 1901 (Ga. L. 1901, p. 164), as amended, particularly by an Act approved March 3, 1964 (Ga. L. 1964, p. 2247), so as to authorize the State Court of Washington County to charge a technology fee for each civil case filed and each criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for related matters; to provide for automatic repeal; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1048. By Representatives Ballinger of the 23rd, Cantrell of the 22nd, Caldwell of the 20th, Turner of the 21st and Carson of the 46th:

A BILL to be entitled an Act to amend an Act to supplement the salary of the judge of the Superior Courts of the Blue Ridge Judicial Circuit,

approved February 8, 1950 (Ga. L. 1949-50, p. 102), as amended, particularly by an Act approved December 28, 1953 (Ga. L. 1953, Nov.-Dec. Sess., p. 330), an Act approved March 2, 1966 (Ga. L. 1966, p. 119), an Act approved March 22, 1989 (Ga. L. 1989, p. 4192), an Act approved April 10, 1998 (Ga. L. 1998, p. 4447), and an Act approved May 5, 2006 (Ga. L. 2006, p. 4415), so as to increase the amount of compensation paid to such judges by the county comprising the Blue Ridge Judicial Circuit; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1049. By Representatives Ballinger of the 23rd, Cantrell of the 22nd, Caldwell of the 20th, Turner of the 21st and Carson of the 46th:

A BILL to be entitled an Act to amend an Act to create the State Court of Cherokee County, approved April 15, 1996 (Ga. L. 1996, p. 4427), so as to modify the compensation of the judges of the State Court of Cherokee County; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1050. By Representatives Dickey of the 140th and Clark of the 147th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Byron, approved February 13, 1941 (Ga. L. 1941, p. 1210), as amended, so as to revise provisions relating to the duties and powers of the mayor; to revise provisions relating to the duties and powers of the city administrator; to revise provisions relating to the position of city clerk; to provide for the appointment of a city attorney; to repeal provisions relating to the positions of marshal, chief of police, and tax assessor; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 82. By Senators Jackson of the 2nd, Harbison of the 15th and Davenport of the 44th:

A BILL to be entitled an Act to amend Part 7 of Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to HOPE scholarships and grants, so as to create a need based HOPE scholarship and grant; to provide for definitions; to provide for eligibility; to provide for rules and regulations; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 381. By Senators Thompson of the 14th, Shafer of the 48th, Williams of the 27th, Harbin of the 16th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 5 of Title 33 of the Official Code of Georgia Annotated, relating to surplus line insurance,

so as to provide that a nonadmitted insurer domiciled in this state will be deemed a domestic surplus lines insurer if certain criteria are met; to provide a definition; to provide for criteria; to provide for tax assessment; to provide for certain protection exceptions; to provide for financial and solvency requirements; to provide for exemptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 410. By Senators Anderson of the 43rd and Strickland of the 17th:

A BILL to be entitled an Act to amend an Act creating the Board of Elections and Registration of Rockdale County, approved March 29, 1995 (Ga. L. 1995, p. 3929), as amended, particularly by an Act approved April 13, 2012 (Ga. L. 2012, p. 5484), so as to change provisions relating to the meetings of the board; to change compensation for members of the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 412. By Senator Orrock of the 36th:

A BILL to be entitled an Act to authorize the governing authority of the City of Hapeville to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 480. By Senator Mullis of the 53rd:

A BILL to be entitled an Act to authorize the governing authority of Walker County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 118. By Senators Unterman of the 45th, Albers of the 56th, Beach of the 21st, Millar of the 40th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to coverage for autism, so as to change the age limit for coverage for autism spectrum disorders for an individual covered under a policy or contract; to repeal conflicting laws; and for other purposes.

- SB 321. By Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Parent of the 42nd and Cowser of the 46th:

A BILL to be entitled an Act to amend Code Section 49-4-168.1 of the Official Code of Georgia Annotated, relating to civil penalties for false or fraudulent Medicaid claims, so as to increase the civil penalties that shall be imposed in order to allow this state to recover the maximum penalty authorized by federal law; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 330. By Senators Wilkinson of the 50th, Mullis of the 53rd, Walker III of the 20th, Black of the 8th, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to provide that the agricultural education program in this state is based on a three-component model; to provide for a pilot program to develop and implement agricultural education in elementary schools; to provide for selection of pilot sites; to provide for program requirements; to provide for a program evaluation; to provide for the Professional Standards Commission to extend in-field certification for agricultural education to include kindergarten through grade five; to provide for related matters; to provide for a short title; to provide for an effective date; to repeal conflicting laws; and for other purposes.

- SB 357. By Senators Burke of the 11th, Unterman of the 45th, Rhett of the 33rd, Hill of the 4th, Hufstetler of the 52nd and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to create the Health Coordination and Innovation Council of the State of Georgia; to amend other provisions of the Official Code of Georgia Annotated so as to provide for conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

- SB 395. By Senators Watson of the 1st, Harbison of the 15th, Walker III of the 20th, Black of the 8th, Jones II of the 22nd and others:

A BILL to be entitled an Act to amend Article 10 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Defense Community Economic Development Fund, so as to create the Georgia Joint Defense Commission; to provide for the membership and purposes of such commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 406. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to enact the "Georgia Long-term Care Background Check Program" and to promote public safety and provide for comprehensive criminal background checks for owners, applicants for employment, and employees providing care or owning a personal care home, assisted living community, private home care provider, home health agency, hospice care, nursing home, skilled nursing facility, or an adult day care as recommended by the Georgia Council on Criminal Justice from liability; to amend Article 1 of Chapter 2 of Title 49 of the O.C.G.A., relating to general provisions for the Department of Human Services; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 436. By Senators Strickland of the 17th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Chapter 9 of Title 15 of the O.C.G.A., relating to probate courts, so as to change and modernize certain general provisions for probate courts; to amend Code Section 1-3-1, relating to construction of statutes generally, so as to conform a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 490. By Senator Lucas of the 26th:

A BILL to be entitled an Act to amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to change certain provisions regarding the levy of the joint county and municipal sales and use tax by consolidated governments and use of proceeds of such tax; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Finance.

SR 1049. By Senators James of the 35th, Henson of the 41st, Rhett of the 33rd and Mullis of the 53rd:

A RESOLUTION creating the Senate Cross Media Development Study Committee; and for other purposes.

Referred to the Committee on Rules.

SR 1056. By Senator Seay of the 34th:

A RESOLUTION creating the Senate Study Committee on Adult Changing Stations in Commercial Public Facilities; and for other purposes.

Referred to the Committee on Public Safety.

SR 1058. By Senators Anderson of the 43rd, Davenport of the 44th, Jones II of the 22nd, Harbison of the 15th, Lucas of the 26th and others:

A RESOLUTION urging the United States Congress to halt the transfer of current and former military personnel's health care costs from the federal government to the states; and for other purposes.

Referred to the Committee on Insurance and Labor.

The following House legislation was read the first time and referred to committee:

HB 1011. By Representatives Gasaway of the 28th and Powell of the 32nd:

A BILL to be entitled an Act to amend an Act to provide a new charter for the Town of Martin, approved March 18, 1980 (Ga. L. 1980, p. 3215), as amended, particularly by an Act approved March 21, 1989 (Ga. L. 1989, p. 3883), so as to change certain provisions relating to the mayoral term; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1025. By Representatives Werkheiser of the 157th and Nimmer of the 178th:

A BILL to be entitled an Act to authorize the governing authority of the City of Jesup to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1037. By Representatives Watson of the 172nd and Powell of the 171st:

A BILL to be entitled an Act to provide a new charter for the City of Meigs in Thomas County, Georgia and Mitchell County, Georgia; to provide for boundaries and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling

vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for definitions and construction; to provide for other matters relative to the foregoing; to repeal a specific Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1038. By Representatives Hilton of the 95th, Chandler of the 105th, Clark of the 98th, Coleman of the 97th, Brockway of the 102nd and others:

A BILL to be entitled an Act to authorize the governing authority of Gwinnett County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1039. By Representatives Jasperse of the 11th and Ralston of the 7th:

A BILL to be entitled an Act to create the Big Canoe Water and Sewer Authority; to provide a short title; to define certain terms; to provide for membership, appointment, terms, term limits, qualifications, officers, quorums, vacancies, and audits of the authority; to provide for purposes; to provide for powers and duties; to provide for the issuance of revenue bonds; to provide for the public nature of authority property; to provide for limitations on debt; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1044. By Representatives Shaw of the 176th, Corbett of the 174th, LaHood of the 175th, Watson of the 172nd, Sharper of the 177th and others:

A BILL to be entitled an Act to amend an Act providing for a supplement to the compensation of the judges of the superior courts of the Southern Judicial Circuit, approved March 6, 1956 (Ga. L. 1956, p. 537), as amended, particularly by an Act approved May 10, 2005 (Ga. L. 2005, p. 4150), so as to increase the amount of such supplement; to provide for the payment of such supplement in specified amounts by the counties comprising the circuit; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1047. By Representative Jackson of the 128th:

A BILL to be entitled an Act to amend an Act to create the State Court of Washington County, approved October 31, 1901 (Ga. L. 1901, p. 164), as amended, particularly by an Act approved March 3, 1964 (Ga. L. 1964, p. 2247), so as to authorize the State Court of Washington County to charge a technology fee for each civil case filed and each criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for related matters; to provide for automatic repeal; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1048. By Representatives Ballinger of the 23rd, Cantrell of the 22nd, Caldwell of the 20th, Turner of the 21st and Carson of the 46th:

A BILL to be entitled an Act to amend an Act to supplement the salary of the judge of the Superior Courts of the Blue Ridge Judicial Circuit, approved February 8, 1950 (Ga. L. 1949-50, p. 102), as amended, particularly by an Act approved December 28, 1953 (Ga. L. 1953, Nov.-Dec. Sess., p. 330), an Act approved March 2, 1966 (Ga. L. 1966, p. 119), an Act approved March 22, 1989 (Ga. L. 1989, p. 4192), an Act approved April 10, 1998 (Ga. L. 1998, p. 4447), and an Act approved May 5, 2006 (Ga. L. 2006, p. 4415), so as to increase the amount of compensation paid to such judges by the county comprising the Blue Ridge Judicial Circuit; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1049. By Representatives Ballinger of the 23rd, Cantrell of the 22nd, Caldwell of the 20th, Turner of the 21st and Carson of the 46th:

A BILL to be entitled an Act to amend an Act to create the State Court of Cherokee County, approved April 15, 1996 (Ga. L. 1996, p. 4427), so as to modify the compensation of the judges of the State Court of Cherokee County; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1050. By Representatives Dickey of the 140th and Clark of the 147th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Byron, approved February 13, 1941 (Ga. L. 1941, p. 1210), as amended, so as to revise provisions relating to the duties and powers of the

mayor; to revise provisions relating to the duties and powers of the city administrator; to revise provisions relating to the position of city clerk; to provide for the appointment of a city attorney; to repeal provisions relating to the positions of marshal, chief of police, and tax assessor; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Agriculture and Consumer Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 40	Do Pass
HB 904	Do Pass by substitute
SR 989	Do Pass

Respectfully submitted,
Senator Wilkinson of the 50th District, Chairman

Mr. President:

The Committee on Ethics has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 973	Do Pass by substitute
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Respectfully submitted,
Senator Burke of the 11th District, Chairman

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 59	Do Pass by substitute	HB 314	Do Pass by substitute
HB 357	Do Pass by substitute	HB 658	Do Pass by substitute
HB 696	Do Pass by substitute	HB 735	Do Pass by substitute
HB 749	Do Pass		

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Government Oversight has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 783 Do Pass by substitute

Respectfully submitted,
Senator Heath of the 31st District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 161 Do Pass by substitute

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 890 Do Pass

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Regulated Industries and Utilities has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 118 Do Pass by substitute

HB 636 Do Pass

HB 887 Do Pass by substitute

Respectfully submitted,
Senator Ginn of the 47th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 1022	Do Pass	HB 1024	Do Pass
HB 1026	Do Pass	HB 1028	Do Pass
HB 1030	Do Pass	HB 1031	Do Pass
HB 1033	Do Pass	HB 1034	Do Pass
SB 489	Do Pass		

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

HB 161	HB 190	HB 314	HB 636	HB 658	HB 696
HB 718	HB 735	HB 739	HB 749	HB 765	HB 779
HB 782	HB 783	HB 834	HB 878	HB 887	HB 890
HB 904	HB 973	HB 982	HB 992	SR 983	SR 989

Senator Jones II of the 22nd asked unanimous consent that Senators Rhett of the 33rd, Lucas of the 26th, and Anderson of the 43rd be excused. The consent was granted, and Senators Rhett, Lucas, and Anderson were excused.

Senator Tippins of the 37th asked unanimous consent that Senator Hill of the 4th be excused. The consent was granted, and Senator Hill was excused.

Senator Brass of the 28th asked unanimous consent that Senator Williams of the 27th be excused. The consent was granted, and Senator Williams was excused.

Senator Seay of the 34th asked unanimous consent that Senator Parent of the 42nd be excused. The consent was granted, and Senator Parent was excused.

The roll was called and the following Senators answered to their names:

Albers	Henson	Orrock
Anderson, L	Hufstetler	Payne
Beach	James	Seay
Black	Jones, B	Shafer
Brass	Jones, E	Sims
Burke	Jones, H	Tate

Butler	Jordan	Thompson, B
Cowsert	Kennedy	Tillery
Davenport	Kirkpatrick	Tippins
Dugan	Ligon	Unterman
Ginn	Martin	Walker
Harbin	McKoon	Watson
Harbison	Millar	Wilkinson
Harper	Mullis	Williams, N
Heath		

Not answering were Senators:

Anderson, T. (Excused)	Gooch	Hill (Excused)
Jackson	Kirk	Lucas (Excused)
Miller	Parent (Excused)	Rhett (Excused)
Stone	Strickland	Thompson, C.
Williams, M. (Excused)		

The following members were off the floor of the Senate when the roll was called and wish to be recorded as present:

Senators: Stone of the 23rd Thompson of the 5th

The President recognized Herman Cain who addressed the Senate briefly.

The President introduced the doctor of the day, Dr. Steve Tuck.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Martin of the 9th introduced the chaplain of the day, Reverend Will Zant of Snellville, Georgia, who offered scripture reading and prayer.

Senator Martin of the 9th recognized Atlanta United for its contributions to the State of Georgia, commended by SR 667, adopted previously. President Darren Eales addressed the Senate briefly.

Senator Davenport of the 44th recognized March 19, 2018, as Spelman College Day at the state capitol, commended by SR 964, adopted previously. President Mary Schmidt Campbell addressed the Senate briefly.

Senator Harbison of the 15th recognized and honored the valiant service of the Special Forces soldiers who were sent to Afghanistan in the immediate aftermath of September

11, commended by SR 1024, adopted previously. Captain Will Summers and Senior Chief Warrant Officer Robert Pennington addressed the Senate briefly.

Senator McKoon of the 29th recognized TydenBrooks Security Products Group on the 145th anniversary of their founding and for their exceptional service to our state and nation, commended by SR 909, adopted previously. Phil Whitley, Vice President of Sales, addressed the Senate briefly.

Senator Payne of the 54th recognized Lucas Andrew Warren for becoming the first Gerber spokesbaby with special needs, commended by SR 999, adopted previously. Jason Warren addressed the Senate briefly.

Senator Kirkpatrick of the 32nd recognized the military commanders of the 94th Airlift Wing at Dobbins Air Reserve Base, commended by SR 903, adopted previously. Brigadier General Richard L. Kimble addressed the Senate briefly.

The following resolutions were read and adopted:

SR 1025. By Senator Gooch of the 51st:

A RESOLUTION commending Jordan Newman, Fannin County High School's 2018 STAR Student; and for other purposes.

SR 1026. By Senator Gooch of the 51st:

A RESOLUTION commending Brendan Flody, North Forsyth High School's 2018 STAR Student; and for other purposes.

SR 1027. By Senator Gooch of the 51st:

A RESOLUTION commending Marley Hamby, Dawson County High School's 2018 STAR Student; and for other purposes.

SR 1028. By Senator Gooch of the 51st:

A RESOLUTION commending Etowah Adams, Lumpkin County High School's 2018 STAR Student; and for other purposes.

SR 1029. By Senator Gooch of the 51st:

A RESOLUTION commending Hannah Ballard, Pickens High School's 2018 STAR Student; and for other purposes.

SR 1030. By Senator Gooch of the 51st:

A RESOLUTION commending Tylea Hernandez, Gilmer High School's 2018 STAR Student; and for other purposes.

SR 1031. By Senator Gooch of the 51st:

A RESOLUTION commending Sarah Dockery, White County High School's 2018 STAR Student; and for other purposes.

SR 1032. By Senator Gooch of the 51st:

A RESOLUTION commending Michael Crocker, Gilmer High School's 2018 STAR Teacher; and for other purposes.

SR 1033. By Senator Gooch of the 51st:

A RESOLUTION commending Sarah Welch, Fannin County High School's 2018 STAR Teacher; and for other purposes.

SR 1034. By Senator Gooch of the 51st:

A RESOLUTION commending April Krieger, Union County High School's 2018 STAR Teacher; and for other purposes.

SR 1035. By Senator Gooch of the 51st:

A RESOLUTION commending Kay Miraglia, White County High School's 2018 STAR Teacher; and for other purposes.

SR 1036. By Senator Gooch of the 51st:

A RESOLUTION commending Amanda Swafford, North Forsyth High School's 2018 STAR Teacher; and for other purposes.

SR 1037. By Senator Gooch of the 51st:

A RESOLUTION commending Matt Thompkins, Lumpkin County High School's 2018 STAR Teacher; and for other purposes.

SR 1038. By Senator Gooch of the 51st:

A RESOLUTION commending Laura Hendrix, Dawson County High School's 2018 STAR Teacher; and for other purposes.

SR 1039. By Senator Gooch of the 51st:

A RESOLUTION commending McKenzie Hooper, Union County High School's 2018 STAR Student; and for other purposes.

SR 1040. By Senator Gooch of the 51st:

A RESOLUTION commending Lynn Cantrell, Pickens High School's 2018 STAR Teacher; and for other purposes.

SR 1041. By Senators Miller of the 49th, Cowser of the 46th, Henson of the 41st, Gooch of the 51st, Brass of the 28th and others:

A RESOLUTION commending the 2018 Senate Aides and Senate Academic Aides for their exemplary service; and for other purposes.

SR 1042. By Senators Payne of the 54th, Mullis of the 53rd, Millar of the 40th, McKoon of the 29th, Shafer of the 48th and others:

A RESOLUTION recognizing and commending Dalton State College on the occasion of its designation as the first and only Hispanic-Serving Institution in this state; and for other purposes.

SR 1043. By Senators Payne of the 54th, Mullis of the 53rd, Millar of the 40th, Shafer of the 48th, McKoon of the 29th and others:

A RESOLUTION commending the Emery Center of Dalton and recognizing it as a model center for the preservation and study of minority community history in the State of Georgia; and for other purposes.

SR 1044. By Senators Heath of the 31st, Dugan of the 30th, Kennedy of the 18th, Miller of the 49th and Beach of the 21st:

A RESOLUTION recognizing and commending Sigma Nu Fraternity, Inc.; and for other purposes.

SR 1045. By Senators Mullis of the 53rd, Hufstetler of the 52nd, Walker III of the 20th, Kennedy of the 18th, Gooch of the 51st and others:

A RESOLUTION recognizing and commending MacKenzie Marable; and for other purposes.

SR 1046. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Michael Emmett Ashley II; and for other purposes.

SR 1047. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Samuel Amir Bell; and for other purposes.

SR 1048. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Desmond Nelson Braxton; and for other purposes.

SR 1050. By Senators Rhett of the 33rd, Tippins of the 37th, Kirkpatrick of the 32nd, Mullis of the 53rd, Dugan of the 30th and others:

A RESOLUTION commending State Representative Rich Golick and congratulating him upon the grand occasion of his retirement from the Georgia House of Representatives; and for other purposes.

SR 1051. By Senators Rhett of the 33rd, Tippins of the 37th, Kirkpatrick of the 32nd, Mullis of the 53rd, Dugan of the 30th and others:

A RESOLUTION recognizing and commending State Representative Earl Ehrhart; and for other purposes.

SR 1052. By Senators Rhett of the 33rd, Seay of the 34th and Payne of the 54th:

A RESOLUTION congratulating Arianne Weldon on receiving the 2018 Yellow Rose Nikki T. Randall Servant Leader award; and for other purposes.

SR 1053. By Senators Williams of the 39th and James of the 35th:

A RESOLUTION commending the Langston Hughes High School boys basketball team for winning the 2018 GHSA Class 6A State Championship; and for other purposes.

SR 1054. By Senators Williams of the 39th and James of the 35th:

A RESOLUTION commending the Westlake High School girls basketball team for winning the 2018 GHSA Class 7A State Championship; and for other purposes.

SR 1055. By Senators Williams of the 39th and James of the 35th:

A RESOLUTION honoring the life and memory of Arthur James McAfee, Jr.; and for other purposes.

SR 1057. By Senators Davenport of the 44th, Seay of the 34th, Butler of the 55th, Tate of the 38th, Parent of the 42nd and others:

A RESOLUTION commending the Jonesboro High School Mock Trial team for winning its ninth state championship; and for other purposes.

SR 1059. By Senator Beach of the 21st:

A RESOLUTION recognizing March 20, 2018, as Advance Atlanta Day at the state capitol; and for other purposes.

SR 1060. By Senators Orrock of the 36th and James of the 35th:

A RESOLUTION honoring the life and memory of Arthur James McAfee, Jr.; and for other purposes.

SR 1061. By Senator Lucas of the 26th:

A RESOLUTION recognizing February 22, 2018, as Pearl Jackson Stephens Day at the state capitol; and for other purposes.

SENATE LOCAL CONSENT CALENDAR

Monday March 19, 2018
Thirty-sixth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 489

Tippins of the 37th
Kirkpatrick of the 32nd
Rhett of the 33rd
Jordan of the 6th
Thompson of the 14th
Tate of the 38th

COBB-MARIETTA COLISEUM AND EXHIBIT HALL AUTHORITY

A BILL to be entitled an Act to amend an Act creating the Cobb-Marietta Coliseum and Exhibit Hall Authority, approved March 26,

1980 (Ga. L. 1980, p. 4091), as amended, so as to provide that revenue bonds shall only be issued in connection with projects owned or leased by the authority which are managed and operated by the authority for its own use; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1022

Harper of the 7th
COFFEE COUNTY

A BILL to be entitled an Act to amend an Act creating the Board of Education of Coffee County, approved March 10, 1970 (Ga. L. 1970, p. 2441), as amended, so as to revise provisions regarding filling vacancies on the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1024

Tillery of the 19th
CITY OF GLENVILLE

A BILL to be entitled an Act to provide a new charter for the City of Glennville; to provide for boundaries and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, election management, terms, vacancies, compensation, expenses, qualifications, prohibitions, conflicts of interest, and suspension and removal from office relative to members of such governing authority; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 1026

Mullis of the 53rd
CITY OF RINGGOLD

A BILL to be entitled an Act to authorize the governing authority of the City of Ringgold to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1028

Harbin of the 16th
SPAULDING COUNTY

A BILL to be entitled an Act to provide for a homestead exemption from Spalding County school district ad valorem taxes for educational purposes in an amount equal to the amount by which the

current year assessed value of a homestead exceeds the base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1030

Dugan of the 30th
James of the 35th
CITY OF DOUGLASVILLE

A BILL to be entitled an Act to authorize the City of Douglasville to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1031

Dugan of the 30th
CITY OF VILLA RICA

A BILL to be entitled an Act to provide a new charter for the City of Villa Rica; to provide for incorporation, boundaries, powers, and construction; to provide for exercise of powers; to provide for other matters relative to the foregoing; to provide a specific repealer; to repeal conflicting laws; and for other purposes.

HB 1033

Ginn of the 47th
BARROW COUNTY

A BILL to be entitled an Act to provide for a nonbinding, advisory referendum for the purpose of ascertaining whether an independent commission, consisting of representatives of the county and all municipal corporations located wholly or partially within such county, should be created to study whether Barrow County and the municipal corporations located wholly within Barrow County should be reconstituted as a single consolidated government; to provide for the configuration of such independent commission; to provide for an independent contractor to conduct a study; to limit the cost of such study; to provide for procedures and requirements relating thereto; to provide for a referendum; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1034

Wilkinson of the 50th
TOWN OF TALLULAH FALLS

A BILL to be entitled an Act to amend an Act to amend, revise, consolidate, and supersede the several Acts incorporating the Town of Tallulah Falls in Habersham and Rabun counties, approved February 6, 1984 (Ga. L. 1984, p. 3547), as amended, particularly by an Act approved March 22, 1990 (Ga. L. 1990, p. 4384), so as to change certain provisions relating to quorum, voting, and special meetings of the town council; to provide for related matters; to repeal conflicting laws; and for the other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	E Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 51, nays 2.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

Senator Tippins of the 37th moved that SB 489 be immediately transmitted to the House.

On the motion, there was no objection, and SB 489 was immediately transmitted.

Senator Cowser of the 46th moved to engross HB 793 and HB 820, which were on today's Senate Rules Calendar.

Senator Jones II of the 22nd objected.

On the motion, the yeas were 37, nays 14; the motion prevailed, and HB 793 and HB 820 were engrossed.

SENATE RULES CALENDAR
MONDAY, MARCH 19, 2018
THIRTY-SIXTH LEGISLATIVE DAY

- HR 279 Single Parent Day; March 21; designate each year (RULES-42nd)
 Stovall-74th
- HB 381 Abandoned Mobile Home Act; enact (Substitute)(JUDY-18th)
 Corbett-174th
- HB 732 Crimes and offenses; trafficking an individual for sexual servitude;
 provisions (JUDY-45th) Silcox-52nd
- HB 792 Waste management; sunset date for certain solid waste surcharges and
 hazardous waste fees; extend (Substitute)(NR&E-20th) Rogers-10th
- HB 793 Sales and use tax; certain aquarium construction; provide exemption
 (FIN-14th) LaRiccia-169th
- HB 820 Revenue and taxation; procedure for counties following a rejection of a tax
 digest; establish (Substitute)(FIN-40th) Beskin-54th
- HB 852 Quality Basic Education Act; student's continued enrollment in a public
 school under certain circumstances; provide (ED&Y-40th) Smith-41st
- HB 856 Board of Public Safety; add commissioner of community supervision
 (PUB SAF-7th) Deffenbaugh-1st
- HB 897 Georgia Power of Attorney Act; revise (JUDY-18th) Efstation-104th

HB 876 Buildings and housing; counties and municipalities proscribing the use of wood in the construction of certain buildings when state minimum standard codes are met; prohibit (AG&CA-50th) Corbett-174th

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HR 279. By Representatives Stovall of the 74th, Hugley of the 136th, Bentley of the 139th, Trammell of the 132nd, Rakestraw of the 19th and others:

A RESOLUTION designating March 21 of each year as Single Parent Day; and for other purposes.

Senate Sponsor: Senator Parent of the 42nd.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 50, nays 0.

HR 279, having received the requisite constitutional majority, was adopted.

The following communication was received by the Secretary:

3/19/18

Due to business outside the Senate Chamber, I missed the vote on HR 279. Had I been present, I would have voted "yes".

/s/ Michael Williams
District 27

HB 381. By Representatives Corbett of the 174th, Ealum of the 153rd, LaRiccia of the 169th, Shaw of the 176th and Watson of the 172nd:

A BILL to be entitled an Act to amend Chapter 7 of Title 44 of the O.C.G.A., relating to landlord and tenant, so as to enact a new article to provide for the classification of abandoned mobile homes as derelict or intact for purposes of disposal or creation of liens; to provide for procedure for requesting classification of an abandoned mobile home as intact or derelict; to provide for notice; to provide for creation of a lien on abandoned mobile homes deemed to be intact; to provide the opportunity for a hearing to confirm classification as a derelict abandoned mobile home; to provide for court authority to order the disposal of abandoned mobile homes found to be derelict; to provide for the voluntary discharge of a tax lien upon a derelict mobile home by the state or a local governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kennedy of the 18th.

The Senate Committee on Judiciary offered the following substitute to HB 381:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to landlord and tenant, so as to enact provisions for the classification of abandoned mobile homes as derelict or intact for purposes of disposal or filing of liens; to provide for a short title; to provide for legislative intent; to provide for definitions; to provide for a procedure for requesting classification of an abandoned mobile home as intact or derelict; to provide for notice; to provide for a right to file a lien on abandoned mobile homes

deemed to be intact; to provide for the opportunity for a hearing to confirm classification as a derelict abandoned mobile home; to provide for court authority to order the disposal of abandoned mobile homes found to be derelict; to provide for a process to foreclose a lien on an abandoned mobile home deemed to be intact; to provide for right to an appeal; to provide for the public sale of an intact abandoned mobile home; to provide for the disposition of proceeds from such public sale; to provide for a process to obtain certificate of title for mobile homes purchased at public sale; to amend Code Section 15-10-2 of the Official Code of Georgia Annotated, relating to general jurisdiction of magistrate courts, so as to provide for jurisdiction of such courts relative to foreclosure of liens of abandoned mobile homes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to landlord and tenant, is amended by adding a new article to read as follows:

"ARTICLE 6

44-7-110.

This article shall be known and may be cited as the 'Abandoned Mobile Home Act.'

44-7-111.

The General Assembly finds that abandoned mobile homes are a nuisance that cause blight and depress property values. This article is intended to provide local governing authorities with the authority to appoint an agent to determine the condition of mobile homes in order for landowners to remove or restore abandoned mobile homes left on their property. It is the further purpose of this article to provide landowners with the guidance necessary to efficiently and properly identify and dispose of abandoned mobile homes in this state while protecting the rights of any owner, lienholder, or other interested parties by performing a due diligence search, notification, and hearing process.

44-7-112.

As used in this article, the term:

(1) 'Abandoned mobile home' means a mobile home that has been left vacant by all tenants for at least 90 days without notice to the landowner and when there is evidence of one or more of the following:

(A) A tenant's failure to pay rent or fees for 90 days;

(B) Removal of most or all personal belongings from such mobile home;

(C) Cancellation of insurance for such mobile home;

(D) Termination of utility services to such mobile home; or

(E) A risk to public health, safety, welfare, or the environment due to such mobile home.

(2) 'Derelict' means an abandoned mobile home which is in need of extensive repair and is uninhabitable and unsafe due to the presence of one or more of the following conditions:

(A) Inadequate provisions for ventilation, light, air, or sanitation; or

(B) Damage caused by fire, flood, hurricane, tornado, earthquake, storm, or other natural catastrophe.

(3) 'Dispose' means to destroy, recycle, or repurpose for use not as living quarters.

(4) 'Intact' means an abandoned mobile home which is in livable condition under applicable state law and the building and health codes of a local governing authority.

(5) 'Landowner' means the owner of real property upon which a mobile home is located.

(6) 'Local government agent' means a person appointed by a local governing authority who is qualified to inspect an abandoned mobile home by demonstrating that he or she is qualified to determine if the abandoned mobile home is derelict or intact.

(7) 'Manufactured home' shall have the same meaning as set forth in Code Section 8-2-160.

(8) 'Mobile home' shall have the same meaning as set forth in Code Section 8-2-160 and shall include a manufactured home.

(9) 'Responsible party' means any person with an ownership interest in an abandoned mobile home as evidenced by the last payor of record as identified by a search of deeds or instruments of title, and shall include any holder of a recorded lien or the holder of any type of secured interest in such abandoned mobile home or a local government with a claim for unpaid taxes.

44-7-113.

(a) At the request of a landowner, a local government agent shall be authorized to assess the condition of such abandoned mobile home. Upon inspection, the local government agent shall classify such abandoned mobile home as either intact or derelict and provide documentation citing such determination to the requesting landowner within 20 days of such request.

(b) If a local government agent determines an abandoned mobile home to be intact, a landowner shall have a right to file a lien on such abandoned mobile home in the superior court for the circuit where such abandoned mobile home is located and in the amount of any unpaid rent as of the date on which such lien is filed and accrued fees. Such lien may be foreclosed pursuant to the procedure set forth in Code Section 44-7-115.

(c) If a local government agent determines an abandoned mobile home to be derelict, such agent shall post notice of such determination in a conspicuous location on such abandoned mobile home. Such notice shall include a date of issuance and shall be in substantially the following form:

'You are hereby notified that this mobile home (describe make, model, and color, if known) located at (address or description of location) has been deemed abandoned and derelict. You are entitled to a hearing in magistrate court to contest this determination. If you fail to request a hearing within 90 days from the date that appears on this notice or if it is confirmed by a court that this abandoned mobile home is derelict, the owner of the land upon which this mobile home sits shall be entitled to dispose of the mobile home.'

(d)(1) Upon receipt of a determination that an abandoned mobile home is derelict by a local government agent, and on the same date the notice required by subsection (c) of this Code section is posted, a landowner shall send notice, which notice shall include a listing of all responsible parties and last known addresses, to all responsible parties by registered or certified mail or statutory overnight delivery. Such notice shall contain a description of the abandoned mobile home, including the make of the mobile home, the location of such mobile home, and the fact that such abandoned mobile home has been deemed derelict. Such notice shall include a statement that such responsible party is entitled to request a hearing in magistrate court within 90 days from the date that appears on such notice to contest the determination that such abandoned mobile home is derelict and that failure to request such hearing within 90 days of receipt of such notice shall entitle such landowner to dispose of the derelict mobile home.

(2) If no responsible party can be ascertained, the landowner shall place an advertisement in a newspaper of general circulation in the county where such mobile home is located; if there is no newspaper in such county, shall post such advertisement at the county courthouse in such place where other public notices are posted. Such advertisement shall run in the newspaper once a week for two consecutive weeks or shall remain posted at the courthouse for two consecutive weeks. The advertisement shall contain a description of the mobile home, including the make of the mobile home, the location of such mobile home, and the fact that such mobile home has been deemed derelict. Such advertisement shall include a statement that such responsible party is entitled to request a hearing in magistrate court by a date certain and the advertisement shall state the specific end date to contest the determination that such abandoned mobile home is derelict and that failure to request such hearing by such date shall entitle such landowner to dispose of the derelict mobile home.

(e) Neither the local governing authority nor the local government agent shall bear any liability with respect to any lawful actions taken to make a determination that a mobile home is abandoned or derelict.

44-7-114.

(a) Within the 90 day period described in Code Section 44-7-113, a responsible party, or after the expiration of such 90 day period, a landowner shall petition a magistrate court to hold a hearing to confirm or deny the decision of a local government agent that an abandoned mobile home is derelict. If a petition is filed pursuant to this Code

section, a hearing on such issue shall be held within ten days of the filing of such petition.

(b) The court shall hear evidence of the condition of the abandoned mobile home, which may include introduction of a copy of the determination from the local government agent, and whether the notice provisions set forth have been met.

(c) If, after a full hearing, the court determines the abandoned mobile home to be derelict, the court shall issue an order finding such mobile home to be derelict and authorizing the landowner to dispose of such derelict mobile home. A landowner issued such order shall dispose of such derelict mobile home within 180 days of the date of such order. Within 30 days of disposal of a derelict mobile home, the landowner shall notify the Department of Revenue and local tag agent of such disposal and such department shall cancel the certificate of title for such derelict mobile home, if such certificate exists.

44-7-115.

Notwithstanding any conflicting provisions in Code Section 44-14-349, all liens acquired upon an abandoned mobile home or intact mobile home under Code Section 44-7-113 shall be foreclosed as follows:

(1) Any proceeding to foreclose a lien on an abandoned mobile home determined to be intact by a local government agent shall be instituted in the magistrate court of the county where such mobile home is located within one year from the time the lien is recorded;

(2) The person desiring to foreclose a lien on an abandoned mobile home determined to be intact by a local government agent shall, by certified or registered mail or statutory overnight delivery, make a demand upon the responsible party in the amount of the lien and for the payment of rent and fees accrued after the filing of the lien; provided that the amount of such rent shall not exceed \$3.00 per day. If the responsible party cannot be located, notice shall be published in a newspaper of general circulation for two consecutive weeks;

(3)(A) If, within 30 days of delivery to the appropriate address of the written demand required by paragraph (2) of this Code section or within 30 days after the last publication in a newspaper, the responsible party fails to respond to such demand or refuses to pay, or if the responsible party cannot be ascertained, the landowner may move to foreclose such lien. The person asserting such lien may move to foreclose by making an affidavit to a magistrate court showing all facts necessary to constitute such lien and the amount claimed to be due. Such affidavit shall aver that the notice requirements of Code Section 44-7-113 have been complied with, and such affidavit shall also aver that a demand for payment has been made and refused or that the identity of the responsible party cannot be ascertained. The landowner shall verify the statement by oath or affirmation with a signature affixed thereto.

(B) In addition to the filing fees required by Code Section 15-10-80, the fee for filing such affidavit shall be \$5.00 per abandoned mobile home upon which a lien is

asserted;

(4)(A) Upon the filing of such affidavit, the person asserting such lien shall give the clerk or judge of the court the address, if known, of all responsible parties and the clerk or judge of the court shall serve notice informing such responsible parties of a right to a hearing to determine if reasonable cause exists to believe that a valid debt exists; that such hearing shall be petitioned for within 30 days of receipt of such notice; and that, if no petition for such hearing is filed within the time allowed, the lien shall conclusively be deemed a valid one, foreclosure thereof allowed, and a public sale pursuant to Code Section 44-7-116 shall be authorized.

(B) Any notice required by this paragraph shall be by certified mail or statutory overnight delivery or, if the responsible party is unknown, by posting such notice at the county courthouse in such place where other public notices are posted;

(5) If a petition for a hearing is filed within the time allowed pursuant to paragraph (4) of this Code section, the magistrate court shall set such a hearing within ten days of filing of the petition. Upon the filing of such petition by a party defendant, neither the prosecuting lienholder nor the court may sell the mobile home. If, at the hearing, the magistrate court determines there is reasonable cause to believe that a valid debt exists, then the person asserting the lien shall retain possession of the mobile home or the court shall obtain possession of the mobile home, as ordered by the court;

(6) If no petition for a hearing is filed, or if, after a full hearing, the magistrate court determines that a valid debt exists, the court shall authorize foreclosure upon and sale of the mobile home subject to the lien to satisfy the debt if such debt is not otherwise immediately paid. The holder of a security interest in or a lien on the mobile home, other than the holder of a lien created by Code Section 44-7-113, shall have the right, in the order of priority of such security interest or lien, to pay the debt and court costs no later than 15 days after a magistrate court's order to authorize the foreclosure. If the holder of a security interest or lien does so pay the debt and court costs, such person shall have the right to possession of the mobile home, and that person's security interest in or lien on such mobile home shall be increased by the amount so paid. A magistrate court order shall be issued to this effect, and in this instance there shall not be a sale of the mobile home. If the debt owed is not timely paid by the holder of a security interest or an appeal of the magistrate court decision has not been timely filed pursuant to paragraph (8) of this Code section, the court shall issue an order authorizing the sale of such mobile home;

(7) If the magistrate court finds the actions of the person asserting the lien in retaining possession of the mobile home were not taken in good faith, then the court, in its discretion, may award damages to the mobile home owner and to any party which has been deprived of the rightful use of the mobile home; and

(8) Any order issued by the magistrate court shall be appealable pursuant to Article 2 of Chapter 3 of Title 5, provided that any such appeal shall be filed within seven days of the date such order was entered and provided, further, that, after the notice of appeal is filed with the clerk of the trial court, the clerk shall immediately notify the magistrate court of the notice of appeal. If the order of the magistrate court is against

the responsible party and the responsible party appeals such order, the responsible party shall be required to pay into the registry of the court all sums found by the magistrate court to be due in order to remain in possession of the mobile home. The responsible party shall also be required to pay all future rent into the registry of the court as it becomes due in such amounts specified in paragraph (2) of this Code section until the issue has been finally determined on appeal.

44-7-116.

(a)(1) As used in this subsection, the term 'public sale' means a sale:

(A) Held at a place reasonably available to persons who might desire to attend and submit bids;

(B) At which those attending shall be given the opportunity to bid on a competitive basis;

(C) At which the sale, if made, shall be made to the highest and best bidder; and

(D) Except as otherwise provided in Title 11 for advertising or dispensing with the advertising of public sales, of which notice is given by advertisement once a week for two weeks in the newspaper in which the sheriff's advertisements are published in the county where the sale is to be held, and which notice shall state the day and hour, between 10:00 A.M. and 4:00 P.M., and the place of sale and shall briefly identify the goods to be sold.

(2) Upon order of the magistrate court, the person holding the lien on the abandoned mobile home shall be authorized to sell such mobile home at public sale.

(b) After satisfaction of the lien, the person selling such mobile home shall, not later than 30 days after the date of such sale, provide the clerk of the court with a copy of the bill of sale as provided to the purchaser and remit the remaining proceeds of such sale, if any, to the clerk of the court. Any person who fails to comply with the requirements of this subsection shall be guilty of a misdemeanor.

44-7-117.

The clerk of the magistrate court shall retain the remaining balance of the proceeds of a sale under Code Section 44-7-116, after satisfaction of liens, security interests, and debts, for a period of 12 months; and, if no claim has been filed against such proceeds by the owner of the abandoned mobile home or any interested party, then the clerk shall pay such remaining balance into the general fund of the municipality or county that employs the local government agent that made the determination that such mobile home was intact pursuant to Code Section 44-7-113.

44-7-118.

The purchaser at a sale as authorized by this article shall receive a certified copy of the court order authorizing such sale. Any such purchaser may obtain a certificate of title to such mobile home by filing the required application, paying the required fees, and filing a certified copy of the order of the court with the Department of Revenue. The Department of Revenue shall then issue a certificate of title, which shall be free and clear of all liens and encumbrances.

44-7-119.

Nothing in this article shall be construed to require a local governing authority to appoint a local government agent."

SECTION 2.

Code Section 15-10-2 of the Official Code of Georgia Annotated, relating to general jurisdiction of magistrate courts, is amended by revising paragraphs (14) and (15) and adding a new paragraph to read as follows:

- "(14) The trial and sentencing of misdemeanor violations of other Code sections as provided by Article 13 of this chapter; ~~and~~
- (15) The foreclosure of liens on animals as established in Title 4; and
- (16) The foreclosure of liens on abandoned mobile homes as established in Article 6 of Chapter 7 of Title 44."

SECTION 3.

This Act shall become effective on May 1, 2019.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

- | | | |
|---------------|---------------|---------------|
| Y Albers | Y Hufstetler | Y Payne |
| Y Anderson, L | Y Jackson | Y Rhett |
| Y Anderson, T | Y James | Y Seay |
| Y Beach | Y Jones, B | Y Shafer |
| Y Black | Y Jones, E | Y Sims |
| Y Brass | Y Jones, H | Stone |
| Y Burke | Y Jordan | Y Strickland |
| Y Butler | Y Kennedy | Y Tate |
| Y Cowsert | Y Kirk | Y Thompson, B |
| Davenport | Y Kirkpatrick | Y Thompson, C |
| Y Dugan | Y Ligon | Y Tillery |
| Y Ginn | Lucas | Y Tippins |
| Y Gooch | Y Martin | Y Unterman |
| Y Harbin | Y McKoon | Y Walker |
| Y Harbison | Y Millar | Y Watson |

Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

HB 381, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/19/2018

Due to business outside the Senate Chamber, I missed the vote on HB 381. Had I been present, I would have voted “yes”.

/s/ Gail Davenport
District 44

HB 732. By Representatives Silcox of the 52nd, Coomer of the 14th, Reeves of the 34th, Ballinger of the 23rd and Golick of the 40th:

A BILL to be entitled an Act to amend Code Section 16-5-46 of the Official Code of Georgia Annotated, relating to trafficking of persons for labor or sexual servitude, so as to expand the offense of trafficking an individual for sexual servitude; to change the punishment for a certain type of trafficking an individual for sexual servitude; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Unterman of the 45th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland

Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 732, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

3/19/2018

Due to business outside the Senate Chamber, I missed the vote on HB 732. Had I been present, I would have voted “yes”.

/s/ Gail Davenport
District 44

3/19/18

Due to business outside the Senate Chamber, I missed the vote on HB 732. Had I been present, I would have voted “yes”.

/s/ Donzella J. James
District 35

3/19/18

Due to business outside the Senate Chamber, I missed the vote on HB 732. Had I been present, I would have voted “yes”.

/s/ Michael Williams
District 27

Senator Martin of the 9th was excused for business outside the Senate Chamber.

HB 792. By Representatives Rogers of the 10th, Rhodes of the 120th, Efstration of the 104th and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to extend the sunset date for certain solid waste surcharges and hazardous waste fees; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Walker III of the 20th.

The Senate Committee on Natural Resources and the Environment offered the following substitute to HB 792:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to change the surcharge imposed by host local governments regarding solid waste disposal facilities operated by private enterprises; to exempt from such change such facilities permitted for the disposal of construction or demolition waste; to extend the sunset date for certain solid waste surcharges and hazardous waste fees; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, is amended by revising subsections (d) and (g) of Code Section 12-8-39, relating to cost reimbursement fees and surcharges, as follows:

"(d) Effective ~~January 1, 1992~~ January 1, 2019, when a municipal solid waste disposal facility is operated by private enterprise, the host local government is authorized and required to impose a surcharge of ~~\$1.00~~ \$3.00 per ton or volume equivalent in addition to any other negotiated charges or fees which shall be imposed by and paid to the host local government for the facility and shall be used to offset the impact of the facility, public education efforts for solid waste management, the cost of solid waste management, and the administration of the local or regional solid waste management plan; provided, however, that such surcharge imposed by any such local government for a municipal solid waste facility permitted for the disposal of construction or demolition waste or inert waste for such waste shall instead be \$1.00 per ton or volume equivalent.

Such surcharges may be used for other governmental expenses to the extent not required to meet the above or other solid waste management needs."

"(g) Unless the requirement for the surcharge required by subsection (e) of this Code section is reimposed by the General Assembly, no such surcharge shall be collected after July 1, ~~2018~~ 2019."

SECTION 2.

Said chapter is further amended by revising subsection (h) of Code Section 12-8-95.1, relating to hazardous waste management fees and hazardous substance reporting fees, as follows:

"(h) Unless fee requirements established in this Code section are reimposed by the General Assembly, no such fees shall be levied after July 1, ~~2018~~ 2019."

SECTION 3.

This Act shall become effective on June 30, 2018.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	Y Rhett
Y Anderson, T	Y James	N Seay
Y Beach	Y Jones, B	Shafer
Y Black	N Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
N Cowsert	Y Kirk	Y Thompson, B
Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
N Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the passage of the bill, the yeas were 42, nays 11.

HB 792, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/19/2018

Due to business outside the Senate Chamber, I missed the vote on HB 792. Had I been present, I would have voted “yes”.

/s/ Gail Davenport
District 44

HB 793. By Representatives LaRiccia of the 169th, Pirkle of the 155th, Lott of the 122nd, Dubnik of the 29th and Hanson of the 80th:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding state sales and use tax, so as to provide for an exemption for certain aquarium construction; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Thompson of the 14th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
N Gooch	E Martin	N Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	N Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 45, nays 9.

HB 793, having received the requisite constitutional majority, was passed.

HB 820. By Representatives Beskin of the 54th, Jones of the 47th, Martin of the 49th, Price of the 48th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Part 2 of Article 5 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to county boards of tax assessors, so as to establish a procedure for counties following a rejection of a tax digest; to provide for related matters; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Millar of the 40th.

The Senate Committee on Finance offered the following substitute to HB 820:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to property tax exemptions and deferral, so as to provide for a new homestead exemption from ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for related matters; to provide for compliance with constitutional requirements; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to property tax exemptions and deferral, is amended by adding a new Code section to read as follows:

"48-5-44.1.

(a) For purposes of this Code section, the term:

(1) 'Ad valorem taxes' means all ad valorem taxes for municipal purposes levied by, for, or on behalf of any municipality in this state, but excluding any ad valorem taxes to pay interest on and to retire municipal bonded indebtedness.

(2) 'Adjusted base year value' means the previous adjusted base year value adjusted annually by 2.6 percent plus any change in homestead value, provided that no such change in homestead value shall be duplicated as to the same addition or improvement.

(3) 'Change in homestead value' means value, including any final determination of value on appeal pursuant to Code Section 48-5-311 derived from additions or improvements to, or the removal of real property of, the homestead after the lowest base year value is determined.

(4) 'Homestead' means homestead as defined and qualified in Code Section 48-5-40 with the additional qualification that it shall include only the primary residence and not more than five contiguous acres of land immediately surrounding such residence.

(5) 'Lowest base year value' means:

(A) Among the 2016, 2017, and 2018 taxable years, the lowest assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of the homestead, with such assessed value being multiplied by 1.0423, which number represents inflation rate data for December, 2015, through December, 2017, with respect to an exemption under this Code section which is first granted to a person on such person's homestead in the 2019 taxable year or who thereafter reapplies for and is granted such exemption in the 2020 taxable year, or thereafter, solely because of a change in ownership to a joint tenancy with right of survival; or

(B) In all other cases, the lower of the assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of the homestead, from the taxable year immediately preceding the taxable year in which the exemption under this Code section is first granted to the most recent owner of such homestead or the assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of the homestead, from the taxable year in which the exemption under this Act is first granted to the most recent owner of such homestead, with respect to an exemption under this Code section which is first granted to a person on such person's homestead in the 2020 taxable year or who thereafter reapplies for and is granted such exemption in the 2021 taxable year, or thereafter, solely because of a change in ownership to a joint tenancy with right of survival.

(6) 'Previous adjusted base year' means:

(A) With respect to an exemption under this Code section that is first granted to a person on such person's homestead, the lowest base year value; or

(B) In all other cases, the adjusted base year value as calculated in the taxable year immediately preceding the current year.

(b) When a resident of this state resides in a municipal corporation that is located in more than one county, that levies a sales tax for the purposes of a metropolitan area system of public transportation, and that has within its boundaries an independent school system, the homestead of each such resident actually occupied by the owner as a residence and homestead shall be exempted from ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value, including any final determination of value on appeal pursuant to Code Section 48-5-311 of such homestead exceeds the adjusted base year value of the homestead. The value of such property in excess of such exempted amount shall remain subject to taxation.

(c) The surviving spouse of the person who has been granted the exemption provided for in subsection (b) of this Code section shall continue to receive such exemption so long as such surviving spouse continues to occupy the home as a residence and homestead.

(d) A person shall not receive the homestead exemption granted by subsection (b) of this Code section unless such person or person's agent files an application with the tax receiver or tax commissioner of his or her respective municipality charged with the duty of receiving returns of property for taxation giving such information relative to receiving such exemption as will enable such tax receiver or tax commissioner to make a determination regarding the initial and continuing eligibility of such person for such exemption or has already filed for and is receiving a homestead exemption and such existing application provides sufficient information to make such determination of eligibility. Such tax receiver or tax commissioner shall provide application forms for this purpose.

(e) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1. Such exemption shall be automatically renewed from year to year so long as the owner occupies the residence as a homestead. After a person or a person's agent has filed the proper application as provided in subsection (d) of this Code section, it shall not be necessary to make application thereafter for any year and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this Code section to notify the tax receiver or tax commissioner of the municipality in the event such person for any reason becomes ineligible for such exemption.

(f)(1) Except as otherwise provided in paragraph (2) of this subsection, the homestead exemption granted by subsection (b) of this Code section shall be in addition to and not in lieu of any other homestead exemption applicable to ad valorem taxes for municipal purposes.

(2) The homestead exemption granted by subsection (b) of this Code section shall be in lieu of and not in addition to any other base year assessed value or adjusted base

year value homestead exemption provided by local Act which is applicable to ad valorem taxes for municipal purposes.

(g) The exemption granted by subsection (b) of this Code section shall apply to all taxable years beginning on or after January 1, 2019.

(h) Any municipal corporation described in subsection (b) of this Code section shall be exempt from the provisions of subsections (c) and (e) of Code Section 48-5-32.1."

SECTION 2.

In accordance with the requirements of Article VII, Section II, Paragraph II(a)(1) of the Constitution of the State of Georgia, this Act shall not become law unless it receives the requisite two-thirds' majority vote in both the Senate and the House of Representatives.

SECTION 3.

The Secretary of State shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the entire state for approval or rejection. The Secretary of State shall conduct such election on November 6, 2018, and shall issue the call and conduct such election as provided by general law. The Secretary of State shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of each county in the state. The ballot shall have written or printed thereon the words:

"() YES Do you approve a new homestead exemption in a municipal corporation
 () NO that is located in more than one county, that levies a sales tax for the purposes of a metropolitan area system of public transportation, and that has within its boundaries an independent school system, from ad valorem taxes for municipal purposes in the amount of the difference between the current year assessed value of a home and the adjusted base year value, provided that the lowest base year value will be adjusted yearly by 2.6 percent?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2019. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective and this Act shall be automatically repealed on the first day of January immediately following such election date. It shall be the duty of each county election superintendent to certify the results thereof to the Secretary of State.

SECTION 4.

Except as otherwise provided in Section 3 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

HB 820, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

March 19, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 820. Had I been present, I would have voted "YES".

/s/ Tonya Anderson
District 43

Senator Thompson of the 14th was excused for business outside the Senate Chamber.

HB 852. By Representatives Smith of the 41st, Greene of the 151st, Burnough of the 77th, Lopez of the 99th and Carter of the 92nd:

A BILL to be entitled an Act to amend Part 13 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to organization of schools and school systems under the "Quality Basic Education Act," so as to provide for a student's continued enrollment in a public school under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Millar of the 40th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 1.

HB 852, having received the requisite constitutional majority, was passed.

HB 856. By Representatives Deffenbaugh of the 1st, Powell of the 32nd, Caldwell of the 131st, Maxwell of the 17th and Cantrell of the 22nd:

A BILL to be entitled an Act to amend Code Section 35-2-1 of the Official Code of Georgia Annotated, relating to creation of Board of Public Safety, composition, and appointment and terms of office of members, so as to add the commissioner of community supervision to the composition of the Board of Public Safety; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 856, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

March 19, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 856. Had I been present, I would have voted "YES".

/s/ Tonya Anderson
District 43

3/19/18

Due to business outside the Senate Chamber, I missed the vote on HB 856. Had I been present, I would have voted "YES".

/s/ Bill Cowsert
District 46

3-19-18

Due to business outside the Senate Chamber, I missed the vote on HB 856. Had I been present, I would have voted "Yea".

/s/ Jesse Stone
District 23

HB 897. By Representatives Efstration of the 104th, Willard of the 51st, Trammell of the 132nd, Morris of the 156th and Caldwell of the 131st:

A BILL to be entitled an Act to amend Chapter 6B of Title 10 of the O.C.G.A., relating to the "Uniform Power of Attorney Act," so as to revise the short title; to provide for definitions; to change provisions relating to the application of Chapter 6 of this title; to update cross-references to federal law; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kennedy of the 18th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

HB 897, having received the requisite constitutional majority, was passed.

Senator Williams of the 27th was excused for business outside the Senate Chamber.

HB 876. By Representatives Corbett of the 174th, Nimmer of the 178th, Powell of the 171st, England of the 116th, McCall of the 33rd and others:

A BILL to be entitled an Act to amend Code Section 8-2-25 of the Official Code of Georgia Annotated, relating to state-wide application of minimum standard codes, adoption of more stringent requirements by local governments, adoption of standards for which state code does not exist, and exemptions for farm buildings and structures, so as to prohibit counties and municipalities from proscribing the use of wood in the construction of buildings when state minimum standard codes are otherwise met; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Wilkinson of the 50th.

Senators Millar of the 40th and Henson of the 41st offered the following amendment #1:

Amend HB 876 (LC 45 0036) by adding after "met;" on line 6 the following:
to provide for a sunset provision for enacting or expanding existing local ordinances;

By deleting the quotation mark at the end of line 16 and adding after "Code." the following:

No local jurisdiction shall enact or expand existing ordinances subject to this subsection on or after January 1, 2018."

On the adoption of the amendment, the yeas were 19, nays 26, and the Millar, Henson amendment #1 was lost.

Senator Albers of the 56th offered the following amendment #2:

Amend HB 876 (LC 45 0036) by replacing line 6 with the following:

standard codes are otherwise met; to provide for an exception; to provide for related matters; to repeal conflicting laws;

By replacing line 16 with the following:

applicable state minimum standard codes and the Georgia State Fire Code; provided, however, that counties or municipalities may require that wood used as a construction material in buildings over three stories in height, as measured from the lowest point of firefighter access, be, at a minimum, noncombustible flame retardant treated wood."

On the adoption of the amendment, the yeas were 15, nays 29, and the Albers amendment #2 was lost.

Senators Unterman of the 45th and Albers of the 56th offered the following amendment #3:

Amend HB 876 by adding Line 16 after the word Code".

Any city or county may ban if the governing authority finds an imminent or ongoing threat to public safety or health.

On the adoption of the amendment, the yeas were 18, nays 32, and the Unterman, Albers amendment #3 was lost.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	N Rhett
N Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer

Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	E Thompson, B
N Davenport	N Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	N Martin	N Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	N Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	Y Orrock	N Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 40, nays 14.

HB 876, having received the requisite constitutional majority, was passed.

Senator Cowsert of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Wednesday, March 21, 2018.

The motion prevailed, and the President announced the Senate adjourned at 1:26 p.m.

Senate Chamber, Atlanta, Georgia
Wednesday, March 21, 2018
Thirty-seventh Legislative Day

The Senate met pursuant to adjournment at 10:27 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 328. By Senators Albers of the 56th, Hufstetler of the 52nd, Cowsert of the 46th, Hill of the 4th, Watson of the 1st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain income tax credits; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 331. By Senators Henson of the 41st, Kirk of the 13th, Mullis of the 53rd, Orrock of the 36th, Butler of the 55th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding the Georgia Lottery for Education Act, so as to allow a winner of a lottery prize to remain anonymous under certain conditions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 336. By Senators Unterman of the 45th, Miller of the 49th, Butler of the 55th and McKoon of the 29th:

A BILL to be entitled an Act to amend Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions relevant to the Georgia Bureau of Investigation, so as to provide that when a subpoena is issued for production of electronic communication service records for computer or electronic devices that are used in furtherance of certain offenses against minors, such provider of electronic communication service or other computer service shall not provide notice of such subpoena to the subscriber or customer of such service; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 458. By Senators Wilkinson of the 50th, Gooch of the 51st, Ginn of the 47th, Brass of the 28th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to provide the conditions upon which family owned farmed entities may elect to discontinue a qualifying use of bona fide conservation use property while incurring reduced penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House has passed, by the requisite constitutional majority, the following Bills of the Senate:

SB 301. By Senator Kennedy of the 18th:

A BILL to be entitled an Act to amend Title 53 of the Official Code of Georgia Annotated, relating to wills, trusts, and administration of estates, so as to enact the "Revised Uniform Fiduciary Access to Digital Assets Act"; to extend a fiduciary's powers to include managing tangible property and digital assets; to provide for exceptions; to provide for definitions; to amend Title 29 of the Official Code of Georgia Annotated, relating to guardian and ward, so as to provide conforming cross-references for a conservator; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 370. By Senators Wilkinson of the 50th, Hufstetler of the 52nd, Kirk of the 13th, Jackson of the 2nd, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance

generally, so as to provide that the commissioner of human services waives the first \$25,000.00 of any estate; to provide for the submission of an amendment to the state plan; to provide for contingent repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 377. By Senators Strickland of the 17th, Millar of the 40th, Martin of the 9th, Jones of the 25th and Hufstetler of the 52nd:

A BILL to be entitled an Act to repeal Article 8 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the State Workforce Development Board, and to amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, so as to transfer the State Workforce Development Board from the Department of Economic Development to the Technical College System of Georgia; to revise duties and obligations of the State Workforce Development Board; to provide for conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 444. By Senators Unterman of the 45th, Hufstetler of the 52nd, Watson of the 1st, Burke of the 11th, Kirkpatrick of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to services for the aging, so as to create the Georgia Alzheimer's and Related Dementias State Plan Advisory Council; to provide for legislative declaration; to provide for definitions; to provide for membership; to provide for duties and reporting requirements; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has adopted, by the requisite constitutional majority, the following Resolution of the Senate:

SR 821. By Senators Martin of the 9th, Jackson of the 2nd, Watson of the 1st, Jones II of the 22nd and Dugan of the 30th:

A RESOLUTION recognizing Augusta as an official Cyber Security and Information Technology Innovation Corridor and Savannah as an official Logistics Technology Innovation Corridor in Georgia; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 491. By Senators Brass of the 28th, Watson of the 1st, Albers of the 56th and Cowsert of the 46th:

A BILL to be entitled an Act to amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to provide for certain definitions relative to state health planning and development; to provide for exemptions; to permit payment of funds into the Indigent Care Trust Fund to support certain rural hospitals; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Health and Human Services.

SB 492. By Senator Henson of the 41st:

A BILL to be entitled an Act to amend Article 1 of Chapter 1 of Title 52 of the Official Code of Georgia Annotated, relating to protection of tidewaters, so as to provide for declaratory relief with regard to private claims of tidewater ownership through Crown or state grants; to provide for procedures and burden of proof; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Natural Resources and the Environment.

SR 1062. By Senators Jones of the 10th, Henson of the 41st, Butler of the 55th, Parent of the 42nd, Davenport of the 44th and others:

A RESOLUTION recognizing Reverend Marlon Harris and dedicating a bridge in his honor; and for other purposes.

Referred to the Committee on Transportation.

SR 1063. By Senators Watson of the 1st, Unterman of the 45th, Cowsert of the 46th, Burke of the 11th, Miller of the 49th and others:

A RESOLUTION creating the Senate Study Committee on Certificate of Need Reform; and for other purposes.

Referred to the Committee on Rules.

SR 1064. By Senators Sims of the 12th, Burke of the 11th, Dugan of the 30th, Brass of the 28th, Seay of the 34th and others:

A RESOLUTION creating the Senate Study Committee on Continual Audit Exceptions on Local School Systems; and for other purposes.

Referred to the Committee on Rules.

SR 1067. By Senators Jones of the 10th, Millar of the 40th, Orrock of the 36th, Tate of the 38th, Henson of the 41st and others:

A RESOLUTION creating the Senate Study Committee on the Financial Impact of Atlanta Annexation on Schools; and for other purposes.

Referred to the Committee on Rules.

SR 1068. By Senators Gooch of the 51st, Dugan of the 30th, Tippins of the 37th, Wilkinson of the 50th, Harper of the 7th and others:

A RESOLUTION creating the Senate Study Committee on Evaluating the School Year Calendar of Georgia Public Schools; and for other purposes.

Referred to the Committee on Rules.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Agriculture and Consumer Affairs has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 956 Do Pass by substitute

Respectfully submitted,
Senator Wilkinson of the 50th District, Chairman

Mr. President:

The Committee on Appropriations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 332 Do Pass by substitute
HB 684 Do Pass by substitute
HR 238 Do Pass by substitute

Respectfully submitted,
Senator Hill of the 4th District, Chairman

Mr. President:

The Committee on Economic Development and Tourism has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 642 Do Pass by substitute

Respectfully submitted,
Senator Dugan of the 30th District, Chairman

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 759 Do Pass by substitute
HB 763 Do Pass by substitute

Respectfully submitted,
Senator Tippins of the 37th District, Chairman

Mr. President:

The Committee on Finance has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 93	Do Pass by substitute	HB 195	Do Pass by substitute
HB 327	Do Pass by substitute	HB 827	Do Pass by substitute
HB 871	Do Pass by substitute		

Respectfully submitted,
Senator Hufstetler of the 52nd District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 65	Do Pass by substitute	HB 635	Do Pass
HB 647	Do Pass by substitute	HB 803	Do Pass

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Higher Education has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 392	Do Pass by substitute
HB 713	Do Pass by substitute

Respectfully submitted,
Senator Millar of the 40th District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 214	Do Pass by substitute
HB 694	Do Pass by substitute
HB 789	Do Pass by substitute

Respectfully submitted,
Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 410 Do Pass by substitute
HB 790 Do Pass by substitute

Respectfully submitted,
Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Natural Resources and the Environment has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 271 Do Pass by substitute

Respectfully submitted,
Senator Harper of the 7th District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 258 Do Pass by substitute

Respectfully submitted,
Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on Regulated Industries and Utilities has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 1019 Do Pass by substitute

Respectfully submitted,
Senator Ginn of the 47th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 912	Do Pass	HB 921	Do Pass
HB 946	Do Pass	HB 986	Do Pass by substitute
HB 1010	Do Pass	HB 1023	Do Pass
SB 484	Do Pass	SB 485	Do Pass by substitute
SB 486	Do Pass by substitute		

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Mr. President:

The Committee on Transportation has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 717 Do Pass

Respectfully submitted,
Senator Beach of the 21st District, Chairman

The following legislation was read the second time:

HB 65	HB 93	HB 258	HB 271	HB 327	HB 332
HB 392	HB 410	HB 635	HB 642	HB 647	HB 684
HB 713	HB 717	HB 759	HB 763	HB 789	HB 790
HB 803	HB 827	HB 871	HB 956	HR 238	SR 1019

Senator Harper of the 7th asked unanimous consent that Senators Burke of the 11th and Strickland of the 17th be excused. The consent was granted, and Senators Burke and Strickland were excused.

Senator Tillery of the 19th asked unanimous consent that Senators Walker III of the 20th and Martin of the 9th be excused. The consent was granted, and Senators Walker III and Martin were excused.

Senator Kirkpatrick of the 32nd asked unanimous consent that Senator Rhett of the 33rd be excused. The consent was granted, and Senator Rhett was excused.

Senator Ligon, Jr. of the 3rd asked unanimous consent that Senator Tippins of the 37th be excused. The consent was granted, and Senator Tippins was excused.

Senator Henson of the 41st asked unanimous consent that Senator James of the 35th be excused. The consent was granted, and Senator James was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Orrock
Anderson, L	Hufstetler	Parent
Anderson, T	Jackson	Payne
Beach	Jones, B	Seay
Black	Jones, E	Shafer
Brass	Jones, H	Sims
Butler	Jordan	Stone
Cowsert	Kennedy	Tate
Davenport	Kirk	Thompson, B
Dugan	Kirkpatrick	Thompson, C
Ginn	Ligon	Tillery
Gooch	Lucas	Unterman
Harbin	McKoon	Watson
Harbison	Millar	Wilkinson
Harper	Miller	Williams, M
Heath	Mullis	Williams, N
Henson		

Not answering were Senators:

Burke (Excused)	James (Excused)	Martin (Excused)
Rhett (Excused)	Strickland (Excused)	Tippins (Excused)
Walker III (Excused)		

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Wilkinson of the 50th introduced the chaplain of the day, Pastor Jerrell Beatty of Toccoa, Georgia, who offered scripture reading and prayer.

Senator Williams of the 27th introduced the doctor of the day, Dr. Jim Morrow.

Senator Hufstetler of the 52nd recognized MacKenzie Marable, commended by SR 1045, adopted previously. MacKenzie Marable and former Senator Richard Marable addressed the Senate briefly.

Senator Seay of the 34th recognized Dr. Jocelyn Curry for being featured on the cover of People Magazine, Atlanta Edition 2018: Atlanta Women of the Year, and for her work as a podiatric surgeon, commended by SR 988, adopted previously. Dr. Jocelyn Curry addressed the Senate briefly.

Senator Gooch of the 51st recognized Cadet Bryton Wenzel and Cadet Andrew Gomez of the University of North Georgia, commended by SR 818 and SR 819, respectively. President Bonita Jacobs and Colonel Brent Cummings addressed the Senate briefly.

Senator Jones of the 10th recognized Dana Lemon, commended by SR 751, adopted previously. Dana Lemon addressed the Senate briefly.

Senator Beach of the 21st recognized Chipper Jones for his election to the Baseball Hall of Fame, commended by SR 656, adopted previously. Chipper Jones addressed the Senate briefly.

The following resolutions were read and adopted:

SR 1065. By Senators Miller of the 49th, Orrock of the 36th, Gooch of the 51st, Mullis of the 53rd, Millar of the 40th and others:

A RESOLUTION recognizing and commending Julie Knowles Brown and Georgia Foreign Trade Zone #26; and for other purposes.

SR 1066. By Senators Dugan of the 30th and Brass of the 28th:

A RESOLUTION commending the Carrollton High School debate team for capturing its tenth state championship; and for other purposes.

SR 1069. By Senators Jones II of the 22nd, Stone of the 23rd, Anderson of the 24th and Parent of the 42nd:

A RESOLUTION commending the Lucy C. Laney High School Lady Wildcats basketball team for winning the 2018 GHSA Class AAA State Championship; and for other purposes.

SR 1070. By Senators Jones II of the 22nd, Parent of the 42nd, Anderson of the 24th and Stone of the 23rd:

A RESOLUTION commending the Aquinas High School Fightin' Irish boys basketball team for capturing its first state championship; and for other purposes.

SR 1073. By Senators Anderson of the 43rd, Davenport of the 44th, Butler of the 55th, Tate of the 38th, Parent of the 42nd and others:

A RESOLUTION recognizing and commending Josephine Burdette Brown on the occasion of her retirement; and for other purposes.

SR 1074. By Senators Jackson of the 2nd, Sims of the 12th and Lucas of the 26th:

A RESOLUTION recognizing and commending the Georgia Community Action Agency Association; and for other purposes.

SR 1075. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Blake Anthony Gilmore; and for other purposes.

SR 1076. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Eric Joshua Hellams; and for other purposes.

SR 1077. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Darryl B. Felker, Jr.; and for other purposes.

SR 1078. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Cameron Brittian Falconer; and for other purposes.

SR 1079. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Debutante Rachel Danette Drakeford; and for other purposes.

SR 1080. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Debutante Christina Leslie Edwards; and for other purposes.

SR 1081. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Debutante Allynne Briana Charles; and for other purposes.

SR 1082. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Zachary David-Michael Bryant; and for other purposes.

SR 1083. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Debutante Logan Reneé Holmes Clopton; and for other purposes.

SR 1084. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Debutante Ryann Julia Douglas; and for other purposes.

SR 1085. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Debutante Kennedy Imani Deveaux; and for other purposes.

SR 1086. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Debutante Raven M. Cook; and for other purposes.

SR 1087. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beau Austin Wesley Burns; and for other purposes.

SR 1088. By Senator Black of the 8th:

A RESOLUTION recognizing and commending George Hopkins Biles for 34 years of service on the Lowndes County Farm Bureau Board of Directors; and for other purposes.

SR 1089. By Senators Anderson of the 24th, Ligon, Jr. of the 3rd, Mullis of the 53rd, Watson of the 1st, McKoon of the 29th and others:

A RESOLUTION honoring the life and memory of Sheriff Bruce C. Beggs; and for other purposes.

SR 1090. By Senator Hufstetler of the 52nd:

A RESOLUTION commending the Armuchee High School Varsity Competition cheerleading team for winning the GHSA Class AA State Cheerleading Championship; and for other purposes.

SR 1091. By Senator Hufstetler of the 52nd:

A RESOLUTION recognizing April, 2018, as #MSDkindness Month at the state capitol; and for other purposes.

SR 1092. By Senator Rhett of the 33rd:

A RESOLUTION recognizing Omega Psi Phi Fraternity, Inc.; and for other purposes.

SR 1093. By Senators Henson of the 41st, James of the 35th, Rhett of the 33rd, Lucas of the 26th, Butler of the 55th and others:

A RESOLUTION celebrating the fifth anniversary of Berklee College of Music's annual Atlanta trip; and for other purposes.

Senator Tate of the 38th was excused for business outside the Senate Chamber.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Wednesday March 21, 2018
Thirty-seventh Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

SB 484 Payne of the 54th
CITY OF DALTON

A BILL to be entitled an Act to exempt the City of Dalton from the election requirement of subsection (a) of Code Section 36-82-61.1 of the O.C.G.A. pursuant to subsection (b) of said Code section; to provide for related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

HB 912 Harbin of the 16th
STATE COURT OF SPALDING COUNTY

A BILL to be entitled an Act to amend an Act creating the State Court of Spalding County, approved December 14, 1897 (Ga. L. 1897, p. 462), as amended, so as to provide for the imposition of

court costs in certain criminal cases; to provide for failure to appear fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 921

Hufstetler of the 52nd
CITY OF CAVE SPRING

A BILL to be entitled an Act to authorize the governing authority of the City of Cave Spring to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 986

Harper of the 7th
WAYCROSS JUDICIAL CIRCUIT

A BILL to be entitled an Act to amend an Act providing that the governing authority of each county comprising the Waycross Judicial Circuit may supplement the compensation, salary, expenses, and allowances of each of the judges of the superior courts of the Waycross Judicial Circuit, approved March 20, 1985 (Ga. L. 1985, p. 3879), so as to increase the amounts of such supplements; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

SUBSTITUTE

HB 1010

Beach of the 21st
Albers of the 56th
Thompson of the 14th
CHEROKEE COUNTY

A BILL to be entitled an Act to amend an Act placing the sheriff, clerk of the superior court, tax commissioner, and judge of the probate court of Cherokee County on the salary system, approved March 9, 1959 (Ga. L. 1959, p. 2494), as amended, particularly by an Act approved April 12, 1982 (Ga. L. 1982, p. 4578) and by an Act approved April 1, 1996 (Ga. L. 1996, p. 3813), so as to remove a maximum salary amount and provide for the authority of the sheriff of Cherokee County over personnel matters; to repeal provisions regarding the Cherokee County Sheriff's Office Termination Review Board; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1023

Ligon, Jr. of the 3rd
CAMDEN COUNTY

A BILL to be entitled an Act to create a Joint Board of Elections and Registration for Camden County, which shall conduct primaries and elections for Camden County, the City of St. Marys, the City of Woodbine, and the City of Kingsland, and provide for its powers and duties; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Pursuant to Article VII, Section II, Paragraph IV of the Constitution, the following two local bills relating to homestead exemptions require a two-thirds roll-call vote for passage:

SB 485

Parent of the 42nd
Jordan of the 6th
Williams of the 39th
Orrock of the 36th
CITY OF ATLANTA

A BILL to be entitled an Act to amend an Act providing a homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that school district, approved May 4, 1992 (Ga. L. 1992, p. 7003), as amended, so as to increase the exemption amount to \$50,000.00; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

SUBSTITUTE

SB 486

Parent of the 42nd
Jordan of the 6th
Williams of the 39th
Orrock of the 36th
CITY OF ATLANTA

A BILL to be entitled an Act to provide a homestead exemption from City of Atlanta independent school district ad valorem taxes for educational purposes in the amount of \$100,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating

thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

SUBSTITUTE

The substitutes to the following bills were put upon their adoption:

*HB 986:

The Senate Committee on State and Local Governmental Operations offered the following substitute to HB 986:

**A BILL TO BE ENTITLED
AN ACT**

To amend an Act providing that the governing authority of each county comprising the Waycross Judicial Circuit may supplement the compensation, salary, expenses, and allowances of each of the judges of the superior courts of the Waycross Judicial Circuit, approved March 20, 1985 (Ga. L. 1985, p. 3879), so as to increase the amounts of such supplements; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing that the governing authority of each county comprising the Waycross Judicial Circuit may supplement the compensation, salary, expenses, and allowances of each of the judges of the superior courts of the Waycross Judicial Circuit, approved March 20, 1985 (Ga. L. 1985, p. 3879), is amended by revising Section 1 as follows:

"**Section 1.** In addition to the compensation, salary, expenses, and allowances presently being received by the judges of the superior courts of the Waycross Judicial Circuit from the State of Georgia or from any other source, the governing authority of each county comprising the Waycross Judicial Circuit shall supplement the compensation, salary, expenses, and allowances of each of the judges of the superior courts of the Waycross Judicial Circuit. The division of payment among the six counties shall not be less than the following amounts for each judge:

Bacon.....	\$450.00 per month
Brantley.....	550.00 per month
Charlton.....	450.00 per month
Coffee.....	700.00 per month
Pierce.....	550.00 per month
Ware.....	700.00 per month"

SECTION 2.

This Act shall become effective upon approval by the Governor or upon becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

*SB 485:

The Senate Committee on State and Local Governmental Operations offered the following substitute to SB 485:

A BILL TO BE ENTITLED
AN ACT

To amend an Act providing a homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that school district, approved May 4, 1992 (Ga. L. 1992, p. 7003), as amended, so as to increase the exemption amount to \$50,000.00 of the value of the homestead that exceeds \$10,000.00; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing a homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that school district, approved May 4, 1992 (Ga. L. 1992, p. 7003), as amended, is amended by revising Section 2 as follows:

"SECTION 2.

- (a) Each resident of the City of Atlanta Independent School District is granted an exemption on that person's homestead from all City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$50,000.00 of the assessed value of that homestead that exceeds \$10,000.00.
- (b) The value of that property in excess of such exempted amount under subsection (a) of this section shall remain subject to taxation.
- (c) This Act shall be repealed by operation of law on December 31, 2021."

SECTION 2.

The municipal election superintendent of the City of Atlanta shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors

of the City of Atlanta Independent School District for approval or rejection. The municipal election superintendent shall conduct that election on November 6, 2018, and shall issue the call and conduct that election as provided by general law. The municipal election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Fulton County. The ballot shall have written or printed thereon the words:

- "() YES Shall the Act be approved which increases the homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes from \$30,000.00 to \$50,000.00 of the assessed value of that homestead that exceeds \$10,000.00?"
- () NO

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2019, and shall be applicable to all taxable years beginning on or after such date. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective, and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by the City of Atlanta. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 3.

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

*SB 486:

The Senate Committee on State and Local Governmental Operations offered the following substitute to SB 486:

A BILL TO BE ENTITLED AN ACT

To provide a homestead exemption from City of Atlanta independent school district ad valorem taxes for educational purposes in the amount of \$100,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

(a) As used in this Act, the term:

(1) "Ad valorem taxes for educational purposes" means all ad valorem taxes for educational purposes levied by, for, or on behalf of the City of Atlanta independent school district, including, but not limited to, any ad valorem taxes to pay interest on and to retire independent school district bonded indebtedness.

(2) "Homestead" means homestead as defined and qualified in Code Section 48-5-40 of the O.C.G.A., as amended.

(3) "Senior citizen" means a person who is 65 years of age or older on or before January 1 of the year in which application for the exemption under subsection (b) of this section is made.

(b)(1) Except as provided in paragraph (2) of this subsection, each resident of the City of Atlanta independent school district who is a senior citizen is granted an exemption on that person's homestead from all City of Atlanta independent school district ad valorem taxes for educational purposes in the amount of \$100,000.00 of the assessed value of that homestead. The value of that property in excess of such exempted amount shall remain subject to taxation.

(2) The maximum amount of homestead exemptions granted under this Act shall not exceed \$10 million in the aggregate. Upon the closing of the books for the filing of homestead exemptions for each taxable year, the tax commissioner of Fulton County shall calculate the aggregate amount of homestead exemptions claimed under this Act. If such total is equal to or less than \$10 million in the aggregate, then each person claiming a homestead exemption under this Act shall receive the full value of such exemption. If the total exceeds \$10 million in the aggregate, such tax commissioner shall calculate the amount by which the total exceeds \$10 million and shall reduce the amount of homestead exemptions claimed by such senior citizens in an amount equal to such difference so that the total amount of homestead exemptions being claimed under this Act shall equal \$10 million. Such reduction shall be applied on proportionate basis.

(c) A person shall not receive the homestead exemption granted by subsection (b) of this section unless such person or person's agent files an application with the tax commissioner of Fulton County, giving the person's age and such additional information relative to receiving such exemption as will enable the tax commissioner of Fulton County to make a determination regarding the initial and continuing eligibility of such person for such exemption. The tax commissioner of Fulton County shall provide application forms for this purpose.

(d) The exemption shall be claimed and returned as provided in Code Section 48-5-50.1 of the O.C.G.A., as amended. The exemption shall be automatically renewed from year to year as long as the person granted the homestead exemption under subsection (b) of this section occupies the residence as a homestead. After a person has filed the proper application as provided in subsection (c) of this section, it shall not be necessary to make

application thereafter for any year, and the exemption shall continue to be allowed to such person. It shall be the duty of any person granted the homestead exemption under subsection (b) of this section to notify the tax commissioner of Fulton County in the event that person for any reason becomes ineligible for that exemption.

(e) The exemption granted by subsection (b) of this section shall not apply to or affect any state ad valorem taxes, municipal ad valorem taxes for municipal purposes, county ad valorem taxes for county purposes, or county school district ad valorem taxes for educational purposes. The homestead exemption granted by subsection (b) of this section shall be in lieu of any other homestead exemption applicable to City of Atlanta independent school district ad valorem taxes for educational purposes.

(f) The exemption granted by subsection (b) of this section shall apply to all taxable years beginning on or after January 1, 2019.

SECTION 2.

The election superintendent of the City of Atlanta shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Atlanta independent school district for approval or rejection. The election superintendent shall conduct that election on the Tuesday after the first Monday in November, 2018, and shall issue the call and conduct that election as provided by general law. The election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Fulton County. The ballot shall have written or printed thereon the words:

- "() YES Shall the Act be approved which provides a homestead exemption from City of Atlanta independent school district ad valorem taxes for educational purposes in the amount of \$100,000.00 of the assessed value
- () NO of the homestead for residents of that school district who are 65 years of age or older?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2019. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective, and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by the City of Atlanta. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 3.

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitutes, there was no objection, and the committee substitutes were adopted.

The report of the committee, which was favorable to the passage of the bills as reported, was agreed to.

On the passage of the bills on the Local Consent Calendar, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local bills, the yeas were 51, nays 1.

The bills on the Local Consent Calendar, except HB 986, SB 485, and SB 486, having received the requisite constitutional majority, were passed.

HB 986, SB 485, and SB 486, having received the requisite constitutional majority, were passed by substitute.

Senator Millar of the 40th moved that SB 485 and SB 486 be immediately transmitted to the House.

On the motion, there was no objection, and SB 485 and SB 486 were immediately transmitted.

Senator Payne of the 54th moved that SB 484 be immediately transmitted to the House.

On the motion, there was no objection, and SB 484 was immediately transmitted.

Senator Cowsert of the 46th moved to engross HB 843 and HB 886, which were on today's Senate Rules Calendar.

Senator Jones II of the 22nd objected.

On the motion, the yeas were 31, nays 16; the motion prevailed, and HB 843 and HB 886 were engrossed.

Senator Gooch of the 51st was excused for business outside the Senate Chamber.

SENATE RULES CALENDAR
WEDNESDAY, MARCH 21, 2018
THIRTY-SEVENTH LEGISLATIVE DAY

- | | |
|--------|--|
| HB 149 | Law enforcement; comprehensive regulation of trauma scene cleanup services; provisions (Substitute)(PUB SAF-56th) Powell-32nd |
| HB 398 | Peace Officers' Annuity and Benefit Fund; update a cross-reference; provisions (RET-8th) Battles-15th |
| HB 419 | Fireworks; certain counties further regulate use or ignition; enable authority (Substitute)(PUB SAF-56th) Silcox-52nd |
| HB 494 | Early care and learning; safety of children in early care and education programs; revise certain provisions (Substitute)(ED&Y-50th) Dempsey-13th |
| HB 671 | Special license plates; Georgia Beekeepers Association; establish (Substitute)(PUB SAF-50th) Dunahoo-30th |
| HB 700 | Georgia Student Finance Authority; service cancelable educational loans; include graduate degree programs (VM&HS-1st) Belton-112th |
| HB 701 | State employment; drug testing; allow testing for all forms of opioids (H&HS-1st) Tanner-9th |

- HB 718 Education; certain absences of students with parents in service of the armed forces of the United States; excuse (ED&Y-43rd) Scott-76th
- HB 739 Tracy Rainey Act; enact (ED&Y-1st) Williams-168th
- HB 740 Education; local school system to conduct certain screenings, assessments, and reviews prior to expelling a student; require (Substitute)(ED&Y-30th) Nix-69th
- HB 779 Emergency management; homeland security division; provisions (Substitute)(PUB SAF-46th) Powell-32nd
- HB 780 Banking and finance; changes to provisions applicable to financial institutions; provide (Substitute)(B&FI-18th) Williamson-115th
- HB 843 Revenue and taxation; tax credits; include any census tract in a county that contains a federal military installation and industrial park (ED&T-20th) Shaw-176th
- HB 878 Insurance; cancellation of an insurance policy by an insured; change certain provisions (I&L-16th) Clark-147th
- HB 886 Sales and use tax; exemption for agricultural machinery and equipment; provisions (AG&CA-50th) Watson-172nd
- HB 898 Motor vehicles; fleet vehicles and fleet vehicle registration plans; revise provisions (Substitute)(PUB SAF-7th) Powell-32nd
- HB 906 Public records; public disclosure of personal information of certain foster parents; exclude (JUDY-18th) Dempsey-13th
- HB 920 Domestic relations; department's information concerning the parties to an adoption under certain circumstances; allow for the use (H&HS-40th) Dempsey-13th
- HB 765 C.J.'s Law; enact (JUDY-35th) Thomas-56th
- HB 995 Local government; certain disclosures from consultants who enter into contracts to prepare requirements for bids; provide (Substitute) (ED&T-24th) Newton-123rd

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HB 149. By Representatives Powell of the 32nd, Lumsden of the 12th, Collins of the 68th, Jasperse of the 11th, Gravley of the 67th and others:

A BILL to be entitled an Act to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to provide for the comprehensive regulation of trauma scene cleanup services and regulated waste transport; to provide for definitions; to provide for licensing; to provide for qualifications; to provide for penalties for violations; to amend Article 3 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to hazardous waste, so as to provide for requirements, procedures, and training for trauma scene cleanup services and regulated waste transport; to provide for definitions; to provide for rules and regulations; to provide for compliance; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Public Safety offered the following substitute to HB 149:

A BILL TO BE ENTITLED
AN ACT

To amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to provide for the comprehensive regulation of trauma scene cleanup services; to provide for definitions; to provide for registration requirements; to provide for qualifications; to provide for penalties for violations; to provide for emergencies; to provide for rules and regulations; to provide for exemptions; to amend Title 25, Title 8, Chapter 1 of Title 10, Title 16, Article 9 of Chapter 3 of Title 35, Code Section 35-8-10, Chapter 25 of Title 43, Title 45, Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to fire protection and safety, buildings and housing, selling and other trade practices, crimes and offenses, the Georgia Information Sharing and Analysis Center, applicability and effect of peace officer certification requirements generally and requirements as to exempt persons, operators of motor vehicle racetracks, public officers and employees, and general provisions regarding administrative procedure, respectively, so as to enact the "Consolidation of Fire Safety Services in Georgia Act"; to establish the Department of Fire Safety; to establish the position of commissioner of fire safety; to establish the Board of Fire Safety; to provide for duties, responsibilities, and authority of the Board of Fire Safety; to establish the Professional Development Division of the Department of Fire Safety and transfer duties from the Georgia Firefighter Standards and Training Council; to transfer duties from the Commissioner of Insurance as the Safety Fire Commissioner to the commissioner of fire

safety; to provide for duties and responsibilities of the Department of Fire Safety; to provide for adoption of rules and regulations; to vest certain emergency and terrorism fire service preparedness functions in the commissioner of fire safety; to revise the appointment authority and duties and responsibilities of the state fire marshal; to provide for the position of local fire marshals; to transfer certain functions and duties relating to the regulation of elevators, dumbwaiters, escalators, manlifts, and moving walks from the Safety Fire Commissioner to the commissioner of fire safety; to transfer administration of "The Uniform Standards Code for Manufactured Homes Act" from the Safety Fire Commissioner to the commissioner of fire safety; to transfer duties regarding the installation of manufactured homes and mobile homes from the Safety Fire Commissioner to the commissioner of fire safety; to revise the duties of the state fire marshal relating to sale and storage of liquified petroleum gas; to transfer administration and rule-making authority regarding the sale and storage of liquified petroleum gas from the state fire marshal to the commissioner of fire safety; to transfer certain functions and duties relating to bombs, explosives, and chemical and biological weapons from the Safety Fire Commissioner to the commissioner of fire safety; to assign regulation of blasting operations, fireworks, consumer fireworks, and fire extinguishers and suppression systems and the enforcement of the "Georgia Fire Sprinkler Act" and the "Georgia Fire Safety Standard and Firefighter Protection Act" to the commissioner of fire safety and the Department of Fire Safety; to assign regulation of the "Boiler and Pressure Vessel Safety Act," "Amusement Ride Safety Act," "Carnival Ride Safety Act," and requirements for scaffolding and staging design to the commissioner of fire safety and the Department of Fire Safety; to add the commissioner of fire safety to membership in the Georgia Information Sharing and Analysis Center; to require certain peace officers commencing employment or service with the Department of Fire Safety to meet certain qualifications; to revise exemption requirements; to assign enforcement relating to operators of motor vehicle racetracks to the commissioner of fire safety; to assign enforcement of the "Public Employee Hazardous Chemical Protection and Right to Know Act of 1988" to the Department of Fire Safety; to provide for compliance with filing and hearing requirements under the "Georgia Administrative Procedure Act" by the commissioner of fire safety; to revise filing and hearing requirements under said Act by the Commissioner of Insurance; to amend Chapter 2 of Title 8, Title 25, Chapter 3 of Title 30, Code Section 31-7-12.2, Code Section 33-2-9, Title 42, Code Section 43-14-13, and Article 1 of Chapter 14 of Title 45 of the Official Code of Georgia Annotated, relating to standards and requirements for construction, alteration, etc., of buildings and other structures, fire protection and safety, access to and use of public facilities by persons with disabilities, regulation and licensing of assisted living communities, legislative intent, definitions, procedures, and requirements of medication aides, rules and regulations adopted by the Commissioner of Insurance, penal institutions, applicability of chapter, and general provisions regarding the Commissioner of Insurance, respectively, so as to provide for conforming changes; to provide for related matters; to provide for legislative intent; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended by adding a new chapter to read as follows:

"CHAPTER 11

35-11-1.

As used in this chapter, the term:

- (1) 'Bureau' means the Georgia Bureau of Investigation.
- (2) 'Director' means the director of the Georgia Bureau of Investigation.
- (3) 'Pathogen' means a microorganism, including bacteria, viruses, rickettsiae, and parasites, or other agent, such as a proteinaceous infectious particle or prion, that can cause disease in humans.
- (4) 'Potentially infectious material' means material known or reasonably expected to contain a pathogen.
- (5) 'Regulated biomedical waste' means and includes the following:
 - (A) Biological waste, which includes blood and blood products, exudates, secretions, suctionings, and other body fluids which contain free liquids and cannot be or are not directly discarded into a municipal sewer system;
 - (B) Pathological waste, which includes all recognizable human tissues and body parts except teeth; and
 - (C) Sharps, which includes any discarded article that may cause punctures or cuts including, but not limited to, items such as needles, IV tubing and syringes with needles attached, and scalpel blades.
- (6) 'Trauma scene' means a location soiled by or contaminated with potentially infectious material or regulated biomedical waste due to the occurrence of a homicide or suicide, or the occurrence of a death of a human being in which there is advanced decomposition of the body; provided, however, that such term shall not include the scene of a motor vehicle accident or locations which are subject to the laws and regulations of the federal Occupational Safety and Health Administration.
- (7) 'Trauma scene waste' means potentially infectious material or regulated biomedical waste that has been removed, is to be removed, or is in the process of being removed from a trauma scene.
- (8) 'Trauma scene waste management practitioner' means the owner of any interest in a commercial enterprise for the cleanup or removal of trauma scene waste and who is registered with the bureau pursuant to this chapter.

35-11-2.

- (a) A trauma scene waste management practitioner shall be registered with the bureau

on forms provided by and in a manner as directed by the bureau. Such registration shall be in addition to and not in place of any other registrations or licenses from other state agencies required by law. No county or municipal governments shall be authorized to require licenses, registrations, or permits for trauma scene waste management practitioners in this state.

(b) The bureau, upon its approval of an application, shall issue a registration to a trauma scene waste management practitioner who meets the qualifications for such registration and who submits a completed application form and registration fee. Such registration shall be valid for a period of three years from the date of issuance and may be renewed for additional three-year periods.

(c) Trauma scene waste management practitioners shall pay an initial registration fee of \$100.00 to the bureau and, for each subsequent renewal of such registration, shall pay to the bureau a registration renewal fee of \$100.00.

35-11-3.

The bureau shall maintain a current list of all registered trauma scene waste management practitioners on the bureau's website.

35-11-4.

(a) Each trauma scene waste management practitioner shall, prior to being registered, submit to a fingerprint based criminal background check conducted by the Georgia Crime Information Center and Federal Bureau of Investigation. No person who has been convicted of any felony under the laws of this state or any another state or the federal government shall be issued a trauma scene waste management practitioner registration. Each trauma scene waste management practitioner shall submit to a fingerprint based criminal background check conducted by the Georgia Crime Information Center and Federal Bureau of Investigation every three years following such initial background check.

(b) Each trauma scene waste management practitioner shall, upon approval of his or her registration by the bureau, submit to the bureau a bond executed with a surety company duly authorized to do business in this state and payable to the Governor for the use and benefit of any person who is harmed by such trauma scene waste management practitioner, his or her employee, or an independent contractor of such trauma scene waste management practitioner in the performance of trauma scene waste management services. The bond shall be in the amount of \$25,000.00. The bond shall be approved by the bureau as to form and the solvency of the surety. No trauma scene waste management practitioner or surety shall cancel, or cause to be canceled, a bond issued pursuant to this subsection unless the director is informed in writing by a certified letter at least 30 days prior to the proposed cancellation. If the trauma scene waste management practitioner or surety cancels the bond and the trauma scene waste management practitioner fails to submit, within ten days of the effective date of the cancellation, a new bond, the director shall revoke such trauma scene waste management practitioner's registration.

(c) Each trauma scene waste management practitioner shall provide the bureau with proof of liability insurance coverage for the trauma scene waste management practitioner, his or her employees, and independent contractors of such trauma scene waste management practitioner who perform trauma scene waste management services in the amount of at least \$100,000.00 for each occurrence. No trauma scene waste management practitioner or insurance carrier shall cancel, or cause to be canceled, a liability insurance policy issued pursuant to this subsection unless the director is informed in writing by a certified letter at least 30 days prior to the proposed cancellation. If the trauma scene waste management practitioner or insurance carrier cancels the liability insurance policy and the trauma scene waste management practitioner fails to submit, within ten days of the effective date of the cancellation, a new liability insurance policy that meets the requirements of this subsection, the director shall revoke such trauma scene waste management practitioner's registration.

(d) Each trauma scene waste management practitioner shall be responsible and liable for the acts of his or her employees and independent contractors of such trauma scene waste management practitioner in the performance of trauma scene waste management services.

35-11-5.

(a) As used in this Code section, the term 'person' means: an individual; any corporate entity or form authorized by law, including any of its subsidiaries or affiliates; or any officer, director, board member, or employee of any corporate entity or form authorized by law.

(b) No person shall perform, offer to perform, or engage in the cleanup of a trauma scene or the removal or remediation of regulated biomedical waste from any location unless such person is registered in accordance with this chapter or is an employee or independent contractor of such person registered in accordance with this chapter.

(c) Any individual who violates this Code section shall be subject to a civil fine not to exceed \$5,000.00 and punitive action by the director, up to and including revocation of registration.

35-11-6.

On and after January 1, 2019, it shall be against public policy for any person who is not properly registered under this chapter to seek to recover from the owner of any property or any other person the cost of the cleanup, removal, or remediation of trauma scene waste at, in, or on such property.

35-11-7.

Each trauma scene waste management practitioner registered under this chapter, prior to beginning the cleanup, removal, or remediation of trauma scene waste, shall provide the individual who requested such services with a good faith estimate of the expected costs of such services.

35-11-8.

In the event of a declared public health emergency or a state of emergency, the director shall be authorized to issue temporary registrations to persons to be trauma scene waste management practitioners under such limiting conditions as the director deems appropriate under such circumstances. Such temporary registrations shall terminate at such time as may be specified by the director, but, in any event, not later than 90 days from their issuance.

35-11-9.

The board shall be authorized to promulgate such rules and regulations as it deems necessary in order to effectuate and implement the provisions of this chapter.

35-11-10.

(a) As used in this Code section, the term 'person' shall have the same meaning as provided in Code Section 35-11-5.203.0.

(b) Nothing in this chapter shall apply to a medical practice or medical facility or a subsidiary thereof that is subject to the laws and regulations of the federal Occupational Safety and Health Administration.

(c) Nothing in this chapter shall apply to the cleanup of property owned by a person by such person.

(d) Nothing in this chapter shall apply to the gratuitous cleanup, removal, or remediation of trauma scene waste performed for the owner of any property by individuals who are not doing so as part of a commercial enterprise for the cleanup or removal of trauma scene waste, including, but not limited to, individuals who are family, friends, or neighbors of such owner; provided, however, that nothing in this subsection shall prevent such owner from offering such individuals a gratuity at his or her election."

PART II

SECTION 2-1.

Parts 2 through 18 of this Act shall be known and may be cited as the "Consolidation of Fire Safety Services in Georgia Act."

SECTION 2-2.

It is the intent of the General Assembly, by Parts 2 through 18 of this Act, to provide for more efficient fire safety services for the citizens of Georgia by consolidating such services into a single department and thereby provide greater quality services at a reduced cost.

PART III

SECTION 3-1.

Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is amended by revising Chapter 2, relating to the regulation of fire and other hazards to persons and property generally, as follows:

"CHAPTER 2

25-2-1.

As used in this chapter, the term:

- (1) 'Board' means the Board of Fire Safety.
- (2) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (3) 'Department' means the Department Fire Safety.

25-2-2.

~~The office of Safety Fire Commissioner is created. The Commissioner of Insurance shall be the Safety Fire Commissioner.~~

(a) There is created the Department of Fire Safety. The department shall be a budget unit as defined in Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act'; provided, however, that the department shall be assigned for administrative purposes only to the Department of Public Safety.

(b)(1) There is created the position of commissioner of fire safety. The commissioner shall be the chief administrative officer of the department and shall be appointed by the board and serve at the pleasure of the board. Any person appointed to serve as commissioner shall have a minimum of ten years' experience as a fire safety professional.

(2) When the commissioner shall adopt rules and regulations for the performance of his or her duties by law, such rules and regulations shall be subject to the approval of the board.

25-2-2.1.

(a) There is created the Board of Fire Safety which shall establish the general policy to be followed by the department. The Board of Fire Safety shall be composed of 11 members, who shall serve until their successors are appointed and qualified and who shall be appointed as follows:

(1) Four members who are fire safety professionals shall be appointed by the Governor;

(2) Two members who are fire safety professionals shall be appointed by the Speaker of the House of Representatives;

(3) Two members who are fire safety professionals shall be appointed by the Lieutenant Governor;

(4) One member shall be the administrator of the Georgia Public Safety Training Center or his or her designee;

(5) One member shall be the president of the Georgia Association of Fire Chiefs or his or her designee; and

- (6) One member shall be the president of the Georgia State Firefighters' Association or his or her designee.
- (b) At the first regular meeting of the Board of Fire Safety held in each even-numbered year, the Board of Fire Safety shall elect a chairperson and such other officers from its own membership as it deems necessary to serve until successors are elected by the Board of Fire Safety as provided in this subsection.
- (c) In addition to the general authority provided for in subsection (a) of this Code section, the Board of Fire Safety:
- (1) Shall appoint the commissioner;
 - (2) Shall promulgate and approve rules and regulations for the department;
 - (3) Shall advise the commissioner on fire service issues; and
 - (4) May appoint advisory councils as it deems necessary.
- (d) Each member of the Board of Fire Safety, in carrying out his or her official duties, shall be entitled to receive the same expense and mileage allowance authorized for members of professional licensing boards pursuant to subsection (f) of Code Section 43-1-2. The funds for such expenses and allowances shall be paid from funds appropriated or available to the department.

25-2-3.

Except as provided in Code Section 25-2-12, the ~~Commissioner~~ commissioner is charged with the duties and chief responsibility for the enforcement of this chapter. He or she may, consistent with this chapter, delegate to the officers and employees appointed under this chapter such duties and powers as in his or her discretion he or she shall deem necessary or advisable for the proper enforcement of this chapter and shall have full supervision and control over such officers and employees in the performance of their duties or in the exercise of any powers granted to such officers and employees by him or her or by this chapter. Except as provided in Code Section 25-2-12, the ~~Commissioner~~ commissioner shall be the final authority in all matters relating to the interpretation and enforcement of this chapter, except insofar as his or her orders may be reversed or modified by the courts.

25-2-4.

The ~~Commissioner~~ commissioner shall adopt such rules and regulations as he or she deems necessary to promote the enforcement of this chapter. Such rules and regulations shall have the force and effect of law and shall have state-wide application as being the state minimum fire safety standards and shall not require adoption by a municipality or county. The governing authority of any municipality or county in this state is authorized to enforce the state minimum fire safety standards on all buildings and structures except one-family and two-family dwellings and those buildings and structures listed in Code Section 25-2-13. All other applications of the state minimum fire safety standards and fees are specified in Code Sections 25-2-4.1, 25-2-12, and 25-2-12.1. Before the ~~Commissioner~~ commissioner shall adopt as a part of his or her rules and regulations for the enforcement of this chapter any of the principles of the various

codes referred to in this chapter, he or she shall first consider and approve them as reasonably suitable for the enforcement of this chapter. Not less than 15 days before any rules and regulations are promulgated, a public hearing shall be held. Notice of the hearing shall be advertised in a newspaper of general circulation.

25-2-4.1.

(a) The ~~Commissioner~~ commissioner is authorized to assess and collect, and persons so assessed shall pay in advance to the ~~Commissioner~~ commissioner, fees and charges under this chapter as follows:

(1) New anhydrous ammonia permit for storage in bulk (more than 2,000 gallons aggregate capacity) for sale or distribution one-time fee	\$ 150.00
(2) Annual license for manufacture of explosives other than fireworks	150.00
(3) Annual license for manufacture, storage, or transport of fireworks	1,500.00
(4) Carnival license	150.00
(5) Certificate of occupancy	100.00
(6) Construction plan review:	
(A) Bulk storage construction	150.00
(B) Building construction, 10,000 square feet or less	150.00
(C) Building construction, more than 10,000 square feet015 per square foot
(D) Other construction	150.00
(7) Fire sprinkler contractor certificate of competency	150.00
(8) Liquefied petroleum gas storage license:	
(A) 2,000 gallons or less	150.00
(B) More than 2,000 gallons	600.00
(9) Building construction inspection:	
(A) 80 percent completion, 100 percent completion, annual, and first follow-up	none
(B) Second follow-up	150.00
(C) Third and each subsequent follow-up	220.00

(10) Purchase, storage, sale, transport, or use of explosives other than fireworks:

(A) 500 pounds or less 75.00

(B) More than 500 pounds 150.00

(11) New self-service gasoline station permit one-time fee 150.00

(12) New permit to dispense compressed natural gas (CNG) for vehicular fuel one-time fee 150.00

(b) The licenses and permits for which fees or charges are required pursuant to this Code section shall not be transferable. A new license or permit and fee are required upon change of ownership.

25-2-4.2.

The commissioner, or his or her designee within the department, shall manage this state's fire service preparedness and functions as it relates to terrorism, weapons of mass destruction, hazardous incidents, and natural disasters or emergencies. The commissioner, or his or her designee, shall, as necessary, liaise with the Georgia Emergency Management and Homeland Security Agency, other agencies of this state, federal agencies, and agencies of other states in developing and executing plans, procedures, and policies for purposes of this Code section.

25-2-5.

The ~~Commissioner~~ commissioner shall appoint a state fire marshal. Qualifications for appointment as state fire marshal shall be previous training and experience in endeavors similar to those prescribed in this chapter. The ~~Commissioner~~ commissioner shall fix the salary of the state fire marshal.

25-2-6.

~~The Safety Fire Division of the office of the Commissioner of Insurance shall be headed by the state fire marshal appointed by the Commissioner~~ Reserved.

25-2-7.

The state fire marshal, subject to the approval of the ~~Commissioner~~ commissioner, shall appoint a deputy state fire marshal and administrative fire safety specialists and shall employ such office personnel as may be required to carry out this chapter. The deputy state fire marshal and administrative fire safety specialists shall be chosen by virtue of their previous training and experience in the particular duties which shall be assigned to them. They shall take an oath to perform faithfully the duties of their ~~office~~ offices.

25-2-8.

All state employees connected with the state fire marshal's office shall be allowed subsistence, lodging, and other expenses in connection with the execution of their

duties when away from their headquarters. Transportation for such employees shall be paid at the mileage rate fixed by law for other state employees.

25-2-9.

(a) Upon the request of the sheriff of the county, the chief of police of the jurisdiction, the district attorney of the judicial circuit, or a local fire official, the state fire marshal and any employees of such official shall have the authority to investigate the cause and origin of any fire which occurred in said county, jurisdiction, or judicial circuit.

(b) Personnel employed and authorized by the state fire marshal shall have the power to make arrests for criminal violations established as a result of investigations. Such personnel must hold certification as a peace officer from the Georgia Peace Officer Standards and Training Council and shall have the power to execute arrest warrants and search warrants for criminal violations and to arrest, upon probable cause and without warrant, any person found violating any of the provisions of applicable criminal laws. Authorized personnel empowered to make arrests pursuant to this Code section shall be empowered to carry firearms as authorized by the state fire marshal in the performance of their duties. It shall be unlawful for any person to resist an arrest authorized by this Code section or to interfere in any manner, including abetting or assisting such resistance or interference, with personnel employed by the state fire marshal in the duties imposed upon such personnel by law.

25-2-10.

Should any person, firm, corporation, or public entity be dissatisfied with any ruling or decision of the state fire marshal, the right is granted to appeal within ten days to the ~~Commissioner~~ commissioner. If the person, firm, corporation, or public entity is dissatisfied with the decision of the ~~Commissioner~~ commissioner, appeal is authorized to the superior court within 30 days in the manner provided under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' In the event of such appeal, the person, firm, corporation, or public entity shall give a surety bond which will be conditioned upon compliance with the order and direction of the state fire marshal or the ~~Commissioner~~ commissioner or both. The amount of bond shall be fixed by the ~~Commissioner~~ commissioner in such amount as will reasonably cover the order issued by the ~~Commissioner~~ commissioner or the state fire marshal or both.

25-2-11.

Reserved.

25-2-12.

(a)(1) The county governing authority in any county having a population of 100,000 or more, and the municipal governing authority in any municipality having a population of 45,000 or more, each as determined by the most recent decennial census published by the United States Bureau of the Census, and those municipalities pursuant to subsection (b) of this Code section shall adopt the state minimum fire

safety standards adopted in the rules and regulations promulgated pursuant to this chapter, including all subsequent revisions thereof.

(2) With respect to those buildings and structures listed in Code Section 25-2-13, except for hospitals, nursing homes, assisted living facilities or communities, jails, ambulatory health care centers, and penal institutions and except for buildings and structures which are owned, ~~and~~ operated, or occupied by the state, every such local governing authority shall be responsible for enforcing such fire safety standards within its jurisdiction and shall:

(A) Conduct fire safety inspections of existing buildings and structures;

(B) Review plans and specifications for proposed buildings and structures, issue building permits when plans are approved, and conduct fire safety inspections of such buildings and structures; and

(C) Issue permanent and temporary certificates of occupancy.

(3) Nothing in this subsection shall be construed so as to prohibit fire service personnel of any such local governing authority from making inspections of any state owned and operated or occupied building or structure listed in Code Section 25-2-13 and from filing reports of such inspections with the ~~office of the Commissioner~~ department.

(4) Nothing in this subsection shall be construed so as to place upon any municipality, county, or any officer or employee thereof, the responsibility to take enforcement action regarding any existing building or structure listed in Code Section 25-2-13, if such building or structure was granted a certificate of occupancy pursuant to a waiver granted prior to January 1, 1982, and which was granted pursuant to the recommendation of the engineering staff over the objection of the local authority having jurisdiction.

(5) Every such local governing authority shall have the authority to charge and retain appropriate fees for performing the duties required in subparagraphs (A) and (B) of paragraph (2) of this subsection. In cases where the governing authority of a municipality enforcing fire safety standards pursuant to this subsection contracts for the enforcement of fire safety standards, any municipal or county office or authority providing such enforcement shall not charge fees in excess of those charged in its own political subdivision for such enforcement.

(6) Every such local governing authority shall be responsible for investigating all cases of arson and other suspected incendiary fires within its jurisdiction, shall have the duties and powers authorized by Code Sections 25-2-27, 25-2-28, and 25-2-29 in carrying out such responsibility, and shall submit quarterly reports to the state fire marshal containing fire-loss data regarding all fires within its jurisdiction. The state fire marshal shall have the authority to initiate any arson investigation upon request of any such local governing authority, and he or she shall provide assistance to the requesting authority regarding any of the duties and responsibilities required by this paragraph.

(7) No such local governing authority shall have the authority to grant any waiver or variance which would excuse any building, structure, or proposed plans for buildings

or structures from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(b) Municipalities having a population of less than 45,000 as determined by the most recent decennial census published by the United States Bureau of the Census may adopt the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter, including all subsequent revisions thereof. The municipal governing authority shall indicate its intention to adopt and enforce the state minimum fire safety standards by forwarding a resolution so indicating to the ~~Commissioner~~ commissioner. The municipality shall then adopt and enforce the state minimum fire safety standards as set forth in subsection (a) of this Code section.

(c) With respect to those buildings and structures listed in Code Section 25-2-13, in jurisdictions other than those jurisdictions covered under subsection (a) of this Code section, and with respect to every such hospital, nursing home, assisted living facility or community, jail, ambulatory health care center, and penal institution and every such building and structure owned and operated or occupied by the state, wherever located, the ~~office of the Commissioner~~ department shall perform those duties specified in paragraph (2) of subsection (a) of this Code section and shall perform all other duties required by this chapter.

(d) Except as specifically stated in this Code section, nothing in this Code section shall reduce or avoid the duties and responsibilities of the ~~office of the Commissioner~~ department or the state fire marshal imposed by other Code sections of this chapter, other provisions of this Code, or any existing contract or agreement and all renewals thereof between the ~~office of the Commissioner~~ department or the state fire marshal and any other state or federal government agency. Nothing in this Code section shall prohibit the ~~office of the Commissioner~~ department, state fire marshal, or any local governing authority from entering into any future contract or agreement regarding any of the duties imposed under this Code section.

(e)(1) The ~~office of the Commissioner~~ department shall be responsible for interpretations of the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(2) On the construction on existing buildings, local governments authorized to enforce the state minimum fire safety standards pursuant to subsection (a) and subsection (b) of this Code section, notwithstanding paragraph (7) of subsection (a) of this Code section, may grant variances from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(3) On the construction on existing buildings not under the jurisdiction of a local government for purposes of paragraph (2) of this subsection, the ~~Commissioner~~ commissioner may grant variances from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(4) On the construction of new buildings, the ~~Commissioner~~ commissioner, upon the written recommendation of the state fire marshal and the written request of the fire or

building official responsible for enforcing the state minimum fire safety standards, may grant variances from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter in jurisdictions covered under subsection (a) of this Code section and jurisdictions other than those covered under subsection (a) of this Code section.

(5) Variances granted pursuant to paragraphs (2), (3), and (4) of this subsection shall be as nearly equivalent as practical to the standards required in this chapter.

25-2-12.1.

(a) As used in this Code section, the term:

(1) 'Deputy local fire marshal' means any person who is employed by, supervised by, or otherwise assists a local fire marshal and who has been or is seeking to be deputized pursuant to this Code section.

(2) 'Local fire marshal' means any employee or independent contractor of any municipality, county, or other governing authority not adopting the state minimum fire safety standards as provided in subsection (a) of Code Section 25-2-12 who is responsible for performing fire safety duties for such municipality, county, or governing authority and who has been or is seeking to be deputized pursuant to this Code section.

(3) 'State inspector' means any person who is employed by any board, commission, or other administrative authority of any state owned and operated or occupied facility, who is responsible for performing fire safety duties within such facility, and who has been or is seeking to be deputized pursuant to this Code section.

(b) Upon application submitted by any governing authority or administrative authority described in subsection (a) of this Code section, the state fire marshal, subject to the approval of the ~~Commissioner~~ commissioner and in accordance with this Code section, shall have the authority to deputize local fire marshals, deputy local fire marshals, or state inspectors, as appropriate, as state officers. The application shall be verified by an appropriate official and shall contain the name, address, and current place of employment for each applicant seeking to be deputized and the dates and places of past employment, educational background, training experience, any area of specialization and the basis therefor, and such other information as may be required by the state fire marshal.

(c)(1) Prior to deputizing any local fire marshal, deputy local fire marshal, or state inspector, the state fire marshal shall examine the applicant's education, training, and employment experience to ascertain whether the applicant is qualified to perform duties in one or more of the following areas:

- (A) Fire safety inspections;
- (B) Review of plans and specifications; or
- (C) Arson investigations.

(2) If the state fire marshal is satisfied that the applicant is qualified, he or she shall recommend to the ~~Commissioner~~ commissioner that the applicant be deputized as a state officer to perform the appropriate duties on behalf of the state.

(d) It shall be the responsibility of the governing authority to notify the state fire marshal when a local fire marshal is no longer employed by or accountable to such governing authority. It shall be the responsibility of the local fire marshal to ensure that his or her deputy local fire marshals perform their appointed duties and to notify the state fire marshal when a deputy local fire marshal is no longer employed under his or her authority. It shall be the responsibility of the administrative authority to ensure that state inspectors perform their appointed duties and to notify the state fire marshal when a state inspector is no longer employed by such administrative authority.

(e) All deputized local fire marshals, deputy local fire marshals, and state inspectors shall submit monthly reports of their activities to the state fire marshal and shall comply with the administrative procedures of the state fire marshal's office. Any deputized local fire marshal, deputy local fire marshal, or state inspector who is found by the state fire marshal to be negligent in performing his or her appointed duties or in fulfilling his or her responsibilities shall be removed from his or her position as a state officer.

25-2-13.

(a) As used in this Code section, the term:

(1) 'Capacity' means the maximum number of persons who may be reasonably expected to be present in any building or on any floor thereof at a given time according to the use which is made of such building. The ~~Commissioner~~ commissioner shall determine and by rule declare the formula for determining capacity for each of the uses described in this Code section.

(2) 'Historic building or structure' means any individual building or any building which contributes to the historic character of a historic district, so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources, or as so designated pursuant to the provisions of Article 2 of Chapter 10 of Title 44, the 'Georgia Historic Preservation Act.'

(3) 'Landmark museum building' means a historic building or structure used as an exhibit of the building or structure itself which exhibits a high degree of architectural integrity and which is open to the public not fewer than 12 days per year; however, additional uses, original or ancillary, to the use as a museum shall be permitted within the same building subject to the provisions of paragraph (3) of subsection (b) of this Code section. Landmark museum buildings must be so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources.

(b)(1) Certain buildings and structures, because of construction or use, may constitute a special hazard to property or to the life and safety of persons on account of fire or panic from fear of fire. Buildings constructed or used in the following manner present such a special hazard:

(A) Buildings or structures more than three stories in height; provided, however, that nothing in this Code section shall apply to any individually owned residential unit within any such building;

(B) Any building three or more stories in height and used as a residence by three or

more families, with individual cooking and bathroom facilities for each family; provided, however, that nothing in this Code section shall apply to any individually owned residential unit within any such building;

(C) Any building in which there are more than 15 sleeping accommodations for hire, with or without meals but without individual cooking facilities, whether designated as a hotel, motel, inn, club, dormitory, rooming or boarding house, or by any other name;

(D) Any building or group of buildings which contain schools and academies for any combination of grades one through 12 having more than 15 children or students in attendance at any given time and all state funded kindergarten programs;

(E) Hospitals, health care centers or facilities, mental health institutions, orphanages, nursing homes, convalescent homes, old age homes, assisted living facilities or communities, jails, prisons, reformatories, and all administrative, public assembly, and academic buildings of colleges, universities, and vocational-technical schools. As used in this subparagraph, the terms 'nursing homes,' 'convalescent homes,' and 'old age homes' mean any building used for the lodging, personal care, or nursing care on a 24 hour basis of four or more invalids, convalescents, or elderly persons who are not members of the same family;

(F) Racetracks, stadiums, and grandstands;

(G) Theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls, and other places of public assembly having an occupant load of 300 or more persons, except that the occupant load shall be 100 or more persons in those buildings where alcoholic beverages are served;

(G.1) Churches having an occupant load of 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on total occupant load of the building or structure;

(H) Department stores and retail mercantile establishments having a gross floor area of 25,000 square feet on any one floor or having three or more floors that are open to the public. For purposes of this subparagraph, shopping centers and malls shall be assessed upon the basis of the entire area covered by the same roof or sharing common walls; provided, however, that nothing in this Code section shall apply to single-story malls or shopping centers subdivided into areas of less than 25,000 square feet by a wall or walls with a two-hour fire resistance rating and where there are unobstructed exit doors in the front and rear of every such individual occupancy which open directly to the outside;

(I) Child care learning centers, as such term is defined in Code Section 20-1A-2. Fire safety standards adopted by rules of the ~~Commissioner~~ commissioner pursuant to Code Section 25-2-4 which are applicable to child care learning centers shall not require staff-to-child ratios; and

(J) Personal care homes ~~and assisted living communities~~ required to be licensed as such by the Department of Community Health and having at least seven beds for nonfamily adults, and the ~~Commissioner~~ commissioner shall, pursuant to Code Section 25-2-4, by rule adopt state minimum fire safety standards for those homes,

and any structure constructed as or converted to a personal care home on or after April 15, 1986, shall be deemed to be a proposed building pursuant to subsection (d) of Code Section 25-2-14 and that structure may be required to be furnished with a sprinkler system meeting the standards established by the ~~Commissioner~~ commissioner if he or she deems this necessary for proper fire safety.

(2) Any building or structure which is used exclusively for agricultural purposes and which is located in an unincorporated area shall be exempt from the classification set forth in paragraph (1) of this subsection.

(3)(A) The provisions of this paragraph relating to landmark museum buildings shall apply only to those portions of such buildings which meet all the requirements of a landmark museum building, except as otherwise provided in subparagraphs (B) and (C) of this paragraph. Subparagraphs (B) and (C) of this paragraph shall, unless otherwise provided in such subparagraphs, preempt all state laws, regulations, or rules governing reconstruction, alteration, repair, or maintenance of landmark museum buildings. Local governing authorities may recognize the designation of landmark museum buildings by ordinance and authorize the local enforcement authority to incorporate the provisions of subparagraphs (B) and (C) of this paragraph into their local building and fire codes. Subparagraphs (D) and (E) of this paragraph shall apply to other historic buildings or structures.

(B) A landmark museum building shall be subject to the following provisions:

(i) Repairs, maintenance, and restoration shall be allowed without conformity to any state building or fire safety related code, standard, rule, or regulation, provided that the building is brought into and remains in full compliance with this paragraph;

(ii) In the case of fire or other casualty to a landmark museum building, it may be rebuilt, in total or in part, using such techniques and materials as are necessary to restore it to the condition prior to the fire or casualty and use as a totally preserved building; or

(iii) If a historic building or structure, as a result of proposed work or changes in use, would become eligible and would be so certified as a landmark museum building, and the state historic preservation officer so certifies and such is submitted to the state fire and building code official with the construction or building permit application, then the work may proceed under the provisions of this paragraph.

(C) All landmark museum buildings shall comply with the following requirements:

(i) Every landmark museum building shall have portable fire extinguishers as deemed appropriate by the state or local fire authority having jurisdiction based on the applicable state or local fire safety codes or regulations;

(ii) All landmark museum buildings which contain residential units shall have electrically powered smoke or products of combustion ~~detectors~~ alarms installed within each living unit between living and sleeping areas. Such ~~detectors~~ alarms shall be continuously powered by the building's electrical system. When activated, the ~~detector~~ alarm shall initiate ~~an alarm~~ a warning sound which is

audible in sleeping rooms of that living unit. These unit ~~detectors~~ alarms shall be required in addition to any other protective system that may be installed in the building;

(iii) For all landmark museum buildings, except those protected by a total automatic fire suppression system and one and two family dwellings, approved automatic fire warning protection shall be provided as follows: install at least one listed smoke or products of combustion detector for every 1,200 square feet of floor area per floor or story. In addition, all lobbies, common corridors, hallways, and ways of exit access shall be provided with listed smoke or products of combustion detectors not more than 30 feet apart. Detectors shall be so connected as to sound an alarm audible throughout the structure or building. With respect to buildings which are totally protected by an automatic fire suppression system, activation of the sprinkler system shall sound an alarm throughout the structure or building;

(iv) Smoke or products of combustion detectors or, where otherwise specified, smoke alarms shall be listed by a nationally recognized testing laboratory;

(v) All multistory landmark museum buildings, except one and two family dwellings, with occupancy above or below the street or grade level shall have manual fire alarm pull stations in the natural path of egress. The activation of a manual pull station shall cause the building fire warning system to sound;

(vi) Approved exit signs shall be located where designated by the local or state authority having jurisdiction in accordance with the applicable state or local code, standard, rule, or regulation;

(vii) Except for one and two family dwellings, every landmark museum building occupied after daylight, or which has occupied areas subject to being totally darkened during daylight hours due to a power failure or failure of the electrical system, shall be equipped with approved emergency lighting meeting the provisions of the applicable state or local code, standard, rule, or regulation;

(viii) Occupant loading of landmark museum buildings or structures shall be limited by either the actual structural floor load capacity or by the limitations of means of egress or by a combination of factors. Actual floor load capacity shall be determined by a Georgia registered professional engineer. Said floor load shall be posted at a conspicuous location. The building owner shall submit evidence of this certification and related computations to the enforcement authority having jurisdiction, upon request. Where one or more floors of a landmark museum building have only one means of egress, the occupant load shall be computed and occupancy limited as determined by the state or local fire marshal; and

(ix) The electrical, heating, and mechanical systems of landmark museum buildings shall be inspected and any conditions that create a threat of fire or a threat to life shall be corrected in accordance with applicable standards to the extent deemed necessary by the state or local authority having jurisdiction.

(D) Historic buildings not classified as landmark museum buildings shall meet the requirements of applicable state or local building and fire safety laws, ordinances,

codes, standards, rules, or regulations as they pertain to existing buildings. If a historic building or structure is damaged from fire or other casualty, it may be restored to the condition prior to the fire or casualty using techniques and methods consistent with its original construction, or it shall meet the requirements for new construction of the applicable state or local codes, standards, rules, or regulations, provided that these requirements do not significantly compromise the features for which the building was considered historically significant.

(E) As to any buildings or structures in the State of Georgia which meet the criteria of paragraph (1) of subsection (b) of this Code section and thus fall under the jurisdiction of the ~~Safety Fire Commissioner~~ commissioner and which also have been designated as historically significant by the state historic preservation officer, the appropriate enforcement official, in granting or denying a variance pursuant to subsection (e) of Code Section 25-2-12, shall consider the intent of this chapter, with special attention to paragraph (3) of this subsection, Article 3 of Chapter 2 of Title 8, 'The Uniform Act for the Application of Building and Fire Related Codes to Existing Buildings,' Article 2 of Chapter 10 of Title 44, the 'Georgia Historic Preservation Act,' and the Secretary of Interior's Standards for Preservation Projects.

(4) Nothing in this subsection shall be construed as exempting any building, structure, facility, or premises from ordinances enacted by any municipal governing authority in any incorporated area or any county governing authority in any unincorporated area, except to the extent stated in paragraph (3) of this subsection relative to landmark museum buildings or historic buildings or structures.

(c) Every person who owns or controls the use of any building, part of a building, or structure described in paragraph (1) of subsection (b) of this Code section, which, because of floor area, height, location, use or intended use as a gathering place for large groups, or use or intended use by or for the aged, the ill, the incompetent, or the imprisoned, constitutes a special hazard to property or to the life and safety of persons on account of fire or panic from fear of fire, must so construct, equip, maintain, and use such building or structure as to afford every reasonable and practical precaution and protection against injury from such hazards. No person who owns or controls the use or occupancy of such a building or structure shall permit the use of the premises so controlled for any such specially hazardous use unless he or she has provided such precautions against damage to property or injury to persons by these hazards as are found and determined by the ~~Commissioner~~ commissioner in the manner described in subsection (d) of this Code section to be reasonable and practical.

(d) The ~~Commissioner~~ commissioner is directed to investigate and examine construction and engineering techniques; properties of construction materials, fixtures, facilities, and appliances used in, upon, or in connection with buildings and structures; and fire prevention and protective techniques, including, but not limited to, the codes and standards adopted, recommended, or issued from time to time by the National Fire Protection Association (National Fire Code and National Electric Code), the American Insurance Association (National Building Code), the successor to the National Board of Fire Underwriters, the American Standards Association, and the ~~Standard Building~~

~~Code Congress (Southern Standard Building Code)~~ International Code Council (the International Building Code, the International Fire Code, the International Mechanical Code, and the International Fuel Gas Code). Based upon such investigation, the ~~Commissioner~~ commissioner is authorized to determine and by rule to provide what reasonable and practical protection must be afforded property and persons with respect to: exits; fire walls and internal partitions adequate to resist fire and to retard the spread of fire, smoke, heat, and gases; electrical wiring, electrical appliances, and electrical installations; safety and protective devices, including, but not limited to, fire escapes, fire prevention equipment, sprinkler systems, fire extinguishers, panic hardware, fire alarm and detection systems, exit lights, emergency auxiliary lights, and other similar safety devices; flameproofing; motion picture equipment and projection booths; and similar facilities; provided, however, that any building described in subparagraph (b)(1)(C) of this Code section shall be required to have a smoke or products of combustion detector or, where otherwise specified, smoke alarm listed by a nationally recognized testing laboratory; and, regardless of the manufacturer's instructions, such detectors in these buildings shall be located in all interior corridors, halls, and basements no more than 30 feet apart or more than 15 feet from any wall; where there are no interior halls or corridors, the ~~detectors~~ single station smoke alarms shall be installed in each sleeping room. All detection systems permitted after April 1, 1992, shall be powered from the building's electrical system and all detection systems required by this chapter, permitted after April 1, 1992, shall have a one and one-half hour emergency power supply source. Required corridor smoke detector systems shall be electrically interconnected to the fire alarm, if a fire alarm is required. If a fire alarm is not required, the detectors at a minimum shall be approved single station ~~detectors~~ smoke alarms powered from the building electrical service interconnected to each other.

(e) All rules and regulations promulgated before April 1, 1968, by predecessor authority, the ~~Commissioner~~ commissioner, or the state fire marshal and the minimum fire safety standards adopted therein shall remain in full force and effect where applicable until such time as they are amended by the appropriate authority.

(f) The municipal governing authority in any incorporated area or the county governing authority in any unincorporated area of the state shall have the authority to enact such ordinances as it deems necessary to perform fire safety inspections and related activities for those buildings and structures not covered in this Code section.

(g) Notwithstanding any other provision of law or any local ordinance to the contrary, in the event of a conflict between any code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) and of the ~~Standard Building Code Congress (Southern Standard Building Code)~~ International Code Council (the International Building Code, the International Fire Code, the International Mechanical Code, and the International Fuel Gas Code), the code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) shall prevail. The order of precedence established by this subsection shall apply to all buildings and structures whether or not such buildings and structures are covered under this Code section.

25-2-14.

(a)(1) Plans and specifications for all proposed buildings which come under classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which come under the jurisdiction of the ~~office of the Commissioner~~ department pursuant to Code Section 25-2-12 shall be submitted to and receive approval by either the state fire marshal, the proper local fire marshal, or state inspector before any state, municipal, or county building permit may be issued or construction started. All such plans and specifications submitted as required by this subsection shall be accompanied by a fee in the amount provided in Code Section 25-2-4.1 and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the ~~Commissioner~~ commissioner.

(2)(A) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official cannot provide plan review within 30 business days of receiving a written application for permitting in accordance with the code official's plan submittal process, then, in lieu of plan review by personnel employed by such governing authority, any person, firm, or corporation engaged in a construction project which requires plan review, regardless if the plan review is required by subsection (a) of this Code section or by local county or municipal ordinance, shall have the option of retaining, at its own expense, a private professional provider to provide the required plan review. As used in this paragraph, the term 'private professional provider' means a professional engineer who holds a certificate of registration issued under Chapter 15 of Title 43 or a professional architect who holds a certificate of registration issued under Chapter 4 of Title 43, who is not an employee of or otherwise affiliated with or financially interested in the person, firm, or corporation engaged in the construction project to be reviewed.

(B) The state fire marshal, the proper local fire marshal, state inspector, or designated code official shall advise the permit applicant at the time the complete submittal application for a permit in accordance with the code official's plan submittal process is received that the state fire marshal, the proper local fire marshal, state inspector, or designated code official intends to complete the required plan review within the time prescribed by this paragraph or that the applicant may immediately secure the services of a private professional provider to complete the required plan review pursuant to this subsection. The plan submittal process shall include those procedures and approvals required by the local jurisdiction before plan review can take place. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official states its intent to complete the required plan review within the time prescribed by this paragraph, the applicant shall not be authorized to use the services of a private professional provider as provided in this subsection. The permit applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official may agree by mutual consent to extend the time period prescribed by this paragraph for plan review if the characteristics of the project warrant such an extension. However, if the state fire marshal, the proper local fire marshal, state inspector, or designated code official

states its intent to complete the required plan review within the time prescribed by this paragraph, or any extension thereof mutually agreed to by the applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official and does not permit the applicant to use the services of a private professional provider and the state fire marshal, the proper local fire marshal, state inspector, or designated code official fails to complete such plan review in the time prescribed by this paragraph, or any extension thereof mutually agreed to by the applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall issue the applicant a project initiation permit to allow the applicant to begin work on the project, provided that portion of the initial phase of work is compliant with applicable codes, laws, and rules. If a full permit is not issued for the portion requested for permitting, then the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have an additional 20 business days to complete the review and issue the full permit. If the plans submitted for permitting are denied for any deficiency, the time frames and process for resubmittal shall be governed by divisions (2)(H)(iii) through (2)(H)(v) of this subsection.

(C) Any plan review or inspection conducted by a private professional provider shall be no less extensive than plan reviews or inspections conducted by state, county, or municipal personnel responsible for review of plans for compliance with the state's minimum fire safety standards and, where applicable, the state's minimum accessibility standards.

(D) The person, firm, or corporation retaining a private professional provider to conduct a plan review shall be required to pay to the state fire marshal, the proper local fire marshal, state inspector, or designated code official which requires the plan review the same regulatory fees and charges which would have been required had the plan review been conducted by the state fire marshal, the proper local fire marshal, state inspector, or designated code official.

(E) A private professional provider performing plan reviews under this subsection shall review construction plans to determine compliance with the state's minimum fire safety standards in effect which were adopted pursuant to this chapter and, where applicable, the state's minimum accessibility standards adopted pursuant to Chapter 3 of Title 30. Upon determining that the plans reviewed comply with the applicable codes and standards as adopted, such private professional provider shall prepare an affidavit or affidavits on a form prescribed by the ~~Safety Fire Commissioner~~ commissioner certifying under oath that the following is true and correct to the best of such private professional provider's knowledge and belief and in accordance with the applicable professional standard of care:

(i) The plans were reviewed by the affiant who is duly authorized to perform plan review pursuant to this subsection and who holds the appropriate license or certifications and insurance coverage and insurance coverage stipulated in this subsection; and

(ii) The plans comply with the state's minimum fire safety standards in effect which were adopted pursuant to this chapter and, where applicable, the state's minimum accessibility standards adopted pursuant to Chapter 3 of Title 30.

(F) All private professional providers providing plan review services pursuant to this subsection shall secure and maintain insurance coverage for professional liability (errors and omissions) insurance. The limits of such insurance shall be not less than \$1 million per claim and \$1 million in aggregate coverage. Such insurance may be a practice policy or project-specific coverage. If the insurance is a practice policy, it shall contain prior acts coverage for the private professional provider. If the insurance is project-specific, it shall continue in effect for two years following the issuance of the certificate of final completion for the project. The state fire marshal, the proper local fire marshal, state inspector, or designated code official may establish, for private professional providers working within their respective jurisdictions specified by this chapter, a system of registration listing the private professional providers within their areas of competency and verifying compliance with the insurance requirements of this subsection.

(G) The private professional provider shall be empowered to perform any plan review required by the state fire marshal, the proper local fire marshal, state inspector, or designated code official, regardless if the plan review is required by this subsection or by local county or municipal ordinance, provided that the plan review is within the scope of such private professional provider's area of expertise and competency. This subsection shall not apply to hospitals, assisted living facilities or communities, ambulatory health care centers, nursing homes, jails, penal institutions, airports, buildings or structures that impact national or state homeland security, or any building defined as a high-rise building in the State Minimum Standards Code, provided that interior tenant build-out projects within high-rise buildings are not exempt from this subsection, or plans related to Code Section 25-2-16 or 25-2-17 or Chapter 8, 9, or 10 of this title.

(H)(i) The permit applicant shall submit a copy of the private professional provider's plan review report to the state fire marshal, the proper local fire marshal, state inspector, or designated code official. Such plan review report shall include at a minimum all of the following:

(I) The affidavit of the private professional provider required pursuant to this subsection;

(II) The applicable fees required for permitting;

(III) Other documents deemed necessary due to unusual construction or design, smoke removal systems where applicable with engineering analysis, and additional documentation required where performance based code options are used; and

(IV) Any documents required by the state fire marshal, the proper local fire marshal, state inspector, or designated code official to determine that the permit applicant has secured all other governmental approvals required by law.

(ii) No more than 30 business days after receipt of a permit application and the

private professional provider's plan review report required pursuant to this subsection, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall issue the requested permit or provide written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes or standards, as well as the specific reference to the relevant requirements. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official does not provide a written notice of the plan deficiencies within the prescribed 30 day period, the permit application shall be deemed approved as a matter of law and the permit shall be issued by the state fire marshal, the proper local fire marshal, state inspector, or designated code official on the next business day.

(iii) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official provides a written notice of plan deficiencies to the permit applicant within the prescribed 30 day period, the 30 day period shall be tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to this chapter, the promulgated rules and regulations adopted thereunder, or, where appropriate for existing buildings, the local governing authority's appeals process or the permit applicant may submit revisions to correct the deficiencies.

(iv) If the permit applicant submits revisions, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have the remainder of the tolled 30 day period plus an additional five business days to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes or standards, with specific reference to the relevant requirements. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official does not provide the second written notice within the prescribed time period, the permit shall be issued by the state fire marshal, the proper local fire marshal, state inspector, or designated code official on the next business day.

(v) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to this chapter, the rules and regulations promulgated thereunder, or, where applicable for existing buildings, the local governing authority's appeals process or the permit applicant may submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have an additional five business days to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes or standards, with specific reference to the relevant requirements.

(I) The state fire marshal may provide for the prequalification of private professional providers who may perform plan reviews pursuant to this subsection by rule or regulation authorized in Code Section 25-2-4. In addition, any local fire marshal, state inspector, or designated code official may provide for the prequalification of private professional providers who may perform plan reviews pursuant to this subsection; however, no additional local ordinance implementing prequalification shall become effective until notice of the proper local fire marshal, state inspector, or designated code official's intent to require prequalification and the specific requirements for prequalification have been advertised in the newspaper in which the sheriff's advertisements for that locality are published. The ordinance implementing prequalification shall provide for evaluation of the qualifications of a private professional provider only on the basis of the private professional provider's expertise with respect to the objectives of this subsection, as demonstrated by the private professional provider's experience, education, and training. Such ordinance may require a private professional provider to hold additional certifications, provided that such certifications are required by ordinance or state law for plan review personnel currently directly employed by such local governing authority.

(J) Nothing in this subsection shall be construed to limit any public or private right of action designed to provide protection, rights, or remedies for consumers.

(K) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that the building construction or plans do not comply with the applicable codes or standards, the state fire marshal, the proper local fire marshal, state inspector, or designated code official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law or rule or regulation, after giving notice and opportunity to remedy the violation, if the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that noncompliance exists with state laws, adopted codes or standards, or local ordinances, provided that:

(i) The state fire marshal, the proper local fire marshal, state inspector, or designated code official shall be available to meet with the private professional provider within two business days to resolve any dispute after issuing a stop-work order or providing notice to the applicant denying a permit or request for a certificate of occupancy or certificate of completion; and

(ii) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official and the private professional provider are unable to resolve the dispute, the matter shall be referred to the local enforcement agency's board of appeals, except as provided in Code Section 25-2-12 and appeals for those proposed buildings classified under paragraph (1) of subsection (b) of Code Section 25-2-13 or any existing building under the specific jurisdiction of the state fire marshal's office shall be made to the state fire marshal and further appeal shall be under Code Section 25-2-10.

(L) The state fire marshal, the proper local fire marshal, state inspector, local

government, designated code official enforcement personnel, or agents of the governing authority shall be immune from liability to any person or party for any action or inaction by an owner of a building or by a private professional provider or its duly authorized representative in connection with building plan review services by private professional providers as provided in this subsection.

(M) Except as provided in this paragraph, no proper local fire marshal, state inspector, or designated code official shall adopt or enforce any rules, procedures, policies, or standards more stringent than those prescribed in this subsection related to private professional provider services.

(N) Nothing in this subsection shall limit the authority of the state fire marshal, the proper local fire marshal, state inspector, or designated code official to issue a stop-work order for a building project or any portion of such project, as provided by law or rule or regulation authorized pursuant to Code Section 25-2-4, after giving notice and opportunity to remedy the violation, if the official determines that a condition on the building site constitutes an immediate threat to public safety and welfare.

(O) When performing building code plan reviews related to determining compliance with the Georgia State Minimum Standard Codes most recently adopted by the Department of Community Affairs, the state's minimum fire safety standards adopted by the ~~safety~~ state fire marshal, or the state's minimum accessibility standards pursuant to Chapter 3 of Title 30, a private professional provider is subject to the disciplinary guidelines of the applicable professional licensing board with jurisdiction over such private professional provider's license or certification under Chapters 4 and 15 of Title 43, as applicable. Any complaint processing, investigation, and discipline that arise out of a private professional provider's performance of the adopted building, fire safety, or accessibility codes or standards plan review services shall be conducted by the applicable professional licensing board or as allowed by state rule or regulation. Notwithstanding any disciplinary rules of the applicable professional licensing board with jurisdiction over such private professional provider's license or certification under Chapters 4 and 15 of Title 43, the state fire marshal, the proper local fire marshal, state inspector, or designated code official enforcement personnel may decline to accept building plan reviews submitted by any private professional provider who has submitted multiple reports which required revisions due to negligence, noncompliance, or deficiencies.

(b) A complete set of approved plans and specifications shall be maintained on the construction site, and construction shall proceed in compliance with the minimum fire safety standards under which such plans and specifications were approved. The owner of any such building or structure or his or her authorized representative shall notify the state fire marshal, the proper local fire marshal, or state inspector upon completion of approximately 80 percent of the construction thereof and shall apply for a certificate of occupancy when construction of such building or structure is completed.

(c) Every building or structure which comes under classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the ~~office of the Commissioner~~ department pursuant to Code Section 25-2-12 shall have a

certificate of occupancy issued by the state fire marshal, the proper local fire marshal, or the state inspector before such building or structure may be occupied. Such certificates of occupancy shall be issued for each business establishment within the building, shall carry a charge in the amount provided in Code Section 25-2-4.1, shall state the occupant load for such business establishment or building, shall be posted in a prominent location within such business establishment or building, and shall run for the life of the building, except as provided in subsection (d) of this Code section.

(d) For purposes of this chapter, any existing building or structure listed in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the ~~office of the Commissioner~~ department pursuant to Code Section 25-2-12 shall be deemed to be a proposed building in the event such building or structure is subject to substantial renovation, a fire or other hazard of serious consequence, or a change in the classification of occupancy. For purposes of this subsection, the term 'substantial renovation' means any construction project involving exits or internal features of such building or structure costing more than the building's or structure's assessed value according to county tax records at the time of such renovation.

(e) In cases where the governing authority of a municipality which is enforcing the fire safety standards pursuant to subsection (a) of Code Section 25-2-12 contracts with the ~~office of the Commissioner~~ department for the enforcement of fire safety standards, the ~~office of the Commissioner~~ department shall not charge such municipality fees in excess of those charged in this Code section.

25-2-14.1.

(a) Every building and structure existing as of April 1, 1968, which building or structure is listed in paragraph (1) of subsection (b) of Code Section 25-2-13 shall comply with the minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter which were in effect at the time such building or structure was constructed, except that any nonconformance noted under the electrical standards adopted at the time such building or structure was constructed shall be corrected in accordance with the current electrical standards adopted pursuant to this chapter. A less restrictive provision contained in any subsequently adopted minimum fire safety standard may be applied to any existing building or structure.

(b) Every proposed building and structure listed in paragraph (1) of subsection (b) of Code Section 25-2-13 shall comply with the adopted minimum fire safety standards that were in effect on the date that plans and specifications therefor were received by the state fire marshal, the proper local fire marshal, or state inspector for review and approval.

25-2-14.2.

(a) As used in this Code section, the term 'written notification' means a typed, printed, or handwritten notice citing the specific sections of the applicable codes or standards that have been violated and describing specifically where and how the design or construction is noncompliant with such codes or standards.

(b) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that the building construction or plans for any building or structure, which are required under this chapter to meet the state minimum fire safety standards, do not comply with any such applicable codes or standards, the state fire marshal, the proper local fire marshal, state inspector, or designated code official may deny a permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law or rule or regulation, after giving written notification and opportunity to remedy the violation.

25-2-15.

In existing buildings which come under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13, when substandard conditions are found, a temporary occupancy permit may be issued, such permit carrying a time limit adjusted to meet the amount of time deemed necessary to make the proper corrections in order to bring the building up to standard. All certificates of occupancy shall be issued against the building and shall not require renewal because of change of ownership. The same set of fees for certificates of occupancy as are applicable to proposed buildings covered in Code Section 25-2-14 shall apply. The ~~Commissioner~~ commissioner and his or her delegated authorities shall determine the time limit for complying with any of the standards established pursuant to this chapter.

25-2-16.

(a) Some substances constitute a special hazard to property and to the life and safety of persons because of certain characteristics and properties incident to their storage, handling, and transportation. Substances presenting such a special hazard include gasoline, kerosene, and other flammable liquids; liquefied petroleum gases; welding and other gases; dry-cleaning fluids; anhydrous ammonia; and other gases, liquids, or solids of a highly flammable or hazardous nature.

(b) Every person who stores, transports, or handles any of the hazardous substances listed in subsection (a) of this Code section shall so store, transport, and handle the substances as to afford every precaution and protection as may be found by the ~~Commissioner~~ commissioner to be reasonable and practical to avoid injury to persons from exposure, fire, or explosion caused by the storage, transportation, or handling of these substances, including transportation thereof only in vehicles which are in proper condition for that purpose.

(c) The ~~Commissioner~~ commissioner is directed to investigate the nature and properties of such hazardous substances and the known precautionary and protective techniques for their storage, transportation, and handling, including, but not limited to, the codes and standards adopted, recommended, or issued by the National Fire Protection Association and the Agricultural Nitrogen Institute. Based upon the investigation, the ~~Commissioner~~ commissioner is authorized to determine and by rule to provide what precautionary and protective techniques are reasonable and practical measures for the

prevention of injury to persons and property from the storage, transportation, and handling of such highly flammable or hazardous substances. Such authorization shall include the power to provide, by rule, the minimum standards that a vehicle shall meet before it is considered to be in proper condition to transport the material. No person shall transport any such material or substance in bulk unless the vehicle in which it is transported is in the proper condition, as provided by such rules, to transport the material with reasonable safety.

(d)(1) As used in this subsection, the term:

(A) 'Automatic-closing device' means a gasoline or diesel fuel pump nozzle which contains a valve which automatically shuts off the flow of gasoline or diesel fuel through the nozzle when the level of gasoline in a motor vehicle fuel tank reaches a certain level.

(B) 'Hold-open latch' means a device which attaches to a gasoline or diesel fuel pump nozzle, which device mechanically holds the nozzle and valve in an open position.

(C) 'Self-service station' means any place of business which sells gasoline or diesel fuel at retail and which allows customers to dispense the fuel.

(2) No self-service station shall be prohibited from installing and no customer at such station shall be prohibited from using hold-open latches on gasoline or diesel fuel pumps available for operation by the customer. However, if hold-open latches are used on pumps operated by the customer, such pumps shall be equipped with a functioning automatic-closing device.

(e) Plans and specifications for all proposed bulk storage facilities which come under classification in subsection (a) of this Code section shall be submitted to and receive approval by the state fire marshal and the proper local fire marshal before construction is started. All such plans and specifications submitted as required by this subsection shall be accompanied by a \$100.00 fee for screening and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the ~~Commissioner~~ commissioner.

25-2-17.

(a) As used in this Code section, the term 'explosive' or 'explosives' means any chemical compound or mechanical mixture which is commonly used or intended for the purpose of producing an explosion, which compound or mixture contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb. Explosives constitute a special hazard to life and safety of persons because of the danger incident to their manufacture, transportation, use, sale, and storage.

(b) Every person who manufactures, transports, uses, sells, or stores explosives shall so manufacture, transport, use, sell, and store them as to afford every precaution and

protection against injury to persons as the ~~Commissioner~~ commissioner may determine and by rule declare to be reasonable and practical; provided, however, that nothing contained in this Code section shall be construed to extend to storage, use, or sale of small arms ammunition.

(c) The ~~Commissioner~~ commissioner is directed to investigate and examine the nature and properties of various explosives and known safety and protective techniques, including the safety standards, recommendations, and codes of the National Fire Protection Association (Explosives Ordinance, National Fire Code), and the American Insurance Association, the successor to the National Board of Fire Underwriters. Based upon the investigation, the ~~Commissioner~~ commissioner is authorized to determine and by rule to provide what reasonable and practical protection must be afforded persons with respect to the manufacture, transportation, use, sale, and storage of explosives.

(d) No person shall manufacture, transport, use, sell, or store explosives without having first obtained a license therefor issued by the ~~Commissioner~~ commissioner in accordance with reasonable rules established by him. The ~~Commissioner~~ commissioner is authorized to make reasonable rules providing for the issuance of such licenses on an annual basis to those applicants who have observed and may be expected to observe safety rules lawfully made under this Code section. Graded fees for such licenses shall be as provided in Code Section 25-2-4.1. The permits for the use only of explosives may be issued by judges of the probate courts or other local elected officials whom the ~~Commissioner~~ commissioner may designate. Fees for such permits to use explosives shall be \$2.00 for each permit issued, which fee shall be retained by the issuing local official.

(e) Every person licensed under this Code section who suffers a larceny or attempted larceny of primer cord, blasting agents, powders, and dynamite shall make a report thereof to local law enforcement agencies and to the state fire marshal, in accordance with rules made by the ~~Commissioner~~ commissioner. The ~~Commissioner~~ commissioner is authorized to make such rules.

25-2-18.

All federal, state, county, or city publicly owned buildings covered by this chapter are exempt from any fee or license which may be specified in this chapter. Such fees or licenses may be waived where chargeable to churches and charitable organizations.

25-2-19.

The ~~Commissioner~~ commissioner shall promulgate reasonable rules and regulations governing and regulating fire hazards in hotels, apartment houses, department stores, warehouses, storage places, and places of public assembly.

25-2-20.

All traveling motion picture shows, carnivals, and circuses shall obtain a fire prevention regulatory license from the state fire marshal based upon compliance with this chapter, as set forth in rules and regulations promulgated by the ~~Commissioner~~ commissioner.

The fee for the license shall be \$150.00 for each calendar year or part thereof, payable to the state fire marshal, who shall pay the same into the state treasury.

25-2-21.

Reserved.

25-2-22.

(a) The ~~Commissioner~~ commissioner and the various officials delegated by him or her to carry out this chapter shall have the authority at all times of the day and night to enter in or upon and to examine any building or premises where a fire is in progress or has occurred, as well as other buildings or premises adjacent to or near the same. The ~~Commissioner~~ commissioner and his or her delegated authorities shall have the right to enter in and upon all buildings and premises subject to this chapter, at any reasonable time, for the purpose of examination or inspection.

(b) Upon complaint submitted in writing, the ~~Commissioner~~ commissioner and the various officials to whom enforcement authority is delegated under this chapter may enter in or upon any building or premises between the hours of sunrise and sunset for the purpose of investigating the complaint. Upon the complaint of any person, the state fire marshal or his or her deputized officials may inspect or cause to be inspected all buildings and premises within their jurisdiction whenever ~~he or they~~ the state fire marshal or his or her deputized officials deem it necessary.

25-2-22.1.

(a) The ~~Commissioner~~ commissioner, his or her delegate, or any other person authorized under this title to conduct inspections of property, in addition to other procedures now or hereafter provided, may obtain an inspection warrant under the conditions specified in this Code section. Such warrant shall authorize the ~~Commissioner~~ commissioner or his or her delegate or such authorized person to conduct a search or inspection of property either with or without the consent of the person whose property is to be searched or inspected if such search or inspection is one that is elsewhere authorized under this title or the rules and regulations duly promulgated hereunder.

(b) Inspection warrants may be issued by any judge of the superior, state, municipal, or magistrate court upon proper oath or affirmation showing probable cause for the purpose of conducting inspections authorized by this title or rules promulgated under this title and for the seizure of property or the taking of samples appropriate to the inspection. For the purposes of issuance of inspection warrants, probable cause exists upon showing a valid public interest in the effective enforcement of this title or rules promulgated under this title sufficient to justify inspection of the area, premise, building, or conveyance in the circumstances specified in the application for the warrant.

(c) A warrant shall be issued only upon affidavit of the ~~Commissioner~~ commissioner or his or her designee or any person authorized to conduct inspections pursuant to this

title, sworn to before the judicial officer and establishing the grounds for issuing the warrant. The issuing judge may issue the warrant when he or she is satisfied that the following conditions are met:

- (1) The one seeking the warrant must establish under oath or affirmation that the property to be inspected is to be inspected as a part of a legally authorized program of inspection which includes that property or that there is probable cause for believing that there is a condition, object, activity, or circumstance which legally justifies such an inspection of that property; and
 - (2) The issuing judge determines that the issuance of the warrant is authorized by this Code section.
- (d) The warrant shall:
- (1) State the grounds for its issuance and the name of each person whose affidavit has been taken in support thereof;
 - (2) Be directed to persons authorized by this title to conduct inspections to execute it;
 - (3) Command the persons to whom it is directed to inspect the area, premise, building, or conveyance identified for the purpose specified and, if appropriate, direct the seizure of the property specified;
 - (4) Identify the item or types of property to be seized, if any; and
 - (5) Designate the judicial officer to whom it shall be returned.
- (e) A warrant issued pursuant to this Code section must be executed and returned within ten days of its date of issuance unless, upon a showing of a need for additional time, the court orders otherwise. If property is seized pursuant to a warrant, a copy shall be provided upon request to the person from whom or from whose premises the property is taken, together with a receipt for the property taken. The return of the warrant shall be made promptly, accompanied by a written inventory of any property taken. A copy of the inventory shall be delivered upon request to the person from whom or from whose premises the property was taken and to the applicant for the warrant.
- (f) The judicial officer who has issued a warrant shall attach thereto a copy of the return and all papers returnable in connection therewith and file them with the clerk of the superior court for the county in which the inspection was made.

25-2-23.

When ~~any of the officers listed~~ the commissioner or his or her delegated authorities as provided for in Code Section 25-2-22 finds any building or other structure which, for want of repair or by reason of age or dilapidated condition or any other cause is especially liable to fire hazard or which is so situated as to endanger other property or the safety of the public, or when, in or around any building, ~~such officer~~ the commissioner or his or her delegated authorities finds combustible or explosive matter, inflammables, or other conditions dangerous to the safety of the building, notice may be given to the owner or agent and occupant of the building to correct such unsafe conditions as may be found.

25-2-24.

If any owner, agent, or occupant fails to comply with the notice prescribed in Code Section 25-2-23 within the time specified in the notice, the state fire marshal or his or her delegated officials, with the approval of the ~~Commissioner~~ commissioner, may petition the court for a rule nisi to show cause why an order should not be issued by the court that the same be removed or remedied. Such court order shall forthwith be complied with by the owner or occupant of the premises or building within such time as may be fixed in the court order.

25-2-25.

If any person fails to comply with the order of the court made pursuant to Code Section 25-2-24 within the time fixed, the city or county in which the building or premises in question are located shall cause the building or premises to be forthwith repaired, torn down, or demolished, the hazardous materials removed, or the dangerous conditions remedied, as the case may be, at the expense of the city or county in which the property is situated. If the owner thereof, within 30 days after notice in writing of the amount of such expense, fails, neglects, or refuses to repay the city or county the expense thereby incurred, the local authorities shall issue a fi. fa. against the owner of the property for the expense actually incurred.

25-2-26.

Code Sections 25-2-22 through 25-2-25 shall be construed so that the final authority for ordering the carrying out and enforcement of such Code sections shall be by order of the court and not by the ~~Commissioner~~ commissioner or his or her delegated authority authorities.

25-2-27.

The state fire marshal or his or her deputy, when in his or her opinion such proceedings are necessary, shall take the testimony on oath of all persons believed to be cognizant of or to have information or knowledge in relation to suspected arson and shall cause the testimony to be reduced to writing. If he or she is of the opinion that there is evidence sufficient to charge any person with the crime of arson, he or she shall cause such person to be arrested in accordance with the law. He or she shall also furnish the district attorney of the circuit in which the fire occurred with all the information obtained by him or her in his or her investigation. The district attorney shall thereupon proceed according to law.

25-2-28.

(a) The state fire marshal or the deputy state fire marshal shall have the power to summon and compel the attendance of witnesses before either or both of them, in any county in which the witness resides, to testify in relation to any matter which is designated by Code Section 25-2-27 as a subject of inquiry and to issue subpoenas to compel the production of all books, records, documents, and papers pertaining to such

subject of inquiry. The state fire marshal and deputy state fire marshal may also administer oaths and affirmations to persons appearing as witnesses before them. Any person summoned shall have the right of counsel at the hearing if he or she desires.

(b) Should any person fail to comply with this Code section, the state fire marshal or his or her agent is authorized to procure an order from the superior court of the county in which the proposed witness resides, requiring compliance under the law.

25-2-29.

All hearings held by or under the direction of the ~~Commissioner~~ commissioner shall be conducted in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' and the ~~Commissioner~~ commissioner may also satisfy the procedure for conduct of hearings on contested cases and rule making required under said chapter by following and complying with Chapter 2 of Title 33.

25-2-30.

It shall be the duty of the state fire marshal to contact individuals, associations, and state agencies, both within and outside this state, which have a direct interest in the fundamentals of fire prevention and life safety, for the purpose of promoting the objectives of this chapter.

25-2-31.

(a) The state fire marshal may promote any plan or program which tends to disseminate information on fire prevention and similar projects and may aid any association or group of individuals which is primarily organized along such lines.

(b) It shall be the duty of the state fire marshal to carry on a state-wide program of fire prevention education in the schools of this state and to establish fire drills therein. All local school authorities are required to cooperate with the state fire marshal in carrying out programs designed to protect the lives of school children from fire and related hazards.

25-2-32.

(a) It shall be the duty of the state fire marshal to keep an up-to-date record of all fire losses, together with statistical data concerning the same. The various fire insurance companies doing business in this state shall submit to the ~~Commissioner~~ commissioner, quarterly, a report stating all the losses sustained by them, together with such pertinent data as may be required by the ~~Commissioner~~ commissioner.

(b) Effective January 1, 1993, all incidents of fires, whether accidental or incendiary, shall be reported to the ~~office of Safety Fire Commissioner~~ department. Every fire ~~department~~ agency provided for in Chapter 3 of this title shall submit incident data either via a uniform electronic reporting method or on a uniform reporting form prescribed by the ~~Commissioner~~ commissioner and at intervals established by the ~~Commissioner~~ commissioner.

25-2-32.1.

Every case of a burn injury or wound where the victim sustained second-degree or third-degree burns to 5 percent or more of the body or any burns to the upper respiratory tract or laryngeal edema due to the inhalation of superheated air, and every case of a burn injury or wound which is likely to or may result in death, shall be reported at once to the ~~Safety Fire Division of the office of the Commissioner of Insurance~~ Department of Fire Safety. The ~~Safety Fire Division~~ commissioner shall accept the report and notify the proper investigatory agency as may be appropriate. A written report shall be provided to the ~~Safety Fire Division~~ commissioner within 72 hours. The report shall be made by the physician attending or treating the case or by the manager, superintendent, or other person in charge whenever such case is treated in a hospital sanitarium, institution, or other medical facility.

25-2-32.2.

Every county or municipal governing authority or any two or more governing authorities or the ~~Safety Fire Division~~ department are authorized and empowered to take such action as may be required to formulate task forces, teams, or fire or police investigative units to investigate any case of a burn injury or wound sustained as reported pursuant to Code Section 25-2-32.1, to ascertain the cause of fires or explosions of suspicious origin within the county or municipalities, to pursue necessary investigation thereof, and to assist in the preparation and prosecution of cases stemming from any alleged criminal activity attendant to such fires or explosions.

25-2-33.

(a) The state fire marshal, any deputy designated by the state fire marshal, the director of the Georgia Bureau of Investigation or the chief of a fire department of any municipal corporation or county where a fire department is established may request any insurance company investigating a fire loss of real or personal property to release any information in its possession relative to that loss. The company shall release the information to and cooperate with any official authorized to request such information pursuant to this Code section. The information to be released shall include, but is not limited to:

- (1) Any insurance policy relevant to the fire loss under investigation and any application for such a policy;
- (2) Policy premium payment records on the policy, to the extent available;
- (3) Any history of previous claims made by the insured for fire loss with the reporting carrier; and
- (4) Material relating to the investigation of the loss, including statements of any person, proof of loss, and any other relevant evidence.

(b) If an insurance company has reason to suspect that a fire loss to its insured's real or personal property was caused by incendiary means, the company shall notify the state fire marshal and furnish him or her with all relevant material acquired by the company during its investigation of the fire loss. The insurer shall also cooperate with and take

such action as may be requested of it by the ~~state fire marshal's office~~ department or by any law enforcement agency of competent jurisdiction. The company shall also permit any person to inspect its records pertaining to the policy and to the loss if the person is authorized to do so by law or by an appropriate order of a superior court of competent jurisdiction.

(c) In the absence of fraud or malice, no insurance company or person who furnishes information on its behalf shall be liable for damages in a civil action or subject to criminal prosecution for any oral or written statement made or any other action taken which is necessary to supply information required pursuant to this Code section.

(d) The officials and departmental and agency personnel receiving any information furnished pursuant to this Code section shall hold the information in confidence until such time as its release is required pursuant to a criminal or civil proceeding, provided that nothing contained in this Code section shall be deemed to prohibit representatives of the state fire marshal's office or other authorized law enforcement officials from discussing such matters with other agency or departmental personnel or with other law enforcement officials or from releasing or disclosing any such information during the conduct of their investigation, if the release or disclosure is necessary to enable them to conduct their investigation in an orderly and efficient manner; provided, further, that nothing contained in this Code section shall prohibit an insurance company which furnishes information to an authorized agency or agencies pursuant to this Code section from having the right to request relevant information and receive, within a reasonable time not to exceed 30 days, the information requested.

(e) Any official referred to in subsection (a) of this Code section may be required to testify as to any information in his or her possession regarding the fire loss of real or personal property in any civil action against an insurance company for the fire loss in which any person seeks recovery under a policy.

(f)(1) No person shall purposely refuse to release any information requested pursuant to subsection (a) of this Code section.

(2) No person shall purposely refuse to notify the state fire marshal of a fire loss required to be reported pursuant to subsection (b) of this Code section.

(3) No person shall purposely refuse to supply the state fire marshal with pertinent information required to be furnished pursuant to subsection (b) of this Code section.

(4) No person shall purposely fail to hold in confidence information required to be held in confidence by subsection (d) of this Code section.

(g) Any person willfully violating this Code section shall be guilty of a misdemeanor.

25-2-33.1.

(a) The fire ~~department~~ agency provided for in Chapter 3 of this title of each county and municipality and any such other organized fire ~~department~~ agency operating within this state shall report every incident or suspected incident of arson to the local law enforcement agency, the state fire marshal, and every insurance company with a known pecuniary interest in the cause of the fire in which arson is involved or suspected to be involved. In any local jurisdiction where an organized fire ~~department~~ agency provided

for in Chapter 3 of this title is not operating, the local law enforcement agency investigating a fire shall make the reports required by this Code section. Such reports shall be made on forms provided for that purpose by the state fire marshal.

(b) Any insurance company which has received a report of an incident or suspected incident of arson under subsection (a) of this Code section shall not pay any claim relating thereto prior to notifying in writing the state fire marshal and local fire department of the date the claim is to be paid.

25-2-34.

The Department of Public Safety, the Georgia State Patrol, and the Georgia Bureau of Investigation shall cooperate with the ~~Commissioner~~ commissioner and his or her deputies and inspectors whenever called upon by him or her or them in enforcing this chapter. They shall make available to the ~~Commissioner~~ commissioner or his or her deputies and inspectors such facilities as lie detectors, broadcasting facilities, and other aid and devices as requested.

25-2-35.

The ~~Commissioner~~ commissioner is authorized to pay sheriffs and other peace officers reasonable fees for assistance given in assembling evidence as to the causes or criminal origin of fires and in apprehending persons guilty of arson.

25-2-36.

In addition to the civil monetary penalty provided for in Code Section 25-2-37, the ~~Commissioner~~ commissioner may bring a civil action to enjoin a violation of any provision of this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter. In particular, but not by way of limitation upon the authority granted in this Code section, the ~~Commissioner~~ commissioner may bring an action to enjoin any construction found to be in contravention of Code Section 25-2-13 or 25-2-14 or to obtain an order of court directing the immediate evacuation and the secure closure of any structure which, by reason of violation of any provision of this chapter or of any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter, is found to pose an immediate threat to the property, health, or lives of the occupants of the structure. In order to avail himself or herself of the remedies provided for in this Code section, it shall not be necessary for the ~~Commissioner~~ commissioner to allege or to prove the absence of an adequate remedy at law.

25-2-37.

(a) It shall be unlawful for any person to lock an exit door whether or not it is a required exit unless such provisions are allowed by this chapter or by any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter.

(b) It shall be unlawful for any person to begin construction on any proposed building or structure which comes under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the ~~office of the~~

~~Commissioner of Insurance~~ department pursuant to Code Section 25-2-12 without first having plans approved in accordance with Code Section 25-2-14.

(c) Any person who violates this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter shall be subject to a civil penalty imposed by the ~~Commissioner~~ commissioner in accordance with the rules and regulations promulgated by the ~~Commissioner~~ commissioner.

(d) Any person who violates this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter shall be subject to a civil penalty not to exceed \$1,000.00 for each day that the violation persists after such person is notified of the ~~Commissioner's~~ commissioner's intent to impose such penalty and of the right to a hearing with respect to same.

(e) Any person violating subsection (a), (b), or (c) of this Code section shall be subject to a fine of not more than \$1,000.00 for a first offense, not less than \$1,000.00 and not more than \$2,000.00 for a second offense, and not less than \$2,000.00 and not more than \$5,000.00 for a third or subsequent offense.

25-2-38.

Any person, firm, or corporation violating this chapter or failing or refusing to comply with any regulation promulgated under this chapter shall be guilty of a misdemeanor.

25-2-38.1.

(a) Nothing in this chapter shall be construed to constitute a waiver of the sovereign immunity of the state, or any officer or employee thereof, in carrying out the provisions of this chapter. No action shall be maintained against the state, or any municipality, or county, or any officer, elected officer, or employees thereof, for damages sustained as a result of any fire or related hazard covered in this chapter by reason of any inspection or other action taken or not taken pursuant to this chapter.

(b) Nothing in this chapter shall be construed to relieve any property owner or lessee thereof from any legal duty, obligation, or liability incident to the ownership, maintenance, or use of such property.

25-2-39.

It is declared that this chapter is necessary for the public safety, health, peace, and welfare, is remedial in nature, and shall be construed liberally.

25-2-40.

(a)(1) Except as otherwise provided in subsection (f) of this Code section, on and after July 1, 1987, every new dwelling and every new dwelling unit within an apartment, house, condominium, and townhouse and every motel, hotel, and dormitory shall be provided with an approved listed smoke ~~detector~~ alarm installed in accordance with the manufacturer's recommendations and listing.

(2) On and after July 1, 1994, every dwelling and every dwelling unit within an apartment, house, condominium, and townhouse and every motel, hotel, and

dormitory which was constructed prior to July 1, 1987, shall have installed an approved battery operated smoke ~~detector~~ alarm which shall be maintained in good working order unless any such building is otherwise required to have a smoke detector system pursuant to Code Section 25-2-13.

(3) On and after July 1, 2001, every patient sleeping room of every nursing home shall be provided with no less than an approved listed battery operated single station smoke ~~detector~~ alarm installed in accordance with their listing. Such ~~detectors~~ alarms shall be maintained in good working order by the operator of such nursing home. This paragraph shall not apply to nursing homes equipped with automatic sprinkler systems.

(b) In dwellings, dwelling units, and other facilities listed in subsection (a) of this Code section, a smoke ~~detector~~ alarm shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each group of rooms used for sleeping purposes. Where the dwelling or dwelling unit contains more than one story, ~~detectors~~ alarms are required on each story including cellars and basements, but not including uninhabitable attics; provided, however, that hotels and motels which are protected throughout by an approved supervised automatic sprinkler system installed in accordance with the rules and regulations of the ~~Commissioner~~ commissioner shall be exempt from the requirement to install smoke ~~detectors~~ alarms in interior corridors but shall be subject to all other applicable requirements imposed under Code Section 25-2-13.

(c) In dwellings, dwelling units, and other facilities listed in paragraph (1) of subsection (a) of this Code section with split levels, a smoke ~~detector~~ alarm need be installed only on the upper level, provided that the lower level is less than one full story below the upper level, except that if there is a door between levels then a ~~detector~~ an alarm is required on each level. Such ~~detectors~~ alarms shall be connected to a sounding device or other detector to provide an alarm which will be audible in the sleeping areas.

(d) ~~Detectors~~ Alarms shall be listed and meet the installation requirements of NFPA 72. In addition, a one and one-half hour emergency power supply source is required on all ~~detection~~ alarm systems required by this chapter and permitted after April 1, 1992, except where battery operated smoke ~~detectors~~ alarms are allowed.

(e) Any complete automatic fire alarm system using automatic smoke detectors shall be installed in accordance with NFPA 72.

(f)(1) The provisions of this Code section may be enforced by local building and fire code officials in the case of residential buildings which are not covered by Code Section 25-2-13; provided, however, that this Code section shall not establish a special duty on said officials to inspect such residential facilities for compliance with this Code section; and provided, further, that inspections shall not be conducted for the purpose of determining compliance with this Code section absent reasonable cause to suspect other building or fire code violations. The jurisdiction enforcing this Code section shall retain any fines collected pursuant to this subsection.

(2) Any occupant who fails to maintain a smoke ~~detector~~ alarm in a dwelling, dwelling unit, or other facility, other than a nursing home, listed in subsection (a) of

this Code section in good working order as required in this Code section shall be subject to a maximum fine of \$25.00, provided that a warning shall be issued for a first violation.

(3) Any operator of a nursing home who fails to install and maintain the smoke ~~detectors~~ alarms required under paragraph (3) of subsection (a) of this Code section shall be sanctioned in accordance with Code Section 31-2-8.

(g) Failure to maintain a smoke ~~detector~~ alarm in good working order in a dwelling, dwelling unit, or other facility listed in subsection (a) of this Code section in violation of this Code section shall not be considered evidence of negligence, shall not be considered by the court on any question of liability of any person, corporation, or insurer, shall not be any basis for cancellation of coverage or increase in insurance rates, and shall not diminish any recovery for damages arising out of the ownership, maintenance, or occupancy of such dwelling, dwelling unit, or other facility listed in subsection (a) of this Code section.

(h) The ~~Safety Fire Commissioner~~ commissioner is authorized and encouraged to inform the public through public service announcements of the availability of a limited number of battery operated smoke ~~detectors~~ alarms which may be obtained by persons in need without charge from the office of ~~Safety Fire Commissioner~~ the commissioner or local fire departments.

25-2-41.

The board, department, and commissioner shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Division of the office of the Commissioner of Insurance applicable to the duties of the commissioner and the Department of Fire Safety which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

25-2-42.

All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Commissioner of Insurance, the state fire marshal, or any division, department, or agency with respect to any function transferred to the commissioner and the department as provided in this chapter shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

25-2-43.

Effective July 1, 2019, the department shall carry out all of the functions and obligations and exercise all of the powers provided in this chapter which were formerly held by the Safety Fire Division of the office of the Commissioner of Insurance. All persons employed by and positions authorized for the Department of Insurance relating to functions provided for in this chapter previously performed by the Safety Fire Division shall, on July 1, 2019, be transferred to the department specifically those

persons employed in the hazardous materials program, the manufactured housing program, and the arson investigation program who are funded through the fire administration program budget of the Safety Fire Division of the office of the Commissioner of Insurance. All office equipment, furniture, and other assets and real property in possession of the Department of Insurance which are used or held exclusively or principally by personnel transferred under this chapter shall be transferred to the department on July 1, 2019."

SECTION 3-2.

Said title is further amended by revising Article 2 of Chapter 3, relating to minimum requirements for local fire departments generally, as follows:

"ARTICLE 2

25-3-20.

It is the intention of the General Assembly of Georgia to establish minimum requirements for all fire departments operating in this state. The General Assembly recognizes that fire departments operating in this state cannot function effectively and efficiently as full-time fire departments without meeting or exceeding the minimum requirements established by this article.

25-3-21.

As used in this article, the term:

(1) ~~'Executive director' means the executive director of the Georgia Firefighter Standards and Training Council~~ 'Commissioner' means the commissioner of fire safety.

(2)(A) 'Fire department' means any fire department which is authorized to exercise the general and emergency powers enumerated in Code Sections 25-3-1 and 25-3-2.

(B) 'Fire department' also means any department, agency, organization, or company operating in this state with the intent and purpose of carrying out the duties, functions, powers, and responsibilities normally associated with a fire department. These duties, functions, powers, and responsibilities include but are not limited to the protection of life and property against fire, explosions, or other hazards.

(3) ~~'Firefighter' means any able bodied person at least 18 years of age who has been duly appointed by a legally constituted fire department and who has the responsibility of preventing and suppressing fires, protecting life and property, and performing other duties enumerated in Code Sections 25-3-1 and 25-3-2~~ shall have the same meaning as provided for in Code Section 25-4-2.

25-3-22.

In order for a fire department to be legally organized to operate in the State of Georgia, the chief administrative officer of the fire department shall notify and submit all required documentation to the ~~executive director~~ commissioner that demonstrates that

the organization meets the minimum requirements specified in Code Section 25-3-23 and the rules and regulations of the ~~Georgia Firefighter Standards and Training Council~~ Department of Fire Safety to function as a fire department. If the ~~executive director~~ commissioner is satisfied that the fire department meets the minimum requirements contained in Code Section 25-3-23 and the rules and regulations of the ~~Georgia Firefighter Standards and Training Council~~, he or she shall recommend to the ~~Georgia Firefighter Standards and Training Council~~ that a Department of Fire Safety, then a certificate of compliance shall be issued by the ~~council~~ Department of Fire Safety to the fire department. If the ~~council~~ Department of Fire Safety issues such certificate of compliance, the fire department shall be authorized to exercise the general and emergency powers set forth in Code Sections 25-3-1 and 25-3-2.

25-3-23.

(a) Except as otherwise provided in subsection (c) of this Code section, in order to be legally organized:

(1) A fire department shall comply with the following requirements:

(A) Be established to provide fire and other emergency and nonemergency services in accordance with standards specified solely by the ~~Georgia Firefighter Standards and Training Council~~ Department of Fire Safety and the applicable local government;

(B) Be capable of providing fire protection 24 hours a day, 365 days per year;

(C) Be responsible for a defined area of operations depicted on a map located at the fire station, which area of operations shall have been approved and designated by the governing authority of the applicable county, municipality, or other political subdivision in the case of any county, municipal, or volunteer fire department; and

(D) Be staffed with a sufficient number of full-time, part-time, or volunteer firefighters who have successfully completed basic firefighter training as specified by the ~~Georgia Firefighter Standards and Training Council~~ Department of Fire Safety; and

(2) A fire department shall possess the following items of ~~approved~~ equipment and protective clothing:

(A) A minimum of one fully equipped, operable pumper with a capacity of at least 750 GPM at 150 PSI and a tank capacity of a minimum of 250 gallons; provided, however, that previously approved fire apparatus which does not meet such minimum standards may be used in lieu of the minimum required pumper until replaced by the local authority;

(B) A minimum of equipment, appliances, adapters, and accessories necessary to perform and carry out the duties and responsibilities of a fire department set forth in Code Sections 25-3-1 and 25-3-2 as ~~approved~~ required by the ~~Georgia Firefighter Standards and Training Council~~ Department of Fire Safety;

(C) A minimum of two approved self-contained breathing apparatus for each pumping apparatus as ~~approved~~ required by the ~~Georgia Firefighter Standards and Training Council~~ Department of Fire Safety; and

(D) A minimum issue of sufficient personal protective clothing to permit each member to perform safely the duties of a firefighter.

(b)(1) A legally organized fire department shall provide and maintain sufficient insurance coverage on each member of the fire department to pay claims for injuries sustained en route to, during, and returning from fire calls or other emergencies and disasters and scheduled training sessions.

(2)(A) As used in this paragraph, the term:

(i) 'Cancer' means bladder, blood, brain, breast, cervical, esophageal, intestinal, kidney, lymphatic, lung, prostate, rectum, respiratory tract, skin, testicular, and thyroid cancer; leukemia; multiple myeloma; or non-Hodgkin's lymphoma.

(ii) 'Firefighter' means a firefighter as defined in Code Section 25-4-2.

(iii) 'Volunteer' means a volunteer as defined in Code Section 25-4-2.

(B) On and after January 1, 2018, a legally organized fire department shall provide and maintain sufficient insurance coverage on each member of the fire department who is a firefighter to pay claims for cancer diagnosed after having served 12 consecutive months as a firefighter with such fire department. Such insurance benefits shall include at minimum the following:

(i)(I) A lump sum benefit of \$25,000.00 subject to limitations specified in the insurance contract and based on severity of cancer and payable to such firefighter upon submission to the insurance carrier or other payor of acceptable proof of diagnosis by a physician board certified in the medical specialty appropriate for the type of cancer involved that there are one or more malignant tumors characterized by the uncontrollable and abnormal growth and spread of malignant cells with invasion of normal tissue and that:

(a) Surgery, radiotherapy, or chemotherapy is medically necessary;

(b) There is metastasis; or

(c) The firefighter has terminal cancer, is expected to die within 24 months or less from the date of diagnosis, and will not benefit from, or has exhausted, curative therapy; or

(II) A lump sum benefit of \$6,250.00 subject to limitations specified in the insurance contract and based on severity of cancer and payable to such firefighter upon submission to the insurance carrier or other payor of acceptable proof of diagnosis by a physician board certified in the medical specialty appropriate for the type of cancer involved that:

(a) There is carcinoma in situ such that surgery, radiotherapy, or chemotherapy has been determined to be medically necessary;

(b) There are malignant tumors which are treated by endoscopic procedures alone;

(c) There are malignant melanomas; or

(d) There is a tumor of the prostate, provided that it is treated with radical prostatectomy or external beam therapy; and

(ii) Payable as a result of a specific injury or illness to begin six months after disability and submission to the insurance carrier or other payor of acceptable

proof of disability precluding service as a firefighter and continuing for up to 36 consecutive monthly payments:

(I) A monthly benefit equal to 60 percent of the member's monthly salary as an employed firefighter with the fire department or a monthly benefit of \$5,000.00, whichever is less; or

(II) If the member is a volunteer, a monthly benefit of \$1,500.00.

The benefit under subdivision (I) or (II) of this division, as applicable, shall be subordinate to any other benefit actually paid to the firefighter for such disability from any other source, not including insurance purchased solely by the firefighter, and shall be limited to the difference between the amount of such other paid benefit and the amount specified under subdivision (I) or (II) of this division, as applicable.

(C) The combined total of all benefits received by any firefighter under subdivisions (B)(i)(I) and (B)(i)(II) of this paragraph during his or her lifetime shall not exceed \$50,000.00.

(D) With the exception of the benefit under subdivision (B)(ii)(I) of this paragraph, any person who was simultaneously a member of more than one fire department at the time of diagnosis shall not be entitled to receive benefits under this paragraph from or on behalf of more than one of such fire departments. In the event a volunteer of one fire department is simultaneously employed by another fire department, the fire department for which such person is a volunteer shall not be required to maintain the coverage on such volunteer otherwise required under this subsection during the period of such employment. Any member who receives benefits under division (ii) of subparagraph (B) of this paragraph may be required to have his or her condition reevaluated; in the event any such reevaluation reveals that such person has regained the ability to perform duties as a firefighter, then his or her benefits under division (ii) of subparagraph (B) of this paragraph shall cease. Benefits under said division shall also cease upon the death of such person. A member who, after at least one year as a firefighter, departs from employment, ceases to be an active volunteer, or retires shall be entitled to continue his or her coverages under this paragraph through a continuation or conversion to individual coverage. The departing member shall be responsible for payment of all premiums.

(E) In addition to any other purpose authorized under Chapter 8 of Title 33, county governing authorities and municipal governing authorities may use proceeds from county and municipal taxes imposed under said chapter for purposes of providing insurance pursuant to this paragraph.

(F) Funds received as premiums for the coverages specified in this paragraph shall not be subject to premium taxes under Chapter 8 of Title 33.

(G) The computation of premium amounts by an insurer for the coverages under this paragraph shall be subject to generally accepted adjustments from insurance underwriting.

(c) ~~The Georgia Firefighter Standards and Training Council~~ Department of Fire Safety shall be authorized to adopt such rules and regulations as are reasonable and necessary

to implement the provisions of this Code section and to establish and modify minimum requirements for all fire departments operating in this state, provided that such requirements are equal to or exceed the requirements provided in subsections (a) and (b) of this Code section.

25-3-24.

~~The executive director may consult with and consider the recommendations of the director of the State Forestry Commission, the director of the Georgia Fire Academy, the state fire marshal, and the governing authority of any county or municipality in which the fire department is located to determine if individual fire departments are complying with the minimum provisions of this article and serving the best interests of the citizens of the area of its operations~~ Reserved.

25-3-25.

(a) The certificate of compliance issued by the ~~council~~ Department of Fire Safety shall be subject to suspension or revocation by the ~~council~~ commissioner at any time if ~~he or she~~ receives satisfactory evidence that the fire department is not maintaining sufficient personnel, equipment, or insurance required by Code Section 25-3-23 or the rules and regulations of the ~~Georgia Firefighter Standards and Training Council~~ Department of Fire Safety.

(b) The chief administrative officer of any fire department aggrieved by a decision of the ~~council~~ commissioner under subsection (a) of this Code section may, within 30 days of the date of such decision, request a hearing on the matter before the ~~council~~ commissioner or his or her designee. Following a hearing before the ~~council~~ commissioner or his or her designee, the chief administrative officer of the fire department affected shall be served with a written decision of the ~~council~~ commissioner announcing whether the certificate of compliance shall remain revoked or suspended or whether it shall be reinstated. The decision of the commissioner may, within 30 days, be appealed to the superior court of the county in which the fire department is located. The review by the superior court shall be limited to the existing record, including previously admitted documents, testimony, and other evidence. During the appeal process set forth in this Code section, the commissioner's decision to suspend or revoke a certification shall be stayed.

(c) The ~~council~~ commissioner shall not suspend or revoke any certificate of compliance for failure to meet firefighter training requirements when such failure was due to unavailability of required training from or through the ~~Georgia Fire Academy~~ Department of Fire Safety.

(d) The ~~council~~ commissioner may refer suspensions or revocations to the Attorney General for enforcement. Upon referral from the ~~council~~ commissioner, the Attorney General may bring a civil action to enjoin any organization which is not in compliance with the applicable requirements of this chapter from performing any or all firefighting functions until such requirements are met by such organization.

25-3-26.

~~The executive director shall cooperate with newly formed and existing fire departments to ensure that all fire departments in this state are in compliance with the provisions of this article by July 1, 1986.~~

(a) The Board of Fire Safety, the Department of Fire Safety, and the commissioner shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Georgia Firefighter Standards and Training Council under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, licenses, permits, certificates, and similar authorizations previously issued by the Georgia Firefighter Standards and Training Council with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Georgia Firefighter Standards and Training Council under this chapter.

25-3-27.

~~This article shall not be construed to amend, modify, or repeal any of the provisions of Chapter 4 of this title, known as the 'Georgia Firefighter Standards and Training Act,' nor shall this article be construed to restrict the requirements of any other provisions relating to fire departments, equipment, or personnel."~~

SECTION 3-3.

Said title is further amended by revising Article 1 of Chapter 4, relating to general provisions relative to firefighter standards and training, as follows:

"ARTICLE 1

25-4-1.

This chapter shall be known and may be cited as the ~~'Georgia Firefighter Standards and Training Act.'~~ 'Georgia Fire Safety Professional Development Act.'

25-4-2.

As used in this chapter, the term:

- (1) 'Airport' means any airport located in this state which has regularly scheduled commercial air carrier service or commuter airline service as required for certification under Section 139.49 of the Federal Aviation Administration regulations.
- (2) 'Airport firefighter' means any person assigned to any airport located in this state who performs the duties of aircraft fire fighting or rescue.
- (3) 'Candidate' means a prospective firefighter who has not yet been certified by the

~~council~~ Department of Fire Safety as having met the requirements of this chapter.

(4) 'Certified firefighter' or 'state certified firefighter' means any firefighter who has been certified by the ~~council~~ Department of Fire Safety as having met the requirements of this chapter.

(5) 'Commissioner' '~~Council~~' means the ~~Georgia Firefighter Standards and Training Council~~ commissioner of fire safety.

(6) 'Division' means the Professional Development Division of the Department of Fire Safety.

~~(5.1)~~(7) 'Fire department' shall have the same meaning as provided in Code Section 25-3-21.

~~(6)~~(8) 'Firefighter' means a recruit or a trained individual who is a full-time employee, part-time employee, or volunteer for a municipal, county, state, or private incorporated fire department and as such has duties of responding to mitigate a variety of emergency and nonemergency situations where life, property, or the environment is at risk, which may include, without limitation, fire suppression; fire prevention activities; emergency medical services; hazardous materials response and preparedness; technical rescue operations; search and rescue; disaster management and preparedness; community service activities; response to civil disturbances and terrorism incidents; nonemergency functions, including training, preplanning, communications, maintenance, and physical conditioning; and other related emergency and nonemergency duties as may be assigned or required; provided, however, that a firefighter's assignments may vary based on geographic, climatic, and demographic conditions or other factors, including training, experience, and ability.

~~(7)~~(9) 'Full-time' means employed for compensation on a basis of at least 40 32.5 hours per week by any municipal, county, state, or private incorporated fire department.

~~(8)~~(10) 'Part-time' means employed for compensation on less than a full-time basis by any municipal, county, state, or private incorporated fire department.

~~(8.1)~~(11) 'Recruit' means a prospective firefighter who has not yet been certified or registered by the ~~council~~ Department of Fire Safety as having met the requirements of Code Section 25-4-8 and the rules and regulations to be a firefighter as provided for by the ~~council~~ Department of Fire Safety.

~~(9)~~(12) 'Volunteer' means not employed for compensation by but appointed and regularly enrolled to serve as a firefighter for any municipal, county, state, or private incorporated fire department.

25-4-3.

(a) The Board of Fire Safety, the Department of Fire Safety, and the commissioner shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Georgia Firefighter Standards and Training Council under this article which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, licenses, permits, certificates, and similar authorizations previously issued by the Georgia Firefighter Standards and Training Council with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Georgia Firefighter Standards and Training Council. All persons employed by and positions authorized for the Georgia Firefighter Standards and Training Council shall, on July 1, 2019, be transferred to the Department of Fire Safety. All office equipment, furniture, and other assets and real property in possession of the Georgia Firefighter Standards and Training Council which are used or held exclusively or principally by personnel transferred under this chapter shall be transferred to the Department of Fire Safety on July 1, 2019.

~~(a) The Georgia Firefighter Standards and Training Council is established. The council shall be composed of 11 members, one of whom shall be the Safety Fire Commissioner or the designated representative of the Safety Fire Commissioner. Two members shall be appointed by the Lieutenant Governor. Two members shall be appointed by the Speaker of the House of Representatives. The remaining six members shall be appointed by the Governor subject to the following requirements:~~

- ~~(1) One member shall be a member of the governing authority of a county;~~
- ~~(2) One member shall be a member of the governing authority of a municipality;~~
- ~~(3) One member shall be a city or county manager;~~
- ~~(4) One member shall be the chief of a county or municipal fire department; and~~
- ~~(5) Two members shall be state certified firefighter training officers.~~

~~(b) The members of the council appointed by the Governor pursuant to subsection (a) of this Code section shall be appointed at the sole discretion of the Governor. However, the Governor may consider for appointment to the council persons suggested for membership thereon as follows:~~

- ~~(1) The Association County Commissioners of Georgia may suggest the names of three persons for each appointment pursuant to paragraph (1) of subsection (a) of this Code section;~~
- ~~(2) The Georgia Municipal Association may suggest the names of three persons for each appointment pursuant to paragraph (2) of subsection (a) of this Code section;~~
- ~~(3) The Georgia City and County Management Association may suggest the names of three persons for each appointment pursuant to paragraph (3) of subsection (a) of this Code section;~~
- ~~(4) The Georgia Association of Fire Chiefs may suggest the names of three persons for each appointment pursuant to paragraph (4) of subsection (a) of this Code section; and~~
- ~~(5) The Executive Board of the Georgia State Firemen's Association may suggest the names of three persons for each appointment pursuant to paragraph (5) of subsection (a) of this Code section.~~

~~(c)(1) The first members of the council appointed by the Governor pursuant to subsection (a) of this Code section shall be appointed to take office on January 1, 1986. The two members appointed pursuant to paragraphs (1) and (2) of subsection (a) of this Code section shall be appointed for initial terms of one year, the two members appointed pursuant to paragraphs (3) and (4) of subsection (a) of this Code section shall be appointed for initial terms of two years, and the two members appointed pursuant to paragraph (5) of subsection (a) of this Code section shall be appointed for initial terms of three years. Thereafter, successors shall be appointed for terms of three years as the respective terms of office expire.~~

~~(2) The members appointed by the Lieutenant Governor and the members appointed by the Speaker of the House of Representatives shall each serve for terms concurrent with terms of members of the General Assembly.~~

~~(3) All members shall serve until their successors are appointed and qualified. In the event of a vacancy in the membership of the council for any reason, including ceasing to hold an office or position required for membership on the council, the Governor shall fill such vacancy for the unexpired term; except that a vacancy in either of those members of the council appointed by the Lieutenant Governor or the Speaker of the House of Representatives shall be filled for the remainder of the unexpired term in the same manner as the original appointment. In order for the Governor to consider the names of persons suggested for membership on the council pursuant to subsection (b) of this Code section, such names must be submitted to the Governor by the respective organizations at least 60 days but not more than 90 days prior to the expiration of the respective terms of office or prior to the appointment of the initial members of the council who take office on January 1, 1986. The Governor shall be authorized, but not required, to request the appropriate organization designated in subsection (b) of this Code section to suggest the names of three persons for the Governor's consideration in making an appointment to fill a vacancy.~~

~~(d) At the first regular meeting of the council held in each even-numbered year, the council shall elect a chairperson and such other officers from its own membership as it deems necessary to serve until successors are elected by the council as provided in this subsection.~~

~~(e) The council may, from time to time, designate an advisory committee of not more than three members to assist and advise the council in carrying out its duties under this chapter. The members of any such advisory committee shall serve at the pleasure of the council.~~

~~(f) Each member of the council and each member of an advisory committee of the council, in carrying out their official duties, shall be entitled to receive the same expense and mileage allowance authorized for members of professional licensing boards by subsection (f) of Code Section 43-1-2. The funds for such expenses and allowances shall be paid from funds appropriated or available to the Department of Public Safety.~~

25-4-4.

~~Membership on the council does not constitute public office, and no member shall be disqualified from holding public office by reason of his membership. Reserved.~~

25-4-5.

~~The council is assigned to the Department of Public Safety for administrative purposes. The funds necessary to carry out this chapter shall come from funds appropriated to and available to the council Department of Fire Safety and from any other available funds. The council Department of Fire Safety is authorized to accept and use gifts, grants, and donations for the purpose of carrying out this chapter. The council Department of Fire Safety is also authorized to accept and use property, both real and personal, and services for the purpose of carrying out this chapter.~~

25-4-6.

~~The business of the council shall be conducted in the following manner:~~

~~(1) The council shall hold at least two regular meetings each year at the call of the chairperson or upon the written request of six members of the council. Six members of the council shall constitute a quorum. The council shall adopt such rules for the transaction of its business as it shall desire and may appoint such committees as it considers necessary to carry out its business and duties; and~~

~~(2) The council shall make an annual report of its activities to the Governor and to the General Assembly and shall include in the report its recommendations for appropriate legislation. The council shall not be required to distribute copies of the annual report to the members of the General Assembly but shall notify the members of the availability of the report in the manner which it deems to be most effective and efficient. Reserved.~~

25-4-7.

~~There is created the Professional Development Division of the Department of Fire Safety. The council Department of Fire Safety, through the division, is vested with the following functions and powers:~~

~~(1) To promulgate rules and regulations for the administration of the council certification of firefighters;~~

~~(2) To provide rules of procedure for its internal management and control;~~

~~(3) To enter into contracts or do such things as may be necessary and incidental to the administration of its authority pursuant to this chapter;~~

~~(4) To establish uniform minimum standards for the employment and training of full-time, part-time, or volunteer firefighters, airport firefighters, fire and life safety educators, fire inspectors, fire investigators, and other such firefighting service professionals as determined by the council Department of Fire Safety including qualifications, certifications, recertifications, decertifications, and probations for certified individuals and suspensions for noncertified individuals, and requirements, which are consistent with this chapter;~~

- (5) To establish minimum curriculum requirements for schools operated by or for any employing agency for the specific purpose of training firefighter recruits or full-time, part-time, or volunteer firefighters, airport firefighters, fire and life safety educators, fire inspectors, and fire investigators;
- (6) To approve institutions and facilities for school operation by or for any employing agency for the specific purpose of training firefighters and firefighter recruits, including airport firefighters;
- (7) To make or support studies on any aspect of fire-fighting education and training or recruitment;
- (8) To make recommendations concerning any matter within its purview;
- (9) To establish basic firefighter training requirements for full-time, part-time, contract, and volunteer firefighters, including airport firefighters;
- (10) To certify any person satisfactorily complying with the training program established in accordance with paragraph (9) of this Code section and the qualifications for employment covered in this chapter; and
- (11) To issue a certificate to any person who has received training in another state or who has received training as a federal firefighter by the United States government, when the ~~council~~ division has determined that the training was at least equivalent to that required by the ~~council~~ division for approved firefighter education and training programs in this state and when the person has satisfactorily complied with all other requirements of this chapter.

25-4-7.1.

- (a) The ~~council~~ commissioner shall appoint and establish the compensation of an ~~executive~~ a director of the division who shall serve at the pleasure of the ~~council~~ commissioner.
- (b) The ~~executive~~ director, with the approval of the commissioner, may contract for such services and employ such other professional, technical, and clerical personnel as may be necessary and convenient to carry out the purposes of this chapter.

25-4-8.

- (a) Except as provided in Code Section 25-4-12, any employee, volunteer, or private contractor of a fire department operating in this state or certified as a firefighter shall, as prescribed by the ~~council~~ Department of Fire Safety:
 - (1) Be at least 18 years of age;
 - (2) Not have been convicted of, or pleaded guilty to, a felony in any jurisdiction or of a crime which if committed in this state would constitute a felony under the laws of this state within ten years prior to employment, provided that a person who has been convicted of a felony more than five but less than ten years prior to employment may be certified and employed as a firefighter when the person has:
 - (A) Successfully completed a training program following the ~~Georgia Fire Academy curriculum~~ approved curriculum provided for by the Department of Fire Safety and sponsored by the Department of Corrections;

(B) Been recommended to a fire department by the proper authorities at the institution at which the training program was undertaken; and

(C) Met all other requirements as set forth in this chapter.

The ~~council~~ commissioner shall be the final authority with respect to authorizing the employment, appointment, and certification of a person who has been convicted of a felony more than five but less than ten years prior to seeking employment when the person is seeking employment as a firefighter for any municipal, county, or state fire department which employs three or more firefighters who work a minimum of ~~40~~ 32.5 hours per week and has the responsibility of preventing and suppressing fires, protecting life and property, and enforcing municipal, county, and state codes, as well as enforcing any law pertaining to the prevention and control of fires;

(3) Have a good moral character as determined by investigation under procedure approved by the ~~council~~ commissioner;

(4) Be fingerprinted and a search made of local, state, and national fingerprint files to disclose any criminal record;

(5) Be in good physical condition as determined by a medical examination and successfully pass the minimum physical agility requirements as established by the ~~council~~ commissioner; and

(6) Possess or achieve within 12 months after employment a high school diploma or a general education development equivalency, unless otherwise waived.

(b) For the purposes of this Code section, a person shall be deemed to have been convicted of a crime if such person shall have pleaded guilty to a charge thereof before a court or federal magistrate or shall have been found guilty thereof by the decision or judgment of a court or federal magistrate or by the verdict of a jury, irrespective of the pronouncement of sentence or the suspension thereof, unless such plea of guilty or such decision, judgment, or verdict shall have been set aside, reversed, or otherwise abrogated by lawful judicial process or unless the person convicted of the crime shall have received a pardon therefor from the President of the United States or the governor or other pardoning authority in the jurisdiction where the conviction was had or shall have received a certificate of good conduct granted by the State Board of Pardons and Paroles pursuant to the provisions of law to remove a disability under law because of such conviction. Any person convicted of a felony while he or she is a certified firefighter shall have his or her certification revoked.

(c)(1) For the purposes of making determinations relating to eligibility under this Code section, a local fire department shall provide information relative to prospective employees to the local law enforcement agency and a state fire department shall provide information relative to prospective employees to a state law enforcement agency. Such local or state law enforcement agency shall be authorized to obtain conviction data with respect to such prospective employees of a local or state fire department as authorized in this subsection. The local or state law enforcement agency shall submit to the Georgia Crime Information Center two complete sets of fingerprints of the applicant for appointment or employment, the required records search fees, and such other information as may be required. Upon receipt thereof, the

Georgia Crime Information Center shall promptly transmit one set of fingerprints to the Federal Bureau of Investigation for a search of bureau records and an appropriate report and shall retain the other set and promptly conduct a search of its own records and records to which it has access. The Georgia Crime Information Center shall notify the local or state law enforcement agency in writing of any derogatory finding, including, but not limited to, any conviction data regarding the fingerprint records check or if there is no such finding. All conviction data received by the local or state law enforcement agency shall not be a public record, shall be privileged, and shall not be disclosed to any other person or agency except as provided in this subsection and except to any person or agency which otherwise has a legal right to inspect the employment file. All such records shall be maintained by the local or state law enforcement agency pursuant to laws regarding such records and the rules and regulations of the Federal Bureau of Investigation and the Georgia Crime Information Center, as applicable. As used in this subsection, 'conviction data' means a record of a finding or verdict of guilty or plea of guilty or plea of nolo contendere with regard to any crime, regardless of whether an appeal of the conviction has been sought.

(2) The local or state law enforcement agency shall provide to the chief of the fire department which requested information on an applicant any criminal data indicating that the applicant was convicted of a felony. Such information may be provided to the ~~council~~ Department of Fire Safety. The provisions of paragraph (1) of this subsection relating to privileged information and records of conviction data shall apply to any information provided by a law enforcement agency to a fire department.

25-4-9.

(a) Full-time, part-time, and volunteer firefighters, including airport firefighters, shall successfully complete a basic training course. The ~~council~~ division shall determine the course content, number of hours, and all other matters relative to basic firefighter training, including airport rescue firefighter training. Upon satisfactory completion of such basic training, a firefighter shall be issued a certificate of completion evidencing the same. Each firefighter shall be required to successfully complete such basic training course within 12 months after being employed or appointed as a firefighter or, in the case of airport firefighters, within such time period as the ~~council~~ Department of Fire Safety may prescribe by rule or regulation.

(b) A firefighter certified by the ~~council~~ Department of Fire Safety may, upon termination of employment from any fire department and upon agreement with a subsequently employing fire department, transfer such certification to the employing fire department.

(c) Notwithstanding the provisions of subsection (b) of this Code section, any local fire department may refuse to accept the transfer of previously acquired certification and may require any newly employed firefighter to complete the basic training course provided for in subsection (a) of this Code section.

25-4-10.

As a condition of continued certification, all firefighters shall train, drill, or study at schools, classes, or courses at the local, area, or state level, as specified by the ~~council~~ Department of Fire Safety. Authorized leaves of absence are expected.

25-4-11.

This chapter shall provide only the minimum qualification standards in training requirements for firefighters in this state and does not restrict any employing agency from setting and establishing requirements that exceed these minimum standards.

25-4-12.

~~Except as otherwise provided in Article 2, nothing~~ Nothing in this chapter shall apply to firefighters employed on July 1, 1971, and such firefighters are not required to meet the requirements of Code Section 25-4-8 or ~~Code Section~~ 25-4-9 as a condition of tenure or continued employment; nor shall their failure to fulfill such requirements make them ineligible for any promotional examination for which they are otherwise eligible, affect in any way any pension rights to which they are otherwise eligible, or affect in any way pension rights to which they may be entitled on July 1, 1971. The ~~council~~ Department of Fire Safety shall have the authority to investigate qualifications of, and in its discretion to issue certificates to, those previously trained firefighters employed on July 1, 1971."

PART IV SECTION 4-1.

Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is amended by revising Part 6 of Article 1 of Chapter 2, relating to elevators, dumbwaiters, escalators, manlifts, and moving walks, as follows:

"Part 6

8-2-100.

As used in this part, the term:

- (1) 'Alteration' means any change or addition to the equipment other than ordinary repairs or replacements.
- (2) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (2.1) 'Department' means the Department of Fire Safety.
- (3) 'Dumbwaiter' means a hoisting and lowering mechanism which is equipped with a car which moves in guides in a substantially vertical direction, the floor area of which does not exceed nine square feet, the total inside height of which, whether or not provided with fixed or removable shelves, does not exceed four feet, the capacity of which does not exceed 500 pounds, and the use of which is exclusively for carrying materials. Such term includes a power dumbwaiter and a hand dumbwaiter.

(4)(A) 'Elevator' means a hoisting and lowering mechanism designed to carry passengers or authorized personnel and equipped with a car which moves in fixed guides and serves two or more fixed landings.

(B) Except as specifically provided in subsection (a) of Code Section 8-2-102, 'elevator' also means a freight elevator, gravity elevator, hand elevator, inclined elevator, multideck elevator, observation elevator, passenger elevator, power elevator, electric elevator, hydraulic elevator, direct-plunger hydraulic elevator, electrohydraulic elevator, maintained pressure hydraulic elevator, roped-hydraulic elevator, private residence elevator, and sidewalk elevator.

(5) 'Enforcement authority' means the ~~Commissioner~~ commissioner, officers, and inspectors of the ~~office~~ department authorized to enforce the provisions of this part and local inspectors authorized to enforce the provisions of this part.

(6) 'Escalator' means a power driven, inclined, continuous stairway used for raising or lowering passengers.

(7) 'Hand dumbwaiter' means a dumbwaiter driven by manual power, serving more than two consecutive stories, whose capacity exceeds 20 pounds and whose car platform area exceeds two square feet.

(8) 'Hand elevator' means an elevator utilizing manual power to move the car.

(9) 'Hoistway' means a shaftway or an opening through a building or structure for the travel of elevators, dumbwaiters, or material lifts, extending from the pit floor to the roof or floor above.

(10) 'Manlift' means a device consisting of a power driven endless belt moving in one direction only which is provided with steps or platforms and handholds attached to it for the transportation of personnel from floor to floor.

(11) 'Moving walk' means a type of passenger-carrying device on which passengers stand or walk and in which the passenger-carrying surface remains parallel to its direction of motion and is uninterrupted.

(12) '~~Office~~' means the ~~office of Safety Fire Commissioner~~ Reserved.

(13) 'Power dumbwaiter' means a dumbwaiter driven by the application of energy other than hand or gravity.

(14) 'Power freight elevator' means an elevator used primarily for carrying freight, utilizing energy other than gravity or hand to move the car and on which only the operator and the persons necessary for unloading and loading the freight are permitted to ride.

(15) 'Power passenger elevator' means an elevator used primarily to carry persons other than the operator and persons necessary for loading and unloading and utilizing energy other than gravity or hand to move the car.

8-2-101.

(a) All elevators, escalators, manlifts, moving walks, and dumbwaiters erected or placed in service after January 1, 1986, shall be inspected before being placed in service and shall be registered within 15 days after they are completed and placed in service.

(b) Every elevator, dumbwaiter, manlift, moving walk, and escalator shall be

maintained by the owner or lessee in a safe operating condition and in conformity with the rules and regulations specified by subsection (b) of Code Section 8-2-104.

(c) Before any alteration can be made to any elevator, escalator, manlift, moving walk, or dumbwaiter already placed in service, the owner or lessee shall be required to notify the enforcement authority of any such alteration. The enforcement authority shall be authorized to conduct an inspection after any such alteration.

8-2-102.

(a)(1) Power passenger elevators, power freight elevators, escalators, manlifts, and moving walks shall be inspected once during each six-month period.

(2) Hand elevators and power and hand dumbwaiters shall be inspected once during each 12 month period.

(b) Inspections and installations shall be made in accordance with the standards set forth in Part 'X' of ANSI A17.1-1984, the American National Standard Practice for Inspection of Elevators, Escalators and Moving Walks Inspector's Manual ANSI A17.2, the Safety Standards for Manlifts ANSI A90.1-1976, the Safety Standard for Construction Hoists ANSI A10.4-1981 and ANSI A10.5-1981, the Safety Standard for Conveyors and Related Equipment ANSI B20.1-1984, or the latest revised rules and regulations adopted by the ~~Commissioner~~ commissioner. Any inspections performed under these codes shall cover the hoistway, associated equipment rooms, and access thereto, and shall include lobby smoke detectors.

(c) A report of any inspection required by this Code section shall be filed with the ~~office~~ department if the inspection is made by a state enforcement authority or with the local governing authority if the inspection is made by a local enforcement authority. Copies of the reports for new installations shall also be filed with the state fire marshal for his or her information. Such reports shall be made within ten days after the inspection has been completed, on forms prescribed by the ~~Commissioner~~ commissioner or the local enforcement authority, and shall indicate whether the elevator, escalator, manlift, moving walk, or dumbwaiter is safe and whether it meets the applicable rules and regulations prescribed pursuant to subsection (b) of Code Section 8-2-104. After any such report is filed, the enforcement authority may require additional inspections to assure that any such elevator, escalator, manlift, moving walk, or dumbwaiter meets such rules and regulations.

(d) If any inspection report indicates that an elevator, escalator, manlift, moving walk, or dumbwaiter is in an unsafe condition which if continually operated may endanger lives or property, then the enforcement authority may, at its discretion, require the owner or lessee to discontinue the use thereof until it has been made safe and in conformity with the rules and regulations specified in subsection (b) of Code Section 8-2-104.

(e) Elevator contractors who perform installations, alterations, repairs, or modifications on elevators, escalators, power freight elevators, moving walks, manlifts, or dumbwaiters, including the hoistways and machine rooms, shall be exempt from the requirements of Code Sections 43-14-8 and 43-14-8.1.

(f) Private residence elevators shall be exempt from mandatory periodic inspections but shall be required to have an initial construction inspection as provided in the rules and regulations of the ~~Commissioner~~ commissioner. At the request of the owner or user of a private residence elevator, an inspection may be performed by the ~~office~~ department and an inspection report issued. The ~~office~~ department shall charge the person requesting the report a fee as set by the ~~Commissioner~~ commissioner to cover actual expenses of the inspection.

8-2-103.

(a) An operating report shall be issued by the enforcement authority if the inspection report indicates that the elevator, escalator, manlift, moving walk, or dumbwaiter complies with the applicable rules and regulations prescribed pursuant to subsection (b) of Code Section 8-2-104 and upon payment of a permit fee. Such permits shall be valid for a period of 12 months.

(b) No elevator, escalator, manlift, moving walk, or dumbwaiter shall be operated by the owner or lessee thereof unless a valid operating permit, or a limited operating permit when permitted by the rules and regulations of the ~~Commissioner~~ commissioner, has been issued.

(c) The operating permit shall indicate whether it is issued for an elevator, escalator, manlift, moving walk, or dumbwaiter, state the rated load and speed and, in the case of an elevator, state whether the usage is for passengers or freight. The operating permit shall be posted either conspicuously in the car of an elevator or on the premises. The operating permit for an escalator, manlift, moving walk, or a dumbwaiter shall be posted on the premises.

(d) If the enforcement authority has reason to believe that any owner or lessee to whom an operating permit has been issued is not complying with the applicable rules and regulations specified in subsection (b) of Code Section 8-2-104, it shall so notify such owner or lessee and shall give notice of a date for a hearing thereon to such owner or lessee. If, after such hearing, it shall find that such owner or lessee is not complying with such rules and regulations, it shall revoke such permit and require the owner or lessee to discontinue the use of such elevator, escalator, manlift, moving walk, or power dumbwaiter.

8-2-104.

(a) The ~~Commissioner~~ commissioner shall be authorized to employ inspectors to carry out the provisions of this part. The ~~Commissioner~~ commissioner shall also be authorized to certify other qualified persons to carry out the provisions of this part, including technically competent individuals of any company licensed to insure and insuring elevators in this state and technically competent individuals of a regularly established elevator inspection service. The ~~Commissioner~~ commissioner shall prescribe the qualifications, authority, functions, and duties of such inspectors.

(b)(1)(A) The ~~Commissioner~~ commissioner shall by rules and regulations prescribe various inspection fees and operating permit fees necessary to enable the state and

local enforcement authorities to carry out the provisions of this part.

(B) The owners and users of elevators, dumbwaiters, escalators, manlifts, and moving walks which are inspected by certified inspectors in private business or with private corporations shall be exempt from the payment to the state or local enforcement authorities of the inspection fees provided in subparagraph (A) of this paragraph.

(2) Elevators, dumbwaiters, escalators, manlifts, and moving walks subject to operating permit inspections by private inspectors shall be inspected within 60 calendar days following the required reinspection date. Inspections not performed within this 60 calendar day period shall result in a civil penalty of \$500.00 for each elevator, dumbwaiter, escalator, manlift, or moving walk not inspected.

(3) Inspection fees due on elevators, dumbwaiters, escalators, manlifts, and moving walks subject to inspection by the chief or deputy inspectors or operating permit fees due from inspections performed by private inspectors shall be paid within 60 calendar days of completion of such inspections. Inspection fees or operating fees unpaid within 60 calendar days shall bear interest at the rate of 1.5 percent per month or any fraction of a month. Interest shall continue to accrue until all amounts due, including interest, are received by the ~~Commissioner~~ commissioner.

(4) The ~~Commissioner~~ commissioner may waive the collection of the penalties and interest assessed in paragraphs (2) and (3) of this subsection when it is reasonably determined that the delays in inspection or payment were unavoidable or due to the action or inaction of the ~~office~~ department.

(c) The American National Standard Safety Code for elevators, dumbwaiters, escalators, and moving walks ANSI A17.1-1984 and the Safety Standards for Manlifts ANSI A90.1-1976 are adopted as rules and regulations of the ~~office~~ department for the purposes of this part until otherwise amended by rules and regulations of the ~~Commissioner~~ commissioner.

(d) In addition to the rules and regulations adopted pursuant to subsections (b) and (c) of this Code section, the ~~Commissioner~~ commissioner shall be authorized to adopt such rules and regulations as may be reasonably necessary to carry out the provisions of this part.

(e) The ~~Commissioner~~ commissioner shall also have the power in any particular case to grant exceptions and variations from the literal requirements of the rules and regulations adopted pursuant to subsection (c) of this Code section. Such exceptions and variations shall be granted only in any particular case where it is clearly evident that they are necessary to prevent undue hardship or where the existing conditions prevent compliance with the literal requirements of the rules and regulations. In no case shall any exception or variation be granted unless, in the opinion of the ~~Commissioner~~ commissioner, reasonable safety will be secured thereby.

8-2-105.

(a) The governing body of any municipality or county which adopts at least the minimum rules and regulations relative to inspections and safety standards for

elevators, escalators, manlifts, moving walks, and dumbwaiters as provided in subsection (b) of Code Section 8-2-102 and subsection (c) of Code Section 8-2-104 shall have the power:

- (1) To adopt by ordinance or resolution any reasonable provisions for the enforcement of such local standards adopted applicable to elevators, escalators, manlifts, moving walks, and dumbwaiters, including procedural requirements, provisions for hearings, provisions for appeals from decisions of local inspectors, and any other provisions or procedures necessary to the proper administration and enforcement of the requirements of such local standards;
 - (2) To provide for inspection of buildings or similar structures to ensure compliance with the local standards;
 - (3) To employ inspectors, including chief and deputy inspectors, and any other personnel necessary for the proper enforcement of such standards, provided that such inspectors meet the minimum qualifications of state inspectors and are certified by the ~~Commissioner~~ commissioner pursuant to subsection (a) of Code Section 8-2-104;
 - (4) To contract with other municipalities or counties adopting at least state minimum standards, or with the state, to administer such standards and to provide inspection and enforcement personnel and services necessary to ensure compliance with the standards; and
 - (5) To contract with any other county or municipality whereby the parties agree that the inspectors of each contracting party may have jurisdiction to enforce the local standards within the boundaries of the other contracting party.
- (b) When a local enforcement authority conducts an inspection or issues an operating permit as provided in this part, any inspection fee or operating permit fee due shall be paid to the municipality or county employing the enforcement authority.

8-2-106.

- (a) The owner or lessee shall report, by telephone, to the enforcement authority on the same day or by noon on the next work day, excluding state holidays and weekends, all elevator, escalator, manlift, moving walk, or power dumbwaiter related accidents involving personal injury or death. The owner or lessee shall also provide a written report of this accident within seven days.
- (b) The owner or lessee shall report, in writing, to the enforcement authority within seven days, excluding state holidays and weekends, all elevator, escalator, manlift, moving walk, or power dumbwaiter related accidents involving structural damage to the elevator, escalator, manlift, moving walk, or power dumbwaiter.
- (c) Any elevator, escalator, manlift, moving walk, or power dumbwaiter involved in an accident described in subsection (a) or (b) of this Code section shall be removed from service at the time of the accident. The equipment shall not be repaired, altered, or placed back in service until inspected by a certified inspector for the enforcement authority.

8-2-107.

(a) The installation, alteration, maintenance, and operation of the facilities and equipment regulated by or pursuant to the provisions of this part affect the public interest, and such regulation is necessary for the protection of the public health, safety, and welfare. Therefore, violations of this part or of rules and regulations adopted by or pursuant to this part are a public nuisance, harmful to the public health, safety, and welfare; and, in addition to other remedies provided by law, the actions of the ~~Commissioner~~ commissioner, the ~~office~~ department, or any local enforcement authority under this part shall be enforceable by injunction properly applied for by the ~~Commissioner~~ commissioner or any other enforcement authority in any court of Georgia having jurisdiction over the defendant.

(b)(1) Any person, firm, partnership, or corporation which violates this part shall be guilty of a misdemeanor. Each day on which a violation occurs shall constitute a separate offense.

(2) In addition to the penalty provisions in subsection (a) of this Code section and paragraph (1) of this subsection, the ~~Commissioner~~ commissioner shall have the power, after notice and hearing, to levy civil penalties as prescribed in the rules and regulations of the ~~office~~ department in an amount not to exceed \$5,000.00 upon any person, firm, partnership, or corporation failing to adhere to the requirements of this part and the rules and regulations promulgated under this part. The imposition of a penalty for a violation of this part or the rules and regulations promulgated under this part shall not excuse the violation or permit it to continue.

8-2-108.

(a) Any person aggrieved by an order or an act of an inspector under this chapter may, within 15 days of notice thereof, appeal from such order or act to the ~~Commissioner~~ commissioner who shall, within 30 days thereafter, issue an appropriate order either approving or disapproving said order or act. A copy of such order by the ~~Commissioner~~ commissioner shall be given to all interested parties.

(b) This part, as it applies to the ~~Commissioner~~ commissioner and the ~~office~~ department, shall be governed by Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

8-2-109.

The ~~Commissioner~~ commissioner shall be authorized to consult with persons knowledgeable in the areas of construction, use, or safety of conveyances or facilities covered by this part and to create committees composed of such consultants to assist the ~~Commissioner~~ commissioner in carrying out his or her duties under this part.

8-2-109.1.

(a) This part shall not apply to elevators located on vehicles operating under the rules of other state or federal authorities and used for carrying passengers or freight.

(b) This part shall not apply to any single-seat, single-passenger chairlift located in a

building owned and operated by an incorporated or unincorporated nonprofit organization organized and operated exclusively for educational, religious, charitable, or other eleemosynary purposes.

(c) Any county, municipality, or other political subdivision which adopts the minimum rules and regulations as provided in Code Section 8-2-105 shall be audited on a semiannual basis for compliance by the ~~office~~ department; and any laws, ordinances, or resolutions in conflict with this part shall be void and of no effect.

8-2-109.2.

(a) The Board of Fire Safety, the commissioner, and the department shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this part which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the department shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner and the department shall carry out all of the functions and obligations and exercise all of the powers in this part that were formerly held by the Safety Fire Commissioner."

SECTION 4-2.

Said title is further amended by revising Part 2 of Article 2 of Chapter 2, relating to manufactured homes, as follows:

"Part 2

8-2-130.

This part shall be known and may be cited as 'The Uniform Standards Code for Manufactured Homes Act.'

8-2-131.

As used in this part, the term:

- (1) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (2) 'Installer' means a person responsible for performing an installation and who is required to obtain a license pursuant to the provisions of Code Section 8-2-160.
- (3) 'Lending institutions' means lenders that acquire manufactured or mobile homes incident to their regular business, including national and state chartered banks, federal and state chartered credit unions, lenders that are licensed under Article 13 of Chapter 1 of Title 7, and lenders that are involved in manufactured or mobile home chattel lending.

(4) 'Manufactured home' means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

(5) 'Manufacturer' means any person who constructs or assembles manufactured homes.

(6) 'Mobile home' means a structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and manufactured prior to June 15, 1976.

(7) 'Person' means an individual, corporation, partnership, association, or any other legal entity but shall not include a trust or the state or any political subdivision thereof.

(8) 'Retail broker' means any person engaged in the business of selling or offering for sale to consumers three or more new or used manufactured or mobile homes in a 12 month period and who does not maintain a display of manufactured or mobile homes. As used in this paragraph, the terms 'selling' and 'sale' include lease-purchase transactions, and the term 'retail broker' does not include lending institutions.

(9) 'Retailer' means any person engaged in the business of selling or offering for sale to consumers three or more new or used manufactured or mobile homes in a 12 month period and who maintains a display of manufactured or mobile homes. As used in this paragraph, the terms 'selling' and 'sale' include lease-purchase transactions, and the term 'retailer' does not include lending institutions.

8-2-132.

(a) The ~~Commissioner~~ commissioner is authorized and empowered to contract or enter into cooperative agreements with any agency, department, or instrumentality of the United States; any agency, board, department, or commission of the state; any county, municipality, or local government of the state, or any combination of same; any public or private corporation or firm, or any persons whatsoever; or any public authority, agency, commission, or institution to participate in the enforcement of manufactured home construction and safety standards which may be promulgated pursuant to the

National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.; provided, however, that the ~~Commissioner~~ commissioner shall notify the United States Department of Housing and Urban Development by July 1 of his or her intention to terminate any such contract or agreement, which termination shall become effective on July 1 of the following year.

(b) It is the policy of this state and purpose of this part to forbid the manufacture and sale of new manufactured homes which are not constructed in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

(c) The ~~Commissioner~~ commissioner is authorized and empowered to issue and promulgate all rules and procedures which in his or her judgment are necessary and desirable to make effective the construction standards established by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

8-2-133.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132, the ~~Commissioner~~ commissioner may make, amend, alter, and repeal general rules and regulations of procedure to carry into effect this part, to obtain statistical data concerning manufactured homes, and to prescribe means, methods, and practices to make this part effective. The ~~Commissioner~~ commissioner may also make such investigations and inspections as in his or her judgment are necessary to enforce and administer this part.

8-2-134.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132, no person may manufacture, sell, or offer for sale any manufactured home unless such manufactured home and its components, systems, and appliances have been constructed and assembled in accordance with rules issued by the ~~Commissioner~~ commissioner with respect to the construction, assembly, and sale of such manufactured homes and unless compliance with such rules is shown in the manner required by the ~~Commissioner's~~ commissioner's rules.

8-2-135.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132:

- (1) Every manufacturer who manufactures manufactured homes outside the State of Georgia and who sells or offers for sale a manufactured home in Georgia shall apply for and obtain a license;
- (2) Every manufacturer who manufactures manufactured homes in Georgia shall apply for and obtain a license;

- (3) Every retailer and retail broker who sells or offers for sale new or used manufactured homes or mobile homes in Georgia shall apply for and obtain a license;
- (4) Applications for licenses and renewal licenses shall be obtained from the ~~Commissioner~~ commissioner and submitted on or before January 1 of each year. All applicants shall certify in the application that all construction, electrical, heating, and plumbing standards will be complied with as set forth in this part and in the rules and regulations of the ~~Commissioner~~ commissioner; and
- (5) The license and renewal license fee shall be \$440.00 per manufacturing plant which manufactures manufactured homes within the State of Georgia; \$440.00 per out-of-state manufacturing plant which manufactures manufactured homes for the purpose of offering for sale, or having such homes sold, within the State of Georgia; and \$300.00 per retailer location and retail broker which sells, offers for sale, or transports to sell such homes within the State of Georgia. The license shall be valid from January 1 through December 31 of the year in which it was issued. The fee for delinquent renewal applications received after January 10 of each year shall be double the regular annual renewal fee.

8-2-135.1.

(a) During such time as the ~~Commissioner's~~ commissioner's office is acting as the primary inspection agency pursuant to Section 623 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., or the regulations issued thereunder, every manufacturer who manufactures manufactured homes in Georgia shall pay to the ~~Commissioner~~ commissioner a manufacturing inspection fee for each manufactured home manufactured in Georgia, irrespective of whether the manufactured home is offered for sale in this state. This manufacturing inspection fee shall be \$30.00 for each certification label, as defined in Section 623 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. For any reinspection, a \$15.00 additional fee shall be charged.

(b) During such time as the ~~Commissioner's~~ commissioner's office is acting as the state administrative agency pursuant to Section 623 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., a monitoring inspection fee paid by each manufacturer in Georgia for each manufactured home manufactured in this state shall be paid to the secretary of the United States Department of Housing and Urban Development or to the secretary's agent for distribution in accordance with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., and the regulations promulgated thereunder.

8-2-136.

Each manufacturer, retailer, retail broker, and installer of manufactured homes shall establish and maintain such records, make such reports, and provide such information as the ~~Commissioner~~ commissioner or the secretary of the United States Department of

Housing and Urban Development may reasonably require in order to be able to determine whether the manufacturer, retailer, retail broker, or installer has acted or is acting in compliance with this part or with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq. Upon the request of a person duly designated by the ~~Commissioner~~ commissioner or the secretary of the United States Department of Housing and Urban Development, each manufacturer, retailer, retail broker, and installer shall permit that person to inspect appropriate books, papers, records, and documents relevant to determining whether the manufacturer, retailer, retail broker, or installer has acted or is acting in compliance with this part or with the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

8-2-137.

(a) Any hearing conducted under the provisions of this chapter or of the rules and regulations promulgated under this part shall be in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(b) The ~~Commissioner~~ commissioner shall be authorized to determine by regulation the manner in which he or she will conduct presentations of views as required during his or her participation as the state administrative agency pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

(c) The ~~Commissioner~~ commissioner may, through regulations, establish a dispute resolution program in compliance with 42 U.S.C. Section 5422, the National Manufactured Housing Construction and Safety Standards Act of 1974.

8-2-138.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132, retailers, retail brokers, and installers are expressly prohibited from altering or modifying any manufactured home certified under this part and under the rules and regulations of the ~~Commissioner~~ commissioner, except that alterations, changes, or modifications may be made by retailers, retail brokers, or installers certified to make such alterations, changes, or modifications in accordance with rules and regulations promulgated by the ~~Commissioner~~ commissioner.

8-2-139.

(a) No person may interfere with, obstruct, or hinder an authorized representative of the ~~Commissioner~~ commissioner who displays proper department credentials in the performance of his or her duties as set forth in this part.

(b) The ~~Commissioner~~ commissioner or any of his or her authorized representatives, upon showing proper credentials and in the discharge of their duties pursuant to this part, are authorized during regular business hours and without advance notice to enter and inspect all facilities, warehouses, or establishments in the State of Georgia in which

manufactured homes are manufactured.

(c) The ~~Commissioner~~ commissioner or any of his or her authorized representatives, upon showing proper credentials and in the discharge of their duties pursuant to this part, are authorized during regular business hours and without advance notice to enter upon and inspect all premises in the State of Georgia in which manufactured homes are being sold.

8-2-140.

Any authorized representative of the ~~Commissioner~~ commissioner may, upon displaying proper department credentials, stop and inspect any new manufactured home in transit in order to ascertain if the manufactured home complies with this part and the rules and regulations promulgated hereunder, provided that the manufactured home has been manufactured in this state or has been transported into this state for the purpose of sale within this state.

8-2-141.

(a) During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-132, any retailer, retail broker, or manufacturer who fails to apply for or obtain a license as required by Code Section 8-2-135 or who fails to remit the appropriate license fee as stated in Code Section 8-2-135 shall be subject to a monetary penalty not to exceed \$100.00 for each day that such violation persists, except that the maximum monetary penalty shall not exceed \$20,000.00 for any one violation.

(b) Any such monetary penalty may be imposed by the ~~Commissioner~~ commissioner after notice and opportunity for hearing as provided under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' The amount of such penalty may be collected by the ~~Commissioner~~ commissioner in the same manner that money judgments are now enforced in the superior courts of this state.

(c) In addition to any such monetary penalty, the ~~Commissioner~~ commissioner may bring a civil action to enjoin any violation of Code Section 8-2-135, and it shall not be necessary for the ~~Commissioner~~ commissioner to allege or prove the absence of an adequate remedy at law.

8-2-142.

If any state or foreign country imposes upon Georgia-domiciled manufactured home manufacturers (or upon their agents or representatives) any taxes, licenses, or other fees in the aggregate, or any fines, penalties, or other material obligations, prohibitions, or restrictions, for the privilege of doing business in that state or country, which costs, obligations, prohibitions, or restrictions are in excess of similar costs, obligations, prohibitions, or restrictions imposed by the State of Georgia upon manufactured home manufacturers (or their agents or representatives) which are domiciled in that state or foreign country and which are doing business or are seeking to do business in the State of Georgia, then so long as that state or foreign country continues to impose such costs,

obligations, prohibitions, or restrictions upon Georgia-domiciled manufactured home manufacturers (or their agents or representatives), the State of Georgia shall impose upon manufactured home manufacturers (or their agents or representatives) which are domiciled in that state or foreign country and which are doing business or are seeking to do business in Georgia the same costs, obligations, prohibitions, or restrictions which are imposed by that state or foreign country on Georgia-domiciled manufactured home manufacturers (or their agents or representatives) which are doing business or seeking to do business in that state or foreign country. Any tax, license, or other fee or other obligation imposed by any city, county, or other political subdivision or agency of such other state or country on manufactured home manufacturers domiciled in Georgia (or their agents or representatives) shall be deemed to be imposed by such state or country within the meaning of this Code section.

8-2-143.

(a) ~~Civil penalties.~~ Any person in this state who violates any provision of Section 610 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., or any regulation or final order issued thereunder, shall be liable to the State of Georgia for a civil penalty not to exceed \$1,000.00 for each such violation. Each violation of Section 610 of the aforementioned act or of any regulation or order issued thereunder shall constitute a separate violation with respect to each manufactured home or with respect to each failure or refusal to allow or perform an act required thereby, except that the maximum civil penalty may not exceed \$1 million for any related series of violations occurring within one year from the date of the first violation.

(b) ~~Criminal penalties.~~ An individual or a director, officer, or agent of a corporation who knowingly and willfully violates any provision of Section 610 of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq., in a manner which threatens the health or safety of any purchaser shall be guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$1,000.00 or be imprisoned for not more than 12 months, or both.

8-2-144.

The ~~Commissioner of Insurance~~ commissioner shall file a report on or before December 15 of each year accounting for all fees received by the ~~Commissioner~~ commissioner under this part and Part 3 of this article for the preceding 12 month period and for the actual costs of the inspection programs under this part and Part 3 of this article for the preceding 12 month period. Such report shall be provided to the chairpersons of the House Committee on Appropriations ~~Committee~~, the Senate Appropriations Committee, the House Committee on Governmental Affairs ~~Committee~~, and the Senate Regulated Industries and Utilities Committee, the director of the Office of Planning and Budget, the director of the Senate Budget and Evaluation Office, and the director of the House Budget and Research Office.

8-2-145.

(a) The Board of Fire Safety, the commissioner, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this part which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers in this part that were formerly held by the Safety Fire Commissioner."

SECTION 4-3.

Said title is further amended by revising Part 3 of Article 2 of Chapter 2, relating to installation of manufactured homes and mobile homes, as follows:

"Part 3

8-2-160.

As used in this part, the term:

- (1) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (2) 'Installation' means the construction of a foundation system and the placement or erection of a manufactured home or a mobile home on the foundation system. Such term includes, without limitation, supporting, blocking, leveling, securing, or anchoring such home and connecting multiple or expandable sections of such home.
- (3) 'Installer' means a person responsible for performing an installation and who is required to obtain a license pursuant to the provisions of Code Section 8-2-164.
- (4) 'Manufactured home' means a new or used structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein; except that such term shall include any structure which meets all the requirements of this paragraph except the size requirements and with respect to which the manufacturer voluntarily files a certification required by the secretary of housing and urban development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.
- (5) 'Manufacturer' means any person who constructs or assembles manufactured

housing.

(6) 'Mobile home' means a new or used structure, transportable in one or more sections, which, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected on site, is 320 or more square feet and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities and includes the plumbing, heating, air-conditioning, and electrical systems contained therein and built prior to June 15, 1976.

(7) 'Person' means an individual, corporation, partnership, association, or any other legal entity, but shall not include a trust or the state or any political subdivision thereof.

8-2-160.1.

The ~~Commissioner~~ commissioner is authorized and empowered to contract or enter into cooperative agreements with any agency, department, or instrumentality of the United States as may be necessary to participate in the enforcement of manufactured home installation standards which may be promulgated pursuant to the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.; provided, however, that the Commissioner shall notify the United States Department of Housing and Urban Development by July 1 of his or her intention to terminate any such contract or agreement, which termination shall become effective on July 1 of the following year.

8-2-161.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-160.1, the ~~Commissioner~~ commissioner may:

- (1) Establish rules and procedures for the licensure of installers as provided by Code Section 8-2-164 and the implementation and collection of an annual license fee, which shall be \$300.00; and
- (2) Establish and publish in print or electronically rules and regulations governing the installation of manufactured homes and mobile homes to be followed in instances in which no manufacturer's installation instructions are available. Such rules and regulations shall be equivalent to usual and ordinary manufacturer's installation instructions.

8-2-162.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-160.1, the ~~Commissioner~~ commissioner has full authority to administer this part and may make, amend, alter, and repeal general rules and regulations of procedure to carry into effect this part, to obtain statistical data concerning manufactured homes and mobile homes, and to prescribe means, methods, and practices to make this part effective. The

~~Commissioner~~ commissioner may also make such investigations of consumer complaints relating to installations as in his or her judgment are necessary to enforce and administer this part.

8-2-163.

It shall be unlawful for any person to perform an installation of a manufactured home or a mobile home, without regard to whether such person receives compensation for such action, except as provided in this part.

8-2-164.

During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-160.1:

(1) Any installer performing any installation of a manufactured home or a mobile home in this state shall first obtain a license from the ~~Commissioner~~ commissioner; provided, however, that persons employed by or contracting with a licensed installer to perform installations shall not be required to obtain such license; and

(2) In addition to the requirements of paragraph (1) of this Code section, any installer performing any installation of any new or pre-owned manufactured or mobile home in this state shall first purchase a permit from the Commissioner. The cost of such permit shall be \$60.00 for each manufactured or mobile home. Each installer shall provide any information required by the ~~Commissioner~~ commissioner to be submitted to obtain a permit. A permit shall be attached by the installer to the panel box of each manufactured or mobile home upon completion of installation.

8-2-165.

(a) Any installation of a manufactured home or a mobile home in this state shall be performed in strict compliance with the applicable manufacturer's installation instructions, specifically including, without limitation, correctly installed tie-downs and anchors. In the absence of such instructions, installations shall be performed in accordance with the applicable rules and regulations adopted by the ~~Commissioner~~ commissioner.

(b) During such time as the ~~Commissioner~~ commissioner has contracted or entered into cooperative agreements pursuant to his or her authority under Code Section 8-2-160.1, the ~~Commissioner~~ commissioner or his or her agent shall perform random inspections on installations performed by each installer each year. The inspections required by this subsection shall be independent of any requirements under Subpart I of Part 3282 of the Manufactured Home Procedural and Enforcement Regulations of the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

8-2-166.

Any person determined by the ~~Commissioner~~ commissioner to be in violation of this part may be penalized by a fine of not more than \$500.00 for each such violation, and

by the suspension or revocation of licensure. Multiple violations of this part occurring in a single installation shall constitute one violation. Each installation performed in violation of this part shall constitute a separate violation. In addition to any penalty imposed by the ~~Commissioner~~ commissioner, any person convicted of a violation of this part shall be guilty of and may be punished as for a misdemeanor.

8-2-167.

No political subdivision may adopt or enforce any requirement not consistent with this part.

8-2-168.

(a) The adoption of rules and conduct of hearings under this part shall be in compliance with the provisions of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(b) The ~~Commissioner~~ commissioner is authorized to provide by regulation the manner in which he or she will conduct presentations of views during his or her participation as the state administrative agency as required by the National Manufactured Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401, et seq.

8-2-169.

(a) The Board of Fire Safety, the commissioner, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this part which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the Board of Fire Safety.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers in this part that were formerly held by the Safety Fire Commissioner."

PART V SECTION 5-1.

Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to selling and other trade practices, is amended by revising Article 10, relating to sale and storage of liquefied petroleum gas, as follows:

"ARTICLE 10

10-1-260.

This article shall be known and may be cited as the 'Liquefied Petroleum Safety Act of Georgia.'

10-1-261.

The General Assembly of Georgia finds, determines, and declares that this article is necessary for the immediate preservation of the public peace, health, and safety.

10-1-262.

As used in this article, the term 'liquefied petroleum gas' means any material which is composed predominantly of any of the following hydrocarbons or mixtures of the same: propane, propylene, butanes (normal butane or isobutane), and butylenes.

10-1-263.

The state fire marshal, ex officio, shall be designated as the officer charged with the duty and authority of enforcing this article, subject to the approval of the commissioner of fire safety.

10-1-264.

The state fire marshal, subject to the approval of the commissioner of fire safety, is authorized to appoint and employ such assistants and employees, fix their salaries, and assign and delegate such duties and responsibilities as he or she may deem necessary to carry out this article in an efficient manner.

10-1-265.

(a) The ~~state fire marshal~~ commissioner of fire safety shall make, promulgate, adopt, and enforce rules and regulations setting forth minimum general standards covering the design, construction, location, installation, and operation of equipment for storing, handling, transporting by tank truck or tank trailer, and utilizing liquefied petroleum gases and specifying the odorization of said gases and the degree thereof. Said rules and regulations shall be such as are reasonably necessary for the protection of the health, welfare, and safety of the public and persons using such materials and shall be based upon reasonable substantial conformity with the generally accepted standards of safety concerning the same subject matter.

(b) Rules and regulations promulgated by the ~~state fire marshal~~ commissioner of fire safety based upon reasonable substantial conformity with the published standards of the National Board of Fire Underwriters for the design, installation, and construction of containers and pertinent equipment for the storage and handling of liquefied petroleum gases as recommended by the National Fire Protection Association shall be deemed to be in substantial conformity with the generally accepted standards of safety concerning the subject matter.

10-1-266.

The state fire marshal is authorized and empowered to issue a license or permit to such person, firm, or corporation qualifying under the terms of this article and such rules and regulations as may be adopted by the state fire marshal. For such license or permit issued on or after July 1, 1990, a one-time fee of not less than \$100.00 nor more than \$500.00 shall be charged on a graduated capacity scale for each installation of such person, firm, or corporation doing business in Georgia. All fees, assessments, and collections made by the state fire marshal shall be paid into the general fund of the state treasury. The license or permit of any licensee or permittee who had paid an annual license or permit fee on or after January 1, 1990, but prior to July 1, 1990, shall be valid for the remainder of the period of time covered by such payment and, upon the expiration of such period of time, the licensee or permittee shall become subject to the one-time fee requirement provided in this Code section.

10-1-267.

The state fire marshal is authorized and empowered as a prerequisite to a license or permit to require the applicant for such license or permit to furnish insurance, surety bond, or a personal bond with security in such amounts and terms as the state fire marshal may deem advisable and expedient for the protection of the general public and to indemnify for losses and damages which proximately result from any act of negligence of the principal, his or her agents, or employees while he or she or they may be engaged in the performance of duties with reference to the liquefied petroleum business. The state fire marshal is also authorized to adopt and enforce reasonable rules and regulations governing such insurance and bonds. Such regulations shall be adopted by the state fire marshal only after a public hearing thereon.

10-1-268.

(a) Every entity licensed to sell or distribute liquefied petroleum gas in this state shall have located within the State of Georgia storage capacity for a minimum of 30,000 water gallons of liquefied petroleum gas, except that entities initially licensed prior to July 1, 1990, may continue to operate with the previously approved 18,000 gallons minimum storage capacity. If the 30,000 gallons (water capacity) storage consists of more than one container, then no storage container used to meet this requirement shall be of a size less than 6,000 gallons (water capacity).

(b) The storage capacity required by subsection (a) of this Code section shall be within close proximity to the area serviced.

(c) The state fire marshal, in his or her discretion and in accordance with such rules and regulations as have been or may be duly promulgated and adopted under this article, may waive the minimum bulk storage facility requirement of subsection (a) of this Code section.

(d) If the storage capacity required by subsection (a) of this Code section is leased or rented, then such storage capacity must be dedicated to the exclusive use of the lessee and must include separate piping and loading/unloading facilities.

10-1-269.

The state fire marshal, upon ten days' written notice in the form of a show cause order to the licensee stating his or her contemplated action and in general the grounds therefor and after giving the licensee a reasonable opportunity to be heard, subject to the right to review provided in Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' may, by order in writing, suspend or revoke any license issued under this article or, in lieu thereof, may assess a penalty against said licensee in an amount not to exceed \$1,000.00, if the state fire marshal shall find:

- (1) That the licensee has failed to pay the license fee or any fee required under this article or any penalty imposed under the article; or
- (2) That the licensee knowingly has violated any of the provisions of this article or any of the rules and regulations promulgated under this article; provided, however, that any such suspension or revocation or imposition of penalty shall not become final, pending and subject to the right of review provided in Chapter 13 of Title 50, but the court shall have and is granted power to enter such order as justice shall require pending hearing on the appeal; and provided, further, that the court upon the appeal may tax the cost, including the cost of the hearing before the state fire marshal, against the losing party.

10-1-270.

No municipality or other political subdivision of this state shall adopt or enforce any ordinance, rule, or regulation in conflict with this article or with the rules and regulations adopted and promulgated by the state fire marshal under the terms and authority of this article.

10-1-271.

The state fire marshal is authorized to enter into reciprocal agreements with another state to effectuate the purposes of this article.

10-1-272.

Any person, firm, association, or corporation violating this article or any of the rules and regulations of the state fire marshal made under this article shall be guilty of a misdemeanor.

10-1-273.

(a) The Board of Fire Safety, the commissioner of fire safety, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the state fire marshal under this article which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the Board of Fire Safety.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the state fire marshal with respect to any function

transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers in this article that were formerly held by the state fire marshal."

PART VI SECTION 6-1.

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by revising paragraph (2) of Code Section 16-7-80, relating to definitions regarding bombs, explosives, and chemical and biological weapons, as follows:

"(2) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety."

SECTION 6-2.

Said title is further amended by revising Code Section 16-7-90, relating to records and reports, as follows:

"16-7-90.

It shall be the duty of any person authorized by paragraph (1) or (2) of Code Section 16-7-93 to manufacture, possess, transport, distribute, or use a destructive device, detonator, explosive, or hoax device within the state:

- (1) To maintain such records as may be required pursuant to Title 25. Such records may be inspected by the ~~Commissioner~~ commissioner or the director or such officers' designees or any law enforcement officer or fire official during normal business hours; and
- (2) To report promptly the loss or theft of any destructive device, detonator, explosive, or hoax device to the Georgia Bureau of Investigation."

SECTION 6-3.

Said title is further amended by revising Code Section 16-7-91, relating to searches and inspections, as follows:

"16-7-91.

The ~~Commissioner~~ commissioner or director or such officers' designees or any law enforcement officer or fire official may obtain an inspection warrant as provided in Code Section 25-2-22.1 to conduct a search or inspection of:

- (1) Any person licensed pursuant to Title 25 to manufacture, possess, transport, sell, distribute, or use a destructive device or detonator within the state;
- (2) Any person licensed pursuant to Chapter 7 of Title 2 to manufacture, possess, transport, sell, or distribute or use pesticides; or
- (3) Any property where such pesticide, destructive device, or detonator is manufactured, possessed, transported, distributed, or used."

SECTION 6-4.

Said title is further amended by revising Code Section 16-7-93, relating to exceptions to applicability of provisions, as follows:

"16-7-93.

The provisions of Code Sections 16-7-82, 16-7-84, 16-7-85, and 16-7-86 shall not apply to:

- (1) Any person authorized to manufacture, possess, transport, distribute, or use a destructive device or detonator pursuant to the laws of the United States, as amended, or pursuant to Title 25 when such person is acting in accordance with such laws and any regulations issued pursuant thereto;
- (2) Any person licensed as a blaster by the ~~Commissioner~~ commissioner pursuant to Chapter 8 of Title 25, when such blaster is acting in accordance with the laws of the state and any regulations promulgated thereunder and any ordinances and regulations of the political subdivision or authority of the state where blasting operations are being performed;
- (3) Fireworks, as defined by Code Section 25-10-1, and any person authorized by the laws of this state and of the United States to manufacture, possess, distribute, transport, store, exhibit, display, or use fireworks;
- (4) A law enforcement, fire service, or emergency management agency of this state, any agency or authority of a political subdivision of this state, or the United States and any employee or authorized agent thereof while in performance of official duties and any law enforcement officer, fire official, or emergency management official of the United States or any other state while attending training in this state;
- (5) The armed forces of the United States or of this state;
- (6) Research or educational programs conducted by or on behalf of a college, university, or secondary school which have been authorized by the chief executive officer of such educational institution or his or her designee and which is conducted in accordance with the laws of the United States and of this state;
- (7) The use of explosive materials in medicines and medicinal agents in forms prescribed by the most recent published edition of the official United States Pharmacopoeia or the National Formulary;
- (8) Small arms ammunition and reloading components thereof;
- (9) Commercially manufactured black powder in quantities not to exceed 50 pounds, percussion caps, safety and pyrotechnic fuses, quills, quick and slow matches, and friction primers intended to be used solely for sporting, recreational, or cultural purposes in antique firearms or antique devices; or
- (10) An explosive which is lawfully possessed in accordance with the rules adopted pursuant to Code Section 16-7-94."

**PART VII
SECTION 7-1.**

Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety,

is amended by revising Code Section 25-8-2, relating to definitions regarding the regulation of blasting operations generally, as follows:

"25-8-2.

As used in this chapter, the term:

- (1) 'Blaster' means a person qualified by reason of training, knowledge, or experience to fire or detonate explosives in blasting operations and who has in his or her possession a valid blaster's license issued by the ~~Commissioner~~ commissioner.
- (2) 'Blasting operation' means the use of explosives in the blasting of stone, rock, ore, or any other natural formation or in any construction or demolition work but shall not include the use of explosives in agricultural operations and private and personal use of explosives in remote areas for such operations as ditching, land clearing, destruction of beaver dams and other such operations when not in close proximity to adjacent property. This chapter shall not apply to any blasting operation in which the charge weight is 200 pounds or less.
- (3) 'Charge weight' means the total weight in pounds of an explosive charge.
- (4) 'Charge weight per delay' means the weight in pounds of an explosive charge which is detonated per delay period for delay intervals of eight milliseconds or greater or the total weight of explosives in pounds which is detonated within an interval less than eight milliseconds.
- (5) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (6) 'Delay initiation' means the detonation of the subcharge of explosives in predetermined sequence which is accomplished by using regular or short period delay electric blasting caps or other means of equivalent effectiveness.
- (7) 'Delay period' means the time interval in milliseconds (eight milliseconds or greater) between successive detonations of subchargers produced by the delay devices used.
- (8) 'Distance' means the actual distance in feet along ground contour to the nearest house, public building, school, church, or commercial or institutional building normally occupied.
- (9) 'Explosives' means any chemical compound or other substance or mechanical system intended for the purpose of producing an explosion or containing oxidizing and combustible units or other ingredients in such proportions or quantities that ignition by fire, by friction, by concussion, by percussion, or by detonator may produce an explosion capable of causing injury to persons or damage to property.
- (10) 'Particle velocity' means the velocity with which an earth particle moves when vibrating or oscillating in any manner from its position of rest or elastic equilibrium.
- (11) 'Person' means any individual, public or private corporation, political subdivision, government agency, municipality, industry, partnership, association, firm, trust, estate, or other entity whatsoever.
- (12) 'Scaled distance' or 'Ds' means the actual distance (D) in feet divided by the square root of the maximum charge weight (W) in pounds that is detonated per delay period. This means:

$$D_s = \frac{D}{\sqrt{W}}$$

$$\text{Scaled distance} = \frac{\text{Actual distance}}{\sqrt{\text{charge weight per delay interval}}}$$

SECTION 7-2.

Said title is further amended by revising Code Section 25-8-3, relating to requirements governing use of explosives in blasting generally, as follows:

"25-8-3.

(a) The use of explosives for the purpose of blasting in the neighborhood of any public highway, railroad, airport, dwelling house, public building, school, church, commercial or institutional building, or pipeline shall be done in accordance with this chapter and the rules and regulations promulgated by the ~~Commissioner~~ commissioner.

(b) In all blasting operations, except as otherwise provided in this chapter, the maximum particle velocity of any component of ground motion recorded on a three-component seismograph (where the components — transverse, vertical, and longitudinal — are arranged mutually perpendicular) shall not exceed two inches per second at the location of any dwelling house, public building, school, church, or commercial or institutional building normally occupied.

(c) Blasting operations without instrumentation will be considered as being within the limits set forth in this Code section if such blasting operations are conducted in accordance with subsection (d) of this Code section.

(d) Any blasting operation may be conducted without reference to any maximum amount or period provided by this Code section if the person in charge of the blasting operation demonstrates by instrumentation that maximum particle velocity of any component of the ground motion does not exceed the limits provided in subsection (b) of this Code section.

(e) Instrumentation for determining particle velocity of ground motion, as set forth in this chapter, shall be limited to devices that conform with design criteria for portable seismographs as found in the United States Bureau of Mines, RI-6487 and United States Bureau of Mines Bulletin 656. The instrument should have calibration traceable to the United States Bureau of Standards. The ~~Commissioner~~ commissioner or his or her duly authorized agent may enter upon premises for the purpose of observing any necessary instrumentation provided by this chapter.

(f) When blasting operations, other than those conducted at a fixed site as a part of any industry or business operated at the site, are to be conducted within close proximity to a known pipeline, the blaster or person in charge of the blasting operations shall take reasonable precautionary measures for the protection of the line and shall notify the owner of the line or his or her agent that the blastings are intended.

(g) Blasting operations shall not be conducted within close proximity to any public

highway unless reasonable precautionary measures are taken to safeguard the public.

(h) When blasting operations are conducted at the immediate location of any dwelling house, public building, school, church, or commercial or institutional building which would result in ground vibrations having a particle velocity exceeding the limits provided by this chapter, such blasting operations may proceed after the receipt of written consent from the property owner or owners affected."

SECTION 7-3.

Said title is further amended by revising Code Section 25-8-7, relating to refusal, suspension, or revocation of license, as follows:

"25-8-7.

Issuance of a license for the use of explosives may be refused or such a license which has been duly issued may be suspended or revoked or the renewal thereof refused by the ~~Commissioner~~ commissioner if the ~~Commissioner~~ commissioner finds that the applicant for or the holder of the license:

- (1) Has violated any provision of this chapter or of any other law of this state or any regulation duly promulgated by the ~~Commissioner~~ commissioner;
- (2) Has intentionally misrepresented or concealed any material fact in the application for the license or any document filed in support thereof;
- (3) Has permitted any person in his or her employ, either by direct instruction or by reasonable implication, to violate this chapter;
- (4) Has been convicted of a felony by final judgment in any state or federal court;
- (5) Has failed to comply with or has violated any proper order, rule, or regulation issued by the ~~Commissioner~~ commissioner; or
- (6) Has otherwise shown a lack of trustworthiness or lack of competence to act as a blaster."

SECTION 7-4.

Said title is further amended by revising Code Section 25-8-9, relating to promulgation of rules and regulations by Commissioner and forms, as follows:

"25-8-9.

The ~~Commissioner~~ commissioner may promulgate such rules and regulations, neither inconsistent nor contradictory with this chapter, as he or she deems necessary to effectuate this chapter. The ~~Commissioner~~ commissioner may also prescribe the forms required for the administration of this chapter."

SECTION 7-5.

Said title is further amended by revising Code Section 25-8-10, relating to approval by Commissioner of variations from requirements of chapter, as follows:

"25-8-10.

The ~~Commissioner~~ commissioner may approve variations from the requirements of this chapter when he or she finds that an emergency exists and that the proposed variations from the specific requirements are necessary, will not hinder the effective

administration of this chapter, and will not be contrary to any other applicable law, either state or federal."

SECTION 7-6.

Said title is further amended by revising Code Section 25-8-11, relating to powers of Commissioner for enforcement of chapter, rules, and regulations generally and privileged nature of evidence submitted to Commissioner, as follows:

"25-8-11.

(a) Whenever it appears to the ~~Commissioner~~ commissioner, either upon investigation or otherwise, that any person has engaged in, is engaging in, or is about to engage in any act, practice, or transaction which is prohibited by this chapter or by any rule, regulation, or order of the ~~Commissioner~~ commissioner promulgated or issued pursuant to this chapter or which is declared to be unlawful under this chapter, the ~~Commissioner~~ commissioner, in his or her discretion and if he or she deems it to be appropriate in the public interest or for the protection of the citizens of this state, may issue an order prohibiting the person from continuing the act, practice, or transaction.

(b) Other powers granted to the ~~Commissioner~~ commissioner for the enforcement of this chapter include, but are not limited to, the following:

(1) The ~~Commissioner~~ commissioner may institute actions or other legal proceedings in any superior court of proper venue. Thereupon, the superior court, among other appropriate relief, may issue injunctions restraining persons and those acting in active concert with them from engaging in acts prohibited by the ~~Commissioner~~ commissioner in the enforcement of this chapter;

(2) In addition to any other penalties provided in this chapter, the ~~Commissioner~~ commissioner shall have authority to place a licensee on probation for a period of time not to exceed one year or to impose a monetary fine of up to \$1,000.00, or to do both, for each and every violation of this chapter or of the rules and regulations or orders of the ~~Commissioner~~ commissioner promulgated pursuant thereto; and

(3) The ~~Commissioner~~ commissioner or his or her designee shall have investigatorial powers and shall be empowered to subpoena witnesses and to examine them under oath.

(c) All testimony, documents, and other evidence required to be submitted to the ~~Commissioner~~ commissioner pursuant to this chapter shall be privileged."

SECTION 7-7.

Said title is further amended by revising Code Section 25-8-12, relating to penalties for violations of chapter, rules, regulations, or orders, and by adding a new Code section to read as follows:

"25-8-12.

Any person who violates this chapter or any rule, regulation, or order promulgated by the ~~Commissioner~~ commissioner pursuant to this chapter shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of not less than \$500.00 and not more than \$1,000.00.

25-8-13.

(a) The Board of Fire Safety, the commissioner, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

**PART VIII
SECTION 8-1.**

Said title is further amended by revising Chapter 10, relating to regulation of fireworks, as follows:

"CHAPTER 10

25-10-1.

(a) As used in this chapter, the term:

(1) 'Commissioner' means the commissioner of fire safety.

~~(1)~~(2) 'Consumer fireworks' means any small fireworks devices containing restricted amounts of pyrotechnic composition, designed primarily to produce visible or audible effects by combustion, that comply with the construction, chemical composition, and labeling regulations of the United States Consumer Product Safety Commission as provided for in Parts 1500 and 1507 of Title 16 of the Code of Federal Regulations, the United States Department of Transportation as provided for in Part 172 of Title 49 of the Code of Federal Regulations, and the American Pyrotechnics Association as provided for in the 2001 American Pyrotechnics Association Standard 87-1, and additionally shall mean Roman candles.

~~(2)~~(3) 'Consumer fireworks retail sales facility' shall have the same meaning as provided for by NFPA 1124; provided, however, that such term shall not include a tent, canopy, or membrane structure.

~~(3)~~(4) 'Consumer fireworks retail sales stand' shall have the same meaning as provided for by NFPA 1124.

~~(4)~~(5) 'Distributor' means any person, firm, corporation, association, or partnership which sells consumer fireworks.

~~(4.1)~~(6) 'Electric plant' shall have the same meaning as provided for in Code Section

46-3A-1.

~~(5)~~(7) 'Fireworks' means any combustible or explosive composition or any substance or combination of substances or article prepared for the purpose of producing a visible or audible effect by combustion, explosion, deflagration, or detonation, including blank cartridges, firecrackers, torpedos, skyrockets, bombs, sparklers, and other combustibles and explosives of like construction, as well as articles containing any explosive or flammable compound and tablets and other devices containing an explosive substance.

~~(6)~~(8) 'NFPA 1124' means the National Fire Protection Association Standard 1124, *Code for the Manufacture, Transportation, Storage, and Retail Sales of Fireworks and Pyrotechnic Articles*, 2006 Edition.

~~(7)~~(9) 'Nonprofit group' means any entity exempt from taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, any entity incorporated under Chapter 3 of Title 14, the 'Georgia Nonprofit Corporation Code,' or a sponsored organization of a public or private elementary or secondary school in this state.

~~(8)~~(10) 'Proximate audience' means an audience closer to pyrotechnic devices than permitted by the National Fire Protection Association Standard 1123, *Code for Fireworks Display*, as adopted by the ~~Safety Fire Commissioner~~ commissioner.

~~(9)~~(11) 'Pyrotechnics' means fireworks.

~~(10)~~(12) 'Store' shall have the same meaning as provided for by NFPA 1124; provided, however, that such term shall only include such buildings with at least 4,000 square feet of retail display space and wherefrom:

(A) No more than 25 percent of such retail display space is used for consumer fireworks and items or products as provided for under paragraph (2) of subsection (b) of this Code section; and

(B) Other items or products which are not consumer fireworks or items or products as provided for under paragraph (2) of subsection (b) of this Code section are sold; and provided, further, that such term means a person, firm, corporation, association, or partnership with more than one mercantile location, where all such mercantile locations are collectively known to the public by the same name or share central management.

~~(11)~~(13) 'Waste-water treatment plant' shall have the same meaning as provided for in Code Section 43-51-2.

~~(12)~~(14) 'Water treatment plant' shall have the same meaning as provided for in Code Section 43-51-2.

(b) As used in this chapter, the term 'consumer fireworks' or 'fireworks' shall not include:

(1) Model rockets and model rocket engines designed, sold, and used for the purpose of propelling recoverable aero models, toy pistol paper caps in which the explosive content averages 0.25 grains or less of explosive mixture per paper cap or toy pistols, toy cannons, toy canes, toy guns, or other devices using such paper caps; nor shall the term 'consumer fireworks' or 'fireworks' include ammunition consumed by weapons used for sporting and hunting purposes; and

(2) Wire or wood sparklers of 100 grams or less of mixture per item; other sparkling items which are nonexplosive and nonaerial and contain 75 grams or less of chemical compound per tube or a total of 500 grams or less for multiple tubes; snake and glow worms; smoke devices; or trick noise makers which include paper streamers, party poppers, string poppers, snappers, and drop pops each consisting of 0.25 grains or less of explosive mixture.

25-10-2.

(a) It shall be unlawful for any person, firm, corporation, association, or partnership to offer for sale at retail or wholesale, to use or ignite or cause to be ignited, or to possess, manufacture, transport, or store any consumer fireworks or fireworks, except as otherwise provided in this chapter.

(b)(1) Notwithstanding any provision of this chapter to the contrary, it shall be unlawful for any person, firm, corporation, association, or partnership to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person under 18 years of age.

(2) It shall be unlawful to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person by any means other than an in-person, face-to-face sale. Such person shall provide proper identification to the seller at the time of such purchase. For purposes of this paragraph, the term 'proper identification' means any document issued by a governmental agency containing a description of the person or such person's photograph, or both, and giving such person's date of birth and includes without being limited to a passport, military identification card, driver's license, or identification card authorized under Code Sections 40-5-100 through 40-5-104.

(3)(A) It shall be unlawful to use fireworks, consumer fireworks, or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 indoors or within the right of way of a public road, street, highway, or railroad of this state.

(B) Except as provided for in subparagraph (D) or (E) of this paragraph and subject to paragraph (4) of this subsection and Code Section 25-10-2.1, it shall be lawful for any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited any consumer fireworks:

(i) On any day beginning at the time of 10:00 A.M. and up to and including the ending time of 9:00 P.M.;

(ii) On any day after the time of 9:00 P.M. and up to and including the time of 11:59 P.M. if such use or ignition is lawful pursuant to any noise ordinance of the county or municipal corporation of the location in which such use or ignition occurs, except as otherwise provided for under this subparagraph; provided, however, that a county or municipal corporation may additionally require the issuance of a special use permit pursuant to subparagraph (D) of this paragraph for use or ignition;

(iii) On January 1, July 3, July 4, and December 31 of each year after the time of 9:00 P.M. and up to and including the time of 11:59 P.M.; and

(iv) On January 1 of each year beginning at the time of 12:00 Midnight and up to and including the ending time of 1:00 A.M.

(C) Subject to subparagraph (D) of this paragraph, paragraph (4) of this subsection, and Code Section 25-10-2.1, it shall be lawful for any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited any consumer fireworks anywhere in this state except:

(i) As provided for under subparagraph (A) of this paragraph;

(ii) In any location where such person, firm, corporation, association, or partnership is not lawfully present or is not otherwise lawfully permitted to use or ignite or cause to be ignited any consumer fireworks;

(iii) Within 100 yards of an electric plant; water treatment plant; waste-water treatment plant; a facility engaged in the retail sale of gasoline or other flammable or combustible liquids or gases where the volume stored is in excess of 500 gallons for the purpose of retail sale; a facility engaged in the production, refining, processing, or blending of any flammable or combustible liquids or gases for retail purposes; any public or private electric substation; or a jail or prison;

(iv) Within 100 yards of the boundaries of any public use air facility provided for under Title 6 or any public use landing area or platform marked and designed for landing use by helicopters;

(v) Within any park, historic site, recreational area, or other property which is owned by or operated by, for, or under the custody and control of a governing authority of a county or municipal corporation, except pursuant to a special use permit as provided for in subparagraph (D) of this paragraph;

(vi) Within any park, historic site, recreational area, or other property which is owned by or operated by, for, or under the custody and control of the State of Georgia, except pursuant to any rules and regulations of the agency or department having control of such property which may allow for such use or ignition of consumer fireworks;

(vii) Within 100 yards of a hospital, nursing home, or other health care facility regulated under Chapter 7 of Title 31; provided, however, that an owner or operator of such facility may use or ignite or cause to be ignited consumer fireworks on the property of such facility or may grant written permission to any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited consumer fireworks on the property of such facility; or

(viii) While under the influence of alcohol or any drug or any combination of alcohol and any drug to the extent that it is less safe or unlawful for such person to ignite consumer fireworks as provided for in Code Section 25-10-2.1.

(D) Any person, firm, corporation, association, or partnership may use or ignite or cause to be ignited any consumer fireworks as provided for under divisions (3)(B)(ii) and (3)(C)(v) of this subsection if such person, firm, corporation, association, or partnership is issued a special use permit pursuant to the law of a governing authority of a county or municipal corporation for the use or ignition of consumer fireworks in a location within such county or municipality as provided for

under divisions (3)(B)(ii) and (3)(C)(v) of this subsection, provided that such special use permit is required for such use or ignition. Such special use permit shall designate the time or times and location that such person, firm, corporation, association, or partnership may use or ignite or cause to be ignited such consumer fireworks. A fee assessed by a county or municipal corporation for the issuance of a special use permit pursuant to this subparagraph shall not exceed \$100.00. No governing authority or official of a county, municipality, or other political subdivision shall bear liability for any decisions made pursuant to this Code section.

(E) Whenever the Governor issues a declaration of drought, the Governor may, for the boundaries of the area covered by such declaration, enact further regulations and restrictions concerning the use of consumer fireworks than provided for under this chapter; provided, however, that no such further regulations or restrictions on the use of consumer fireworks shall be effective pursuant to this subparagraph on January 1, July 3, July 4, or December 31 of any year; provided, further, that such further regulations or restrictions shall only apply to the exact boundaries of the area covered by such declaration and shall only apply with regard to the ignition of consumer fireworks; and provided, further, that upon expiration or conclusion of such declaration, such further regulations or restrictions shall be rescinded by law.

(4)(A) It shall be lawful for any person 18 years of age or older to use or ignite or cause to be ignited or to possess, manufacture, transport, or store consumer fireworks.

(B) To the extent otherwise permitted by law, it shall be lawful for any person who is 16 or 17 years of age to possess or transport consumer fireworks, provided that such person is serving as an assistant to a distributor licensed under subsection (c) of Code Section 25-10-5.1 or the nonprofit group benefiting from such distributor's application pursuant to subsection (c) of Code Section 25-10-5.1 and is not transporting such consumer fireworks on a highway which constitutes a part of The Dwight D. Eisenhower System of Interstate and Defense Highways.

(5)(A) It shall be lawful for any person 18 years of age or older to sell or to offer for sale at retail or wholesale any consumer fireworks pursuant to the requirements of this chapter.

(B) It shall be lawful for any person who is 16 or 17 years of age to sell or to offer for sale at retail or wholesale any consumer fireworks, provided that such person is serving as an assistant to a distributor licensed under subsection (c) of Code Section 25-10-5.1 or the nonprofit group benefiting from such distributor's application pursuant to subsection (c) of Code Section 25-10-5.1.

(6)(A) It shall be lawful to sell consumer fireworks from a permanent consumer fireworks retail sales facility or store only if such permanent consumer fireworks retail sales facility or store is:

- (i) In compliance with the requirements for such a permanent consumer fireworks retail sales facility or store in the selling of consumer fireworks as provided for in NFPA 1124; and
- (ii) Selling consumer fireworks of a distributor licensed pursuant to subsection (b)

or (d) of Code Section 25-10-5.1.

(B) It shall be lawful to sell consumer fireworks from a temporary consumer fireworks retail sales stand only if such temporary consumer fireworks retail sales stand is:

(i) In compliance with the requirements for such a temporary consumer fireworks retail sales stand in the selling of consumer fireworks as provided for in NFPA 1124;

(ii) Within 1,000 feet of a fire hydrant of a county, municipality, or other political subdivision or a fire department connection of a building affiliated with such consumer fireworks retail sales stand, unless the chief administrative officer of the fire department of a county, municipality, or other political subdivision or chartered fire department legally organized to operate in this state pursuant to Chapter 3 of this title and having operational authority over such location of the temporary consumer fireworks retail sales stand provides in writing that such temporary consumer fireworks retail sales stand may operate in excess of 1,000 feet from such fire hydrant or fire department connection; and

(iii) Selling consumer fireworks of a distributor licensed pursuant to subsection (c) of Code Section 25-10-5.1.

A distributor licensed pursuant to subsection (c) of Code Section 25-10-5.1 may operate no more than two temporary consumer fireworks retail sales stands in this state per location licensed pursuant to subsection (b) or (d) of Code Section 25-10-5.1; provided, however, that such distributor has been operating and open to the public pursuant to subsection (b) or (d) of Code Section 25-10-5.1 no less than 30 days prior to July 4 or December 31 in the year of an application for a license under subsection (c) of Code Section 25-10-5.1 that is filed within 30 days of July 4 or December 31.

(C) It shall be unlawful to sell consumer fireworks from any motor vehicle, from a trailer towed by a motor vehicle, or from a tent, canopy, or membrane structure.

25-10-2.1.

(a) It shall be unlawful for any person to ignite consumer fireworks or fireworks while:

(1) Under the influence of alcohol or any drug or any combination of alcohol and any drug to the extent that it is unsafe for such person to ignite consumer fireworks or fireworks; or

(2) Subject to the provisions of subsection (b) of this Code section, there is any amount of marijuana or a controlled substance, as defined in Code Section 16-13-21, present in such person's blood or urine, or both, including the metabolites and derivatives of each or both, without regard to whether or not any alcohol is present in such person's breath or blood.

(b) The fact that any person charged with violating this Code section is or has been legally entitled to use a drug shall not constitute a defense against any charge of violating this Code section; provided, however, that such person shall not be in violation of this Code section unless such person is rendered incapable of igniting

consumer fireworks or fireworks safely as a result of using a drug other than alcohol which such person is legally entitled to use.

(c) Any person convicted of violating subsection (a) of this Code section shall be guilty of a misdemeanor.

25-10-3.

Nothing in this chapter shall be construed to prohibit the following:

(1) The wholesale or retail sale of fireworks for use in a public exhibition or public display and the transportation of fireworks for such use, provided that any person selling at wholesale or retail or transporting fireworks for such use must have a duplicate copy of the permit which has been issued by the judge of the probate court to a person, firm, corporation, association, or partnership which has been authorized to hold a public exhibition or display, and provided, further, that the seller maintains and makes available for inspection by the ~~Safety Fire Commissioner~~ commissioner or the designee thereof the record of any such fireworks sale for a period of 18 months from the date of sale;

(2) Use by railroads or other transportation agencies of fireworks specifically designed and intended for signal purposes or illumination;

(3) The sale or use of blank cartridges for a show or theater or for signal or ceremonial purposes in athletic or sports events or for use by military or police organizations; or

(4) The manufacture of any fireworks not prohibited by Congress or any federal agency; the possession, transportation, and storage of any such fireworks by any manufacturer thereof; the storage of certain such fireworks by a nonmanufacturer in accordance with the provisions of Code Section 25-10-3.1; the possession, transportation, or distribution of any such fireworks to a distributor located outside this state; the sale of such fireworks by any such manufacturer to a distributor located outside this state; or the possession and transportation of such fireworks by any manufacturer or contractor or common carrier from the point of manufacture within this state to any point outside this state.

25-10-3.1.

(a) Fireworks defined as Class B explosives or the equivalent thereof by regulations of the United States Department of Transportation set forth in Part 173 of Title 49 of the Code of Federal Regulations and which are to be used only for purposes of a public exhibition or display pursuant to Code Section 25-10-4 may be stored by a person, firm, or corporation, other than a manufacturer, pursuant to a magazine license issued by the ~~Safety Fire Commissioner~~ commissioner in accordance with the provisions of this Code section. Any application for such a license shall be made to the ~~Safety Fire Commissioner~~ commissioner in a form to be prescribed by the ~~Commissioner~~ commissioner. The application shall include a letter of acknowledgment and endorsement from the local authority having responsibility for fire suppression.

(b) Any application for a magazine license made pursuant to subsection (a) of this

Code section shall be accompanied by plans for the magazine proposed to be used for storage of Class B explosives or the equivalent thereof, in such detail and in such number of copies as required by the ~~Safety Fire Commissioner~~ commissioner. Construction of a magazine for storage of fireworks pursuant to this Code section shall not commence until the plans therefor have been approved by the state fire marshal and returned to the applicant.

(c) No license shall be issued pursuant to this Code section unless:

(1) The applicant currently holds a valid license or permit to receive explosive materials including Class B explosives or the equivalent thereof issued pursuant to regulations of the Bureau of Alcohol, Tobacco, and Firearms of the United States Department of the Treasury;

(2) The applicant presents a copy of a valid permit for a public exhibition or display of fireworks issued pursuant to Code Section 25-10-4;

(3) The state fire marshal or the designee thereof has determined upon inspection that the constructed magazine meets or exceeds the requirements for magazines to be used for storing Class B explosives or the equivalent thereof as established by regulations and adopted codes and standards of the ~~Safety Fire Commissioner~~ commissioner; and

(4) The state fire marshal or the designee thereof has determined upon inspection that the constructed magazine meets or exceeds any additional requirements applicable to magazines to be used for storage of Class B explosives or the equivalent thereof by nonmanufacturers as may be established by regulation promulgated pursuant to Code Section 25-10-5.

(d) Any license issued pursuant to this Code section shall be subject to the annual license fee and expiration date provisions of Code Section 25-10-5. The initial annual fee for a magazine license shall be submitted along with the application for such license.

(e) Any fireworks stored under any magazine license issued pursuant to this Code section shall be stored in an approved magazine and in accordance with the regulations for storing Class B explosives or the equivalent thereof as established by regulations of the ~~Safety Fire Commissioner~~ commissioner and any additional requirements for storage of such explosives by nonmanufacturers as may be established by regulation promulgated pursuant to Code Section 25-10-5, for a period of time not to exceed 60 days before and 60 days after the permitted date of a public exhibition or display of fireworks pursuant to Code Section 25-10-4.

(f) Any violation of the provisions of this Code section shall be grounds for revoking a magazine license.

25-10-3.2.

(a) No person, firm, corporation, association, or partnership shall cause the combustion, explosion, deflagration, detonation, or ignition of pyrotechnics for the purpose of a public exhibition or display before a proximate audience unless such person, firm, corporation, association, or partnership holds a valid license issued by the ~~Safety Fire Commissioner~~ commissioner in accordance with the provisions of this Code

section. Any application for such a license shall be made to the ~~Safety Fire Commissioner~~ commissioner in the form prescribed by the ~~Safety Fire Commissioner~~ commissioner.

(b) All applicants must meet the following requirements for licensure:

(1) The applicant shall submit to the ~~Safety Fire Commissioner~~ commissioner proof of a valid comprehensive liability insurance policy purchased from an insurer authorized to do business in Georgia. The coverage must include bodily injury and property damage, products liability, completed operations, and contractual liability. The proof of insurance must also be provided before any license can be renewed. The minimum amount of said coverage shall be \$1 million or such other amount as specified by the ~~Safety Fire Commissioner~~ commissioner. An insurer that provided such coverage shall notify the ~~Safety Fire Commissioner~~ commissioner of any change in coverage;

(2) The applicant shall pay the required licensing fee as prescribed in Code Section 25-10-5; and

(3) The applicant shall comply with all rules and regulations promulgated by the ~~Safety Fire Commissioner~~ commissioner pursuant to this chapter.

(c) Any violation of this chapter shall be grounds for revocation or denial of licensure to conduct pyrotechnic displays.

25-10-4.

(a) Any person, firm, corporation, association, or partnership desiring to conduct a public exhibition or display of fireworks not before a proximate audience shall first obtain a permit from the judge of the probate court of the county in which the public exhibition or display is to be held. Application for a permit must be made in writing and filed with the judge not less than ten days prior to the date of the proposed public exhibition or display of fireworks. Fireworks distributors located outside this state shall obtain display permit application forms and provide the same to applicants upon request. The judge may grant a permit for the display on the following conditions:

(1) That the display be conducted by a competent operator approved by the judge;

(2) That the display shall be of such character as in the opinion of the judge will not be hazardous to persons or property;

(3) That the local fire official responsible for the area in question certifies in writing that the site for the display meets his or her approval and is in compliance with all applicable codes; and

(4) That the application be accompanied by a bond in the principal sum of \$10,000.00, payable to the county in which the display is being held and conditioned for the payment of damages which may be caused either to persons or to property by reason of the display or, alternatively, that the application be accompanied by evidence that the applicant carries proper liability insurance for bodily injury in the amount of not less than \$25,000.00 for each person and \$50,000.00 for each accident and for property damage in the amount of not less than \$25,000.00 for each accident and \$50,000.00 aggregate, with an insurance company duly licensed by the

Commissioner of Insurance.

(b) Any person, firm, corporation, association, or partnership desiring to conduct a public exhibition or display of fireworks before a proximate audience shall first obtain a permit from the judge of the probate court of the county in which the public exhibition or display is to be held. Application for a permit must be made in writing and filed with the judge not less than ten days prior to the date of the proposed public exhibition or display of fireworks. Such application must contain the license number issued by the ~~Safety Fire Commissioner~~ commissioner for the person, firm, corporation, association, or partnership that will cause the combustion, explosion, deflagration, or detonation of pyrotechnics at the public exhibition or display. Fireworks distributors located outside this state shall obtain display permit application forms and provide the same to applicants upon request. The judge may grant a permit for the display on the following conditions:

- (1) That the display be conducted by a competent operator approved by the judge;
- (2) That the display shall be of such character as in the opinion of the judge will not be hazardous to persons or property;
- (3) That the local fire official responsible for the area in question certifies in writing that the site for the display meets his or her approval and is in compliance with all applicable codes; and
- (4) That the application be accompanied by a bond in the principal sum of \$10,000.00, payable to the county in which the display is being held and conditioned for the payment of damages that may be caused either to persons or to property by reason of the display or, alternatively, that the application be accompanied by evidence that the applicant carries property liability insurance for bodily injury in the amount of not less than \$25,000.00 for each person and \$50,000.00 for each accident and for property damage in the amount of not less than \$25,000.00 for each accident and \$50,000.00 aggregate, with an insurance company duly licensed by the Commissioner of Insurance.

(c) No permit, as provided for in subsections (a) and (b) of this Code section, shall be granted unless the applicant has met all the requirements of and is in full compliance with the rules and regulations promulgated by the ~~Safety Fire Commissioner~~ commissioner pursuant to this chapter.

(d) The permit provided for in subsection (a) or (b) of this Code section shall be limited to the time specified therein, such time not to exceed a two-week period. The permit shall not be transferable. In the event any fireworks bought and possessed under this Code section are not used by the licensee or in the event that there is a surplus or excess after the two-week period expires, it shall be the duty of the licensee to return such fireworks to a facility approved in accordance with Code Section 25-10-3.1 and the rules and regulations promulgated by the ~~Safety Fire Commissioner~~ commissioner. Fireworks stored in accordance with Code Section 25-10-3.1 and regulations shall not be deemed contraband and shall not be subject to seizure.

(e) The judge of the probate court shall receive \$10.00 for his or her services in granting or refusing the original permit and \$1.00 for each copy issued, to be paid by

the applicant. The judge of the probate court shall provide the ~~Safety Fire Commissioner~~ commissioner a copy of each permit granted prior to the proposed date of the public exhibition or display.

25-10-4.1.

No person under the age of 18 shall be employed to work at any magazine, or at any facility containing a magazine, wherein fireworks are stored or to work in any public exhibition or display of fireworks.

25-10-5.

The annual license fee for any person, firm, or corporation conducting business in this state under paragraph (4) of Code Section 25-10-3 or storing fireworks under Code Section 25-10-3.1 or conducting pyrotechnic displays under Code Section 25-10-3.2 shall be \$1,500.00 per year, payable to the ~~Safety Fire Commissioner~~ commissioner. The license shall expire on December 31 of each year. The ~~Safety Fire Commissioner~~ commissioner is authorized and directed to promulgate safety regulations relating to the manufacture, storage, and transportation of fireworks within this state in order to ensure the adequate protection of the employees of any such person, firm, or corporation and of the general public. The ~~Safety Fire Commissioner~~ commissioner is also authorized and directed to promulgate safety regulations relating to the public exhibition or display of pyrotechnics and the licensing requirements of those conducting such public exhibitions or displays, as he or she deems necessary. The ~~Safety Fire Commissioner~~ commissioner is further authorized and directed to conduct periodic inspections of the facilities of any person, firm, or corporation manufacturing, storing, and transporting fireworks as provided in paragraph (4) of Code Section 25-10-3 or as provided in Code Section 25-10-3.1 in order to ensure compliance with fire safety rules and regulations.

25-10-5.1.

(a)(1) A license pursuant to this Code section shall only be issued to a distributor that:

(A) Complies with all the requirements of this chapter; and

(B) Maintains at all times public liability and product liability insurance with minimum coverage limits of \$2 million to cover the losses, damages, or injuries that might ensue to persons or property as a result of selling consumer fireworks.

(2) Any person who knowingly and willfully makes a false, fictitious, or fraudulent statement of representation in an application executed pursuant to this Code section shall be guilty of a violation of Code Section 16-10-20.

(3) Applications to the ~~Safety Fire Commissioner~~ commissioner pursuant to this Code section shall be upon forms prescribed and promulgated by the ~~Safety Fire Commissioner~~ commissioner.

(4) Any person, firm, corporation, association, or partnership seeking a license pursuant to subsection (b) or (d) of this Code section shall have property from which the applicant intends to sell consumer fireworks under such person's, firm's,

corporation's, association's, or partnership's ownership or legal control through a lease, rental agreement, licensing agreement, or other contractual instrument at the time of filing the application for such license, and such property shall be in a condition ready for inspection.

(b)(1) The initial license fee for a distributor selling consumer fireworks from a permanent consumer fireworks retail sales facility shall be \$1,500.00 per location, payable to the ~~Safety Fire Commissioner~~ commissioner; provided, however, that the initial license fee shall be \$5,000.00 for a distributor that is not licensed pursuant to this subsection prior to July 1, 2016. Upon finding that a distributor has met the requirements of subsection (a) of this Code section and upon payment of such license fee, such initial license shall be issued by the ~~Safety Fire Commissioner~~ commissioner and shall identify the permanent consumer fireworks retail sales facility applicable to such license. Such initial license shall expire on January 31 of the year after such initial license was issued or as otherwise provided for under this subsection. After such initial license, such distributor may annually renew such initial license, which shall then become an annual license, for \$1,000.00 per year, payable to the ~~Safety Fire Commissioner~~ commissioner. Upon finding that a distributor has met the requirements of subsection (a) of this Code section and upon payment of such license fee, such annual license shall be issued by the ~~Safety Fire Commissioner~~ commissioner and shall identify the permanent consumer fireworks retail sales facility applicable to such license. Such annual license shall expire on January 31 of each year or as otherwise provided for under this subsection; provided, however, that a distributor shall apply for an annual license or renewal of an annual license by December 1 in the year preceding the expiration date of such initial or annual license; and provided, further, that if an initial license is issued to a distributor on or after December 1, then such distributor shall apply for an annual license by the first business day of the next year.

(2) The determination by the ~~Safety Fire Commissioner~~ commissioner of whether a distributor has met requirements for the issuance of a license required by this subsection shall be made within 30 days of the submission of an application for any initial or annual license; provided, however, that if a license will expire prior to the expiration of such 30 days and no such determination has been made by the ~~Safety Fire Commissioner~~ commissioner, then the expiration date for such license shall be extended until the date of such determination by the ~~Safety Fire Commissioner~~ commissioner but for no more than 30 days. If a determination has not been made within the time provided for by this paragraph, or for an appeal of a determination by the ~~Safety Fire Commissioner~~ commissioner, a distributor may seek review from the judge of the probate court of the county of the location or proposed location of the permanent consumer fireworks retail sales facility. Such judge may provide for the issuance or nonissuance of a license and for the payment of license fees in such manner as is consistent with the provisions of this subsection.

(c)(1) The license fee for a distributor selling consumer fireworks from a temporary consumer fireworks retail sales stand shall be \$500.00 per location, payable to the

governing authority of the county, municipality, or other political subdivision of this state in whose boundaries such temporary consumer fireworks retail sales stand shall be located or is proposed to be located. Upon finding that a distributor has met the requirements of subsection (a) of this Code section, has a license pursuant to subsection (b) or (d) of this Code section, has no more than the allowable temporary consumer fireworks retail sales stands pursuant to subparagraph (b)(6)(B) of Code Section 25-10-2, that the sales of consumer fireworks from such temporary consumer fireworks retail sales stand shall accrue to the benefit of a nonprofit group, and upon payment of such license fee, such license shall be issued by the fire department of the county, municipality, or other political subdivision or the chartered fire department legally organized to operate in this state pursuant to Chapter 3 of this title and having operational authority of the area in which such temporary consumer fireworks retail sales stand shall be located or is proposed to be located. Such license shall identify the temporary consumer fireworks retail sales stand applicable to such license and shall expire on the next January 31 after the issuance of such license.

(2) A determination by a fire department as provided for under paragraph (1) of this subsection of whether a distributor has met requirements for the issuance of a license pursuant to this subsection shall be made within 30 days of the submission of an application for any such license. Such application shall be in writing and, if such fire department provides for a written form for the application for a license pursuant to this Code section, upon such form as may be provided by such fire department. If a determination has not been made within the time provided for by this paragraph, or for an appeal of a determination by such fire department, a distributor may seek review from the judge of the probate court of the county of the location or proposed location of the temporary consumer fireworks retail sales stand. Such judge may provide for the issuance or nonissuance of a license and for the payment of license fees in such manner as is consistent with the provisions of this subsection.

(3) For at least one of the temporary consumer fireworks retail sales stands provided for under subparagraph (b)(6)(B) of Code Section 25-10-2, a nonprofit group benefiting from the sale of consumer fireworks from such temporary consumer fireworks retail sales stand shall directly participate in operating such temporary consumer fireworks retail sales stand. It shall be unlawful for a nonprofit group or any agent or bona fide representative of a nonprofit group to knowingly lend the name of the nonprofit group or allow the identity of the nonprofit group to be used for the license under this subsection if such nonprofit group is not directly participating in operating, or benefiting from the operation of, such temporary consumer fireworks retail sales stand.

(4) The governing authority of a county, municipality, or other political subdivision receiving fees pursuant to this Code section shall expend such fees for public safety purposes.

(5) A distributor licensed pursuant to this subsection shall submit a list of the names and addresses, including the counties, of each temporary consumer fireworks retail sales stand at which such distributor has consumer fireworks offered for sale pursuant

to this Code section to the ~~Safety Fire Commissioner~~ commissioner. Such list shall be submitted not less than 30 days prior to first having a temporary consumer fireworks retail sales stand at which such distributor has consumer fireworks offered for sale and not less than 30 days prior to having such distributor's consumer fireworks offered for sale at a location not previously included on such list. The ~~Safety Fire Commissioner~~ commissioner shall make such list publicly available for inspection. In making determinations as provided for under this subsection, fire departments shall reference the list provided for by this paragraph.

(6) A revocation or suspension of a license provided for under subsection (b) or (d) of this Code section shall operate as a revocation or suspension of a distributor's license under this subsection for the term of such revocation or suspension.

(d)(1) The initial license fee for a distributor selling consumer fireworks from a store shall be \$1,500.00 in addition to \$250.00 per store location, payable to the ~~Safety Fire Commissioner~~ commissioner. Upon finding that a distributor has met the requirements of subsection (a) of this Code section, such initial license shall be issued by the ~~Safety Fire Commissioner~~ commissioner; provided, however, that such distributor has been operating and open to the public no less than 30 days prior to July 4 or December 31 in the year of an application for an initial license that is filed within 30 days of July 4 or December 31; and provided, further, that a distributor holding an initial license may add additional store locations to such license prior to the expiration of such license upon payment of \$250.00 per added store location. Such initial license shall expire on January 31 of the year after such initial license was issued or as otherwise provided for under this subsection. After such initial license, such distributor may annually renew such initial license, which shall then become an annual license, for \$1,000.00 in addition to \$100.00 per store location, payable to the ~~Safety Fire Commissioner~~ commissioner; provided, however, that a distributor holding an annual license may add additional store locations to such license prior to the expiration of such license upon payment of \$250.00 per added store location. Upon finding that a distributor has met the requirements of subsection (a) of this Code section, such annual license shall be issued by the ~~Safety Fire Commissioner~~ commissioner. Such annual license shall expire on January 31 of each year or as otherwise provided for under this subsection; provided, however, that a distributor shall apply for an annual license or renewal of an annual license by December 1 in the year preceding the expiration date of such initial or annual license; and provided, further, that if an initial license is issued to a distributor on or after December 1, then such distributor shall apply for an annual license by the first business day of the next year.

(2) An application submitted under this subsection shall identify each store location to which an initial or annual license is applicable; there shall not be a requirement for a separate application for each of the several store locations. The determination by the ~~Safety Fire Commissioner~~ commissioner of whether a distributor has met requirements for the issuance of a license required by this subsection shall be made within 30 days of the submission of an application for any initial or annual license;

provided, however, that if a license will expire prior to the expiration of such 30 days and no such determination has been made by the ~~Safety Fire Commissioner~~ commissioner, then the expiration date for such license shall be extended until the date of such determination by the ~~Safety Fire Commissioner~~ commissioner but for no more than 30 days. If a determination has not been made within the time provided for by this paragraph, or for an appeal of a determination by the ~~Safety Fire Commissioner~~ commissioner, a distributor may seek review from the judge of the probate court of the county of the location or proposed location of the store from which consumer fireworks will be sold. Such judge may provide for the issuance or nonissuance of a license and for the payment of license fees in such manner as is consistent with the provisions of this subsection.

25-10-6.

(a) The state fire marshal shall enforce the provisions of this chapter; provided, however, that, in addition, any law enforcement officer or agency of this state or political subdivision thereof may enforce provisions relating to using or igniting or causing to be ignited consumer fireworks. Applicable fire departments of a county, municipality, or other political subdivision or a chartered fire department shall refer cases for enforcement under subsection (c) of Code Section 25-10-5.1 to the state fire marshal. All fireworks or consumer fireworks manufactured, offered for sale, exposed for sale, or stored in violation of this chapter are declared to be contraband and may be seized, taken, and removed, or caused to be removed and destroyed or disposed of at the expense of the owner thereof by the state fire marshal, the Georgia State Patrol, or any sheriff or local police official.

(b) Any property declared as contraband pursuant to this Code section shall be forfeited in accordance with the procedures set forth in Chapter 16 of Title 9.

25-10-7.

This chapter shall not apply to the high explosives covered by Code Section 25-2-17 over which the ~~Safety Fire Commissioner~~ commissioner has regulatory control.

25-10-8.

(a) Any person, firm, corporation, association, or partnership that violates Code Section 25-10-3.2 shall be guilty of a felony and shall be punished by imprisonment for not less than two nor more than ten years, or by a fine of not more than \$10,000.00, or both.

(b) Any person, firm, corporation, association, or partnership that violates any other provision of this chapter shall be guilty of a misdemeanor.

25-10-9.

Notwithstanding any provision of this chapter to the contrary, the ~~Safety Fire Commissioner~~ commissioner shall have the authority to subject any person, firm, corporation, association, or partnership that knowingly violates this chapter to a

monetary penalty of up to \$2,500.00 for each and every act in violation of this chapter; provided, however, that the ~~Safety Fire Commissioner~~ commissioner shall have the authority to subject any person, firm, corporation, association, or partnership that knowingly sells consumer fireworks from a tent, canopy, or membrane structure to a monetary penalty of up to \$5,000.00 and, if any such person, firm, corporation, association, or partnership is a distributor, then a license revocation for not more than two years. Each sales transaction in violation of this chapter shall be a separate offense.

25-10-10.

It shall be unlawful for any person, firm, corporation, association, or partnership to release or cause to be released any balloon, bag, parachute, or other similar device which requires fire underneath for propulsion or to release or cause to be released any floating water lantern or wish lantern which uses a flame to create a lighting effect in any public waterway, lake, pond, stream, or river.

25-10-11.

(a) Whenever the ~~Safety Fire Commissioner~~ commissioner shall have reason to believe that any person is or has been violating any provisions of this chapter, the ~~Safety Fire Commissioner~~ commissioner, his or her deputy, his or her assistant, or other designated persons may issue and deliver to the person an order to cease and desist such violation. An order issued under this Code section shall be delivered in accordance with the provisions of subsection (c) of this Code section.

(b) Violation of any provision of this chapter or failure to comply with a cease and desist order is cause for revocation of any or all licenses issued by the ~~Safety Fire Commissioner~~ commissioner for a period of not less than six months and not to exceed five years. If a new license has been issued to the person so charged, the order of revocation shall operate effectively with respect to such new license held by such person. In the case of an applicant for a license, violation of any provision of this title or regulations promulgated thereunder may constitute grounds for refusal of the application. Decisions under this subsection may be appealed as provided by law.

(c) Any order issued by the ~~Safety Fire Commissioner~~ commissioner under this chapter shall contain or be accompanied by a notice of opportunity for hearing which shall provide that a hearing will be held if and only if a person subject to the order requests a hearing in writing within ten days of receipt of the order and notice. The order and notice shall be served by delivery by the ~~Safety Fire Commissioner~~ commissioner or his or her agent or by registered or certified mail or statutory overnight delivery, return receipt requested. Any person who fails to comply with any order under this subsection is guilty of a misdemeanor and may be punished by law.

(d) In addition to other powers granted to the ~~Safety Fire Commissioner~~ commissioner under this chapter, the ~~Safety Fire Commissioner~~ commissioner may bring a civil action to enjoin a violation of any provision of this chapter or of any rule, regulation, or order issued by the ~~Safety Fire Commissioner~~ commissioner under this chapter.

25-10-12.

(a) In addition to the grounds set forth in Code Section 25-10-11, it is cause for revocation or suspension, refusal, or nonrenewal by the ~~Safety Fire Commissioner~~ commissioner of any license issued under this chapter if it is determined that the licensee or applicant has:

- (1) Failed to comply with all the requirements of this chapter or the rules and regulations promulgated pursuant thereto;
- (2) Failed to maintain the minimum insurance coverage as set forth in this chapter;
- (3) Made a material misstatement or misrepresentation or committed a fraud in obtaining or attempting to obtain a license; or
- (4) Failed to notify the ~~Safety Fire Commissioner~~ commissioner, in writing, within 30 days after a change of residence, principal business address, or name.

(b) In addition to other grounds set forth in this Code section, the ~~Safety Fire Commissioner~~ commissioner shall not issue a new license under this chapter if the ~~Safety Fire Commissioner~~ commissioner finds that the circumstance or circumstances for which the license was previously suspended or revoked still exist or are likely to recur.

25-10-13.

(a) The Board of Fire Safety, the commissioner, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART IX SECTION 9-1.

Said title is further amended by revising Chapter 11, relating to fire protection sprinkler contractors, as follows:

"CHAPTER 11

25-11-1.

This chapter shall be known and may be cited as the 'Georgia Fire Sprinkler Act.'

25-11-2.

As used in this chapter, the term:

(1) 'Certificate' or 'certificate of competency' means the document issued by the ~~Commissioner~~ commissioner to a certificate holder who has demonstrated adequate technical knowledge and ability to design in accordance with recognized standards as adopted by the ~~Commissioner~~ commissioner and to perform and supervise the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems.

(2) 'Certificate holder' means an individual who has been issued a certificate of competency by the ~~Commissioner~~ commissioner.

(3) 'Commissioner' means the ~~Georgia Safety Fire Commissioner~~ commissioner of fire safety.

(4) 'Fire protection sprinkler contractor' means an individual, partnership, corporation, association, or joint venture that supervises, performs, or supervises and performs the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems. Such term does not include local building officials, fire inspectors, or insurance inspectors when acting in their official capacities.

(5) 'Fire protection sprinkler contractor license' means the document issued by the ~~Commissioner~~ commissioner to the fire protection sprinkler contractor which authorizes the fire protection sprinkler contractor to engage in the business of fabrication, installation, repair, alteration, maintenance, or inspection of water-based fire protection systems.

(6) 'Fire protection sprinkler system' means an integrated system of overhead and underground piping designed in accordance with fire protection engineering standards. The installation includes one or more automatic water supplies. The portion of the system aboveground is a network of specially sized or hydraulically designed piping installed in a building, structure, or area, generally overhead, to which sprinklers are attached in a systematic pattern. The valve controlling each system riser is located in the system riser or its supply piping. The system is usually activated by heat from a fire and discharges water over the fire area.

(7) 'Fire protection system designer' means a person who develops documents pertaining to water-based fire protection systems.

(8) 'Fire protection system designer license' means a document issued by the ~~Commissioner~~ commissioner which authorizes the fire protection system designer to engage in the business of producing construction shop drawings pertaining to water-based fire protection systems.

(9) 'Fire protection system inspector' means an individual who performs inspections only on water-based fire protection systems in accordance with applicable codes and standards as adopted by the ~~Commissioner~~ commissioner. Such term does not apply to state, local, and insurance inspectors while acting in their official capacities.

(10) 'Fire protection system inspector's license' means a document issued by the ~~Commissioner~~ commissioner which authorizes the fire protection system inspector to

engage in the business of inspecting water-based fire protection systems.

(11) 'Fire pump' means a pump supplying water at the flow and pressure required by water-based fire protection systems.

(12) 'Foam-water spray system' means a special system pipe connected to a source of foam concentrate and to a water supply and equipped with foam-water spray nozzles for fire protection agent discharge (foam and water sequentially in that order or in reverse order) and distribution over the area to be protected. System operation arrangements parallel those for foam-water sprinkler systems.

(13) 'Foam-water sprinkler system' means a special system pipe connected to a source of foam concentrates and to a water supply and equipped with appropriate discharge devices for fire protection agent discharge and distribution over the area to be protected. The piping system is connected to the water supply through a control valve that is usually actuated by operation of automatic detection equipment installed in the same area as the sprinklers. When this valve opens, water flows into the piping system, and foam concentrate is injected into the water. The resulting foam solution discharging through the discharge devices generates and distributes foam. Upon exhaustion of the foam concentrate supply, water discharge will follow the foam and continue until manually shut off. Existing deluge sprinkler systems that have been converted to the use of aqueous film forming foam are classified as foam-water sprinkler systems.

(14) 'Inspection' means a visual examination of a water-based fire protection system or portion thereof to verify that it appears to be in operating condition and is free of physical damage.

(15) 'Maintenance' means work performed to keep equipment operable or to make repairs without altering the operation of the water-based system.

(16) 'Private fire service main' means that pipe and its appurtenances on private property that are:

(A) Between a source of water and the base of the system riser for water-based fire protection systems;

(B) Between a source of water and inlets to foam-making systems;

(C) Between a source of water and the base elbow of private hydrants or monitor nozzles;

(D) Used as fire pump suction and discharge piping outside of a building; and

(E) Beginning at the inlet side of the check valve on a gravity or pressure tank.

(17) 'Private water tank' means a tank supplying water for water-based fire protection systems which is located on private property.

(18) 'Standpipe system' means an arrangement of piping, valves, hose connections, and allied equipment installed in a building or structure with the hose connections located in such a manner that water can be discharged in streams or spray patterns through attached hoses and nozzles for the purpose of extinguishing a fire, thus protecting a building or structure, its contents, and its occupants. This is accomplished by connection to water supply systems or by pumps, tanks, and other equipment necessary to provide an adequate supply of water-to-hose connections.

(19) 'Testing' means a procedure to determine the status of a system as intended by conducting periodic physical checks on water-based fire protection systems such as waterflow tests, fire pump tests, alarm tests, and trip tests of dry pipe, deluge, or preaction valves. These tests follow up on the original acceptance test at intervals specified in the appropriate standards related to such systems.

(20) 'Water-based fire protection system' means any one system or any combination of a number of systems designed to deliver water to an apparatus designed to extinguish or retard the advancement of fire. Such systems include fire protection sprinkler systems, standpipe systems, private fire service mains, fire pumps, private water tanks, water spray fixed systems, foam-water spray systems, and foam-water sprinkler systems. The term 'fire sprinkler system' is used interchangeably with this term.

(21) 'Water-spray fixed system' means a special fixed pipe system connected to a reliable fire protection water supply and equipped with water-spray nozzles for specific water discharge and distribution over the surface or area to be protected. The piping system is connected to the water supply through an automatically or manually activated valve that initiates the flow of water. An automatic valve is actuated by operation of automatic detection equipment installed in the same area as the water-spray nozzles.

25-11-3.

(a) The ~~Commissioner~~ commissioner is charged with the duty and responsibility for the enforcement of this chapter.

(b) Any authority, power, or duty vested in the ~~Commissioner~~ commissioner by any provision of this chapter may be exercised, discharged, or performed by any deputy, assistant, or other designated employee acting in the ~~Commissioner's~~ commissioner's name and by his or her delegated authority.

(c) The ~~Commissioner~~ commissioner may, at his or her discretion, have the competency and license test prepared by others.

(d) The ~~Commissioner~~ commissioner is authorized to enter into a reciprocal agreement with the state fire commissioner, ~~or state fire marshal,~~ or such other fire safety official of other states for the waiver of the competency test of any applicant resident in such other jurisdiction, provided that:

(1) The laws of the other jurisdiction are substantially similar to this chapter; and

(2) The applicant has no place of business within this state nor is an officer, director, stockholder, or partner in any corporation or partnership doing business in this jurisdiction as a fire protection sprinkler contractor.

25-11-4.

(a) Any individual desiring to become a certificate holder shall submit to the ~~Commissioner~~ commissioner a completed application on forms prescribed by the ~~Commissioner~~ commissioner. Such individual shall remit with his or her application a nonrefundable certificate fee of \$150.00 plus a one-time filing fee of \$75.00. Such fee

shall not be prorated for portions of a year.

(b) Prior to obtaining a certificate, the applicant shall demonstrate his or her competence and knowledge of water-based fire protection systems by:

(1) Successfully completing a competency test by means prescribed by rules and regulations as adopted and promulgated by the ~~Commissioner~~ commissioner; or

(2) Submitting to the ~~Commissioner~~ commissioner a certification from either the state fire commissioner or state fire marshal of another jurisdiction whenever a reciprocal agreement has been entered into between the two jurisdictions pursuant to the provisions of this chapter.

(c)(1) If the applicant has paid the required fees and has met one of the requirements of subsection (b) of this Code section, the ~~Commissioner~~ commissioner shall issue a certificate of competency in the name of the applicant, unless such applicant has been cited under other provisions of this chapter. Such certificate shall expire annually as determined by the rules and regulations and shall be nontransferable.

(2) In no case shall a certificate holder be allowed to obtain a certificate of competency for more than one fire protection sprinkler contractor or more than one office location at a time. If the certificate holder should leave the employment of a fire protection sprinkler contractor or change office locations, he or she must notify the ~~Commissioner~~ commissioner in writing within 30 days.

(d) A certificate holder desiring to renew his or her certificate shall submit a renewal application to the ~~Commissioner~~ commissioner and remit therewith a renewal fee of \$100.00 on or before the date determined by the rules and regulations of each year. If the state minimum fire safety standards regarding the installation or maintenance of fire protection sprinkler systems or water-spray systems promulgated by the ~~Commissioner~~ commissioner have been revised since the date the certificate holder's expiring certificate was issued, the ~~Commissioner~~ commissioner may, upon 30 days' notice, require the certificate holder to again meet one of the requirements of subsection (b) of this Code section prior to the renewal of his or her certificate.

25-11-5.

(a) Where a fire protection sprinkler contractor has multiple office locations for the purpose of design, installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems, each location shall be licensed under the provisions of this chapter.

(b) Any organization or individual desiring to become a fire protection sprinkler contractor shall submit to the ~~Commissioner~~ commissioner a completed application on forms prescribed by him or her. Such organization or individual shall remit with his or her application a nonrefundable license fee of \$100.00 plus a one-time filing fee of \$75.00. Such fee shall not be prorated for portions of a year.

(c) Prior to obtaining a sprinkler contractor's license, the applicant shall:

(1) Submit to the ~~Commissioner~~ commissioner a copy of any and all certificate of competency holders' certificates employed by the applicant; and

(2) Submit to the ~~Commissioner~~ commissioner proof of comprehensive liability

insurance coverage. The liability insurance policy shall provide coverage in an amount not less than \$1 million and shall cover any loss to property or personal injury caused by the fire protection sprinkler contractor. The policy must be purchased from an insurer authorized to do business in Georgia.

(d) A fire protection sprinkler contractor license shall expire annually as determined by the rules and regulations. A license holder desiring to renew his or her license shall submit a renewal application to the ~~Commissioner~~ commissioner and remit a renewal fee of \$75.00 on or before the date determined by the rules and regulations of each year.

25-11-6.

(a) Any individual desiring to become a fire protection sprinkler system inspector shall submit to the ~~Commissioner~~ commissioner a completed application on the prescribed forms. Such individual shall remit with his or her application a nonrefundable license fee of \$100.00 plus a one-time filing fee of \$75.00. Such fees shall not be prorated for portions of a year.

(b) Prior to obtaining a license, the applicant shall demonstrate his or her competence and employment by a sprinkler contractor by:

(1) Successfully completing a competency test by means prescribed by rules and regulations as adopted and promulgated by the ~~Commissioner~~ commissioner; and

(2) Submitting to the ~~Commissioner~~ commissioner proof of employment by a sprinkler contractor who has comprehensive liability insurance coverage. The liability insurance policy shall provide coverage in an amount not less than \$1 million and shall cover any loss to property or personal injury caused by the fire protection sprinkler inspector. The policy must be purchased from an insurer authorized to do business in Georgia.

(c) A fire protection sprinkler system inspector license shall expire annually as determined by the rules and regulations. A license holder desiring to renew his or her license shall submit a renewal application to the ~~Commissioner~~ commissioner and remit a renewal fee of \$75.00 on or before the date determined by the rules and regulations of each year.

25-11-7.

(a) Any individual desiring to become a fire protection system designer shall submit to the ~~Commissioner~~ commissioner a completed application on forms prescribed by the ~~Commissioner~~ commissioner. Such individual shall remit with his or her application a nonrefundable license fee of \$100.00 plus a one-time filing fee of \$75.00. Such fee shall not be prorated for portions of a year.

(b) Prior to obtaining a license, the applicant shall demonstrate his or her competence and knowledge of water-based fire protection systems by means prescribed by rules and regulations as adopted and promulgated by the ~~Commissioner~~ commissioner or as set forth in Chapter 15 of Title 43.

(c) A fire protection system designer license shall expire annually as determined by the rules and regulations. A license holder desiring to renew his or her license shall submit

a renewal application to the ~~Commissioner~~ commissioner and remit a renewal fee of \$75.00 on or before the date determined by the rules and regulations of each year.

25-11-8.

(a) No person shall act as a fire protection sprinkler contractor unless a certificate holder is employed full time, in office or on site or combination thereof, to supervise or perform the installation, repair, alteration, addition, maintenance, or inspection of water-based fire protection systems.

(b) If the only certificate holder employed by a fire protection sprinkler contractor leaves the employment of the fire protection contractor, the contractor shall notify the ~~Commissioner~~ commissioner in writing within 30 days. A new certificate holder must be employed by a fire protection sprinkler contractor within 30 days of such notice.

(c) No fire protection sprinkler contractor shall permit any person under his or her employment or control to install, repair, alter, maintain, or inspect any water-based fire protection system unless such person is a certificate holder or is under the direct supervision of a certificate holder employed by the contractor.

(d) Only fire protection sprinkler contractors or certificate of competency holders shall alter or renovate water-based fire protection systems except as otherwise provided by this chapter.

(e) Individuals employed by the building owner or a representative of the building owner may repair leaks, replace broken fittings, or perform other routine maintenance that does not alter the piping arrangement or operation of a water-based fire protection system.

(f) Installations shall conform to codes as adopted by the ~~Commissioner~~ commissioner unless otherwise permitted by this chapter or the rules and regulations promulgated pursuant to this chapter.

(g) It shall be unlawful for any person to begin installation of a fire sprinkler system on any proposed or existing building or structure which comes under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13 or which comes under the jurisdiction of the ~~office of the Commissioner of Insurance~~ Department of Fire Safety pursuant to Code Section 25-2-12 without first having drawings of the designed system approved by the appropriate authority having jurisdiction unless otherwise provided by the rules and regulations promulgated pursuant to this chapter.

25-11-9.

(a) Water-based fire protection shop drawings shall be reviewed for code compliance with the state minimum standards by a certificate of competency holder.

(b) The reviewing certificate holder's signature, printed name, and certificate number indicating such compliance shall be indicated on submitted plans.

(c) Noncode compliance dictated by bid documents shall be reported by means prescribed by the rules and regulations promulgated pursuant to this chapter.

25-11-10.

(a) Only licensed fire protection system designers or other designers under their direct supervision shall prepare water-based fire protection system documents for construction.

(b) All documents shall be representative of code complying water-based fire protection systems unless otherwise permitted by the rules and regulations promulgated pursuant to this chapter.

(c) The licensed fire protection system designer's signature, printed name, and license number shall be indicated on the shop drawings.

25-11-11.

(a) Inspections, maintenance, and testing required by this chapter shall only be performed by licensed fire protection system inspectors, certificate of competency holders, or representatives of the building owner. Representatives of the building owner shall indicate in writing to the authority having jurisdiction their intent to do such inspections and provide to the authority having jurisdiction proof of knowledge and expertise pertaining to the systems inspected as specified in the rules and regulations adopted pursuant to this chapter. Said representatives of the building owner are exempt from the license requirements specified in Code Section 25-11-6.

(b) Duly authorized manufacturers' representatives while acting in their official capacities are exempt from this chapter.

(c) Inspections and maintenance of water-based fire protection systems owned by a firm, business, or corporation and installed on property under control of the firm, business, or corporation may be performed by an employee of the firm, business, or corporation, provided that annual inspection and maintenance of the water-based system are performed by a current certificate of competency holder or inspector as defined in this chapter. Said employees are exempt from the license requirements specified in Code Section 25-11-6.

25-11-12.

The ~~Commissioner~~ commissioner may promulgate such rules and regulations as he or she deems necessary to carry out the provisions of this chapter. The ~~Commissioner~~ commissioner may also prescribe the forms required for the administration of this chapter.

25-11-13.

(a) The installation or repair of any underground facilities or piping which connects to and furnishes water for the water-based fire protection system shall be performed only by a licensed utility contractor, fire protection sprinkler contractor, or licensed plumber in accordance with the minimum fire safety standards adopted by the ~~Commissioner~~ commissioner. The installing contractor shall be responsible for the installation of proper underground facilities and piping which provide an adequate flow of water from the fire protection water supply to the water-based fire protection system.

(b) Evidence of inspection shall be given to the owner or his or her representative in the form of a letter indicating the inspector or certificate of competency holder and the license number or certificate number.

(c) Before any local building official shall issue any license or building permit which authorizes the construction of any building or structure containing a water-based fire protection system, such local official shall require a copy of a valid fire protection sprinkler contractor license from the fire protection sprinkler contractor. The fire protection sprinkler contractor shall be required to pay any fees normally imposed for local licenses or permits, but the local official shall impose no requirements on the fire protection sprinkler contractor to prove competency other than proper evidence of a valid certificate of competency, as issued by the ~~Commissioner~~ commissioner.

(d) Nothing in this chapter limits the power of a municipality, county, or the state to require the submission and approval of plans and specifications or to regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections otherwise authorized by law for the protection of the public health and safety.

25-11-14.

This chapter shall also apply to any fire protection sprinkler contractor performing work for the state or any municipality, county, or other political subdivision. Officials of the state or any municipality, county, or other political subdivision are required to determine compliance with this chapter before awarding any contracts for the installation, repair, alteration, addition, maintenance, or inspection of a water-based fire protection system. Bids tendered for such contracts shall be accompanied by a copy of a valid certificate of competency.

25-11-15.

(a) All fees collected pursuant to the provisions of this chapter shall be deposited with the Fiscal Division of the Department of Administrative Services.

(b) The ~~Commissioner~~ commissioner shall be authorized to receive grants for the administration of this chapter from parties interested in upgrading and improving the quality of water-based fire protection systems, education of the public pertaining to water-based fire protection systems, or the upgrading of fire protection, in general, in Georgia.

25-11-16.

(a) Whenever the ~~Commissioner~~ commissioner shall have reason to believe that any individual is or has been violating any provisions of this chapter, the ~~Commissioner~~ commissioner, his or her deputy, his or her assistant, or other designated persons may issue and deliver to the individual an order to cease and desist such violation. An order issued under this Code section may be delivered in accordance with the provisions of subsection (d) of this Code section.

(b) Violation of any provision of this chapter or failure to comply with a cease and

desist order is cause for revocation of any or all certificates and licenses issued by the ~~Commissioner~~ commissioner for a period of not less than six months and not to exceed five years. If a new certificate or license has been issued to the person so charged, the order of revocation shall operate effectively with respect to such new certificates and licenses held by such person. In the case of an applicant for a license, certificate, or permit, violation of any provision of this title or regulations promulgated thereunder may constitute grounds for refusal of the application. Decisions under this subsection may be appealed as provided by law.

(c) Any person who violates any provision of this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter shall be subject to a civil penalty imposed by the ~~Commissioner~~ commissioner of not more than \$1,000.00 for a first offense, not less than \$1,000.00 and not more than \$2,000.00 for a second offense, and not less than \$2,000.00 or more than \$5,000.00 for a third or subsequent offense. Prior to subjecting any person or entity to a fine under this subsection, the ~~Commissioner~~ commissioner or his or her agent shall give written notice to the person or entity by hand delivery or by registered or certified mail or statutory overnight delivery, return receipt requested, of the existence of the violations. After a reasonable period of time after notice is given, an order may be issued based on this Code section. Such order must be delivered in accordance with the provisions of subsection (d) of this Code section and must notify the person or entity of the right to a hearing with respect to same.

(d) Any order issued by the ~~Commissioner~~ commissioner under this chapter shall contain or be accompanied by a notice of opportunity for hearing which may provide that a hearing will be held if and only if a person subject to the order requests a hearing within ten days of receipt of the order and notice. The order and notice shall be served by delivery by the ~~Commissioner~~ commissioner or his or her agent or by registered or certified mail or statutory overnight delivery, return receipt requested. Any person who fails to comply with any order under this subsection is guilty of a misdemeanor and may be punished by law.

(e) In addition to other powers granted to the ~~Commissioner~~ commissioner under this chapter, the ~~Commissioner~~ commissioner may bring a civil action to enjoin a violation of any provision of this chapter or of any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter.

25-11-17.

In addition to the grounds set forth in Code Section 25-11-16, it is cause for revocation or suspension, refusal, or nonrenewal of certificates or licenses by the ~~Commissioner~~ commissioner if it is determined that the holder or applicant has:

- (1) Rendered inoperative a water-based fire protection system covered by this chapter, except during a reasonable time during which the system is being repaired, altered, added to, maintained, inspected, or except pursuant to a court order;
- (2) Falsified any record required to be maintained by this chapter or rules or regulations adopted pursuant to this chapter or current fire codes enforced by the

~~Commissioner~~ commissioner;

- (3) Improperly installed, repaired, serviced, modified, altered, inspected, or tested a water-based fire protection system;
- (4) While holding a certificate or license, allowed another person to use the certificate or license or certificate number or license number other than his or her own valid certificate or license or certificate number or license number;
- (5) While holding a certificate or license, used a certificate or license or certificate number or license number other than his or her own valid certificate or license or certificate number or license number;
- (6) Used credentials, methods, means, or practices to impersonate a representative of the ~~Commissioner~~ commissioner or the state fire marshal or any local fire chief, fire marshal, or other fire authority having jurisdiction;
- (7) Failed to maintain the minimum insurance coverage as set forth in this chapter;
- (8) Failed to obtain, retain, or maintain one or more of the qualifications and requirements to obtain a certificate of competency or other licenses required by this chapter;
- (9) Installed, serviced, modified, altered, inspected, maintained, added to, or tested a water-based fire protection system without a current, valid license or certificate, when such license or certificate is required by this chapter;
- (10) Made a material misstatement or misrepresentation or committed a fraud in obtaining or attempting to obtain a license or certificate; or
- (11) Failed to notify the ~~Commissioner~~ commissioner, in writing, with 30 days after a change of residence, principal business address, or name.

In addition to other grounds set forth in this Code section, the ~~Commissioner~~ commissioner shall not issue a new license or certificate if the ~~Commissioner~~ commissioner finds that the circumstance or circumstances for which the license or certificate was previously suspended or revoked still exist or are likely to recur.

25-11-18.

The failure to renew a certificate or license by the expiration date as set forth in this chapter will cause the certificate or license to become inoperative. A certificate or license which is inoperative because of the failure to renew it shall be restored upon payment of the applicable fee plus a penalty of not more than \$250.00 if said fees are paid within 90 days of expiration. After 90 days new certificates and licenses must be applied for as required for an initial certificate or license.

25-11-19.

The provisions of this chapter shall not apply to water-based automatic sprinkler systems for use in single-family dwellings or limited water-based systems permitted to be connected directly to a domestic water supply system as allowed by the NFPA Life Safety Code adopted by the ~~Commissioner's~~ commissioner's rules and regulations.

25-11-20.

(a) The Board of Fire Safety, the commissioner, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART X SECTION 10-1.

Said title is further amended by revising Chapter 12, relating to regulation of fire extinguishers and suppression systems, as follows:

"CHAPTER 12

25-12-1.

It is unlawful for any firm to engage in the business of installing, inspecting, recharging, repairing, servicing, or testing of portable fire extinguishers or fire suppression systems, as defined by this chapter, in this state except in conformity with the provisions of this chapter. Each firm engaging in any such business must possess a valid and subsisting license issued by the ~~Commissioner~~ commissioner. Such license shall not be required for any firm or governmental entity that engages only in installing, inspecting, recharging, repairing, servicing, or testing of portable fire extinguishers or fire suppression systems owned by the firm and installed on property under the control of said firm. Such firms shall remain subject to the rules and regulations adopted pursuant to this chapter.

25-12-2.

As used in this chapter, the term:

- (1) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (2) 'Engineered fire suppression system' means any fire suppression system having pipe lengths, number of fittings, number and types of nozzles, suppression agent flow rates, and nozzle pressures as determined by calculations derived from the appropriate standards of the National Fire Protection Association, whether those calculations are performed by hand or by a computer program or by other method of calculation.

These systems may consist of other components, including, but not limited to, detection devices, alarm devices, and control devices as tested and approved by a nationally recognized testing laboratory and shall be manufacturer listed as compatible with the fire suppression system involved.

(3) 'Fire suppression system' means any fire-fighting system employing a suppression agent with the purpose of controlling, suppressing, or extinguishing a fire in a specific hazard. The suppression agent shall be a currently recognized agent or water additive required to control, suppress, or extinguish a fire. The term ~~fire~~ 'fire suppression system' shall include engineered and preengineered systems as defined in this chapter and shall not include those systems addressed in Chapter 11 of this title.

(4) 'Firm' means any business, person, partnership, organization, association, corporation, contractor, subcontractor, or individual.

(5) 'License' means the document issued by the ~~Commissioner~~ commissioner which authorizes a firm to engage in the business of installation, repair, alteration, recharging, inspection, maintenance, service, or testing of fire suppression systems or portable fire extinguishers.

(6) 'Permit' means the document issued by the ~~Commissioner~~ commissioner which authorizes an individual to install, inspect, repair, recharge, service, or test fire suppression systems or portable fire extinguishers.

(7) 'Portable fire extinguisher' means a portable device containing an extinguishing agent that can be expelled under pressure for the purpose of suppressing or extinguishing a fire. The device must be listed by a nationally recognized testing laboratory. The device must bear a manufacturer's name and serial number. The listings, approvals, and serial numbers may be stamped on the manufacturer's identification and instruction plate or on a separate plate of the testing laboratory soldered or attached to the extinguisher shell in a permanent manner set forth by the listing or approving organization.

(8) 'Preengineered fire suppression system' means any system having predetermined flow rates, nozzle pressures, and quantities of an extinguishing agent. These systems have the specific pipe size, maximum and minimum pipe lengths, flexible hose specifications, number of fittings, and number and types of nozzles prescribed by a nationally recognized testing laboratory. The hazards protected by these systems are specifically limited as to the type and size by the testing laboratory based upon actual fire tests. Limitations on hazards that can be protected by these systems are contained in the manufacturer's installation manual, which is referenced as part of the listing.

25-12-3.

All fire suppression systems required by the ~~Commissioner's~~ commissioner's rules and regulations or by other state or local fire safety rules or regulations must be installed, inspected, repaired, recharged, serviced, or tested only by a firm licensed under the provisions of this chapter, except as otherwise provided by this chapter.

25-12-4.

All portable fire extinguishers required by the ~~Commissioner's~~ commissioner's rules and regulations or by other state or local fire safety rules or regulations must be installed, inspected, repaired, recharged, serviced, or tested only by a firm licensed under the provisions of this chapter, except as otherwise provided by this chapter.

25-12-5.

The provisions of this chapter do not apply to fire chiefs, fire marshals, fire inspectors, or insurance company inspectors with regard to the routine visual inspection of preengineered fire suppression systems or portable fire extinguishers.

25-12-6.

(a) The provisions of this chapter do not apply to any firm that engages only in the routine visual inspection of fire suppression systems or portable fire extinguishers owned by the firm and installed on property under the control of said firm.

(b) The fees required by this chapter shall not apply to employees of federal, state, or local governments or to members of legally organized fire departments while acting in their official capacities.

25-12-7.

Each firm in the business of installing, altering, inspecting, repairing, recharging, servicing, maintaining, or testing fire suppression systems or in the business of inspecting, repairing, recharging, servicing, maintaining, or testing portable fire extinguishers is required to obtain a license from the ~~Commissioner~~ commissioner. The annual fee for said license shall be as established by the ~~Commissioner~~ commissioner by rule or regulation, but such license fee shall not exceed \$50.00.

25-12-8.

Each individual actually performing the installing, inspecting, repairing, recharging, servicing, or testing activities must possess a valid and subsisting permit issued by the ~~Commissioner~~ commissioner. The annual fee for said permit shall be as established by the ~~Commissioner~~ commissioner by rule or regulation, but such permit fee shall not exceed \$75.00. Such permit shall not be required for any individual employed by any firm or governmental entity that engages only in installing, inspecting, recharging, repairing, servicing, or testing of portable fire extinguishers or fire suppression systems owned by the firm and installed on property under the control of said firm. Such individuals shall remain subject to the rules and regulations adopted pursuant to this chapter.

25-12-9.

The licenses and permits required by this chapter shall be issued by the ~~Commissioner~~ commissioner for each license year beginning January 1 and expiring the following December 31. The failure to renew a license or permit by December 31 will cause the

license or permit to become inoperative. A license or permit which is inoperative because of the failure to renew it shall be restored upon payment of the applicable fee plus a penalty equal to the applicable fee if said fees are paid within 90 days of expiration. After 90 days, the firm and the employees thereof must apply for new licenses and permits as required for an initial license or permit.

25-12-10.

The forms of such licenses and permits and applications and fees therefor shall be prescribed by the ~~Commissioner~~ commissioner by rule or regulation, subject to the limitations on fees provided for in Code Sections 25-12-7 and 25-12-8. In addition to such other information and data as the ~~Commissioner~~ commissioner determines are appropriate and required for such forms, there shall be included in such forms the following matters:

- (1) Each such application shall be sworn to by the applicant or, if a corporation, by an officer thereof;
- (2) Each application shall clearly state, in detail as set forth by the ~~Commissioner~~ commissioner, the type of activity or activities for which the applicant desires a license or permit to perform;
- (3) An application for a permit shall include the name of the licensee employing such permittee, and the permit issued in pursuance of such application shall also set forth the name of such licensee. For persons covered by Code Section 25-12-8, the application and permit shall bear the business name of the person's employer; and
- (4) The license or permit issued by the ~~Commissioner~~ commissioner shall clearly state the activity or activities for which the firm or individual has been issued the license or permit to perform. The licensee or permittee shall not perform any activity not noted on the license or permit issued by the ~~Commissioner~~ commissioner.

25-12-11.

A license may not be issued by the ~~Commissioner~~ commissioner until:

- (1) The applicant has submitted to the ~~Commissioner~~ commissioner evidence of registration as a Georgia corporation;
- (2) The ~~Commissioner~~ commissioner or a person designated by him or her has by inspection determined that the applicant possesses the equipment required for the activities the applicant requests to be licensed to perform. If the applicant includes in the request the high-pressure hydrostatic testing of equipment, the applicant must submit a copy of its United States Department of Transportation approval and renewals. If the applicant includes in the request the transfer of Halogenated fire suppression agents, the applicant must submit a copy of the current Underwriter's Laboratories on-site inspection form for a manufacturer's represented Halon pumping station. The ~~Commissioner~~ commissioner shall give an applicant 60 days to correct any deficiencies discovered by inspection;
- (3) The applicant has submitted to the ~~Commissioner~~ commissioner proof of a valid comprehensive liability insurance policy purchased from an insurer authorized to do

business in Georgia. The coverage must include bodily injury and property damage, products liability, completed operations, and contractual liability. The proof of insurance must also be provided before any license can be renewed. The minimum amount of said coverage shall be \$1 million or such other amount as specified by the ~~Commissioner~~ commissioner. An insurer which provides such coverage shall notify the ~~Commissioner~~ commissioner of any change in coverage; and

(4) The applicant, when filing an application for an examination, pays a nonrefundable filing fee fixed by rule or regulation of the ~~Commissioner~~ commissioner.

25-12-12.

No permit may be issued to a person for the first time by the ~~Commissioner~~ commissioner until the applicant has submitted a nonrefundable filing fee fixed by rule or regulation of the ~~Commissioner~~ commissioner.

25-12-13.

(a) Any firm or individual holding a valid license or permit desiring to perform an activity not covered by the current permit may submit an application for an amended license or permit at any time between January 1 and the date established by the ~~Commissioner~~ commissioner for filing applications for renewing an annual license or permit.

(b) The provisions of this chapter relating to the requirements for obtaining a license or permit shall apply to applications for an amended license or permit. The ~~Commissioner~~ commissioner shall by rule or regulation establish the fee for obtaining an amended license and the fee for an amended permit, but such fees shall not exceed the respective limits set forth in Code Sections 25-12-7 and 25-12-8.

(c) The fees for an amended license or permit shall not apply if the new activity or activities are included in an application for a renewal of the annual license or permit. The application for renewal must be accompanied by the proof of training and other applicable documentation regarding the activity or activities desired to be included on the new annual license or permit.

25-12-14.

Every permittee must have a valid and subsisting permit upon his or her person at all times while engaging in the installing, inspection, recharging, repairing, servicing, or testing of fire suppression systems or portable fire extinguishers. Every licensee or permittee must be able to produce a valid license or valid permit, as appropriate, upon demand by the ~~Commissioner~~ commissioner or his or her representatives or by any local authority having jurisdiction for fire protection or prevention or by any person for whom the licensee or permittee solicits to perform any of the activities covered by this chapter.

25-12-15.

The ~~Commissioner~~ commissioner may adopt rules and regulations setting forth the proper installation, inspection, recharging, repairing, servicing, or testing of fire suppression systems or portable fire extinguishers. The ~~Commissioner~~ commissioner may adopt by rule the applicable standards of the National Fire Protection Association or another nationally recognized organization, if the standards are judged by him or her to be suitable for the enforcement of this chapter. All fire suppression systems covered by Code Section 25-12-3 and all portable fire extinguishers covered by Code Section 25-12-4 shall be installed, inspected, recharged, repaired, serviced, or tested in compliance with this chapter and with the ~~Commissioner's~~ commissioner's rules and regulations.

25-12-16.

The ~~Commissioner~~ commissioner shall make and promulgate specifications as to the number, type, size, shape, color, and information and data contained thereon of service tags to be attached to all portable fire extinguishers and fire suppression systems covered by this chapter when they are installed, inspected, recharged, repaired, serviced, or tested. It shall be unlawful to install, inspect, recharge, repair, service, or test any portable fire extinguisher or fire suppression system without attaching the required tag or tags completed in detail, including the actual month, day, and year the work was performed, or to use a tag not meeting the specifications set forth by the ~~Commissioner~~ commissioner.

25-12-17.

(a) The violation of any provision of this chapter or any rule or regulation adopted and promulgated pursuant to this chapter or the failure or refusal to comply with any notice or order to correct a violation or any cease and desist order by any person who possesses a license or permit issued pursuant to this chapter or who is required to have a license or permit issued pursuant to this chapter is cause for denial, nonrenewal, revocation, or suspension of such license or permit by the ~~Commissioner~~ commissioner after a determination that such person is guilty of such violations. An order of suspension shall state the period of time of such suspension, which period may not be in excess of two years from the date of such order. An order of revocation shall state the period of time of such revocation, which period may not be in excess of five years from the date of such order. Such order shall effect suspension or revocation of all licenses and permits then held by the person, and during such period of time no license or permit shall be issued to such person. During the suspension or revocation of any license or permit, the licensee or permittee whose license or permit has been suspended or revoked shall not engage in or attempt or profess to engage in any transaction or business for which a license or permit is required under this chapter or directly or indirectly own, control, or be employed in any manner by any firm, business, or corporation for which a license or permit under this chapter is required. If, during the period between the beginning of proceedings and the entry of an order of suspension or

revocation by the ~~Commissioner~~ commissioner, a new license or permit has been issued to the person so charged, the order of suspension or revocation shall operate to suspend or revoke, as the case may be, such new license or permit held by such person.

(b) The department shall not, so long as the revocation or suspension remains in effect, issue any new license or permit for the establishment of any new firm, business, or corporation of any person or applicant that has or will have the same or similar management, ownership, control, employees, permittees, or licensees or will use the same or a similar name as the revoked or suspended firm, business, corporation, person, or applicant.

(c) The ~~Commissioner~~ commissioner may deny, nonrenew, suspend, or revoke the license or permit of:

(1) Any person, firm, business, or corporation whose license has been suspended or revoked under this chapter;

(2) Any firm, business, or corporation if any officer, director, stockholder, owner, or person who has a direct or indirect interest in the firm, business, or corporation has had his or her license or permit suspended under this chapter; and

(3) Any person who is or has been an officer, director, stockholder, or owner of a firm, business, or corporation or who has or had a direct or indirect interest in a firm, business, or corporation whose license or permit has been suspended or revoked under this chapter.

(d) In addition to the grounds set forth in this Code section, it is cause for denial, nonrenewal, revocation, or suspension of a license or permit by the ~~Commissioner~~ commissioner if he or she determines that the licensee or permittee has:

(1) Rendered inoperative a portable fire extinguisher or preengineered or engineered fire suppression system covered by this chapter, except during such time as the extinguisher or preengineered or engineered system is being inspected, recharged, hydrottested, repaired, altered, added to, maintained, serviced, or tested or except pursuant to court order;

(2) Falsified any record required to be maintained by this chapter or rules or regulations adopted pursuant to this chapter or current fire codes enforced by the ~~Commissioner~~ commissioner;

(3) Improperly installed, recharged, hydrottested, repaired, serviced, modified, altered, inspected, or tested a portable fire extinguisher or preengineered or engineered fire suppression system;

(4) While holding a permit or license, allowed another person to use the permit or license or permit number or license number or used a license or permit or license number or permit number other than his or her own valid license or permit or license number or permit number;

(5) Failed to provide proof of or failed to maintain the minimum comprehensive liability insurance coverage as set forth in paragraph (3) of Code Section 25-12-11;

(6) Failed to obtain, retain, or maintain one or more of the qualifications for a license or permit required by this chapter;

(7) Used credentials, methods, means, or practices to impersonate a representative of

the ~~Commissioner~~ commissioner or the state fire marshal or any local fire chief, fire marshal, or other fire authority having jurisdiction;

(8) Installed, recharged, hydrotested, repaired, serviced, modified, altered, inspected, maintained, added to, or tested a portable fire extinguisher or preengineered or engineered fire suppression system without a current, valid license or permit when such license or permit is required by this chapter;

(9) Made a material misstatement or misrepresentation or committed a fraud in obtaining or attempting to obtain a license or permit; or

(10) Failed to notify the ~~Commissioner~~ commissioner, in writing, within 30 days after a change of residence, principal business address, or name.

(e) In addition, the ~~Commissioner~~ commissioner shall not issue a new license or permit if the ~~Commissioner~~ commissioner finds that the circumstance or circumstances for which the license or permit was previously suspended or revoked still exist or are likely to recur.

25-12-18.

(a) Whenever the ~~Commissioner~~ commissioner shall have reason to believe that any individual is or has been violating any provisions of this chapter, the ~~Commissioner~~ commissioner, his or her deputy, his or her assistant, or other designated persons may issue and deliver to the individual an order to cease and desist such violation. An order issued under this Code section may be delivered in accordance with the provisions of subsection (d) of this Code section.

(b) Violation of any provision of this chapter or failure to comply with a cease and desist order is cause for revocation of any or all permits and licenses issued by the ~~Commissioner~~ commissioner for a period of not less than six months and not to exceed five years. If a new permit or license has been issued to the person so charged, the order of revocation shall operate effectively with respect to such new permits and licenses held by such person. In the case of an applicant for a license, certificate, or permit, violation of any provision of this title may constitute grounds for refusal of the application. Decisions under this subsection may be appealed as provided by law.

(c) Any person who violates any provision of this chapter or any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter shall be subject to a civil penalty imposed by the ~~Commissioner~~ commissioner of not more than \$1,000.00 for a first offense, not less than \$1,000.00 and not more than \$2,000.00 for a second offense, and not less than \$2,000.00 or more than \$5,000.00 for a third or subsequent offense. Prior to subjecting any person or entity to a fine under this subsection, the ~~Commissioner~~ commissioner or his or her agent shall give written notice to the person or entity by hand delivery or by registered or certified mail or statutory overnight delivery, return receipt requested, of the existence of the violations. After a reasonable period of time after notice is given, an order may be issued based on this Code section. Such order must be delivered in accordance with the provisions of subsection (d) of this Code section and must notify the person or entity of the right to a hearing with respect to same.

(d) Any order issued by the ~~Commissioner~~ commissioner under this chapter shall contain or be accompanied by a notice of opportunity for hearing which may provide that a hearing will be held if and only if a person subject to the order requests a hearing within ten days of receipt of the order and notice. The order and notice shall be served by delivery by the ~~Commissioner~~ commissioner or his or her agent or by registered or certified mail or statutory overnight delivery, return receipt requested. Any person who fails to comply with any order under this subsection is guilty of a misdemeanor and may be punished as provided by law.

(e) In addition to other powers granted to the ~~Commissioner~~ commissioner under this chapter, the ~~Commissioner~~ commissioner may bring a civil action to enjoin a violation of any provision of this chapter or of any rule, regulation, or order issued by the ~~Commissioner~~ commissioner under this chapter.

25-12-19.

(a) Any person, firm, or corporation which violates any provision of this chapter or any order, rule, or regulation of the ~~Commissioner~~ commissioner shall be guilty of a misdemeanor.

(b) It shall also constitute a misdemeanor willfully or intentionally to:

- (1) Obliterate the serial number on a fire suppression system or portable fire extinguisher for the purposes of falsifying service records;
- (2) Improperly install a fire suppression system or improperly recharge, repair, service, or test any such suppression system or any such portable fire extinguisher;
- (3) While holding a permit or license, allow another person to use the permit or license or permit number or license number or to use a license or permit or license number or permit number other than his or her own valid license or permit or license number or permit number;
- (4) Use or permit the use of any license by an individual or organization other than the one to whom the license is issued;
- (5) To use any credential, method, means, or practice to impersonate a representative of the ~~Commissioner~~ commissioner or the state fire marshal or any local fire chief, fire marshal, or other fire authority having jurisdiction; or
- (6) To engage in the business of installing, inspecting, recharging, repairing, servicing, or testing portable fire extinguishers or fire suppression systems except in conformity with the provisions of this chapter and the applicable rules and regulations of the ~~Commissioner~~ commissioner.

25-12-20.

Any authority, power, or duty vested in the ~~Commissioner~~ commissioner by any provision of this chapter may be exercised, discharged, or performed by a deputy, assistant, or other designated employee acting in the ~~Commissioner's~~ commissioner's name and by his or her delegated authority. The ~~Commissioner~~ commissioner shall be responsible for the official acts of such persons who act in his or her name and by his or her authority.

25-12-21.

(a) All fees collected by the ~~Commissioner~~ commissioner for licenses, permits, and related examinations pursuant to the provisions of this chapter shall be deposited in the general fund of this state in accordance with applicable laws of this state.

(b) The ~~Commissioner~~ commissioner is authorized to receive grants or gifts for the administration of this chapter from parties interested in upgrading and improving the quality of fire protection provided by portable fire extinguishers or fire suppression systems.

25-12-22.

(a) Nothing in this chapter limits the power of a municipality, a county, or the state to require the submission and approval of plans and specifications or to regulate the quality and character of work performed by contractors through a system of permits, fees, and inspections otherwise authorized by law for the protection of the public health and safety.

(b) No municipality or county shall impose any other requirements on persons licensed or permitted by the ~~Commissioner~~ commissioner as set forth in this chapter to prove competency to conduct any activity covered by said license or permit.

25-12-23.

(a) The Board of Fire Safety, the commissioner, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART XI SECTION 11-1.

Said title is further amended by revising Chapter 14, relating to Georgia fire safety standard and firefighter protection, as follows:

"CHAPTER 14

25-14-1.

This chapter shall be known and may be cited as the 'Georgia Fire Safety Standard and Firefighter Protection Act.'

25-14-2.

As used in this chapter, the term:

- (1) 'Agent' means any person authorized by the state revenue commissioner to purchase and affix stamps on packages of cigarettes.
- (2) 'Cigarette' means:
 - (A) Any roll for smoking made wholly or in part of tobacco when the cover of the roll is paper or any substance other than tobacco; or
 - (B) Any roll for smoking wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette as described in subparagraph (A) of this paragraph.
- (3) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (4) 'Manufacturer' means:
 - (A) Any entity which manufactures, makes, produces, or causes to be produced cigarettes sold in this state or cigarettes said entity intends to be sold in this state;
 - (B) The first purchaser of cigarettes manufactured anywhere that intends to resell such cigarettes in this state regardless of whether the original manufacturer, maker, or producer intends such cigarettes to be sold in the United States; or
 - (C) Any entity which becomes a successor of an entity described in subparagraph (A) or (B) of this paragraph.
- (4.1) 'New York Fire Safety Standards for Cigarettes' means those New York Fire Safety Standards for Cigarettes in effect on April 1, 2008.
- (5) 'Quality control and quality assurance program' means the laboratory procedures implemented to ensure that operator bias, systematic and nonsystematic methodological errors, and equipment related problems do not affect the results of the testing. Such a program ensures that the testing repeatability remains within the required repeatability values stated in paragraph (6) of subsection (b) of Code Section 25-14-3 for all test trials used to certify cigarettes in accordance with this chapter.
- (6) 'Repeatability' means the range of values within which the repeat results of cigarette test trials from a single laboratory will fall 95 percent of the time.
- (7) 'Retail dealer' means any person, other than a manufacturer or wholesale dealer, engaged in selling cigarettes or tobacco products.
- (8) 'Sale' means any sale, transfer, exchange, theft, barter, gift, or offer for sale and distribution in any manner or by any means whatever.
- (9) 'Sell' means to sell or to offer or agree to do the same.
- (10) 'Wholesale dealer' means any person that is not a manufacturer who sells cigarettes or tobacco products to retail dealers or other persons for purposes of resale. A wholesale dealer is also any person who owns, operates, or maintains one or more cigarette or tobacco product vending machines in, at, or upon premises owned or occupied by any other person.

25-14-3.

- (a) Except as provided in subsection (h) of this Code section, no cigarettes may be sold

or offered for sale in this state or offered for sale or sold to persons located in this state unless the cigarettes have been tested in accordance with the test method and meet the performance standard specified in this Code section, a written certification has been filed by the manufacturer in accordance with Code Section 25-14-4, and the cigarettes have been marked in accordance with Code Section 25-14-5.

(b)(1) Testing of cigarettes shall be conducted in accordance with the American Society of Testing and Materials (ASTM) Standard E2187-04, 'Standard Test Method for Measuring the Ignition Strength of Cigarettes.'

(2) Testing shall be conducted on ten layers of filter paper.

(3) No more than 25 percent of the cigarettes tested in a test trial in accordance with this Code section shall exhibit full-length burns. Forty replicate tests shall comprise a complete test trial for each cigarette tested.

(4) The performance standard required by this Code section shall only be applied to a complete test trial.

(5) Written certifications shall be based upon testing conducted by a laboratory that has been accredited pursuant to standard ISO/IEC 17025 of the International Organization for Standardization (ISO) or other comparable accreditation standard required by the ~~Commissioner~~ commissioner.

(6) Laboratories conducting testing in accordance with this Code section shall implement a quality control and quality assurance program that includes a procedure that will determine the repeatability of the testing results. The repeatability value shall be no greater than 0.19.

(7) This Code section does not require additional testing if cigarettes are tested consistent with this chapter for any other purpose.

(8) Testing performed or sponsored by the ~~Commissioner~~ commissioner to determine a cigarette's compliance with the performance standard required shall be conducted in accordance with this Code section.

(c) Each cigarette listed in a certification submitted pursuant to Code Section 25-14-4 that uses lowered permeability bands in the cigarette paper to achieve compliance with the performance standard set forth in this Code section shall have at least two nominally identical bands on the paper surrounding the tobacco column. At least one complete band shall be located at least 15 millimeters from the lighting end of the cigarette. For cigarettes on which the bands are positioned by design, there shall be at least two bands fully located at least 15 millimeters from the lighting end and ten millimeters from the filter end of the tobacco column, or ten millimeters from the labeled end of the tobacco column for nonfiltered cigarettes.

(d) A manufacturer of a cigarette that the ~~Commissioner~~ commissioner determines cannot be tested in accordance with the test method prescribed in paragraph (1) of subsection (b) of this Code section shall propose a test method and performance standard for the cigarette to the ~~Commissioner~~ commissioner. Upon approval of the proposed test method and a determination by the ~~Commissioner~~ commissioner that the performance standard proposed by the manufacturer is equivalent to the performance standard prescribed in paragraph (3) of subsection (b) of this Code section, the

manufacturer may employ such test method and performance standard to certify such cigarette pursuant to Code Section 25-14-4. If the ~~Commissioner~~ commissioner determines that another state has enacted reduced cigarette ignition propensity standards that include a test method and performance standard that are the same as those contained in this chapter, and the ~~Commissioner~~ commissioner finds that the officials responsible for implementing those requirements have approved the proposed alternative test method and performance standard for a particular cigarette proposed by a manufacturer as meeting the fire safety standards of that state's law or regulation under a legal provision comparable to this Code section, then the ~~Commissioner~~ commissioner shall authorize that manufacturer to employ the alternative test method and performance standard to certify that cigarette for sale in this state, unless the ~~Commissioner~~ commissioner demonstrates a reasonable basis why the alternative test should not be accepted under this chapter. All other applicable requirements of this Code section shall apply to the manufacturer.

(e) Each manufacturer shall maintain copies of the reports of all tests conducted on all cigarettes offered for sale for a period of three years, and shall make copies of these reports available to the ~~Commissioner~~ commissioner and the Attorney General upon written request. Any manufacturer who fails to make copies of these reports available within 60 days of receiving a written request shall be subject to a civil penalty not to exceed \$10,000.00 for each day after the sixtieth day that the manufacturer does not make such copies available.

(f) The ~~Commissioner~~ commissioner may adopt a subsequent ASTM Standard Test Method for Measuring the Ignition Strength of Cigarettes upon a finding that such subsequent method does not result in a change in the percentage of full-length burns exhibited by any tested cigarette when compared to the percentage of full-length burns the same cigarette would exhibit when tested in accordance with ASTM Standard E2187-04 and the performance standard in paragraph (3) of subsection (b) of this Code section.

(g) The ~~Commissioner~~ commissioner shall review the effectiveness of this Code section and report his or her findings every three years to the General Assembly and, if appropriate, recommendations for legislation to improve the effectiveness of this chapter. The report and legislative recommendations shall be submitted no later than June 30 following the conclusion of each three-year period.

(h) The requirements of subsection (a) of this Code section shall not prohibit:

(1) Wholesale or retail dealers from selling their existing inventory of cigarettes on or after January 1, 2010, if the wholesale or retailer dealer can establish that state tax stamps were affixed to the cigarettes prior to January 1, 2010, and if the wholesale or retailer dealer can establish that the inventory was purchased prior to January 1, 2010, in comparable quantity to the inventory purchased during the same period of the prior year; or

(2) The sale of cigarettes solely for the purpose of consumer testing. For purposes of this paragraph, the term 'consumer testing' shall mean an assessment of cigarettes that is conducted by a manufacturer, or under the control and direction of a manufacturer,

for the purpose of evaluating consumer acceptance of such cigarettes, utilizing only the quantity of cigarettes that is reasonably necessary for such assessment.

(i) This chapter shall be implemented in accordance with the implementation and substance of the New York Fire Safety Standards for Cigarettes.

25-14-4.

(a) Each manufacturer shall submit to the ~~Commissioner~~ commissioner a written certification attesting that:

(1) Each cigarette listed in the certification has been tested in accordance with Code Section 25-14-3; and

(2) Each cigarette listed in the certification meets the performance standard set forth in paragraph (3) of subsection (b) of Code Section 25-14-3.

(b) Each cigarette listed in the certification shall be described with the following information:

(1) Brand or trade name on the package;

(2) Style, such as light or ultra light;

(3) Length in millimeters;

(4) Circumference in millimeters;

(5) Flavor, such as menthol or chocolate, if applicable;

(6) Filter or nonfilter;

(7) Package description, such as soft pack or box;

(8) Marking approved in accordance with Code Section 25-14-5;

(9) The name, address, and telephone number of the laboratory, if different from the manufacturer that conducted the test; and

(10) The date that the testing occurred.

(c) The certifications shall also be made available to the Attorney General for purposes consistent with this chapter and to the state revenue commissioner for the purposes of ensuring compliance with this Code section.

(d) Each cigarette certified under this Code section shall be recertified every three years.

(e) For each cigarette listed in a certification, a manufacturer shall pay to the ~~Commissioner~~ commissioner a fee of \$250.00.

(f) If a manufacturer has certified a cigarette pursuant to this Code section and thereafter makes any change to such cigarette that is likely to alter its compliance with the reduced cigarette ignition propensity standards required by this chapter, that cigarette shall not be sold or offered for sale in this state until the manufacturer retests the cigarette in accordance with the testing standards set forth in Code Section 25-14-3 and maintains records of that retesting as required by Code Section 25-14-3. Any altered cigarette which does not meet the performance standard set forth in Code Section 25-14-3 shall not be sold in this state.

25-14-5.

(a) Cigarettes that are certified by a manufacturer in accordance with Code Section 25-

14-4 shall be marked to indicate compliance with the requirements of Code Section 25-14-3. The marking shall be in eight-point type or larger and consist of:

- (1) Modification of the Universal Product Code to include a visible mark printed at or around the area of the Universal Product Code. The mark may consist of alphanumeric or symbolic characters permanently stamped, engraved, embossed, or printed in conjunction with the Universal Product Code;
 - (2) Any visible combination of alphanumeric or symbolic characters permanently stamped, engraved, or embossed upon the cigarette packaging or cellophane wrap; or
 - (3) Printed, stamped, engraved, or embossed text on the cigarette packaging or cellophane wrap that indicates that the cigarettes meet Georgia standards.
- (b) A manufacturer shall use only one marking and shall apply this marking uniformly for all packages, including but not limited to packs, cartons, and cases, and brands marketed by that manufacturer.
- (c) The ~~Commissioner~~ commissioner shall be notified as to the marking that is selected.
- (d) Prior to the certification of any cigarette, a manufacturer shall present its proposed marking to the ~~Commissioner~~ commissioner for approval. Upon receipt of the request, the ~~Commissioner~~ commissioner shall approve or disapprove the marking offered. The ~~Commissioner~~ commissioner shall approve:

- (1) Any marking in use and approved for sale in New York pursuant to the New York Fire Safety Standards for Cigarettes; or
- (2) The letters 'FSC,' which signifies Fire Standards Compliant, appearing in eight-point type or larger and permanently printed, stamped, engraved, or embossed on the package at or near the Universal Product Code.

Proposed markings shall be deemed approved if the ~~Commissioner~~ commissioner fails to act within ten business days of receiving a request for approval.

- (e) No manufacturer shall modify its approved marking unless the modification has been approved by the ~~Commissioner~~ commissioner in accordance with this Code section.
- (f) Manufacturers certifying cigarettes in accordance with Code Section 25-14-4 shall provide a copy of the certifications to all wholesale dealers and agents to which they sell cigarettes and shall also provide sufficient copies of an illustration of the package marking utilized by the manufacturer pursuant to this Code section for each retail dealer to which the wholesale dealers or agents sell cigarettes. Wholesale dealers and agents shall provide a copy of these package markings received from manufacturers to all retail dealers to which they sell cigarettes. Wholesale dealers, agents, and retail dealers shall permit the ~~Commissioner~~ commissioner, the state revenue commissioner, the Attorney General, and their employees to inspect markings of cigarette packaging marked in accordance with this Code section.

25-14-6.

- (a) A manufacturer, wholesale dealer, agent, or any other person or entity who knowingly sells or offers to sell cigarettes, other than through retail sale, in violation of

Code Section 25-14-3, for a first offense shall be subject to a civil penalty not to exceed \$100.00 ~~dollars~~ for each pack of such cigarettes sold or offered for sale, provided that in no case shall the penalty against any such person or entity exceed \$100,000.00 during any 30 day period.

(b) A retail dealer who knowingly sells or offers to sell cigarettes in violation of Code Section 25-14-3 shall be subject to a civil penalty not to exceed \$100.00 for each pack of such cigarettes, provided that in no case shall the penalty against any retail dealer exceed \$25,000.00 during any 30 day period.

(c) In addition to any penalty prescribed by law, any corporation, partnership, sole proprietor, limited partnership, or association engaged in the manufacture of cigarettes that knowingly makes a false certification pursuant to Code Section 25-14-4 shall be subject to a civil penalty of at least \$75,000.00 and not to exceed \$250,000.00 for each such false certification.

(d) Any person violating any other provision in this chapter shall be subject to a civil penalty for a first offense not to exceed \$1,000.00, and for a subsequent offense subject to a civil penalty not to exceed \$5,000.00, for each such violation.

(e) Any cigarettes that have been sold or offered for sale that do not comply with the performance standard required by Code Section 25-14-3 shall be subject to forfeiture and, upon forfeiture, shall be destroyed; provided, however, that prior to the destruction of any cigarette pursuant to this Code section, the true holder of the trademark rights in the cigarette brand shall be permitted to inspect the cigarette.

(f) In addition to any other remedy provided by law, the ~~Commissioner~~ commissioner or Attorney General may file an action in superior court for a violation of this chapter, including petitioning for injunctive relief or to recover any costs or damages suffered by the state because of a violation of this chapter, including enforcement costs relating to the specific violation and attorney's fees. Each violation of this chapter or of rules or regulations adopted under this chapter constitutes a separate civil violation for which the ~~Commissioner~~ commissioner or Attorney General may obtain relief.

(g) Whenever any law enforcement personnel or duly authorized representative of the ~~Commissioner~~ commissioner or Attorney General shall discover any cigarettes that have not been marked in the manner required under Code Section 25-14-5, such personnel are hereby authorized and empowered to seize and take possession of such cigarettes. Such cigarettes shall be turned over to the state revenue commissioner and shall be forfeited to the state. Cigarettes seized pursuant to this subsection shall be destroyed; provided, however, that prior to the destruction of any cigarette seized pursuant to this subsection, the true holder of the trademark rights in the cigarette brand shall be permitted to inspect the cigarette.

25-14-7.

(a) The ~~Commissioner~~ commissioner may promulgate rules and regulations, pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' necessary to effectuate the purposes of this chapter.

(b) The state revenue commissioner in the regular course of conducting inspections of

wholesale dealers, agents, and retail dealers, as authorized under Chapter 11 of Title 48, may inspect such cigarettes to determine if the cigarettes are marked as required by Code Section 25-14-5. If the cigarettes are not marked as required, the state revenue commissioner shall notify the ~~Commissioner~~ commissioner.

25-14-8.

To enforce the provisions of this chapter, the Attorney General and the ~~Commissioner~~ commissioner, their duly authorized representatives, and other law enforcement personnel shall be authorized to examine the books, papers, invoices, and other records of any person in possession, control, or occupancy of any premises where cigarettes are placed, stored, sold, or offered for sale, as well as the stock of cigarettes on the premises. Every person in the possession, control, or occupancy of any premises where cigarettes are placed, sold, or offered for sale shall be directed and required to give the Attorney General and the ~~Commissioner~~ commissioner, their duly authorized representatives, and other law enforcement personnel the means, facilities, and opportunity for the examinations authorized by this Code section.

25-14-9.

Nothing in this chapter shall be construed to prohibit any person or entity from manufacturing or selling cigarettes that do not meet the requirements of Code Section 25-14-3 if the cigarettes are not for sale in this state or are packaged for sale outside the United States, and that person or entity has taken reasonable steps to ensure that such cigarettes will not be sold or offered for sale to persons located in this state.

25-14-10.

This chapter shall cease to be applicable if federal reduced cigarette ignition propensity standards that preempt this chapter are enacted.

25-14-11.

If, after the date specified in paragraph (4.1) of Code Section 25-14-2, the New York safety standards are changed, then the ~~Commissioner~~ commissioner shall suggest proposed legislation to the chairpersons of the appropriate standing committees of the General Assembly as designated by the presiding officer of each house. Such proposed legislation shall contain provisions necessary to bring paragraph (4.1) of Code Section 25-14-2 into accordance with the New York safety standards.

25-14-12.

(a) The Board of Fire Safety, the commissioner, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar

authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART XII SECTION 12-1.

Said title is further amended by revising Chapter 15, relating to other safety inspections and regulations, as follows:

"CHAPTER 15 ARTICLE 1

25-15-1.

~~(a) The office of Safety Fire Commissioner shall succeed to all rules, regulations, policies, procedures, and administrative orders of the Department of Labor in effect on June 30, 2012, or scheduled to go into effect on or after July 1, 2012, and which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8 and shall further succeed to any rights, privileges, entitlements, obligations, and duties of the Department of Labor in effect on June 30, 2012, which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8. Such rules, regulations, policies, procedures, and administrative orders shall remain in effect until amended, repealed, superseded, or nullified by the office of Safety Fire Commissioner by proper authority or as otherwise provided by law.~~

~~(b) Any proceedings or other matters pending before the Department of Labor or Commissioner of Labor on June 30, 2012, which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8 shall be transferred to the office of Safety Fire Commissioner on July 1, 2012.~~

~~(c) The rights, privileges, entitlements, obligations, and duties of parties to contracts, leases, agreements, and other transactions as identified by the Office of Planning and Budget entered into before July 1, 2012, by the Department of Labor which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8 shall continue to exist; and none of these rights, privileges, entitlements, obligations, and duties are impaired or diminished by reason of the transfer of the functions to the office of Safety Fire Commissioner. In all such instances, the office of Safety Fire Commissioner shall be substituted for the Department of Labor, and the office of Safety Fire Commissioner shall succeed to the~~

~~rights and duties under such contracts, leases, agreements, and other transactions.~~

~~(d) All persons employed by the Department of Labor in capacities which relate to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8 on June 30, 2012, shall, on July 1, 2012, become employees of the office of Safety Fire Commissioner in similar capacities, as determined by the Commissioner of Insurance. Such employees shall be subject to the employment practices and policies of the office of Safety Fire Commissioner on and after July 1, 2012, but the compensation and benefits of such transferred employees shall not be reduced as a result of such transfer. Employees who are subject to the rules of the State Personnel Board and who are transferred to the office shall retain all existing rights under such rules. Accrued annual and sick leave possessed by the transferred employees on June 30, 2012, shall be retained by such employees as employees of the office of Safety Fire Commissioner.~~

~~(e) On July 1, 2012, the office of Safety Fire Commissioner shall receive custody of the state owned real property in the custody of the Department of Labor on June 30, 2012, and which pertains to the functions transferred to the office of Safety Fire Commissioner pursuant to this chapter and Part 6 of Article 1 of Chapter 2 of Title 8.~~

~~(f) The Safety Fire Commissioner shall provide a report to the House Committee on Governmental Affairs and the Senate Government Oversight Committee prior to the first day of the 2013 regular session of the Georgia General Assembly outlining the effects and results of this Code section and providing information on any problems or concerns with respect to the implementation of this Code section. Reserved.~~

ARTICLE 2

25-15-10.

This article shall be known and may be cited as the 'Boiler and Pressure Vessel Safety Act' and, except as otherwise provided in this article, shall apply to all boilers and pressure vessels.

25-15-11.

As used in this article, the term:

(1) 'Boiler' means a closed vessel in which water or other liquid is heated, steam or vapor is generated, or steam is superheated or in which any combination of these functions is accomplished, under pressure or vacuum, for use externally to itself, by the direct application of energy from the combustion of fuels or from electricity, solar, or nuclear energy. The term 'boiler' shall include fired units for heating or vaporizing liquids other than water where these units are separate from processing systems and are complete within themselves. The term 'boiler' is further defined as follows:

(A) 'Heating boiler' means a steam or vapor boiler operating at pressures not exceeding 15 psig or a hot water boiler operating at pressures not exceeding 160 psig or temperatures not exceeding 250 degrees Fahrenheit.

(B) 'High pressure, high temperature water boiler' means a water boiler operating at

pressures exceeding 160 psig or temperatures exceeding 250 degrees Fahrenheit.

(C) 'Power boiler' means a boiler in which steam or other vapor is generated at a pressure of more than 15 psig.

(2) 'Certificate of inspection' means an inspection, the report of which is used by the chief inspector to determine whether or not a certificate as provided by subsection (c) of Code Section 25-15-24 may be issued.

(3) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.

(4) 'Office' ~~'Department'~~ means the ~~office of Safety Fire Commissioner~~ Department of Fire Safety.

(5) 'Pressure vessel' means a vessel other than those vessels defined in paragraph (1) of this Code section in which the pressure is obtained from an external source or by the application of heat.

25-15-12.

The ~~Commissioner~~ commissioner shall be authorized to consult with persons knowledgeable in the areas of construction, use, or safety of boilers and pressure vessels and to create committees composed of such consultants to assist the ~~Commissioner~~ commissioner in carrying out his or her duties under this article.

25-15-13.

(a)(1) The ~~office~~ department shall formulate definitions, rules, and regulations for the safe construction, installation, inspection, maintenance, and repair of boilers and pressure vessels in this state.

(2) The definitions, rules, and regulations so formulated for new construction shall be based upon and at all times follow the generally accepted nation-wide engineering standards, formulas, and practices established and pertaining to boiler and pressure vessel construction and safety; and the ~~office~~ department may adopt an existing published codification thereof, known as the Boiler and Pressure Vessel Code of the American Society of Mechanical Engineers, with the amendments and interpretations thereto made and approved by the council of the society, and may likewise adopt the amendments and interpretations subsequently made and published by the same authority. When so adopted, the same shall be deemed to be incorporated into and shall constitute a part of the whole of the definitions, rules, and regulations of the ~~office~~ department. Amendments and interpretations to the code so adopted shall be effective immediately upon being promulgated, to the end that the definitions, rules, and regulations shall at all times follow the generally accepted nation-wide engineering standards.

(3) The ~~office~~ department shall formulate the rules and regulations for the inspection, maintenance, and repair of boilers and pressure vessels which were in use in this state prior to the date upon which the first rules and regulations under this article pertaining to existing installations become effective or during the 12 month period immediately thereafter. The rules and regulations so formulated shall be based upon and at all times follow generally accepted nation-wide engineering standards and practices and

may adopt sections of the Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors or API 510 of the American Petroleum Institute, as applicable.

(b) The rules and regulations and any subsequent amendments thereto formulated by the ~~office~~ department shall, immediately following a hearing upon not less than 20 days' notice as provided in this article, be approved and published and when so promulgated shall have the force and effect of law, except that the rules applying to the construction of new boilers and pressure vessels shall not become mandatory until 12 months after their promulgation by the ~~office~~ department. Notice of the hearing shall give the time and place of the hearing and shall state the matters to be considered at the hearing. Such notice shall be given to all persons directly affected by such hearing. In the event all persons directly affected are unknown, notice may be perfected by publication in a newspaper of general circulation in this state at least 20 days prior to such hearing.

(c) Subsequent amendments to the rules and regulations adopted by the ~~office~~ department shall be permissive immediately and shall become mandatory 12 months after their promulgation.

25-15-14.

No boiler or pressure vessel which does not conform to the rules and regulations of the ~~office~~ department governing new construction and installation shall be installed and operated in this state after 12 months from the date upon which the first rules and regulations under this article pertaining to new construction and installation shall have become effective, unless the boiler or pressure vessel is of special design or construction and is not inconsistent with the spirit and safety objectives of such rules and regulations, in which case a special installation and operating permit may at its discretion be granted by the ~~office~~ department.

25-15-15.

(a) The maximum allowable working pressure of a boiler carrying the ASME Code symbol or of a pressure vessel carrying the ASME or API-ASME symbol shall be determined by the applicable sections of the code under which it was constructed and stamped. Subject to the concurrence of the enforcement authority at the point of installation, such a boiler or pressure vessel may be rerated in accordance with the rules of a later edition of the ASME Code and in accordance with the rules of the National Board Inspection Code or API 510, as applicable.

(b) The maximum allowable working pressure of a boiler or pressure vessel which does not carry the ASME or the API-ASME Code symbol shall be computed in accordance with the Inspection Code of the National Board of Boiler and Pressure Vessel Inspectors.

(c) This article shall not be construed as in any way preventing the use, sale, or reinstallation of a boiler or pressure vessel referred to in this Code section, provided that it has been made to conform to the rules and regulations of the office governing

existing installations; and provided, further, that it has not been found upon inspection to be in an unsafe condition.

25-15-16.

(a) This article shall not apply to the following boilers and pressure vessels:

(1) Boilers and pressure vessels under federal control or under regulations of 49 C.F.R. 192 and 193;

(2) Pressure vessels used for transportation and storage of compressed or liquefied gases when constructed in compliance with specifications of the United States Department of Transportation and when charged with gas or liquid, marked, maintained, and periodically requalified for use, as required by appropriate regulations of the United States Department of Transportation;

(3) Pressure vessels located on vehicles operating under the rules of other state or federal authorities and used for carrying passengers or freight;

(4) Air tanks installed on the right of way of railroads and used directly in the operation of trains;

(5) Pressure vessels that do not exceed:

(A) Five cubic feet in volume and 250 psig pressure; or

(B) One and one-half cubic feet in volume and 600 psig pressure; or

(C) An inside diameter of six inches with no limitation on pressure;

(6) Pressure vessels having an internal or external working pressure not exceeding 15 psig with no limit on size;

(7) Pressure vessels with a nominal water-containing capacity of 120 gallons or less for containing water under pressure, including those containing air, the compression of which serves only as a cushion;

(8) Pressure vessels containing water heated by steam or any other indirect means when none of the following limitations are exceeded:

(A) A heat input of 200,000 BTU per hour;

(B) A water temperature of 210 degrees Fahrenheit; and

(C) A nominal water-containing capacity of 120 gallons;

(9) Hot water supply boilers which are directly fired with oil, gas, or electricity when none of the following limitations are exceeded:

(A) Heat input of 200,000 BTU per hour;

(B) Water temperature of 210 degrees Fahrenheit; and

(C) Nominal water-containing capacity of 120 gallons.

These exempt hot water supply boilers shall be equipped with ASME-National Board approved safety relief valves;

(10) Pressure vessels in the care, custody, and control of research facilities and used solely for research purposes which require one or more details of noncode construction or which involve destruction or reduced life expectancy of those vessels;

(11) Pressure vessels or other structures or components that are not considered to be within the scope of ASME Code, Section VIII;

(12) Boilers and pressure vessels operated and maintained for the production and

generation of electricity; provided, however, that any person, firm, partnership, or corporation operating such a boiler or pressure vessel has insurance or is self-insured and such boiler or pressure vessel is regularly inspected in accordance with the minimum requirements for safety as defined in the ASME Code by an inspector who has been issued a certificate of competency by the ~~Commissioner~~ commissioner in accordance with the provisions of Code Section 25-15-19;

(13) Boilers and pressure vessels operated and maintained as a part of a manufacturing process; provided, however, that any person, firm, partnership, or corporation operating such a boiler or pressure vessel has insurance or is self-insured and such boiler or pressure vessel is regularly inspected in accordance with the minimum requirements for safety as defined in the ASME Code by an inspector who has been issued a certificate of competency by the ~~Commissioner~~ commissioner in accordance with the provisions of Code Section 25-15-19;

(14) Boilers and pressure vessels operated and maintained by a public utility; and

(15) Autoclaves used only for the sterilization of reusable medical or dental implements in the place of business of any professional licensed by the laws of this state.

(b) The following boilers and pressure vessels shall be exempt from the requirements of subsections (b), (c), and (d) of Code Section 25-15-23 and Code Sections 25-15-24 and 25-15-26:

(1) Boilers or pressure vessels located on farms and used solely for agricultural or horticultural purposes;

(2) Heating boilers or pressure vessels which are located in private residences or in apartment houses of less than six family units;

(3) Any pressure vessel used as an external part of an electrical circuit breaker or transformer;

(4) Pressure vessels on remote oil or gas-producing lease locations that have fewer than ten buildings intended for human occupancy per 0.25 square mile and where the closest building is at least 220 yards from any vessel;

(5) Pressure vessels used for storage of liquid propane gas under the jurisdiction of the state fire marshal, except for pressure vessels used for storage of liquefied petroleum gas, 2,000 gallons or above, which have been modified or altered; and

(6) Air storage tanks not exceeding 16 cubic feet (120 gallons) in size and under 250 psig pressure.

25-15-17.

(a) The ~~Commissioner~~ commissioner may appoint to be chief inspector a citizen of this state or, if not available, a citizen of another state, who shall have had at the time of such appointment not less than five years' experience in the construction, installation, inspection, operation, maintenance, or repair of high pressure boilers and pressure vessels as a mechanical engineer, steam operating engineer, boilermaker, or boiler inspector and who shall have passed the same kind of examination as that prescribed under Code Section 25-15-20. Such chief inspector may be removed for cause after

due investigation by the ~~Commissioner~~ commissioner.

(b) The chief inspector, if authorized by the ~~Commissioner~~ commissioner, is charged, directed, and empowered:

(1) To take action necessary for the enforcement of the laws of this state governing the use of boilers and pressure vessels to which this article applies and of the rules and regulations of the ~~office~~ department;

(2) To keep a complete record of the name of each owner or user and his or her location and, except for pressure vessels covered by an owner or user inspection service, the type, dimensions, maximum allowable working pressure, age, and the last recorded inspection of all boilers and pressure vessels to which this article applies;

(3) To publish in print or electronically and make available to anyone requesting them copies of the rules and regulations promulgated by the ~~office~~ department;

(4) To issue or to suspend or revoke for cause inspection certificates as provided for in Code Section 25-15-24; and

(5) To cause the prosecution of all violators of the provisions of this article.

25-15-18.

The ~~Commissioner~~ commissioner may employ deputy inspectors who shall be responsible to the chief inspector and who shall have had at the time of appointment not less than three years' experience in the construction, installation, inspection, operation, maintenance, or repair of high pressure boilers and pressure vessels as a mechanical engineer, steam operating engineer, boilermaker, or boiler inspector and who shall have passed the examination provided for in Code Section 25-15-20.

25-15-19.

(a) In addition to the deputy inspectors authorized by Code Section 25-15-18 the ~~Commissioner~~ commissioner shall, upon the request of any company licensed to insure and insuring in this state boilers and pressure vessels or upon the request of any company operating pressure vessels in this state for which the owner or user maintains a regularly established inspection service which is under the supervision of one or more technically competent individuals whose qualifications are satisfactory to the ~~office~~ department and causes such pressure vessels to be regularly inspected and rated by such inspection service in accordance with applicable provisions of the rules and regulations adopted by the ~~office~~ department pursuant to Code Section 25-15-13, issue to any inspectors of such insurance company certificates of competency as special inspectors and to any inspectors of such company operating pressure vessels certificates of competency as owner or user inspectors, provided that each such inspector before receiving his or her certificate of competency shall satisfactorily pass the examination provided for by Code Section 25-15-20 or, in lieu of such examination, shall hold a commission or a certificate of competency as an inspector of boilers or pressure vessels for a state that has a standard of examination substantially equal to that of this state or a commission as an inspector of boilers and pressure vessels issued by the National Board of Boiler and Pressure Vessel Inspectors. A certificate of competency as an

owner or user inspector shall be issued to an inspector of a company operating pressure vessels in this state only if, in addition to meeting the requirements stated in this Code section, the inspector is employed full time by the company and is responsible for making inspections of pressure vessels used or to be used by such company and which are not for resale.

(b) Such special inspectors or owner or user inspectors shall receive no salary from nor shall any of their expenses be paid by the state, and the continuance of their certificates of competency shall be conditioned upon their continuing in the employ of the boiler insurance company duly authorized or in the employ of the company so operating pressure vessels in this state and upon their maintenance of the standards imposed by this article.

(c) Such special inspectors or owner or user inspectors may inspect all boilers and pressure vessels insured or all pressure vessels operated by their respective companies; and, when so inspected, the owners and users of such boilers and pressure vessels shall be exempt from the payment to the state of the inspection fees as prescribed in rules and regulations promulgated by the ~~Commissioner~~ commissioner.

25-15-20.

The examination for chief, deputy, special, or owner or user inspectors shall be in writing and shall be held by the ~~office~~ department or by an examining board appointed in accordance with the requirements of the National Board of Boiler and Pressure Vessel Inspectors, with at least two members present at all times during the examination. Such examination shall be confined to questions the answers to which will aid in determining the fitness and competency of the applicant for the intended service and may be those prepared by the National Board of Boiler and Pressure Vessel Inspectors. In case an applicant fails to pass the examination, he or she may appeal to the ~~office~~ department for another examination which shall be given by the ~~office~~ department or the appointed examining board after 90 days. The record of an applicant's examination shall be accessible to the applicant and his or her employer.

25-15-21.

(a) An inspector's certificate of competency may be suspended by the ~~Commissioner~~ commissioner after due investigation for the incompetence or untrustworthiness of the holder thereof or for willful falsification of any matter or statement contained in his or her application or in a report of any inspection made by him or her. Written notice of any such suspension shall be given by the ~~Commissioner~~ commissioner within not more than ten days thereof to the inspector and his or her employer. A person whose certificate of competency has been suspended shall be entitled to an appeal as provided in Code Section 25-15-28 and to be present in person and to be represented by counsel at the hearing of the appeal.

(b) If the ~~office~~ department has reason to believe that an inspector is no longer qualified to hold his or her certificate of competency, the ~~office~~ department shall provide written notice to the inspector and his or her employer of the ~~office's~~

department's determination and the right to an appeal as provided in Code Section 25-15-28. If, as a result of such hearing, the inspector has been determined to be no longer qualified to hold his or her certificate of competency, the ~~Commissioner~~ commissioner shall thereupon revoke such certificate of competency forthwith.

(c) A person whose certificate of competency has been suspended shall be entitled to apply, after 90 days from the date of such suspension, for reinstatement of such certificate of competency.

25-15-22.

If a certificate of competency is lost or destroyed, a new certificate of competency shall be issued in its place without another examination.

25-15-23.

(a) The ~~Commissioner~~ commissioner, the chief inspector, or any deputy inspector shall have free access, during reasonable hours, to any premises in this state where a boiler or pressure vessel is being constructed for use in, or is being installed in, this state for the purpose of ascertaining whether such boiler or pressure vessel is being constructed and installed in accordance with the provisions of this article.

(b)(1) On and after January 1, 1986, each boiler and pressure vessel used or proposed to be used within this state, except for pressure vessels covered by an owner or user inspection service as described in subsection (d) of this Code section or except for boilers or pressure vessels exempt under Code Section 25-15-16 (owners and users may request to waive this exemption), shall be thoroughly inspected as to their construction, installation, and condition as follows:

(A) Power boilers and high pressure, high temperature water boilers shall receive a certificate inspection annually which shall be an internal inspection where construction permits; otherwise, it shall be as complete an inspection as possible. Such boilers shall also be externally inspected while under pressure, if possible;

(B) Low pressure steam or vapor heating boilers shall receive a certificate inspection biennially with an internal inspection every four years where construction permits;

(C) Hot water heating and hot water supply boilers shall receive a certificate inspection biennially with an internal inspection at the discretion of the inspector;

(D) Pressure vessels subject to internal corrosion shall receive a certificate inspection triennially with an internal inspection at the discretion of the inspector. Pressure vessels not subject to internal corrosion shall receive a certificate of inspection at intervals set by the ~~office~~ department; and

(E) Nuclear vessels within the scope of this article shall be inspected and reported in such form and with such appropriate information as the ~~office~~ department shall designate.

(2) A grace period of two months beyond the periods specified in subparagraphs (A) through (D) of this paragraph may elapse between certificate inspections.

(3) The ~~office~~ department may provide for longer periods between certificate

inspection in its rules and regulations.

(4) Under the provisions of this article, the ~~office~~ department is responsible for providing for the safety of life, limb, and property and therefore has jurisdiction over the interpretation and application of the inspection requirements as provided for in the rules and regulations which it has promulgated. The person conducting the inspection during construction and installation shall certify as to the minimum requirements for safety as defined in the ASME Code. Inspection requirements of operating equipment shall be in accordance with generally accepted practice and compatible with the actual service conditions, such as:

- (A) Previous experience, based on records of inspection, performance, and maintenance;
- (B) Location, with respect to personnel hazard;
- (C) Quality of inspection and operating personnel;
- (D) Provision for related safe operation controls; and
- (E) Interrelation with other operations outside the scope of this article.

Based upon documentation of such actual service conditions by the owner or user of the operating equipment, the ~~office~~ department may, in its discretion, permit variations in the inspection requirements.

(c) The inspections required in this article shall be made by the chief inspector, by a deputy inspector, by a special inspector, or by an owner or user inspector provided for in this article.

(d) Owner or user inspection of pressure vessels is permitted, provided that the owner or user inspection service is regularly established and is under the supervision of one or more individuals whose qualifications are satisfactory to the ~~office~~ department and said owner or user causes the pressure vessels to be inspected in conformance with the National Board Inspection Code or API 510, as applicable.

(e) If, at the discretion of the inspector, a hydrostatic test shall be deemed necessary, it shall be made by the owner or user of the boiler or pressure vessel.

(f) All boilers, other than cast iron sectional boilers, and pressure vessels to be installed in this state after the 12 month period from the date upon which the rules and regulations of the ~~office~~ department shall become effective shall be inspected during construction as required by the applicable rules and regulations of the ~~office~~ department by an inspector authorized to inspect boilers and pressure vessels in this state or, if constructed outside of the state, by an inspector holding a commission issued by the National Board of Boiler and Pressure Vessel Inspectors.

25-15-24.

(a) Each company employing special inspectors shall, within 30 days following each certificate inspection made by such inspectors, file a report of such inspection with the chief inspector upon appropriate forms as promulgated by the ~~Commissioner~~ commissioner. The filing of reports of external inspections, other than certificate inspections, shall not be required except when such inspections disclose that the boiler or pressure vessel is in a dangerous condition.

(b) Each company operating pressure vessels covered by an owner or user inspection service meeting the requirements of subsection (a) of Code Section 25-15-19 shall maintain in its files an inspection record which shall list, by number and such abbreviated description as may be necessary for identification, each pressure vessel covered by this article, the date of the last inspection of each pressure vessel, and the approximate date for the next inspection. The inspection record shall be available for examination by the chief inspector or the chief inspector's authorized representative during business hours.

(c) If the report filed pursuant to subsection (a) of this Code section shows that a boiler or pressure vessel is found to comply with the rules and regulations of the ~~office~~ department, the chief inspector, or his or her duly authorized representative, shall issue to such owner or user an inspection certificate bearing the date of inspection and specifying the maximum pressure under which the boiler or pressure vessel may be operated. Such inspection certificate shall be valid for not more than 14 months from its date in the case of power boilers, 26 months in the case of heating and hot water supply boilers, and 38 months in the case of pressure vessels. In the case of those boilers and pressure vessels covered by subparagraphs (b)(1)(A) through (b)(1)(D) of Code Section 25-15-23 for which the ~~office~~ department has established or extended the operating period between required inspections pursuant to the provisions of paragraphs (3) and (4) of subsection (b) of Code Section 25-15-23, the certificate shall be valid for a period of not more than two months beyond the period set by the ~~office~~ department. Certificates for boilers shall be posted under glass, or similarly protected, in the room containing the boiler. Pressure vessel certificates shall be posted in like manner, if convenient, or filed where they will be readily accessible for examination.

(d) No inspection certificate issued for an insured boiler or pressure vessel based upon a report of a special inspector shall be valid after the boiler or pressure vessel for which it was issued shall cease to be insured by a company duly authorized by this state to provide such insurance.

(e) The ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may at any time suspend an inspection certificate after showing cause that the boiler or pressure vessel for which it was issued cannot be operated without menace to the public safety or when the boiler or pressure vessel is found not to comply with the rules and regulations adopted pursuant to this article. Each suspension of an inspection certificate shall continue in effect until such boiler or pressure vessel shall have been made to conform to the rules and regulations of the ~~office~~ department and until such inspection certificate shall have been reinstated.

(f) The ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may issue a written order for the temporary cessation of operation of a boiler or pressure vessel if it has been determined after inspection to be hazardous or unsafe. Operations shall not resume until such conditions are corrected to the satisfaction of the ~~Commissioner~~ commissioner or his or her authorized representative.

25-15-25.

(a) Boilers and pressure vessels, subject to operating certificate inspections by special, owner, or user inspectors, shall be inspected within 60 calendar days following the required reinspection date. Inspections not performed within this 60 calendar day period shall result in a civil penalty of \$500.00 for each boiler or pressure vessel not inspected.

(b)(1) Inspection fees due on boiler and pressure vessels subject to inspection by the chief or deputy inspectors or operating certificate fees due from inspections performed by special, or owner or user, inspectors shall be paid within 60 calendar days of completion of such inspections.

(2) Inspection fees or operating certificate fees unpaid within 60 calendar days shall bear interest at the rate of 1.5 percent per month or any fraction of a month. Interest shall continue to accrue until all amounts due, including interest, are received by the ~~Commissioner~~ commissioner.

(c) The ~~Commissioner~~ commissioner may waive the collection of the penalties and interest assessed as provided in subsections (a) and (b) of this Code section when it is reasonably determined that the delays in inspection or payment were unavoidable or due to the action or inaction of the ~~office~~ department.

25-15-26.

It shall be unlawful for any person, firm, partnership, or corporation to operate in this state a boiler or pressure vessel, except a pressure vessel covered by owner or user inspection service as provided for in Code Section 25-15-24, without a valid inspection certificate. The operation of a boiler or pressure vessel without such inspection certificate or at a pressure exceeding that specified in such inspection certificate or in violation of this article shall constitute a misdemeanor.

25-15-27.

The owner or user of a boiler or pressure vessel required by this article to be inspected by the chief inspector or a deputy inspector shall pay directly to the chief inspector, upon completion of inspection, fees as prescribed in rules and regulations promulgated by the ~~Commissioner~~ commissioner; provided, however, that, with respect to pressure vessel certificates of inspection, such fees shall not exceed \$10.00 per annum. The chief inspector shall transfer all fees so received to the general fund of the state treasury. All funds so deposited in the state treasury are authorized to be appropriated by the General Assembly to the ~~Safety Fire Commissioner~~ commissioner.

25-15-28.

(a) Any person aggrieved by an order or an act of the ~~Commissioner~~ commissioner or the chief inspector under this article may, within 15 days of notice thereof, request a hearing before an administrative law judge of the Office of State Administrative Hearings, as provided by Code Section 50-13-41.

(b) Any person aggrieved by a decision of an administrative law judge may file an appeal pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

25-15-29.

No county, municipality, or other political subdivision shall have the power to make any laws, ordinances, or resolutions providing for the construction, installation, inspection, maintenance, and repair of boilers and pressure vessels within the limits of such county, municipality, or other political subdivision; and any such laws, ordinances, or resolutions shall be void and of no effect.

25-15-30.

Neither this article nor any provision of this article shall be construed to place any liability on the State of Georgia, the ~~office~~ department, or the ~~Commissioner~~ commissioner with respect to any claim by any person, firm, or corporation relating in any way whatsoever to boilers and pressure vessels and any injury or damages arising therefrom.

ARTICLE 3

25-15-50.

This article shall be known and may be cited as the 'Amusement Ride Safety Act.'

25-15-51.

As used in this article, the term:

(1) 'Amusement ride' means any mechanical device, other than those regulated by the Consumer Products Safety Commission, which carries or conveys passengers along, around, or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills, or excitement. Such term shall not include any such device which is not permanently fixed to a site.

(2) 'Authorized person' means a competent person experienced and instructed in the work to be performed who has been given the responsibility to perform his or her duty by the owner or his or her representative.

(3) 'Certificate fee' means the fee charged by the ~~office~~ department for a certificate to operate an amusement ride.

(4) 'Certificate of inspection' means a certificate issued by a licensed inspector that an amusement ride meets all relevant provisions of this article and the standards and regulations adopted pursuant thereto.

(5) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.

(6) 'Department' means the Department of Fire Safety.

~~(6)~~(7) 'Licensed inspector' means a registered professional engineer or any other person who is found by the ~~office~~ department to possess the requisite training and experience to perform competently the inspections required by this article and who is licensed by the ~~office~~ department to perform inspections of amusement rides.

~~(7)~~(8) 'Operator' means a person or persons actually engaged in or directly controlling the operation of an amusement ride.

~~(8)~~ 'Office' means the office of ~~Safety Fire Commissioner~~, which is designated to

~~enforce the provisions of this article and to formulate and enforce standards and regulations.~~

(9) 'Owner' means a person, including the state or any of its subdivisions, who owns an amusement ride or, in the event that the amusement ride is leased, the lessee.

(10) 'Permit' means a permit to operate an amusement ride issued to an owner by the ~~office~~ department.

(11) 'Permit fee' means the fee charged by the ~~office~~ department for a permit to operate an amusement ride.

(12) 'Standards and regulations' means those standards and regulations formulated and enforced by the ~~office~~ department.

25-15-52.

The ~~Commissioner~~ commissioner shall be authorized to consult with persons knowledgeable in the area of the amusement ride industry and to create committees composed of such consultants to assist the ~~Commissioner~~ commissioner in carrying out his or her duties under this article.

25-15-53.

(a) The ~~office~~ department shall formulate standards and regulations, or changes to such standards and regulations, for the safe assembly, disassembly, repair, maintenance, use, operation, and inspection of all amusement rides. The standards and regulations shall be reasonable and based upon generally accepted engineering standards, formulas, and practices pertinent to the industry. Formulation and promulgation of such standards and regulations shall be subject to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' It is recognized that risks presented to the general public by amusement rides which are frequently assembled and disassembled are different from those presented by amusement rides which are not frequently assembled and disassembled. Accordingly, the ~~office~~ department is authorized to formulate different standards and regulations with regard to such differing classes of amusement rides.

(b) The ~~office~~ department shall:

- (1) Enforce all standards and regulations;
- (2) License inspectors for authorization to inspect amusement rides;
- (3) Issue permits upon compliance with this article and such standards and regulations adopted pursuant to this article; and
- (4) Establish a fee schedule for the issuance of permits for amusement rides.

25-15-54.

The ~~office~~ department may license such private inspectors as may be necessary to carry out the provisions of this article.

25-15-55.

(a) No amusement ride shall be operated, except for purposes of testing and inspection, until a permit for its operation has been issued by the ~~office~~ department. The owner of

an amusement ride shall apply for a permit to the ~~office~~ department on a form furnished by the ~~office~~ department providing such information as the ~~office~~ department may require.

(b) No such application shall be complete without including a certificate of inspection from a licensed inspector that the amusement ride meets all relevant provisions of this article and the standards and regulations adopted pursuant thereto. The cost of obtaining the certificate of inspection from a licensed inspector shall be borne by the owner or operator.

25-15-56.

(a) All amusement rides shall be inspected annually, and may be inspected more frequently, by a licensed inspector at the owner's or operator's expense. If the amusement ride meets all relevant provisions of this article and the standards and regulations adopted pursuant to this article, the licensed inspector shall provide to the owner or operator a certificate of inspection. All new amusement rides shall be inspected before commencing public operation.

(b) Amusement rides and attractions may be required to be inspected by an authorized person each time they are assembled or disassembled in accordance with regulations and standards established under this article.

25-15-57.

The ~~office~~ department may waive the requirement of subsection (a) of Code Section 25-15-56 if the owner of an amusement ride gives satisfactory proof to the ~~office~~ department that the amusement ride has passed an inspection conducted by a federal agency or by another state whose standards and regulations for the inspection of such an amusement ride are at least as stringent as those adopted pursuant to this article.

25-15-58.

The ~~office~~ department shall issue a permit to operate an amusement ride to the owner thereof upon successful completion of a safety inspection of the amusement ride conducted by a licensed inspector and upon receiving an application for permit with a certificate of insurance. The permit shall be valid for the calendar year in which issued.

25-15-59.

The owner shall maintain up-to-date maintenance, inspection, and repair records between inspection periods for each amusement ride in accordance with such standards and regulations as are adopted pursuant to this article. Such records shall contain a copy of all inspection reports commencing with the last annual inspection, a description of all maintenance performed, and a description of any mechanical or structural failures or operational breakdowns and the types of actions taken to rectify these conditions.

25-15-60.

No person shall be permitted to operate an amusement ride unless he or she is at least

16 years of age. An operator shall be in attendance at all times that an amusement ride is in operation and shall operate no more than one amusement ride at any given time.

25-15-61.

The owner of the amusement ride shall report to the ~~office~~ department any accident resulting in a fatality or an injury requiring immediate inpatient overnight hospitalization incurred during the operation of any amusement ride. The report shall be in writing, shall describe the nature of the occurrence and injury, and shall be mailed by first-class mail no later than the close of the next business day following the accident. Accidents resulting in a fatality shall also be reported immediately to the ~~office~~ department in person or by phone in accordance with regulations adopted by the ~~office~~ department.

25-15-62.

- (a) No person shall operate an amusement ride unless at the time there is in existence:
- (1) A policy of insurance in an appropriate amount determined by regulation insuring the owner and operator (if an independent contractor) against liability for injury to persons arising out of the operation of the amusement ride;
 - (2) A bond in a like amount; provided, however, that the aggregate liability of the surety under such bond shall not exceed the face amount thereof; or
 - (3) Cash or other security acceptable to the ~~office~~ department.
- (b) Regulations under this article shall permit appropriate deductibles or self-insured retention amounts to such policies of insurance. The policy or bond shall be procured from one or more insurers or sureties acceptable to the ~~office~~ department.

25-15-63.

If any person would incur practical difficulties or unnecessary hardships in complying with the standards and regulations adopted pursuant to this article, or if any person is aggrieved by any order issued by the ~~office~~ department, the person may make a written application to the ~~office~~ department stating his or her grounds and applying for a variance. The ~~office~~ department may grant such a variance in the spirit of the provisions of this article with due regard to public safety. The granting or denial of a variance by the ~~office~~ department shall be in writing and shall describe the conditions under which the variance is granted or the reasons for denial. A record shall be kept of all variances granted by the ~~office~~ department and such record shall be open to inspection by the public.

25-15-64.

This article shall not apply to any single-passenger coin operated amusement ride on a stationary foundation or to playground equipment such as swings, seesaws, slides, jungle gyms, rider propelled merry-go-rounds, moonwalks, and live rides.

25-15-65.

This article shall not be construed so as to prevent the use of any existing amusement ride found to be in a safe condition and to be in conformance with the standards and regulations adopted pursuant to this article. Owners of amusement rides in operation on or before the effective date of this article shall comply with the provisions of this article and the standards and regulations adopted pursuant to this article within six months after the adoption of such standards and regulations.

25-15-66.

(a) The ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may issue a written order for the temporary cessation of operation of an amusement ride if it has been determined after inspection to be hazardous or unsafe. Operations shall not resume until such conditions are corrected to the satisfaction of the ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative.

(b) In the event that an owner or operator knowingly allows the operation of an amusement ride after the issuing of a temporary cessation, the ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may initiate in the superior court any action for an injunction or writ of mandamus upon the petition of the district attorney or Attorney General. An injunction, without bond, may be granted by the superior court to the ~~Commissioner~~ commissioner for the purpose of enforcing this article.

(c)(1) Any person, firm, partnership, or corporation violating the provisions of this article shall be guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

(2) In addition to the penalty provisions in paragraph (1) of this subsection, the ~~Commissioner~~ commissioner shall have the power, after notice and hearing, to levy civil penalties as prescribed in the rules and regulations of the ~~office~~ department in an amount not to exceed \$5,000.00 upon any person, firm, partnership, or corporation failing to adhere to the requirements of this article and the rules and regulations promulgated under this article. The imposition of a penalty for a violation of this article or the rules and regulations promulgated under this article shall not excuse the violation or permit it to continue.

25-15-67.

The owner or operator of an amusement ride may deny entry to a person to an amusement ride if in the owner's or operator's opinion the entry may jeopardize the safety of such person or the safety of any other person. Nothing in this Code section shall permit an owner or operator to deny an inspector access to an amusement ride when such inspector is acting within the scope of his or her duties under this article.

25-15-68.

Neither this article nor any provision of this article shall be construed to place any

liability on the State of Georgia, the ~~office~~ department, or the ~~Commissioner~~ commissioner with respect to any claim by any person, firm, or corporation relating in any way whatsoever to amusement rides and any injury or damages arising therefrom.

25-15-69.

No county, municipality, or other political subdivision shall have the power to pass ordinances, resolutions, or other requirements regulating the construction, installation, inspection, maintenance, repair, or operation of amusement rides within the limits of such county, municipality, or other political subdivision. Any such ordinances, resolutions, or other requirements shall be void and of no effect; provided, however, that the provisions of this Code section shall not apply to local zoning ordinances or ordinances regulating location, siting requirements, or other development standards or conditions relative to amusement rides or their time of operation or noise levels generated. Nothing in this article preempts the imposition of regulatory fees or occupation taxes imposed by counties and municipalities pursuant to Chapter 13 of Title 48.

ARTICLE 4

25-15-80.

This article shall be known and may be cited as the 'Carnival Ride Safety Act.'

25-15-81.

As used in this article, the term:

- (1) 'Authorized person' means a competent person experienced and instructed in the work to be performed who has been given the responsibility to perform his or her duty by the owner or the owner's representative.
- (2) 'Carnival ride' means any mechanical device, other than amusement rides regulated under Article 3 of this chapter, known as the 'Amusement Ride Safety Act,' which carries or conveys passengers along, around, or over a fixed or restricted route or course or within a defined area for the purpose of giving its passengers amusement, pleasure, thrills, or excitement. Such term shall not include any such device which is permanently fixed to a site.
- (3) 'Certificate fee' means the fee charged by the ~~office~~ department for a certificate to operate a carnival ride.
- (4) 'Certificate of inspection' means a certificate issued by a licensed inspector that a carnival ride meets all relevant provisions of this article and the standards and regulations adopted pursuant thereto.
- (5) 'Commissioner' means the ~~Safety Fire Commissioner~~ commissioner of fire safety.
- (6) 'Department' means the Department of Fire Safety.
- ~~(6)~~(7) 'Licensed inspector' means a registered professional engineer or any other person who is found by the ~~office~~ department to possess the requisite training and experience to perform competently the inspections required by this article and who is

licensed by the ~~office~~ department to perform inspections of carnival rides.

(7) ~~'Office'~~ means the ~~office of Safety Fire Commissioner, which is designated to enforce the provisions of this article and to formulate and enforce standards and regulations.~~

(8) 'Operator' means a person or persons actually engaged in or directly controlling the operation of a carnival ride.

(9) 'Owner' means a person, including the state or any of its subdivisions, who owns a carnival ride or, in the event that the carnival ride is leased, the lessee.

(10) 'Permit' means a permit to operate a carnival ride issued to an owner by the ~~office~~ department.

(11) 'Permit fee' means the fee charged by the ~~office~~ department for a permit to operate a carnival ride.

(12) 'Standards and regulations' means those standards and regulations formulated and enforced by the ~~office~~ department.

25-15-82.

The ~~Commissioner~~ commissioner shall be authorized to consult with persons knowledgeable in the area of the carnival ride industry and to create committees composed of such consultants to assist the ~~Commissioner~~ commissioner in carrying out his or her duties under this article.

25-15-83.

(a) The ~~office~~ department shall formulate standards and regulations, or changes to such standards and regulations, for the safe assembly, disassembly, repair, maintenance, use, operation, and inspection of all carnival rides. The standards and regulations shall be reasonable and based upon generally accepted engineering standards, formulas, and practices pertinent to the industry. Formulation and promulgation of such standards and regulations shall be subject to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(b) The ~~office~~ department shall:

(1) Enforce all standards and regulations;

(2) License inspectors for authorization to inspect carnival rides; and

(3) Issue permits upon compliance with this article and such standards and regulations adopted pursuant to this article.

(c) The owner or operator of a carnival ride required to be inspected shall pay fees as prescribed in rules and regulations promulgated by the ~~Commissioner~~ commissioner. The chief inspector shall transfer all fees so received to the general fund of the state treasury. All funds so deposited in the state treasury are authorized to be appropriated by the General Assembly to the ~~Safety Fire Commissioner~~ commissioner.

25-15-84.

The ~~office~~ department may license such private inspectors as may be necessary to carry out the provisions of this article.

25-15-85.

(a) No carnival ride shall be operated in any calendar year, except for purposes of testing and inspection, until a permit for its operation has been issued by the office department. The owner of a carnival ride shall apply for a permit to the office department on a form furnished by the office department, providing such information as the office department may require.

(b) Beginning January 1, 2018, no permit for a carnival ride to operate in this state shall be issued by the office department until the carnival owner submits an engineering evaluation from a licensed engineer that evaluates the functionality of safety mechanisms and the condition of the critical components of the carnival ride. The scope of such engineering evaluation may be further prescribed by standards and regulations of the office department that are consistent with this subsection. Such evaluation shall be provided prior to the annual inspection required by Code Section 25-15-86 and use of the carnival ride by the general public. The submission of such evaluation shall only be required the first time the carnival owner applies for a permit for the carnival ride in this state on or after January 1, 2018.

25-15-86.

All carnival rides and attractions shall be inspected annually and may be inspected more frequently by a licensed inspector at the owner's or operator's expense. If the carnival ride meets all relevant provisions of this article and the standards and regulations adopted pursuant to this article, the licensed inspector shall provide to the owner or operator a certificate of inspection. All new carnival rides shall be inspected before commencing public operation.

25-15-87.

The office department may waive the requirement of Code Section 25-15-86 if the owner of a carnival ride gives satisfactory proof to the office department that the carnival ride has passed an inspection conducted by a federal agency or by another state whose standards and regulations for the inspection of such a carnival ride are at least as stringent as those adopted pursuant to this article.

25-15-88.

The office department shall issue a permit to operate a carnival ride to the owner thereof upon successful completion of a safety inspection by a licensed inspector, upon completion by the owner of the application for a permit, and upon presentation of a certificate of inspection or waiver thereof by the office department. The permit shall be valid for the calendar year in which issued.

25-15-89.

The owner shall maintain up-to-date maintenance, inspection, and repair records between inspection periods for each carnival ride in accordance with such standards and regulations as are adopted pursuant to this article. Such records shall contain a copy of

all inspection reports commencing with the last annual inspection, a description of all maintenance performed, and a description of any mechanical or structural failures or operational breakdowns and the types of actions taken to rectify these conditions.

25-15-90.

(a) No person shall be permitted to operate a carnival ride unless he or she is at least 16 years of age. An operator shall be in attendance at all times that a carnival ride is in operation and shall operate no more than one carnival ride at any given time.

(b) No carnival ride shall be operated at standards below those recommended by the manufacturer of such carnival ride or below the standards adopted or variants approved by the ~~office~~ department, whichever is greater.

25-15-91.

The owner of the carnival ride shall report to the ~~office~~ department any accident incurred during the operation of any carnival ride resulting in a fatality or an injury requiring medical attention from a licensed medical facility. The report shall be in writing, shall describe the nature of the occurrence and injury, and shall be delivered in person or mailed by first-class mail no later than the close of the next business day following the accident. Accidents resulting in a fatality shall also be reported immediately to the ~~office~~ department in person or by phone in accordance with regulations adopted by the ~~office~~ department.

25-15-92.

(a) No person shall operate a carnival ride unless at the time there is in existence:

(1) A policy of insurance in an amount not less than \$1 million (if an independent contractor) against liability for injury to persons arising out of the operation of the carnival ride;

(2) A bond in a like amount; provided, however, that the aggregate liability of the surety under such bond shall not exceed the face amount thereof; or

(3) Cash or other security acceptable to the ~~office~~ department.

(b) Regulations under this article shall permit appropriate deductibles or self-insured retention amounts to such policies of insurance. The policy or bond shall be procured from one or more insurers or sureties acceptable to the ~~office~~ department.

25-15-93.

If any person would incur practical difficulties or unnecessary hardships in complying with the standards and regulations adopted pursuant to this article, or if any person is aggrieved by any order issued by the ~~office~~ department, the person may make a written application to the ~~office~~ department stating his or her grounds and applying for a variance. The ~~office~~ department may grant such a variance in the spirit of the provisions of this article with due regard to public safety. The granting or denial of a variance by the ~~office~~ department shall be in writing and shall describe the conditions under which the variance is granted or the reasons for denial. A record shall be kept of

all variances granted by the ~~office~~ department and such record shall be open to inspection by the public.

25-15-94.

This article shall not apply to any single-passenger coin operated carnival ride on a stationary foundation or to playground equipment such as swings, seesaws, slides, jungle gyms, rider propelled merry-go-rounds, moonwalks, and live rides.

25-15-95.

This article shall not be construed so as to prevent the use of any existing carnival ride found to be in a safe condition and to be in conformance with the standards and regulations adopted pursuant to this article.

25-15-96.

(a) The ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may issue a written order for the temporary cessation of operation of a carnival ride if it has been determined after inspection to be hazardous or unsafe. Operations shall not resume until such conditions are corrected to the satisfaction of the ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative.

(b) In the event that an owner or operator knowingly allows the operations of a carnival ride after the issuing of a temporary cessation, the ~~Commissioner~~ commissioner or the ~~Commissioner's~~ commissioner's authorized representative may initiate in the superior court any action for an injunction or writ of mandamus upon the petition of the district attorney or Attorney General. An injunction, without bond, may be granted by the superior court to the ~~Commissioner~~ commissioner for the purpose of enforcing this article.

(c)(1) Any person, firm, partnership, or corporation violating the provisions of this article shall be guilty of a misdemeanor. Each day of violation shall constitute a separate offense.

(2) In addition to the penalty provisions in paragraph (1) of this subsection, the ~~Commissioner~~ commissioner shall have the power, after notice and hearing, to levy civil penalties as prescribed in the rules and regulations of the ~~office~~ department in an amount not to exceed \$5,000.00 upon any person, firm, partnership, or corporation failing to adhere to the requirements of this article and the rules and regulations promulgated under this article. The imposition of a penalty for a violation of this article or the rules and regulations promulgated under this article shall not excuse the violation or permit it to continue.

25-15-97.

The owner or operator of a carnival ride may deny entry to a person to a carnival ride if in the owner's or operator's opinion the entry may jeopardize the safety of such person or the safety of any other person. Nothing in this Code section shall permit an owner or

operator to deny an inspector access to a carnival ride when such inspector is acting within the scope of his or her duties under this article.

25-15-98.

(a) The owner or operator of a carnival ride shall post a clearly visible sign at the location of each ride and at the location of ~~tickets~~ ticket sales for each ride which states any age, weight, or height requirements of the ride which are necessary as a safeguard against injury.

(b) It shall be unlawful for any owner or operator to permit entry to a carnival ride to any person who does not meet the posted age, size, and weight requirements for such ride.

25-15-99.

The owner of any itinerant carnival ride which is located within this state shall continuously maintain in this state a registered agent of record who may be an individual who resides in the state and whose business address is identical with the address of the owner's required office.

25-15-100.

Neither this article nor any provision of this article shall be construed to place any liability on the State of Georgia, the ~~office department~~, or the ~~Commissioner~~ commissioner with respect to any claim by any person, firm, or corporation relating in any way whatsoever to carnival rides and any injury or damages arising therefrom.

25-15-101.

No county, municipality, or other political subdivision shall have the power to pass ordinances, resolutions, or other requirements regulating the construction, installation, inspection, maintenance, repair, or operation of carnival rides within the limits of such county, municipality, or other political subdivision. Any such ordinances, resolutions, or other requirements shall be void and of no effect; provided, however, that the provisions of this Code section shall not apply to local zoning ordinances or ordinances regulating location, siting requirements, or other development standards or conditions relative to carnival rides or their time of operation or noise levels generated. Nothing in this article preempts the imposition of regulatory fees or occupation taxes imposed by counties and municipalities pursuant to Chapter 13 of Title 48.

ARTICLE 5

25-15-110.

(a)(1) All scaffolding or staging that is swung or suspended from an overhead support or erected with stationary supports and is suspended or rises 30 feet or more above the ground shall have a safety rail properly attached, bolted, braced, and otherwise secured; and the safety rail shall rise at least 34 inches above the floor or main

portions of such scaffolding or staging and extend for the full length of such staging and along the ends thereof with only such openings as may be necessary for the delivery of materials being used on such scaffold or staging. Such scaffolding or staging shall also be so fastened as to prevent it from swaying from the building or structure. However, this paragraph shall not apply to any scaffolding or staging which is wholly within the interior of a building or other structure and which covers the entire floor space therein.

(2) It shall be unlawful for any person to employ or direct others to perform labor of any kind in the erecting, demolishing, repairing, altering, cleaning, or painting of a building or other structure without first having furnished proper protection to such person so employed or directed, as provided in paragraph (1) of this subsection.

(b) All scaffolding or staging shall be so constructed that it will bear at least four times the weight required to be hanging therefrom or placed thereon when in use.

(c)(1) ~~The Safety Fire Commissioner~~ commissioner of fire safety, upon receipt of any complaint, shall make or cause to be made an immediate inspection of the scaffold, or mechanical device connected therewith, concerning which complaint has been made.

(2) ~~The Commissioner~~ commissioner of fire safety shall attach to every scaffold, staging, mechanism, or mechanical device inspected by him or her a certificate bearing the ~~Commissioner's~~ commissioner of fire safety's name and the date of inspection, and the certificate shall plainly state whether he or she has found the scaffolding, staging, or mechanical device 'safe' or 'unsafe.'

(3) If the ~~Commissioner~~ commissioner of fire safety finds any scaffolding, staging, or mechanical device complained of to be unsafe, the ~~Commissioner~~ commissioner of fire safety shall at once notify in writing the person responsible for the erection and maintenance of the scaffolding, staging, or mechanical device that the ~~Commissioner~~ commissioner of fire safety has found it to be unsafe. Such notice may be served personally upon the person responsible under the law or may be perfected by affixing such notice in a conspicuous place on the scaffold, staging, or mechanical device found unsafe. The manner of service shall be within the discretion of the ~~Commissioner~~ commissioner of fire safety. The ~~Commissioner~~ commissioner of fire safety shall then prohibit the use of such scaffolding, staging, or mechanical device by any person until all danger has been removed or until it has been made to comply with the terms of this Code section by alteration, reconstruction, demolition, or replacement, as the ~~Commissioner~~ commissioner of fire safety may direct.

(d) Any person who willfully, knowingly, and persistently continues the use of a scaffold, staging, or other mechanical device in violation of any provision of this Code section shall be guilty of a misdemeanor.

ARTICLE 6

25-15-120.

(a) The Board of Fire Safety, the commissioner of fire safety, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and

finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the Board of Fire Safety.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner of fire safety and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART XIII SECTION 13-1.

Article 9 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Information Sharing and Analysis Center, is amended by revising Code Section 35-3-204, relating to membership and availability of analysts, as follows:

"35-3-204.

(a) Membership in the center shall consist of the director, the director of emergency management and homeland security, the commissioner of public safety, the commissioner of fire safety, the commissioner of natural resources, the commissioner of corrections, the state fire marshal, the Attorney General, the adjutant general, and ~~state and~~ local fire service, law enforcement, homeland security, emergency management, corrections, and other appropriate agencies and disciplines as determined by the director of emergency management and homeland security in consultation with the director. Such members shall assign or make available their analysts or other personnel to the center as such need is determined by the director of emergency management and homeland security.

(b) The director of emergency management and homeland security shall maintain Georgia Emergency Management and Homeland Security Agency analysts in the center as needed as determined by the director of emergency management and homeland security."

PART XIV SECTION 14-1.

Code Section 35-8-10 of the Official Code of Georgia Annotated, relating to applicability and effect of peace officer certification requirements generally and requirements as to exempt persons, is amended by revising subsection (b) as follows:

"(b) Peace officers commencing any employment or service on any terms with the Department of Public Safety, counties, municipalities, the Georgia Bureau of

Investigation, the Department of Natural Resources, the Department of Revenue, Alcohol and Tobacco Tax Unit, the Secretary of State's investigative section, the ~~Office~~ office of the Commissioner of Insurance and ~~Safety Fire Commissioner,~~ the Department of Fire Safety, or a railroad after July 1, 1975, are required to comply with the certification provisions of this chapter. Peace officers commencing such employment or service prior to July 1, 1975, and whose employment continues on July 1, 1975, are exempt and excused from compliance with the certification provisions of this chapter except as provided in this Code section so long as the registration provided for in subsections (d) and (e) of this Code section remains in effect. Any peace officer otherwise exempt from the certification provisions of this chapter must meet the qualifications and requirements specified in paragraphs (2), (4), (5), and ~~(8)~~ (7) of subsection (a) of Code Section 35-8-8."

PART XV
SECTION 15-1.

Chapter 25 of Title 43 of the Official Code of Georgia Annotated, relating to operators of motor vehicle racetracks, is amended as follows:

"CHAPTER 25

43-25-1.

As used in this chapter, the term 'motor vehicle,' shall not be construed to include any motorcycle or other two-wheeled, self-propelled vehicle, nor shall it be construed to include any motor vehicle weighing less than 500 pounds.

43-25-2.

It shall be unlawful for any person, firm, or corporation to operate or conduct any motor vehicle race on any permanent racetrack or other place where such races are to be held unless there shall first be obtained a license to operate or conduct such races from the ~~Safety Fire Commissioner~~ commissioner of fire safety.

43-25-3.

Application for a license to operate or conduct a racetrack or other place for the holding of motor vehicle races or exhibitions shall be made in writing to the ~~Safety Fire Commissioner~~ commissioner of fire safety on a form prescribed by or furnished by the ~~Safety Fire Commissioner~~ commissioner of fire safety. The application form shall require a full and complete address of the track or other place desired to be licensed, the name and address of the licensee, and the name and address of the promoter of such race or exhibition and shall contain such further information as the ~~Safety Fire Commissioner~~ commissioner of fire safety may require in order to comply with Code Section 43-25-4. Such application shall be accompanied by a nonrefundable fee of \$150.00.

43-25-4.

No license for operating or conducting a motor vehicle racetrack shall be issued by the ~~Safety Fire Commissioner~~ commissioner of fire safety until the applicant has complied with the rules and regulations of the ~~Safety Fire Commissioner~~ commissioner of fire safety pursuant to Code Section 43-25-8 and has a valid public liability insurance policy with minimum limits of \$1 million per accident and \$100,000.00 per person per accident, or \$1 million combined single limit, or in lieu thereof a valid public liability bond in like amount. The policy or bond shall be designed to provide coverage for the protection of the licensee from any legal liability arising out of bodily injury, including death, to any member of the general public, resulting from any racing event. The insurance policy or bond shall not be designed to provide coverage for bodily injuries or death of drivers of motor vehicles which are engaged in any race, any pit area personnel, or any person who is involved in the conduct of a race. The policy or bond shall be written by a company which is licensed to do business in this state or which is considered to be acceptable by the ~~Safety Fire Commissioner~~ commissioner of fire safety.

43-25-5.

No insurance policy or bond may be canceled for any reason unless and until the ~~Safety Fire Commissioner~~ commissioner of fire safety has received notice by certified or registered letter, return receipt requested, that the policy or bond is going to be canceled effective on a date at least 14 days from the date such notice is received by the ~~Safety Fire Commissioner~~ commissioner of fire safety.

43-25-6.

All licenses granted by the ~~Safety Fire Commissioner~~ commissioner of fire safety pursuant to this chapter shall expire December 31 of each year.

43-25-7.

The ~~Safety Fire Commissioner~~ commissioner of fire safety is authorized to suspend or revoke the license of any person who operates or conducts motor vehicle races or exhibitions without complying with this chapter.

43-25-8.

The ~~Safety Fire Commissioner~~ commissioner of fire safety is authorized and directed to create and promulgate rules and regulations which are to be designed to prevent injury and loss of life to spectators while they are observing and viewing motor vehicles engaged in contests of speed or endurance. Such rules and regulations shall provide for certificates of occupancy; periodic inspections by fire inspectors and other experts; corrections of deficiencies in racetrack facilities; standards for grandstands; guardrails; spectator areas; nonspectator areas; flagmen; track surfaces; fences; ambulance service; access highways or roads; fire extinguishers and other fire suppression equipment and personnel; plans for fire evacuation; accident reporting; damage reporting; storage of

flammable and combustible liquids; restricted areas; concession areas; and such other areas of coverage as, in the opinion of the ~~Safety Fire Commissioner~~ commissioner of fire safety, are deemed necessary.

43-25-9.

The owner or lessee of any real property upon which exists a motor vehicle racetrack or other place subject to this chapter shall inform the ~~Safety Fire Commissioner~~ commissioner of fire safety within ten days of any damage caused to any guardrail, post, or other device which has for its purpose the prevention of injury or loss of life to spectators at the racetrack or other place. Until any such damage is repaired and the repairs are approved by fire inspectors, there shall be no racing or endurance event permitted on such racetrack or other place.

43-25-10.

Any person who violates any provision of this chapter shall be guilty of a misdemeanor of a high and aggravated nature.

43-25-11.

(a) The Board of Fire Safety, the commissioner of fire safety, and the Department of Fire Safety shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the Safety Fire Commissioner under this chapter which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the board.

(b) All valid agreements, contracts, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner with respect to any function transferred to the Department of Fire Safety shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the commissioner of fire safety and the Department of Fire Safety shall carry out all of the functions and obligations and exercise all of the powers formerly held by the Safety Fire Commissioner under this chapter."

PART XVI

SECTION 16-1.

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended by revising Chapter 22, relating to public employee hazardous chemical protection and right to know, as follows:

"CHAPTER 22

45-22-1.

This chapter shall be known and may be cited as the 'Public Employee Hazardous Chemical Protection and Right to Know Act of 1988.'

45-22-2.

As used in this chapter, the term:

- (1) 'Appointing authority' means a person or group of persons authorized by law or delegated authority to make appointments to fill employee positions in the legislative, judicial, or executive branch of state government.
- (2) 'Article' means a finished product or manufactured item:
 - (A) Which is formed to a specific shape or design during manufacture;
 - (B) Which has end use functions dependent in whole or in part upon its shape or design during end use; and
 - (C) Which has either no change of chemical composition during end use or only those changes of composition which have no commercial purpose separate from that of the article.
- (3) 'Chemical name' means the scientific designation of a chemical in accordance with the nomenclature system developed by the International Union of Pure and Applied Chemistry or the system developed by the Chemical Abstracts Service.
- (4) 'Common name' means any designation or identification such as a code name, code number, trade name, or brand name used to identify a chemical other than by its chemical name.
- (5) 'Contractor,' 'independent contractor,' or 'public contractor' means any person under a contract or agreement to provide labor or services to a public employer.
- (6) 'Department' means the ~~office of the Safety Fire Commissioner~~ Department of Fire Safety.
- (7) 'Distributor' means an individual or employer, other than the manufacturer or importer, who supplies hazardous chemicals directly to users or to other distributors.
- (8) 'Employee' or 'public employee' means any person who is employed by any branch, department, board, bureau, commission, authority, or other agency of the state and any inmate under the jurisdiction of the Department of Corrections performing a work assignment which requires the handling of any hazardous chemicals. Such term shall not include those employees of the Environmental Protection Division of the Department of Natural Resources who are responsible for on-site response and assistance in the case of environmental emergencies while such employees are engaged in responding to such emergencies.
- (9) 'Employer' or 'public employer' means any branch, department, board, bureau, commission, authority, or other agency of the state which employs or appoints an employee or employees. An independent contractor or subcontractor shall be deemed the sole employer of its employees, even when such employees are performing work at the workplace of another employer.
- (10) 'Exposed' or 'exposure' means that an employee is required by a public employer to be subjected to a hazardous chemical in the course of employment through any route of entry, including but not limited to, inhalation, ingestion, skin contact, or absorption and includes potential or accidental exposure.
- (11) 'Hazardous chemical' means any chemical which is a physical hazard or a health hazard.

(12) 'Health hazard' means a chemical for which there is statistically significant evidence based on at least one study conducted in accordance with established scientific principles that acute or chronic health effects may occur in exposed employees and shall include all examples of hazardous chemicals to which reference is made in the definition of 'health hazard' under the Occupational Safety and Health Administration standard, 29 C.F.R. Section 1910.1200 (1987).

(13) 'Importer' means the first individual or employer within the Customs Territory of the United States who receives hazardous chemicals produced in other countries for the purpose of supplying them to distributors or users within the United States.

(14) 'Manufacturer' means a person who produces, synthesizes, extracts, or otherwise makes hazardous chemicals.

(15) 'Material safety data sheet' means the document prepared by manufacturers in accordance with the requirements of the Occupational Safety and Health Administration standard, 29 C.F.R. Sections 1910.0000 through 1910.1500 (1987) and containing the following information:

(A) The chemical name and the common name of the hazardous chemical;

(B) The hazards or other risks in the use of the hazardous chemical, including:

(i) The potential for fire, explosion, corrosivity, and reactivity;

(ii) The known acute and chronic health effects of risks from exposure, including the medical conditions which are generally recognized as being aggravated by exposure to the hazardous chemical; and

(iii) The primary routes of entry and the symptoms of overexposure;

(C) The proper precautions, handling practices, necessary personal protective equipment, and other safety precautions in the use of or exposure to the hazardous chemicals, including appropriate emergency treatment in case of overexposure;

(D) The emergency procedures for spills, fire, disposal, and first aid;

(E) A description in lay terms of the known specific potential health risks posed by the hazardous chemical intended to alert any person reading this information; and

(F) The year and month, if available, that the information was compiled and the name, address, and emergency telephone number of the manufacturer responsible for preparing the information.

(16) 'Mixture' means any combination of two or more chemicals, if the combination is not, in whole or in part, the result of a chemical reaction.

(17) 'Occupational Safety and Health Administration standard' means the Hazard Communication Standard issued by the Occupational Safety and Health Administration, 29 C.F.R. Sections 1910.0000 through 1910.1500 (1987).

(18) 'Person' means any individual, natural person, public or private corporation, incorporated association, government, government agency, partnership, or unincorporated association.

(19) 'Physical hazard' means a chemical for which there is scientifically valid evidence that it is a combustible liquid, a compressed gas, explosive, flammable, an organic peroxide, an oxidizer, pyrophoric, unstable (reactive), or water reactive.

(20) 'Produce' means to manufacture, process, formulate, or repackage.

(21) 'Work area' means a room inside a building or structure, an outside area, or other defined space in a workplace where hazardous chemicals are produced, stored, or used and where employees are present in the course of their employment.

(22) 'Workplace' means an establishment or business at one geographic location at which work is performed by a state employee and which contains one or more work areas. In the case of an independent contractor or subcontractor, the workplace shall be defined as all work areas wholly owned or controlled by such independent contractor or subcontractor.

45-22-3.

All hazardous chemicals introduced into the workplace by employers and used in the workplace by employees shall be in labeled containers that meet the requirements of the Occupational Safety and Health Administration standard; provided, however, that employers shall not be required to label portable containers into which hazardous chemicals are transferred from labeled containers provided that the portable container and the hazardous chemical transferred to it are intended only for the immediate use of an employee who performs the transfer or who is present at the time of such transfer.

45-22-4.

A public contractor who introduces hazardous materials into the workplace shall agree, and include a statement, in all bids, agreements, contracts, or other instrument to the effect that such contractor shall be responsible for compliance with the provisions of this chapter for persons employed by such contractor utilized under such contract. Any such public contractor who introduces hazardous chemicals into the workplace shall provide material safety data sheets for such chemicals to all employees using them and instruction in handling, emergency procedures, and disposal prior to introducing such hazardous chemicals. This Code section shall not be construed to place responsibility on any person, firm, or corporation other than public contractors.

45-22-5.

(a) The provisions of this chapter shall not apply to:

- (1) Impurities which develop as intermediate materials during chemical processing but are not present in the final mixture and to which employee exposure is unlikely;
- (2) Alcoholic beverages as defined in Title 3;
- (3) Articles intended for personal consumption by employees in the workplace;
- (4) Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety Act, 15 U.S.C. Section 2051, et seq., and Federal Hazardous Substances Act, 15 U.S.C. Section 1261, et seq., respectively, including any such product or hazardous chemicals manufactured by any state agency, where the employer can demonstrate it is used in the workplace in the same manner as normal consumer use and which use results in a duration and frequency of exposure which is not greater than exposures experienced by consumers;
- (5) Articles sold or used in retail food establishments and retail trade establishments;

- (6) Chemicals which are merely being transported in the state as part of a shipment in interstate or intrastate commerce; or
 - (7) Chemicals or mixtures which may be hazardous but which are covered by the federal Atomic Energy Act and the federal Resource Conservation and Recovery Act.
- (b) The provisions of this chapter shall not require labeling of the following chemicals:
- (1) Any pesticide as such term is defined in the Federal Insecticide, Fungicide, and Rodenticide Act, 7 U.S.C. Section 136, et seq., when such pesticide is subject to the labeling requirements of that federal act and labeling regulations issued under that federal act by the United States Environmental Protection Agency;
 - (2) Any food, food additive, color additive, drug, cosmetic, or medical or veterinary device, including materials intended for use as ingredients in such products, as such terms are defined in the federal Food, Drug and Cosmetic Act, 21 U.S.C. Section 301, et seq., and regulations issued under that federal act, when subject to the labeling requirements under that federal act by the Food and Drug Administration;
 - (3) Any distilled spirits, beverage alcohols, wine, or malt beverage intended for nonindustrial use as such terms are defined in the federal Alcohol Administration Act, 27 U.S.C. Section 201, et seq., and regulations issued under that federal act, when subject to the labeling requirements of that federal act by the United States Bureau of Alcohol, Tobacco, and Firearms; or
 - (4) Any consumer product or hazardous substance as those terms are defined in the Consumer Product Safety Act, 15 U.S.C. Section 2051, et seq., and the federal Hazardous Substances Act, 15 U.S.C. Section 1261, et seq., respectively, when subject to a consumer product safety standard or labeling requirement of those federal acts or regulations issued under those federal acts by the Consumer Product Safety Commission.

45-22-6.

- (a) The department shall promulgate such rules and regulations as may be necessary to administer this chapter.
- (b) The department shall consult with persons knowledgeable in the field of hazardous chemicals to assist the department in carrying out its duties under this chapter.

45-22-7.

- (a) The manufacturer, importer, or distributor of any hazardous chemical shall prepare a material safety data sheet which, to the best knowledge of the manufacturer, importer, or distributor, is current, accurate, and complete, based on information then reasonably available to the manufacturer, importer, or distributor, and provide a copy of the material safety data sheet to employers who purchase such hazardous chemicals and an electronic copy to the department annually.
- (b) Any person who produces a mixture may, for the purposes of this Code section, prepare and use a mixture material safety data sheet, subject to the provisions of subsection (j) of this Code section.
- (c) A manufacturer, importer, distributor, or employer may provide the information

required by this Code section on an entire mixture, instead of on each hazardous chemical in it, when all of the following conditions exist:

(1) Toxicity test information exists on the mixture itself or adequate information exists to form a valid judgment of the hazardous properties of the mixture itself and the material safety data sheet indicates that the information presented and the conclusions drawn are from some source other than direct test data on the mixture itself, and that a material safety data sheet on each constituent hazardous chemical identified on the material safety data sheet is available upon request;

(2) Provision of information on the mixture will be as effective in protecting employee health as information on the ingredients;

(3) The hazardous chemicals in the mixture are identified on the material safety data sheet unless it is unfeasible to describe all the ingredients in the mixture, provided that the reason why the hazardous chemicals in the mixture are not identified shall be stated on the material safety data sheet; and

(4) A single mixture material safety data sheet may be provided for more than one formulation of a product mixture if the information provided does not vary for the formulation.

(d) A manufacturer, importer, or distributor who is responsible for preparing and transmitting a material safety data sheet under the provisions of this Code section shall revise such material safety data sheet on a timely basis, as appropriate to the importance of any new information which would affect the contents of the existing material safety data sheet, and in any event within three months of such information becoming available to the manufacturer, importer, or distributor. Each such manufacturer, importer, or distributor shall provide a copy of the material safety data sheet to employers who have purchased such hazardous chemicals and an electronic copy to the department.

(e) Any person subject to the provisions of this Code section shall be relieved of the obligation to provide a direct purchaser of a hazardous chemical with a material safety data sheet if:

(1) He or she has a record of having provided the direct purchaser with the most recent version of the material safety data sheet;

(2) The chemical is labeled pursuant to:

(A) The federal Atomic Energy Act; or

(B) The federal Resource Conservation Recovery Act; or

(3) The article is one sold at retail and is incidentally sold to an employer or the employer's employees in the same form, approximate amount, concentration, and manner as it is sold to consumers, and, to the seller's knowledge, employee exposure to the article is not significantly greater than the consumer exposure occurring during the principal consumer use of the article.

(f) If an employer is not supplied with a material safety data sheet by a manufacturer, importer, or distributor for a hazardous chemical subject to this Code section, such employer shall, within a reasonable amount of time after discovering that a material safety data sheet has not been supplied, use diligent efforts to obtain such material

safety data sheet from the manufacturer, importer, or distributor. For purposes of this subsection, 'diligent efforts' means a prompt inquiry by the employer to the manufacturer, importer, or distributor of the hazardous chemicals; provided, however, that an independent contractor or subcontractor shall be responsible for obtaining the material safety data sheet for his or her employees in the workplace of another.

(g) If after having used diligent efforts, an employer still fails to obtain a material safety data sheet, such employer shall notify the department of the employer's inability to obtain such material safety data sheet.

(h) An employer who has used diligent efforts and who has made a documented notification to the department pursuant to this Code section shall not be found in violation of this Code section with respect to the material safety data sheet which was not supplied by the manufacturer, importer, or distributor as required by this Code section.

(i) Every employer who manufactures, produces, uses, applies, or stores hazardous chemicals in the workplace shall post a notice as prescribed by rule or regulation promulgated by the department in a place where notices are normally posted, informing employees of their rights under this chapter.

(j) Every employer who manufactures, produces, uses, applies, or stores hazardous chemicals in the workplace shall maintain a material safety data sheet for each hazardous chemical which is present in such workplace. All material safety data sheets shall be readily available in the workplace; provided, however, that employers who maintain one or more work areas which are not fixed at specific geographic locations shall be authorized to maintain material safety data sheets for each hazardous chemical used in such work area at a central location.

(k)(1) A material safety data sheet may be kept in any form, including operations procedures, and may be designed to cover groups of hazardous chemicals in a work area where it may be appropriate to address the hazards of a process rather than individual hazardous chemicals. The employer shall ensure that in all cases the required information is provided for each hazardous chemical, and is readily accessible during each workshift to employees when they are in their work area; provided, however, that employers who maintain one or more work areas which are not fixed at specific geographic locations shall be authorized to maintain material safety data sheets for each hazardous chemical used in such work area at a central location.

(2) Any employee may request in writing and shall have the right to examine and obtain the material safety data sheets for the hazardous chemicals to which he or she is, has been, or may be exposed. The employer shall provide any material safety data sheet within its possession within five of the requesting employee's working days, subject to the provisions of subsection (g) of this Code section. The employer may adopt reasonable procedures for acting upon such requests to avoid interruption of normal work operations.

(3) An independent contractor or subcontractor working in the workplace of another employer may request in writing and shall have the right to examine the material

safety data sheets for the hazardous chemicals to which such contractor, subcontractor, or employees thereof are, have been, or may be exposed. The employer shall provide any material safety data sheet within its possession within five of the requesting independent contractor's or subcontractor's working days, subject to the provisions of subsection (g) of this Code section. The employer may adopt reasonable procedures for acting upon such requests to avoid interruption of normal work operations.

(4) If an employee who has requested a material safety data sheet pursuant to this chapter has not received such material safety data sheet within five of the requesting employee's working days, subject to the provisions of subsection (g) of this Code section, that employee may refuse to work with the chemical for which he or she has requested the material safety data sheet until such material safety data sheet is provided by the employer; provided, however, that nothing contained in this paragraph shall be construed to permit any employee to refuse to perform essential services, as such term is defined by rule or regulation; provided, further, that nothing in this paragraph shall be construed to interfere with the right of the employer to transfer an employee who so refuses to work to other duties until such material safety data sheet is provided, such a transfer not to be considered as a discriminatory act under Code Section 45-22-10. No pay, position, seniority, or other benefits shall be lost for exercise of any right provided by this chapter as a result of such a transfer.

(l) No employer shall discharge or otherwise discriminate against an employee for the employee's assertion of the employee's rights under this chapter.

(m) For the purposes of this Code section, an employer, independent contractor, or subcontractor shall maintain material safety data sheets for their own workplaces only; provided, however, that employees of such independent contractor or subcontractor, insofar as they are exposed in the course of their employment to hazardous chemicals in other workplaces, shall have the right to examine material safety data sheets for those chemicals to which they are exposed from the workplace employer through a written request to their own employer as provided in paragraph (2) of subsection (k) of this Code section. Nothing contained in this chapter shall be construed to require an employer to conduct studies to develop new information.

45-22-8.

(a) Each employer shall be required to comply with the minimum information standards set forth in this subsection. Each employee shall be informed of:

- (1) The requirements of this Code section;
- (2) What a material safety data sheet is and the contents of the material safety data sheet for any hazardous chemical to which he or she is exposed, or equivalent information, either in written form or through training programs;
- (3) Any operations in his or her work area where hazardous chemicals are present;
- (4) The location and availability of training programs;
- (5) His or her right to receive information regarding hazardous chemicals to which he or she may be exposed;

(6) His or her right for his or her physician to receive information regarding hazardous chemicals to which the employee may be exposed; and

(7) His or her right against discharge or other discrimination due to the employee's exercise of the rights provided by this chapter.

(b) In addition to providing the information required by subsection (a) of this Code section, each employer shall be required to provide a training program for all employees who are exposed to hazardous chemicals in the normal course of their employment. When training employees who are exposed to hazardous chemicals, the employer shall explain any physical or health hazards associated with the use of the chemical or mixture; proper precautions for handling; necessary personal protective equipment or other safety precautions necessary to prevent or minimize exposure to the hazardous chemical; methods of observation that may be used to detect the presence or release of a hazardous chemical in a work area, including, but not limited to, spot check monitoring, continuous monitoring, or methods of visual or olfactory detection; the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information; and emergency procedures for spills, fire, disposal, and first aid. This information may relate to an entire class of hazardous chemicals to the extent appropriate and related to the job. Whenever any employer receives a new or revised material safety data sheet, such information shall be provided to employees on a timely basis not to exceed 30 days after receipt, if the new information indicates significantly increased risks to or measures necessary to protect employee health as compared to those stated on a material safety data sheet previously provided.

(c) The department shall by rule or regulation establish minimum information and training standards for compliance with this Code section.

45-22-9.

On and after July 1, 1989, each employer shall publish in print or electronically in January and July of each year a list of hazardous chemicals that its employees use or are exposed to in the workplace. Such list shall be available for public inspection at the workplace office. A comprehensive list of all hazardous chemicals used by the employer shall also be available for public inspection at the employer's state headquarters.

45-22-10.

(a) No person shall discharge or cause to be discharged or otherwise discipline or in any manner discriminate against any employee for any of the following reasons:

(1) The employee has requested information regarding hazardous chemicals, filed any complaint or action, or has instituted, or caused to be instituted, any proceeding under this chapter;

(2) The employee has testified or is about to testify in any proceeding in his or her own behalf or on behalf of others; or

(3) The employee has exercised any other right afforded pursuant to the provisions of

this chapter.

(b) No pay, position, seniority, or other benefits shall be lost for exercise of any right provided by this chapter.

45-22-11.

(a) In order to enforce the provisions of this chapter, any employee adversely affected by a violation of this chapter by that employee's employer may file a grievance in accordance with the employer's established grievance procedures. Appointing authorities shall pursue all complaints concerning occupational exposure to hazardous chemicals.

(b) Upon any violation of Code Section 45-22-4 by a contractor, the employer under agreement with such contractor shall have the right to terminate the contract without liability.

(c) Nothing in this chapter shall change or modify the right or ability of employers to dismiss or discipline employees in accordance with the laws of this state.

(d) Any employee dissatisfied with a final decision of an appointing authority with regard to a grievance filed pursuant to subsection (a) of this Code section shall be entitled to judicial review in the same manner as provided for judicial review of contested cases in Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

45-22-12.

Nothing in this chapter shall be construed to constitute a waiver of the sovereign immunity of the state or any branch, department, board, bureau, commission, authority, or other agency of the state. A violation of the provisions of this chapter shall not be the basis for an action for damages against the state or any branch, department, board, bureau, commission, authority, or other agency of the state or any member, officer, or employee of the state or any branch, department, board, bureau, commission, authority, or other agency of this state and said entities and persons are granted immunity from civil actions for damages for any violation of the provisions of this chapter."

PART XVII SECTION 17-1.

Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding administrative procedure, is amended by revising Code Section 50-13-21, relating to compliance with filing and hearing requirements by Safety Fire Commissioner and Commissioner of Insurance, as follows:

"50-13-21.

(a) As to such regulations, standards, and plans as are required by law to be filed and kept on file with the office of the Secretary of State, the ~~Commissioner of Insurance, when performing the duties as Safety Fire Commissioner,~~ commissioner of fire safety may comply with the filing requirements of this chapter by filing with the office of the Secretary of State merely the name and designation of such regulations, standards, and

plans, provided that the regulations, standards, and plans are kept on file in the office of the ~~Commissioner of Insurance~~ commissioner of fire safety by the titles otherwise applicable under this chapter and the regulations, standards, and plans are open for public examination and copying. The ~~Commissioner of Insurance, when performing the duties as Safety Fire Commissioner,~~ commissioner of fire safety may also satisfy the procedure for conduct of hearings on contested cases and rule making required under this chapter by following Chapter 2 of Title 33.

(b) The Commissioner of Insurance, ~~when performing the duties as Commissioner of Insurance,~~ may satisfy the procedure for conduct of hearings on contested cases required under this chapter by following Chapter 2 of Title 33. ~~When the Commissioner of Insurance is performing rule-making duties as~~ The Commissioner of Insurance, he shall satisfy the procedures required under this chapter and under Chapter 2 of Title 33. In the event of any conflicts between rule-making procedures of this chapter and Chapter 2 of Title 33 as it respects duties of the Commissioner of Insurance, this chapter shall govern."

PART XVIII SECTION 18-1.

Chapter 2 of Title 8 of the Official Code of Georgia Annotated, relating to standards and requirements for construction, alteration, etc., of buildings and other structures, is amended by revising subdivision (9)(B)(ii)(D) of Code Section 8-2-20, relating to definitions, as follows:

"(D) The term 'state minimum standard codes' shall specifically not include the Georgia State Fire Code as adopted by the ~~Safety Fire Commissioner~~ commissioner of fire safety pursuant to Code Section 25-2-13 nor shall any state minimum standard code be less restrictive than the Georgia State Fire Code."

SECTION 18-2.

Said chapter is further amended by revising paragraph (1) of subsection (a) of Code Section 8-2-24, relating to appointment of advisory committee, reimbursement of members for expenses, use of subcommittees, submittal or proposed amendments, modifications, and new provisions to committee, and meeting times of committee, as follows:

"(1) The ~~Safety Fire Commissioner~~ commissioner of fire safety or his or her designee as an ex officio member with full voting privileges;"

SECTION 18-3.

Said chapter is further amended by revising paragraph (4) of subsection (c) of Code Section 8-2-31, relating to effect of part, as follows:

"(4) The Georgia State Fire Code as adopted by the ~~Safety Fire Commissioner~~ commissioner of fire safety pursuant to Code Section 25-2-13."

SECTION 18-4.

Said chapter is further amended by revising Code Section 8-2-202, relating to definitions, as follows:

"8-2-202.

As used in this article, the term:

- (1) 'Enforcement authority' means the ~~Safety Fire Commissioner~~ commissioner of fire safety, the state fire marshal, local building officials, local fire marshals, or any other state or local officials responsible for the implementation, application, or enforcement of any state law or local ordinance relating to building construction, or any state or local rule or regulation relating to building construction, or any building, mechanical, electrical, plumbing, life safety or fire prevention codes, or other construction standards that apply or are intended to apply to existing buildings. The term 'enforcement authority' also means any local official designated by the local governing authority as the enforcement authority for the purposes of this article.
- (2) 'Existing building or structure' means any completed building or structure which has been placed in service for a minimum of five years.
- (3) ~~'Safety Fire Commissioner' or 'Commissioner' means the office created in Code Section 25-2-2.'~~

SECTION 18-5.

Said chapter is further amended by revising Code Section 8-2-203, relating to effect of article on state and local enforcement authorities, as follows:

"8-2-203.

The provisions of this article shall be mandatory and binding on the commissioner of fire safety, state fire marshal, ~~the Safety Fire Commissioner~~, and other state officials responsible for state building code, fire code, life safety code, or other construction code enforcement. This article is not mandatory or binding on local enforcement authorities; provided, however, that any local building, fire, life safety, plumbing, electrical, mechanical, or other construction code enforcement authority may apply the applicable provisions of this article to any existing building whenever the local governing authority has adopted this article by reference and whenever such local code enforcement authority determines the need to utilize compliance alternatives to any provisions of the rules, regulations, codes, or standards he or she is empowered to interpret, apply, or enforce under authority of any state law or local ordinance. This article is a tool for use of code enforcement authorities to use as deemed appropriate in attempting to resolve problems encountered while enforcing codes and standards with regard to existing buildings and structures. Enforcement authorities should advise appropriate appeals boards of the provisions, purposes, and intent of this article."

SECTION 18-6.

Said chapter is further amended by revising Code Section 8-2-220, relating to rules and regulations, as follows:

"8-2-220.

The ~~Safety Fire Commissioner~~ commissioner of fire safety shall promulgate reasonable rules and regulations to implement and carry out the requirements of this article."

SECTION 18-7.

Said chapter is further amended by revising Code Section 8-2-221, relating to appeals of rulings or decisions, as follows:

"8-2-221.

Should any person, firm, corporation, or other entity be dissatisfied with any ruling or decision of the state fire marshal pursuant to the provisions of this article, the right is granted to appeal within ten days to the ~~Commissioner~~ commissioner of fire safety. If the person, firm, corporation, or other entity is dissatisfied with the decision of the ~~Commissioner~~ commissioner of fire safety, appeal is authorized to the superior court within 30 days in the manner provided under Chapter 13 of Title 50-, the 'Georgia Administrative Procedure Act.' In the event of such appeal, the person, firm, corporation, or other entity shall give a surety bond which will be conditioned upon compliance with the order and direction of the ~~state fire marshal or the Commissioner~~ or both commissioner of fire safety. The amount of bond shall be fixed by the ~~Commissioner~~ commissioner of fire safety in such amount as will reasonably cover the order issued by the ~~Commissioner~~ commissioner of fire safety ~~or the state fire marshal~~ or both."

SECTION 18-8.

Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is amended by revising Code Section 25-3-6, relating to effect of article on powers and duties of other officials and departments, as follows:

"25-3-6.

This article shall not affect the duties, powers, or responsibilities of the ~~Safety Fire Commissioner~~, the commissioner of fire safety, the Department of Fire Safety, the state fire marshal, the sheriff's office, the Department of Public Safety, local law enforcement agencies, the Department of Agriculture, the Department of Natural Resources, the State Forestry Commission, the Department of Transportation, the Department of Defense, or the Department of Public Health."

SECTION 18-9.

Chapter 3 of Title 30 of the Official Code of Georgia Annotated, relating to access to and use of public facilities by persons with disabilities, is amended by revising paragraph (4) of Code Section 30-3-2, relating to definitions, as follows:

"(4) 'Commissioner' means the ~~Safety Fire Commissioner provided for in Chapter 2 of Title 25~~ commissioner of fire safety."

SECTION 18-10.

Said chapter is further amended by revising Code Section 30-3-3, relating to applicable standards and specifications and granting of exemptions, as follows:

"30-3-3.

All government buildings, public buildings, and facilities receiving permits for construction or renovation after July 1, 1995, shall comply with the rules and regulations adopted by the ~~Commissioner~~ commissioner which meet ADAAG and establish the minimum state standards for accessibility. All government buildings, public buildings, and facilities receiving permits for construction or renovation after July 1, 1984, but before July 1, 1987, shall comply with the American National Standards Institute specifications A117.1-1980 or A117.1-1986 for making buildings and facilities accessible to and usable by people with disabilities except as otherwise provided in paragraph (10) of Code Section 30-3-2; and all government buildings, public buildings, and facilities receiving permits for construction or renovation after July 1, 1987, but before July 1, 1995, shall comply with the American National Standards Institute specifications A117.1-1986 for making buildings and facilities accessible to and usable by people with disabilities except as otherwise provided in paragraph (10) or subparagraph (C) of paragraph (11) of Code Section 30-3-2; provided, however, that nothing in this Code section is intended to require the addition of an elevator where none exists or is planned, solely for the purpose of providing an accessible route between floor levels; and provided, further, that the ~~Safety Fire Commissioner~~ commissioner or, where applicable, the Board of Regents of the University System of Georgia or the local governing authority having jurisdiction over the buildings in question upon receipt of a sworn written statement from the person who owns or controls the use of any government building, public building, or facility subject to the requirements of this chapter and after taking all circumstances into consideration may determine that full compliance with any particular standard or specification set forth in this chapter is impractical, whereupon there shall be substantial compliance with the standards or specifications to the maximum extent practical and, within 45 days of such determination, a written record shall be made by the ~~Safety Fire Commissioner~~ commissioner or, where applicable, the board of regents or the local governing authority having jurisdiction over the buildings in question, setting forth the reasons why it is impractical for the person subject to this chapter to comply fully with the particular standard or specification and also setting forth the extent to which the government building, public building, or facility shall conform with the standard or specification. The ~~Safety Fire Commissioner~~ commissioner or, where applicable, the board of regents or the local governing authority having jurisdiction over the buildings in question shall be responsible for making a final determination as to whether or not an exemption shall be granted."

SECTION 18-11.

Said chapter is further amended by revising Code Section 30-3-7, relating to administration and enforcement of chapter, as follows:

"30-3-7.

(a)(1) Except for buildings under the jurisdiction of the Board of Regents of the University System of Georgia, all buildings subject to the jurisdiction of the ~~Safety~~

~~Fire Commissioner~~ Department of Fire Safety pursuant to Code Section 25-2-12 and subsection (c) of Code Section 25-2-13 shall be subject to the jurisdiction of the ~~Safety Fire Commissioner~~ commissioner for purposes of enforcement of this chapter.

(2) With respect to any such building, the ~~Safety Fire Commissioner~~ commissioner shall have the following powers and duties:

(A) No such building shall be built in this state by any private person or corporation or public entity unless it conforms to the requirements of Code Sections 30-3-3 and 30-3-5 and its plans and specifications have been approved by the ~~Commissioner~~ commissioner as provided in this subparagraph. All plans and specifications shall identify the architect or engineer who prepared them in a manner acceptable to the ~~Commissioner~~ commissioner. The ~~Commissioner~~ commissioner shall approve the plans and specifications only if they conform to the requirements of this chapter. The ~~Commissioner~~ commissioner shall not require any additional fee for each submission of plans or specifications other than the standard fee required by Code Section 25-2-4.1. No local governing authority shall issue any building permit for any building subject to this subsection without proof of the approval required by this subparagraph;

(B) In any case where the ~~Commissioner~~ commissioner denies approval under subparagraph (A) of this paragraph or an exemption under subparagraph (C) of this paragraph, the rights and remedies of the person submitting the same shall be those provided by Chapter 2 of Title 33; and

(C) Upon a showing that full compliance with any particular requirement or requirements is impractical or not necessary to accomplish the purposes of this chapter, the ~~Commissioner~~ commissioner may exempt a building from full compliance with the requirement or requirements and approve plans and specifications which do not conform, or which only partially conform, to the requirement or requirements.

(b) The board of regents shall be responsible for the administration and enforcement of this chapter with respect to all buildings and facilities under its jurisdiction. No construction plans for any such building or facility shall be approved by the board of regents for any construction within the University System of Georgia unless the building or facility conforms to Code Sections 30-3-3 and 30-3-5 and unless the architect or engineer responsible for preparation of said plans and specifications affixes that person's seal on such plans. The affixing of the seal of an architect or engineer to said plans shall constitute a certification that to the best of that person's knowledge, information, and belief they have been prepared in conformity with Code Sections 30-3-3 and 30-3-5. A certificate of compliance may be displayed on said plans in lieu of the architect's or engineer's seal. The builder, developer, contractor, or building owner following said plans shall require an architect's or engineer's seal or a certificate of compliance to be displayed on the plans before starting construction.

(c) Local governing authorities shall be responsible for the administration and enforcement of this chapter with regard to all government and public buildings and facilities which are not under the jurisdiction of the ~~Safety Fire Commissioner~~

commissioner or board of regents, pursuant to subsections (a) and (b) of this Code section and which are under the jurisdiction of such local governing authorities. No building permit for any such building or facility shall be approved by any local governing authority for any private person, corporation, partnership, association, or public entity unless the plans and specifications conform to the requirements of Code Sections 30-3-3 and 30-3-5 and unless the architect or engineer responsible for preparation of said plans and specifications affixes that person's seal on such plans. The affixing of the seal of an architect or engineer to said plans shall constitute a certification that to the best of that person's knowledge, information, and belief they have been prepared in conformity with Code Sections 30-3-3 and 30-3-5. A certificate of compliance may be displayed on said plans in lieu of the architect's or engineer's seal. The builder, developer, contractor, or building owner following said plans shall require such a seal or a certificate of compliance on the plans before starting construction. All construction plans must display such a certificate of compliance, or a seal provided by the architect or engineer, for all construction in local governing jurisdictions which do not require building permits. In all areas where local governing authority building permits are not required, the builder, developer, contractor, or building owner following said plans shall require such an architect's or engineer's seal or a certificate of compliance to be displayed on the plans before starting construction.

(d) In the performance of their responsibilities under this chapter, all state rehabilitation agencies and appropriate elected or appointed officials shall be required to cooperate with and assist the ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the appropriate local building code officials or local fire department, or any combination thereof, having jurisdiction over the buildings in question.

(e) The ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the local building code officials or the local fire department, or any combination thereof, having jurisdiction over the buildings in question shall from time to time inform, in writing, professional organizations and others of this chapter and its application.

(f)(1) The ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the local governing authority having jurisdiction over the buildings in question shall have all necessary powers to require compliance with their rules, regulations, and procedures, and modifications thereof and substitutions therefor, including powers to institute and prosecute proceedings in the superior court to compel compliance, and shall not be required to pay any entry or filing fee in connection with the institution of such proceedings.

(2) No person, firm, or corporation shall be subject to a complaint for not complying with the provisions of subparagraph (C) of paragraph (11) of Code Section 30-3-2 unless 90 days have passed since such person, firm, or corporation has been notified by certified mail or statutory overnight delivery of the alleged violation of the provisions of subparagraph (C) of paragraph (11) of Code Section 30-3-2. Such notification shall include a warning of an impending complaint if the alleged violation is not corrected before the expiration of the 90 day warning period. The 90 day warning period shall not apply to any structure or facility other than parking lots nor

to any part of this chapter other than subparagraph (C) of paragraph (11) of Code Section 30-3-2.

(g) The ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the local governing authority having jurisdiction over the buildings in question, after consultation with state rehabilitation agencies and other sources as they might determine, are authorized to promulgate such rules, regulations, and procedures as might reasonably be required to implement and enforce their responsibilities under this chapter. Such rules, regulations, and procedures shall not be less restrictive than those established by the ~~Commissioner~~ commissioner.

(h) The ~~Safety Fire Commissioner~~ commissioner, the board of regents, and the local governing authority having jurisdiction over the buildings in question, after consultation with state rehabilitation agencies, are also authorized to waive any of the standards and specifications presently set forth in this chapter and to substitute in lieu thereof standards or specifications consistent in effect to such standards or specifications heretofore adopted by the American Standards Association, Inc."

SECTION 18-12.

Code Section 31-7-12.2 of the Official Code of Georgia Annotated, relating to regulation and licensing of assisted living communities, legislative intent, definitions, procedures, and requirements for medication aides, is amended by revising paragraph (4) of subsection (b) and subsection (e) as follows:

"(4) 'Assisted self-preservation' means the capacity of a resident to be evacuated from an assisted living community, to a designated point of safety and within an established period of time as determined by the ~~Office of the Safety Fire Commissioner~~ Department of Fire Safety. Assisted self-preservation is a function of all of the following:

(A) The condition of the individual;

(B) The assistance that is available to be provided to the individual by the staff of the assisted living community; and

(C) The construction of the building in which the assisted living community is housed, including whether such building meets the state fire safety requirements applicable to an existing health care occupancy."

"(e) An assisted living community shall maintain fire detection and prevention equipment, including visual signals with alarms for hearing impaired residents, in accordance with manufacturer instructions and the requirements of the ~~Office of the Safety Fire Commissioner~~ Department of Fire Safety."

SECTION 18-13.

Code Section 33-2-9 of the Official Code of Georgia Annotated, relating to rules and regulations adopted by the Commissioner of Insurance, is amended by revising subsection (e) as follows:

"(e) Neither the ~~Commissioner, whether acting as Commissioner of Insurance or Safety Fire Commissioner~~ of Insurance, nor the department, nor the ~~Safety Fire Division of the~~

~~office of the Commissioner~~ commissioner of fire safety shall propose or adopt rules or regulations relating to the sale or dispensing of gasoline or diesel fuel to the general public by any business entity unless such rules or regulations require such sale or dispensing to be under the direct control and visual supervision of an on-site employee of such business entity."

SECTION 18-14.

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by revising subsection (c) of Code Section 42-4-31, relating to required safety and security measures, as follows:

"(c) The officer in charge of a detention facility shall have the facility inspected semiannually by an officer from the state fire marshal's office or an officer selected by the ~~Safety Fire Commissioner~~ commissioner of fire safety. Each detention facility shall be required to comply with this article with regard to fire safety and the applicable rules and regulations promulgated by the ~~Safety Fire Commissioner~~ commissioner of fire safety. The inspecting officer shall fill out a form provided by the officer in charge and the form shall be posted in a conspicuous place by the officer in charge, thereby evidencing inspection of the facility."

SECTION 18-15.

Code Section 43-14-13 of the Official Code of Georgia Annotated, relating to applicability of chapter, is amended by revising subsection (o) as follows:

"(o) This chapter shall not prohibit any propane dealer who is properly insured as required by law and who holds a liquefied petroleum gas license issued by the ~~Safety Fire Commissioner~~ commissioner of fire safety from installing, repairing, or servicing a propane system or the gas piping or components of such system; provided, however, that such propane dealers shall be prohibited from performing the installation of conditioned air systems or forced air heating systems unless licensed to do so under this chapter."

SECTION 18-16.

Article 1 of Chapter 14 of Title 45 of the Official Code of Georgia Annotated, relating to general provisions regarding the Commissioner of Insurance, is amended by revising Code Section 45-14-3, relating to duties as Safety Fire Commissioner and Industrial Loan Commissioner, as follows:

"45-14-3.

The Commissioner of Insurance shall be ~~the Safety Fire Commissioner~~ and the Industrial Loan Commissioner."

SECTION 18-17.

Said article is further amended by revising Code Section 45-14-5, relating to seal, as follows:

"45-14-5.

The Commissioner of Insurance, ~~Safety Fire Commissioner~~, and Industrial Loan Commissioner shall have an official seal for each office of such design as he or she shall select with the approval of the Governor."

PART XIX
SECTION 19-1.

Parts I and XX of this Act shall become effective on January 1, 2019, and all other parts of this Act shall become effective on July 1, 2019.

PART XX
SECTION 20-1.

All laws and parts of laws in conflict with this Act are repealed.

Senators Seay of the 34th, Jones II of the 22nd and Lucas of the 26th offered the following amendment #1:

Amend LC 41 1547S Substitute for HB 149 by striking lines 117 - 118 and replacing them with: "Information Center and Federal Bureau of Investigation. No person who is currently on probation for any felony under the laws of this state or another state or the federal"

On the adoption of the amendment, there were no objections, and the Seay, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	N Jones, B	N Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	N Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	N Martin	N Unterman
N Harbin	N McKoon	N Walker
Y Harbison	Millar	Y Watson
Y Harper	N Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 41, nays 11.

HB 149, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

March 21, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 149. Had I been present, I would have voted "NO".

/s/ Tonya Anderson
District 43

At 12:32 the President announced that the Senate would stand at ease for one hour.

At 1:33 p.m. the President called the Senate to order.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

SR 1049	Do Pass	SR 1063	Do Pass by substitute
SR 1064	Do Pass	SR 1067	Do Pass by substitute
SR 1068	Do Pass		

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate the following action:

Pursuant to Senate Rule 2-1.10(b), referred the following legislation from the General Calendar:

HB 85 to the Committee on Rules
HB 735 to the Committee on Rules
HR 51 to the Committee on Rules

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

The following legislation was read the second time:

SR 1049 SR 1063 SR 1064 SR 1067 SR 1068

At 1:35 p.m. the President announced that the Senate would stand at ease until 2:00 p.m.

At 2:11 p.m. the President called the Senate to order.

Senator Shafer of the 48th was excused for business outside the Senate Chamber.

The Calendar was resumed.

HB 398. By Representatives Battles of the 15th and Burns of the 159th:

A BILL to be entitled an Act to amend Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to general provisions for the Peace Officers' Annuity and Benefit Fund, so as to update a cross-reference; to add a position eligible for membership in such fund; to provide for a certain employer's contribution to such fund; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Black of the 8th.

The following Fiscal Notes were read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN

STATE AUDITOR

(404) 656-2174

February 13, 2017

The Honorable Paul Battles
State Representative
State Capitol, Room 401-K
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
House Bill 398 (LC 43 0574)

Dear Representative Battles:

This bill would amend provisions relating to membership in the Peace Officers' Annuity and Benefit Fund. Specifically, this bill would allow persons employed as investigators by the Georgia Board of Dentistry to become members of the Fund, provided they are P.O.S.T. certified. The provisions of this bill would require the Georgia Board of Dentistry to pay an employer contribution for each member that is equivalent to the full actuarial cost of participation.

This is to certify that this bill is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

October 4, 2017

Honorable Paul Battles, Chairman
House Retirement Committee
State Capitol, Room 401-K
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
House Bill 398 (LC 43 0574)
Peace Officers' Annuity and Benefit Fund

Dear Chairman Battles:

This bill would amend provisions relating to membership in the Peace Officers' Annuity and Benefit Fund. Specifically, this bill would allow persons employed as investigators by the Georgia Board of Dentistry to become members of the Fund, provided they are P.O.S.T. certified. The provisions of this bill would require the Georgia Board of Dentistry to pay an employer contribution for each member that is equivalent to the full actuarial cost of participation.

The first year cost of this bill would be \$936 in order to meet the concurrent funding requirements of O.C.G.A. §47-20-50. This is the cost necessary to fund the normal cost. This cost estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost estimate for this legislation. Any future costs would be paid through revenue generated from fines, fees, and bond forfeitures.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the House Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u> 0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u> 0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u> N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u> 936</u>
(5)	The employer contribution rate currently in effect.	<u> A portion of fines, fees, and bond forfeitures</u>
(6)	The employer contribution rate recommended (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u> A portion of fines, fees, and bond forfeitures</u>
(7)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u> 0*</u>

**According to the actuary, the first year cost of this legislation is \$936. However, the required employer contribution would not need to increase since this Fund is in a well-funded position. Currently, the amount of revenue generated from fines, fees, and bond forfeitures is sufficient to cover the additional costs associated with this bill and to ensure the Fund remains funded in accordance with the State's minimum funding standards.*

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
E Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 0.

HB 398, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

3/21/2018

Due to business outside the Senate Chamber, I missed the vote on HB 398. Had I been present, I would have voted "Yes".

/s/ Greg Kirk
District 13

3-21-18

Due to business outside the Senate Chamber, I missed the vote on HB 398. Had I been present, I would have voted "Yea".

/s/ Jesse Stone
District 23

Senator Williams of the 27th was excused for business outside the Senate Chamber.

HB 419. By Representatives Silcox of the 52nd, Golick of the 40th, Willard of the 51st, Jones of the 47th, Martin of the 49th and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding local government provisions applicable to counties and municipal corporations, so as to enable the governing authority of certain counties to further regulate the use or ignition of consumer fireworks; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Public Safety offered the following substitute to HB 419:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 10 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of fireworks, so as to subject the use or ignition of consumer fireworks to general noise ordinances of counties and municipal corporations in certain circumstances; to provide for conditions; to provide for meeting notice requirements; to require distributors to post certain signs in the sale of consumer fireworks; to provide for rules and regulations by the state fire marshal for the design of such cards; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 10 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of fireworks, is amended by revising Code Section 25-10-2, relating to prohibited fireworks activities, as follows:

"25-10-2.

(a) It shall be unlawful for any person, firm, corporation, association, or partnership to offer for sale at retail or wholesale, to use or ignite or cause to be ignited, or to possess, manufacture, transport, or store any consumer fireworks or fireworks, except as otherwise provided in this chapter.

(b)(1) Notwithstanding any provision of this chapter to the contrary, it shall be unlawful for any person, firm, corporation, association, or partnership to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person under 18 years of age.

(2) It shall be unlawful to sell consumer fireworks or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 to any person by any means other than an in-person, face-to-face sale. Such person shall provide proper identification to the

seller at the time of such purchase. For purposes of this paragraph, the term 'proper identification' means any document issued by a governmental agency containing a description of the person or such person's photograph, or both, and giving such person's date of birth and includes without being limited to a passport, military identification card, driver's license, or identification card authorized under Code Sections 40-5-100 through 40-5-104.

(3)(A) It shall be unlawful to use fireworks, consumer fireworks, or any items defined in paragraph (2) of subsection (b) of Code Section 25-10-1 indoors or within the right of way of a public road, street, highway, or railroad of this state.

(B) Except as provided for in subparagraph (D) or (E) of this paragraph and subject to paragraph (4) of this subsection and Code Section 25-10-2.1, it shall be lawful for any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited any consumer fireworks:

(i) On any day beginning at the time of 10:00 A.M. and up to and including the ending time of 9:00 P.M.;

~~(ii) On any day after the time of 9:00 P.M. and up to and including the time of 11:59 P.M. if such use or ignition is lawful pursuant to any noise ordinance of the county or municipal corporation of the location in which such use or ignition occurs, unless during such times the noise from such use or ignition is not in compliance with a noise ordinance of a county or municipal corporation as provided for in subsection (c) of this Code section, except as otherwise provided for under this subparagraph; provided, however, that a county or municipal corporation may additionally require the issuance of a special use permit pursuant to subparagraph (D) of this paragraph for use or ignition;~~

~~(iii)~~(ii) On January 1, the last Monday in May, July 3, July 4, the first Monday in September, and December 31 of each year after the time of ~~9:00 P.M.~~ 10:00 A.M. and up to and including the time of 11:59 P.M.; and

~~(iv)~~(iii) On January 1 of each year beginning at the time of 12:00 Midnight and up to and including the ending time of 1:00 A.M.

(C) Subject to subparagraph (D) of this paragraph, paragraph (4) of this subsection, and Code Section 25-10-2.1, it shall be lawful for any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited any consumer fireworks anywhere in this state except:

(i) As provided for under subparagraph (A) of this paragraph;

(ii) In any location where such person, firm, corporation, association, or partnership is not lawfully present or is not otherwise lawfully permitted to use or ignite or cause to be ignited any consumer fireworks;

(iii) Within 100 yards of an electric plant; water treatment plant; waste-water treatment plant; a facility engaged in the retail sale of gasoline or other flammable or combustible liquids or gases where the volume stored is in excess of 500 gallons for the purpose of retail sale; a facility engaged in the production, refining, processing, or blending of any flammable or combustible liquids or gases for retail purposes; any public or private electric substation; or a jail or prison;

(iv) Within 100 yards of the boundaries of any public use air facility provided for under Title 6 or any public use landing area or platform marked and designed for landing use by helicopters;

(v) Within any park, historic site, recreational area, or other property which is owned by or operated by, for, or under the custody and control of a governing authority of a county or municipal corporation, except pursuant to a special use permit as provided for in subparagraph (D) of this paragraph;

(vi) Within any park, historic site, recreational area, or other property which is owned by or operated by, for, or under the custody and control of the State of Georgia, except pursuant to any rules and regulations of the agency or department having control of such property which may allow for such use or ignition of consumer fireworks;

(vii) Within 100 yards of a hospital, nursing home, or other health care facility regulated under Chapter 7 of Title 31; provided, however, that an owner or operator of such facility may use or ignite or cause to be ignited consumer fireworks on the property of such facility or may grant written permission to any person, firm, corporation, association, or partnership to use or ignite or cause to be ignited consumer fireworks on the property of such facility; or

(viii) While under the influence of alcohol or any drug or any combination of alcohol and any drug to the extent that it is less safe or unlawful for such person to ignite consumer fireworks as provided for in Code Section 25-10-2.1.

(D) Any person, firm, corporation, association, or partnership may use or ignite or cause to be ignited any consumer fireworks as provided for under divisions ~~(3)(B)(ii)~~ (3)(B)(i) and (3)(C)(v) of this subsection if such person, firm, corporation, association, or partnership is issued a special use permit pursuant to the law of a governing authority of a county or municipal corporation for the use or ignition of consumer fireworks in a location within such county or municipality as provided for under divisions ~~(3)(B)(ii)~~ (3)(B)(i) and (3)(C)(v) of this subsection, provided that such special use permit is required for such use or ignition. Such special use permit shall designate the time or times and location that such person, firm, corporation, association, or partnership may use or ignite or cause to be ignited such consumer fireworks. A fee assessed by a county or municipal corporation for the issuance of a special use permit pursuant to this subparagraph shall not exceed \$100.00. No governing authority or official of a county, municipality, or other political subdivision shall bear liability for any decisions made pursuant to this Code section.

(E) Whenever the ~~Governor issues a declaration of drought~~ Department of Natural Resources declares a drought response of Level 1 or higher, or its equivalent, for an area, the Governor may, for the boundaries of the area covered by such drought declaration, enact further regulations and restrictions ~~concerning the use of consumer fireworks than provided for under this chapter; provided, however, that no such further regulations or restrictions on the use of consumer fireworks shall be effective pursuant to this subparagraph on January 1, July 3, July 4, or December 31 of any year; provided, further, that such further regulations or restrictions shall only~~

~~apply to the exact~~ prohibiting any person, firm, corporation, association, or partnership to ignite or cause to be ignited consumer fireworks in the boundaries of the area covered by such declaration ~~and shall only apply with regard to the ignition of consumer fireworks; and provided, further~~ for the duration of such declaration; provided, however, that upon expiration or conclusion of such declaration, such further regulations or restrictions shall be rescinded by law.

(4)(A) It shall be lawful for any person 18 years of age or older to use or ignite or cause to be ignited or to possess, manufacture, transport, or store consumer fireworks.

(B) To the extent otherwise permitted by law, it shall be lawful for any person who is 16 or 17 years of age to possess or transport consumer fireworks, provided that such person is serving as an assistant to a distributor licensed under subsection (c) of Code Section 25-10-5.1 or the nonprofit group benefiting from such distributor's application pursuant to subsection (c) of Code Section 25-10-5.1 and is not transporting such consumer fireworks on a highway which constitutes a part of The Dwight D. Eisenhower System of Interstate and Defense Highways.

(5)(A) It shall be lawful for any person 18 years of age or older to sell or to offer for sale at retail or wholesale any consumer fireworks pursuant to the requirements of this chapter.

(B) It shall be lawful for any person who is 16 or 17 years of age to sell or to offer for sale at retail or wholesale any consumer fireworks, provided that such person is serving as an assistant to a distributor licensed under subsection (c) of Code Section 25-10-5.1 or the nonprofit group benefiting from such distributor's application pursuant to subsection (c) of Code Section 25-10-5.1.

(6)(A) It shall be lawful to sell consumer fireworks from a permanent consumer fireworks retail sales facility or store only if such permanent consumer fireworks retail sales facility or store is:

(i) In compliance with the requirements for such a permanent consumer fireworks retail sales facility or store in the selling of consumer fireworks as provided for in NFPA 1124; and

(ii) Selling consumer fireworks of a distributor licensed pursuant to subsection (b) or (d) of Code Section 25-10-5.1.

(B) It shall be lawful to sell consumer fireworks from a temporary consumer fireworks retail sales stand only if such temporary consumer fireworks retail sales stand is:

(i) In compliance with the requirements for such a temporary consumer fireworks retail sales stand in the selling of consumer fireworks as provided for in NFPA 1124;

(ii) Within 1,000 feet of a fire hydrant of a county, municipality, or other political subdivision or a fire department connection of a building affiliated with such consumer fireworks retail sales stand, unless the chief administrative officer of the fire department of a county, municipality, or other political subdivision or chartered fire department legally organized to operate in this state pursuant to

Chapter 3 of this title and having operational authority over such location of the temporary consumer fireworks retail sales stand provides in writing that such temporary consumer fireworks retail sales stand may operate in excess of 1,000 feet from such fire hydrant or fire department connection; and

(iii) Selling consumer fireworks of a distributor licensed pursuant to subsection (c) of Code Section 25-10-5.1.

A distributor licensed pursuant to subsection (c) of Code Section 25-10-5.1 may operate no more than two temporary consumer fireworks retail sales stands in this state per location licensed pursuant to subsection (b) or (d) of Code Section 25-10-5.1; provided, however, that such distributor has been operating and open to the public pursuant to subsection (b) or (d) of Code Section 25-10-5.1 no less than 30 days prior to July 4 or December 31 in the year of an application for a license under subsection (c) of Code Section 25-10-5.1 that is filed within 30 days of July 4 or December 31.

(C) It shall be unlawful to sell consumer fireworks from any motor vehicle, from a trailer towed by a motor vehicle, or from a tent, canopy, or membrane structure.

(c) Any noise ordinance of a county or municipal corporation which is to have effect for purposes of subdivision (b)(3)(B)(i) shall have been enacted or reenacted on or after July 1, 2018, and shall:

(1) Be a general noise ordinance concerning all manner of sounds or noises and such county or municipal corporation shall not have any ordinance separately pertaining to sounds or noises emanating exclusively from consumer fireworks; and

(2) Not have been enacted or reenacted unless notice of the meeting in which such noise ordinance was enacted or reenacted was published one time at least 15 days in advance of such meeting in the legal organ of such county or municipal corporation and was posted for at least 72 hours at least 15 days in advance of such meeting on the homepage of the official website of such county or municipal corporation. Such notice shall state the date, time, and place of such meeting and that such noise ordinance which will affect the use of consumer fireworks will be acted upon."

SECTION 2.

Said chapter is further amended in Code Section 25-10-5.1, relating to requirements for issuance of license to distribute consumer fireworks, by adding a new subsection to read as follows:

"(e)(1) Every licensed distributor selling consumer fireworks pursuant to this Code section shall have within the retail display area for consumer fireworks at least one sign providing the following information:

(A) 'PLEASE CHECK YOUR LOCAL ORDINANCES PRIOR TO USING OR IGNITING CONSUMER FIREWORKS';

(B) 'PLEASE USE CONSUMER FIREWORKS IN ACCORDANCE WITH THEIR AFFIXED CAUTION AND WARNING LABELS'; and

(C) 'PLEASE BE A GOOD NEIGHBOR AND BE MINDFUL THAT UNANNOUNCED IGNITION NEAR SOME MILITARY VETERANS AND

OTHER PERSONS AND NEAR SOME PETS CAN BE TRAUMATIC'.

(2) Such signs shall be at least 22 inches by 28 inches in size, be printed in at least 40 point boldface type in a color contrasting from such sign's background color, and kept free from obstruction and in plain sight of customers."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senators Harper of the 7th, Albers of the 56th and Mullis of the 53rd offered the following amendment #1:

Amend the Senate Committee on Public Safety substitute to HB 419 (LC 41 1515S) by replacing lines 4 through 6 with the following:

for conditions; to provide for meeting notice requirements; to revise procedures and requirements concerning consumer fireworks for a drought declaration; to require certain signs in the retail display area for consumer fireworks; to provide for related matters; to repeal

By replacing lines 103 through 116 with the following:

~~(E) Whenever the Governor issues a declaration of drought, the Governor may, for the boundaries of the area covered by such declaration, enact further regulations and restrictions concerning the use of consumer fireworks than provided for under this chapter; provided, however, that no such further regulations or restrictions on the use of consumer fireworks shall be effective pursuant to this subparagraph on January 1, July 3, July 4, or December 31 of any year; provided, further, that such further regulations or restrictions shall only apply to the exact boundaries of the area covered by such declaration and shall only apply with regard to the ignition of consumer fireworks; and provided, further, that upon expiration or conclusion of such declaration, such further regulations or restrictions shall be rescinded by law.~~
Whenever the Keetch-Byram Drought Index reaches a level of 700 or above for any geographical area within a county, the Governor may, in consultation with the State Forestry Commission and the Department of Natural Resources and for purposes of this Code section, issue a declaration of drought for such county and enact further regulations and restrictions prohibiting any person, firm, corporation, association, or partnership to ignite or cause to be ignited consumer fireworks within the boundaries of such county for the duration of such declaration; provided, however, that upon expiration or conclusion of such declaration or the level on the Keetch-Byram Drought Index receding below 700, whichever occurs first, such further regulations or restrictions shall be rescinded by law.

Senator Henson of the 41st offered the following amendment #1a:

Amend AM 41 0369 Amendment 1 to HB 419 by striking "700" on line 25 and replacing it with "400"

On the adoption of the amendment, the President asked unanimous consent.

Senator Albers of the 56th objected.

On the adoption of amendment #1a, the yeas were 19, nays 24, and the Henson amendment #1a to the Harper, et al. amendment #1 to the committee substitute was lost.

On the adoption of amendment #1, there were no objections, and the Harper, et al. amendment #1 to the committee substitute was adopted.

Senator Unterman of the 45th offered the following amendment #2:

Amend HB 419 substitute by striking on Line 49: the last Monday in May

On the adoption of amendment #2, the President asked unanimous consent.

Senator Ginn of the 47th objected.

On the adoption of the amendment, Senator Unterman of the 45th called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers	N Hufstetler	N Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	E Tate
N Cowser	N Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	N Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	N Martin	Y Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	N Millar	N Watson
N Harper	Y Miller	N Wilkinson
Y Heath	N Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the amendment, the yeas were 29, nays 24, and the Unterman amendment #2 to the committee substitute was adopted.

Senators Martin of the 9th and Unterman of the 45th offered the following amendment #3:

Amend Committee Substitute to HB 419 by inserting following line 88:

"any property where the use of consumer fireworks would create a fire damage hazard to any building or personal property located on an adjacent property; provided, however that an owner of such property may grant permission to any person, firm, corporation, association, or partnership to use ignite or cause to be ignited consumer fireworks on the property."

Senator Martin of the 9th asked unanimous consent that his amendment be withdrawn. The consent was granted, and the Martin, Unterman amendment #3 to the committee substitute was withdrawn.

Senator Harper of the 7th moved that HB 419 be placed on the Table.

Senator Unterman of the 45th objected.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
N Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	E Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	N Martin	N Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	N Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 32, nays 21; the motion prevailed, and HB 419 was placed on the Table.

The following committee report was read by the Secretary:

Mr. President:

The Committee on Rules has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 85 Do Pass by substitute
HB 735 Do Pass by substitute
HR 51 Do Pass by substitute

Respectfully submitted,
Senator Mullis of the 53rd District, Chairman

The Calendar was resumed.

HB 494. By Representatives Dempsey of the 13th, Coleman of the 97th, Chandler of the 105th, Glanton of the 75th and Carter of the 175th:

A BILL to be entitled an Act to amend Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning, so as to revise certain provisions relating to the safety of children in early care and education programs; to authorize hearsay in preliminary hearings regarding emergency closure of a program or the emergency placement of a monitor or monitors; to revise the definition of "crime" for purposes of background checks; to provide that background checks are not valid if an individual has been separated from employment for more than 180 consecutive days from an early care and education program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Wilkinson of the 50th.

The Senate Committee on Education and Youth offered the following substitute to HB 494:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning, so as to revise certain provisions relating to the safety of children in early care and education programs; to authorize hearsay in preliminary hearings regarding emergency closure of a program or the emergency placement of a monitor or monitors; to revise definitions and terminology relating to records check determinations;

to provide that background checks are not valid if an individual has been separated from employment for more than 180 consecutive days from an early care and education program; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning, is amended by revising subsection (h) of Code Section 20-1A-13, relating to emergency placement of monitors, emergency closure upon minor's death, and requirements and procedures, as follows:

"(h) If a hearing is requested, the preliminary hearing shall consist of a review of all oral and written evidence introduced at the hearing and any arguments made. Hearsay shall be admissible in a preliminary hearing in determining the issues relevant to emergency closure of a program or the emergency placement of a monitor or monitors. A recording shall be made of the hearing."

SECTION 2.

Said chapter is further amended by revising Code Section 20-1A-30, relating to definitions relative to background checks, as follows:

"20-1A-30.

As used in this article, the term:

(1) 'Comprehensive records check determination' means a satisfactory or unsatisfactory determination by the department, based upon a Federal Bureau of Investigation fingerprint check, a search of the National Crime Information Center's National Sex Offender Registry, and a search of the following registries, repositories, or data bases in the state where the actual or potential employee or director resides and in each state where such individual resided during the preceding five years: criminal registry or repository, with the use of fingerprints being required in the state where the individual resides and optional in other states; state sex offender registry or repository; and state based child abuse and neglect registry and data base.

~~(1)~~(2) 'Conviction' means a finding or verdict of guilty or a plea of guilty, regardless of whether an appeal of the conviction has been sought.

~~(2)~~(3) 'Crime' means:

- (A) Any felony;
- (B) A violation of Code Section 16-5-23 when the victim is a minor;
- (C) A violation of Code Section 16-5-23.1 when the victim is a minor;
- (D) A violation of Code Section 16-12-1;
- (E) A violation of Chapter 6 of Title 16;
- (F) A violation of Code Section 16-4-1; ~~or~~
- (G) A violation of Code Section 16-5-29;
- (H) A violation of Code Section 16-5-60 when the victim is a minor;
- (I) A violation of Code Section 16-5-70;

(J) A violation of Code Section 16-12-1.1;

(K) A violation of Code Section 16-12-100, 16-12-100.1, 16-12-100.2, or 16-12-100.3;

(L) A violation of Code Section 40-6-391 when a child is endangered;

(M) A violation of Code Section 19-7-5; or

~~(G)~~(N) Any other offenses committed in another jurisdiction which, if committed in this state, would be one of the enumerated crimes listed in this paragraph.

~~(3)~~(4) 'Criminal record' means:

(A) Conviction of a crime;

(B) Arrest, charge, and sentencing for a crime where:

(i) A plea of nolo contendere was entered to the charge;

(ii) First offender treatment without adjudication of guilt pursuant to the charge was granted; provided, however, that this division shall not apply to a violation of Chapter 13 of Title 16, relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of Chapter 13 of Title 16 if such violation or offense constituted only simple possession; or

(iii) Adjudication or sentence was otherwise withheld or not entered on the charge; provided, however, that this division shall not apply to a violation of Chapter 13 of Title 16, relating to controlled substances, or any other offense committed in another jurisdiction which, if it were committed in this state, would be a violation of Chapter 13 of Title 16 if such violation or offense constituted only simple possession; or

(C) Arrest and being charged for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to Chapter 3 of Title 17.

~~(4)~~(5) 'Director' means the on-site manager of a facility, designated by the legal owner, who is responsible for the supervision, operation, and maintenance of an early care and education program and meets the minimum qualifications as determined by the department.

~~(5)~~(6) 'Employee' means any person, other than a director, who is 17 years of age or older and is employed compensated by an early care and education program; or who cares for, supervises, or has unsupervised access to children at the facility; or who is 17 years of age or older and to perform any duties which involve personal contact between that person and any child being cared for at the facility and also includes any adult person who resides at the facility; or who, with or without compensation, performs duties or services that benefit for the early care and education program which involve personal contact between that person and any child being cared for by the early care and education program; however, a parent or legal guardian of a child in care shall not be considered an employee unless such parent or legal guardian is deemed an employee by the early care and education program or either resides at the early care and education program or is compensated in any fashion by the early care and education program except through appropriate state or federal funds.

~~(6)~~(7) 'Employment history' means a record of where a person has worked for the

past ten years.

~~(7)~~(8) 'Facility' means an early care and education program's real property at which children are received for care.

~~(8)~~(9) 'Fingerprint' means an inked fingerprint card or an electronic image of a person's fingerprint.

~~(9)~~(10) 'Fingerprint records check determination' means a satisfactory or unsatisfactory determination by the department based upon fingerprint-based national criminal history record information.

~~(10)~~(11) 'GCIC' means the Georgia Crime Information Center established under Article 2 of Chapter 3 of Title 35.

~~(11)~~(12) 'GCIC information' means criminal history record information, as defined in Code Section 35-3-30.

~~(12) 'Preliminary records check determination' means a satisfactory or unsatisfactory determination by the director based only upon a comparison of GCIC information obtained solely from a law enforcement agency within the state with other than fingerprint information regarding the person upon whom the records check is being performed for purposes of this article.~~

(13) 'Provisional employee' means an individual other than a director whose duties involve personal contact between that person and any child being cared for at the facility and who is hired for a limited period of employment time.

(14) 'Records check application' means a document created by the department to be completed and submitted to the department by every actual and potential director and employee that indicates such ~~director's name, early care and education program name and type, and such other~~ information as the department deems appropriate and which authorizes the department to receive ~~and render a fingerprint records check determination pursuant to any sex offender registry, child abuse and neglect registry, and~~ criminal history record information pertaining to such individual from any local, state, or national ~~criminal justice or law enforcement agency or appropriate jurisdiction and render a fingerprint or comprehensive records check determination.~~

(15) 'Satisfactory determination' means a written declaration that a person for whom a ~~preliminary or~~ fingerprint or comprehensive records check determination was performed was found to have no criminal record.

(16) 'Unsatisfactory determination' means a written declaration that a person for whom a ~~preliminary or~~ fingerprint or comprehensive records check determination was performed was found to have a criminal record."

SECTION 3.

Said chapter is further amended by revising Code Section 20-1A-31, relating to records check application for potential employees and fingerprint records checks, as follows:

"20-1A-31.

(a) A support center may furnish to the department a records check application for each potential employee of any licensed, commissioned, or permitted early care and education program. Before a person affiliated with a support center may become an

employee of any licensed, commissioned, or permitted early care and education program, such person shall obtain a satisfactory fingerprint comprehensive records check determination. All potential employees, excluding students currently enrolled in an early education curriculum through an accredited school of higher education, may submit evidence, satisfactory to the department, that such potential employee received a satisfactory fingerprint comprehensive records check determination that includes a records check clearance date that is no more than 12 months old, notwithstanding Code Section 20-1A-45, or that any employee whose fingerprint records check revealed a criminal record of any kind has either subsequently received a satisfactory fingerprint comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. A student currently enrolled in an early education curriculum through an accredited school of higher education may submit evidence, satisfactory to the department, that such student received a satisfactory fingerprint comprehensive records check determination that includes a records check clearance date that is no more than 24 months old, notwithstanding Code Section 20-1A-45, or that such student whose fingerprint comprehensive records check determination revealed a criminal record of any kind has either subsequently received a satisfactory fingerprint comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. The licensed, commissioned, or permitted early care and education program shall maintain documentation in the employee's personnel file, which is available to the department upon request, and which reflects that a satisfactory fingerprint comprehensive records check determination was received before the employee is allowed to ~~reside in an early care and education program or be present at an early care and education program a facility~~ while children are present for care or to reside in a facility. If the fingerprint comprehensive records check determination for any potential employee reveals a criminal record of any kind, such potential employee shall not be allowed to ~~reside in an early care and education program or be present at an early care and education program a facility~~ while children are present for care or to reside in a facility until such potential employee has either obtained a satisfactory fingerprint comprehensive records check determination or has had the unsatisfactory fingerprint comprehensive records check determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. If the fingerprint comprehensive records check determination is unsatisfactory, the licensed, commissioned, or permitted early care and education program shall, after receiving notification of such unsatisfactory determination, take such steps as are necessary so that such ~~person no longer resides in the early care and education program and employee is no longer is present at an early care and education program a facility~~ while children are present for care and no longer resides in the facility.

(b) Notwithstanding the limited period of portability, every person affiliated with a support center as a potential employee of a licensed or commissioned early care and education program shall undergo additional fingerprint comprehensive records checks

determinations such that the time between such additional fingerprint comprehensive records checks determinations and that person's previous fingerprint comprehensive records check determination shall not exceed five years, notwithstanding Code Section 20-1A-45.

(c) After the issuance of a registration, the department may require additional fingerprint comprehensive records check determinations on any person affiliated with a support center during the course of a child abuse investigation involving such person or when the department has reason to believe such person has a criminal record that renders such person ineligible to ~~reside at an early care and education program or be present at an early care and education program~~ a facility while children are present for care or to reside in a facility."

SECTION 4.

Said chapter is further amended by revising subsections (a) and (b) of Code Section 20-1A-32, relating to program license or commission applicants, records check requirements, and change of ownership, as follows:

"(a) Accompanying any application for a new license or commission for an early care and education program, the applicant shall furnish to the department a records check application for the director and each employee. In lieu of such records check applications, the license applicant may submit evidence, satisfactory to the department, that such individual received a satisfactory fingerprint comprehensive records check determination that includes a records check clearance date that is no more than 12 months old, notwithstanding Code Section 20-1A-45, or that any director or employee whose fingerprint comprehensive records check revealed a criminal record of any kind has either subsequently received a satisfactory fingerprint comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. Either the department or the appropriate ~~law enforcement~~ agencies may charge reasonable and additional processing fees for ~~performing fingerprint records checks~~ providing information pursuant to a records check application as required by statute, regulation, or policy or by GCIC.

(b) Each change of ownership applicant shall furnish to the department a records check application for the director and each employee. In lieu of such records check applications, the change of ownership applicant may submit evidence that the director and each employee at that facility received a satisfactory fingerprint comprehensive records check determination that includes a records check clearance date that is no more than 60 months old, notwithstanding Code Section 20-1A-45, or that any director or employee whose fingerprint comprehensive records check determination revealed a criminal record of any kind has either subsequently received a satisfactory fingerprint comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. Failure to comply with this provision shall prevent the department from issuing a license or commission."

SECTION 5.

Said chapter is further amended by revising Code Section 20-1A-33, relating to notification to applicant on records check, as follows:

"20-1A-33.

After being furnished the required records check application under Code Section 20-1A-32, the department shall notify the license, commission, or change of ownership applicant and the ~~fingerprint~~ records check applicant in writing whether the department's determination as to a potential director or potential employee is satisfactory or unsatisfactory. If the ~~fingerprint~~ comprehensive records check determination was satisfactory as to the potential director and each potential employee of a license applicant's facility, that applicant may be issued a license or commission for that facility if the applicant otherwise qualifies for a license or commission under Article 1 of this chapter. If the ~~fingerprint~~ comprehensive records check determination for a potential director or any potential employee revealed a criminal record, such potential director or potential employee shall not be allowed to ~~reside at an early care and education program or be present in the early care and education program at the facility~~ while any child is present for care or to reside in the facility until he or she either has obtained a satisfactory ~~fingerprint~~ comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. The department shall revoke the license or commission of an early care and education program if the early care and education program fails to comply with the requirements of this Code section."

SECTION 6.

Said chapter is further amended by revising Code Section 20-1A-34, relating to check of fingerprints on national level, satisfactory determination prior to employment, and additional records checks, as follows:

"20-1A-34.

(a) The department shall receive a records check application, as may be required by the department and allowed under federal law, for any individual that cares for children through a program that receives, either directly or indirectly, federal funds through the department for the care of children. Upon receipt of such records check application, the department shall comply with all rules of the GCIC and the Federal Bureau of Investigation for the request and receipt of national fingerprint based criminal history reports. Such individuals shall also submit all necessary applications, fees, and acceptable fingerprints to the GCIC. Within ten days after receiving fingerprints acceptable to GCIC, the application, and fee, GCIC shall notify the department in writing of any derogatory finding, including, but not limited to, any criminal record, of the state fingerprint records check or if there is no such finding. The GCIC shall also conduct a search of Federal Bureau of Investigation records and fingerprints and notify the department in writing of the results of such search. Upon receipt of the bureau's report, the department shall make a national fingerprint records check determination. If

the fingerprint records check determination is unsatisfactory for an individual, the department shall notify the provider and the employee of such determination in writing, and no such individual shall be allowed to ~~reside at the location or~~ be present at the ~~location~~ facility when any child is present for care or to reside in the facility until he or she either has obtained a satisfactory fingerprint comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. The department shall cease to issue funds, either directly or indirectly, to any individual or program that willfully and continually fails to comply with the requirements of this Code section.

(b) Every potential employee of the department or contractor performing duties on behalf of the department who may have any reason to be present at a licensed or commissioned early care and education program while any child is present for care must receive a satisfactory fingerprint comprehensive records check determination or have had an unsatisfactory fingerprint comprehensive records check determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45, prior to being present at a licensed or commissioned early care and education program while children are present for care. Every current employee of the department who may have any reason to be present at a licensed or commissioned early care and education program while any child is present for care must receive a satisfactory fingerprint comprehensive records check determination or have had an unsatisfactory fingerprint comprehensive records check determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. Every employee of the department shall undergo additional fingerprint comprehensive records checks determinations such that the time between such additional fingerprint comprehensive records checks determinations and that employee's previous fingerprint comprehensive records check determination shall not exceed five years, notwithstanding Code Section 20-1A-45. The department shall maintain documentation in the appropriate personnel file indicating that such person has obtained such current satisfactory fingerprint comprehensive records check determination or has had an unsatisfactory fingerprint comprehensive records check determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45."

SECTION 7.

Said chapter is further amended by revising Code Section 20-1A-35, relating to provisional employees, records checks requirements, and revocation of license, commission, or permit for violations, as follows:

"20-1A-35.

(a) Where there is need for a provisional employee to work at a licensed, commissioned, or permitted early care and education program facility, such early care and education program may utilize an individual as a provisional employee only after the ~~director reviews a preliminary records check and makes~~ individual receives a satisfactory determination pursuant to rules and regulations promulgated by the department in accordance with this article. No such provisional employee shall ~~reside~~

~~in an early care and education program or be present in the early care and education program at a facility while any child is present for care or reside in a facility until such satisfactory preliminary records check determination has been made based upon GCIC information obtained from local law enforcement within the prior ten days. The board shall be authorized to define and enforce by all regulations, including, but not limited to, the length of time a provisional employee may be present at a facility without a fingerprint records check determination pertaining to provisional employees. The department may revoke the license, commission, or permit of an early care and education program if the early care and education program fails to comply with the requirements of this Code section and allows a person with an unsatisfactory preliminary records check determination to reside in an early care and education program or be present at an early care and education program while children are present for care~~ rules and regulations pertaining to provisional employees.

(b) If the department determines a licensed, commissioned, or permitted early care and education program knows or should reasonably know that a provisional employee has a criminal record and allows the provisional employee to ~~reside at an early care and education program or be present at an early care and education program at a facility~~ while children are present for care or to reside at a facility, the department shall revoke the license, commission, or permit for that early care and education program."

SECTION 8.

Said chapter is further amended by revising Code Section 20-1A-36, relating to certain offenders prohibited as employees of facilities, as follows:

"20-1A-36.

No licensed, commissioned, or permitted facility operated as an early care and education program or similar facility or any operator of such a facility shall allow any person who has been convicted of or who has entered a plea of guilty or nolo contendere to any offense specified in Code Section 16-12-1.1 to ~~reside in an early care and education program or be present at an early care and education program~~ a facility while children are present for care or allow any such person to reside at in or be domiciled at such facility in violation of Code Section 16-12-1.1. The department shall either deny the issuance of or revoke the license, commission, or registration of any such facility violating the provisions of this Code section. The powers and duties set forth in this Code section are cumulative and not intended to limit the powers and duties set forth throughout this article."

SECTION 9.

Said chapter is further amended by revising Code Section 20-1A-37, relating to individuals residing in family child care learning home or at certain programs and records check requirements, as follows:

"20-1A-37.

Notwithstanding any other provision of this article, ~~an individual~~ a director or employee who resides in a family child care learning home, as defined by Code Section 20-1A-2,

or at any program as determined by the department and allowed under federal law to receive, either directly or indirectly, federal funds through the department for the care of children shall be required to provide a ~~fingerprint~~ records check application to the department. Upon receipt of such records check application, the department shall comply with all the rules and regulations promulgated by the GCIC and the Federal Bureau of Investigation for the request and receipt of national fingerprint based criminal history reports. Such individuals shall also submit all necessary applications, fees, and acceptable fingerprints to the GCIC and appropriate agencies. If the ~~fingerprint~~ comprehensive records check determination is unsatisfactory, the department shall notify the provider and the employee of such determination in writing, and no such individual shall be allowed to ~~reside at the location~~ or be present at the ~~location~~ facility when any child is present for care or to reside in the facility until he or she either has obtained a satisfactory ~~fingerprint~~ comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. The department shall revoke the license, commission, or permit of a family child care learning home if the family child care learning home fails to comply with the requirements of this Code section."

SECTION 10.

Said chapter is further amended by revising Code Section 20-1A-38, relating to change of directors and records check requirements, as follows:

"20-1A-38.

(a) If the director of a licensed, commissioned, or permitted early care and education program ceases to be the director of that early care and education program, the license holder, commission holder, or permit holder shall thereupon designate a new director. After such change, the license holder, commission holder, or permit holder of that early care and education program shall notify the department of such change and of any additional information the department may require regarding the newly designated director of that early care and education program, including a ~~fingerprint~~ records check application. Such individuals shall also submit all necessary applications, fees, and acceptable fingerprints to ~~the~~ GCIC and appropriate agencies. If the department determines that such newly designated director has received a satisfactory ~~fingerprint~~ comprehensive records check determination that includes a records check clearance date that is no more than 12 months old, notwithstanding Code Section 20-1A-45, or had an unsatisfactory determination reversed pursuant to Code Section 20-1A-43 within the prior 12 months, notwithstanding Code Section 20-1A-45, such determination shall be deemed to be satisfactory for purposes of this article.

(b) If the department determines under subsection (a) of this Code section that a licensed, commissioned, or permitted early care and education program knows or should reasonably know that the newly designated director has a criminal record or an unsatisfactory determination issued by the department that has not been reversed pursuant to Code Section 20-1A-43, notwithstanding Code Section 20-1A-45, and

allows the director to ~~reside at an early care and education program~~ or be present at an ~~early care and education program~~ a facility while children are present for care or to reside in the facility, then the license, commission, or permit for that facility program shall be revoked."

SECTION 11.

Said chapter is further amended by revising Code Section 20-1A-39, relating to potential employees, current employees and directors, records check requirements, satisfactory records check, and liability for hiring ineligible employee, as follows:

"20-1A-39.

(a) Before a person may become an employee of any early care and education program after that early care and education program has received a license or commission, that early care and education program shall require that person to obtain a satisfactory fingerprint comprehensive records check determination. All potential employees, excluding students currently enrolled in an early education curriculum through an accredited school of higher education, may submit evidence, satisfactory to the department, that the potential employee received a satisfactory fingerprint comprehensive records check determination that includes a records check clearance date that is no more than 12 months old, notwithstanding Code Section 20-1A-45, or that any potential employee whose fingerprint comprehensive records check revealed a criminal record of any kind has either subsequently received a satisfactory fingerprint comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. A student currently enrolled in an early education curriculum through an accredited school of higher education may submit evidence, satisfactory to the department, that the student received a satisfactory fingerprint comprehensive records check determination that includes a records check clearance date that is no more than 24 months old, notwithstanding Code Section 20-1A-45, or that such student whose fingerprint comprehensive records check determination revealed a criminal record of any kind has either subsequently received a satisfactory fingerprint comprehensive records check determination or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. The licensed or commissioned early care and education program shall maintain documentation in the employee's personnel file, which is available to the department upon request, which reflects that a satisfactory fingerprint comprehensive records check determination was received before the employee is eligible to ~~reside at an early care and education program~~ or be present at a ~~licensed or commissioned early care and education program~~ facility while children are present for care or to reside in a facility. If the fingerprint comprehensive records check determination for any potential employee reveals a criminal record of any kind, such potential employee shall be ineligible to ~~reside at an early care and education program~~ or be present at an ~~early care and education program~~ a facility while children are present for care or to reside in a facility until such potential employee has either obtained a satisfactory fingerprint

comprehensive records check determination or has had the unsatisfactory fingerprint comprehensive records check determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. If the fingerprint comprehensive records check determination is unsatisfactory, the licensed or commissioned early care and education program shall, after receiving notification of such unsatisfactory determination, take such immediate steps as are necessary so that such person ~~no longer resides at the early care and education program~~ or is no longer present at the ~~early care and education program~~ facility while children are present for care and no longer resides in the facility. The department shall revoke the license or commission of an early care and education program if the early care and education program fails to comply with the requirements of this Code section.

~~(b) By no later than January 1, 2017, every current employee and director of any licensed or commissioned early care and education program shall obtain either a satisfactory fingerprint records check determination or shall have had an unsatisfactory fingerprint records check determination reversed in accordance with Code Section 20-1A-43. The early care and education program shall maintain such documentation in the appropriate personnel file, which is available to the department immediately upon request. If the fingerprint records check determination is unsatisfactory, the licensed or commissioned early care and education program shall, after receiving notification of the determination, take such steps as are necessary so that such person no longer resides at the early care and education program or is no longer present at the early care and education program while children are present for care. The department shall revoke the license or commission of an early care and education program if the early care and education program fails to comply with the requirements of this Code section.~~

~~(e)~~(b) Effective January 1, 2019, every employee and director of any licensed or commissioned early care and education program shall undergo additional fingerprint comprehensive records checks determinations such that the time between such additional fingerprint comprehensive records checks determinations and that employee's or director's previous fingerprint comprehensive records check determination shall not exceed five years, notwithstanding Code Section 20-1A-45. The early care and education program shall maintain documentation in the appropriate personnel file, which is available to the department immediately upon request, indicating that such person has obtained such current satisfactory fingerprint comprehensive records check determination or has had an unsatisfactory fingerprint comprehensive records check determination reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. The department shall revoke the license or commission of an early care and education program if the early care and education program fails to comply with the requirements of this Code section.

~~(d)~~(c) A license or commission shall be subject to ~~suspension~~ or revocation and the department may refuse to issue a license or commission if a director or employee does not undergo the fingerprint comprehensive records check determination applicable to that director or employee and receive acceptable determinations.

~~(e)~~(d) After the issuance of a license, commission, or permit, the department may

require additional ~~fingerprint~~ comprehensive records check determinations on any director or employee when the department has reason to believe the director or employee has a criminal record that renders the director or employee ineligible to have contact with children in the early care and education program, or during the course of a child abuse investigation involving the director or employee.

~~(f)(e)~~ No licensed or commissioned early care and education program may allow any person to ~~reside at an early care and education program or be present at a licensed or permitted early care and education program facility~~ while children are present for care or to reside in a facility as a director or an employee unless there is on file in the early care and education program an employment history and a satisfactory ~~fingerprint comprehensive~~ records check determination or proof that an unsatisfactory determination has been reversed in accordance with Code Section 20-1A-43, notwithstanding Code Section 20-1A-45. The department shall revoke the license or commission of any early care and education program if the early care and education program fails to comply with the requirements of this Code section.

~~(g)(f)~~ A license holder, commission holder, permit holder, or director of a licensed, commissioned, or permitted early care and education program ~~having that allows~~ an employee or director about whom such license holder, commission holder, permit holder, or director knows or should reasonably know to have a criminal record that renders the employee or director ineligible to have contact with children ~~in the early care and education program~~ to be present at a facility while children are present for care or to reside in a facility shall be guilty of a misdemeanor."

SECTION 12.

Said chapter is further amended by adding a new Code section to read as follows:

"20-1A-45.

A satisfactory comprehensive records check determination shall be no longer valid for an employee or director who has been separated from employment for more than 180 consecutive days from an early care and education program or any program that received, either directly or indirectly, federal funds through the department for the care of children."

SECTION 13.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 494, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/21/2018

Due to business outside the Senate Chamber, I missed the vote on HB 494. Had I been present, I would have voted "Yes".

/s/ Greg Kirk
District 13

HB 671. By Representatives Dunahoo of the 30th, Epps of the 144th, Barr of the 103rd, McCall of the 33rd, Pruett of the 149th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, causes, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to benefit the Georgia Beekeepers Association; to provide for related matters; to provide for an

effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Wilkinson of the 50th.

The Senate Committee on Public Safety offered the following substitute to HB 671:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to revise the definition of authentic historical Georgia license plates and the use of such plates; so as to establish a specialty license plate to benefit the Georgia Beekeepers Association; to provide for related matters; to provide for an effective date and applicability; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, is amended by revising Code Section 40-2-41.1, relating to authentic historical Georgia license plates, as follows:

"40-2-41.1.

(a) As used in this Code section, the term 'authentic historical Georgia license plate' means a license plate originally issued in the year ~~1970~~ 1989 or earlier and originally required to be displayed on motor vehicles operated upon the streets and highways of this state in the year ~~1970~~ 1989 or earlier pursuant to former motor vehicle registration laws of this state.

(b) The owner of any antique motor vehicle manufactured in ~~1970~~ 1989 or earlier shall be authorized to display in lieu of and in the same manner as the license plate otherwise required under Code Section 40-2-41 an authentic historical Georgia license plate which clearly represents the model year within four years of any such antique motor vehicle, provided that the owner has properly registered such antique motor vehicle for the current year as otherwise required under this chapter and has obtained a current Georgia license plate or revalidation decal for such antique motor vehicle. Such currently valid Georgia license plate shall be kept in such antique motor vehicle at all times but need not be displayed in a manner to be visible from outside the vehicle.

(c) For purposes of this Code section, the authentic historical Georgia license plate shall be furnished by the owner of any such antique motor vehicle.

(d) No later than January 1, 2006, the commissioner shall have installed within the department's computer information system applicable to the registration of motor vehicles the necessary program which will include in the information relating to the

current Georgia license plate or revalidation decal issued for an antique motor vehicle the information relating to the authentic historical Georgia license plate authorized to be displayed on such antique motor vehicle."

SECTION 2.

Said chapter is further amended in Code Section 40-2-86, relating to special license plates promoting and supporting certain beneficial projects, causes, agencies, funds, or nonprofit corporations, by adding a new paragraph to subsection (m) to read as follows:

"(14) A special license plate promoting the conservation and protection of the official insect of this state, the honey bee. The funds raised by the sale of this special license plate shall be disbursed to the Georgia Beekeepers Association and shall be used to increase public awareness of the importance of the conservation of the honey bee and for funding and supporting numerous association programs, including but not limited to the training and education of both new and experienced beekeepers, prison beekeeper programs, grants to beekeeping related nonprofit corporations, beekeeping research facilities in this state, and projects that encourage public support for the license plate and the activities it funds. Such special license plate shall include the phrase 'Save the Honey Bee' in lieu of the county of issuance."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

In accordance with the requirements of Article III, Section IX, Paragraph VI(n) of the Constitution of the State of Georgia, Section 2 this Act shall not become law unless it receives the requisite two-thirds' majority vote in both the Senate and the House of Representatives.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 671, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/21/2018

Due to business outside the Senate Chamber, I missed the vote on HB 671. Had I been present, I would have voted "Yes".

/s/ Greg Kirk
District 13

HB 700. By Representatives Belton of the 112th, Hitchens of the 161st, Bonner of the 72nd, Glanton of the 75th, Prince of the 127th and others:

A BILL to be entitled an Act to amend Code Section 20-3-374 of the Official Code of Georgia Annotated, relating to service cancelable loan fund and authorized types of service cancelable educational loans financed by state funds and issued by the Georgia Student Finance Authority, so as to include graduate degree programs; to require application for additional educational assistance programs; to implement a two-year service requirement; to correct references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Watson of the 1st.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 700, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3/21/2018

Due to business outside the Senate Chamber, I missed the vote on HB 700. Had I been present, I would have voted "Yes".

/s/ Greg Kirk
District 13

HB 701. By Representatives Tanner of the 9th, Cooper of the 43rd, Hitchens of the 161st, Newton of the 123rd and Powell of the 32nd:

A BILL to be entitled an Act to amend Code Section 45-20-110, relating to definitions for drug testing for state employment, so as to allow for testing for

all forms of opioids; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Watson of the 1st.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 701, having received the requisite constitutional majority, was passed.

HB 718. By Representatives Scott of the 76th, Stovall of the 74th, Nelson of the 125th, Thomas of the 39th and Beasley-Teague of the 65th:

A BILL to be entitled an Act to amend Subpart 2 of Part 1 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance, so as to excuse certain absences of students with parents in service of the armed forces of the United States, the Reserves, or the National Guard or veterans of same; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Anderson of the 43rd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

HB 718, having received the requisite constitutional majority, was passed.

Senator Strickland of the 17th was excused for business outside the Senate Chamber.

HB 739. By Representatives Williams of the 168th, Belton of the 112th, Stephens of the 164th and Hitchens of the 161st:

A BILL to be entitled an Act to amend Subpart 1 of Part 6 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to employment of certificated professional personnel in elementary and secondary education, so as to give a short title to a Code section relating to qualification for certain certificates for military spouses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Watson of the 1st.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 739, having received the requisite constitutional majority, was passed.

Senator Payne of the 54th was excused for business outside the Senate Chamber.

HB 740. By Representatives Nix of the 69th, Howard of the 124th, Dempsey of the 13th, Chandler of the 105th, Trammell of the 132nd and others:

A BILL to be entitled an Act to amend Subpart 1A of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to improved student learning environment and discipline in elementary and secondary education, so as to require local school systems to conduct certain screenings, assessments, and reviews prior to expelling or assigning a student in kindergarten through third grade to out-of-school suspension for five or more consecutive or cumulative days during a school year; to provide exceptions; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Dugan of the 30th.

The Senate Committee on Education and Youth offered the following substitute to HB 740:

A BILL TO BE ENTITLED
AN ACT

To amend Subpart 1A of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to improved student learning environment and discipline in elementary and secondary education, so as to require local school systems to conduct certain multi-tiered system of supports and reviews prior to expelling or assigning a student in preschool through third grade to out-of-school suspension for more than five consecutive or cumulative days during a school year; to provide for informed parental consent; to provide exceptions; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Subpart 1A of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to improved student learning environment and discipline in elementary and secondary education, is amended by adding a new Code section to read as follows:

"20-2-742.

(a) As used in this Code section, the term:

(1) 'Multi-tiered system of supports' or 'MTSS' means a systemic, continuous-improvement framework in which data based problem-solving and decision making is practiced across all levels of the educational system for supporting students at multiple levels of intervention.

(2) 'Public preschool through third grade' means a public preschool, a Pre-K program in a public school administered pursuant to Code Section 20-1A-4, and kindergarten through third grade in a public school.

(3) 'Response to intervention' or 'RTI' means a framework of identifying and addressing the academic and behavioral needs of students through a tiered system.

(4) 'Weapon' shall include dangerous weapons, firearms, and hazardous objects as defined in Code Section 20-2-751.

(b) No student in public preschool through third grade shall be expelled or suspended from school for more than five consecutive or cumulative days during a school year without first receiving a multi-tiered system of supports, such as response to intervention, unless such student possessed a weapon, illegal drugs, or other dangerous instrument or such student's behavior endangers the physical safety of other students or school personnel. If such student is receiving or has received a multi-tiered system of supports, the school shall be deemed to have met the requirements of this Code section. The school or program shall comply with all federal laws and requirements regarding

obtaining parental consent during any advanced tier within the system of supports prior to certain screenings or evaluations.

(c) In addition to the requirements in subsection (b) of this Code section, prior to assigning any student in preschool through third grade to out-of-school suspension for more than five consecutive or cumulative days during a school year, if such student has an Individualized Education Program (IEP) pursuant to the federal Individuals with Disabilities Education Act or a plan under Section 504 of the federal Rehabilitation Act of 1973, the school or program shall also convene an IEP or Section 504 meeting to review appropriate supports being provided as part of such Individualized Education Program or Section 504 plan."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Ligon, Jr. of the 3rd and McKoon of the 29th offered the following amendment #1:

Amend the Senate Committee on Education and Youth Substitute (LC 33 7422S) to HB 740 by:

Striking lines 33 through 35 and inserting in lieu thereof the following:

deemed to have met the requirements of this Code section. The school or program shall obtain parental consent prior to conducting screens or evaluations.

Senator McKoon of the 29th offered the following amendment #1a:

Amend Amendment 1 to HB 740 by inserting following the word "consult" on Line 5 "or consent of a legal guardian"

On the adoption of amendment #1a, there were no objections, and the McKoon amendment #1a to the Ligon, McKoon amendment #1 to the committee substitute was adopted.

On the adoption of amendment #1 as amended, the President asked unanimous consent.

Senator Tippins of the 37th objected.

On the adoption of the amendment, the yeas were 5, nays 35, and the Ligon, McKoon amendment #1 as amended to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	E Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	N Miller	Y Wilkinson
Y Heath	Y Mullis	E Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 5.

HB 740, having received the requisite constitutional majority, was passed by substitute.

HB 779. By Representatives Powell of the 32nd, Rogers of the 10th, Rhodes of the 120th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 3 of Title 38 of the O.C.G.A., relating to emergency management, so as to establish the homeland security division of the Georgia Emergency Management and Homeland Security Agency; to amend Code Section 16-11-130 of the O.C.G.A., relating to exemptions from Code Sections 16-11-126 through 16-11-127.2, so as to authorize any officer or agent or retired officer or agent of such division to carry a handgun on or off duty within this state with an exception; to amend Chapter 3 of Title 35 of the O.C.G.A., relating to the Georgia Bureau of Investigation, so as to revise the duties of the director of the Georgia Bureau of Investigation pertaining to the Georgia Information Sharing and Analysis Center; to revise the duties of the Georgia Information Sharing and Analysis

Center; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Cowsert of the 46th.

The Senate Committee on Public Safety offered the following substitute to HB 779:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management, so as to revise the duties of the director of the Georgia Emergency Management and Homeland Security Agency; to provide for definitions; to create the Board of Homeland Security; to provide for membership for such board; to provide for duties and responsibilities of such board; to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to revise the duties of the director of the Georgia Bureau of Investigation pertaining to the Georgia Information Sharing and Analysis Center; to revise the duties of the Georgia Information Sharing and Analysis Center; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to emergency management, is amended by revising Code Section 38-3-3, relating to definitions, as follows:

"38-3-3.

As used in Articles 1 through 3 of this chapter, the term:

(1) 'Bioterrorism' means the intentional creation or use of any microorganism, virus, infectious substance, or any component thereof, whether naturally occurring or bioengineered, to cause death, illness, disease, or other biological malfunction in a human, animal, plant, or other living organism in order improperly or illegally to influence the conduct of government, to interfere with or disrupt commerce, or to intimidate or coerce a civilian population.

(2) 'Emergency management' means the preparation for the carrying out of all emergency functions other than functions for which military forces are primarily responsible to prevent, minimize, and repair injury and damage resulting from emergencies, energy emergencies, disasters, or the imminent threat thereof, of manmade or natural origin caused by enemy attack, sabotage, acts of domestic or international terrorism, civil disturbance, fire, flood, earthquake, wind, storm, wave

action, oil spill or other water contamination requiring emergency action to avert danger or damage, epidemic, air contamination, blight, drought, infestation, explosion, riot or other hostile action, radiological action, or other causes. These functions include, without limitation, fire-fighting services; police services; emergency medical services; rescue; engineering; warning services; communications; defense from radiological, chemical, biological, and other special weapons to include weapons of mass destruction; evacuation of persons from stricken areas; emergency welfare services; consequence management functions to include victim services; emergency transportation; plant protection; temporary restoration of public utility services; and other functions related to civilian protection, together with all other activities necessary or incidental to the preparation for and carrying out of the foregoing functions.

(2.1) 'Emergency Operations Command' means the unified command group comprising the director of emergency management and homeland security, the director of the Georgia Bureau of Investigation, the commissioner of public safety, the commissioner of natural resources, the commissioner of transportation, and the adjutant general.

(3) 'Energy emergency' means a condition of danger to the health, safety, welfare, or economic well-being of the citizens of this state arising out of a present or threatened shortage of usable energy resources; also any condition of substantial danger to the health, safety, or welfare of the citizens of this state resulting from the operation of any electrical power-generating facility, the transport of any energy resource by any means whatsoever, or the production, use, or disposal of any source material, special nuclear material, or by-product, as defined by the Atomic Energy Act of 1954, 68 Stat. 919, 42 U.S.C. Section 2011, et seq.; also any nuclear incident, as defined by the Atomic Energy Act of 1954, occurring within or outside this state, substantially affecting the health, safety, or welfare of the citizens of this state.

(4) 'Energy resources' means all forms of energy or power including, without limitation, oil, gasoline, and other petroleum products; natural or synthetic gas; electricity in all forms and from all sources; and other fuels of any description, except wood.

(4.1) 'Homeland security activity' shall have the same meaning as provided for in Code Section 35-3-200.

~~(4.1)~~(4.2) 'Pandemic influenza emergency' means the declaration by the World Health Organization of at least a Phase 5 Pandemic Alert for influenza occurring in the United States or the State of Georgia or the declaration by the Centers for Disease Control and Prevention of at least a Category 2 Pandemic Severity Index for influenza occurring in the United States or the State of Georgia.

(5) 'Political subdivision' means:

(A) Cities having a population of over 1,000;

(B) Cities having a population of less than 1,000 in which the Governor has established a local organization; and

(C) Counties.

(6) 'Public health emergency' means the occurrence or imminent threat of an illness or health condition that is reasonably believed to be caused by bioterrorism or the appearance of a novel or previously controlled or eradicated infectious agent or biological toxin and poses a high probability of any of the following harms:

(A) A large number of deaths in the affected population;

(B) A large number of serious or long-term disabilities in the affected population;
or

(C) Widespread exposure to an infectious or toxic agent that poses a significant risk of substantial future harm to a large number of people in the affected population.

(7) 'State of emergency' means the condition declared by the Governor when, in his or her judgment, the threat or actual occurrence of a disaster, emergency, or energy emergency in any part of the state is of sufficient severity and magnitude to warrant extraordinary assistance by the state to supplement the efforts and available resources of the several localities and relief organizations in preventing or alleviating the damage, loss, hardship, or suffering threatened or caused thereby."

SECTION 1-2.

Said chapter is further amended by revising Code Section 38-3-20, relating to Georgia Emergency Management and Homeland Security Agency created, director, staff, offices, director's duties, and disaster coordinator, as follows:

"38-3-20.

(a) There is established the Georgia Emergency Management and Homeland Security Agency with a director of emergency management and homeland security who shall be the head thereof. The Georgia Emergency Management and Homeland Security Agency shall be assigned to the Office of Planning and Budget for administrative purposes only as provided in Code Section 50-4-3.

(b) The Governor shall appoint the director of emergency management and homeland security. He or she shall hold office at the pleasure of the Governor, who shall fix his or her compensation. The director of emergency management and homeland security shall hold no other state office.

(c) The director may employ such professional, technical, clerical, stenographic, and other personnel, may fix their compensation, and may make such expenditures within the appropriation therefor, or from other funds made available for purposes of emergency management and homeland security, as may be necessary to carry out the purposes of Article 9 of Chapter 3 of Title 35; Article 1, this article, and Article 3 of this chapter; and the duties of the agency and the director described in Part 4 of Article 2 of Chapter 5 of Title 46, the 'Georgia Emergency Telephone Number 9-1-1 Service Act of 1977,' as amended.

(d) The director and other personnel of the Georgia Emergency Management and Homeland Security Agency shall be provided with appropriate office space, furniture, equipment, supplies, stationery, and printing in the same manner as provided for personnel of other state agencies.

(e) The director, subject to the direction and control of the Governor, shall:

- (1) Be the executive head of the Georgia Emergency Management and Homeland Security Agency and shall be responsible to the Governor for carrying out the program for emergency management and homeland security in this state;
 - (2) Serve as the central authority reporting to the Governor on all matters relating to homeland security;
 - (3) Have ~~command and control~~ authority over ~~all operational~~ areas involving imminent or current terrorist activity within this state, including, but not limited to, leading and directing the actions of the Homeland Security Task Force and the ~~Homeland Security Central Command when activated by the Governor~~ Emergency Operations Command and such Emergency Operations Command shall be responsible for coordinating the public safety response to natural disasters, homeland security activities, and other emergencies within the state;
 - (4) Coordinate the activities of all organizations for emergency management and homeland security within the state;
 - (5) Maintain liaison with and cooperate with emergency management agencies and organizations of other states and of the federal government;
 - (6) ~~Oversee all~~ Through risk and threat assessments, ~~and~~ coordinate ~~all~~ plans for timely and complete responses through a network of state, local, and federal organizations, including, but not limited to, the coordination of efficient and timely flow of information;
 - (7) Be responsible for crisis and consequence management planning, including, but not limited to, measures to identify, acquire, and plan the use of resources needed to anticipate, prevent, or resolve a threat or act of terrorism;
 - (8) Coordinate and review ~~all~~ activities involving homeland security within any agency, authority, or entity of this state, including, but not limited to, ~~oversight of~~ homeland security activities found within the Department of Public Safety, the Georgia Bureau of Investigation, the Georgia National Guard, the Department of Natural Resources, the Department of Community Health, and the Department of Public Health;
 - (9) Evaluate information developed by the criminal justice community in regard to threats or potential threats of terrorism; ~~and~~
 - (10) Serve as this state's security manager for the purpose of identifying and processing state personnel for security clearances through the United States Department of Homeland Security; and
 - (11) Have such additional authority, duties, and responsibilities authorized by Article 1, this article, and Article 3 of this chapter as may be prescribed by the Governor and such additional authority, duties, and responsibilities as described in Article 9 of Chapter 3 of Title 35 and Part 4 of Article 2 of Chapter 5 of Title 46, the 'Georgia Emergency Telephone Number 9-1-1 Service Act of 1977,' as amended.
- (f) The director of emergency management and homeland security shall also be the disaster coordinator and shall act for the Governor when requested to do so."

SECTION 1-3.

Said chapter is further amended by repealing Code Section 38-3-22.2, relating to establishment of the Airport Antiterrorism Training Committee and annual training, in its entirety.

SECTION 1-4.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 2A

38-3-40.

As used in this article, the term:

- (1) 'Board' means the Board of Homeland Security.
- (2) 'Center' means the Georgia Information Sharing and Analysis Center.
- (3) 'Critical infrastructure' shall have the same meaning as set forth in Code Section 16-11-220.
- (4) 'Domestic terrorism' shall have the same meaning as set forth in Code Section 16-11-220.
- (5) 'Public transportation system' shall have the same meaning as set forth in Code Section 16-11-220.
- (6) 'Serious bodily harm' shall have the same meaning as set forth in Code Section 16-11-220.
- (7) 'State or government facility' shall have the same meaning as set forth in Code Section 16-11-220.

38-3-41.

(a) There is created a Board of Homeland Security that shall, for administrative purposes only, be attached to the Georgia Emergency Management and Homeland Security Agency.

(b) The board shall consist of 16 members who shall be as follows:

- (1) The Governor, ex officio, who shall be chairperson of the board;
- (2) The director of emergency management and homeland security;
- (3) The director of the Georgia Bureau of Investigation;
- (4) The commissioner of public safety;
- (5) The Attorney General or his or her designee who shall be the deputy attorney general or an assistant attorney general;
- (6) The adjutant general;
- (7) The commissioner of natural resources;
- (8) The commissioner of public health;
- (9) The State School Superintendent;
- (10) The commissioner of transportation;
- (11) The Commissioner of Agriculture;
- (12) The executive director of the Georgia Technology Authority; and

(13) Five appointees of the Governor who shall be individuals from the public or private sector who are directly involved in policy, program, security, or funding activities relevant to homeland security or infrastructure protection; provided, however, that one such appointment shall be a sheriff, one such appointment shall be a member of the Senate, one such appointment shall be a member of the House of Representatives, and one such appointment shall be a chief executive of a law enforcement agency of a county or a municipality. Such appointees under this paragraph shall serve at the pleasure of the Governor.

(c)(1) Any legislative members of the board who may be appointed pursuant to paragraph (13) of subsection (b) of this Code section shall receive the allowances provided for in Code Section 28-1-8.

(2) Members of the board who are state or local government officials, other than legislative members, or state or local government employees shall receive no compensation for their services on the board, but they may be reimbursed for expenses incurred by them in the performance of their duties as members of the board in the same manner as they are reimbursed for expenses in their capacities as state or local government officials or state or local government employees.

(3) Members of the board who are not legislators, state or local government officials, or state or local government employees shall receive a daily expense allowance in an amount the same as that specified in subsection (b) of Code Section 45-7-21, as well as the mileage or transportation allowance authorized for state employees.

(4) Funds for the reimbursement of the expenses of state or local government officials, other than legislative members, and state or local government employees shall come from funds appropriated to or otherwise available to their respective governments, departments, authorities, or agencies.

38-3-42.

(a) The board shall advise the Governor on:

(1) The implementation of the homeland security strategy by state and local agencies and provide specific guidance and counsel for helping those agencies implement the strategy; and

(2) All matters related to the planning, development, coordination, and implementation of initiatives to promote the homeland security strategy of the state.

(b) The board shall develop a state-wide homeland security strategy that improves the state's ability to:

(1) Protect against, respond to, and recover from domestic terrorism and other homeland security threats and hazards; and

(2) Mitigate loss of life and property by lessening the impact of future homeland security threats and hazards.

(c) The board's homeland security strategy shall coordinate homeland security activities among and between local, state, and federal agencies and the private sector and shall include specific plans for:

(1) Intelligence gathering, analysis, and sharing;

- (2) Reducing the state's vulnerability to domestic terrorism and other homeland security threats and hazards;
- (3) Protecting critical infrastructure, public transportation systems, and state or government facilities;
- (4) Protecting the state's ports and airports;
- (5) Detecting, deterring, and defending against domestic terrorism and cyber, biological, chemical, and nuclear terrorism;
- (6) Positioning equipment, technology, and personnel to improve the state's ability to respond to a homeland security threats and hazards;
- (7) Providing the center certain forms of authority to aid the Georgia Emergency Management and Homeland Security Agency in implementing the homeland security strategy of this state; and
- (8) Using technological resources to:
 - (A) Facilitate the interoperability of governmental technology resources, including data, networks, and applications;
 - (B) Coordinate the warning and alert systems of state and local agencies;
 - (C) Incorporate multidisciplinary approaches to homeland security; and
 - (D) Improve the security of governmental and private sector information technology and information resources.
- (d) The homeland security strategy shall complement and operate in coordination with federal strategic guidance on homeland security.
- (e) The board shall adopt rules and regulations which shall be adopted, established, promulgated, amended, repealed, filed, and published in accordance with the applicable provisions and procedures set forth in Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' The courts shall take judicial notice of any such rules or regulations. As used in this subsection, the term 'rules and regulations' shall have the same meaning as the word 'rule' as defined in paragraph (6) of Code Section 50-13-2."

PART II
SECTION 2-1.

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended by revising Article 9 of Chapter 3, relating to the Georgia Information Sharing and Analysis Center, as follows:

"ARTICLE 9

35-3-200.

As used in this article, the term:

- (1) 'Center' means the Georgia Information Sharing and Analysis Center.
- (2) 'Fusion center' means collaborative effort which combines resources, expertise, intelligence, and other information from various agencies of state and local governments with the goal of maximizing the ability of this state to detect, prevent,

and respond to criminal activities or to otherwise engage in homeland security activities.

(3) 'Homeland security activity' means any activity related to the prevention or discovery of, response to, or recovery from:

- (A) A terrorist attack;
- (B) A hostile military or paramilitary action; or
- (C) An extraordinary law enforcement emergency, as designated by the Governor.

35-3-201.

There is established the Georgia Information Sharing and Analysis Center as a distinct division within the Georgia Bureau of Investigation. The center shall be a fusion center maintaining criminal intelligence and terrorism analytical components. The officer or agent charged with operating the center shall report directly to the director.

35-3-202.

~~(a) Responsibility for the development, maintenance, and operations of the center shall be vested in the director.~~

~~(b) The director shall appoint and maintain the necessary professional and support staff to enable the center to effectively and efficiently carry out its duties and responsibilities under this article Reserved.~~

35-3-203.

(a) ~~The director through the center shall share and provide homeland security activity information to the director of emergency management and homeland security, including, but not limited to, threats, warnings, and developing situations, when an investigation reveals conduct of a terroristic nature or in material support of terroristic activities, recruitment of terrorists, or information on the activities of known terrorist organizations.~~

(b) ~~The center shall liaise with the bureau, the Federal Bureau of Investigation, Joint Terrorism Task Force, United States Department of Homeland Security, and other local, state, and federal intelligence and law enforcement officials for purposes of carrying out its duties and responsibilities under this article.~~

~~(c) The center shall allow unrestricted access to secure communications equipment to the director of emergency management and homeland security and his or her representatives who possess the appropriate federally approved security clearances for the dissemination of homeland security activity information by the United States Department of Homeland Security.~~

~~(d) The director of emergency management and homeland security shall serve as this state's security manager for the purpose of identifying and processing state personnel for security clearances through the United States Department of Homeland Security.~~

35-3-204.

(a) Membership in the center shall consist of the director, the director of emergency

management and homeland security, the commissioner of public safety, the commissioner of natural resources, the commissioner of corrections, the state fire marshal, the Attorney General, the adjutant general, and state and local fire service, law enforcement, homeland security, emergency management, corrections, and other appropriate agencies and disciplines as determined by the director of ~~emergency management and homeland security in consultation with the director~~. Such members ~~shall~~ may assign or make available their analysts or other personnel to the center as such need is determined by the director of ~~emergency management and homeland security~~.

(b) The director of emergency management and homeland security ~~shall~~ may maintain Georgia Emergency Management and Homeland Security Agency analysts in the center ~~as needed~~ as determined by the director of emergency management and homeland security. Such analysts assigned to the center who are funded by or employees of the Georgia Emergency Management and Homeland Security Agency shall focus on homeland security activity."

PART III SECTION 3-1.

All laws and parts of laws in conflict with this Act are repealed.

Senators Harper of the 7th and Albers of the 56th offered the following amendment #1:

Amend the Senate Committee on Public Safety substitute to HB 779 (LC 41 1545ERS) by replacing lines 118 and 119 with the following:

~~Central Command when activated by the Governor~~ Emergency Operations Command where such Emergency Operations Command shall not usurp the operational authority of participating agencies but shall be responsible only for coordinating the public

On the adoption of the amendment, there were no objections, and the Harper, Albers amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	E Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 779, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/21/18

Due to business inside the Senate Chamber, I missed the vote on HB 779. Had I been present, I would have voted "yes".

/s/ John F. Kennedy
District 18

Senator Martin of the 9th was excused for business outside the Senate Chamber.

HB 780. By Representative Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to financial institutions, so as to provide for numerous changes to provisions applicable to the Department of Banking and Finance and financial institutions generally, banks and trust companies, credit unions, licensed sellers of payment instruments, those licensed to cash payment instruments, and mortgage lenders and mortgage brokers; to provide for power of the commissioner to issue orders relative to state chartered

financial institutions to exercise rights and powers authorized by federal law but not authorized under state law; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kennedy of the 18th.

The Senate Committee on Banking and Financial Institutions offered the following substitute to HB 780:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to financial institutions, so as to provide for numerous changes to provisions applicable to the Department of Banking and Finance and financial institutions generally, banks and trust companies, credit unions, licensed sellers of payment instruments, those licensed to cash payment instruments, and mortgage lenders and mortgage brokers; to provide for power of the commissioner to issue orders relative to state chartered financial institutions to exercise rights and powers authorized by federal law but not authorized under state law; to provide for delivery method of required notices; to provide for the removal of officers, directors, or employees of financial institutions by the department; to provide for powers of banks; to provide for financial structure, management, merger, consolidations, and interstate acquisitions of banks and trust companies; to provide for a process by which state chartered banks and credit unions may exercise rights and powers authorized solely under federal law; to provide for operation and regulation of credit unions; to provide for the sale of payment instruments; to provide for the cashing of payment instruments; to provide for the licensing of mortgage lenders and mortgage brokers; to provide for related matters; to provide for an effective date; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to financial institutions, is amended in Code Section 7-1-6, relating to notices and waivers of notices, by revising paragraph (1) as follows:

"(1) Any notice required to be given under this chapter may be delivered in person or by first-class mail or statutory overnight delivery to the last known address of the person or corporation or to the registered office of the corporation. If the notice is sent by first-class mail or statutory overnight delivery, it shall be deemed to have been given when deposited in the United States mail or with a commercial firm regularly engaged in the business of document delivery;"

SECTION 2.

Said chapter is further amended in Code Section 7-1-61.1, relating to expansion of power for banks and credit unions and role of commissioner, by revising subsection (b) and adding a new subsection to read as follows:

"(b) To provide parity with financial institutions whose deposits are federally insured, the commissioner may, by specific order directed to ~~an individual bank or credit union~~ or a category of banks or credit unions, grant any power conferred upon a financial institution, subject to the supervision of the federal government, to:

- (1) State chartered banks and credit unions to enable such banks and credit unions to compete; and
- (2) Subsidiaries of state chartered banks and credit unions to the same extent powers are granted to subsidiaries of national banks or federal credit unions to enable such subsidiaries of state chartered banks and credit unions to compete."

"(d) No later than ten days after the issuance of any order by the commissioner pursuant to this Code section, the commissioner shall provide a copy of such order to the chairpersons of the House Committee on Banks and Banking and Senate Banking and Financial Institutions Committee."

SECTION 3.

Said chapter is further amended in Code Section 7-1-71, relating to removal of officers, directors, or employees, by revising subsection (b) as follows:

"(b) A prohibition order, which prohibits an individual from participating in any capacity in the affairs of a financial institution, may be issued by the commissioner in connection with a suspension order issued under the authority of this Code section. Such prohibition order may provide that if an officer, director, or employee has been removed from office temporarily or permanently at a financial institution, he or she may also be prohibited from participating in any manner in the conduct of the affairs of any financial institution or any financial institution's affiliate regulated by the department during the time the prohibition order is in effect."

SECTION 4.

Said chapter is further amended in Code Section 7-1-243, relating to restrictions on banking and trust nomenclature, by revising subsection (a.1) as follows:

"(a.1) Except as provided in subsection (c) of this Code section, no person or corporation except a credit union or a federal credit union or a subsidiary of such credit union or federal credit union shall use the words 'credit union,' or any other similar name indicating that the business done is that of a credit union upon any sign at its place of business or elsewhere, or upon any of its letterheads, billheads, blank checks, blank notes, receipts, certificates, circulars, advertisements, or any other written or printed matter."

SECTION 5.

Said chapter is further amended in Code Section 7-1-285, relating to limits on obligations of one person or corporation, by revising paragraph (1) of subsection (c) as follows:

- "(1) Obligations of and obligations guaranteed by:
- (A) The United States;
 - (B) The State of Georgia or a public body thereof authorized to levy taxes; ~~or~~
 - (C) Any state of the United States or any public body thereof if the obligations or guarantees are general obligations; or
 - (D) Any agency of this state as defined in subparagraph (a)(1)(A) of Code Section 50-14-1;"

SECTION 6.

Said chapter is further amended by adding a new Code section to read as follows:

"7-1-296.

(a) For purposes of this Code section, the term 'federal power' means any banking or corporate power, right, benefit, privilege, or immunity of a national bank, the deposits of which are federally insured, that may be exercised by a national bank doing business in this state pursuant to the National Bank Act, 12 U.S.C. Section 1, et seq.; any other federal statute; or any regulation, ruling, circular, bulletin, order, or interpretation issued by the Office of the Comptroller of the Currency. Such term shall include only the provisions set forth above which were effective on January 1, 2018.

(b) Notwithstanding any other provisions of law, a bank may exercise any federal power while a national bank may also exercise such power subject to the same limitations and restrictions as are applicable to national banks, provided that the requirements of subsection (d) of this Code section have been satisfied. Nothing in this subsection shall be construed as authorizing a bank chartered by this state to exercise a federal power prior to compliance with subsection (d) of this Code section.

(c) Notwithstanding any other provisions of law, to the extent the National Bank Act, 12 U.S.C. Section 1, et seq., or any other federal law or regulation in effect on January 1, 2018, precludes or preempts or has been determined to preclude or preempt the application of any provision of law, rule, or regulation of this state, as to any national bank doing business in this state, a bank may also exercise such power authorized by the preclusion or preemption subject to the same limitations and restrictions as are applicable to a national bank, provided that the requirements of subsection (d) of this Code section have been satisfied. Nothing in this subsection shall be construed as authorizing a bank chartered by this state to exercise a federal power prior to compliance with subsection (d) of this Code section.

(d) In furtherance of the commissioner's statutory duties to regulate, supervise, and examine, a bank shall notify the commissioner in writing by certified or registered mail that, pursuant to subsection (b) or (c) of this Code section, it intends to exercise a federal power or to avail itself of any federal preclusion or preemption of any provision of law, rule, or regulation of this state. Such notice shall include the specific federal authorization of the activity to be utilized, the proposed action to be undertaken by the bank, documentation indicating that the bank satisfies the prescribed federal standards, if any, to engage in the activity, and such other information as may be required by the department. Upon receipt of such notice, the commissioner shall determine whether the

exercise of any federal power or the availing of any federal preclusion or preemption, or any part thereof, by the bank is inconsistent with the purposes of this chapter or presents undue risk to the safety and soundness of the banking system. In making such a determination, the commissioner shall consider the financial condition of the bank, the regulatory safety and soundness ratings of the bank, the ability of bank management to administer and supervise the activity, and the overall impact on the safety and soundness to all other state chartered banks. Based on such a determination, the commissioner may object to the exercise of the federal power, in whole or in part, or to the federal preclusion or preemption of the law, rule, or regulation of this state, in whole or in part, including objecting to a level or quantity above which a bank may be seeking to exercise a federal power or availing itself of any federal preclusion or preemption of law, rule, or regulation of this state. If the commissioner so objects, the commissioner shall deliver such objection in writing by certified or registered mail to the bank within 45 days of receipt of the notice; provided, however, that the commissioner may extend such period of review for an additional 45 days by providing the bank with written notice of such extension prior to the expiration of the initial notice period. If the commissioner sends such an objection, the federal power, preclusion, or preemption, or the part thereof, objected to by the commissioner shall not be exercised by the bank pursuant to subsections (b) and (c) of this Code section. The objection by the commissioner of a bank's intent to exercise a federal power or avail itself of any federal preclusion or preemption shall not preclude such bank from providing notice to the department of its intent to exercise the same federal power or to avail itself of the same federal preclusion or preemption at a later date; provided, however, that the requirements of this subsection shall be applicable for any such additional notice. Further, in the event a bank determines, after satisfying the notice provisions of this subsection, that it no longer wishes to exercise a federal power or avail itself of any federal preclusion or preemption, then such bank shall provide written notice of such fact to the commissioner by certified or registered mail.

(e) Notwithstanding the provisions of Code Section 7-1-70, the department shall publish information stating the federal powers that are being exercised or federal preemptions or preclusions that are being utilized by each bank. All other information related to the notices or objections provided under subsection (d) of this Code section are governed by Code Section 7-1-70.

(f) Notwithstanding any other provisions of law, a bank may exercise any power that was granted through an order or ruling declared by the commissioner on or before January 1, 2018, pursuant to the current or former provisions of Code Section 7-1-61, 7-1-61.1, or 7-6A-12 and which has not been rescinded or withdrawn.

(g) Any federal power or activity authorized and exercised or conducted pursuant to this Code section shall be independent from, and in addition to, any other powers granted to banks under applicable laws of this state or rules or regulations promulgated thereunder. The express and incidental powers granted to banks under the Official Code of Georgia Annotated are not limited or otherwise restricted by this Code section.

(h) Nothing in this Code section shall be construed as limiting the commissioner's

authority conferred by this chapter, including the powers granted under Code Sections 7-1-61 and 7-1-61.1.

(i) Nothing in this Code section shall be construed as authorizing the imposition of interest rates by a bank in excess of those authorized by Chapter 4 of this title nor shall any provision of this Code section be construed as permitting a bank to make loans in violation of Chapter 17 of Title 16."

SECTION 7.

Said chapter is further amended in Code Section 7-1-414, relating to purchase, redemption, and convertibility of shares and debt securities, by revising subsection (c) as follows:

"(c) With the written approval of the department, and a resolution of the board of directors, ~~and a two-thirds' affirmative vote of the shares entitled to vote,~~ a bank or trust company may acquire issued shares of its own common stock, which will then be considered treasury shares. The department shall consider whether the acquisition has a legitimate corporate purpose, whether any capital impairment would result, and whether the price of the shares reflects fair market value."

SECTION 8.

Said chapter is further amended in Code Section 7-1-484, relating to oath of directors of banks and trust companies and liability of persons who have not subscribed to such oath, by adding a new subsection to read as follows:

"(c) The oath shall not modify in any manner the legal duties of or the standard of care for directors in the exercise of such duties."

SECTION 9.

Said chapter is further amended in Code Section 7-1-493, relating to actions against directors and officers of banks and trust companies, by revising subsections (a) and (e) as follows:

"(a) An action may be brought by any of the persons named in subsection (b) of this Code section against one or more directors or officers of a bank or trust company to procure for the benefit of the bank or trust company a judgment for the following relief:

(1) To compel the defendant to account for his or her official conduct, or to decree any other relief called for by his or her official conduct, in the following cases:

(A) The neglect of, failure to perform, or other violation of his or her duties in the management of the bank or trust company or in the disposition of corporate assets committed to his or her charge;

(B) The acquisition by himself or herself, transfer to others, loss, or waste of corporate assets due to any neglect of, failure to perform, or other violation of his or her duties;

(C) The appropriation, in violation of his or her duties, of any business opportunity of the bank or trust company;

(2) To enjoin a proposed unlawful conveyance, assignment, or transfer of corporate

assets or other unlawful corporate transaction, where there is sufficient evidence that it will be made;

(3) To set aside an unlawful conveyance, assignment, or transfer of corporate assets, where the transferee knew of its unlawfulness and is made a party to the action."

"(e) Notwithstanding the foregoing, a bank or trust company may provide ~~through and amendment to~~ in its articles of incorporation for the elimination or limitation of the personal liability of a director to the bank or trust company or its shareholders ~~of the bank or trust company~~ to the same extent as a business corporation incorporated under the provisions of Chapter 2 of Title 14, ~~provided that such an amendment to the articles of incorporation must be adopted by the affirmative vote of two thirds of the total shares outstanding.~~"

SECTION 10.

Said chapter is further amended in Code Section 7-1-531, relating to requirements for merger, share exchange, or consolidation plan of state banks and trust companies and modification of plan, by revising paragraphs (2) and (3) of subsection (a) as follows:

"(2) Adoption of the plan by each party thereto shall require the affirmative vote of at least:

(A) A majority of the directors; and

(B) Unless the article or bylaws require a greater vote, the ~~The~~ shareholders entitled to cast ~~two thirds~~ a majority of the votes which all shareholders are entitled to cast thereon and, if any class of shares is entitled to vote thereon as a class, the holders of ~~at least two thirds~~ a majority of the outstanding shares of such class, at a meeting of shareholders; provided, however, that approval from the shareholders of the surviving bank or trust company is not required if the conditions set forth in subsection (h) of Code Section 14-2-1103 are satisfied.

(3) Whenever a meeting of shareholders is called for the purpose of taking action on a plan, the notice for such meeting ~~The notice~~ shall include a copy or summary of the plan and a full statement of the rights and remedies of dissenting shareholders, the method of exercising them, and the limitations on such rights and remedies."

SECTION 11.

Said chapter is further amended in Code Section 7-1-590, relating to definitions relative to representative offices and registration of banks and trust companies, by revising paragraph (4) as follows:

"(4) 'Representative office' is an office established by a bank, a bank holding company, or an agent or subsidiary of either for the purpose of conducting business activities other than a banking business. It shall not be considered to be a branch office or main office."

SECTION 12.

Said chapter is further amended in Code Section 7-1-625, relating to provisions applicable to, and qualifications of, bank holding companies in this state, reciprocal

agreements, and confidentiality reports, by revising subsection (b) as follows:

"(b) Any bank holding company that has a bank subsidiary with banking offices in Georgia that is not otherwise organized under the laws of this state or qualified to do business in this state shall qualify to do business in this state as a foreign corporation ~~and shall advise the department of the location of its initial registered office within this state and the name of its initial registered agent at such location.~~ Such bank holding company shall agree to be bound by all the provisions of Code Sections 7-1-605 through 7-1-612 and by the provisions of this part. Any bank holding company having a Georgia bank subsidiary shall promptly advise the department of any changes in its registered office and agent."

SECTION 13.

Said chapter is further amended in Code Section 7-1-650, relating to powers of credit unions, by revising paragraphs (11) and (12) and adding a new paragraph to read as follows:

"(11) Dispose of property held pursuant to paragraphs (9) and (10) of this subsection through financing by the credit union without the advance of additional funds irrespective of the purchasers' membership in the credit union and of ordinarily applicable collateral margin requirements; ~~and~~

(12) Provide, ~~through an amendment to its bylaws~~ in its articles of incorporation approved by two-thirds a majority of its membership present and voting, for the elimination or limitation of personal liability of a director to the credit union or its members in their capacity as shareholders of the credit union to the same extent as a bank or trust company operating under the provisions of this chapter; and

(13) Subject to any rules and regulations enacted by the department and in compliance with federal law and applicable provisions regarding insurable interests in Chapter 24 of Title 33, purchase, hold, or fund insurance on the life of any of its directors, officers, or employees, or any other person whose death might cause financial loss to the credit union, or, pursuant to any contract lawfully obligating the credit union as guarantor or surety, on the life of the principal obligor."

SECTION 14.

Said chapter is further amended in Code Section 7-1-655, relating to a credit union's board of directors, credit and supervisory committees, officers, oaths of officials, removal from office, suspension of member, filling of vacancies, notification to department of change in president or chief executive officer, by revising subsection (f) as follows:

"(f) All members of the board and all officers and committee members shall be sworn to perform faithfully the duties of their several offices in accordance with this chapter and the bylaws or as otherwise lawfully established. The oaths shall be subscribed in writing and a copy thereof shall be retained in the minutes of the meetings of the board. The oaths shall not modify in any manner the legal duties of or the standard of care for members and officers in the exercise of such duties."

SECTION 15.

Said chapter is further amended in Code Section 7-1-656, relating to duties of directors of credit unions, meetings, prohibited activities, eligibility to vote, and applicability of Code Section 7-1-490, by adding a new subsection to read as follows:

"(f) The board of directors may appoint an individual as an honorary director or director emeritus or member of an advisory board. An individual so appointed may be compensated but shall not vote at any meeting of the board of directors or be counted in determining a quorum and shall not have any responsibility for or be subject to any liability imposed upon a director or otherwise be deemed a director."

SECTION 16.

Said chapter is further amended in Code Section 7-1-658, relating to loans of a credit union, by revising subsection (c) as follows:

"(c) Loans may be made to officers, directors, and committee members of the credit union under the same general terms and conditions as to other members of the credit union; provided, however, that no officer, director, committee member, or employee shall participate in approving any loan in which he or she has a direct or indirect financial interest. The approval of all loans to officers, directors, and committee members, ~~and employees~~ of the credit union shall be reported to the board of directors at its next meeting."

SECTION 17.

Said chapter is further amended by adding a new Code section to read as follows:

"7-1-671.

(a) For purposes of this Code section, the term 'federal power' means any banking or corporate power, right, benefit, privilege, or immunity of a federal credit union, the deposits of which are federally insured, that may be exercised by a federal credit union doing business in this state pursuant to the Federal Credit Union Act, 12 U.S.C. Section 1751, et seq.; any other federal statute; or any regulation, ruling, circular, bulletin, order, or interpretation issued by the National Credit Union Administration. Such term shall include only the provisions set forth above which were effective on January 1, 2018.

(b) Notwithstanding any other provisions of law, a credit union may exercise any federal power while a federal credit union may also exercise such power subject to the same limitations and restrictions as are applicable to federal credit unions, provided that the requirements of subsection (d) of this Code section have been satisfied. Nothing in this subsection shall be construed as authorizing a credit union incorporated or organized in this state to exercise a federal power prior to compliance with subsection (d) of this Code section.

(c) Notwithstanding any other provisions of law, to the extent the Federal Credit Union Act, 12 U.S.C. Section 1751, et seq., or any other federal law or regulation in effect on January 1, 2018, precludes or preempts or has been determined to preclude or preempt the application of any provision of law, rule, or regulation of this state as to any federal

credit union doing business in this state, a credit union may also exercise such power authorized by the preclusion or preemption subject to the same limitations and restrictions as are applicable to a federal credit union, provided that the requirements of subsection (d) of this Code section have been satisfied. Nothing in this subsection shall be construed as authorizing a credit union incorporated or organized in this state to exercise a federal power prior to compliance with subsection (d) of this Code section.

(d) In furtherance of the commissioner's statutory duties to regulate, supervise, and examine, a credit union shall notify the commissioner in writing by certified or registered mail that, pursuant to subsection (b) or (c) of this Code section, it intends to exercise a federal power or to avail itself of any federal preclusion or preemption of any provision of law, rule, or regulation of this state. Such notice shall include the specific federal authorization of the activity to be utilized, the proposed action to be undertaken by the credit union, documentation indicating that the credit union satisfies the prescribed federal standards, if any, to engage in the activity, and such other information as may be required by the department. Upon receipt of such notice, the commissioner shall determine whether the exercise of any federal power or the availing of any federal preclusion or preemption, or any part thereof, by the credit union is inconsistent with the purposes of this chapter or presents undue risk to the safety and soundness of the banking system. In making such a determination, the commissioner shall consider the financial condition of the credit union, the regulatory safety and soundness ratings of the credit union, the ability of credit union management to administer and supervise the activity, and the overall impact on the safety and soundness to all other state chartered credit unions. Based on such a determination, the commissioner may object to the exercise of the federal power, in whole or in part, or to the federal preclusion or preemption of the law, rule, or regulation of this state, in whole or in part, including objecting to a level or quantity above which a credit union may be seeking to exercise a federal power or availing itself of any federal preclusion or preemption of law, rule, or regulation of this state. If the commissioner so objects, the commissioner shall deliver such objection in writing by certified or registered mail to the credit union within 45 days of receipt of the notice; provided, however, that the commissioner may extend such period of review for an additional 45 days by providing the credit union with written notice of such extension prior to the expiration of the initial notice period. If the commissioner sends such an objection, the federal power, preclusion, or preemption, or the part thereof, objected to by the commissioner shall not be exercised by the credit union pursuant to subsections (b) and (c) of this Code section. The objection by the commissioner of a credit union's intent to exercise a federal power or avail itself of any federal preclusion or preemption shall not preclude such credit union from providing notice to the department of its intent to exercise the same federal power or to avail itself of the same federal preclusion or preemption at a later date; provided, however, that the requirements of this subsection shall be applicable for any such additional notice. Further, in the event a credit union determines, after satisfying the notice provisions of this subsection, that it no longer wishes to exercise a federal power or avail itself of any federal preclusion or preemption, then such credit union

shall provide written notice of such fact to the commissioner by certified or registered mail.

(e) Notwithstanding the provisions of Code Section 7-1-70, the department shall publish information stating the federal powers that are being exercised or federal preclusions or preemptions that are being utilized by each credit union. All other information related to the notices or objections provided under subsection (d) of this Code section are governed by Code Section 7-1-70.

(f) Notwithstanding any other provisions of law, a credit union may exercise any power that was granted through an order or ruling declared by the commissioner on or before January 1, 2018, pursuant to the current or former provisions of Code Section 7-1-61, 7-1-61.1, or 7-6A-12 and which has not been rescinded or withdrawn.

(g) Any federal power or activity authorized and exercised or conducted pursuant to this Code section shall be independent from, and in addition to, any other powers granted to credit unions under applicable laws of this state or rules or regulations promulgated thereunder. The express and incidental powers granted to credit unions under the Official Code of Georgia Annotated are not limited or otherwise restricted by this Code section.

(h) Nothing in this Code section shall be construed as limiting the commissioner's authority conferred by this chapter, including the powers granted under Code Sections 7-1-61 and 7-1-61.1.

(i) Nothing in this Code section shall be construed as authorizing the imposition of interest rates by a credit union in excess of those authorized by Chapter 4 of this title nor shall any provision of this Code section be construed as permitting a credit union to make loans in violation of Chapter 17 of Title 16."

SECTION 18.

Said chapter is further amended in Code Section 7-1-687, relating to notice of action against licensee by creditor or claimant and other notification requirements relative to the sale of payment instruments, by revising subsection (a) and adding a new subsection to read as follows:

"(a) A licensee shall give written notice to the department by registered or certified mail of any action which may be brought against it by any creditor or claimant where such action relates to the activities authorized under this article or involves a claim against the bond filed with the department under Code Section 7-1-683.2. The notice shall provide details sufficient to identify the action and shall be sent within 30 days after the commencement of any such action. The licensee shall also give notice to the department by registered or certified mail within 30 days of the entry of any judgment ~~which may be entered~~ against the licensee."

"(e) Unless prior approval of a change in executive officer is required under Code Section 7-1-688 and notwithstanding subsection (e) of Code Section 7-1-684 requiring a criminal background check prior to the initial date of hire, a licensee shall notify the department in writing of any change of executive officer in such a manner that the notice is received by the department no later than ten business days after the effective

date of the change. In the event of such change, the licensee shall initiate a criminal background check no later than ten business days after the effective date of the change."

SECTION 19.

Said chapter is further amended by revising Code Section 7-1-688, relating to approval required of new ultimate equitable owner, other change of control, or executive officer of licensee and denial of application relative to sellers of payment instruments, as follows:

"7-1-688.

(a) Except as provided in this Code section, no person shall become an ultimate equitable owner of any licensee through acquisition or other change in control or become an executive officer of a licensee as a result of such acquisition or other change in control unless the person has first received written approval for such acquisition, change in control, or designation as an executive officer from the department. In order to obtain such approval, such person shall:

(1) File an application with the department in such form as the department may prescribe from time to time;

(2) Provide such other information as the department may require concerning the financial responsibility, background, experience, and activities of the applicant, its directors and executive officers, if a corporation, and its members, if applicable, and of any proposed new directors, executive officers, members, or ultimate equitable owners of the licensee; and

(3) Pay such application fee as the department may prescribe.

(b) The department may prescribe additional requirements for approval of such acquisition, change in control, or designation as an executive officer as a result of such acquisition or other change in control through rules and regulations.

(c) If the application is denied, the department shall notify the applicant of the denial and the reasons for the denial."

SECTION 20.

Said chapter is further amended in Code Section 7-1-689, relating to record-keeping requirements, investigations and examinations by department, department subpoena power, confidentiality requirements, and limitations on civil liability relative to sellers of payment instruments, by revising subsection (1) as follows:

"(1) Examinations and investigations conducted under this article and information obtained by the department in the course of its duties under this article are confidential, except as provided in this subsection, pursuant to the provisions of Code Section 7-1-70. In addition to the exceptions set forth in subsection (b) of Code Section 7-1-70, the department is authorized to share information obtained under this article with other state and federal regulatory agencies or law enforcement authorities. In the case of such sharing, the safeguards to confidentiality already in place within such agencies or authorities shall be deemed adequate. The commissioner or an examiner specifically designated may disclose such information as is necessary to conduct a civil or administrative investigation or proceeding. Information contained in the records of the

department that is not confidential and may be made available to the public either on the department's website, ~~or~~ upon receipt by the department of a written request, or in the Nation-wide Multistate Licensing System and Registry shall include:

- (1) The name, business address, and telephone, facsimile, and license numbers of a licensee;
- (2) The names and titles of the principal officers;
- (3) The name of the owner or owners thereof;
- (4) The business address of a licensee's registered agent for service;
- (5) The name, business address, telephone number, and facsimile number of all locations of a licensee;
- (6) The name, business address, telephone number, and facsimile number of all authorized agents;
- (7) The terms of or a copy of any bond filed by a licensee;
- (8) Information concerning any violation of this article, any rule or regulation, or order issued under this article, provided that the information is derived from a final order of the department; and
- (9) Imposition of an administrative fine or penalty under this article."

SECTION 21.

Said chapter is further amended in Code Section 7-1-705, relating to written notice of claims against licensee for cashing of payment instruments, judgments, or other misconduct by employees, directors, or others, by adding a new subsection to read as follows:

"(c) Unless prior approval of a change in executive officer is required under Code Section 7-1-705.1 and notwithstanding subsection (e) of Code Section 7-1-703 requiring a criminal background check prior to the initial date of hire, a licensee shall notify the department in writing of any change of executive officer in such a manner that the notice is received by the department no later than ten business days after the effective date of the change. In the event of such change, the licensee shall initiate a criminal background check no later than ten business days after the effective date of the change."

SECTION 22.

Said chapter is further amended by revising Code Section 7-1-705.1, relating to required approval for change of control or ultimate equitable owner, additional requirements, and denial and notification of reasons relative to licensees for the cashing of payment instruments, as follows:

"7-1-705.1.

(a) Except as provided in this Code section, no person shall become an ultimate equitable owner of any licensee through acquisition or other change in control or become an executive officer of a licensee as a result of such acquisition or other change in control unless the person has first received written approval for such acquisition, change in control, or designation as an executive officer from the department. In order

to obtain such approval, such person shall:

- (1) File an application with the department in such form as the department may prescribe from time to time;
 - (2) Provide such other information as the department may require concerning the financial responsibility, background, experience, and activities of the applicant, its directors and executive officers, if a corporation, and its members, if applicable, and of any proposed new directors, executive officers, members, or ultimate equitable owners of the licensee; and
 - (3) Pay such application fee as the department may prescribe.
- (b) The department may prescribe additional requirements for approval of such acquisition, change in control, or designation as an executive officer as a result of such acquisition or other change in control through rules and regulations.
- (c) If the application is denied, the department shall notify the applicant of the denial and the reasons for the denial."

SECTION 23.

Said chapter is further amended in Code Section 7-1-706, relating to record-keeping obligations, investigations and examinations by the department, examination fees, administration of oaths and issuing of subpoenas, confidentiality, and civil liability relative to licensees for the cashing of payment instruments, by revising subsection (1) as follows:

"(1) Examinations and investigations conducted under this article and information obtained by the department in the course of its duties under this article are confidential, except as provided in this subsection, pursuant to the provisions of Code Section 7-1-70. In addition to the exceptions set forth in subsection (b) of Code Section 7-1-70, the department is authorized to share information obtained under this article with other state and federal regulatory agencies or law enforcement authorities. In the case of such sharing, the safeguards to confidentiality already in place within such agencies or authorities shall be deemed adequate. The commissioner or an examiner specifically designated may disclose such information as is necessary to conduct a civil or administrative investigation or proceeding. Information contained in the records of the department that is not confidential and may be made available to the public either on the department's website, ~~or~~ upon receipt by the department of a written request, or in the Nation-wide Multistate Licensing System and Registry shall include:

- (1) The name, business address, and telephone, facsimile, and license numbers of a licensee;
- (2) The names and titles of the principal officers;
- (3) The name of the owner or owners thereof;
- (4) The business address of a licensee's registered agent for service;
- (5) The name, business address, telephone number, and facsimile number of all locations of a licensee;
- (6) The terms of or a copy of any bond filed by a licensee;
- (7) Information concerning any violation of this article, any rule or regulation, or

order issued under this article, provided that the information is derived from a final order of the department; and

(8) Imposition of an administrative fine or penalty under this article."

SECTION 24.

Said chapter is further amended in Code Section 7-1-1000, relating to definitions relative to mortgage lenders and mortgage brokers, by revising paragraph (32) as follows:

"(32) 'Service a mortgage loan' means the collection or remittance ~~for another~~ or the right to collect or remit ~~for another~~ of payments of principal, interest, trust items such as insurance and taxes, and any other payments pursuant to a mortgage loan."

SECTION 25.

Said chapter is further amended in Code Section 7-1-1009, relating to maintenance of books, accounts, and records, investigation of licensees and registrants by the department, confidentiality, and exemptions from civil liability relative to mortgage lenders and mortgage brokers, by revising subsection (g) as follows:

"(g) Examinations and investigations conducted under this article and information obtained by the department in the course of its duties under this article are confidential, except as provided in this subsection, pursuant to the provisions of Code Section 7-1-70. In addition to the exceptions set forth in subsection (b) of Code Section 7-1-70 and in paragraphs (3) and (4) of subsection (d) of this Code section, the department is authorized to share information obtained under this article with other state and federal regulatory agencies or law enforcement authorities. In the case of such sharing, the safeguards to confidentiality already in place within such agencies or authorities shall be deemed adequate. The commissioner or an examiner specifically designated may disclose such limited information as is necessary to conduct a civil or administrative investigation or proceeding. Information contained in the records of the department which is not confidential and may be made available to the public either on the department's website, ~~or~~ upon receipt by the department of a written request, or in the Nation-wide Multistate Licensing System and Registry shall include:

- (1) For mortgage brokers and mortgage lenders, the name, business address, and telephone, facsimile, and license numbers of a licensee or registrant;
- (2) For mortgage brokers and mortgage lenders, the names and titles of the principal officers;
- (3) For mortgage brokers and mortgage lenders, the name of the owner or owners thereof;
- (4) For mortgage brokers and mortgage lenders, the business address of a licensee's or registrant's agent for service; and
- (5) The terms of or a copy of any bond filed by a licensee or registrant."

SECTION 26.

(a) Except as provided for to the contrary in subsection (b) of this section, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

(b) It is not the intent of the General Assembly to affect the law applicable to litigation pending as of March 9, 2018.

SECTION 27.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	E Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 780, having received the requisite constitutional majority, was passed by substitute.

HB 843. By Representatives Shaw of the 176th, Blackmon of the 146th, Smith of the 134th, Williams of the 168th, Belton of the 112th and others:

A BILL to be entitled an Act to amend Code Section 48-7-40.1 of the Official Code of Georgia Annotated, relating to tax credits for business enterprises in

less developed areas, so as to include any census tract that in a county that contains a certain federal military installation and also contains an industrial park that is owned and operated by a governmental entity; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Walker III of the 20th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 843, having received the requisite constitutional majority, was passed.

Senator McKoon of the 29th was excused for business outside the Senate Chamber.

HB 878. By Representatives Clark of the 147th, Smith of the 134th, Blackmon of the 146th, Raffensperger of the 50th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to procedure for cancellation by an

insured and notice, so as to change certain provisions regarding cancellation of an insurance policy by an insured; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harbin of the 16th.

Senators Harbin of the 16th, Thompson of the 14th and Walker III of the 20th offered the following amendment #1:

Amend HB 878 by Add on line 12 after "cancelled" the following:

"In the event of oral cancellation the insurer, shall, within 10 days provide such insured, electronically or in writing, confirmation of such requested cancellation."

On the adoption of the amendment, there were no objections, and the Harbin, et al. amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	N Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
N Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
N Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 43, nays 11.

HB 878, having received the requisite constitutional majority, was passed as amended.

Senator Butch Miller, President Pro Tempore, assumed the Chair.

HB 886. By Representatives Watson of the 172nd, Powell of the 171st, McCall of the 33rd, Dickey of the 140th, Pirkle of the 155th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use taxes, so as to provide for the cooperation of the Department of Revenue and the Department of Agriculture in the administration and enforcement of the state sales and use tax exemption for agricultural machinery and equipment; to provide for a change to the qualifying amounts for the agricultural exemption; to provide for penalties; to provide for reporting; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Wilkinson of the 50th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 6.

HB 886, having received the requisite constitutional majority, was passed.

HB 898. By Representatives Powell of the 32nd, Ridley of the 6th, Trammell of the 132nd and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to revise provisions relative to fleet vehicles and fleet vehicle registration plans; to provide for definitions; to provide for fleet enrollment procedures; to provide for procedures for registering and licensing vehicles enrolled in a fleet; to provide for license plates; to remove revalidation decal requirements for vehicles in a fleet vehicle registration plan; to provide for the transfer of license plates between vehicles registered under a fleet vehicle registration plan; to provide for termination of participation in a fleet vehicle registration plan program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The Senate Committee on Public Safety offered the following substitute to HB 898:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to revise provisions relative to fleet vehicles and fleet vehicle registration plans; to provide for definitions; to provide for fleet enrollment procedures; to provide for procedures for registering and licensing vehicles enrolled in a fleet; to provide for license plates; to remove revalidation decal requirements for vehicles in a fleet vehicle registration plan; to provide for the transfer of license plates between vehicles registered under a fleet vehicle registration plan; to provide for termination of participation in a fleet vehicle registration plan program; to revise provisions relating to a special license plate for the personal vehicles of firefighters; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, is amended by revising Article 2A, relating to fleet vehicles, as follows:

"ARTICLE 2A

40-2-50.

As used in this article, the term:

- (1) 'Fleet' means ~~1,000~~ 100 or more motor vehicles.
- (2) 'Fleet registration plan' means the method of registering the motor vehicles of a fleet as provided in this article.

40-2-51.

(a)~~(1)~~ A corporation or firm which has an established place of business in this state or which is controlled by a parent corporation which has an established place of business in this state and which owns or operates under a lease agreement a fleet which is not required to be registered under the International Registration Plan in accordance with Article 3A of this chapter may enroll in the fleet registration plan and register and obtain licenses to operate the motor vehicles in such fleet as provided in this article.

~~(2) The provisions of this article for fleet enrollment, registration, and licensing shall not apply to any corporation or firm which leases or rents motor vehicles to other persons for use thereby.~~

(b)(1) Applications for enrollment of a fleet under the fleet registration plan may be submitted to the department in the form and manner prescribed ~~thereby during the period of December 1 of the prior registration year to February 15 of the year for which the license plates are to be issued.~~ Motor vehicles of a fleet shall be enrolled separately by classes and by counties where the vehicles are to be registered by the commissioner.

(2)(A) An applicant for enrollment of a fleet under the fleet registration plan shall pay a fleet enrollment fee of ~~\$200.00~~ \$50.00 for initial enrollment of the fleet.

~~(B) If the applicant for enrollment of a fleet or the parent corporation or firm thereof has not had an established place of business in this state for a period of ten consecutive years or more, the applicant shall post a \$25,000.00 surety bond at the time of applying for enrollment.~~

(3) If the department determines that the applicant is eligible for fleet registration and proper application has been made, the department shall enroll the fleet, indicate the amount of license fees due for the fleet, ~~validate the enrollment form or forms for the applicable county or counties, and mail the validated original enrollment form or forms with fees indicated to the applicant.~~ Such enrollment shall be valid for a period which is concurrent with that period for which regular license plates are issued for use under Code Section 40-2-31. Thereafter, the department shall, prior to December 1 of each year of the enrollment period, mail the enrollee a statement of the amount of license fees due and payable during the forthcoming registration period for such fleet and assign a unique registration account number to the applicant.

40-2-52.

(a) ~~After~~ Within 30 days of receipt of a validated fleet enrollment form, the owner or operator of the enrolled fleet shall register and obtain licenses to operate the motor vehicles thereof ~~during the period of December 1 of the prior registration year to February 15 of the year for which the license plates are to be issued~~ by submitting properly completed certificates of title for each vehicle in a fleet and any supporting

documents required by the commissioner. The owner or operator of the enrolled fleet which acquires a vehicle after approval of fleet enrollment shall submit the properly completed certificates of title and required supporting documentation for any additional vehicles within 30 days from the date of acquisition of such vehicle.

~~(b) An applicant for registration of a vehicle of an enrolled fleet shall submit a validated original fleet enrollment form to the county tag agent in each county in which vehicles enrolled under the fleet registration plan are to be registered. All certificates of title by the owner or operator of an enrolled fleet required under this article shall be submitted to the department electronically and in a manner prescribed by the commissioner.~~

(c) Any applicable state and local title and ad valorem taxes required pursuant to Code Section 48-5C-1 shall be paid for any new motor vehicle to be included in an enrolled fleet.

~~(e)~~(d) The provisions of Article 2 of this chapter for registering and licensing motor vehicles generally which are not inconsistent with the provisions of this article shall apply to the registration and licensing of each vehicle of an enrolled fleet.

40-2-53.

~~(a)(1) Upon electronic submission by the applicant of a validated original fleet enrollment form and compliance with~~ of all applicable requirements for registration and licensing of motor vehicles, of this article, the department shall send notification of such to the county tag agent. Upon receipt of such notification from the department, the county tag agent shall issue to the applicant a fleet motor vehicle license plate for each vehicle of the fleet to be registered and licensed in such county.

~~(2) The county tag agent shall mark the validated original fleet enrollment form as 'taxes paid' or 'tax exempt,' as applicable, and return such form to the registrant.~~

~~(3) The registrant shall submit to the department the validated original fleet enrollment form which has been marked as provided in paragraph (2) of this subsection.~~

~~(b) Fleet motor vehicle license plates shall be similar in design to and issued for the same period as regular license plates issued under Code Section 40-2-31, except that such fleet motor vehicle license plates shall contain such words or symbols, in addition to the numbers and letters otherwise prescribed by law, so as to distinctively identify the motor vehicles on which they are placed as fleet motor vehicles. It shall be a requirement that a county name decal shall be affixed and displayed on license plates issued under this Code section.~~ Such motor vehicle license plates shall contain the word 'FLEET' in the location of and in lieu of the revalidation decal required under Code Section 40-2-8 so as to distinctly identify the motor vehicle as part of an enrolled fleet.

~~(c)(1) License plates issued under this Code section shall be renewed annually with a generic fleet revalidation decal upon payment of a renewal fee to the department. Such fee shall be the same amount that would be charged for a revalidation decal for such vehicle.~~

~~(2) The bond required under subsection (b) of Code Section 40-2-51 shall be required at the time of any renewal of such license plates if at the time of such renewal the registrant or the parent corporation or firm thereof has not had an established place of business in this state for a period of ten consecutive years or more.~~

(d) License plates issued under this Code section ~~shall~~ may be transferred between vehicles ~~in the same manner as provided by Code Section 40-2-80 for special license plates issued under Article 3 of this chapter of the same class upon electronic submission to the department of the information required under Code Section 40-2-51 for any vehicle added to an enrolled fleet and the payment of the required registration fees for such additional vehicle.~~

40-2-54.

~~(a) If a fleet registrant or the parent corporation or firm thereof has not had an established place of business in this state for a period of ten consecutive years or more, the department or its designated agent shall annually conduct an audit of such fleet registrant to ensure compliance with the requirements of this article which may include, without limitation, examination of records of all vehicles in a fleet, additions to or deletions from a fleet since the most recent such audit, and proof of proper payment of or exemption from ad valorem taxes on fleet vehicles. The fleet registrant shall bear the cost of or reimburse the department for the expenses of any audit required by this subsection.~~

~~(b)~~(a) The department or its designated agent may perform an audit of any fleet registrant to ensure compliance with the requirements of this article which may include, without limitation, examination of records of all vehicles in a fleet, additions to or deletions from a fleet since the most recent such audit, and proof of proper payment of or exemption from ad valorem taxes on fleet vehicles.

(b) The department is authorized to promulgate such rules and regulations as the department shall find necessary to implement the provisions of this article.

40-2-55.

An enrollment of a fleet in the fleet registration plan shall be terminated by the department in the event:

~~(1) The department determines on the basis of an audit that fees for registration and licensing are not paid as required for 20 percent or more of the vehicles in any class of vehicles in the fleet or of those vehicles of the fleet registered in a county;~~

~~(2)~~(1) The department determines on the basis of an audit that fees for registration and licensing are not paid as required for 5 percent or more of the total vehicles in the fleet which are registered in this state;

~~(3)~~(2) Of the conviction of the fleet registrant for any unlawful use of any license plate issued for a fleet vehicle;

~~(4)~~(3) Of the failure of the fleet registrant to pay title and ad valorem taxes as required for any fleet vehicle; or

~~(5)~~(4) Of the failure of the fleet registrant to pay enrollment fees as required; ~~or~~

~~(6) Of the forfeiture of the surety bond required under Code Section 40-2-52 or 40-2-53."~~

SECTION 2.

Said chapter is further amended by revising paragraph (9) of subsection (1) of Code Section 40-2-86.1, relating to special license plates promoting certain beneficial projects and supporting certain worthy agencies, funds, or nonprofit corporations and special license plates for qualified motor vehicles or drivers, as follows:

"(9)(A) A special license plate for owners of a private passenger car or truck used for personal transportation, who are firefighters certified pursuant to Article 1 of Chapter 4 of Title 25 and who are members of fire departments certified pursuant to Article 2 of Chapter 3 of Title 25 and motor vehicle owners who are ~~certified~~ firefighters of legally organized volunteer fire departments which have been certified pursuant to Article 2 of Chapter 3 of Title 25. Such license plate shall be inscribed with such letters, numbers, words, symbols, or a combination thereof as determined by the commissioner to identify the owner as a ~~certified~~ firefighter. The chiefs of the various fire departments shall furnish to the commissioner a list of the certified firefighters and volunteer firefighters of their fire departments who reside in Georgia which list shall be updated as necessary. The funds raised by the sale of this license plate shall be deposited in the general fund.

(B) Should a certified firefighter or volunteer firefighter who has been issued a special and distinctive license plate be separated from such firefighter's department for any reason other than retirement from employment, the ~~chief of such fire department shall obtain the separated member's license plate at the time of the separation and shall forward same to the commissioner along with a certificate to the effect that such person has been separated, and thereupon the commissioner~~ separated firefighter shall, within 14 days of such separation, return such special and distinctive license plate to the local tag office which issued such license plate. Upon receipt of such special and distinctive license plate, a local tag agent shall reissue a regular license plate and the appropriate revalidation decal for the applicable registration period, at no additional charge, to such former ~~certified~~ firefighter to replace the special and distinctive license plate. Should a ~~certified~~ firefighter return to service with the same or another fire department, the chief of such fire department shall likewise secure the regular license plate of such person and return same to the commissioner, along with a certificate to the effect that such person has become a member of the fire department, and the effective date thereof, whereupon the commissioner shall, upon application and upon the payment of a \$35.00 manufacturing fee and all other applicable registration and licensing fees at the time of registration, reissue a special and distinctive license plate to such new member to replace the returned regular license plate. Upon such request for a change in plate for a certified firefighter who is separated from a fire department, the chief of the fire department shall furnish such member with a copy of the chief's letter to the commissioner requesting the appropriate change in plate, which copy of such letter

~~may be used by such member pending the issuance of the new plate.~~

(C) Motor vehicle owners who were firefighters certified pursuant to Article 1 of Chapter 4 of Title 25 or were members of fire departments certified pursuant to Article 2 of Chapter 3 of Title 25 and who retired from employment as such shall continue to be eligible for the firefighter license plates issued under this paragraph the same as if they continued to be certified and employed as firefighters. Whenever such a certified firefighter who has been issued a special and distinctive license plate is retired from employment with such firefighter's department, the chief of such fire department shall forward to the commissioner a certificate to the effect that such person has been retired.

(D) The spouse of a deceased firefighter shall continue to be eligible to be issued a distinctive special firefighter's license plate as provided in this paragraph so long as such person does not remarry."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Kirk of the 13th offered the following amendment # 1:

Amend Committee Sub LC 41 1520ERS to HB 898 by:

Adding on Line 8 after "program;" the following:

to provide for conditions related to wearing headphones or headsets; to prohibit wearing a device which impairs a person's vision;

By changing Section 3 Line 190 to read:

Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules of the road, is amended by revising Code Section 40-6-250, relating to wearing a device which impairs hearing or vision, as follows:

40-6-250.

(a) No person shall operate a motor vehicle while wearing a headset ~~helmet~~ or headphone which would impair such person's ability to hear, ~~nor shall any person while operating a motor vehicle wear any device which impairs such person's vision~~; provided, however, that a person may wear a headset or headphone for communications purposes. The provision of this subsection shall not apply to the operator of a motorcycle.

(b) No person shall operate a motor vehicle while wearing any device which impairs such person's vision.

Change Section 3 to Section 4.

Senator Heath of the 31st requested a ruling of the Chair as to the germaneness of the amendment.

The President Pro Tempore ruled the amendment germane.

On the adoption of the amendment, the President asked unanimous consent.

Senator Heath of the 31st objected.

On the adoption of the amendment, the yeas were 35, nays 4, and the Kirk amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 1.

HB 898, having received the requisite constitutional majority, was passed by substitute.

The following communications were received by the Secretary:

3/21/18

Due to business outside the Senate Chamber, I missed the vote on HB 898. Had I been present, I would have voted "Yes".

/s/ Steve Gooch
District 51

3-21-18

Due to business outside the Senate Chamber, I missed the vote on HB 898. Had I been present, I would have voted "yes".

/s/ Renee Unterman
District 45

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstoration of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kennedy of the 18th.

Senators Tillery of the 19th and Kennedy of the 18th offered the following amendment #1:

Amend HB 906 (LC 29 7804) by deleting line 4 and inserting in lieu thereof the following:

to provide for an effective date; to repeal conflicting laws; and for other purposes.

By replacing "title" with "Title" on line 7.

By inserting between lines 22 and 23 the following:

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

On the adoption of the amendment, there were no objections, and the Tillery, Kennedy amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 906, having received the requisite constitutional majority, was passed as amended.

HB 920. By Representatives Dempsey of the 13th, Reeves of the 34th, Willard of the 51st, Oliver of the 82nd and Nimmer of the 178th:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions for adoption, so as to allow for the use of the department's information concerning the parties to an adoption under certain circumstances; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Millar of the 40th.

Senator Millar of the 40th offered the following amendment #1:

*Amend HB 920 (LC 29 7884) by replacing line 21 with the following:
release under Article 4 of Chapter 18 of Title 50.*

On the adoption of the amendment, there were no objections, and the Millar amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 920, having received the requisite constitutional majority, was passed as amended.

HB 765. By Representatives Thomas of the 56th, Willard of the 51st, Gonzalez of the 117th, Boddie of the 62nd, Dreyer of the 59th and others:

A BILL to be entitled an Act to amend Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules of the road, so as to increase penalties for hit and run accidents that result in death or serious injury;

to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator James of the 35th.

Senators Kirk of the 13th and Mullis of the 53rd offered the following amendment #1:

Amend HB 765 by:

Changing Section 4 to read: Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to uniform rules of the road, is amended by revising Code Section 40-6-250, relating to wearing a device which impairs hearing or vision, as follows:

"40-6-250"

(a) No person shall operate a motor vehicle while wearing a headset or headphone which would impair such persons ability to hear, provided, however, that a person may wear a headset or headphone for communication purposes. The provision of this subsection shall not apply to the operator of a motorcycle.

(b) No person shall operate a motor vehicle while wearing any device which impairs such person's vision."

Change Section 4 to Section 5

Senators Kirk of the 13th, Mullis of the 53rd and Cowsert of the 46th offered the following amendment #1a:

Amend HB 765 by:

Adding on line 3 after "drivers' license suspension;" the following:

to provide for conditions related to wearing headphones or headsets; to prohibit wearing a device which impairs a person's vision

Senator Kirk of the 13th asked unanimous consent that his amendment #1 be withdrawn. The consent was granted, and the Kirk, Mullis amendment #1 was withdrawn.

The Kirk, et al. amendment #1a to the Kirk, Mullis amendment #1 was therefore rendered moot.

Senators Cowsert of the 46th, Kirk of the 13th and Jones II of the 22nd offered the following amendment #2:

Amend the substitute to HB 765 (LC 29 7943S) by replacing lines 35 through 39 with the following:

(c) Any person who, without malice aforethought, causes an accident that results in bodily harm, knowingly leaves the scene of the accident in violation of subsection (b) of Code Section 40-6-270, and knows that such accident resulted in bodily harm, commits the crime of serious injury by vehicle. A person convicted of violating this subsection shall be guilty of a felony and shall be punished by imprisonment for not less than one year nor more than five years."

On the adoption of the amendment, there were no objections, and the Cowsert, et al. amendment #2 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	N Watson
N Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 7.

HB 765, having received the requisite constitutional majority, was passed as amended.

HB 995. By Representatives Newton of the 123rd, Rynders of the 152nd, Brockway of the 102nd and Holcomb of the 81st:

A BILL to be entitled an Act to amend Article 1 of Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions

applicable to counties, municipal corporations, and other governmental entities, so as to provide for certain disclosures from consultants and other contractors who enter into contracts or arrangements with counties, municipal corporations, and other governmental entities to prepare or develop specifications or requirements for bids, requests for proposals, procurement orders, or purchasing orders; to provide for consequences for failure to disclose; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Anderson of the 24th.

The Senate Committee on Economic Development and Tourism offered the following substitute to HB 995:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, so as to provide for certain agreements from consultants who enter into contracts or arrangements with counties, municipalities, and other local governmental entities to prepare or develop specifications or requirements for bids, requests for proposals, procurement orders, or purchasing orders; to provide a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, is amended by adding a new Code section to read as follows:

"36-80-26.

(a) As used in this Code section, the term 'consultant' means an individual or company, whether paid or unpaid, that develops or drafts specifications or requirements for a solicitation or that serves in a consultative role during the bid or proposal evaluation or negotiation process.

(b) Consultants who enter into contracts or arrangements with counties, municipalities, and other local governmental entities to prepare or develop specifications or requirements for bids, requests for proposals, procurement orders, or purchasing orders for such county, municipality, or other local governmental entity shall, at the time of entering into such contract or arrangement, execute an agreement which provides that:

(1) The consultant shall avoid any appearance of impropriety and shall follow all policies and procedures of the county, municipality, or other local governmental

entity with whom the consultant is entering into contract or arrangement;

(2) The consultant shall immediately disclose to such county, municipality, or other local governmental entity any material transaction or relationship, including, but not limited to, that of the consultant, the consultant's employees, or the consultant's agents or subsidiaries, that reasonably could be expected to give rise to a conflict of interest, including, but not limited to, past, present, or prospective engagements, involvement in litigation or other dispute, client relationships, or other business or financial interest, and shall immediately disclose any material transaction or relationship subsequently discovered during the pendency of the contract or arrangement;

(3) The consultant shall use best efforts to avoid a conflict of interest and that any funds paid to the consultant prior to discovery of a conflict of interest that is unable to be mitigated to the reasonable satisfaction of such county, municipality, or other local governmental entity shall be returned to such county, municipality, or other local governmental entity;

(4) The consultant shall not submit a bid or proposal in response to any solicitation in which the consultant has developed or drafted specifications or requirements thereof and shall not otherwise perform work on any contract or subcontract directly resulting from that particular solicitation document, unless such county, municipality, or other local governmental entity expressly waives such restriction in writing and the consultant agrees that a designated representative of such county, municipality, or other local governmental entity may interview the consultant's employees who will be participating in the solicitation development or evaluation or negotiation process in order to ensure that no impermissible conflicts of interest exist;

(5) Throughout the evaluation or negotiation process, the consultant shall maintain the confidentiality of the process and of the information contained in suppliers' responses. The consultant shall not transmit, communicate, or otherwise convey preliminary conclusions or results concerning suppliers' responses or the likely outcome of the evaluation or negotiation process and the consultant shall agree to keep confidential all internal workings of the evaluation or negotiation process until the results of such process have been officially announced by such county, municipality, or other local governmental entity;

(6) In the course of participating in the procurement process, the consultant may have access to protected information which means all proprietary or confidential information provided by the county, municipality, or other local governmental entity or the supplier, including (A) information relating to such county, municipality, or other local governmental entity and its business, products, or employees that becomes available to the consultant due to the consultant's access to such county's, municipality's, or other local governmental entity's property, products, or employees; (B) information that was or is created, conceived, developed, reduced to practice, or discovered by the consultant, whether alone or jointly with others, using any protected information or any property or materials supplied to the consultant by such county, municipality, or other local governmental entity or the supplier; and (C) information that was or is created, conceived, developed, reduced to practice, or discovered by the

consultant, whether alone or jointly with others, during the period of the consultant's assignment with such county, municipality, or other local governmental entity. For purposes of illustration, such protected information shall include without limitation: inventions, discoveries, developments, improvements, trade secrets, know-how, ideas, techniques, technology, designs, processes, formulae, data and software programs or subroutines, source or object code, algorithms; plans for research and development, new products, marketing and selling; budgeting and financial information; production and sales information, including prices, costs, and quantities, and information about suppliers and customers; information about business relationships; and information about skills and compensation of state employees, consultants, or other state personnel. The consultant shall agree to hold such protected information in strictest confidence and shall ensure that its employees who have access to such protected information have signed a nonuse and nondisclosure agreement similar in content to the provisions hereof, prior to any disclosure of such protected information to such employees; not to disclose protected information to any third party without the written consent of such county's, municipality's, or other local governmental entity's representatives authorized to grant such consent except as required by law; to take all reasonable steps to safeguard such protected information, taking at least those measures it takes to protect its own most highly confidential information; and to not use protected information for any purpose other than for purposes of completing the consultant's duties as part of the procurement process. The consultant shall not take, copy, or retain any such protected information in any written, electronic, or physical form whatsoever without the written permission of such county, municipality, or other local governmental entity and shall return all such protected information to such county, municipality, or other local governmental entity upon conclusion of negotiations of the procurement or upon request of such county, municipality, or other local governmental entity. In the event that such county, municipality, or other local governmental entity determines that the consultant's participation warrants the execution of a separate nondisclosure agreement, the consultant will enter into such agreement and shall ensure that its employees enter into such agreement;

(7) In addition to maintaining the confidentiality of the evaluation or negotiation process, upon issuance of the solicitation by such county, municipality, or other local governmental entity, the consultant is strictly prohibited from having any contact with suppliers participating in the solicitation process except through such county, municipality, or other local governmental entity. Contact includes, but is not limited to, any interaction with such suppliers such as telephonic communications, e-mails, faxes, letters, or personal meetings such as lunch, entertainment, or otherwise. Any questions from suppliers or anyone else shall be referred to such county, municipality, or other local governmental entity conducting such solicitation. If the consultant anticipates having contact with a potential supplier during the procurement process after issuance of the solicitation, this potential conflict shall be immediately disclosed to such county, municipality, or other local governmental entity for appropriate action in accordance with the conflicts of interest provisions of the agreement. If the

consultant is contacted for any reason by a supplier potentially interested in the solicitation, including, but not limited to, potential future employment or other personal or financial interest in the supplier, the consultant shall promptly report the information to such county, municipality, or other local governmental entity. Such county, municipality, or other local governmental entity may consider removing individuals who have received such contact from any further participation in the solicitation or evaluation process;

(8) In the course of participating in the evaluation or negotiation process, the consultant acknowledges that the consultant may develop working documents, including, but not limited to, those which capture thoughts, questions, or discussions of the suppliers' responses. The consultant shall agree that all working documents are records of and the property of such county, municipality, or other local governmental entity and shall be submitted to such county, municipality, or other local governmental entity at the end of the evaluation or negotiation process. Such working documents are subject to public inspection as provided in Article 4 of Chapter 18 of Title 50;

(9) The obligations of the parties with respect to paragraphs (1), (2), and (3) shall survive until a contract award has been made or until the procurement has been abandoned by such county, municipality, or other local governmental entity. The obligations of the parties with respect to paragraph (4) shall survive expiration or termination of the agreement. The obligations of the parties with respect to paragraphs (5) and (6) shall survive until such time as all confidential information which was disclosed becomes publicly known and made generally available through no action or inaction of the receiving party. The obligations of the parties with respect to paragraph (7) shall survive until final contract award. The obligations of the parties with respect to paragraph (8) shall survive until the time that those records are no longer required to be maintained pursuant to such county's, municipality's, or other local governmental entity's records retention policies and procedures; and

(10) Any violation or threatened violation of the agreement may cause irreparable injury to the county, municipality, or other local governmental entity, entitling such county, municipality, or other local governmental entity to seek injunctive relief in addition to all other legal remedies."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	E Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 995, having received the requisite constitutional majority, was passed by substitute.

The following bill was taken up to consider House action thereto:

SB 328. By Senators Albers of the 56th, Hufstetler of the 52nd, Cowsert of the 46th, Hill of the 4th, Watson of the 1st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain income tax credits; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income tax, so as to modify income taxation of corporations; to provide for the expiration of certain income

tax credits; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income tax, is amended in Code Section 48-7-21, relating to taxation of corporations, by revising subparagraph (b)(8)(A) as follows:

"(A) A corporation from sources outside the United States as defined in the Internal Revenue Code of 1986. For purposes of this subparagraph, dividends received by a corporation from sources outside of the United States shall include amounts treated as a dividend and income deemed to have been received under provisions of the Internal Revenue Code of 1986 by such corporation if such amounts could have been subtracted from taxable income under this paragraph, had such amounts actually been received ~~but shall not include income specified in Section 951A of the Internal Revenue Code of 1986~~. The deduction provided by Section 250 shall apply to the extent the same income was included in Georgia taxable net income. The deduction, exclusion, or subtraction provided by Section 245A, Section 965, or any other section of the Internal Revenue Code of 1986 shall not apply to the extent income has been subtracted pursuant to this subparagraph. Amounts to be subtracted under this subparagraph shall include the following unless excluded by this paragraph, as defined by the Internal Revenue Code of 1986:

- (i) Qualified electing fund income;
- (ii) Subpart F income, including income specified in Section 951A of the Internal Revenue Code of 1986; and
- (iii) Income attributable to an increase in United States property by a controlled foreign corporation.

The amount subtracted under this subparagraph shall be reduced by any expenses directly attributable to the dividend income; and"

SECTION 2.

Said article is further amended in Code Section 48-7-29.3, relating to income tax credits for federal qualified transportation fringe benefits, by adding a new subsection to read as follows:

"(e) This Code section shall stand repealed on December 31, 2018."

SECTION 3.

Said article is further amended in Code Section 48-7-29.5, relating to income tax credits for private driver education courses, by adding a new subsection to read as follows:

"(f) This Code section shall stand repealed on December 31, 2018."

SECTION 4.

Said article is further amended in Code Section 48-7-40.19, relating to income tax credits for diesel particulate emission reduction technology equipment, by adding a new subsection to read as follows:

"(e) This Code section shall stand repealed on December 31, 2018."

SECTION 5.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall be applicable to all taxable years beginning on or after January 1, 2018.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

Senator Albers of the 56th moved that the Senate agree to the House substitute to SB 328.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	Y Orrock	N Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 45, nays 9; the motion prevailed, and the Senate agreed to the House substitute to SB 328.

Senator Albers of the 56th moved that the following bill be taken from the Table:

HB 419. By Representatives Silcox of the 52nd, Golick of the 40th, Willard of the 51st, Jones of the 47th, Martin of the 49th and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding local government provisions applicable to counties and municipal corporations, so as to enable the governing authority of certain counties to further regulate the use or ignition of consumer fireworks; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

Senator Heath objected to the motion.

On the motion, the yeas were 34, nays 5; the motion prevailed, and HB 419 was taken from the Table and put upon its passage.

Senators Albers of the 56th, Unterman of the 45th, Harper of the 7th and Mullis of the 53rd offered the following amendment #4:

Amend HB 419 sub by inserting on line 49 after January 1, "the last Saturday and Sunday in May"

On the adoption of the amendment, there were no objections, and the Albers, et al. amendment #4 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
N Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
N Harper	Miller (PRS)	Y Wilkinson
Y Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 4.

HB 419, having received the requisite constitutional majority, was passed by substitute.

Senator Cowsert of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Friday, March 23, 2018.

The motion prevailed, and Senator Butch Miller, President Pro Tempore, announced the Senate adjourned at 5:16 p.m.

Senate Chamber, Atlanta, Georgia
Friday, March 23, 2018
Thirty-eighth Legislative Day

The Senate met pursuant to adjournment at 10:14 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following communication was received by the Secretary:

OFFICE OF LIEUTENANT GOVERNOR
240 STATE CAPITOL
ATLANTA, GEORGIA 30334

CASEY CAGLE
LIEUTENANT GOVERNOR

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

Dear David:

In accordance with the Senate Rules, the Senate Committee on Assignments hereby appoints Senator Tyler Harper to serve as Ex-Officio for the Senate Government Oversight Committee meeting on March 22, 2018. This appointment shall expire upon adjournment of the committee meeting.

Sincerely,

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

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House and Senate:

HB 1041. By Representatives Rutledge of the 109th, Cauble of the 111th, Welch of the 110th, Mathiak of the 73rd and Knight of the 130th:

A BILL to be entitled an Act to amend an Act incorporating the City of McDonough, approved April 16, 1981 (Ga. L. 1981, p. 3387), as amended, particularly by an Act approved April 12, 2012 (Ga. L. 2012, p. 5452), so as to revise the corporate boundaries of the municipality; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1043. By Representatives Werkheiser of the 157th and Nimmer of the 178th:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Jesup, approved December 16, 1937 (Ga. L. 1937-38 Ex. Sess., p. 1142), as amended, so as to provide for staggered terms for the board of commissioners; to provide for the conduct of municipal elections; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1045. By Representatives Williams of the 145th and Rhodes of the 120th:

A BILL to be entitled an Act to authorize Putnam County, Georgia, to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Georgia Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide for effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1046. By Representative Pirkle of the 155th:

A BILL to be entitled an Act to authorize the governing authority of the City of Fitzgerald to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1052. By Representatives Tarvin of the 2nd, Ridley of the 6th and Carpenter of the 4th:

A BILL to be entitled an Act to amend an Act creating the board of commissioners of Whitfield County, approved February 21, 1964 (Ga. L.

1964, p. 2175), as amended, so as to provide for the election of certain members of the board of commissioners by district; to provide for related matters; to provide for a referendum; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 1054. By Representatives Setzler of the 35th, Ehrhart of the 36th, Golick of the 40th, Cooper of the 43rd, Reeves of the 34th and others:

A BILL to be entitled an Act to amend an Act entitled "An Act to reincorporate and provide a new charter for the City of Acworth," approved February 17, 1989 (Ga. L. 1989, p. 3512), as amended, so as to adopt by reference a certain map; to repeal conflicting laws; and for other purposes.

HB 1056. By Representatives Bazemore of the 63rd, Bruce of the 61st, Jackson of the 64th and Boddie of the 62nd:

A BILL to be entitled an Act to provide for a new homestead exemption from City of South Fulton ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1057. By Representative Powell of the 171st:

A BILL to be entitled an Act to authorize the governing authority of the City of Pelham to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1058. By Representative Dukes of the 154th:

A BILL to be entitled an Act to amend an Act changing the method of selecting the members of the Board of Education of Miller County, approved March 21, 1968 (Ga. L. 1968, p. 2529), as amended, particularly by an Act approved March 20, 2000 (Ga. L. 2000, p. 3534), so as to revise the districts for the election of members of the board of education; to provide for definitions and inclusions; to provide for method of election; to provide for the continuation in office of current members; to repeal and

reserve certain provisions; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 1059. By Representatives Jasperse of the 11th, Ridley of the 6th and Meadows of the 5th:

A BILL to be entitled an Act to abolish the office of elected county surveyor of Murray County; to provide for the appointment of a county surveyor by the governing authority of the county; to provide that the person currently serving as elected county surveyor shall serve out the remainder of his or her term; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1060. By Representatives Jones of the 91st, Stephenson of the 90th, Kendrick of the 93rd, Williams of the 87th, Carter of the 92nd and others:

A BILL to be entitled an Act to provide a new charter for the City of Stonecrest in DeKalb County; to provide for reconstitution, boundaries, and powers of the city; to provide for general powers and limitations on powers; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 1062. By Representatives LaRiccia of the 169th and Pirkle of the 155th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Douglas, approved March 10, 1993 (Ga. L. 1993, p. 4022), as amended, particularly by an Act approved March 27, 1998 (Ga. L. 1998, p. 3855), so as to stagger the terms of the members of the governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 350. By Senators Walker III of the 20th, Jones of the 25th, Shafer of the 48th, Harbison of the 15th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Code Section 33-39-5 of the Official Code of Georgia Annotated, relating to transactions requiring notice of information practices, form and content of notice, abbreviated notice, and satisfaction of obligations by another institution or agent, so as to update notice practices requirements by an insurance institution or agent to applicants or policyholders in the case of policy renewal to comport with federal law; to repeal conflicting laws; and for other purposes.

SB 355. By Senators Hufstetler of the 52nd, Millar of the 40th, Tippins of the 37th, Kirk of the 13th, Parent of the 42nd and others:

A BILL to be entitled an Act to amend Code Section 46-2-25 of the Official Code of Georgia Annotated, relating to procedure for changing any rate, charge, classification, or service and recovery of financing costs, so as to change certain provisions relating to the recovery of the costs of financing the construction of a nuclear generating plant; to prohibit the recovery of financing costs from certain customers; to provide for reimbursement of financing costs; to provide for applicability; to provide the accounting method to be used in the event the scheduled date for commercial operation of such plant is exceeded; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 409. By Senators Harper of the 7th, Albers of the 56th, Mullis of the 53rd, Jones of the 25th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Article 7 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to negotiating railroad crossings and entering highways from private driveways, so as to require that persons driving vehicles shall exercise due care and caution for other on-track equipment, as for trains, at railroad grade crossings; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 481. By Senator Jones of the 25th:

A BILL to be entitled an Act to amend an Act changing the method of electing members of the Board of Education of Putnam County, approved March 27, 1972 (Ga. L. 1972, p. 2679), as amended, particularly by an Act approved March 25, 1986 (Ga. L. 1986, p. 4525), so as to provide for the compensation of such members; to provide for the reimbursement of expenses; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 139. By Senators Hill of the 6th, Ligon, Jr. of the 3rd, Williams of the 27th, Stone of the 23rd, Millar of the 40th and others:

A BILL to be entitled an Act to amend Code Section 20-2-159.1 of the Official Code of Georgia Annotated, relating to focused programs of study, so as to provide for a pathway in leadership; to provide for state models and content standards for a pathway in leadership; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 202. By Senators Rhett of the 33rd and James of the 35th:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide for an increase in the personal needs allowance to be deducted from a nursing home resident's income; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 327. By Senators Albers of the 56th and Harper of the 7th:

A BILL to be entitled an Act to amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, so as to clarify when a medical examiner's inquiry is required to be conducted; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 342. By Senators Harbin of the 16th, Albers of the 56th, Watson of the 1st, Thompson of the 14th, Brass of the 28th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, so as to permit the owner or operator of a vehicle which has a valid number license plate without the required revalidation decal affixed to the plate to retain custody of the vehicle under certain conditions; to repeal conflicting laws; and for other purposes.

SB 353. By Senators Anderson of the 24th, Jones of the 25th, Stone of the 23rd, Albers of the 56th, Dugan of the 30th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 15 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of boilers and pressure vessels, so as to establish civil enforcement and penalty authority in the Safety Fire Commissioner for violations concerning the regulation of boilers and pressure vessels; to provide for conditions; to provide for a civil penalty; to provide for rules and regulations; to provide for authority to institute civil actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 404. By Senators Brass of the 28th, Harper of the 7th, Albers of the 56th, Mullis of the 53rd, Jones of the 25th and others:

A BILL to be entitled an Act to amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to public water systems, so as to prohibit county, municipal, and other public water systems from charging or assessing a separate fee for standby water service for fire

sprinkler system connections; to provide for a purpose; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitutes to the following Bills of the House:

HB 135. By Representatives Hitchens of the 161st, Carter of the 175th, Tanner of the 9th, Lumsden of the 12th and Welch of the 110th:

A BILL to be entitled an Act to amend Code Section 47-2-226 of the Official Code of Georgia Annotated, relating to certain law enforcement officers permitted to obtain creditable service in the Employees' Retirement System of Georgia under certain conditions, so as to expand the class of law enforcement officers that may obtain creditable service in such retirement system under certain conditions; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 354. By Representatives Stephens of the 164th, Petrea of the 166th and Gilliard of the 162nd:

A BILL to be entitled an Act to amend Article 4 of Chapter 7 of Title 50 of the O.C.G.A., relating to the Georgia International and Maritime Trade Center, so as to reconstitute the Georgia International and Maritime Trade Center Authority; to provide for legislative findings; to provide for definitions; to provide for its membership, manner of appointment, terms of office, and powers and duties; to provide for exemption from taxation; to provide for venue; to provide for disposition of property; to exempt its property from levy and sale; to transfer certain assets and liabilities; to authorize the Department of Economic Development to contract with the authority for certain projects; to repeal certain laws; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 513. By Representatives Dickerson of the 113th, Abrams of the 89th, Gardner of the 57th and Hugley of the 136th:

A BILL to be entitled an Act to amend Chapter 10A of Title 19 of the Official Code of Georgia Annotated, relating to safe place for newborns, so as to provide for signs to be posted at certain medical facilities to indicate locations where a newborn child may be left such that the mother can avoid criminal prosecution; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 979. By Representatives Raffensperger of the 50th, Jones of the 25th, Martin of the 49th, Hilton of the 95th and Willard of the 51st:

A BILL to be entitled an Act to amend an Act to incorporate the City of Johns Creek in Fulton County, Georgia, approved March 29, 2006 (Ga. L. 2006, p. 3503), as amended, so as to provide for term limits for the mayor and councilmembers; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate amendments to the following Bills of the House:

HB 422. By Representatives Hitchens of the 161st, Rogers of the 10th, Corbett of the 174th, Deffenbaugh of the 1st, Ealum of the 153rd and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 4 of Title 38 of the Official Code of Georgia Annotated, relating to the Department of Veterans Service, so as to authorize incorporation of a nonprofit corporation as a public foundation; to provide requirements for the same; to provide for the purpose and governance of such public foundation; to provide for annual reports; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 618. By Representative Petrea of the 166th:

A BILL to be entitled an Act to incorporate the City of Skidaway Island; to provide for a charter for the City of Skidaway Island; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for related matters; to provide for a referendum; to provide for contingent effective dates; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitutes, as amended by the House, to the following Bills of the House:

HB 441. By Representatives Fleming of the 121st, Morris of the 156th, Coomer of the 14th and Beskin of the 54th:

A BILL to be entitled an Act to amend Chapter 12 of Title 53 of the O.C.G.A., relating to trusts, so as to establish qualified self-settled spendthrift trusts; to provide for definitions; to provide for exceptions for spendthrift provisions of trusts which are not within qualified self-settled

spendthrift trusts; to provide for claims by creditors for such trusts; to provide for the creation of such trusts; to provide for transfers to such trusts; to provide for vacancies of trustees; to provide for standards for such trusts to be considered nonrevocable; to provide for beneficiary rights to withdrawal; to provide for claims for relief; to amend Part 4 of Article 9 of Title 11 of the O.C.G.A., relating to rights of third parties to secured transactions, so as to exclude qualified self-settled spendthrift trusts from restrictions on assignment; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 769. By Representatives Jasperse of the 11th, England of the 116th, Powell of the 171st, Jackson of the 128th, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 26 and Title 31 of the O.C.G.A., relating to pharmacists and pharmacies and health, respectively, so as to implement recommendations from the House Rural Development Council relating to health care issues; to revise provisions relative to pharmacy practices; to provide for and revise definitions; to revise provisions relative to credentialing and billing; to provide for the establishment of the Rural Center for Health Care Innovation and Sustainability; to revise provisions relative to certificate of need; to provide for the establishment of micro-hospitals; to provide for a grant program for insurance premium assistance for physicians practicing in medically underserved rural areas of the state; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House insists on its position in substituting the following Bill of the Senate:

SB 2. By Senators Dugan of the 30th, Shafer of the 48th, Cowsert of the 46th, Gooch of the 51st, Hill of the 32nd and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36, Chapter 1 of Title 43, and Title 50 of the O.C.G.A., relating to general provisions applicable to counties and municipal corporations, general provisions regarding professions and businesses, and state government, respectively, so as to enhance accountability and notice requirements for agency rule making so as to reduce regulatory burdens on businesses; to provide a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 493. By Senator McKoon of the 29th:

A BILL to be entitled an Act to incorporate the City of Vista Grove in DeKalb County; to provide for a charter for the City of Vista Grove; to provide for incorporation, boundaries, and powers of the city; to provide for a referendum; to provide effective dates and transitional provisions governing the transfer of various functions and responsibilities from DeKalb County to the City of Vista Grove; to provide for severability; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

SB 494. By Senators Shafer of the 48th, Thompson of the 14th, Heath of the 31st, Mullis of the 53rd, Williams of the 27th and others:

A BILL to be entitled an Act to amend Code Section 36-80-23 of the Official Code of Georgia Annotated, relating to prohibition on immigration sanctuary policies by local governing entities and certification of compliance, so as to require the Department of Community Affairs to request documentation from local governing entities supporting such compliance; to provide for the Department of Community Affairs to conduct investigations to verify and ensure such compliance; to revise a definition; to repeal conflicting laws; and for other purposes.

Referred to the Committee on Judiciary.

The following House legislation was read the first time and referred to committee:

HB 1041. By Representatives Rutledge of the 109th, Cauble of the 111th, Welch of the 110th, Mathiak of the 73rd and Knight of the 130th:

A BILL to be entitled an Act to amend an Act incorporating the City of McDonough, approved April 16, 1981 (Ga. L. 1981, p. 3387), as amended, particularly by an Act approved April 12, 2012 (Ga. L. 2012, p. 5452), so as to revise the corporate boundaries of the municipality; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1043. By Representatives Werkheiser of the 157th and Nimmer of the 178th:

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Jesup, approved December 16, 1937 (Ga. L. 1937-38 Ex. Sess., p.

1142), as amended, so as to provide for staggered terms for the board of commissioners; to provide for the conduct of municipal elections; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1045. By Representatives Williams of the 145th and Rhodes of the 120th:

A BILL to be entitled an Act to authorize Putnam County, Georgia, to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Georgia Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide for effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1046. By Representative Pirkle of the 155th:

A BILL to be entitled an Act to authorize the governing authority of the City of Fitzgerald to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1052. By Representatives Tarvin of the 2nd, Ridley of the 6th and Carpenter of the 4th:

A BILL to be entitled an Act to amend an Act creating the board of commissioners of Whitfield County, approved February 21, 1964 (Ga. L. 1964, p. 2175), as amended, so as to provide for the election of certain members of the board of commissioners by district; to provide for related matters; to provide for a referendum; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1054. By Representatives Setzler of the 35th, Ehrhart of the 36th, Golick of the 40th, Cooper of the 43rd, Reeves of the 34th and others:

A BILL to be entitled an Act to amend an Act entitled "An Act to reincorporate and provide a new charter for the City of Acworth," approved February 17,

1989 (Ga. L. 1989, p. 3512), as amended, so as to adopt by reference a certain map; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1056. By Representatives Bazemore of the 63rd, Bruce of the 61st, Jackson of the 64th and Boddie of the 62nd:

A BILL to be entitled an Act to provide for a new homestead exemption from City of South Fulton ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the adjusted base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for related matters; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1057. By Representative Powell of the 171st:

A BILL to be entitled an Act to authorize the governing authority of the City of Pelham to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1058. By Representative Dukes of the 154th:

A BILL to be entitled an Act to amend an Act changing the method of selecting the members of the Board of Education of Miller County, approved March 21, 1968 (Ga. L. 1968, p. 2529), as amended, particularly by an Act approved March 20, 2000 (Ga. L. 2000, p. 3534), so as to revise the districts for the election of members of the board of education; to provide for definitions and inclusions; to provide for method of election; to provide for the continuation in office of current members; to repeal and reserve certain provisions; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1059. By Representatives Jasperse of the 11th, Ridley of the 6th and Meadows of the 5th:

A BILL to be entitled an Act to abolish the office of elected county surveyor of Murray County; to provide for the appointment of a county surveyor by the governing authority of the county; to provide that the person currently serving as elected county surveyor shall serve out the remainder of his or her term; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1060. By Representatives Jones of the 91st, Stephenson of the 90th, Kendrick of the 93rd, Williams of the 87th, Carter of the 92nd and others:

A BILL to be entitled an Act to provide a new charter for the City of Stonecrest in DeKalb County; to provide for reconstitution, boundaries, and powers of the city; to provide for general powers and limitations on powers; to provide for other matters relative to the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1062. By Representatives LaRiccica of the 169th and Pirkle of the 155th:

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Douglas, approved March 10, 1993 (Ga. L. 1993, p. 4022), as amended, particularly by an Act approved March 27, 1998 (Ga. L. 1998, p. 3855), so as to stagger the terms of the members of the governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Education and Youth has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 787 Do Pass by substitute
HB 853 Do Pass by substitute

Respectfully submitted,
Senator Tippins of the 37th District, Chairman

Mr. President:

The Committee on Government Oversight has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 493 Do Pass by substitute

Respectfully submitted,
Senator Heath of the 31st District, Chairman

Mr. President:

The Committee on Health and Human Services has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 301 Do Pass by substitute

Respectfully submitted,
Senator Unterman of the 45th District, Chairman

Mr. President:

The Committee on Insurance and Labor has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 795 Do Pass
SR 1058 Do Pass

Respectfully submitted,
Senator Jones of the 25th District, Chairman

Mr. President:

The Committee on Judiciary has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 185	Do Pass by substitute	HB 605	Do Pass by substitute
HB 657	Do Pass by substitute	HB 673	Do Pass by substitute
HB 791	Do Pass by substitute	HR 993	Do Pass by substitute

Respectfully submitted,
 Senator Stone of the 23rd District, Chairman

Mr. President:

The Committee on Public Safety has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 978 Do Pass by substitute

Respectfully submitted,
 Senator Albers of the 56th District, Chairman

Mr. President:

The Committee on Retirement has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 538 Do Pass
 HB 624 Do Pass

Respectfully submitted,
 Senator Black of the 8th District, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 822	Do Pass	HB 870	Do Pass
HB 942	Do Pass	HB 946	Do Pass
HB 1011	Do Pass	HB 1025	Do Pass
HB 1035	Do Pass	HB 1036	Do Pass by substitute

HB 1038 Do Pass
 HB 1044 Do Pass
 HB 1048 Do Pass
 HB 1050 Do Pass

HB 1039 Do Pass
 HB 1047 Do Pass
 HB 1049 Do Pass

Respectfully submitted,
 Senator Kirk of the 13th District, Chairman

The following legislation was read the second time:

HB 301	HB 493	HB 538	HB 605	HB 624	HB 657
HB 673	HB 787	HB 791	HB 795	HB 853	HB 978
HR 993	SR 1058				

The roll was called and the following Senators answered to their names:

Albers	James	Rhett
Anderson, L	Jones, B	Seay
Anderson, T	Jones, H	Shafer
Beach	Jordan	Sims
Brass	Kennedy	Stone
Burke	Kirk	Strickland
Butler	Kirkpatrick	Thompson, B
Cowsert	Ligon	Thompson, C
Davenport	Lucas	Tillery
Dugan	Martin	Tippins
Ginn	Millar	Unterman
Harbin	Miller	Walker
Harbison	Mullis	Watson
Harper	Orrock	Wilkinson
Heath	Parent	Williams, M
Henson	Payne	Williams, N
Hufstetler		

Not answering were Senators:

Black	Gooch	Hill
Jackson	Jones, E.	McKoon
Tate		

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Butler of the 55th introduced the chaplain of the day, Dr. Don Brawley III of Snellville, Georgia, who offered scripture reading and prayer.

Senator Orrock of the 36th introduced the doctor of the day, Dr. Mboh Elango.

Senator Miller of the 49th recognized Holly Haynes, Miss University of Georgia 2018, who addressed the Senate briefly.

The following resolutions were read and adopted:

SR 1094. By Senators Hill of the 4th, Stone of the 23rd, Unterman of the 45th, Watson of the 1st, Miller of the 49th and others:

A RESOLUTION recognizing April, 2018, as Child Abuse Prevention Month at the state capitol; and for other purposes.

SR 1095. By Senators Hill of the 4th, Tillery of the 19th, Miller of the 49th and Watson of the 1st:

A RESOLUTION commending the Pinewood Christian girls basketball team for winning the GISA Class 3A State Basketball Championship; and for other purposes.

SR 1096. By Senators Hill of the 4th, Tillery of the 19th, Stone of the 23rd, Miller of the 49th, Watson of the 1st and others:

A RESOLUTION commending and congratulating William Durden Gagel; and for other purposes.

SR 1097. By Senators Tillery of the 19th, Hill of the 4th, Mullis of the 53rd, Henson of the 41st, Miller of the 49th and others:

A RESOLUTION honoring the life and memory of Jim L. Gillis, Jr., and his exemplary service to the community; and for other purposes.

SR 1098. By Senators Harper of the 7th and Albers of the 56th:

A RESOLUTION recognizing and commending the Motor Carrier Compliance Division; and for other purposes.

SR 1099. By Senators Miller of the 49th, Wilkinson of the 50th, Unterman of the 45th, Gooch of the 51st and Ginn of the 47th:

A RESOLUTION recognizing and commending Ruby Brawner as a Girl Scouts Woman of Distinction; and for other purposes.

SR 1100. By Senators Anderson of the 43rd, Jones II of the 22nd, Davenport of the 44th, Butler of the 55th, Jones of the 10th and others:

A RESOLUTION honoring the life and memory of Hosie Lee Peterson; and for other purposes.

SR 1101. By Senators Anderson of the 43rd, Jones II of the 22nd, Davenport of the 44th, Butler of the 55th, Jones of the 10th and others:

A RESOLUTION celebrating the tenth anniversary of Stronghold Christian Church East; and for other purposes.

SR 1102. By Senators James of the 35th, Rhett of the 33rd and Seay of the 34th:

A RESOLUTION recognizing the Georgia's Powerful Women event at the capitol on March 21, 2018; and for other purposes.

SR 1103. By Senators James of the 35th, Rhett of the 33rd and Seay of the 34th:

A RESOLUTION recognizing March 23, 2018, as Africa Diaspora Day at the state capitol; and for other purposes.

SR 1104. By Senators Jones of the 10th, Williams of the 39th, Anderson of the 43rd and Butler of the 55th:

A RESOLUTION recognizing and commending Poplar Springs Baptist Church; and for other purposes.

SR 1105. By Senators Mullis of the 53rd and Hufstetler of the 52nd:

A RESOLUTION recognizing and commending Jeff Martin, principal of Chattooga High School; and for other purposes.

SR 1106. By Senators Hill of the 4th, Mullis of the 53rd, Miller of the 49th, Cowsert of the 46th, Gooch of the 51st and others:

A RESOLUTION commending Mr. Chris Riley for his exceptional service to the State of Georgia; and for other purposes.

SR 1107. By Senators Hill of the 4th, Stone of the 23rd, Miller of the 49th, Cowsert of the 46th, Gooch of the 51st and others:

A RESOLUTION recognizing and commending Lainie Jenkins on the occasion of her retirement; and for other purposes.

SR 1108. By Senators Hill of the 4th, Thompson of the 14th, Shafer of the 48th, Mullis of the 53rd, Miller of the 49th and others:

A RESOLUTION recognizing and commending Melody DeBussey for receiving a Georgia Tech Distinguished Alumni Award; and for other purposes.

SR 1109. By Senators Kennedy of the 18th, Stone of the 23rd, Cowsert of the 46th, Tillery of the 19th and Strickland of the 17th:

A RESOLUTION recognizing and commending Court of Appeals Chief Judge Andrews on his outstanding public service; and for other purposes.

SR 1110. By Senators Martin of the 9th and Unterman of the 45th:

A RESOLUTION honoring the life and memory of Robert H. Cain; and for other purposes.

SR 1111. By Senators Martin of the 9th, Unterman of the 45th, Shafer of the 48th, Millar of the 40th, Ginn of the 47th and others:

A RESOLUTION recognizing and commending 12Stone Church on the occasion of its 30th anniversary; and for other purposes.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Friday March 23, 2018

Thirty-eighth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 822

Strickland of the 17th

Jones of the 25th

ACADEMY OF SOCIAL CIRCLE

A BILL to be entitled an Act to amend an Act to continue the charter for the Academy of Social Circle, to create a body politic

known as the School District of Social Circle, and to provide for a board of education and matters relative thereto, approved April 29, 1997 (Ga. L. 1997, p. 4557), so as to modify provisions relating to the filling of vacancies on the Board of Education of Social Circle; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 870

James of the 35th
Tate of the 38th
Williams of the 39th
CITY OF SOUTH FULTON

A BILL to be entitled an Act to amend an Act to incorporate the City of South Fulton in Fulton County, Georgia, approved April 26, 2016 (Ga. L. 2016, p. 3726), so as to change the corporate boundaries of the municipality; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

HB 942

Watson of the 1st
Jackson of the 2nd
SAVANNAH STATE FARMERS MARKET AUTHORITY

A BILL to be entitled an Act to create the Savannah State Farmers Market Authority; to define certain terms; to provide for a board of trustees, appointment of members, and meetings; to provide for powers, duties, and purpose; to authorize the issuance of revenue bonds of the authority and to authorize the collection for the payment of such revenue bonds; to make the revenue bonds of the authority exempt from taxation; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to provide for the validation of bonds; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 946

Kennedy of the 18th
Walker III of the 20th
Lucas of the 26th
BORAD OF EDUCATION OF HOUSTON COUNTY

A BILL to be entitled an Act to amend an Act relating to the Board of Education of Houston County, approved March 31, 1994 (Ga. L. 1994, p. 4435), as amended, particularly by an Act approved April

16, 1999 (Ga. L. 1999, p. 4640), so as to modify the compensation of the members of the Board of Education of Houston County; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1011

Wilkinson of the 50th
TOWN OF MARTIN

A BILL to be entitled an Act to amend an Act to provide a new charter for the Town of Martin, approved March 18, 1980 (Ga. L. 1980, p. 3215), as amended, particularly by an Act approved March 21, 1989 (Ga. L. 1989, p. 3883), so as to change certain provisions relating to the mayoral term; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1025

Tillery of the 19th
CITY OF JESUP

A BILL to be entitled an Act to authorize the governing authority of the City of Jesup to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1035

Harbison of the 15th
McKoon of the 29th
MAGISTRATE COURT OF MUSCOGEE COUNTY

A BILL to be entitled an Act to authorize the Magistrate Court of Muscogee County to impose and collect county law library fees as part of the court costs in the magistrate court; to provide for practices and procedures connected therewith; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1036

Jordan of the 6th
Beach of the 21st
Brass of the 28th
Kirkpatrick of the 32nd
James of the 35th
Orrock of the 36th
Tate of the 38th

Williams of the 39th
 Millar of the 40th
 Shafer of the 48th
 Albers of the 56th
FULTON COUNTY

A BILL to be entitled an Act to provide for the clerk of the Superior Court of Fulton County to require that tax parcel identification number information be included on documents recorded in the real property records of said clerk; to provide for related matters; to repeal conflicting laws; and for other purposes.

SUBSTITUTE

HB 1038

Thompson of the 5th
 Martin of the 9th
 Millar of the 40th
 Henson of the 41st
 Unterman of the 45th
 Shafer of the 48th
 Butler of the 55th
GWINNETT COUNTY

A BILL to be entitled an Act to authorize the governing authority of Gwinnett County to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1039

Gooch of the 51st
 Payne of the 54th
BIG CANOE WATER AND SEWERAGE AUTHORITY

A BILL to be entitled an Act to create the Big Canoe Water and Sewer Authority; to provide a short title; to define certain terms; to provide for membership, appointment, terms, term limits, qualifications, officers, quorums, vacancies, and audits of the authority; to provide for purposes; to provide for powers and duties; to provide for the issuance of revenue bonds; to provide for the public nature of authority property; to provide for limitations on debt; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1044

Black of the 8th
Burke of the 11th
SOUTHERN JUDICIAL CIRCUIT

A BILL to be entitled an Act to amend an Act providing for a supplement to the compensation of the judges of the superior courts of the Southern Judicial Circuit, approved March 6, 1956 (Ga. L. 1956, p. 537), as amended, particularly by an Act approved May 10, 2005 (Ga. L. 2005, p. 4150), so as to increase the amount of such supplement; to provide for the payment of such supplement in specified amounts by the counties comprising the circuit; to repeal conflicting laws; and for other purposes.

HB 1047

Lucas of the 26th
STATE COURT OF WASHINGTON COUNTY

A BILL to be entitled an Act to amend an Act to create the State Court of Washington County, approved October 31, 1901 (Ga. L. 1901, p. 164), as amended, particularly by an Act approved March 3, 1964 (Ga. L. 1964, p. 2247), so as to authorize the State Court of Washington County to charge a technology fee for each civil case filed and each criminal fine imposed; to specify the uses to which said technology fees may be put; to provide for related matters; to provide for automatic repeal; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1048

Gooch of the 51st
SUPERIOR COURTS OF THE BLUE RIDGE JUDICIAL CIRCUIT

A BILL to be entitled an Act to amend an Act to supplement the salary of the judge of the Superior Courts of the Blue Ridge Judicial Circuit, approved February 8, 1950 (Ga. L. 1949-50, p. 102), as amended, particularly by an Act approved December 28, 1953 (Ga. L. 1953, Nov.-Dec. Sess., p. 330), an Act approved March 2, 1966 (Ga. L. 1966, p. 119), an Act approved March 22, 1989 (Ga. L. 1989, p. 4192), an Act approved April 10, 1998 (Ga. L. 1998, p. 4447), and an Act approved May 5, 2006 (Ga. L. 2006, p. 4415), so as to increase the amount of compensation paid to such judges by the county comprising the Blue Ridge Judicial Circuit; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1049 Thompson of the 14th
Beach of the 21st
Albers of the 56th
STATE COURT OF CHEROKEE COUNTY

A BILL to be entitled an Act to amend an Act to create the State Court of Cherokee County, approved April 15, 1996 (Ga. L. 1996, p. 4427), so as to modify the compensation of the judges of the State Court of Cherokee County; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1050 Kennedy of the 18th
CITY OF BYRON

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Byron, approved February 13, 1941 (Ga. L. 1941, p. 1210), as amended, so as to revise provisions relating to the duties and powers of the mayor; to revise provisions relating to the duties and powers of the city administrator; to revise provisions relating to the position of city clerk; to provide for the appointment of a city attorney; to repeal provisions relating to the positions of marshal, chief of police, and tax assessor; to provide for related matters; to repeal conflicting laws; and for other purposes.

Pursuant to Senate Rule 4-2.9(b), Senator Orrock of the 36th filed the following objection:

As provided in Senate Rule 4-2.9(b), we, the undersigned Senators, hereby file an objection to HB 870, which is on the Local Consent Calendar for today, and hereby request that it be moved to the Senate Local Contested Calendar.

/s/ Orrock of the 36th
/s/ Williams of the 39th
/s/ Millar of the 40th
Date: 3/23/2018

Pursuant to Senate Rule 4-2.9(b), HB 870 was removed from the Senate Local Consent Calendar.

The substitute to the following bill was put upon its adoption:

*HB 1036:

The Senate Committee on State and Local Governmental Operations offered the following substitute to HB 1036:

A BILL TO BE ENTITLED
AN ACT

To provide for the clerk of the Superior Court of Fulton County to require that tax parcel identification number information be included on documents recorded in the real property records of said clerk; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

The clerk of the Superior Court of Fulton County is hereby authorized to require that no instrument by which the title to real property or any interest therein is conveyed, created, assigned, encumbered, disposed of, or otherwise affected shall be entitled to recordation unless the tax parcel identification number or numbers associated with all or any portion of the real property affected are legibly printed, typewritten, or stamped upon such affidavit or instrument at the top of the first page thereof. The presence of an incorrect tax parcel identification number, or the absence of a tax parcel identification number, on a recorded instrument shall not void or render voidable such instrument, shall not affect the validity or enforceability of such instrument, and shall not affect any notice, constructive or otherwise, provided by the recordation of such instrument.

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there was no objection, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bills as reported, was agreed to.

On the passage of the bills on the Local Consent Calendar, a roll call was taken, and the vote was as follows:

Y Albers
Y Anderson, L
Y Anderson, T
Y Beach

Y Hufstetler
Y Jackson
Y James
Y Jones, B

Y Payne
Y Rhett
Y Seay
Y Shafer

Y Black	Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Parent	

On the passage of the local bills, the yeas were 48, nays 2.

The bills on the Local Consent Calendar, except HB 1036, having received the requisite constitutional majority, were passed.

HB 1036, having received the requisite constitutional majority, was passed by substitute.

Senator Jackson of the 2nd asked unanimous consent that Senator Jones of the 10th be excused. The consent was granted, and Senator Jones was excused.

Senator Orrock of the 36th moved that HB 870 be placed on the Table.

Senator James of the 35th objected.

On the motion, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	N Rhett
Y Anderson, T	N James	Y Seay
Y Beach	N Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
N Burke	Y Jordan	Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	Y Kirk	N Thompson, B
N Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	N Ligon	Y Tillery

Y Ginn	Y Lucas	Y Tippins
N Gooch	N Martin	Y Unterman
N Harbin	N McKoon	Walker
Y Harbison	Y Millar	N Watson
N Harper	N Miller	Y Wilkinson
Y Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the motion, the yeas were 31, nays 20; the motion prevailed, and HB 870 was placed on the Table.

Senator Strickland of the 17th was excused for business outside the Senate Chamber.

Senator Cowsert of the 46th moved to engross HB 85, HB 735, HB 93, HB 374, and HB 696 which were on today's Senate Rules Calendar.

Senator Jones II of the 22nd objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	N Rhett
N Anderson, T	N James	Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Jordan	E Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 37, nays 13; the motion prevailed, and HB 85, HB 735, HB 93, HB 374, and HB 696 were engrossed.

SENATE RULES CALENDAR
FRIDAY, MARCH 23, 2018
THIRTY-EIGHTH LEGISLATIVE DAY

- HB 271 Water resources; shore protection; revise various provisions (Substitute) (NR&E-7th) Petrea-166th
- HB 684 General appropriations; State Fiscal Year July 1, 2018 - June 30, 2019 (Substitute)(APPROP-4th) Ralston-7th
- HR 51 Forest land fair market value; prescribed methodology; remove -CA (Substitute)(RULES-8th) Powell-171st
- HB 85 Ad valorem tax; methodology used to establish forest land fair market value; revise (Substitute)(RULES-8th) Powell-171st
- HB 930 Georgia Regional Transportation Authority; creation of certain community improvement districts; provisions (Substitute)(TRANS-21st) Tanner-9th
- HB 735 Income tax credit; expenditures on the maintenance of a railroad track owned or leased by a Class III railroad; create (Substitute)(RULES-51st) Bentley-139th
- SR 989 Federal Motor Carrier Safety Administration (FMCSA); withdraw Electronic Logging Device (ELD) regulations on the agriculture industry; encourage (AG&CA-50th)
- HB 121 Trusts; minor or unborn beneficiaries; change provisions (JUDY-23rd) Efstoration-104th
- HB 927 Courts; certain information be provided to caregiver upon placement of a child; require (Substitute)(H&HS-45th) Nimmer-178th
- HB 899 Contracts; limitation on disqualification of bidders; change (ED&T-30th) LaRiccia-169th
- HB 904 Torts; effect of a landowner charging an admission price or fee; clarify provisions (Substitute)(AG&CA-19th) Hanson-80th
- HB 65 Low THC Oil Patient Registry; conditions and eligibility; change provisions (Substitute)(H&HS-28th) Peake-141st

- HB 93 Sales and use tax; no interest shall be paid on refunds; provisions (Substitute)(FIN-56th) Corbett-174th
- HB 374 Ad valorem tax; property; allow electronic filing of returns in certain cases (Substitute)(FIN-28th) Knight-130th
- HB 314 Georgia Agribusiness and Rural Jobs Act; enact (Substitute)(FIN-52nd) Shaw-176th
- HB 410 Condominiums; certain fees imposed on purchasers; provide for limits (Substitute)(JUDY-3rd) Powell-32nd
- HB 489 Local government; use Georgia Procurement Registry in addition to official legal organ to advertise certain bid opportunities; provide (Substitute) (ED&T-28th) McCall-33rd
- HB 571 Magistrates Retirement Fund; member in arrears for dues payments for 90 days shall be suspended; provisions (RET-8th) Watson-172nd
- HB 696 Sales and use tax; certain computer equipment sold or leased to certain entities for use in high-technology data centers; create exemption (Substitute)(FIN-51st) Kelley-16th
- HB 721 Motor vehicles; criteria by which the Department of Driver Services shall authorize licensed driver training schools to administer on-the-road driving skills testing; revise (Substitute)(PUB SAF-56th) Powell-32nd
- HB 760 Insurance; certain policies, definitions, and property insurance; revise (Substitute)(I&L-14th) Lumsden-12th
- HB 763 Education; student attendance protocol committees to school climate; expand (Substitute)(ED&Y-28th) Nix-69th
- HB 782 Crimes and offenses; provisions relating to permissible users with access to prescription drug monitoring program data base; revise (Substitute) (H&HS-20th) Rhodes-120th
- HB 790 State government; recommendations of the Court Reform Council; implement (Substitute)(JUDY-23rd) Efstoration-104th
- HB 815 Special license plates; Georgia Masonic Charities; establish (PUB SAF-56th) Martin-49th

HB 834 Landlord and tenant; termination of a rental or lease agreement under circumstances involving family violence; provide (Substitute)(JUDY-23rd) Ballinger-23rd

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HB 271. By Representatives Petrea of the 166th, Stephens of the 164th, Jones of the 167th, Spencer of the 180th, Hogan of the 179th and others:

A BILL to be entitled an Act to amend Part 2 of Article 4 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to shore protection, so as to revise various provisions relative to shore protection; to revise and add definitions; to establish authority and powers of the Department of Natural Resources; to revise provisions relating to permit activities and procedures; to provide for applicability; to strike obsolete language and correct cross-references; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The Senate Committee on Natural Resources and the Environment offered the following substitute to HB 271:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, so as to remove a prohibition on hunting on wildlife management areas; to change the date of effective rules and regulations of the Board of Natural Resources; to amend Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, so as to provide for regulation of hunting with air guns of not less than 0.30 caliber; to modify prohibitions relating to unlawful enticement of game and hunting in the vicinity of feed or bait; to modify seasons and bag limits for deer, opossum, and raccoon; to remove formal report requirements; to modify certain prohibitions relating to restrictions on hunting feral hogs; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, is amended in Code Section 27-1-33, relating to noncompliance with laws while on fishing area, fish hatchery, natural area, or wildlife management area, hunting without wildlife management area license, and acts constituting criminal trespass, by revising subsection (a) as follows:

"(a) It shall be unlawful to enter upon or to hunt, trap, or fish on any public fishing area, fish hatchery, or natural area, or wildlife management area owned or operated by the department except in compliance with all applicable laws and all rules and regulations promulgated by the board, including, but not limited to, any law, rule, or regulation relating to seasons or bag limits or requiring a special permit. ~~Further, it shall be unlawful for any person except those specifically excluded by law to hunt on a wildlife management area without a valid wildlife management area license as authorized by Code Section 27-2-23.~~"

SECTION 2.

Said chapter is further amended by revising Code Section 27-1-39, relating to rules and regulations used to establish criminal violations, as follows:

"27-1-39.

Notwithstanding any other law to the contrary, for purposes of establishing criminal violations of the rules and regulations promulgated by the Board of Natural Resources as provided in this title, the term 'rules and regulations' means those rules and regulations of the Board of Natural Resources in force and effect on January 1, ~~2016~~ 2018."

SECTION 3.

Part 1 of Article 1 of Chapter 3 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to hunting, is amended in Code Section 27-3-4, relating to legal weapons for hunting wildlife generally, prohibition of use of silencers and suppressors, and penalty for violations, by revising paragraphs (8) and (9) of and adding a new paragraph to subsection (a) to read as follows:

"(8) There are no firearms restrictions for taking nongame animals, nongame birds, or feral hogs; ~~and~~

(9) The use of silencers or suppressors for hunting within this state is prohibited; provided, however, that a silencer or suppressor may be used for hunting on the private property of the person using such silencer or suppressor, on private property for which the owner of such property has provided verifiable permission to the person using such silencer or suppressor, and on public lands in areas designated by the department; and

(10) For purposes of this paragraph, the term 'air gun' means any pistol, handgun, or shoulder-held device, each of not less than 0.30 caliber, or air bow that propels a

projectile in the form of a slug, shot, or arrow equipped with a broadhead utilizing unignited compressed air or gas. Air guns shall be legal weapons for hunting big game only during primitive weapon hunts, primitive weapon seasons, and firearm seasons. This paragraph shall stand repealed effective July 1, 2021, unless continued in effect by the General Assembly prior to that date. At its 2021 regular session, the General Assembly shall review this paragraph to determine whether it should be continued in effect."

SECTION 4.

Said part is further amended in Code Section 27-3-9, relating to unlawful enticement of game, by deleting subsection (a), by redesignating subsection (a.1) as subsection (a), by deleting paragraph (2) of subsection (b), by redesignating paragraph (3) of subsection (b) as paragraph (2), by redesignating paragraph (4) of subsection (b) as paragraph (3), and by revising subsection (a.2) as follows:

"~~(a.2)~~(a.1) Nothing in ~~subsection (a.1)~~ of this Code section shall prohibit any person from placing, exposing, depositing, distributing, or scattering any corn, wheat, or other grains, salts, apples, or other feeds or bait so as to constitute a lure or attraction or enticement for deer on lands that are not under the ownership or control and management of the state or federal government; provided, however, that any such lure or attraction or enticement shall not be placed, exposed, deposited, distributed, or scattered so as to cause hunting any species of wildlife on any adjoining property to be prohibited under subsection (b) of this Code section."

SECTION 5.

Said part is further amended in Code Section 27-3-15, relating to hunting seasons and bag limits, promulgation of rules and regulations by board, possession of more than the bag limit, and reporting number of deer killed, by revising subsections (a), (b), and (g) as follows:

"(a) It shall be unlawful to hunt the following game species at any time during the periods set forth below:

<u>Game Species</u>	<u>Closed Season</u>
(1) Quail	March 16 — Oct. 31
(2) Grouse	March 1 — Oct. 14
(3) Turkey	
(A) Gobblers	May 22 — March 14
(B) Hens	All year
(4) Deer	Jan. 16 — Sept. 7; except that the closed season may be Feb. 1 - Sept. 7 in those counties specified as

having an extended archery-only open season in paragraph (4) of subsection (b) of this Code section; as may be appropriate, and based solely on sound wildlife management principles, the department may by rule extend the season by region, by county, or locale to Jan. 31 for archery only

- (5) Bobcat March 1 — Oct. 14
- (6) Opossum March 1 — Oct. 14, ~~for that area north of and including Haralson, Paulding, Bartow, Cherokee, Forsyth, Hall, Banks, Franklin, and Hart counties~~
- (7) Rabbit March 1 — Oct. 31
- (8) Raccoon March 1 — Oct. 14, ~~for that area north of and including Carroll, Fulton, Gwinnett, Barrow, Clarke, Oglethorpe, Taliaferro, Wilkes, and Lincoln counties~~
- (9) Squirrel March 1 — August 14
- (10) Bear Jan. 16 — Sept. 7
- (11) Sea turtles and their eggs All year
- (12) Cougar (*Felis concolor*) All year
- (13) Alligators Nov. 1 — March 31
- (14) Migratory game birds March 11 — August 31

(b) It shall be unlawful to hunt the following game species at any time during the period set forth below, except that it shall not be unlawful to hunt the following game species during such periods or portions thereof, and in such number not to exceed the following numbers, as may be designated by the board as open seasons and bag limits for such species:

<u>Game Species</u>	<u>Maximum Open Season</u>	<u>Maximum Bag Limits</u>	
		<u>Daily</u>	<u>Season</u>
(1) Quail	Nov. 1 — March 15	12	No limit

(2) Grouse	Oct. 15 — Feb. 29	3	No limit
(3) Turkey gobblers	March 15 — May 21	3	3
(4) Deer	Sept. 8 — Jan. 15; except that there may be also an extended archery-only open season Jan. 1 — through Jan. 31 in the counties of <u>Bibb, Chatham, Clarke, Clayton, Cobb, DeKalb, Forsyth, Fulton, Gwinnett, Henry, and Rockdale</u> due to the extra need for herd reduction in that urban and suburban area of the state; <u>as may be appropriate and based solely on sound wildlife management principles, the department may by rule extend the season by region, by county, or locale to Jan. 31 for archery only</u> <u>As may be appropriate and based solely on sound wildlife management principles, the department may by rule adjust the bag limit by region, by county, or locale.</u>	12	12
		The daily limit shall be ten antlerless deer and two antlered bucks. The season limit shall be ten antlerless deer and two antlered bucks. Only one antlered buck may have less than four points one inch or longer on one side of the antlers. Up to two deer per managed hunt may be allowed on wildlife management areas without complying with the state-wide bag limit.	
(5) Bobcat	Oct. 15 — Feb. 29	No limit	No limit
(6) Opossum	(A) Oct. 15 — Feb. 29, for that area north of and including Haralson, Paulding, Bartow, Cherokee, Forsyth, Hall, Banks, Franklin, and Hart counties; and (B) Jan. 1 — Dec. 31 for the remainder of the state	No limit	No limit
(7) Rabbit	Nov. 1 — Feb. 29	12	No limit
(8) Raccoon	(A) Oct. 15 — Feb. 29, for that area north of and including Carroll, Fulton, Gwinnett, Barrow, Clarke, Oglethorpe, Taliaferro, Wilkes, and Lincoln counties; and	No limit	No limit

	(B) Jan. 1 — Dec. 31 for the remainder of the state	No limit	No limit
(9) Squirrel	Aug. 15 — Feb. 29	12	No limit
(10) Fox	Jan. 1 — Dec. 31	No limit	No limit
(11) Migratory game birds	Sept. 1 — March 10	Subject to limits set by the federal government and adopted by the board	
(12) Bear	Sept. 8 — Jan. 15	2	2
(13) Alligators	April 1 — Oct. 31	Subject to limits adopted by the board"	

~~"(g)(1) The department shall report to the General Assembly on or before the fifth day of February of each year the estimated number of deer killed, by sex, in the immediately preceding season.~~

~~(2) Upon completion of its annual analysis of data from the immediately preceding season, the department shall report to the General Assembly on the same day that it reports to the Board of Natural Resources each year the actual number of deer killed, by sex, in the immediately preceding season Reserved."~~

SECTION 6.

Said part is further amended in Code Section 27-3-24, relating to restrictions on hunting feral hogs, by revising subsection (a.2) as follows:

~~"(a.2)(1) It shall be unlawful for Nothing in this Code section shall prohibit any person to place, expose, deposit, distribute, or scatter from placing, exposing, depositing, distributing, or scattering any corn, wheat, or other grains, salts, apples, or other feed or bait so as to constitute a lure, attraction, or enticement for feral hogs within 50 yards of any property ownership boundary; provided, however, that any such lure, attraction, or enticement shall not be placed, exposed, deposited, distributed, or scattered so as to cause hunting any species of wildlife on any adjoining property to be prohibited under this Code section."~~

SECTION 7.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Jones, B	Y Shafer
Y Black	E Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	N Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 37, nays 16.

HB 271, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3-23-18

Due to business outside the Senate Chamber, I missed the vote on HB 271. Had I been present, I would have voted "yes".

/s/ Burt Jones
District 25

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Hill of the 4th.

**SENATE APPROPRIATIONS COMMITTEE SUBSTITUTE TO H.B. 684
A BILL TO BE ENTITLED AN ACT**

To make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the State government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

**BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:
PART I**

The sums of money hereinafter provided are appropriated for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019, as prescribed hereinafter for such fiscal year:

HB 684 (FY 2019G)



Revenue Sources Available for Appropriation

TOTAL STATE FUNDS	\$26,032,155,186	\$26,032,155,186	\$26,032,155,186
State General Funds	\$22,365,038,266	\$22,365,038,266	\$22,365,038,266
State Motor Fuel Funds	\$1,830,500,000	\$1,830,500,000	\$1,830,500,000
Lottery Proceeds	\$1,201,496,219	\$1,201,496,219	\$1,201,496,219
Tobacco Settlement Funds	\$150,159,978	\$150,159,978	\$150,159,978
Brain & Spinal Injury Trust Fund	\$1,445,857	\$1,445,857	\$1,445,857
Nursing Home Provider Fees	\$157,326,418	\$157,326,418	\$157,326,418
Hospital Provider Fee	\$326,188,448	\$326,188,448	\$326,188,448
TOTAL FEDERAL FUNDS	\$14,099,945,654	\$14,097,717,135	\$14,094,643,088
Federal Funds Not Itemized	\$3,796,584,119	\$3,805,613,236	\$3,806,178,236
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$127,917,722	\$127,917,722	\$127,917,722
Community Mental Health Services Block Grant CFDA93.958	\$14,163,709	\$14,163,709	\$14,163,709
Community Services Block Grant CFDA93.569	\$16,844,514	\$16,844,514	\$16,844,514
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,528,196,404	\$1,528,196,404	\$1,528,196,404

Foster Care Title IV-E CFDA93.658	\$102,496,376	\$102,496,376	\$102,533,891
Low-Income Home Energy Assistance CFDA93.568	\$56,082,762	\$56,082,762	\$56,082,762
Maternal & Child Health Services Block Grant CFDA93.994	\$16,884,236	\$16,884,236	\$16,884,236
Medical Assistance Program CFDA93.778	\$7,448,876,401	\$7,437,618,765	\$7,433,942,203
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$48,000,973	\$48,000,973	\$48,000,973
Preventive Health & Health Services Block Grant CFDA93.991	\$2,206,829	\$2,206,829	\$2,206,829
Social Services Block Grant CFDA93.667	\$52,605,059	\$52,605,059	\$52,605,059
State Children's Insurance Program CFDA93.767	\$461,088,931	\$461,088,931	\$461,088,931
Temporary Assistance for Needy Families	\$330,379,531	\$330,379,531	\$330,379,531
Temporary Assistance for Needy Families Grant CFDA93.558	\$326,177,253	\$326,177,253	\$326,177,253
TANF Transfers to Social Services Block Grant per 42 USC 604	\$4,202,278	\$4,202,278	\$4,202,278
TOTAL AGENCY FUNDS	\$6,438,662,225	\$6,446,162,225	\$6,447,562,225
Contributions, Donations, and Forfeitures	\$2,024,223	\$2,024,223	\$2,024,223
Contributions, Donations, and Forfeitures Not Itemized	\$2,024,223	\$2,024,223	\$2,024,223
Reserved Fund Balances	\$1,015,020	\$1,015,020	\$1,015,020
Reserved Fund Balances Not Itemized	\$1,015,020	\$1,015,020	\$1,015,020
Interest and Investment Income	\$6,052,072	\$6,052,072	\$6,052,072
Interest and Investment Income Not Itemized	\$6,052,072	\$6,052,072	\$6,052,072
Intergovernmental Transfers	\$2,732,055,123	\$2,732,055,123	\$2,732,055,123
Hospital Authorities	\$214,057,828	\$214,057,828	\$214,057,828
University System of Georgia Research Funds	\$2,183,681,574	\$2,183,681,574	\$2,183,681,574
Intergovernmental Transfers Not Itemized	\$334,315,721	\$334,315,721	\$334,315,721
Rebates, Refunds, and Reimbursements	\$313,387,639	\$313,387,639	\$313,387,639
Rebates, Refunds, and Reimbursements Not Itemized	\$313,387,639	\$313,387,639	\$313,387,639
Royalties and Rents	\$936,985	\$936,985	\$936,985
Royalties and Rents Not Itemized	\$936,985	\$936,985	\$936,985
Sales and Services	\$3,379,007,224	\$3,386,507,224	\$3,387,907,224
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$840,414,317	\$847,914,317	\$849,314,317
Tuition and Fees for Higher Education	\$2,537,974,005	\$2,537,974,005	\$2,537,974,005
Sanctions, Fines, and Penalties	\$4,183,939	\$4,183,939	\$4,183,939
Sanctions, Fines, and Penalties Not Itemized	\$4,183,939	\$4,183,939	\$4,183,939
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$4,283,405,963	\$4,283,405,963	\$4,282,823,733

State Funds Transfers	\$4,264,638,629	\$4,264,638,629	\$4,264,056,399
State Fund Transfers Not Itemized	\$50,748,153	\$50,748,153	\$50,748,153
Accounting System Assessments	\$21,473,637	\$21,473,637	\$21,473,637
Agency to Agency Contracts	\$20,587,780	\$20,587,780	\$20,587,780
Health Insurance Payments	\$3,672,579,618	\$3,672,579,618	\$3,672,579,618
Liability Funds	\$37,692,570	\$37,692,570	\$37,692,570
Merit System Assessments	\$12,700,147	\$12,700,147	\$12,700,147
Optional Medicaid Services Payments	\$280,857,262	\$280,857,262	\$280,857,262
Retirement Payments	\$61,407,097	\$61,407,097	\$61,407,097
Unemployment Compensation Funds	\$4,499,794	\$4,499,794	\$3,917,564
Workers Compensation Funds	\$102,092,571	\$102,092,571	\$102,092,571
Agency Funds Transfers	\$16,335,402	\$16,335,402	\$16,335,402
Agency Fund Transfers Not Itemized	\$16,335,402	\$16,335,402	\$16,335,402
Federal Funds Transfers	\$2,431,932	\$2,431,932	\$2,431,932
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
FF Medical Assistance Program CFDA93.778	\$629,805	\$629,805	\$629,805
TOTAL PUBLIC FUNDS	\$46,570,763,065	\$46,576,034,546	\$46,574,360,499
 Changes in Fund Availability			
TOTAL STATE FUNDS	\$1,034,803,951	\$1,034,803,951	\$1,034,803,951
State General Funds	\$917,700,455	\$917,700,455	\$917,700,455
State Motor Fuel Funds	\$31,650,000	\$31,650,000	\$31,650,000
Lottery Proceeds	\$70,531,068	\$70,531,068	\$70,531,068
Tobacco Settlement Funds	\$13,650,907	\$13,650,907	\$13,650,907
Brain & Spinal Injury Trust Fund	\$119,922	\$119,922	\$119,922
Nursing Home Provider Fees	(\$14,142,962)	(\$14,142,962)	(\$14,142,962)
Hospital Provider Fee	\$15,294,561	\$15,294,561	\$15,294,561
TOTAL FEDERAL FUNDS	\$189,845,527	\$187,617,008	\$184,542,961
Federal Funds Not Itemized	(\$620,740)	\$8,408,377	\$8,973,377
Foster Care Title IV-E CFDA93.658	\$3,116,984	\$3,116,984	\$3,154,499
Medical Assistance Program CFDA93.778	\$187,349,283	\$176,091,647	\$172,415,085
TOTAL AGENCY FUNDS	(\$95,785,217)	(\$88,285,217)	(\$86,885,217)
Contributions, Donations, and Forfeitures	(\$4,236,754)	(\$4,236,754)	(\$4,236,754)

Contributions, Donations, and Forfeitures Not Itemized	(\$4,236,754)	(\$4,236,754)	(\$4,236,754)
Intergovernmental Transfers	(\$93,371,724)	(\$93,371,724)	(\$93,371,724)
Hospital Authorities	(\$92,371,724)	(\$92,371,724)	(\$92,371,724)
Intergovernmental Transfers Not Itemized	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)
Sales and Services	\$1,823,261	\$9,323,261	\$10,723,261
Sales and Services Not Itemized	\$1,823,261	\$9,323,261	\$10,723,261
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$201,082,790	\$201,082,790	\$200,500,560
State Funds Transfers	\$201,082,790	\$201,082,790	\$200,500,560
State Fund Transfers Not Itemized	(\$17,866,432)	(\$17,866,432)	(\$17,866,432)
Agency to Agency Contracts	\$500,000	\$500,000	\$500,000
Health Insurance Payments	\$211,258,892	\$211,258,892	\$211,258,892
Liability Funds	\$6,200,000	\$6,200,000	\$6,200,000
Merit System Assessments	(\$494,420)	(\$494,420)	(\$494,420)
Retirement Payments	(\$515,250)	(\$515,250)	(\$515,250)
Unemployment Compensation Funds	(\$1,000,000)	(\$1,000,000)	(\$1,582,230)
Workers Compensation Funds	\$3,000,000	\$3,000,000	\$3,000,000
TOTAL PUBLIC FUNDS	\$1,329,947,051	\$1,335,218,532	\$1,332,962,255

Reconciliation of Fund Availability to Fund Application

Section 1: Georgia Senate

	Section Total - Continuation		
TOTAL STATE FUNDS	\$11,653,062	\$11,653,062	\$11,653,062
State General Funds	\$11,653,062	\$11,653,062	\$11,653,062
TOTAL PUBLIC FUNDS	\$11,653,062	\$11,653,062	\$11,653,062
	Section Total - Final		
TOTAL STATE FUNDS	\$11,653,062	\$11,653,062	\$11,626,262
State General Funds	\$11,653,062	\$11,653,062	\$11,626,262
TOTAL PUBLIC FUNDS	\$11,653,062	\$11,653,062	\$11,626,262

Lieutenant Governor's Office

Continuation Budget

TOTAL STATE FUNDS	\$1,330,208	\$1,330,208	\$1,330,208
State General Funds	\$1,330,208	\$1,330,208	\$1,330,208
TOTAL PUBLIC FUNDS	\$1,330,208	\$1,330,208	\$1,330,208

1.1 *Reduce and realign funds for risk premiums based on projected expenditures.*

State General Funds (\$3,400)

1.100-Lieutenant Governor's Office	Appropriation (HB 684)		
TOTAL STATE FUNDS	\$1,330,208	\$1,330,208	\$1,326,808
State General Funds	\$1,330,208	\$1,330,208	\$1,326,808
TOTAL PUBLIC FUNDS	\$1,330,208	\$1,330,208	\$1,326,808

Secretary of the Senate's Office

Continuation Budget

TOTAL STATE FUNDS	\$1,214,330	\$1,214,330	\$1,214,330
State General Funds	\$1,214,330	\$1,214,330	\$1,214,330
TOTAL PUBLIC FUNDS	\$1,214,330	\$1,214,330	\$1,214,330

2.1 *Reduce and realign funds for risk premiums based on projected expenditures.*

State General Funds (\$2,700)

2.100-Secretary of the Senate's Office	Appropriation (HB 684)		
TOTAL STATE FUNDS	\$1,214,330	\$1,214,330	\$1,211,630
State General Funds	\$1,214,330	\$1,214,330	\$1,211,630
TOTAL PUBLIC FUNDS	\$1,214,330	\$1,214,330	\$1,211,630

Senate

Continuation Budget

TOTAL STATE FUNDS	\$7,963,280	\$7,963,280	\$7,963,280
State General Funds	\$7,963,280	\$7,963,280	\$7,963,280

TOTAL PUBLIC FUNDS	\$7,963,280	\$7,963,280	\$7,963,280
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3.1 *Reduce and realign funds for risk premiums based on projected expenditures.*

State General Funds			(\$18,000)
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3.100-Senate	Appropriation (HB 684)		
TOTAL STATE FUNDS	\$7,963,280	\$7,963,280	\$7,945,280
State General Funds	\$7,963,280	\$7,963,280	\$7,945,280
TOTAL PUBLIC FUNDS	\$7,963,280	\$7,963,280	\$7,945,280

Senate Budget and Evaluation Office

Continuation Budget

The purpose of this appropriation is to provide budget development and evaluation expertise to the State Senate.

TOTAL STATE FUNDS	\$1,145,244	\$1,145,244	\$1,145,244
State General Funds	\$1,145,244	\$1,145,244	\$1,145,244
TOTAL PUBLIC FUNDS	\$1,145,244	\$1,145,244	\$1,145,244

4.1 *Reduce and realign funds for risk premiums based on projected expenditures.*

State General Funds			(\$2,700)
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4.100-Senate Budget and Evaluation Office	Appropriation (HB 684)		
<i>The purpose of this appropriation is to provide budget development and evaluation expertise to the State Senate.</i>			
TOTAL STATE FUNDS	\$1,145,244	\$1,145,244	\$1,142,544
State General Funds	\$1,145,244	\$1,145,244	\$1,142,544
TOTAL PUBLIC FUNDS	\$1,145,244	\$1,145,244	\$1,142,544

Section 2: Georgia House of Representatives

Section Total - Continuation

TOTAL STATE FUNDS	\$19,627,875	\$19,627,875	\$19,627,875
State General Funds	\$19,627,875	\$19,627,875	\$19,627,875
TOTAL PUBLIC FUNDS	\$19,627,875	\$19,627,875	\$19,627,875

	Section Total - Final		
TOTAL STATE FUNDS	\$19,627,875	\$19,589,875	\$19,589,875
State General Funds	\$19,627,875	\$19,589,875	\$19,589,875
TOTAL PUBLIC FUNDS	\$19,627,875	\$19,589,875	\$19,589,875

House of Representatives

Continuation Budget

TOTAL STATE FUNDS	\$19,627,875	\$19,627,875	\$19,627,875
State General Funds	\$19,627,875	\$19,627,875	\$19,627,875
TOTAL PUBLIC FUNDS	\$19,627,875	\$19,627,875	\$19,627,875

5.1 *Reduce and realign funds for risk premiums based on projected expenditures.*

State General Funds		(\$38,000)	(\$38,000)
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5.100-House of Representatives	Appropriation (HB 684)		
TOTAL STATE FUNDS	\$19,627,875	\$19,589,875	\$19,589,875
State General Funds	\$19,627,875	\$19,589,875	\$19,589,875
TOTAL PUBLIC FUNDS	\$19,627,875	\$19,589,875	\$19,589,875

Section 3: Georgia General Assembly Joint Offices

Section Total - Continuation

TOTAL STATE FUNDS	\$11,442,016	\$11,442,016	\$11,442,016
State General Funds	\$11,442,016	\$11,442,016	\$11,442,016
TOTAL PUBLIC FUNDS	\$11,442,016	\$11,442,016	\$11,442,016

Section Total - Final

TOTAL STATE FUNDS	\$11,442,016	\$11,774,829	\$12,122,791
State General Funds	\$11,442,016	\$11,774,829	\$12,122,791
TOTAL PUBLIC FUNDS	\$11,442,016	\$11,774,829	\$12,122,791

Ancillary Activities

Continuation Budget

The purpose of this appropriation is to provide services for the legislative branch of government.

TOTAL STATE FUNDS	\$6,038,968	\$6,038,968	\$6,038,968
State General Funds	\$6,038,968	\$6,038,968	\$6,038,968
TOTAL PUBLIC FUNDS	\$6,038,968	\$6,038,968	\$6,038,968

6.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*
 State General Funds

\$7,694 \$7,694

6.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds

(\$14,134) (\$14,134)

6.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds

(\$980) (\$980)

6.4 *Increase funds for operations.*

State General Funds

\$259,942 \$519,883

6.5 *Increase and realign funds for risk premiums based on projected expenditures.*

State General Funds

\$49,100 \$75,900

6.6 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds

\$11,221

6.100-Ancillary Activities	Appropriation (HB 684)
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The purpose of this appropriation is to provide services for the legislative branch of government.

TOTAL STATE FUNDS	\$6,038,968	\$6,340,590	\$6,638,552
State General Funds	\$6,038,968	\$6,340,590	\$6,638,552
TOTAL PUBLIC FUNDS	\$6,038,968	\$6,340,590	\$6,638,552

Legislative Fiscal Office

Continuation Budget

The purpose of this appropriation is to act as the bookkeeper-comptroller for the legislative branch of government and maintain an account of legislative expenditures and commitments.

TOTAL STATE FUNDS	\$1,337,944	\$1,337,944	\$1,337,944
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State General Funds	\$1,337,944	\$1,337,944	\$1,337,944
TOTAL PUBLIC FUNDS	\$1,337,944	\$1,337,944	\$1,337,944

7.1 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds		(\$7,709)	(\$7,709)
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7.2 *Increase funds for operations.*

State General Funds		\$50,000	\$100,000
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7.3 *Reduce and realign funds for risk premiums based on projected expenditures.*

State General Funds		(\$2,300)	(\$2,300)
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7.100-Legislative Fiscal Office

Appropriation (HB 684)

The purpose of this appropriation is to act as the bookkeeper-comptroller for the legislative branch of government and maintain an account of legislative expenditures and commitments.

TOTAL STATE FUNDS	\$1,337,944	\$1,377,935	\$1,427,935
State General Funds	\$1,337,944	\$1,377,935	\$1,427,935
TOTAL PUBLIC FUNDS	\$1,337,944	\$1,377,935	\$1,427,935

Office of Legislative Counsel

Continuation Budget

The purpose of this appropriation is to provide bill-drafting services, advice and counsel for members of the General Assembly.

TOTAL STATE FUNDS	\$4,065,104	\$4,065,104	\$4,065,104
State General Funds	\$4,065,104	\$4,065,104	\$4,065,104
TOTAL PUBLIC FUNDS	\$4,065,104	\$4,065,104	\$4,065,104

8.1 *Reduce and realign funds for risk premiums based on projected expenditures.*

State General Funds		(\$8,800)	(\$8,800)
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8.100-Office of Legislative Counsel

Appropriation (HB 684)

The purpose of this appropriation is to provide bill-drafting services, advice and counsel for members of the General Assembly.

TOTAL STATE FUNDS	\$4,065,104	\$4,056,304	\$4,056,304
State General Funds	\$4,065,104	\$4,056,304	\$4,056,304
TOTAL PUBLIC FUNDS	\$4,065,104	\$4,056,304	\$4,056,304

Section 4: Audits and Accounts, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$36,213,602	\$36,213,602	\$36,213,602
State General Funds	\$36,213,602	\$36,213,602	\$36,213,602
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$36,363,602	\$36,363,602	\$36,363,602

	Section Total - Final		
TOTAL STATE FUNDS	\$36,213,602	\$36,193,975	\$36,198,638
State General Funds	\$36,213,602	\$36,193,975	\$36,198,638
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$36,363,602	\$36,343,975	\$36,348,638

Audit and Assurance Services**Continuation Budget**

The purpose of this appropriation is to provide audit and assurance services for State Agencies, Authorities, Commissions, Bureaus, and higher education systems to facilitate Auditor's reports for the State of Georgia Comprehensive Annual Financial Report, the State of Georgia Single Audit Report, and the State of Georgia Budgetary Compliance Report; to conduct audits of public school systems in Georgia; to perform special examinations and investigations; to conduct performance audits and evaluations at the request of the General Assembly; to conduct reviews of audits reports conducted by other independent auditors of local governments and non-profit organizations contracting with the State; to audit Medicaid provider claims; and to provide state financial information online to promote transparency in government.

TOTAL STATE FUNDS	\$30,893,316	\$30,893,316	\$30,893,316
State General Funds	\$30,893,316	\$30,893,316	\$30,893,316
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$31,043,316	\$31,043,316	\$31,043,316

9.1 *Transfer funds from the Audit and Assurance Services program to the Departmental Administration (DOAA), Legislative Services, and Statewide Equalized Adjusted Property Tax Digest programs to accurately reflect program expenditures.*

State General Funds	(\$170,000)	(\$170,000)	(\$170,000)
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9.2 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds		\$3,595	\$3,595
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9.3 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		(\$5,038)	(\$5,038)
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9.4 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$1,894)	(\$1,894)
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9.5 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds		(\$13,481)	(\$13,481)
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9.100-Audit and Assurance Services	Appropriation (HB 684)
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The purpose of this appropriation is to provide audit and assurance services for State Agencies, Authorities, Commissions, Bureaus, and higher education systems to facilitate Auditor's reports for the State of Georgia Comprehensive Annual Financial Report, the State of Georgia Single Audit Report, and the State of Georgia Budgetary Compliance Report; to conduct audits of public school systems in Georgia; to perform special examinations and investigations; to conduct performance audits and evaluations at the request of the General Assembly; to conduct reviews of audits reports conducted by other independent auditors of local governments and non-profit organizations contracting with the State; to audit Medicaid provider claims; and to provide state financial information online to promote transparency in government.

TOTAL STATE FUNDS	\$30,723,316	\$30,706,498	\$30,706,498
State General Funds	\$30,723,316	\$30,706,498	\$30,706,498
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers	\$150,000	\$150,000	\$150,000
Intergovernmental Transfers Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$30,873,316	\$30,856,498	\$30,856,498

Departmental Administration (DOAA)

Continuation Budget

The purpose of this appropriation is to provide administrative support to all Department programs.

TOTAL STATE FUNDS	\$2,515,699	\$2,515,699	\$2,515,699
State General Funds	\$2,515,699	\$2,515,699	\$2,515,699
TOTAL PUBLIC FUNDS	\$2,515,699	\$2,515,699	\$2,515,699

10.1 *Transfer funds from the Audit and Assurance Services program to the Departmental Administration (DOAA) program to accurately reflect program expenditures.*

State General Funds	\$100,000	\$100,000	\$100,000
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10.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		(\$285)	(\$285)
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10.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$107)	(\$107)
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10.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds		(\$764)	(\$764)
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10.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$4,663
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10.100-Departmental Administration (DOAA)	Appropriation (HB 684)
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The purpose of this appropriation is to provide administrative support to all Department programs.

TOTAL STATE FUNDS	\$2,615,699	\$2,614,543	\$2,619,206
State General Funds	\$2,615,699	\$2,614,543	\$2,619,206
TOTAL PUBLIC FUNDS	\$2,615,699	\$2,614,543	\$2,619,206

Immigration Enforcement Review Board

Continuation Budget

The purpose of this appropriation is to reimburse members of the Immigration Enforcement Review Board for expenses incurred in connection with the investigation and review of complaints alleging failure of public agencies or employees to properly adhere to federal and state laws related to the federal work authorization program E-Verify.

TOTAL STATE FUNDS	\$20,000	\$20,000	\$20,000
State General Funds	\$20,000	\$20,000	\$20,000

TOTAL PUBLIC FUNDS	\$20,000	\$20,000	\$20,000
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11.100-Immigration Enforcement Review Board	Appropriation (HB 684)
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The purpose of this appropriation is to reimburse members of the Immigration Enforcement Review Board for expenses incurred in connection with the investigation and review of complaints alleging failure of public agencies or employees to properly adhere to federal and state laws related to the federal work authorization program E-Verify.

TOTAL STATE FUNDS	\$20,000	\$20,000	\$20,000
State General Funds	\$20,000	\$20,000	\$20,000
TOTAL PUBLIC FUNDS	\$20,000	\$20,000	\$20,000

Legislative Services

Continuation Budget

The purpose of this appropriation is to analyze proposed legislation affecting state retirement systems for fiscal impact and review actuarial investigations and to prepare fiscal notes upon request on other legislation having a significant impact on state revenues and/or expenditures.

TOTAL STATE FUNDS	\$256,600	\$256,600	\$256,600
State General Funds	\$256,600	\$256,600	\$256,600
TOTAL PUBLIC FUNDS	\$256,600	\$256,600	\$256,600

12.1 *Transfer funds from the Audit and Assurance Services program to the Legislative Services program to accurately reflect program expenditures.*

State General Funds	\$20,000	\$20,000	\$20,000
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12.100-Legislative Services	Appropriation (HB 684)
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The purpose of this appropriation is to analyze proposed legislation affecting state retirement systems for fiscal impact and review actuarial investigations and to prepare fiscal notes upon request on other legislation having a significant impact on state revenues and/or expenditures.

TOTAL STATE FUNDS	\$276,600	\$276,600	\$276,600
State General Funds	\$276,600	\$276,600	\$276,600
TOTAL PUBLIC FUNDS	\$276,600	\$276,600	\$276,600

Statewide Equalized Adjusted Property Tax Digest

Continuation Budget

The purpose of this appropriation is to establish an equalized adjusted property tax digest for each county and for the State as a whole

for use in allocating state funds for public school systems and equalizing property tax digests for collection of the State 1/4 mill; to provide the Revenue Commissioner statistical data regarding county Tax Assessor compliance with requirements for both uniformity of assessment and level of assessment; and to establish the appropriate level of assessment for centrally assessed public utility companies.

TOTAL STATE FUNDS	\$2,527,987	\$2,527,987	\$2,527,987
State General Funds	\$2,527,987	\$2,527,987	\$2,527,987
TOTAL PUBLIC FUNDS	\$2,527,987	\$2,527,987	\$2,527,987

13.1 *Transfer funds from the Audit and Assurance Services program to the Statewide Equalized Adjusted Property Tax Digest program to accurately reflect program expenditures.*

State General Funds	\$50,000	\$50,000	\$50,000
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13.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		(\$408)	(\$408)
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13.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$153)	(\$153)
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13.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds		(\$1,092)	(\$1,092)
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13.100-Statewide Equalized Adjusted Property Tax Digest	Appropriation (HB 684)		
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The purpose of this appropriation is to establish an equalized adjusted property tax digest for each county and for the State as a whole for use in allocating state funds for public school systems and equalizing property tax digests for collection of the State 1/4 mill; to provide the Revenue Commissioner statistical data regarding county Tax Assessor compliance with requirements for both uniformity of assessment and level of assessment; and to establish the appropriate level of assessment for centrally assessed public utility companies.

TOTAL STATE FUNDS	\$2,577,987	\$2,576,334	\$2,576,334
State General Funds	\$2,577,987	\$2,576,334	\$2,576,334
TOTAL PUBLIC FUNDS	\$2,577,987	\$2,576,334	\$2,576,334

Section 5: Appeals, Court of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$21,231,636	\$21,231,636	\$21,231,636
State General Funds	\$21,231,636	\$21,231,636	\$21,231,636
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$21,381,636	\$21,381,636	\$21,381,636

	Section Total - Final		
TOTAL STATE FUNDS	\$22,757,295	\$21,283,715	\$21,449,062
State General Funds	\$22,757,295	\$21,283,715	\$21,449,062
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$22,907,295	\$21,433,715	\$21,599,062

Court of Appeals**Continuation Budget**

The purpose of this appropriation is for this court to review and exercise appellate and certiorari jurisdiction pursuant to the Constitution of the State of Georgia, Art. VI, Section V, Para. III, in all cases not reserved to the Supreme Court of Georgia or conferred on other courts by law.

TOTAL STATE FUNDS	\$21,231,636	\$21,231,636	\$21,231,636
State General Funds	\$21,231,636	\$21,231,636	\$21,231,636
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$21,381,636	\$21,381,636	\$21,381,636

14.1 *Increase funds for personnel to annualize increase in daily allowance days for judges who reside 50 miles or more from the Judicial Building in accordance with HB5 (2017 Session).*

State General Funds	\$20,760	\$20,760	\$20,760
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14.2 *Increase funds for personnel to annualize central staff attorney position effective January 1, 2018.*

State General Funds	\$80,720	\$80,720	\$80,720
14.3 <i>Increase funds for personnel for one full-time central staff attorney position effective July 1, 2018.</i>			
State General Funds	\$164,386	\$0	\$164,386
14.4 <i>Increase funds for software maintenance for Laserfiche Workflow System.</i>			
State General Funds	\$11,928	\$11,928	\$11,928
14.5 <i>Eliminate funds for one-time purchase of furniture and equipment for central staff positions.</i>			
State General Funds	(\$31,230)	(\$31,230)	(\$31,230)
14.6 <i>Eliminate funds for one-time funding to scan and digitize existing fiscal records.</i>			
State General Funds	(\$55,000)	(\$55,000)	(\$55,000)
14.7 <i>Increase funds for information technology expenses related to the new Judicial Building. (H and S:NO; Reflect in HB683, 2018 Session)</i>			
State General Funds	\$1,296,545	\$0	\$0
14.8 <i>Increase funds to purchase 30 additional licenses for disaster recovery backup software.</i>			
State General Funds	\$35,000	\$35,000	\$35,000
14.9 <i>Increase funds for one-year subscription for online cyber security training program.</i>			
State General Funds	\$2,550	\$2,550	\$2,550
14.10 <i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
State General Funds		(\$2,862)	(\$2,862)
14.11 <i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
State General Funds		(\$3,815)	(\$3,815)
14.12 <i>Reduce funds to reflect an adjustment in TeamWorks billings.</i>			
State General Funds		(\$5,972)	(\$5,972)
14.13 <i>Adjust billings for unemployment insurance to reflect updated claims expenses.</i>			
State General Funds			\$961

14.100-Court of Appeals**Appropriation (HB 684)**

The purpose of this appropriation is for this court to review and exercise appellate and certiorari jurisdiction pursuant to the Constitution of the State of Georgia, Art. VI, Section V, Para. III, in all cases not reserved to the Supreme Court of Georgia or conferred on other courts by law.

TOTAL STATE FUNDS	\$22,757,295	\$21,283,715	\$21,449,062
State General Funds	\$22,757,295	\$21,283,715	\$21,449,062
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$22,907,295	\$21,433,715	\$21,599,062

Section 6: Judicial Council**Section Total - Continuation**

TOTAL STATE FUNDS	\$15,586,915	\$15,586,915	\$15,586,915
State General Funds	\$15,586,915	\$15,586,915	\$15,586,915
TOTAL FEDERAL FUNDS	\$1,627,367	\$1,627,367	\$1,627,367
Federal Funds Not Itemized	\$1,627,367	\$1,627,367	\$1,627,367
TOTAL AGENCY FUNDS	\$1,906,311	\$1,906,311	\$1,906,311
Sales and Services	\$1,906,311	\$1,906,311	\$1,906,311
Sales and Services Not Itemized	\$1,906,311	\$1,906,311	\$1,906,311
TOTAL PUBLIC FUNDS	\$19,120,593	\$19,120,593	\$19,120,593

Section Total - Final

TOTAL STATE FUNDS	\$15,861,837	\$15,745,241	\$15,795,519
State General Funds	\$15,861,837	\$15,745,241	\$15,795,519
TOTAL FEDERAL FUNDS	\$1,627,367	\$1,627,367	\$1,627,367
Federal Funds Not Itemized	\$1,627,367	\$1,627,367	\$1,627,367
TOTAL AGENCY FUNDS	\$2,196,311	\$2,196,311	\$2,196,311
Sales and Services	\$2,196,311	\$2,196,311	\$2,196,311
Sales and Services Not Itemized	\$2,196,311	\$2,196,311	\$2,196,311
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$500,000	\$500,000	\$500,000
State Funds Transfers	\$500,000	\$500,000	\$500,000
Agency to Agency Contracts	\$500,000	\$500,000	\$500,000

TOTAL PUBLIC FUNDS	\$20,185,515	\$20,068,919	\$20,119,197
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Council of Accountability Court Judges

Continuation Budget

The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

TOTAL STATE FUNDS	\$659,516	\$659,516	\$659,516
State General Funds	\$659,516	\$659,516	\$659,516
TOTAL PUBLIC FUNDS	\$659,516	\$659,516	\$659,516

15.1 *Increase funds for personnel for one certification officer position.*

State General Funds	\$77,062	\$77,062	\$77,062
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15.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$20)	(\$20)
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15.100-Council of Accountability Court Judges	Appropriation (HB 684)		
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The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

TOTAL STATE FUNDS	\$736,578	\$736,558	\$736,558
State General Funds	\$736,578	\$736,558	\$736,558
TOTAL PUBLIC FUNDS	\$736,578	\$736,558	\$736,558

Georgia Office of Dispute Resolution

Continuation Budget

The purpose of this appropriation is to oversee the state's court-connected alternative dispute resolution (ADR) services by promoting the establishment of new ADR court programs, providing support to existing programs, establishing and enforcing qualifications and ethical standards, registering ADR professionals and volunteers, providing training, administering statewide grants, and collecting statistical data to monitor program effectiveness.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$314,203	\$314,203	\$314,203
Sales and Services	\$314,203	\$314,203	\$314,203
Sales and Services Not Itemized	\$314,203	\$314,203	\$314,203
TOTAL PUBLIC FUNDS	\$314,203	\$314,203	\$314,203

16.1 *Increase funds for operations.*

Sales and Services Not Itemized	\$40,000	\$40,000	\$40,000
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16.100-Georgia Office of Dispute Resolution	Appropriation (HB 684)
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The purpose of this appropriation is to oversee the state's court-connected alternative dispute resolution (ADR) services by promoting the establishment of new ADR court programs, providing support to existing programs, establishing and enforcing qualifications and ethical standards, registering ADR professionals and volunteers, providing training, administering statewide grants, and collecting statistical data to monitor program effectiveness.

TOTAL AGENCY FUNDS	\$354,203	\$354,203	\$354,203
Sales and Services	\$354,203	\$354,203	\$354,203
Sales and Services Not Itemized	\$354,203	\$354,203	\$354,203
TOTAL PUBLIC FUNDS	\$354,203	\$354,203	\$354,203

Institute of Continuing Judicial Education

Continuation Budget

The purpose of this appropriation is to provide basic training and continuing education for Superior Court Judges, Juvenile Court Judges, State Court Judges, Probate Court Judges, Magistrate Court Judges, Municipal Court Judges, Superior Court Clerks, Juvenile Court Clerks, Municipal Court Clerks, and other court personnel.

TOTAL STATE FUNDS	\$565,452	\$565,452	\$565,452
State General Funds	\$565,452	\$565,452	\$565,452
TOTAL AGENCY FUNDS	\$703,203	\$703,203	\$703,203
Sales and Services	\$703,203	\$703,203	\$703,203
Sales and Services Not Itemized	\$703,203	\$703,203	\$703,203
TOTAL PUBLIC FUNDS	\$1,268,655	\$1,268,655	\$1,268,655

17.1 *Increase funds for personnel for one electronic media curriculum project coordinator.*

State General Funds	\$34,571	\$34,571	\$34,571
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17.2 *Increase funds for operations.*

Sales and Services Not Itemized	\$250,000	\$250,000	\$250,000
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17.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$58)	(\$58)
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17.100-Institute of Continuing Judicial Education	Appropriation (HB 684)		
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The purpose of this appropriation is to provide basic training and continuing education for Superior Court Judges, Juvenile Court Judges, State Court Judges, Probate Court Judges, Magistrate Court Judges, Municipal Court Judges, Superior Court Clerks, Juvenile Court Clerks, Municipal Court Clerks, and other court personnel.

TOTAL STATE FUNDS	\$600,023	\$599,965	\$599,965
State General Funds	\$600,023	\$599,965	\$599,965
TOTAL AGENCY FUNDS	\$953,203	\$953,203	\$953,203
Sales and Services	\$953,203	\$953,203	\$953,203
Sales and Services Not Itemized	\$953,203	\$953,203	\$953,203
TOTAL PUBLIC FUNDS	\$1,553,226	\$1,553,168	\$1,553,168

Judicial Council

Continuation Budget

The purpose of the appropriation is to support the Administrative Office of the Courts; to provide administrative support for the councils of the Magistrate Court Judges, the Municipal Court Judges, the Probate Court Judges, the State Court Judges, and the Georgia Council of Court Administrators; to operate the Child Support E-Filing system, the Child Support Guidelines Commission, and the Commission on Interpreters; and to support the Committee on Justice for Children.

TOTAL STATE FUNDS	\$12,742,081	\$12,742,081	\$12,742,081
State General Funds	\$12,742,081	\$12,742,081	\$12,742,081
TOTAL FEDERAL FUNDS	\$1,627,367	\$1,627,367	\$1,627,367
Federal Funds Not Itemized	\$1,627,367	\$1,627,367	\$1,627,367
TOTAL AGENCY FUNDS	\$888,905	\$888,905	\$888,905
Sales and Services	\$888,905	\$888,905	\$888,905
Sales and Services Not Itemized	\$888,905	\$888,905	\$888,905

TOTAL PUBLIC FUNDS	\$15,258,353	\$15,258,353	\$15,258,353
18.1 <i>Increase funds for the Court Process Reporting System (CPRS).</i>			
State General Funds	\$11,274	\$11,274	\$11,274
18.2 <i>Increase funds for personnel and operations for one information security officer position.</i>			
State General Funds	\$152,015	\$152,015	\$152,015
18.3 <i>Increase funds to reflect multi-agency partnerships and projects within the Administrative Office of the Courts.</i>			
Agency to Agency Contracts	\$500,000	\$500,000	\$500,000
18.4 <i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
State General Funds		(\$16,027)	(\$16,027)
18.5 <i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
State General Funds		(\$469)	(\$469)
18.6 <i>Adjust billings for unemployment insurance to reflect updated claims expenses.</i>			
State General Funds			\$278

18.100-Judicial Council**Appropriation (HB 684)**

The purpose of the appropriation is to support the Administrative Office of the Courts; to provide administrative support for the councils of the Magistrate Court Judges, the Municipal Court Judges, the Probate Court Judges, the State Court Judges, and the Georgia Council of Court Administrators; to operate the Child Support E-Filing system, the Child Support Guidelines Commission, and the Commission on Interpreters; and to support the Committee on Justice for Children.

TOTAL STATE FUNDS	\$12,905,370	\$12,888,874	\$12,889,152
State General Funds	\$12,905,370	\$12,888,874	\$12,889,152
TOTAL FEDERAL FUNDS	\$1,627,367	\$1,627,367	\$1,627,367
Federal Funds Not Itemized	\$1,627,367	\$1,627,367	\$1,627,367
TOTAL AGENCY FUNDS	\$888,905	\$888,905	\$888,905
Sales and Services	\$888,905	\$888,905	\$888,905
Sales and Services Not Itemized	\$888,905	\$888,905	\$888,905
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$500,000	\$500,000	\$500,000

State Funds Transfers	\$500,000	\$500,000	\$500,000
Agency to Agency Contracts	\$500,000	\$500,000	\$500,000
TOTAL PUBLIC FUNDS	\$15,921,642	\$15,905,146	\$15,905,424

Judicial Qualifications Commission

Continuation Budget

The purpose of this appropriation is to investigate complaints filed against a judicial officer, impose and recommend disciplinary sanctions against any judicial officer, and when necessary, file formal charges against that officer and provide a formal trial or hearing. The purpose of this appropriation is also to produce formal and informal advisory opinions; provide training and guidance to judicial candidates regarding the Code of Judicial Conduct; and investigate allegations of unethical campaign practices.

TOTAL STATE FUNDS	\$819,866	\$819,866	\$819,866
State General Funds	\$819,866	\$819,866	\$819,866
TOTAL PUBLIC FUNDS	\$819,866	\$819,866	\$819,866

19.1 Reduce funds to reflect an adjustment in merit system assessments.

State General Funds		(\$22)	(\$22)
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19.2 Reduce funds to reflect a temporary reduction in operations and personnel.

State General Funds		(\$100,000)	(\$50,000)
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19.100-Judicial Qualifications Commission	Appropriation (HB 684)
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The purpose of this appropriation is to investigate complaints filed against a judicial officer, impose and recommend disciplinary sanctions against any judicial officer, and when necessary, file formal charges against that officer and provide a formal trial or hearing. The purpose of this appropriation is also to produce formal and informal advisory opinions; provide training and guidance to judicial candidates regarding the Code of Judicial Conduct; and investigate allegations of unethical campaign practices.

TOTAL STATE FUNDS	\$819,866	\$719,844	\$769,844
State General Funds	\$819,866	\$719,844	\$769,844
TOTAL PUBLIC FUNDS	\$819,866	\$719,844	\$769,844

Resource Center

Continuation Budget

The purpose of this appropriation is to provide direct representation to death penalty sentenced inmates and to recruit and assist private attorneys to represent plaintiffs in habeas corpus proceedings.

TOTAL STATE FUNDS	\$800,000	\$800,000	\$800,000
State General Funds	\$800,000	\$800,000	\$800,000
TOTAL PUBLIC FUNDS	\$800,000	\$800,000	\$800,000

20.100-Resource Center	Appropriation (HB 684)		
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The purpose of this appropriation is to provide direct representation to death penalty sentenced inmates and to recruit and assist private attorneys to represent plaintiffs in habeas corpus proceedings.

TOTAL STATE FUNDS	\$800,000	\$800,000	\$800,000
State General Funds	\$800,000	\$800,000	\$800,000
TOTAL PUBLIC FUNDS	\$800,000	\$800,000	\$800,000

Section 7: Juvenile Courts

Section Total - Continuation

TOTAL STATE FUNDS	\$8,242,585	\$8,242,585	\$8,242,585
State General Funds	\$8,242,585	\$8,242,585	\$8,242,585
TOTAL AGENCY FUNDS	\$67,486	\$67,486	\$67,486
Sales and Services	\$67,486	\$67,486	\$67,486
Sales and Services Not Itemized	\$67,486	\$67,486	\$67,486
TOTAL PUBLIC FUNDS	\$8,310,071	\$8,310,071	\$8,310,071

Section Total - Final

TOTAL STATE FUNDS	\$8,805,936	\$8,683,283	\$8,683,283
State General Funds	\$8,805,936	\$8,683,283	\$8,683,283
TOTAL AGENCY FUNDS	\$67,486	\$67,486	\$67,486
Sales and Services	\$67,486	\$67,486	\$67,486
Sales and Services Not Itemized	\$67,486	\$67,486	\$67,486
TOTAL PUBLIC FUNDS	\$8,873,422	\$8,750,769	\$8,750,769

Council of Juvenile Court Judges

Continuation Budget

The purpose of this appropriation is for the Council of Juvenile Court Judges to represent all the juvenile judges in Georgia. Jurisdiction in cases involving children includes delinquencies, status offenses, and deprivation.

TOTAL STATE FUNDS	\$1,701,331	\$1,701,331	\$1,701,331
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State General Funds	\$1,701,331	\$1,701,331	\$1,701,331
TOTAL AGENCY FUNDS	\$67,486	\$67,486	\$67,486
Sales and Services	\$67,486	\$67,486	\$67,486
Sales and Services Not Itemized	\$67,486	\$67,486	\$67,486
TOTAL PUBLIC FUNDS	\$1,768,817	\$1,768,817	\$1,768,817

21.1 *Increase funds for personnel for one Judicial Detention Alternative Initiative (JDAI) statewide coordinator position.*

State General Funds	\$122,600	\$0	\$0
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21.2 *Increase funds for personnel for a Children in Need of Services (CHINS) statewide coordinator position.*

State General Funds	\$111,700	\$111,700	\$111,700
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21.3 *Increase funds for judicial assistance for the Family Treatment Court Initiative pursuant to SB174 (2017 Session).*

State General Funds	\$200,000	\$200,000	\$200,000
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21.4 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$53)	(\$53)
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21.100-Council of Juvenile Court Judges	Appropriation (HB 684)
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The purpose of this appropriation is for the Council of Juvenile Court Judges to represent all the juvenile judges in Georgia. Jurisdiction in cases involving children includes delinquencies, status offenses, and deprivation.

TOTAL STATE FUNDS	\$2,135,631	\$2,012,978	\$2,012,978
State General Funds	\$2,135,631	\$2,012,978	\$2,012,978
TOTAL AGENCY FUNDS	\$67,486	\$67,486	\$67,486
Sales and Services	\$67,486	\$67,486	\$67,486
Sales and Services Not Itemized	\$67,486	\$67,486	\$67,486
TOTAL PUBLIC FUNDS	\$2,203,117	\$2,080,464	\$2,080,464

Grants to Counties for Juvenile Court Judges

Continuation Budget

The purpose of this appropriation is for payment of state funds to circuits to pay for juvenile court judges salaries.

TOTAL STATE FUNDS	\$6,541,254	\$6,541,254	\$6,541,254
State General Funds	\$6,541,254	\$6,541,254	\$6,541,254
TOTAL PUBLIC FUNDS	\$6,541,254	\$6,541,254	\$6,541,254

22.1 *Increase funds for the Northeastern Judicial Circuit to reflect the new superior court judgeship effective January 1, 2018.*

State General Funds	\$25,000	\$25,000	\$25,000
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22.2 *Increase funds to reflect an adjustment in the employer contribution rate in the Judicial Retirement System (JRS) from 7.17% to 7.83%.*

State General Funds	\$104,051	\$104,051	\$104,051
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22.100-Grants to Counties for Juvenile Court Judges**Appropriation (HB 684)***The purpose of this appropriation is for payment of state funds to circuits to pay for juvenile court judges salaries.*

TOTAL STATE FUNDS	\$6,670,305	\$6,670,305	\$6,670,305
State General Funds	\$6,670,305	\$6,670,305	\$6,670,305
TOTAL PUBLIC FUNDS	\$6,670,305	\$6,670,305	\$6,670,305

Section 8: Prosecuting Attorneys**Section Total - Continuation**

TOTAL STATE FUNDS	\$80,428,877	\$80,428,877	\$80,428,877
State General Funds	\$80,428,877	\$80,428,877	\$80,428,877
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,021,640	\$2,021,640	\$2,021,640
State Funds Transfers	\$219,513	\$219,513	\$219,513
Agency to Agency Contracts	\$219,513	\$219,513	\$219,513
Federal Funds Transfers	\$1,802,127	\$1,802,127	\$1,802,127
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
TOTAL PUBLIC FUNDS	\$82,450,517	\$82,450,517	\$82,450,517

Section Total - Final

TOTAL STATE FUNDS	\$89,433,386	\$87,004,087	\$81,760,210
State General Funds	\$89,433,386	\$87,004,087	\$81,760,210
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,021,640	\$2,021,640	\$2,021,640
State Funds Transfers	\$219,513	\$219,513	\$219,513
Agency to Agency Contracts	\$219,513	\$219,513	\$219,513
Federal Funds Transfers	\$1,802,127	\$1,802,127	\$1,802,127
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
TOTAL PUBLIC FUNDS	\$91,455,026	\$89,025,727	\$83,781,850

Council of Superior Court Clerks**Continuation Budget**

The purpose of this appropriation is to assist superior court clerks throughout the state in the execution of their duties and to promote and assist in the training of superior court clerks.

TOTAL STATE FUNDS	\$185,580	\$185,580	\$185,580
State General Funds	\$185,580	\$185,580	\$185,580
TOTAL PUBLIC FUNDS	\$185,580	\$185,580	\$185,580

23.100-Council of Superior Court Clerks**Appropriation (HB 684)**

The purpose of this appropriation is to assist superior court clerks throughout the state in the execution of their duties and to promote and assist in the training of superior court clerks.

TOTAL STATE FUNDS	\$185,580	\$185,580	\$185,580
State General Funds	\$185,580	\$185,580	\$185,580
TOTAL PUBLIC FUNDS	\$185,580	\$185,580	\$185,580

District Attorneys**Continuation Budget**

The purpose of this appropriation is for the District Attorney to represent the State of Georgia in the trial and appeal of criminal cases in the Superior Court for the judicial circuit and delinquency cases in the juvenile courts per Ga. Const., Art. VI, Sec. VIII. Para I and OCGA 15-18.

TOTAL STATE FUNDS	\$73,126,870	\$73,126,870	\$73,126,870
State General Funds	\$73,126,870	\$73,126,870	\$73,126,870
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,021,640	\$2,021,640	\$2,021,640
State Funds Transfers	\$219,513	\$219,513	\$219,513
Agency to Agency Contracts	\$219,513	\$219,513	\$219,513
Federal Funds Transfers	\$1,802,127	\$1,802,127	\$1,802,127
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
TOTAL PUBLIC FUNDS	\$75,148,510	\$75,148,510	\$75,148,510

24.1 *Increase funds for personnel for 24 additional assistant district attorney positions to support juvenile courts across the state.
(H and S: Increase funds for nine additional assistant district attorney positions to support juvenile courts across the state)*

State General Funds	\$2,396,686	\$898,757	\$898,757
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24.2	<i>Increase funds for personnel to support recruitment and retention efforts for state-paid assistant district attorneys.</i>			
	State General Funds	\$4,842,392	\$4,842,392	\$0
24.3	<i>Increase funds for personnel to implement revised pay scale for assistant district attorneys to enhance recruitment and retention efforts.</i>			
	State General Funds	\$1,186,586	\$0	\$0
24.4	<i>Increase funds for personnel to provide for recruitment and retention and provide for a law enforcement career ladder for P.O.S.T.-certified district attorney state-paid investigators.</i>			
	State General Funds	\$359,586	\$359,586	\$0
24.5	<i>Increase funds to annualize an accountability court supplement for district attorneys in the newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits.</i>			
	State General Funds	\$19,535	\$19,535	\$19,535
24.6	<i>Increase funds for personnel for two additional assistant district attorneys to support accountability courts in the Lookout Mountain and Oconee Judicial Circuits.</i>			
	State General Funds	\$199,724	\$199,724	\$199,724
24.7	<i>Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.</i>			
	State General Funds		\$2,016	\$2,016
24.8	<i>Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
	State General Funds		\$88,013	\$88,013
24.9	<i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
	State General Funds		(\$4,826)	(\$4,826)
24.10	<i>Increase funds to reflect an adjustment in the employer share of the Judicial Retirement System from 7.17% to 7.83%.</i>			
	State General Funds		\$40,772	\$40,772
24.11	<i>Increase funds to annualize an additional assistant district attorney position to reflect the new judgeship in the Northeastern Judicial Circuit.</i>			
	State General Funds		\$49,931	\$49,931

24.100-District Attorneys **Appropriation (HB 684)**

The purpose of this appropriation is for the District Attorney to represent the State of Georgia in the trial and appeal of criminal cases in the Superior Court for the judicial circuit and delinquency cases in the juvenile courts per Ga. Const., Art. VI, Sec. VIII. Para I and OCGA 15-18.

TOTAL STATE FUNDS	\$82,131,379	\$79,622,770	\$74,420,792
State General Funds	\$82,131,379	\$79,622,770	\$74,420,792
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,021,640	\$2,021,640	\$2,021,640
State Funds Transfers	\$219,513	\$219,513	\$219,513
Agency to Agency Contracts	\$219,513	\$219,513	\$219,513
Federal Funds Transfers	\$1,802,127	\$1,802,127	\$1,802,127
Federal Fund Transfers Not Itemized	\$1,802,127	\$1,802,127	\$1,802,127
TOTAL PUBLIC FUNDS	\$84,153,019	\$81,644,410	\$76,442,432

Prosecuting Attorneys' Council

Continuation Budget

The purpose of this appropriation is to assist Georgia's District Attorneys and State Court Solicitors.

TOTAL STATE FUNDS	\$7,116,427	\$7,116,427	\$7,116,427
State General Funds	\$7,116,427	\$7,116,427	\$7,116,427
TOTAL PUBLIC FUNDS	\$7,116,427	\$7,116,427	\$7,116,427

25.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$6,548	\$6,548
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25.2 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$14,628)	(\$14,628)
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25.3 *Increase funds to reflect an adjustment in the employer share of the Judicial Retirement System from 7.17% to 7.83%.*

State General Funds	\$87,390	\$87,390
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25.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds	(\$41,899)
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25.100-Prosecuting Attorneys' Council	Appropriation (HB 684)		
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The purpose of this appropriation is to assist Georgia's District Attorneys and State Court Solicitors.

TOTAL STATE FUNDS	\$7,116,427	\$7,195,737	\$7,153,838
State General Funds	\$7,116,427	\$7,195,737	\$7,153,838
TOTAL PUBLIC FUNDS	\$7,116,427	\$7,195,737	\$7,153,838

Section 9: Superior Courts

Section Total - Continuation

TOTAL STATE FUNDS	\$72,758,445	\$72,758,445	\$72,758,445
State General Funds	\$72,758,445	\$72,758,445	\$72,758,445
TOTAL AGENCY FUNDS	\$137,170	\$137,170	\$137,170
Intergovernmental Transfers	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers Not Itemized	\$17,170	\$17,170	\$17,170
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$72,895,615	\$72,895,615	\$72,895,615

Section Total - Final

TOTAL STATE FUNDS	\$74,304,888	\$73,612,801	\$73,598,466
State General Funds	\$74,304,888	\$73,612,801	\$73,598,466
TOTAL AGENCY FUNDS	\$137,170	\$137,170	\$137,170
Intergovernmental Transfers	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers Not Itemized	\$17,170	\$17,170	\$17,170
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$74,442,058	\$73,749,971	\$73,735,636

Council of Superior Court Judges

Continuation Budget

The purpose of this appropriation is for the operations of the Council of Superior Court Judges and is to further the improvement of the Superior Court in the administration of justice through leadership, training, policy development and budgetary and fiscal administration.

TOTAL STATE FUNDS	\$1,552,750	\$1,552,750	\$1,552,750
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State General Funds	\$1,552,750	\$1,552,750	\$1,552,750
TOTAL AGENCY FUNDS	\$120,000	\$120,000	\$120,000
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$1,672,750	\$1,672,750	\$1,672,750

26.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$15,529	\$15,529
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26.100-Council of Superior Court Judges	Appropriation (HB 684)
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The purpose of this appropriation is for the operations of the Council of Superior Court Judges and is to further the improvement of the Superior Court in the administration of justice through leadership, training, policy development and budgetary and fiscal administration.

TOTAL STATE FUNDS	\$1,552,750	\$1,568,279	\$1,568,279
State General Funds	\$1,552,750	\$1,568,279	\$1,568,279
TOTAL AGENCY FUNDS	\$120,000	\$120,000	\$120,000
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$1,672,750	\$1,688,279	\$1,688,279

Judicial Administrative Districts

Continuation Budget

The purpose of this appropriation is to provide regional administrative support to the judges of the superior court. This support includes managing budgets, policy, procedure, and providing a liaison between local and state courts.

TOTAL STATE FUNDS	\$2,724,847	\$2,724,847	\$2,724,847
State General Funds	\$2,724,847	\$2,724,847	\$2,724,847
TOTAL AGENCY FUNDS	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers Not Itemized	\$17,170	\$17,170	\$17,170
TOTAL PUBLIC FUNDS	\$2,742,017	\$2,742,017	\$2,742,017

27.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$18,056	\$18,056
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27.100-Judicial Administrative Districts

Appropriation (HB 684)

The purpose of this appropriation is to provide regional administrative support to the judges of the superior court. This support includes managing budgets, policy, procedure, and providing a liaison between local and state courts.

TOTAL STATE FUNDS	\$2,724,847	\$2,742,903	\$2,742,903
State General Funds	\$2,724,847	\$2,742,903	\$2,742,903
TOTAL AGENCY FUNDS	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers	\$17,170	\$17,170	\$17,170
Intergovernmental Transfers Not Itemized	\$17,170	\$17,170	\$17,170
TOTAL PUBLIC FUNDS	\$2,742,017	\$2,760,073	\$2,760,073

Superior Court Judges

Continuation Budget

The purpose of this appropriation is to enable Georgia's Superior Courts to be the general jurisdiction trial court and exercise exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land, provided that law clerks over the fifty provided by law are to be allocated back to the circuits by caseload ranks.

TOTAL STATE FUNDS	\$68,480,848	\$68,480,848	\$68,480,848
State General Funds	\$68,480,848	\$68,480,848	\$68,480,848
TOTAL PUBLIC FUNDS	\$68,480,848	\$68,480,848	\$68,480,848

28.1 *Increase funds to reflect an adjustment in the employer contribution rate in the Judicial Retirement System (JRS) from 7.17% to 7.83%.*

State General Funds	\$186,098	\$186,098	\$186,098
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28.2 *Increase funds to annualize the cost of the new judgeship created in the Northeastern Circuit pursuant to HB138 (2017 Session).*

State General Funds	\$193,903	\$193,903	\$193,903
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28.3 *Increase funds for the creation of one additional judgeship in the Cobb Circuit effective July 1, 2018.*

State General Funds	\$391,940	\$0	\$0
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28.4 *Increase funds for personnel for a salary increase for law clerk positions.*

State General Funds	\$348,614	\$0	\$0
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28.5 *Increase funds for personnel for five law clerk positions.*

State General Funds	\$342,746	\$342,746	\$342,746
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28.6 *Increase funds to annualize an accountability court supplement in the Lookout Mountain and Oconee Judicial Circuits.*

State General Funds	\$63,392	\$63,392	\$63,392
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28.7 *Increase funds for county reimbursement of Habeas Corpus court costs per HB319 (2017 Session).*

State General Funds	\$50,000	\$50,000	\$50,000
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28.8 *Eliminate funds for one-time funding for equipment in the Clayton Circuit judgeship created in HB804 (2016 Session).*

State General Funds	(\$30,250)	(\$30,250)	(\$30,250)
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28.9 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds		\$33,209	\$33,209
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28.10 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds		(\$3,780)	(\$3,780)
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28.11 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds		(\$14,547)	(\$14,547)
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28.12 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$14,335)
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28.100-Superior Court Judges**Appropriation (HB 684)**

The purpose of this appropriation is to enable Georgia's Superior Courts to be the general jurisdiction trial court and exercise exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land, provided that law clerks over the fifty provided by law are to be allocated back to the circuits by caseload ranks.

TOTAL STATE FUNDS	\$70,027,291	\$69,301,619	\$69,287,284
State General Funds	\$70,027,291	\$69,301,619	\$69,287,284
TOTAL PUBLIC FUNDS	\$70,027,291	\$69,301,619	\$69,287,284

Section 10: Supreme Court

	Section Total - Continuation		
TOTAL STATE FUNDS	\$13,106,211	\$13,106,211	\$13,106,211
State General Funds	\$13,106,211	\$13,106,211	\$13,106,211
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services Not Itemized	\$1,859,823	\$1,859,823	\$1,859,823
TOTAL PUBLIC FUNDS	\$14,966,034	\$14,966,034	\$14,966,034

	Section Total - Final		
TOTAL STATE FUNDS	\$15,896,338	\$15,033,887	\$13,708,509
State General Funds	\$15,896,338	\$15,033,887	\$13,708,509
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services Not Itemized	\$1,859,823	\$1,859,823	\$1,859,823
TOTAL PUBLIC FUNDS	\$17,756,161	\$16,893,710	\$15,568,332

Supreme Court of Georgia

Continuation Budget

The purpose of this appropriation is to support the Supreme Court of Georgia which exercises exclusive appellate jurisdiction in all cases involving: the construction of a treaty, the Constitution of the State of Georgia or of the United States, the constitutionality of a law, ordinance, or constitutional provision that has been drawn in question, and all cases of election contest per Ga. Const. Art. VI, Section VI, Para. II. The purpose of this appropriation is also to support the Supreme Court of Georgia in its exercise of jurisdiction in cases per Ga. Const. Art. VI, Section VI, Para. III and its administration of the Bar Exam and oversight of the Office of Reporter of Decisions.

TOTAL STATE FUNDS	\$13,106,211	\$13,106,211	\$13,106,211
State General Funds	\$13,106,211	\$13,106,211	\$13,106,211
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services Not Itemized	\$1,859,823	\$1,859,823	\$1,859,823
TOTAL PUBLIC FUNDS	\$14,966,034	\$14,966,034	\$14,966,034

29.1 *Increase funds for a salary adjustment of the Georgia State Patrol trooper assigned to the Supreme Court.*

State General Funds	\$1,263	\$1,263	\$1,263
29.2 <i>Increase funds for personnel to reflect increased daily allowance days for judges who reside 50 miles or more from the Judicial Building in accordance with HB5 (2017 Session).</i>			
State General Funds	\$2,595	\$2,595	\$2,595
29.3 <i>Increase funds for WestLaw online research expenses.</i>			
State General Funds	\$2,400	\$2,400	\$2,400
29.4 <i>Increase funds for population-based membership dues in the National Center for State Courts.</i>			
State General Funds	\$14,030	\$14,030	\$14,030
29.5 <i>Increase funds for personnel for one additional staff attorney for each justice. (S:Increase funds for a Supreme Court Fellowship program beginning January 1, 2019)</i>			
State General Funds	\$1,774,013	\$1,774,013	\$445,855
29.6 <i>Increase funds for personnel for one procurement and facilities coordinator position. (S:Increase funds for personnel for one procurement and facilities coordinator position, and direct the Court to study the Supreme Court and the Court of Appeals sharing administrative services to ensure the efficiency of the Courts, and report their findings to the General Assembly prior to the 2019 Legislative Session)</i>			
State General Funds	\$76,879	\$76,879	\$76,879
29.7 <i>Increase funds for personnel for one intake clerk position.</i>			
State General Funds	\$60,163	\$60,163	\$60,163
29.8 <i>Increase funds for information technology expenses related to the new Judicial Building. (H and S:NO; Reflect in HB683, 2018 Session)</i>			
State General Funds	\$858,784	\$0	\$0
29.9 <i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
State General Funds		(\$2,743)	(\$2,743)
29.10 <i>Increase funds to reflect an adjustment in merit system assessments.</i>			
State General Funds		\$554	\$554
29.11 <i>Reduce funds to reflect an adjustment in TeamWorks billings.</i>			

State General Funds	(\$1,478)	(\$1,478)
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29.12 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds	\$2,780
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29.100-Supreme Court of Georgia

Appropriation (HB 684)

The purpose of this appropriation is to support the Supreme Court of Georgia which exercises exclusive appellate jurisdiction in all cases involving: the construction of a treaty, the Constitution of the State of Georgia or of the United States, the constitutionality of a law, ordinance, or constitutional provision that has been drawn in question, and all cases of election contest per Ga. Const. Art. VI, Section VI, Para. II. The purpose of this appropriation is also to support the Supreme Court of Georgia in its exercise of jurisdiction in cases per Ga. Const. Art. VI, Section VI, Para. III and its administration of the Bar Exam and oversight of the Office of Reporter of Decisions.

TOTAL STATE FUNDS	\$15,896,338	\$15,033,887	\$13,708,509
State General Funds	\$15,896,338	\$15,033,887	\$13,708,509
TOTAL AGENCY FUNDS	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services	\$1,859,823	\$1,859,823	\$1,859,823
Sales and Services Not Itemized	\$1,859,823	\$1,859,823	\$1,859,823
TOTAL PUBLIC FUNDS	\$17,756,161	\$16,893,710	\$15,568,332

Section 11: Accounting Office, State

Section Total - Continuation

TOTAL STATE FUNDS	\$7,843,381	\$7,843,381	\$7,843,381
State General Funds	\$7,843,381	\$7,843,381	\$7,843,381
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$22,291,573	\$22,291,573	\$22,291,573
State Funds Transfers	\$22,291,573	\$22,291,573	\$22,291,573
Accounting System Assessments	\$21,473,637	\$21,473,637	\$21,473,637
Agency to Agency Contracts	\$817,936	\$817,936	\$817,936
TOTAL PUBLIC FUNDS	\$30,134,954	\$30,134,954	\$30,134,954

Section Total - Final

TOTAL STATE FUNDS	\$7,126,531	\$7,126,531	\$7,116,660
State General Funds	\$7,126,531	\$7,126,531	\$7,116,660
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$22,291,573	\$22,291,573	\$22,291,573

State Funds Transfers	\$22,291,573	\$22,291,573	\$22,291,573
Accounting System Assessments	\$21,473,637	\$21,473,637	\$21,473,637
Agency to Agency Contracts	\$817,936	\$817,936	\$817,936
TOTAL PUBLIC FUNDS	\$29,418,104	\$29,418,104	\$29,408,233

Administration (SAO)

Continuation Budget

The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$338,689	\$338,689	\$338,689
State General Funds	\$338,689	\$338,689	\$338,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$919,137	\$919,137	\$919,137
State Funds Transfers	\$919,137	\$919,137	\$919,137
Accounting System Assessments	\$919,137	\$919,137	\$919,137
TOTAL PUBLIC FUNDS	\$1,257,826	\$1,257,826	\$1,257,826

30.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$22)	(\$22)	(\$22)
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30.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$36	\$36	\$36
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30.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$46)	(\$46)	(\$46)
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30.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,114	\$2,114	\$2,114
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30.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$895
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30.100-Administration (SAO)	Appropriation (HB 684)
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The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$340,771	\$340,771	\$341,666
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State General Funds	\$340,771	\$340,771	\$341,666
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$919,137	\$919,137	\$919,137
State Funds Transfers	\$919,137	\$919,137	\$919,137
Accounting System Assessments	\$919,137	\$919,137	\$919,137
TOTAL PUBLIC FUNDS	\$1,259,908	\$1,259,908	\$1,260,803

Financial Systems

Continuation Budget

The purpose of this appropriation is to operate, support, monitor, and improve the State's enterprise financial accounting, payroll, and human capital management systems.

TOTAL STATE FUNDS	\$164,000	\$164,000	\$164,000
State General Funds	\$164,000	\$164,000	\$164,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$19,154,002	\$19,154,002	\$19,154,002
State Funds Transfers	\$19,154,002	\$19,154,002	\$19,154,002
Accounting System Assessments	\$19,154,002	\$19,154,002	\$19,154,002
TOTAL PUBLIC FUNDS	\$19,318,002	\$19,318,002	\$19,318,002

31.100-Financial Systems

Appropriation (HB 684)

The purpose of this appropriation is to operate, support, monitor, and improve the State's enterprise financial accounting, payroll, and human capital management systems.

TOTAL STATE FUNDS	\$164,000	\$164,000	\$164,000
State General Funds	\$164,000	\$164,000	\$164,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$19,154,002	\$19,154,002	\$19,154,002
State Funds Transfers	\$19,154,002	\$19,154,002	\$19,154,002
Accounting System Assessments	\$19,154,002	\$19,154,002	\$19,154,002
TOTAL PUBLIC FUNDS	\$19,318,002	\$19,318,002	\$19,318,002

Shared Services

Continuation Budget

The purpose of this appropriation is to support client agencies in processing payroll and other financial transactions and to implement and support the Statewide Travel Consolidation Program.

TOTAL STATE FUNDS	\$853,712	\$853,712	\$853,712
State General Funds	\$853,712	\$853,712	\$853,712

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,089,442	\$2,089,442	\$2,089,442
State Funds Transfers	\$2,089,442	\$2,089,442	\$2,089,442
Accounting System Assessments	\$1,271,506	\$1,271,506	\$1,271,506
Agency to Agency Contracts	\$817,936	\$817,936	\$817,936
TOTAL PUBLIC FUNDS	\$2,943,154	\$2,943,154	\$2,943,154

32.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$76)	(\$76)	(\$76)
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32.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$127	\$127	\$127
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32.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$160)	(\$160)	(\$160)
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32.100-Shared Services

Appropriation (HB 684)

The purpose of this appropriation is to support client agencies in processing payroll and other financial transactions and to implement and support the Statewide Travel Consolidation Program.

TOTAL STATE FUNDS	\$853,603	\$853,603	\$853,603
State General Funds	\$853,603	\$853,603	\$853,603
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,089,442	\$2,089,442	\$2,089,442
State Funds Transfers	\$2,089,442	\$2,089,442	\$2,089,442
Accounting System Assessments	\$1,271,506	\$1,271,506	\$1,271,506
Agency to Agency Contracts	\$817,936	\$817,936	\$817,936
TOTAL PUBLIC FUNDS	\$2,943,045	\$2,943,045	\$2,943,045

Statewide Accounting and Reporting

Continuation Budget

The purpose of this appropriation is to provide financial reporting, accounting policy, business process improvement, and compliance with state and federal fiscal reporting requirements.

TOTAL STATE FUNDS	\$2,599,133	\$2,599,133	\$2,599,133
State General Funds	\$2,599,133	\$2,599,133	\$2,599,133

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$128,992	\$128,992	\$128,992
State Funds Transfers	\$128,992	\$128,992	\$128,992
Accounting System Assessments	\$128,992	\$128,992	\$128,992
TOTAL PUBLIC FUNDS	\$2,728,125	\$2,728,125	\$2,728,125

33.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$254)	(\$254)	(\$254)
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33.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$425	\$425	\$425
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33.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$531)	(\$531)	(\$531)
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33.100-Statewide Accounting and Reporting

Appropriation (HB 684)

The purpose of this appropriation is to provide financial reporting, accounting policy, business process improvement, and compliance with state and federal fiscal reporting requirements.

TOTAL STATE FUNDS	\$2,598,773	\$2,598,773	\$2,598,773
State General Funds	\$2,598,773	\$2,598,773	\$2,598,773
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$128,992	\$128,992	\$128,992
State Funds Transfers	\$128,992	\$128,992	\$128,992
Accounting System Assessments	\$128,992	\$128,992	\$128,992
TOTAL PUBLIC FUNDS	\$2,727,765	\$2,727,765	\$2,727,765

Government Transparency and Campaign Finance Commission, Georgia

Continuation Budget

The purpose of this appropriation is to protect the integrity of the democratic process and ensure compliance by candidates, public officials, non-candidate campaign committees, lobbyists and vendors with Georgia's Campaign and Financial Disclosure requirements.

TOTAL STATE FUNDS	\$3,080,329	\$3,080,329	\$3,080,329
State General Funds	\$3,080,329	\$3,080,329	\$3,080,329

TOTAL PUBLIC FUNDS	\$3,080,329	\$3,080,329	\$3,080,329
34.1 <i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
State General Funds	(\$720,279)	(\$720,279)	(\$720,279)
34.2 <i>Reduce funds to reflect an adjustment in TeamWorks billings.</i>			
State General Funds	(\$390)	(\$390)	(\$390)
34.3 <i>Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.</i>			
State General Funds	\$2,333	\$2,333	\$2,333
34.4 <i>Adjust billings for unemployment insurance to reflect updated claims expenses.</i>			
State General Funds			(\$10,766)

34.100-Government Transparency and Campaign Finance Commission, Georgia	Appropriation (HB 684)
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The purpose of this appropriation is to protect the integrity of the democratic process and ensure compliance by candidates, public officials, non-candidate campaign committees, lobbyists and vendors with Georgia's Campaign and Financial Disclosure requirements.

TOTAL STATE FUNDS	\$2,361,993	\$2,361,993	\$2,351,227
State General Funds	\$2,361,993	\$2,361,993	\$2,351,227
TOTAL PUBLIC FUNDS	\$2,361,993	\$2,361,993	\$2,351,227

Georgia State Board of Accountancy

Continuation Budget

The purpose of this appropriation is to protect public financial, fiscal, and economic interests by licensing certified public accountants and public accountancy firms; regulating public accountancy practices; and investigating complaints and taking appropriate legal and disciplinary actions when warranted.

TOTAL STATE FUNDS	\$807,518	\$807,518	\$807,518
State General Funds	\$807,518	\$807,518	\$807,518
TOTAL PUBLIC FUNDS	\$807,518	\$807,518	\$807,518
35.1 <i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
State General Funds	(\$24)	(\$24)	(\$24)

35.2 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$103)	(\$103)	(\$103)
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35.100-Georgia State Board of Accountancy**Appropriation (HB 684)**

The purpose of this appropriation is to protect public financial, fiscal, and economic interests by licensing certified public accountants and public accountancy firms; regulating public accountancy practices; and investigating complaints and taking appropriate legal and disciplinary actions when warranted.

TOTAL STATE FUNDS	\$807,391	\$807,391	\$807,391
State General Funds	\$807,391	\$807,391	\$807,391
TOTAL PUBLIC FUNDS	\$807,391	\$807,391	\$807,391

Section 12: Administrative Services, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$3,732,118	\$3,732,118	\$3,732,118
State General Funds	\$3,732,118	\$3,732,118	\$3,732,118
TOTAL AGENCY FUNDS	\$31,853,222	\$31,853,222	\$31,853,222
Interest and Investment Income	\$5,712,072	\$5,712,072	\$5,712,072
Interest and Investment Income Not Itemized	\$5,712,072	\$5,712,072	\$5,712,072
Intergovernmental Transfers	\$2,950,204	\$2,950,204	\$2,950,204
Intergovernmental Transfers Not Itemized	\$2,950,204	\$2,950,204	\$2,950,204
Rebates, Refunds, and Reimbursements	\$18,997,635	\$18,997,635	\$18,997,635
Rebates, Refunds, and Reimbursements Not Itemized	\$18,997,635	\$18,997,635	\$18,997,635
Sales and Services	\$4,193,311	\$4,193,311	\$4,193,311
Sales and Services Not Itemized	\$4,193,311	\$4,193,311	\$4,193,311
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$176,888,953	\$176,888,953	\$176,888,953
State Funds Transfers	\$176,888,953	\$176,888,953	\$176,888,953
State Fund Transfers Not Itemized	\$27,609,451	\$27,609,451	\$27,609,451
Liability Funds	\$31,492,570	\$31,492,570	\$31,492,570
Merit System Assessments	\$13,194,567	\$13,194,567	\$13,194,567
Unemployment Compensation Funds	\$5,499,794	\$5,499,794	\$5,499,794
Workers Compensation Funds	\$99,092,571	\$99,092,571	\$99,092,571
TOTAL PUBLIC FUNDS	\$212,474,293	\$212,474,293	\$212,474,293

	Section Total - Final		
TOTAL STATE FUNDS	\$3,722,798	\$3,722,798	\$3,872,775
State General Funds	\$3,722,798	\$3,722,798	\$3,872,775
TOTAL AGENCY FUNDS	\$30,853,222	\$30,853,222	\$30,853,222
Interest and Investment Income	\$5,712,072	\$5,712,072	\$5,712,072
Interest and Investment Income Not Itemized	\$5,712,072	\$5,712,072	\$5,712,072
Intergovernmental Transfers	\$1,950,204	\$1,950,204	\$1,950,204
Intergovernmental Transfers Not Itemized	\$1,950,204	\$1,950,204	\$1,950,204
Rebates, Refunds, and Reimbursements	\$18,997,635	\$18,997,635	\$18,997,635
Rebates, Refunds, and Reimbursements Not Itemized	\$18,997,635	\$18,997,635	\$18,997,635
Sales and Services	\$4,193,311	\$4,193,311	\$4,193,311
Sales and Services Not Itemized	\$4,193,311	\$4,193,311	\$4,193,311
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$166,728,101	\$166,728,101	\$166,145,871
State Funds Transfers	\$166,728,101	\$166,728,101	\$166,145,871
State Fund Transfers Not Itemized	\$9,743,019	\$9,743,019	\$9,743,019
Liability Funds	\$37,692,570	\$37,692,570	\$37,692,570
Merit System Assessments	\$12,700,147	\$12,700,147	\$12,700,147
Unemployment Compensation Funds	\$4,499,794	\$4,499,794	\$3,917,564
Workers Compensation Funds	\$102,092,571	\$102,092,571	\$102,092,571
TOTAL PUBLIC FUNDS	\$201,304,121	\$201,304,121	\$200,871,868

Certificate of Need Appeal Panel

Continuation Budget

The purpose of this appropriation is to review decisions made by the Department of Community Health on Certificate of Need applications.

TOTAL STATE FUNDS	\$39,506	\$39,506	\$39,506
State General Funds	\$39,506	\$39,506	\$39,506
TOTAL PUBLIC FUNDS	\$39,506	\$39,506	\$39,506

36.100-Certificate of Need Appeal Panel

Appropriation (HB 684)

The purpose of this appropriation is to review decisions made by the Department of Community Health on Certificate of Need applications.

TOTAL STATE FUNDS	\$39,506	\$39,506	\$39,506
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State General Funds	\$39,506	\$39,506	\$39,506
TOTAL PUBLIC FUNDS	\$39,506	\$39,506	\$39,506

Departmental Administration (DOAS)**Continuation Budget**

The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$3,600,241	\$3,600,241	\$3,600,241
Intergovernmental Transfers	\$126,452	\$126,452	\$126,452
Intergovernmental Transfers Not Itemized	\$126,452	\$126,452	\$126,452
Rebates, Refunds, and Reimbursements	\$2,923,623	\$2,923,623	\$2,923,623
Rebates, Refunds, and Reimbursements Not Itemized	\$2,923,623	\$2,923,623	\$2,923,623
Sales and Services	\$550,166	\$550,166	\$550,166
Sales and Services Not Itemized	\$550,166	\$550,166	\$550,166
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,020,283	\$3,020,283	\$3,020,283
State Funds Transfers	\$3,020,283	\$3,020,283	\$3,020,283
State Fund Transfers Not Itemized	\$1,537,948	\$1,537,948	\$1,537,948
Merit System Assessments	\$1,482,335	\$1,482,335	\$1,482,335
TOTAL PUBLIC FUNDS	\$6,620,524	\$6,620,524	\$6,620,524

37.100-Departmental Administration (DOAS)**Appropriation (HB 684)**

The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL AGENCY FUNDS	\$3,600,241	\$3,600,241	\$3,600,241
Intergovernmental Transfers	\$126,452	\$126,452	\$126,452
Intergovernmental Transfers Not Itemized	\$126,452	\$126,452	\$126,452
Rebates, Refunds, and Reimbursements	\$2,923,623	\$2,923,623	\$2,923,623
Rebates, Refunds, and Reimbursements Not Itemized	\$2,923,623	\$2,923,623	\$2,923,623
Sales and Services	\$550,166	\$550,166	\$550,166
Sales and Services Not Itemized	\$550,166	\$550,166	\$550,166
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,020,283	\$3,020,283	\$3,020,283
State Funds Transfers	\$3,020,283	\$3,020,283	\$3,020,283

State Fund Transfers Not Itemized	\$1,537,948	\$1,537,948	\$1,537,948
Merit System Assessments	\$1,482,335	\$1,482,335	\$1,482,335
TOTAL PUBLIC FUNDS	\$6,620,524	\$6,620,524	\$6,620,524

Fleet Management

Continuation Budget

The purpose of this appropriation is to provide and manage a fuel card program for state and local governments, to implement the Motor Vehicle Contract Maintenance Program to provide repairs, roadside assistance, and maintenance for state and local government fleets, and to establish a motor pool for traveling state employees.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$1,369,646	\$1,369,646	\$1,369,646
Rebates, Refunds, and Reimbursements	\$1,369,646	\$1,369,646	\$1,369,646
Rebates, Refunds, and Reimbursements Not Itemized	\$1,369,646	\$1,369,646	\$1,369,646
TOTAL PUBLIC FUNDS	\$1,369,646	\$1,369,646	\$1,369,646

38.100-Fleet Management

Appropriation (HB 684)

The purpose of this appropriation is to provide and manage a fuel card program for state and local governments, to implement the Motor Vehicle Contract Maintenance Program to provide repairs, roadside assistance, and maintenance for state and local government fleets, and to establish a motor pool for traveling state employees.

TOTAL AGENCY FUNDS	\$1,369,646	\$1,369,646	\$1,369,646
Rebates, Refunds, and Reimbursements	\$1,369,646	\$1,369,646	\$1,369,646
Rebates, Refunds, and Reimbursements Not Itemized	\$1,369,646	\$1,369,646	\$1,369,646
TOTAL PUBLIC FUNDS	\$1,369,646	\$1,369,646	\$1,369,646

Human Resources Administration

Continuation Budget

The purpose of this appropriation is to provide centralized services for statewide human resources in support of state agencies, the State Personnel Board, and employees; develop human resource policies, create job descriptions and classification, develop fair and consistent compensation practices, and administer the employee benefits program.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$11,712,232	\$11,712,232	\$11,712,232
State Funds Transfers	\$11,712,232	\$11,712,232	\$11,712,232
Merit System Assessments	\$11,712,232	\$11,712,232	\$11,712,232
TOTAL PUBLIC FUNDS	\$11,712,232	\$11,712,232	\$11,712,232

39.1 *Reduce funds to recognize adjustment in merit system assessments.*

Merit System Assessments	(\$494,420)	(\$494,420)	(\$494,420)
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39.100-Human Resources Administration

Appropriation (HB 684)

The purpose of this appropriation is to provide centralized services for statewide human resources in support of state agencies, the State Personnel Board, and employees; develop human resource policies, create job descriptions and classification, develop fair and consistent compensation practices, and administer the employee benefits program.

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$11,217,812	\$11,217,812	\$11,217,812
State Funds Transfers	\$11,217,812	\$11,217,812	\$11,217,812
Merit System Assessments	\$11,217,812	\$11,217,812	\$11,217,812
TOTAL PUBLIC FUNDS	\$11,217,812	\$11,217,812	\$11,217,812

Risk Management

Continuation Budget

The purpose of this appropriation is to administer a liability insurance program to protect state government and employees from work-related claims, to provide indemnification funds for public officers and public school personnel in case of disability or death, to identify and control risks and hazards to minimize loss, to insure state-owned buildings and property against damage or destruction, to partner with the Department of Labor in administering unemployment claims, and to administer the Workers' Compensation Program.

TOTAL STATE FUNDS	\$430,000	\$430,000	\$430,000
State General Funds	\$430,000	\$430,000	\$430,000
TOTAL AGENCY FUNDS	\$2,823,752	\$2,823,752	\$2,823,752
Intergovernmental Transfers	\$2,823,752	\$2,823,752	\$2,823,752
Intergovernmental Transfers Not Itemized	\$2,823,752	\$2,823,752	\$2,823,752
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$159,406,395	\$159,406,395	\$159,406,395
State Funds Transfers	\$159,406,395	\$159,406,395	\$159,406,395
State Fund Transfers Not Itemized	\$23,321,460	\$23,321,460	\$23,321,460

Liability Funds	\$31,492,570	\$31,492,570	\$31,492,570
Unemployment Compensation Funds	\$5,499,794	\$5,499,794	\$5,499,794
Workers Compensation Funds	\$99,092,571	\$99,092,571	\$99,092,571
TOTAL PUBLIC FUNDS	\$162,660,147	\$162,660,147	\$162,660,147

40.1 *Increase funds for billings for workers' compensation premiums to reflect claims expenses.*

Workers Compensation Funds	\$3,000,000	\$3,000,000	\$3,000,000
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40.2 *Increase funds for billings for liability insurance premiums to reflect claims expenses.*

Liability Funds	\$6,200,000	\$6,200,000	\$6,200,000
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40.3 *Reduce funds for billings for cyber insurance premiums to reflect claims expenses.*

Intergovernmental Transfers Not Itemized	(\$1,000,000)	(\$1,000,000)	(\$1,000,000)
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40.4 *Reduce funds for billings for property insurance premiums to reflect claims expenses.*

State Fund Transfers Not Itemized	(\$17,866,432)	(\$17,866,432)	(\$17,866,432)
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40.5 *Reduce funds for billings for unemployment insurance to reflect claims expenses.*

Unemployment Compensation Funds	(\$1,000,000)	(\$1,000,000)	(\$1,582,230)
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40.6 *Implement new risk premium methodology using comprehensive loss control evaluation of agencies' risk.
(G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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40.100-Risk Management	Appropriation (HB 684)
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The purpose of this appropriation is to administer a liability insurance program to protect state government and employees from work-related claims, to provide indemnification funds for public officers and public school personnel in case of disability or death, to identify and control risks and hazards to minimize loss, to insure state-owned buildings and property against damage or destruction, to partner with the Department of Labor in administering unemployment claims, and to administer the Workers' Compensation Program.

TOTAL STATE FUNDS	\$430,000	\$430,000	\$430,000
State General Funds	\$430,000	\$430,000	\$430,000
TOTAL AGENCY FUNDS	\$1,823,752	\$1,823,752	\$1,823,752
Intergovernmental Transfers	\$1,823,752	\$1,823,752	\$1,823,752

Intergovernmental Transfers Not Itemized	\$1,823,752	\$1,823,752	\$1,823,752
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$149,739,963	\$149,739,963	\$149,157,733
State Funds Transfers	\$149,739,963	\$149,739,963	\$149,157,733
State Fund Transfers Not Itemized	\$5,455,028	\$5,455,028	\$5,455,028
Liability Funds	\$37,692,570	\$37,692,570	\$37,692,570
Unemployment Compensation Funds	\$4,499,794	\$4,499,794	\$3,917,564
Workers Compensation Funds	\$102,092,571	\$102,092,571	\$102,092,571
TOTAL PUBLIC FUNDS	\$151,993,715	\$151,993,715	\$151,411,485

State Purchasing

Continuation Budget

The purpose of this appropriation is to publicize government contract opportunities on the Georgia Procurement Registry; to maintain a comprehensive listing of all agency contracts; to manage bids, Requests For Proposals, and Requests For Quotes; to provide and oversee Purchasing Cards; to conduct reverse auctions for non-construction goods and services valued above \$100,000; to leverage the state's purchasing power in obtaining contracts; to train vendors seeking contract opportunities; and to certify Small and/or Minority Business Vendors.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$14,559,366	\$14,559,366	\$14,559,366
Rebates, Refunds, and Reimbursements	\$14,559,366	\$14,559,366	\$14,559,366
Rebates, Refunds, and Reimbursements Not Itemized	\$14,559,366	\$14,559,366	\$14,559,366
TOTAL PUBLIC FUNDS	\$14,559,366	\$14,559,366	\$14,559,366

41.100-State Purchasing

Appropriation (HB 684)

The purpose of this appropriation is to publicize government contract opportunities on the Georgia Procurement Registry; to maintain a comprehensive listing of all agency contracts; to manage bids, Requests For Proposals, and Requests For Quotes; to provide and oversee Purchasing Cards; to conduct reverse auctions for non-construction goods and services valued above \$100,000; to leverage the state's purchasing power in obtaining contracts; to train vendors seeking contract opportunities; and to certify Small and/or Minority Business Vendors.

TOTAL AGENCY FUNDS	\$14,559,366	\$14,559,366	\$14,559,366
Rebates, Refunds, and Reimbursements	\$14,559,366	\$14,559,366	\$14,559,366
Rebates, Refunds, and Reimbursements Not Itemized	\$14,559,366	\$14,559,366	\$14,559,366

TOTAL PUBLIC FUNDS	\$14,559,366	\$14,559,366	\$14,559,366
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Surplus Property**Continuation Budget**

The purpose of this appropriation is to reduce cost through maximization of the useful life of state-owned equipment and redistribution of property to state and local governments, qualifying non-profits, and to the public through auction.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$2,180,145	\$2,180,145	\$2,180,145
Sales and Services	\$2,180,145	\$2,180,145	\$2,180,145
Sales and Services Not Itemized	\$2,180,145	\$2,180,145	\$2,180,145
TOTAL PUBLIC FUNDS	\$2,180,145	\$2,180,145	\$2,180,145

42.100-Surplus Property**Appropriation (HB 684)**

The purpose of this appropriation is to reduce cost through maximization of the useful life of state-owned equipment and redistribution of property to state and local governments, qualifying non-profits, and to the public through auction.

TOTAL AGENCY FUNDS	\$2,180,145	\$2,180,145	\$2,180,145
Sales and Services	\$2,180,145	\$2,180,145	\$2,180,145
Sales and Services Not Itemized	\$2,180,145	\$2,180,145	\$2,180,145
TOTAL PUBLIC FUNDS	\$2,180,145	\$2,180,145	\$2,180,145

Administrative Hearings, Office of State**Continuation Budget**

The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies.

TOTAL STATE FUNDS	\$3,262,612	\$3,262,612	\$3,262,612
State General Funds	\$3,262,612	\$3,262,612	\$3,262,612
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,750,043	\$2,750,043	\$2,750,043
State Funds Transfers	\$2,750,043	\$2,750,043	\$2,750,043
State Fund Transfers Not Itemized	\$2,750,043	\$2,750,043	\$2,750,043
TOTAL PUBLIC FUNDS	\$6,012,655	\$6,012,655	\$6,012,655

43.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$10,752)	(\$10,752)	(\$10,752)
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43.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$285)	(\$285)	(\$285)
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43.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,717	\$1,717	\$1,717
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43.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$23)
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43.99 *SAC: The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.*

House: *The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.*

Governor: *The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.*

State General Funds	\$0	\$0	\$0
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43.100-Administrative Hearings, Office of State	Appropriation (HB 684)
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The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.

TOTAL STATE FUNDS	\$3,253,292	\$3,253,292	\$3,253,269
State General Funds	\$3,253,292	\$3,253,292	\$3,253,269
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,750,043	\$2,750,043	\$2,750,043

State Funds Transfers	\$2,750,043	\$2,750,043	\$2,750,043
State Fund Transfers Not Itemized	\$2,750,043	\$2,750,043	\$2,750,043
TOTAL PUBLIC FUNDS	\$6,003,335	\$6,003,335	\$6,003,312

State Treasurer, Office of the

Continuation Budget

The purpose of this appropriation is to set cash management policies for state agencies; assist agencies with bank services and accounts; monitor agency deposits and disbursement patterns; to invest funds for state and local entities; to track warrants, fund agency allotments, and pay state debt service; and to manage state revenue collections; and to manage the Path2College 529 Plan.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$7,320,072	\$7,320,072	\$7,320,072
Interest and Investment Income	\$5,712,072	\$5,712,072	\$5,712,072
Interest and Investment Income Not Itemized	\$5,712,072	\$5,712,072	\$5,712,072
Rebates, Refunds, and Reimbursements	\$145,000	\$145,000	\$145,000
Rebates, Refunds, and Reimbursements Not Itemized	\$145,000	\$145,000	\$145,000
Sales and Services	\$1,463,000	\$1,463,000	\$1,463,000
Sales and Services Not Itemized	\$1,463,000	\$1,463,000	\$1,463,000
TOTAL PUBLIC FUNDS	\$7,320,072	\$7,320,072	\$7,320,072

44.100-State Treasurer, Office of the

Appropriation (HB 684)

The purpose of this appropriation is to set cash management policies for state agencies; assist agencies with bank services and accounts; monitor agency deposits and disbursement patterns; to invest funds for state and local entities; to track warrants, fund agency allotments, and pay state debt service; and to manage state revenue collections; and to manage the Path2College 529 Plan.

TOTAL AGENCY FUNDS	\$7,320,072	\$7,320,072	\$7,320,072
Interest and Investment Income	\$5,712,072	\$5,712,072	\$5,712,072
Interest and Investment Income Not Itemized	\$5,712,072	\$5,712,072	\$5,712,072
Rebates, Refunds, and Reimbursements	\$145,000	\$145,000	\$145,000
Rebates, Refunds, and Reimbursements Not Itemized	\$145,000	\$145,000	\$145,000
Sales and Services	\$1,463,000	\$1,463,000	\$1,463,000
Sales and Services Not Itemized	\$1,463,000	\$1,463,000	\$1,463,000
TOTAL PUBLIC FUNDS	\$7,320,072	\$7,320,072	\$7,320,072

Payments to Georgia Technology Authority

Continuation Budget

The purpose of this appropriation is to set direction for the state's use of technology and promote efficient, secure, and cost-effective delivery of information technology services.

TOTAL STATE FUNDS	\$0
State General Funds	\$0

45.1 Increase funds for the Broadband Achieving Connectivity Everywhere Act (SB402, 2018 Session).

State General Funds	\$150,000
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45.100-Payments to Georgia Technology Authority	Appropriation (HB 684)
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The purpose of this appropriation is to set direction for the state's use of technology and promote efficient, secure, and cost-effective delivery of information technology services.

TOTAL STATE FUNDS	\$150,000
State General Funds	\$150,000
TOTAL PUBLIC FUNDS	\$150,000

The Department is authorized to assess state agencies the equivalent of .195% of salaries for the cost of departmental operations and may roll forward any unexpended prior years Merit System Assessment balance to be expended in the current fiscal year.

Section 13: Agriculture, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$48,172,806	\$48,172,806	\$48,172,806
State General Funds	\$48,172,806	\$48,172,806	\$48,172,806
TOTAL FEDERAL FUNDS	\$5,768,157	\$5,768,157	\$5,768,157
Federal Funds Not Itemized	\$5,768,157	\$5,768,157	\$5,768,157
TOTAL AGENCY FUNDS	\$2,241,171	\$2,241,171	\$2,241,171
Contributions, Donations, and Forfeitures	\$705,000	\$705,000	\$705,000
Contributions, Donations, and Forfeitures Not Itemized	\$705,000	\$705,000	\$705,000
Sales and Services	\$1,536,171	\$1,536,171	\$1,536,171
Sales and Services Not Itemized	\$1,536,171	\$1,536,171	\$1,536,171

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$230,930	\$230,930	\$230,930
State Funds Transfers	\$230,930	\$230,930	\$230,930
State Fund Transfers Not Itemized	\$230,930	\$230,930	\$230,930
TOTAL PUBLIC FUNDS	\$56,413,064	\$56,413,064	\$56,413,064

Section Total - Final

TOTAL STATE FUNDS	\$48,176,309	\$49,418,424	\$48,642,937
State General Funds	\$48,176,309	\$49,418,424	\$48,642,937
TOTAL FEDERAL FUNDS	\$5,768,157	\$5,768,157	\$5,768,157
Federal Funds Not Itemized	\$5,768,157	\$5,768,157	\$5,768,157
TOTAL AGENCY FUNDS	\$2,241,171	\$2,241,171	\$2,241,171
Contributions, Donations, and Forfeitures	\$705,000	\$705,000	\$705,000
Contributions, Donations, and Forfeitures Not Itemized	\$705,000	\$705,000	\$705,000
Sales and Services	\$1,536,171	\$1,536,171	\$1,536,171
Sales and Services Not Itemized	\$1,536,171	\$1,536,171	\$1,536,171
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$230,930	\$230,930	\$230,930
State Funds Transfers	\$230,930	\$230,930	\$230,930
State Fund Transfers Not Itemized	\$230,930	\$230,930	\$230,930
TOTAL PUBLIC FUNDS	\$56,416,567	\$57,658,682	\$56,883,195

Athens and Tifton Veterinary Laboratories

Continuation Budget

The purpose of this appropriation is to provide payment to the Board of Regents for diagnostic laboratory testing, for veterinary consultation and assistance, for disease surveillance, and for outreach to veterinarians, animal industries, and pet owners within the State of Georgia.

TOTAL STATE FUNDS	\$3,464,688	\$3,464,688	\$3,464,688
State General Funds	\$3,464,688	\$3,464,688	\$3,464,688
TOTAL PUBLIC FUNDS	\$3,464,688	\$3,464,688	\$3,464,688

46.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$89,299	\$89,299	\$89,299
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46.2 *Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees.*

State General Funds	\$10,197	\$0	\$0
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46.100-Athens and Tifton Veterinary Laboratories **Appropriation (HB 684)**

The purpose of this appropriation is to provide payment to the Board of Regents for diagnostic laboratory testing, for veterinary consultation and assistance, for disease surveillance, and for outreach to veterinarians, animal industries, and pet owners within the State of Georgia.

TOTAL STATE FUNDS	\$3,564,184	\$3,553,987	\$3,553,987
State General Funds	\$3,564,184	\$3,553,987	\$3,553,987
TOTAL PUBLIC FUNDS	\$3,564,184	\$3,553,987	\$3,553,987

Consumer Protection

Continuation Budget

The purpose of this appropriation is to provide for public health and safety by monitoring, inspecting and regulating the cultivation, processing, and production of livestock, meat, poultry, and other food products; by inspecting establishments that sell food for offsite consumption, food warehouses, wholesale and mobile meat and seafood vendors, dairy farms, and food banks; by certifying organic products, shellfish, and bottled water; by monitoring, inspecting, and regulating the companion animal, bird, and equine industries (including reports of abuse by private owners); by monitoring, inspecting, and regulating the plant and apiary industries including performing phytosanitary inspections; by monitoring, inspecting, and regulating the pesticide and wood treatment industries; and by monitoring, inspecting, and regulating animal feed, pet food, and grains. The purpose of this appropriation is also to ensure accurate commercial transactions by monitoring, inspecting, and regulating weights and measures and fuel sales.

TOTAL STATE FUNDS	\$27,824,221	\$27,824,221	\$27,824,221
State General Funds	\$27,824,221	\$27,824,221	\$27,824,221
TOTAL FEDERAL FUNDS	\$5,708,844	\$5,708,844	\$5,708,844
Federal Funds Not Itemized	\$5,708,844	\$5,708,844	\$5,708,844
TOTAL AGENCY FUNDS	\$1,830,000	\$1,830,000	\$1,830,000
Contributions, Donations, and Forfeitures	\$705,000	\$705,000	\$705,000
Contributions, Donations, and Forfeitures Not Itemized	\$705,000	\$705,000	\$705,000
Sales and Services	\$1,125,000	\$1,125,000	\$1,125,000
Sales and Services Not Itemized	\$1,125,000	\$1,125,000	\$1,125,000
TOTAL PUBLIC FUNDS	\$35,363,065	\$35,363,065	\$35,363,065

47.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,252	\$1,252	\$1,252
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47.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$62,913)	(\$62,913)	(\$62,913)
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47.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,146)	(\$4,146)	(\$4,146)
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47.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$21,513)	(\$21,513)	(\$21,513)
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47.5 *Transfer funds for personnel (\$778,827) and associated operations (\$207,793) for eight information technology positions from the Consumer Protection program to the Departmental Administration (DOA) program.*

State General Funds	(\$986,620)	(\$986,620)	(\$986,620)
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47.6 *Increase funds for personnel to annualize 11 positions.*

State General Funds		\$149,412	\$149,412
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47.100-Consumer Protection

Appropriation (HB 684)

The purpose of this appropriation is to provide for public health and safety by monitoring, inspecting and regulating the cultivation, processing, and production of livestock, meat, poultry, and other food products; by inspecting establishments that sell food for offsite consumption, food warehouses, wholesale and mobile meat and seafood vendors, dairy farms, and food banks; by certifying organic products, shellfish, and bottled water; by monitoring, inspecting, and regulating the companion animal, bird, and equine industries (including reports of abuse by private owners); by monitoring, inspecting, and regulating the plant and apiary industries including performing phytosanitary inspections; by monitoring, inspecting, and regulating the pesticide and wood treatment industries; and by monitoring, inspecting, and regulating animal feed, pet food, and grains. The purpose of this appropriation is also to ensure accurate commercial transactions by monitoring, inspecting, and regulating weights and measures and fuel sales.

TOTAL STATE FUNDS	\$26,750,281	\$26,899,693	\$26,899,693
State General Funds	\$26,750,281	\$26,899,693	\$26,899,693
TOTAL FEDERAL FUNDS	\$5,708,844	\$5,708,844	\$5,708,844
Federal Funds Not Itemized	\$5,708,844	\$5,708,844	\$5,708,844
TOTAL AGENCY FUNDS	\$1,830,000	\$1,830,000	\$1,830,000
Contributions, Donations, and Forfeitures	\$705,000	\$705,000	\$705,000
Contributions, Donations, and Forfeitures Not Itemized	\$705,000	\$705,000	\$705,000
Sales and Services	\$1,125,000	\$1,125,000	\$1,125,000

Sales and Services Not Itemized	\$1,125,000	\$1,125,000	\$1,125,000
TOTAL PUBLIC FUNDS	\$34,289,125	\$34,438,537	\$34,438,537

Departmental Administration (DOA)**Continuation Budget**

The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$4,904,386	\$4,904,386	\$4,904,386
State General Funds	\$4,904,386	\$4,904,386	\$4,904,386
TOTAL PUBLIC FUNDS	\$4,904,386	\$4,904,386	\$4,904,386

48.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$11,531)	(\$11,531)	(\$11,531)
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48.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$760)	(\$760)	(\$760)
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48.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$3,943)	(\$3,943)	(\$3,943)
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48.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$3,541)	(\$3,541)	(\$3,541)
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48.5 *Transfer funds for personnel (\$778,827) and associated operations (\$207,793) for eight information technology positions from the Consumer Protection program to the Departmental Administration (DOA) program.*

State General Funds	\$986,620	\$986,620	\$986,620
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48.6 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$2,921
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48.100-Departmental Administration (DOA)**Appropriation (HB 684)**

The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$5,871,231	\$5,871,231	\$5,874,152
State General Funds	\$5,871,231	\$5,871,231	\$5,874,152
TOTAL PUBLIC FUNDS	\$5,871,231	\$5,871,231	\$5,874,152

Marketing and Promotion**Continuation Budget**

The purpose of this appropriation is to manage the state's farmers markets, to promote Georgia's agricultural products domestically and internationally, to administer relevant certification marks, to provide poultry and livestock commodity data, to administer surety bonds, to provide information to the public, and to publish the Market Bulletin.

TOTAL STATE FUNDS	\$6,043,246	\$6,043,246	\$6,043,246
State General Funds	\$6,043,246	\$6,043,246	\$6,043,246
TOTAL AGENCY FUNDS	\$411,171	\$411,171	\$411,171
Sales and Services	\$411,171	\$411,171	\$411,171
Sales and Services Not Itemized	\$411,171	\$411,171	\$411,171
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$230,930	\$230,930	\$230,930
State Funds Transfers	\$230,930	\$230,930	\$230,930
State Fund Transfers Not Itemized	\$230,930	\$230,930	\$230,930
TOTAL PUBLIC FUNDS	\$6,685,347	\$6,685,347	\$6,685,347

49.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$8,657)	(\$8,657)	(\$8,657)
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49.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$570)	(\$570)	(\$570)
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49.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,960)	(\$2,960)	(\$2,960)
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49.4 *Increase funds for an international trade representative position and a domestic trade representative position to increase Georgia agriculture exports. (S:Increase funds for a domestic trade representative)*

State General Funds		\$253,200	\$81,455
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49.5 *Increase funds for a business analyst position.*

State General Funds		\$80,500	\$80,500
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49.6 *Increase funds for four positions for the Center for Agriculture Business Development. (S:Develop a plan to implement the Center for Agriculture Business Development, including details on all staffing and funding requirements)*

State General Funds		\$444,200	\$0
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49.7 *Increase funds to market Georgia agriculture products as recommended by the House Rural Development Council.*

State General Funds		\$325,000	\$162,500
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49.100-Marketing and Promotion**Appropriation (HB 684)**

The purpose of this appropriation is to manage the state's farmers markets, to promote Georgia's agricultural products domestically and internationally, to administer relevant certification marks, to provide poultry and livestock commodity data, to administer surety bonds, to provide information to the public, and to publish the Market Bulletin.

TOTAL STATE FUNDS	\$6,031,059	\$7,133,959	\$6,355,514
State General Funds	\$6,031,059	\$7,133,959	\$6,355,514
TOTAL AGENCY FUNDS	\$411,171	\$411,171	\$411,171
Sales and Services	\$411,171	\$411,171	\$411,171
Sales and Services Not Itemized	\$411,171	\$411,171	\$411,171
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$230,930	\$230,930	\$230,930
State Funds Transfers	\$230,930	\$230,930	\$230,930
State Fund Transfers Not Itemized	\$230,930	\$230,930	\$230,930
TOTAL PUBLIC FUNDS	\$6,673,160	\$7,776,060	\$6,997,615

Poultry Veterinary Diagnostic Labs**Continuation Budget**

The purpose of this appropriation is to pay for operation of the Poultry Diagnostic Veterinary Labs, which conduct disease diagnoses and monitoring.

TOTAL STATE FUNDS	\$2,911,399	\$2,911,399	\$2,911,399
State General Funds	\$2,911,399	\$2,911,399	\$2,911,399
TOTAL PUBLIC FUNDS	\$2,911,399	\$2,911,399	\$2,911,399

50.100-Poultry Veterinary Diagnostic Labs**Appropriation (HB 684)**

The purpose of this appropriation is to pay for operation of the Poultry Diagnostic Veterinary Labs, which conduct disease diagnoses and monitoring.

TOTAL STATE FUNDS	\$2,911,399	\$2,911,399	\$2,911,399
State General Funds	\$2,911,399	\$2,911,399	\$2,911,399
TOTAL PUBLIC FUNDS	\$2,911,399	\$2,911,399	\$2,911,399

Payments to Georgia Agricultural Exposition Authority

Continuation Budget

The purpose of this appropriation is to reduce the rates charged by the Georgia Agricultural Exposition Authority for youth and livestock events.

TOTAL STATE FUNDS	\$1,001,346	\$1,001,346	\$1,001,346
State General Funds	\$1,001,346	\$1,001,346	\$1,001,346
TOTAL PUBLIC FUNDS	\$1,001,346	\$1,001,346	\$1,001,346

51.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,500)	(\$1,500)	(\$1,500)
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51.2 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$146	\$146	\$146
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51.3 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$69
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51.100-Payments to Georgia Agricultural Exposition Authority	Appropriation (HB 684)
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The purpose of this appropriation is to reduce the rates charged by the Georgia Agricultural Exposition Authority for youth and livestock events.

TOTAL STATE FUNDS	\$999,992	\$999,992	\$1,000,061
State General Funds	\$999,992	\$999,992	\$1,000,061
TOTAL PUBLIC FUNDS	\$999,992	\$999,992	\$1,000,061

State Soil and Water Conservation Commission

Continuation Budget

The purpose of this appropriation is to protect, conserve, and improve the soil and water resources of the State of Georgia; conserve ground and surface water in Georgia by increasing the uniformity and efficiency of agricultural water irrigation systems, by installing meters on sites with permits for agricultural use to obtain data on agricultural water usage, and by administering the use of federal funds to construct and renovate agricultural water catchments; inspect, maintain and provide assistance to owners of USDA flood control structures so that they comply with the state Safe Dams Act; and to provide funds for planning and research on water management, erosion and sedimentation control.

TOTAL STATE FUNDS	\$2,023,520	\$2,023,520	\$2,023,520
State General Funds	\$2,023,520	\$2,023,520	\$2,023,520
TOTAL FEDERAL FUNDS	\$59,313	\$59,313	\$59,313
Federal Funds Not Itemized	\$59,313	\$59,313	\$59,313
TOTAL PUBLIC FUNDS	\$2,082,833	\$2,082,833	\$2,082,833

52.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$4,550)	(\$4,550)	(\$4,550)
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52.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$413	\$413	\$413
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52.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$11,342)	(\$11,342)	(\$11,342)
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52.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,490	\$2,490	\$2,490
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52.5 *Increase funds for information technology to establish secure email addresses for state employees and district supervisors.*

State General Funds	\$37,632	\$37,632	\$37,632
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52.6 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$32)
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52.100-State Soil and Water Conservation Commission

Appropriation (HB 684)

The purpose of this appropriation is to protect, conserve, and improve the soil and water resources of the State of Georgia; conserve ground and surface water in Georgia by increasing the uniformity and efficiency of agricultural water irrigation systems, by installing meters on sites with permits for agricultural use to obtain data on agricultural water usage, and by administering the use of federal funds to construct and renovate agricultural water catchments; inspect, maintain and provide assistance to owners of USDA flood control structures so that they comply with the state Safe Dams Act; and to provide funds for planning and research on water management, erosion and sedimentation control.

TOTAL STATE FUNDS	\$2,048,163	\$2,048,163	\$2,048,131
State General Funds	\$2,048,163	\$2,048,163	\$2,048,131

TOTAL FEDERAL FUNDS	\$59,313	\$59,313	\$59,313
Federal Funds Not Itemized	\$59,313	\$59,313	\$59,313
TOTAL PUBLIC FUNDS	\$2,107,476	\$2,107,476	\$2,107,444

Section 14: Banking and Finance, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$13,294,660	\$13,294,660	\$13,294,660
State General Funds	\$13,294,660	\$13,294,660	\$13,294,660
TOTAL PUBLIC FUNDS	\$13,294,660	\$13,294,660	\$13,294,660

Section Total - Final

TOTAL STATE FUNDS	\$13,289,748	\$13,289,748	\$13,293,071
State General Funds	\$13,289,748	\$13,289,748	\$13,293,071
TOTAL PUBLIC FUNDS	\$13,289,748	\$13,289,748	\$13,293,071

Departmental Administration (DBF)

Continuation Budget

The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$2,833,525	\$2,833,525	\$2,833,525
State General Funds	\$2,833,525	\$2,833,525	\$2,833,525
TOTAL PUBLIC FUNDS	\$2,833,525	\$2,833,525	\$2,833,525

53.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,134)	(\$1,134)	(\$1,134)
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53.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$97)	(\$97)	(\$97)
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53.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$6,702)	(\$6,702)	(\$6,702)
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53.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$7,786	\$7,786	\$7,786
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53.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$3,323
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53.100-Departmental Administration (DBF)	Appropriation (HB 684)		
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The purpose of this appropriation is to provide administrative support to all department programs.

TOTAL STATE FUNDS	\$2,833,378	\$2,833,378	\$2,836,701
State General Funds	\$2,833,378	\$2,833,378	\$2,836,701
TOTAL PUBLIC FUNDS	\$2,833,378	\$2,833,378	\$2,836,701

Financial Institution Supervision

Continuation Budget

The purpose of this appropriation is to examine and regulate depository financial institutions, state-chartered banks, trust companies, credit unions, bank holding companies, and international banking organizations; to track performance of financial service providers operating in Georgia, to monitor industry trends, respond to negative trends, and establish operating guidelines; and to collaborate with law enforcement, federal regulators, and other regulatory agencies on examination findings.

TOTAL STATE FUNDS	\$8,132,200	\$8,132,200	\$8,132,200
State General Funds	\$8,132,200	\$8,132,200	\$8,132,200
TOTAL PUBLIC FUNDS	\$8,132,200	\$8,132,200	\$8,132,200

54.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$3,475)	(\$3,475)	(\$3,475)
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54.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$296)	(\$296)	(\$296)
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54.100-Financial Institution Supervision	Appropriation (HB 684)		
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The purpose of this appropriation is to examine and regulate depository financial institutions, state-chartered banks, trust companies, credit unions, bank holding companies, and international banking organizations; to track performance of financial service providers operating in Georgia, to monitor industry trends, respond to negative trends, and establish operating guidelines; and to collaborate with law enforcement, federal regulators, and other regulatory agencies on examination findings.

TOTAL STATE FUNDS	\$8,128,429	\$8,128,429	\$8,128,429
State General Funds	\$8,128,429	\$8,128,429	\$8,128,429
TOTAL PUBLIC FUNDS	\$8,128,429	\$8,128,429	\$8,128,429

Non-Depository Financial Institution Supervision**Continuation Budget**

The purpose of this appropriation is to protect consumers from unfair, deceptive, or fraudulent residential mortgage lending practices and money service businesses, protect consumers by licensing, regulating, and enforcing applicable laws and regulations, and provide efficient and flexible application, registrations, and notification procedures for non-depository financial institutions.

TOTAL STATE FUNDS	\$2,328,935	\$2,328,935	\$2,328,935
State General Funds	\$2,328,935	\$2,328,935	\$2,328,935
TOTAL PUBLIC FUNDS	\$2,328,935	\$2,328,935	\$2,328,935

55.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$916)	(\$916)	(\$916)
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55.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$78)	(\$78)	(\$78)
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55.100-Non-Depository Financial Institution Supervision**Appropriation (HB 684)**

The purpose of this appropriation is to protect consumers from unfair, deceptive, or fraudulent residential mortgage lending practices and money service businesses, protect consumers by licensing, regulating, and enforcing applicable laws and regulations, and provide efficient and flexible application, registrations, and notification procedures for non-depository financial institutions.

TOTAL STATE FUNDS	\$2,327,941	\$2,327,941	\$2,327,941
State General Funds	\$2,327,941	\$2,327,941	\$2,327,941
TOTAL PUBLIC FUNDS	\$2,327,941	\$2,327,941	\$2,327,941

Section 15: Behavioral Health and Developmental Disabilities, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$1,096,247,908	\$1,096,247,908	\$1,096,247,908
State General Funds	\$1,085,992,770	\$1,085,992,770	\$1,085,992,770
Tobacco Settlement Funds	\$10,255,138	\$10,255,138	\$10,255,138
TOTAL FEDERAL FUNDS	\$144,666,334	\$144,666,334	\$144,666,334
Federal Funds Not Itemized	\$5,081,397	\$5,081,397	\$5,081,397
Community Mental Health Services Block Grant CFDA93.958	\$14,163,709	\$14,163,709	\$14,163,709
Medical Assistance Program CFDA93.778	\$25,361,291	\$25,361,291	\$25,361,291

Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$47,482,075	\$47,482,075	\$47,482,075
Social Services Block Grant CFDA93.667	\$40,481,142	\$40,481,142	\$40,481,142
Temporary Assistance for Needy Families	\$12,096,720	\$12,096,720	\$12,096,720
Temporary Assistance for Needy Families Grant CFDA93.558	\$12,096,720	\$12,096,720	\$12,096,720
TOTAL AGENCY FUNDS	\$25,771,962	\$25,771,962	\$25,771,962
Intergovernmental Transfers	\$200,000	\$200,000	\$200,000
Intergovernmental Transfers Not Itemized	\$200,000	\$200,000	\$200,000
Rebates, Refunds, and Reimbursements	\$257,036	\$257,036	\$257,036
Rebates, Refunds, and Reimbursements Not Itemized	\$257,036	\$257,036	\$257,036
Royalties and Rents	\$668,024	\$668,024	\$668,024
Royalties and Rents Not Itemized	\$668,024	\$668,024	\$668,024
Sales and Services	\$24,646,902	\$24,646,902	\$24,646,902
Sales and Services Not Itemized	\$24,646,902	\$24,646,902	\$24,646,902
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,419,710	\$2,419,710	\$2,419,710
State Funds Transfers	\$2,419,710	\$2,419,710	\$2,419,710
State Fund Transfers Not Itemized	\$2,357,130	\$2,357,130	\$2,357,130
Agency to Agency Contracts	\$62,580	\$62,580	\$62,580
TOTAL PUBLIC FUNDS	\$1,269,105,914	\$1,269,105,914	\$1,269,105,914

Section Total - Final

TOTAL STATE FUNDS	\$1,146,810,505	\$1,146,815,900	\$1,155,269,184
State General Funds	\$1,136,555,367	\$1,136,560,762	\$1,145,014,046
Tobacco Settlement Funds	\$10,255,138	\$10,255,138	\$10,255,138
TOTAL FEDERAL FUNDS	\$144,666,334	\$144,666,334	\$144,666,334
Federal Funds Not Itemized	\$5,081,397	\$5,081,397	\$5,081,397
Community Mental Health Services Block Grant CFDA93.958	\$14,163,709	\$14,163,709	\$14,163,709
Medical Assistance Program CFDA93.778	\$25,361,291	\$25,361,291	\$25,361,291
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$47,482,075	\$47,482,075	\$47,482,075
Social Services Block Grant CFDA93.667	\$40,481,142	\$40,481,142	\$40,481,142
Temporary Assistance for Needy Families	\$12,096,720	\$12,096,720	\$12,096,720
Temporary Assistance for Needy Families Grant CFDA93.558	\$12,096,720	\$12,096,720	\$12,096,720
TOTAL AGENCY FUNDS	\$25,771,962	\$25,771,962	\$25,771,962
Intergovernmental Transfers	\$200,000	\$200,000	\$200,000

Intergovernmental Transfers Not Itemized	\$200,000	\$200,000	\$200,000
Rebates, Refunds, and Reimbursements	\$257,036	\$257,036	\$257,036
Rebates, Refunds, and Reimbursements Not Itemized	\$257,036	\$257,036	\$257,036
Royalties and Rents	\$668,024	\$668,024	\$668,024
Royalties and Rents Not Itemized	\$668,024	\$668,024	\$668,024
Sales and Services	\$24,646,902	\$24,646,902	\$24,646,902
Sales and Services Not Itemized	\$24,646,902	\$24,646,902	\$24,646,902
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,419,710	\$2,419,710	\$2,419,710
State Funds Transfers	\$2,419,710	\$2,419,710	\$2,419,710
State Fund Transfers Not Itemized	\$2,357,130	\$2,357,130	\$2,357,130
Agency to Agency Contracts	\$62,580	\$62,580	\$62,580
TOTAL PUBLIC FUNDS	\$1,319,668,511	\$1,319,673,906	\$1,328,127,190

Adult Addictive Diseases Services**Continuation Budget**

The purpose of this appropriation is to provide a continuum of programs, services and supports for adults who abuse alcohol and other drugs, have a chemical dependency and who need assistance for compulsive gambling.

TOTAL STATE FUNDS	\$45,531,362	\$45,531,362	\$45,531,362
State General Funds	\$45,531,362	\$45,531,362	\$45,531,362
TOTAL FEDERAL FUNDS	\$44,254,231	\$44,254,231	\$44,254,231
Medical Assistance Program CFDA93.778	\$50,000	\$50,000	\$50,000
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$29,607,511	\$29,607,511	\$29,607,511
Social Services Block Grant CFDA93.667	\$2,500,000	\$2,500,000	\$2,500,000
Temporary Assistance for Needy Families	\$12,096,720	\$12,096,720	\$12,096,720
Temporary Assistance for Needy Families Grant CFDA93.558	\$12,096,720	\$12,096,720	\$12,096,720
TOTAL AGENCY FUNDS	\$434,903	\$434,903	\$434,903
Intergovernmental Transfers	\$200,000	\$200,000	\$200,000
Intergovernmental Transfers Not Itemized	\$200,000	\$200,000	\$200,000
Rebates, Refunds, and Reimbursements	\$234,903	\$234,903	\$234,903
Rebates, Refunds, and Reimbursements Not Itemized	\$234,903	\$234,903	\$234,903
TOTAL PUBLIC FUNDS	\$90,220,496	\$90,220,496	\$90,220,496

56.1 *Increase funds to create a substance abuse and recovery block grant program.*

State General Funds			\$4,000,000
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56.2 *Increase funds to establish and launch a Neonatal Intensive Care Unit Peer Recovery Coaching Program.*

State General Funds

\$500,000

56.100-Adult Addictive Diseases Services**Appropriation (HB 684)**

The purpose of this appropriation is to provide a continuum of programs, services and supports for adults who abuse alcohol and other drugs, have a chemical dependency and who need assistance for compulsive gambling.

TOTAL STATE FUNDS	\$45,531,362	\$45,531,362	\$50,031,362
State General Funds	\$45,531,362	\$45,531,362	\$50,031,362
TOTAL FEDERAL FUNDS	\$44,254,231	\$44,254,231	\$44,254,231
Medical Assistance Program CFDA93.778	\$50,000	\$50,000	\$50,000
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$29,607,511	\$29,607,511	\$29,607,511
Social Services Block Grant CFDA93.667	\$2,500,000	\$2,500,000	\$2,500,000
Temporary Assistance for Needy Families	\$12,096,720	\$12,096,720	\$12,096,720
Temporary Assistance for Needy Families Grant CFDA93.558	\$12,096,720	\$12,096,720	\$12,096,720
TOTAL AGENCY FUNDS	\$434,903	\$434,903	\$434,903
Intergovernmental Transfers	\$200,000	\$200,000	\$200,000
Intergovernmental Transfers Not Itemized	\$200,000	\$200,000	\$200,000
Rebates, Refunds, and Reimbursements	\$234,903	\$234,903	\$234,903
Rebates, Refunds, and Reimbursements Not Itemized	\$234,903	\$234,903	\$234,903
TOTAL PUBLIC FUNDS	\$90,220,496	\$90,220,496	\$94,720,496

Adult Developmental Disabilities Services**Continuation Budget**

The purpose of this appropriation is to promote independence of adults with significant development disabilities through institutional care, community support and respite, job readiness, training, and a crisis and access line.

TOTAL STATE FUNDS	\$340,426,629	\$340,426,629	\$340,426,629
State General Funds	\$330,171,491	\$330,171,491	\$330,171,491
Tobacco Settlement Funds	\$10,255,138	\$10,255,138	\$10,255,138
TOTAL FEDERAL FUNDS	\$42,980,753	\$42,980,753	\$42,980,753
Medical Assistance Program CFDA93.778	\$12,336,582	\$12,336,582	\$12,336,582
Social Services Block Grant CFDA93.667	\$30,644,171	\$30,644,171	\$30,644,171
TOTAL AGENCY FUNDS	\$12,960,000	\$12,960,000	\$12,960,000

Sales and Services	\$12,960,000	\$12,960,000	\$12,960,000
Sales and Services Not Itemized	\$12,960,000	\$12,960,000	\$12,960,000
TOTAL PUBLIC FUNDS	\$396,367,382	\$396,367,382	\$396,367,382

57.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$153,024	\$153,024	\$153,024
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57.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$334,146)	(\$334,146)	(\$334,146)
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57.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$80,210)	(\$80,210)	(\$80,210)
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57.4 *Increase funds for 125 additional slots for the New Options Waiver (NOW) and the Comprehensive Supports Waiver Program (COMP) for the intellectually and developmentally disabled.*

State General Funds	\$3,138,073	\$3,138,073	\$3,138,073
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57.5 *Increase funds to annualize the cost of 250 New Options Waivers (NOW) and Comprehensive Supports Waiver Program (COMP) slots for the intellectually and developmentally disabled to meet the requirements of the Department of Justice (DOJ) Settlement Agreement.*

State General Funds	\$6,054,113	\$6,054,113	\$6,054,113
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57.6 *Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.*

State General Funds	\$3,409,527	\$3,409,527	\$3,409,527
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57.7 *Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees.*

State General Funds	\$20,216	\$0	\$0
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57.8 *Reduce funds for the Georgia Options program.*

State General Funds			(\$100,000)
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57.9 *Increase funds for the Albany Advocacy Resource Center.*

State General Funds			\$220,000
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57.10 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds

\$79,980

57.100-Adult Developmental Disabilities Services**Appropriation (HB 684)**

The purpose of this appropriation is to promote independence of adults with significant development disabilities through institutional care, community support and respite, job readiness, training, and a crisis and access line.

TOTAL STATE FUNDS	\$352,787,226	\$352,767,010	\$352,966,990
State General Funds	\$342,532,088	\$342,511,872	\$342,711,852
Tobacco Settlement Funds	\$10,255,138	\$10,255,138	\$10,255,138
TOTAL FEDERAL FUNDS	\$42,980,753	\$42,980,753	\$42,980,753
Medical Assistance Program CFDA93.778	\$12,336,582	\$12,336,582	\$12,336,582
Social Services Block Grant CFDA93.667	\$30,644,171	\$30,644,171	\$30,644,171
TOTAL AGENCY FUNDS	\$12,960,000	\$12,960,000	\$12,960,000
Sales and Services	\$12,960,000	\$12,960,000	\$12,960,000
Sales and Services Not Itemized	\$12,960,000	\$12,960,000	\$12,960,000
TOTAL PUBLIC FUNDS	\$408,727,979	\$408,707,763	\$408,907,743

Adult Forensic Services**Continuation Budget**

The purpose of this appropriation is to provide psychological evaluations of defendants, mental health screening and evaluations, inpatient mental health treatment, competency remediation, forensic evaluation services, and supportive housing for forensic consumers.

TOTAL STATE FUNDS	\$98,625,855	\$98,625,855	\$98,625,855
State General Funds	\$98,625,855	\$98,625,855	\$98,625,855
TOTAL AGENCY FUNDS	\$26,500	\$26,500	\$26,500
Sales and Services	\$26,500	\$26,500	\$26,500
Sales and Services Not Itemized	\$26,500	\$26,500	\$26,500
TOTAL PUBLIC FUNDS	\$98,652,355	\$98,652,355	\$98,652,355

58.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds

\$3,635

\$3,635

\$3,635

58.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,985)	(\$1,985)	(\$1,985)
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58.3 *Increase funds for the operation of the 40 bed forensic unit at Georgia Regional Hospital in Atlanta.*

State General Funds	\$2,212,611	\$2,212,611	\$2,212,611
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58.4 *Increase funds for one community integration home.*

State General Funds	\$433,080	\$433,080	\$433,080
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58.100-Adult Forensic Services	Appropriation (HB 684)
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The purpose of this appropriation is to provide psychological evaluations of defendants, mental health screening and evaluations, inpatient mental health treatment, competency remediation, forensic evaluation services, and supportive housing for forensic consumers.

TOTAL STATE FUNDS	\$101,273,196	\$101,273,196	\$101,273,196
State General Funds	\$101,273,196	\$101,273,196	\$101,273,196
TOTAL AGENCY FUNDS	\$26,500	\$26,500	\$26,500
Sales and Services	\$26,500	\$26,500	\$26,500
Sales and Services Not Itemized	\$26,500	\$26,500	\$26,500
TOTAL PUBLIC FUNDS	\$101,299,696	\$101,299,696	\$101,299,696

Adult Mental Health Services

Continuation Budget

The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to facilitate rehabilitation and recovery for adults with mental illnesses.

TOTAL STATE FUNDS	\$385,793,209	\$385,793,209	\$385,793,209
State General Funds	\$385,793,209	\$385,793,209	\$385,793,209
TOTAL FEDERAL FUNDS	\$11,858,953	\$11,858,953	\$11,858,953
Federal Funds Not Itemized	\$3,062,355	\$3,062,355	\$3,062,355
Community Mental Health Services Block Grant CFDA93.958	\$6,726,178	\$6,726,178	\$6,726,178
Medical Assistance Program CFDA93.778	\$2,070,420	\$2,070,420	\$2,070,420
TOTAL AGENCY FUNDS	\$1,090,095	\$1,090,095	\$1,090,095
Sales and Services	\$1,090,095	\$1,090,095	\$1,090,095
Sales and Services Not Itemized	\$1,090,095	\$1,090,095	\$1,090,095
TOTAL PUBLIC FUNDS	\$398,742,257	\$398,742,257	\$398,742,257

59.1	<i>Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.</i>			
State General Funds		\$1,773	\$1,773	\$1,773
59.2	<i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
State General Funds		(\$117,289)	(\$117,289)	(\$117,289)
59.3	<i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
State General Funds		(\$95,423)	(\$95,423)	(\$95,423)
59.4	<i>Increase funds for one Behavioral Health Crisis Center to begin operations January 2019. (H:Increase funds for one Behavioral Health Crisis Center)(S:Increase funds for one Behavioral Health Crisis Center in a rural area to begin operations January 2019 and one Behavioral Health Crisis Center in a metropolitan area to begin operations January 2019)</i>			
State General Funds		\$3,000,000	\$3,000,000	\$6,000,000
59.5	<i>Increase funds for mental health consumers in community settings to comply with the Department of Justice (DOJ) Settlement Agreement.</i>			
State General Funds		\$5,721,600	\$5,721,600	\$5,721,600
59.6	<i>Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.</i>			
State General Funds		\$839,821	\$839,821	\$839,821
59.7	<i>Increase funds for St. Joseph's Mercy Care Indigent Services.</i>			
State General Funds				\$500,000
59.8	<i>Adjust billings for unemployment insurance to reflect updated claims expenses.</i>			
State General Funds				\$90,613

59.100-Adult Mental Health Services**Appropriation (HB 684)**

The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to facilitate rehabilitation and recovery for adults with mental illnesses.

TOTAL STATE FUNDS	\$395,143,691	\$395,143,691	\$398,734,304
State General Funds	\$395,143,691	\$395,143,691	\$398,734,304
TOTAL FEDERAL FUNDS	\$11,858,953	\$11,858,953	\$11,858,953
Federal Funds Not Itemized	\$3,062,355	\$3,062,355	\$3,062,355

Community Mental Health Services Block Grant CFDA93.958	\$6,726,178	\$6,726,178	\$6,726,178
Medical Assistance Program CFDA93.778	\$2,070,420	\$2,070,420	\$2,070,420
TOTAL AGENCY FUNDS	\$1,090,095	\$1,090,095	\$1,090,095
Sales and Services	\$1,090,095	\$1,090,095	\$1,090,095
Sales and Services Not Itemized	\$1,090,095	\$1,090,095	\$1,090,095
TOTAL PUBLIC FUNDS	\$408,092,739	\$408,092,739	\$411,683,352

Child and Adolescent Addictive Diseases Services**Continuation Budget**

The purpose of this appropriation is to provide services to children and adolescents for the safe withdrawal from abused substances and promote a transition to productive living.

TOTAL STATE FUNDS	\$3,307,854	\$3,307,854	\$3,307,854
State General Funds	\$3,307,854	\$3,307,854	\$3,307,854
TOTAL FEDERAL FUNDS	\$7,928,149	\$7,928,149	\$7,928,149
Medical Assistance Program CFDA93.778	\$50,000	\$50,000	\$50,000
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$7,878,149	\$7,878,149	\$7,878,149
TOTAL PUBLIC FUNDS	\$11,236,003	\$11,236,003	\$11,236,003

60.1 *Increase funds to prevent opioid abuse as recommended by the Commission on Children's Mental Health.*

State General Funds	\$790,801	\$790,801	\$790,801
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60.100-Child and Adolescent Addictive Diseases Services**Appropriation (HB 684)**

The purpose of this appropriation is to provide services to children and adolescents for the safe withdrawal from abused substances and promote a transition to productive living.

TOTAL STATE FUNDS	\$4,098,655	\$4,098,655	\$4,098,655
State General Funds	\$4,098,655	\$4,098,655	\$4,098,655
TOTAL FEDERAL FUNDS	\$7,928,149	\$7,928,149	\$7,928,149
Medical Assistance Program CFDA93.778	\$50,000	\$50,000	\$50,000
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$7,878,149	\$7,878,149	\$7,878,149
TOTAL PUBLIC FUNDS	\$12,026,804	\$12,026,804	\$12,026,804

Child and Adolescent Developmental Disabilities**Continuation Budget**

The purpose of this appropriation is to provide evaluation, residential, support, and education services to promote independence for children and adolescents with developmental disabilities.

TOTAL STATE FUNDS	\$9,011,788	\$9,011,788	\$9,011,788
State General Funds	\$9,011,788	\$9,011,788	\$9,011,788
TOTAL FEDERAL FUNDS	\$3,588,692	\$3,588,692	\$3,588,692
Medical Assistance Program CFDA93.778	\$3,588,692	\$3,588,692	\$3,588,692
TOTAL PUBLIC FUNDS	\$12,600,480	\$12,600,480	\$12,600,480

61.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$79	\$79	\$79
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61.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$43)	(\$43)	(\$43)
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61.3 *Increase funds for crisis services for children under 21 who are diagnosed as autistic.*

State General Funds	\$5,922,917	\$5,922,917	\$5,922,917
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61.4 *Utilize \$266,119 in existing funds for telehealth services and three positions for behavioral health services for children under 21 who are diagnosed as autistic (Total Funds: \$383,288). (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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61.5 *Increase funds for the Matthew Reardon Center for Autism.*

State General Funds		\$125,000	\$200,000
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61.100-Child and Adolescent Developmental Disabilities	Appropriation (HB 684)		
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The purpose of this appropriation is to provide evaluation, residential, support, and education services to promote independence for children and adolescents with developmental disabilities.

TOTAL STATE FUNDS	\$14,934,741	\$15,059,741	\$15,134,741
State General Funds	\$14,934,741	\$15,059,741	\$15,134,741
TOTAL FEDERAL FUNDS	\$3,588,692	\$3,588,692	\$3,588,692
Medical Assistance Program CFDA93.778	\$3,588,692	\$3,588,692	\$3,588,692
TOTAL PUBLIC FUNDS	\$18,523,433	\$18,648,433	\$18,723,433

Child and Adolescent Forensic Services

Continuation Budget

The purpose of this appropriation is to provide evaluation, treatment and residential services to children and adolescents clients referred by Georgia's criminal justice or corrections system.

TOTAL STATE FUNDS	\$6,510,580	\$6,510,580	\$6,510,580
State General Funds	\$6,510,580	\$6,510,580	\$6,510,580
TOTAL PUBLIC FUNDS	\$6,510,580	\$6,510,580	\$6,510,580

62.100-Child and Adolescent Forensic Services	Appropriation (HB 684)		
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The purpose of this appropriation is to provide evaluation, treatment and residential services to children and adolescents clients referred by Georgia's criminal justice or corrections system.

TOTAL STATE FUNDS	\$6,510,580	\$6,510,580	\$6,510,580
State General Funds	\$6,510,580	\$6,510,580	\$6,510,580
TOTAL PUBLIC FUNDS	\$6,510,580	\$6,510,580	\$6,510,580

Child and Adolescent Mental Health Services

Continuation Budget

The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to children and adolescents with mental illness.

TOTAL STATE FUNDS	\$50,298,582	\$50,298,582	\$50,298,582
State General Funds	\$50,298,582	\$50,298,582	\$50,298,582
TOTAL FEDERAL FUNDS	\$10,324,515	\$10,324,515	\$10,324,515
Community Mental Health Services Block Grant CFDA93.958	\$7,437,531	\$7,437,531	\$7,437,531
Medical Assistance Program CFDA93.778	\$2,886,984	\$2,886,984	\$2,886,984
TOTAL AGENCY FUNDS	\$85,000	\$85,000	\$85,000
Sales and Services	\$85,000	\$85,000	\$85,000
Sales and Services Not Itemized	\$85,000	\$85,000	\$85,000
TOTAL PUBLIC FUNDS	\$60,708,097	\$60,708,097	\$60,708,097

63.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$215	\$215	\$215
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63.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$118)	(\$118)	(\$118)
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63.3 *Increase funds for one-time funding for crisis respite services as recommended by the Commission on Children's Mental Health.*

State General Funds	\$84,000	\$84,000	\$84,000
63.4 <i>Increase funds for crisis services as recommended by the Commission on Children's Mental Health.</i>			
State General Funds	\$10,316,198	\$10,316,198	\$10,316,198
63.5 <i>Increase funds for the school-based Georgia Apex Program (GAP) for an additional 13 grants as recommended by the Commission on Children's Mental Health.</i>			
State General Funds	\$4,290,000	\$4,290,000	\$4,290,000
63.6 <i>Increase funds for one-time funding for telemedicine services as recommended by the Commission on Children's Mental Health.</i>			
State General Funds	\$150,000	\$150,000	\$150,000
63.7 <i>Increase funds for telemedicine services as recommended by the Commission on Children's Mental Health.</i>			
State General Funds	\$232,500	\$232,500	\$232,500
63.8 <i>Increase funds for suicide prevention as recommended by the Commission on Children's Mental Health.</i>			
State General Funds	\$1,092,000	\$1,092,000	\$1,092,000
63.9 <i>Increase funds for high fidelity wraparound services training as recommended by the Commission on Children's Mental Health.</i>			
State General Funds	\$610,545	\$610,545	\$610,545
63.10 <i>Increase funds for supported employment and education assistance for an additional 500 young adults at the rate of \$6,120 per year as recommended by the Commission on Children's Mental Health. (H and S:Increase funds to plan and implement supported employment and education assistance for an additional 500 young adults at the rate of \$6,120 per year effective January 1, 2019)</i>			
State General Funds	\$3,060,000	\$1,530,000	\$1,530,000
63.11 <i>Increase funds for the development and statewide availability of a mental health crisis services and suicide prevention mobile application in coordination with the Georgia Crisis and Access hotline.</i>			
State General Funds		\$1,416,611	\$831,073

63.100-Child and Adolescent Mental Health Services**Appropriation (HB 684)**

The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to children and adolescents with mental illness.

TOTAL STATE FUNDS	\$70,133,922	\$70,020,533	\$69,434,995
State General Funds	\$70,133,922	\$70,020,533	\$69,434,995
TOTAL FEDERAL FUNDS	\$10,324,515	\$10,324,515	\$10,324,515
Community Mental Health Services Block Grant CFDA93.958	\$7,437,531	\$7,437,531	\$7,437,531
Medical Assistance Program CFDA93.778	\$2,886,984	\$2,886,984	\$2,886,984
TOTAL AGENCY FUNDS	\$85,000	\$85,000	\$85,000
Sales and Services	\$85,000	\$85,000	\$85,000
Sales and Services Not Itemized	\$85,000	\$85,000	\$85,000
TOTAL PUBLIC FUNDS	\$80,543,437	\$80,430,048	\$79,844,510

Departmental Administration (DBHDD)**Continuation Budget**

The purpose of this appropriation is to provide administrative support for all mental health, developmental disabilities and addictive diseases programs of the department.

TOTAL STATE FUNDS	\$38,659,933	\$38,659,933	\$38,659,933
State General Funds	\$38,659,933	\$38,659,933	\$38,659,933
TOTAL FEDERAL FUNDS	\$11,715,584	\$11,715,584	\$11,715,584
Medical Assistance Program CFDA93.778	\$4,378,613	\$4,378,613	\$4,378,613
Social Services Block Grant CFDA93.667	\$7,336,971	\$7,336,971	\$7,336,971
TOTAL AGENCY FUNDS	\$22,133	\$22,133	\$22,133
Rebates, Refunds, and Reimbursements	\$22,133	\$22,133	\$22,133
Rebates, Refunds, and Reimbursements Not Itemized	\$22,133	\$22,133	\$22,133
TOTAL PUBLIC FUNDS	\$50,397,650	\$50,397,650	\$50,397,650

64.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,270	\$1,270	\$1,270
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64.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$693)	(\$693)	(\$693)
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64.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$216,429)	(\$216,429)	(\$216,429)
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64.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$123,343)	(\$123,343)	(\$123,343)
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64.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$173,229
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64.100-Departmental Administration (DBHDD)**Appropriation (HB 684)**

The purpose of this appropriation is to provide administrative support for all mental health, developmental disabilities and addictive diseases programs of the department.

TOTAL STATE FUNDS	\$38,320,738	\$38,320,738	\$38,493,967
State General Funds	\$38,320,738	\$38,320,738	\$38,493,967
TOTAL FEDERAL FUNDS	\$11,715,584	\$11,715,584	\$11,715,584
Medical Assistance Program CFDA93.778	\$4,378,613	\$4,378,613	\$4,378,613
Social Services Block Grant CFDA93.667	\$7,336,971	\$7,336,971	\$7,336,971
TOTAL AGENCY FUNDS	\$22,133	\$22,133	\$22,133
Rebates, Refunds, and Reimbursements	\$22,133	\$22,133	\$22,133
Rebates, Refunds, and Reimbursements Not Itemized	\$22,133	\$22,133	\$22,133
TOTAL PUBLIC FUNDS	\$50,058,455	\$50,058,455	\$50,231,684

Direct Care Support Services**Continuation Budget**

The purpose of this appropriation is to operate five state-owned and operated hospitals.

TOTAL STATE FUNDS	\$116,977,011	\$116,977,011	\$116,977,011
State General Funds	\$116,977,011	\$116,977,011	\$116,977,011
TOTAL AGENCY FUNDS	\$11,153,331	\$11,153,331	\$11,153,331
Royalties and Rents	\$668,024	\$668,024	\$668,024
Royalties and Rents Not Itemized	\$668,024	\$668,024	\$668,024
Sales and Services	\$10,485,307	\$10,485,307	\$10,485,307
Sales and Services Not Itemized	\$10,485,307	\$10,485,307	\$10,485,307
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,419,710	\$2,419,710	\$2,419,710
State Funds Transfers	\$2,419,710	\$2,419,710	\$2,419,710
State Fund Transfers Not Itemized	\$2,357,130	\$2,357,130	\$2,357,130
Agency to Agency Contracts	\$62,580	\$62,580	\$62,580

TOTAL PUBLIC FUNDS	\$130,550,052	\$130,550,052	\$130,550,052
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65.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$2,809	\$2,809	\$2,809
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65.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,573	\$3,573	\$3,573
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65.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,951)	(\$1,951)	(\$1,951)
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65.100-Direct Care Support Services	Appropriation (HB 684)		
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The purpose of this appropriation is to operate five state-owned and operated hospitals.

TOTAL STATE FUNDS	\$116,981,442	\$116,981,442	\$116,981,442
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State General Funds	\$116,981,442	\$116,981,442	\$116,981,442
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TOTAL AGENCY FUNDS	\$11,153,331	\$11,153,331	\$11,153,331
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Royalties and Rents	\$668,024	\$668,024	\$668,024
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Royalties and Rents Not Itemized	\$668,024	\$668,024	\$668,024
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Sales and Services	\$10,485,307	\$10,485,307	\$10,485,307
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Sales and Services Not Itemized	\$10,485,307	\$10,485,307	\$10,485,307
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TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,419,710	\$2,419,710	\$2,419,710
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State Funds Transfers	\$2,419,710	\$2,419,710	\$2,419,710
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State Fund Transfers Not Itemized	\$2,357,130	\$2,357,130	\$2,357,130
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Agency to Agency Contracts	\$62,580	\$62,580	\$62,580
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TOTAL PUBLIC FUNDS	\$130,554,483	\$130,554,483	\$130,554,483
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Substance Abuse Prevention

Continuation Budget

The purpose of this appropriation is to promote the health and well-being of children, youth, families and communities through preventing the use and/or abuse of alcohol, tobacco and drugs.

TOTAL STATE FUNDS	\$236,479	\$236,479	\$236,479
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State General Funds	\$236,479	\$236,479	\$236,479
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TOTAL FEDERAL FUNDS	\$9,996,415	\$9,996,415	\$9,996,415
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$9,996,415	\$9,996,415	\$9,996,415
TOTAL PUBLIC FUNDS	\$10,232,894	\$10,232,894	\$10,232,894

66.100-Substance Abuse Prevention	Appropriation (HB 684)		
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The purpose of this appropriation is to promote the health and well-being of children, youth, families and communities through preventing the use and/or abuse of alcohol, tobacco and drugs.

TOTAL STATE FUNDS	\$236,479	\$236,479	\$236,479
State General Funds	\$236,479	\$236,479	\$236,479
TOTAL FEDERAL FUNDS	\$9,996,415	\$9,996,415	\$9,996,415
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$9,996,415	\$9,996,415	\$9,996,415
TOTAL PUBLIC FUNDS	\$10,232,894	\$10,232,894	\$10,232,894

Developmental Disabilities, Georgia Council on

Continuation Budget

The purpose of this appropriation is to promote quality services and support for people with developmental disabilities and their families.

TOTAL STATE FUNDS	\$75,821	\$75,821	\$75,821
State General Funds	\$75,821	\$75,821	\$75,821
TOTAL FEDERAL FUNDS	\$2,019,042	\$2,019,042	\$2,019,042
Federal Funds Not Itemized	\$2,019,042	\$2,019,042	\$2,019,042
TOTAL PUBLIC FUNDS	\$2,094,863	\$2,094,863	\$2,094,863

67.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$10,131)	(\$10,131)	(\$10,131)
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67.2 *Increase funds for an agricultural careers summer camp for youth with disabilities.*

State General Funds		\$14,000	\$14,000
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67.3 *Transfer funds from the Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program to the Georgia Council on Developmental Disabilities to provide ongoing support and scholarships for the Inclusive Post-Secondary Education (IPSE) program.*

State General Funds			\$500,000
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67.100-Developmental Disabilities, Georgia Council on **Appropriation (HB 684)**

The purpose of this appropriation is to promote quality services and support for people with developmental disabilities and their families.

TOTAL STATE FUNDS	\$65,690	\$79,690	\$579,690
State General Funds	\$65,690	\$79,690	\$579,690
TOTAL FEDERAL FUNDS	\$2,019,042	\$2,019,042	\$2,019,042
Federal Funds Not Itemized	\$2,019,042	\$2,019,042	\$2,019,042
TOTAL PUBLIC FUNDS	\$2,084,732	\$2,098,732	\$2,598,732

Sexual Offender Review Board

Continuation Budget

The purpose of this appropriation is to protect Georgia's children by identifying convicted sexual offenders that present the greatest risk of sexually reoffending.

TOTAL STATE FUNDS	\$792,805	\$792,805	\$792,805
State General Funds	\$792,805	\$792,805	\$792,805
TOTAL PUBLIC FUNDS	\$792,805	\$792,805	\$792,805

68.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$22)	(\$22)	(\$22)
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68.100-Sexual Offender Review Board **Appropriation (HB 684)**

The purpose of this appropriation is to protect Georgia's children by identifying convicted sexual offenders that present the greatest risk of sexually reoffending.

TOTAL STATE FUNDS	\$792,783	\$792,783	\$792,783
State General Funds	\$792,783	\$792,783	\$792,783
TOTAL PUBLIC FUNDS	\$792,783	\$792,783	\$792,783

Section 16: Community Affairs, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$72,720,610	\$72,720,610	\$72,720,610
State General Funds	\$72,720,610	\$72,720,610	\$72,720,610
TOTAL FEDERAL FUNDS	\$183,720,001	\$183,720,001	\$183,720,001

Federal Funds Not Itemized	\$183,720,001	\$183,720,001	\$183,720,001
TOTAL AGENCY FUNDS	\$17,147,250	\$17,147,250	\$17,147,250
Reserved Fund Balances	\$515,020	\$515,020	\$515,020
Reserved Fund Balances Not Itemized	\$515,020	\$515,020	\$515,020
Intergovernmental Transfers	\$15,108,386	\$15,108,386	\$15,108,386
Intergovernmental Transfers Not Itemized	\$15,108,386	\$15,108,386	\$15,108,386
Sales and Services	\$1,523,844	\$1,523,844	\$1,523,844
Sales and Services Not Itemized	\$1,523,844	\$1,523,844	\$1,523,844
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$58,933	\$58,933	\$58,933
State Funds Transfers	\$58,933	\$58,933	\$58,933
Agency to Agency Contracts	\$58,933	\$58,933	\$58,933
TOTAL PUBLIC FUNDS	\$273,646,794	\$273,646,794	\$273,646,794

Section Total - Final

TOTAL STATE FUNDS	\$75,987,928	\$75,942,928	\$78,989,379
State General Funds	\$75,987,928	\$75,942,928	\$78,989,379
TOTAL FEDERAL FUNDS	\$183,720,001	\$183,720,001	\$183,720,001
Federal Funds Not Itemized	\$183,720,001	\$183,720,001	\$183,720,001
TOTAL AGENCY FUNDS	\$17,147,250	\$17,147,250	\$17,147,250
Reserved Fund Balances	\$515,020	\$515,020	\$515,020
Reserved Fund Balances Not Itemized	\$515,020	\$515,020	\$515,020
Intergovernmental Transfers	\$15,108,386	\$15,108,386	\$15,108,386
Intergovernmental Transfers Not Itemized	\$15,108,386	\$15,108,386	\$15,108,386
Sales and Services	\$1,523,844	\$1,523,844	\$1,523,844
Sales and Services Not Itemized	\$1,523,844	\$1,523,844	\$1,523,844
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$58,933	\$58,933	\$58,933
State Funds Transfers	\$58,933	\$58,933	\$58,933
Agency to Agency Contracts	\$58,933	\$58,933	\$58,933
TOTAL PUBLIC FUNDS	\$276,914,112	\$276,869,112	\$279,915,563

Building Construction**Continuation Budget**

The purpose of this appropriation is to maintain up-to-date minimum building construction standards for all new structures built in the state; to inspect factory built (modular) buildings to ensure Georgia's minimum construction codes are met; to review proposed

enhancements to local government construction codes; and to provide professional training to building inspectors and builders on Georgia's construction codes.

TOTAL STATE FUNDS	\$258,702	\$258,702	\$258,702
State General Funds	\$258,702	\$258,702	\$258,702
TOTAL AGENCY FUNDS	\$197,823	\$197,823	\$197,823
Sales and Services	\$197,823	\$197,823	\$197,823
Sales and Services Not Itemized	\$197,823	\$197,823	\$197,823
TOTAL PUBLIC FUNDS	\$456,525	\$456,525	\$456,525

69.100-Building Construction	Appropriation (HB 684)
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The purpose of this appropriation is to maintain up-to-date minimum building construction standards for all new structures built in the state; to inspect factory built (modular) buildings to ensure Georgia's minimum construction codes are met; to review proposed enhancements to local government construction codes; and to provide professional training to building inspectors and builders on Georgia's construction codes.

TOTAL STATE FUNDS	\$258,702	\$258,702	\$258,702
State General Funds	\$258,702	\$258,702	\$258,702
TOTAL AGENCY FUNDS	\$197,823	\$197,823	\$197,823
Sales and Services	\$197,823	\$197,823	\$197,823
Sales and Services Not Itemized	\$197,823	\$197,823	\$197,823
TOTAL PUBLIC FUNDS	\$456,525	\$456,525	\$456,525

Coordinated Planning

Continuation Budget

The purpose of this appropriation is to ensure that county and city governments meet the requirements of the Georgia Planning Act of 1989 by establishing standards and procedures for comprehensive plans and reviewing plans submitted by local governments; to provide training and assistance to local governments in completing comprehensive plans for quality growth by offering mapping and Geographical Information System (GIS) services, online planning tools, and resource teams, and funding the regional planning efforts of Regional Commissions; and to provide annexation reports from Georgia cities to the U.S. Census Bureau.

TOTAL STATE FUNDS	\$4,024,780	\$4,024,780	\$4,024,780
State General Funds	\$4,024,780	\$4,024,780	\$4,024,780
TOTAL FEDERAL FUNDS	\$242,503	\$242,503	\$242,503
Federal Funds Not Itemized	\$242,503	\$242,503	\$242,503

TOTAL PUBLIC FUNDS	\$4,267,283	\$4,267,283	\$4,267,283
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70.1 *Eliminate funds for one-time funding for Coastal Regional Commission of Georgia grants for coastal infrastructure.*

State General Funds	(\$100,000)	(\$100,000)	\$0
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70.2 *Reduce funds for the Atlanta Regional Commission.*

State General Funds		(\$200,000)	(\$150,000)
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70.100-Coordinated Planning	Appropriation (HB 684)		
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The purpose of this appropriation is to ensure that county and city governments meet the requirements of the Georgia Planning Act of 1989 by establishing standards and procedures for comprehensive plans and reviewing plans submitted by local governments; to provide training and assistance to local governments in completing comprehensive plans for quality growth by offering mapping and Geographical Information System (GIS) services, online planning tools, and resource teams, and funding the regional planning efforts of Regional Commissions; and to provide annexation reports from Georgia cities to the U.S. Census Bureau.

TOTAL STATE FUNDS	\$3,924,780	\$3,724,780	\$3,874,780
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State General Funds	\$3,924,780	\$3,724,780	\$3,874,780
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TOTAL FEDERAL FUNDS	\$242,503	\$242,503	\$242,503
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Federal Funds Not Itemized	\$242,503	\$242,503	\$242,503
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TOTAL PUBLIC FUNDS	\$4,167,283	\$3,967,283	\$4,117,283
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Departmental Administration (DCA)

Continuation Budget

The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$1,460,957	\$1,460,957	\$1,460,957
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State General Funds	\$1,460,957	\$1,460,957	\$1,460,957
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TOTAL FEDERAL FUNDS	\$3,270,989	\$3,270,989	\$3,270,989
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Federal Funds Not Itemized	\$3,270,989	\$3,270,989	\$3,270,989
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TOTAL AGENCY FUNDS	\$3,323,852	\$3,323,852	\$3,323,852
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Reserved Fund Balances	\$119,179	\$119,179	\$119,179
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Reserved Fund Balances Not Itemized	\$119,179	\$119,179	\$119,179
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Intergovernmental Transfers	\$3,079,268	\$3,079,268	\$3,079,268
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Intergovernmental Transfers Not Itemized	\$3,079,268	\$3,079,268	\$3,079,268
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Sales and Services	\$125,405	\$125,405	\$125,405
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Sales and Services Not Itemized	\$125,405	\$125,405	\$125,405
TOTAL PUBLIC FUNDS	\$8,055,798	\$8,055,798	\$8,055,798

71.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,973)	(\$1,973)	(\$1,973)
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71.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,294)	(\$1,294)	(\$1,294)
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71.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$4,147)	(\$4,147)	(\$4,147)
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71.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$268)	(\$268)	(\$268)
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71.5 *Eliminate funds for one-time funding for the Martin Luther King Jr. Advisory Council. (S:Reduce funds for the Martin Luther King Jr. Advisory Council)*

State General Funds	(\$50,000)	(\$50,000)	(\$25,000)
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71.6 *Increase funds for one downtown development attorney as recommended by the House Rural Development Council.*

State General Funds		\$130,000	\$0
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71.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$1,451
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71.100-Departmental Administration (DCA)	Appropriation (HB 684)		
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The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$1,403,275	\$1,533,275	\$1,429,726
State General Funds	\$1,403,275	\$1,533,275	\$1,429,726
TOTAL FEDERAL FUNDS	\$3,270,989	\$3,270,989	\$3,270,989
Federal Funds Not Itemized	\$3,270,989	\$3,270,989	\$3,270,989
TOTAL AGENCY FUNDS	\$3,323,852	\$3,323,852	\$3,323,852
Reserved Fund Balances	\$119,179	\$119,179	\$119,179
Reserved Fund Balances Not Itemized	\$119,179	\$119,179	\$119,179

Intergovernmental Transfers	\$3,079,268	\$3,079,268	\$3,079,268
Intergovernmental Transfers Not Itemized	\$3,079,268	\$3,079,268	\$3,079,268
Sales and Services	\$125,405	\$125,405	\$125,405
Sales and Services Not Itemized	\$125,405	\$125,405	\$125,405
TOTAL PUBLIC FUNDS	\$7,998,116	\$8,128,116	\$8,024,567

Federal Community and Economic Development Programs**Continuation Budget**

The purpose of this appropriation is to administer federal grant and loan programs to promote volunteerism and community and economic development among local governments, development authorities, and private entities.

TOTAL STATE FUNDS	\$1,672,252	\$1,672,252	\$1,672,252
State General Funds	\$1,672,252	\$1,672,252	\$1,672,252
TOTAL FEDERAL FUNDS	\$47,920,748	\$47,920,748	\$47,920,748
Federal Funds Not Itemized	\$47,920,748	\$47,920,748	\$47,920,748
TOTAL AGENCY FUNDS	\$269,629	\$269,629	\$269,629
Intergovernmental Transfers	\$68,629	\$68,629	\$68,629
Intergovernmental Transfers Not Itemized	\$68,629	\$68,629	\$68,629
Sales and Services	\$201,000	\$201,000	\$201,000
Sales and Services Not Itemized	\$201,000	\$201,000	\$201,000
TOTAL PUBLIC FUNDS	\$49,862,629	\$49,862,629	\$49,862,629

72.100-Federal Community and Economic Development Programs**Appropriation (HB 684)**

The purpose of this appropriation is to administer federal grant and loan programs to promote volunteerism and community and economic development among local governments, development authorities, and private entities.

TOTAL STATE FUNDS	\$1,672,252	\$1,672,252	\$1,672,252
State General Funds	\$1,672,252	\$1,672,252	\$1,672,252
TOTAL FEDERAL FUNDS	\$47,920,748	\$47,920,748	\$47,920,748
Federal Funds Not Itemized	\$47,920,748	\$47,920,748	\$47,920,748
TOTAL AGENCY FUNDS	\$269,629	\$269,629	\$269,629
Intergovernmental Transfers	\$68,629	\$68,629	\$68,629
Intergovernmental Transfers Not Itemized	\$68,629	\$68,629	\$68,629
Sales and Services	\$201,000	\$201,000	\$201,000
Sales and Services Not Itemized	\$201,000	\$201,000	\$201,000
TOTAL PUBLIC FUNDS	\$49,862,629	\$49,862,629	\$49,862,629

Homeownership Programs

Continuation Budget

The purpose of this appropriation is to expand the supply of affordable housing through rehabilitation and construction financing, and to promote homeownership for low and moderate-income individuals by providing sustainable housing grants to local governments, administering mortgage and down payment assistance programs for low and moderate-income homebuyers, and offering homeownership counseling and home buyer education programs through a partnership with private providers.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$3,839,989	\$3,839,989	\$3,839,989
Federal Funds Not Itemized	\$3,839,989	\$3,839,989	\$3,839,989
TOTAL AGENCY FUNDS	\$5,947,852	\$5,947,852	\$5,947,852
Intergovernmental Transfers	\$5,947,852	\$5,947,852	\$5,947,852
Intergovernmental Transfers Not Itemized	\$5,947,852	\$5,947,852	\$5,947,852
TOTAL PUBLIC FUNDS	\$9,787,841	\$9,787,841	\$9,787,841

73.100-Homeownership Programs

Appropriation (HB 684)

The purpose of this appropriation is to expand the supply of affordable housing through rehabilitation and construction financing, and to promote homeownership for low and moderate-income individuals by providing sustainable housing grants to local governments, administering mortgage and down payment assistance programs for low and moderate-income homebuyers, and offering homeownership counseling and home buyer education programs through a partnership with private providers.

TOTAL FEDERAL FUNDS	\$3,839,989	\$3,839,989	\$3,839,989
Federal Funds Not Itemized	\$3,839,989	\$3,839,989	\$3,839,989
TOTAL AGENCY FUNDS	\$5,947,852	\$5,947,852	\$5,947,852
Intergovernmental Transfers	\$5,947,852	\$5,947,852	\$5,947,852
Intergovernmental Transfers Not Itemized	\$5,947,852	\$5,947,852	\$5,947,852
TOTAL PUBLIC FUNDS	\$9,787,841	\$9,787,841	\$9,787,841

Regional Services

Continuation Budget

The purpose of this appropriation is to promote access to Department services and assistance through a statewide network of regional representatives, to provide technical assistance and grants to local communities to achieve goals relating to housing and community and economic development projects and services that are in-line with the community's comprehensive plan, and to develop leadership infrastructure across local governments.

TOTAL STATE FUNDS	\$1,105,561	\$1,105,561	\$1,105,561
State General Funds	\$1,105,561	\$1,105,561	\$1,105,561
TOTAL FEDERAL FUNDS	\$200,000	\$200,000	\$200,000
Federal Funds Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL AGENCY FUNDS	\$259,052	\$259,052	\$259,052
Intergovernmental Transfers	\$146,374	\$146,374	\$146,374
Intergovernmental Transfers Not Itemized	\$146,374	\$146,374	\$146,374
Sales and Services	\$112,678	\$112,678	\$112,678
Sales and Services Not Itemized	\$112,678	\$112,678	\$112,678
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$10,000	\$10,000	\$10,000
State Funds Transfers	\$10,000	\$10,000	\$10,000
Agency to Agency Contracts	\$10,000	\$10,000	\$10,000
TOTAL PUBLIC FUNDS	\$1,574,613	\$1,574,613	\$1,574,613

74.100-Regional Services**Appropriation (HB 684)**

The purpose of this appropriation is to promote access to Department services and assistance through a statewide network of regional representatives, to provide technical assistance and grants to local communities to achieve goals relating to housing and community and economic development projects and services that are in-line with the community's comprehensive plan, and to develop leadership infrastructure across local governments.

TOTAL STATE FUNDS	\$1,105,561	\$1,105,561	\$1,105,561
State General Funds	\$1,105,561	\$1,105,561	\$1,105,561
TOTAL FEDERAL FUNDS	\$200,000	\$200,000	\$200,000
Federal Funds Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL AGENCY FUNDS	\$259,052	\$259,052	\$259,052
Intergovernmental Transfers	\$146,374	\$146,374	\$146,374
Intergovernmental Transfers Not Itemized	\$146,374	\$146,374	\$146,374
Sales and Services	\$112,678	\$112,678	\$112,678
Sales and Services Not Itemized	\$112,678	\$112,678	\$112,678
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$10,000	\$10,000	\$10,000
State Funds Transfers	\$10,000	\$10,000	\$10,000
Agency to Agency Contracts	\$10,000	\$10,000	\$10,000
TOTAL PUBLIC FUNDS	\$1,574,613	\$1,574,613	\$1,574,613

Rental Housing Programs

Continuation Budget

The purpose of this appropriation is to provide affordable rental housing to very low, and moderate-income households by allocating federal and state housing tax credits on a competitive basis, by administering low-interest loans for affordable rental housing, by researching affordable housing issues, and by providing tenant-based assistance to low-income individuals and families allowing them to rent safe, decent, and sanitary dwelling units in the private rental market.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$125,867,471	\$125,867,471	\$125,867,471
Federal Funds Not Itemized	\$125,867,471	\$125,867,471	\$125,867,471
TOTAL AGENCY FUNDS	\$5,158,849	\$5,158,849	\$5,158,849
Reserved Fund Balances	\$83,232	\$83,232	\$83,232
Reserved Fund Balances Not Itemized	\$83,232	\$83,232	\$83,232
Intergovernmental Transfers	\$4,379,617	\$4,379,617	\$4,379,617
Intergovernmental Transfers Not Itemized	\$4,379,617	\$4,379,617	\$4,379,617
Sales and Services	\$696,000	\$696,000	\$696,000
Sales and Services Not Itemized	\$696,000	\$696,000	\$696,000
TOTAL PUBLIC FUNDS	\$131,026,320	\$131,026,320	\$131,026,320

75.100-Rental Housing Programs

Appropriation (HB 684)

The purpose of this appropriation is to provide affordable rental housing to very low, and moderate-income households by allocating federal and state housing tax credits on a competitive basis, by administering low-interest loans for affordable rental housing, by researching affordable housing issues, and by providing tenant-based assistance to low-income individuals and families allowing them to rent safe, decent, and sanitary dwelling units in the private rental market.

TOTAL FEDERAL FUNDS	\$125,867,471	\$125,867,471	\$125,867,471
Federal Funds Not Itemized	\$125,867,471	\$125,867,471	\$125,867,471
TOTAL AGENCY FUNDS	\$5,158,849	\$5,158,849	\$5,158,849
Reserved Fund Balances	\$83,232	\$83,232	\$83,232
Reserved Fund Balances Not Itemized	\$83,232	\$83,232	\$83,232
Intergovernmental Transfers	\$4,379,617	\$4,379,617	\$4,379,617
Intergovernmental Transfers Not Itemized	\$4,379,617	\$4,379,617	\$4,379,617
Sales and Services	\$696,000	\$696,000	\$696,000

Sales and Services Not Itemized	\$696,000	\$696,000	\$696,000
TOTAL PUBLIC FUNDS	\$131,026,320	\$131,026,320	\$131,026,320

Research and Surveys**Continuation Budget**

The purpose of this appropriation is to conduct surveys and collect financial and management data from local governments and authorities in accordance with Georgia law.

TOTAL STATE FUNDS	\$415,170	\$415,170	\$415,170
State General Funds	\$415,170	\$415,170	\$415,170
TOTAL PUBLIC FUNDS	\$415,170	\$415,170	\$415,170

76.100-Research and Surveys**Appropriation (HB 684)**

The purpose of this appropriation is to conduct surveys and collect financial and management data from local governments and authorities in accordance with Georgia law.

TOTAL STATE FUNDS	\$415,170	\$415,170	\$415,170
State General Funds	\$415,170	\$415,170	\$415,170
TOTAL PUBLIC FUNDS	\$415,170	\$415,170	\$415,170

Special Housing Initiatives**Continuation Budget**

The purpose of this appropriation is to fund the State Housing Trust Fund; to provide grants for providers of shelter and services to the homeless; to administer loans and grants for affordable housing; to offer local communities collaboration and technical assistance in the development and implementation of an affordable housing plan; and to provide for other special housing initiatives.

TOTAL STATE FUNDS	\$3,062,892	\$3,062,892	\$3,062,892
State General Funds	\$3,062,892	\$3,062,892	\$3,062,892
TOTAL FEDERAL FUNDS	\$2,378,301	\$2,378,301	\$2,378,301
Federal Funds Not Itemized	\$2,378,301	\$2,378,301	\$2,378,301
TOTAL AGENCY FUNDS	\$999,490	\$999,490	\$999,490
Reserved Fund Balances	\$312,609	\$312,609	\$312,609
Reserved Fund Balances Not Itemized	\$312,609	\$312,609	\$312,609
Intergovernmental Transfers	\$686,881	\$686,881	\$686,881
Intergovernmental Transfers Not Itemized	\$686,881	\$686,881	\$686,881
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$48,933	\$48,933	\$48,933

State Funds Transfers	\$48,933	\$48,933	\$48,933
Agency to Agency Contracts	\$48,933	\$48,933	\$48,933
TOTAL PUBLIC FUNDS	\$6,489,616	\$6,489,616	\$6,489,616

77.1 *Increase funds for the Statewide Independent Living Council for home access modifications.*

State General Funds			\$100,000
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77.100-Special Housing Initiatives

Appropriation (HB 684)

The purpose of this appropriation is to fund the State Housing Trust Fund; to provide grants for providers of shelter and services to the homeless; to administer loans and grants for affordable housing; to offer local communities collaboration and technical assistance in the development and implementation of an affordable housing plan; and to provide for other special housing initiatives.

TOTAL STATE FUNDS	\$3,062,892	\$3,062,892	\$3,162,892
State General Funds	\$3,062,892	\$3,062,892	\$3,162,892
TOTAL FEDERAL FUNDS	\$2,378,301	\$2,378,301	\$2,378,301
Federal Funds Not Itemized	\$2,378,301	\$2,378,301	\$2,378,301
TOTAL AGENCY FUNDS	\$999,490	\$999,490	\$999,490
Reserved Fund Balances	\$312,609	\$312,609	\$312,609
Reserved Fund Balances Not Itemized	\$312,609	\$312,609	\$312,609
Intergovernmental Transfers	\$686,881	\$686,881	\$686,881
Intergovernmental Transfers Not Itemized	\$686,881	\$686,881	\$686,881
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$48,933	\$48,933	\$48,933
State Funds Transfers	\$48,933	\$48,933	\$48,933
Agency to Agency Contracts	\$48,933	\$48,933	\$48,933
TOTAL PUBLIC FUNDS	\$6,489,616	\$6,489,616	\$6,589,616

State Community Development Programs

Continuation Budget

The purpose of this appropriation is to assist Georgia cities, small towns, and neighborhoods in the development of their core commercial areas, and to champion new development opportunities for rural Georgia.

TOTAL STATE FUNDS	\$1,021,165	\$1,021,165	\$1,021,165
State General Funds	\$1,021,165	\$1,021,165	\$1,021,165
TOTAL AGENCY FUNDS	\$197,650	\$197,650	\$197,650
Intergovernmental Transfers	\$190,000	\$190,000	\$190,000

Intergovernmental Transfers Not Itemized	\$190,000	\$190,000	\$190,000
Sales and Services	\$7,650	\$7,650	\$7,650
Sales and Services Not Itemized	\$7,650	\$7,650	\$7,650
TOTAL PUBLIC FUNDS	\$1,218,815	\$1,218,815	\$1,218,815

78.1 *Eliminate funds for one-time funding for the Warrior to Citizen Resilience and Reintegration program for developing new curriculum and therapy programs.*

State General Funds	(\$50,000)	(\$50,000)	(\$50,000)
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78.2 *Eliminate funds for one-time funding for the Second Harvest of South Georgia.*

State General Funds	(\$25,000)	\$0	(\$25,000)
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78.3 *Increase funds for the Clayton County Food Pantry.*

State General Funds			\$25,000
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78.4 *Increase funds for Compensation of Police and Sheriffs grants (SB366, 2018 Session).*

State General Funds			\$3,000,000
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78.5 *Increase funds for Compensation of Police and Sheriffs data analysis operations (SB366, 2018 Session).*

State General Funds			\$100,000
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78.100-State Community Development Programs

Appropriation (HB 684)

The purpose of this appropriation is to assist Georgia cities, small towns, and neighborhoods in the development of their core commercial areas, and to champion new development opportunities for rural Georgia.

TOTAL STATE FUNDS	\$946,165	\$971,165	\$4,071,165
State General Funds	\$946,165	\$971,165	\$4,071,165
TOTAL AGENCY FUNDS	\$197,650	\$197,650	\$197,650
Intergovernmental Transfers	\$190,000	\$190,000	\$190,000
Intergovernmental Transfers Not Itemized	\$190,000	\$190,000	\$190,000
Sales and Services	\$7,650	\$7,650	\$7,650
Sales and Services Not Itemized	\$7,650	\$7,650	\$7,650
TOTAL PUBLIC FUNDS	\$1,143,815	\$1,168,815	\$4,268,815

State Economic Development Programs

Continuation Budget

The purpose of this appropriation is to provide grants and loans to local governments and businesses and to leverage private investment in order to attract and promote economic development and job creation.

TOTAL STATE FUNDS	\$26,101,351	\$26,101,351	\$26,101,351
State General Funds	\$26,101,351	\$26,101,351	\$26,101,351
TOTAL AGENCY FUNDS	\$647,532	\$647,532	\$647,532
Intergovernmental Transfers	\$464,244	\$464,244	\$464,244
Intergovernmental Transfers Not Itemized	\$464,244	\$464,244	\$464,244
Sales and Services	\$183,288	\$183,288	\$183,288
Sales and Services Not Itemized	\$183,288	\$183,288	\$183,288
TOTAL PUBLIC FUNDS	\$26,748,883	\$26,748,883	\$26,748,883

79.100-State Economic Development Programs

Appropriation (HB 684)

The purpose of this appropriation is to provide grants and loans to local governments and businesses and to leverage private investment in order to attract and promote economic development and job creation.

TOTAL STATE FUNDS	\$26,101,351	\$26,101,351	\$26,101,351
State General Funds	\$26,101,351	\$26,101,351	\$26,101,351
TOTAL AGENCY FUNDS	\$647,532	\$647,532	\$647,532
Intergovernmental Transfers	\$464,244	\$464,244	\$464,244
Intergovernmental Transfers Not Itemized	\$464,244	\$464,244	\$464,244
Sales and Services	\$183,288	\$183,288	\$183,288
Sales and Services Not Itemized	\$183,288	\$183,288	\$183,288
TOTAL PUBLIC FUNDS	\$26,748,883	\$26,748,883	\$26,748,883

Payments to Georgia Environmental Finance Authority

Continuation Budget

The purpose of this appropriation is to provide funds for water, wastewater, solid waste, energy, and land conservation projects.

TOTAL STATE FUNDS	\$788,495	\$788,495	\$788,495
State General Funds	\$788,495	\$788,495	\$788,495
TOTAL PUBLIC FUNDS	\$788,495	\$788,495	\$788,495

80.1 Eliminate funds for the Metropolitan North Georgia Water Planning District.

State General Funds			(\$200,000)
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80.100-Payments to Georgia Environmental Finance Authority	Appropriation (HB 684)		
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The purpose of this appropriation is to provide funds for water, wastewater, solid waste, energy, and land conservation projects.

TOTAL STATE FUNDS	\$788,495	\$788,495	\$588,495
State General Funds	\$788,495	\$788,495	\$588,495
TOTAL PUBLIC FUNDS	\$788,495	\$788,495	\$588,495

Payments to Georgia Regional Transportation Authority

Continuation Budget

The purpose of this appropriation is to improve Georgia's mobility, air quality, and land use practices by operating the Xpress bus service, conducting transportation improvement studies, producing an annual Air Quality Report, and reviewing Developments of Regional Impact.

TOTAL STATE FUNDS	\$12,809,285	\$12,809,285	\$12,809,285
State General Funds	\$12,809,285	\$12,809,285	\$12,809,285
TOTAL PUBLIC FUNDS	\$12,809,285	\$12,809,285	\$12,809,285

81.100-Payments to Georgia Regional Transportation Authority	Appropriation (HB 684)		
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The purpose of this appropriation is to improve Georgia's mobility, air quality, and land use practices by operating the Xpress bus service, conducting transportation improvement studies, producing an annual Air Quality Report, and reviewing Developments of Regional Impact.

TOTAL STATE FUNDS	\$12,809,285	\$12,809,285	\$12,809,285
State General Funds	\$12,809,285	\$12,809,285	\$12,809,285
TOTAL PUBLIC FUNDS	\$12,809,285	\$12,809,285	\$12,809,285

Payments to OneGeorgia Authority

Continuation Budget

The purpose of this appropriation is to provide funds for the OneGeorgia Authority.

TOTAL STATE FUNDS	\$20,000,000	\$20,000,000	\$20,000,000
State General Funds	\$20,000,000	\$20,000,000	\$20,000,000
TOTAL AGENCY FUNDS	\$145,521	\$145,521	\$145,521
Intergovernmental Transfers	\$145,521	\$145,521	\$145,521
Intergovernmental Transfers Not Itemized	\$145,521	\$145,521	\$145,521
TOTAL PUBLIC FUNDS	\$20,145,521	\$20,145,521	\$20,145,521

82.1 *Increase funds for economic development projects.*

State General Funds	\$3,500,000	\$3,500,000	\$3,500,000
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82.2 *Provide \$250,000 for the Defense Community Economic Development Fund per HB470 (2017 Session). (H:YES)(S:YES)*

State General Funds		\$0	\$0
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82.100-Payments to OneGeorgia Authority	Appropriation (HB 684)
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The purpose of this appropriation is to provide funds for the OneGeorgia Authority.

TOTAL STATE FUNDS	\$23,500,000	\$23,500,000	\$23,500,000
State General Funds	\$23,500,000	\$23,500,000	\$23,500,000
TOTAL AGENCY FUNDS	\$145,521	\$145,521	\$145,521
Intergovernmental Transfers	\$145,521	\$145,521	\$145,521
Intergovernmental Transfers Not Itemized	\$145,521	\$145,521	\$145,521
TOTAL PUBLIC FUNDS	\$23,645,521	\$23,645,521	\$23,645,521

Section 17: Community Health, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$3,137,475,963	\$3,137,475,963	\$3,137,475,963
State General Funds	\$2,543,010,406	\$2,543,010,406	\$2,543,010,406
Tobacco Settlement Funds	\$112,102,290	\$112,102,290	\$112,102,290
Nursing Home Provider Fees	\$171,469,380	\$171,469,380	\$171,469,380
Hospital Provider Fee	\$310,893,887	\$310,893,887	\$310,893,887
TOTAL FEDERAL FUNDS	\$7,615,227,599	\$7,615,227,599	\$7,615,227,599
Federal Funds Not Itemized	\$26,643,401	\$26,643,401	\$26,643,401
Medical Assistance Program CFDA93.778	\$7,127,495,267	\$7,127,495,267	\$7,127,495,267
State Children's Insurance Program CFDA93.767	\$461,088,931	\$461,088,931	\$461,088,931
TOTAL AGENCY FUNDS	\$313,145,802	\$313,145,802	\$313,145,802
Intergovernmental Transfers	\$306,429,552	\$306,429,552	\$306,429,552
Hospital Authorities	\$306,429,552	\$306,429,552	\$306,429,552
Sales and Services	\$3,600,000	\$3,600,000	\$3,600,000
Sales and Services Not Itemized	\$3,600,000	\$3,600,000	\$3,600,000
Sanctions, Fines, and Penalties	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties Not Itemized	\$3,116,250	\$3,116,250	\$3,116,250

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,743,676,507	\$3,743,676,507	\$3,743,676,507
State Funds Transfers	\$3,743,346,507	\$3,743,346,507	\$3,743,346,507
Agency to Agency Contracts	\$1,168,519	\$1,168,519	\$1,168,519
Health Insurance Payments	\$3,461,320,726	\$3,461,320,726	\$3,461,320,726
Optional Medicaid Services Payments	\$280,857,262	\$280,857,262	\$280,857,262
Federal Funds Transfers	\$330,000	\$330,000	\$330,000
FF Medical Assistance Program CFDA93.778	\$330,000	\$330,000	\$330,000
TOTAL PUBLIC FUNDS	\$14,809,525,871	\$14,809,525,871	\$14,809,525,871

Section Total - Final

TOTAL STATE FUNDS	\$3,401,520,652	\$3,397,244,620	\$3,398,475,403
State General Funds	\$2,792,252,589	\$2,787,976,557	\$2,789,207,340
Tobacco Settlement Funds	\$125,753,197	\$125,753,197	\$125,753,197
Nursing Home Provider Fees	\$157,326,418	\$157,326,418	\$157,326,418
Hospital Provider Fee	\$326,188,448	\$326,188,448	\$326,188,448
TOTAL FEDERAL FUNDS	\$7,802,576,882	\$7,791,319,246	\$7,787,642,684
Federal Funds Not Itemized	\$26,643,401	\$26,643,401	\$26,643,401
Medical Assistance Program CFDA93.778	\$7,314,844,550	\$7,303,586,914	\$7,299,910,352
State Children's Insurance Program CFDA93.767	\$461,088,931	\$461,088,931	\$461,088,931
TOTAL AGENCY FUNDS	\$220,774,078	\$220,774,078	\$220,774,078
Intergovernmental Transfers	\$214,057,828	\$214,057,828	\$214,057,828
Hospital Authorities	\$214,057,828	\$214,057,828	\$214,057,828
Sales and Services	\$3,600,000	\$3,600,000	\$3,600,000
Sales and Services Not Itemized	\$3,600,000	\$3,600,000	\$3,600,000
Sanctions, Fines, and Penalties	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties Not Itemized	\$3,116,250	\$3,116,250	\$3,116,250
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,954,935,399	\$3,954,935,399	\$3,954,935,399
State Funds Transfers	\$3,954,605,399	\$3,954,605,399	\$3,954,605,399
Agency to Agency Contracts	\$1,168,519	\$1,168,519	\$1,168,519
Health Insurance Payments	\$3,672,579,618	\$3,672,579,618	\$3,672,579,618
Optional Medicaid Services Payments	\$280,857,262	\$280,857,262	\$280,857,262
Federal Funds Transfers	\$330,000	\$330,000	\$330,000
FF Medical Assistance Program CFDA93.778	\$330,000	\$330,000	\$330,000

TOTAL PUBLIC FUNDS \$15,379,807,011 \$15,364,273,343 \$15,361,827,564

Departmental Administration (DCH)**Continuation Budget**

The purpose of this appropriation is to provide administrative support to all departmental programs.

TOTAL STATE FUNDS	\$64,613,086	\$64,613,086	\$64,613,086
State General Funds	\$64,613,086	\$64,613,086	\$64,613,086
TOTAL FEDERAL FUNDS	\$304,869,072	\$304,869,072	\$304,869,072
Federal Funds Not Itemized	\$1,921,233	\$1,921,233	\$1,921,233
Medical Assistance Program CFDA93.778	\$268,755,764	\$268,755,764	\$268,755,764
State Children's Insurance Program CFDA93.767	\$34,192,075	\$34,192,075	\$34,192,075
TOTAL AGENCY FUNDS	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties Not Itemized	\$3,116,250	\$3,116,250	\$3,116,250
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$22,810,104	\$22,810,104	\$22,810,104
State Funds Transfers	\$22,480,104	\$22,480,104	\$22,480,104
Agency to Agency Contracts	\$1,168,519	\$1,168,519	\$1,168,519
Health Insurance Payments	\$21,311,585	\$21,311,585	\$21,311,585
Federal Funds Transfers	\$330,000	\$330,000	\$330,000
FF Medical Assistance Program CFDA93.778	\$330,000	\$330,000	\$330,000
TOTAL PUBLIC FUNDS	\$395,408,512	\$395,408,512	\$395,408,512

83.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$325	\$325	\$325
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83.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,567)	(\$1,567)	(\$1,567)
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83.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,462)	(\$4,462)	(\$4,462)
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83.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$34,090)	(\$34,090)	(\$34,090)
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83.5 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$1,479)	(\$1,479)	(\$1,479)
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83.6 *Increase funds for quality assurance and program monitoring staff.*

State General Funds	\$1,121,715	\$1,121,715	\$1,121,715
Medical Assistance Program CFDA93.778	\$1,121,715	\$1,121,715	\$1,121,715
Total Public Funds:	\$2,243,430	\$2,243,430	\$2,243,430

83.7 *Increase funds for the development, design, and implementation of an Enterprise Data Solution. (H and S: Provide funds for the development, design, and implementation of an Enterprise Data Solution and plan for future portals to support rural data analytics partners)*

State General Funds	\$1,902,280	\$1,902,280	\$1,902,280
Medical Assistance Program CFDA93.778	\$17,120,520	\$17,120,520	\$17,120,520
Total Public Funds:	\$19,022,800	\$19,022,800	\$19,022,800

83.8 *Increase funds for an electronic visit verification system for home and community-based services.*

State General Funds	\$894,519	\$894,519	\$894,519
Medical Assistance Program CFDA93.778	\$894,519	\$894,519	\$894,519
Total Public Funds:	\$1,789,038	\$1,789,038	\$1,789,038

83.9 *Transfer funds from the Health Care Access and Improvement program to the Departmental Administration (DCH) program for Health Information Technology.*

State General Funds	\$1,762,406	\$1,762,406	\$1,762,406
Federal Funds Not Itemized	\$15,857,713	\$15,857,713	\$15,857,713
Total Public Funds:	\$17,620,119	\$17,620,119	\$17,620,119

83.10 *Increase funds to develop capacity for behavioral health services for children under 21 who are diagnosed as autistic.*

State General Funds	\$847,962	\$847,962	\$847,962
Medical Assistance Program CFDA93.778	\$713,500	\$713,500	\$713,500
Total Public Funds:	\$1,561,462	\$1,561,462	\$1,561,462

83.11 *Utilize \$111,500 in existing funds for Medicaid Information Technology Architecture (Total Funds: \$623,000). (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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83.12 *Utilize \$67,000 in existing funds for Right from the Start Medicaid caseworker retention (Total Funds: \$268,000).*

(G:YES)(H:YES)(S:YES)

State General Funds \$0 \$0 \$0

83.13 Utilize \$962,022 in existing funds to support increased background checks for owners and employees of long-term care facilities. (G:YES)(H:YES)(S:YES)

State General Funds \$0 \$0 \$0

83.14 Utilize \$50,700 in existing funds for one program coordinator position for children under 21 who are diagnosed as autistic (Total Funds: \$101,400). (G:YES)(H:YES)(S:YES)

State General Funds \$0 \$0 \$0

83.15 The Department of Community Health shall include language in all managed care contracts and State Health Benefit Plan contracts requiring the plan sponsor to annually report the following to the department: all pharmacy claims; the amount paid to the pharmacy provider per claim, including but not limited to the cost of drug reimbursement; dispensing fees; copayments; and the amount charged to the plan sponsor for each claim by its pharmacy benefit manager. If there is a difference between these amounts, the plan sponsor shall report an itemization of all administrative fees, rebates, or processing charges associated with the claim. The department shall provide a report using aggregated data to the chairs of the House Appropriations and Senate Appropriations Committees on the implementation of this initiative and its impact on program expenditures by December 31 of each year. Nothing in the report shall contain confidential proprietary information. (H:YES)(S:YES; The Department of Community Health shall include language in all managed care contracts and State Health Benefit Plan contracts requiring the plan sponsor to annually report the following to the department: all external pharmacy claims; the amount paid to the pharmacy provider per claim, including but not limited to the cost of drug reimbursement; dispensing fees; copayments; and the amount charged to the plan sponsor for each claim by its pharmacy benefit manager. If there is a difference between these amounts, the plan sponsor shall report an itemization of all administrative fees, rebates, or processing charges associated with the claim. The department shall provide a report using aggregated data to the chairs of the House Appropriations and Senate Appropriations Committees on the implementation of this initiative and its impact on program expenditures by December 31 of each year. Nothing in the report shall contain confidential proprietary information)

State General Funds \$0 \$0

83.16 Utilize existing funds for the analysis of the Medicaid delivery system for the purposes of identifying efficiencies and service delivery improvement opportunities. (S:YES)

State General Funds \$0

83.17 The Department of Community Health, pursuant to O.C.G.A. 49-4-142.1, is hereby authorized to submit a request to the United States Department of Health and Human Services Centers for Medicare and Medicaid Services for a waiver pursuant

to Section 1115 of the federal Social Security Act for the purpose of continuation of the existing Planning for Healthy Babies Waiver. (S:YES)

State General Funds \$0

83.18 *The Department of Community Health, pursuant to O.C.G.A. 49-4-142.1 et seq. and within the parameters of O.C.G.A. 49-4-142.2, is hereby authorized to submit a request to the United States Department of Health and Human Services Centers for Medicare and Medicaid Services for a waiver pursuant to Section 1115 of the federal Social Security Act. (S:YES)*

State General Funds \$0

83.19 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds \$8,095

83.100-Departmental Administration (DCH)	Appropriation (HB 684)		
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The purpose of this appropriation is to provide administrative support to all departmental programs.

TOTAL STATE FUNDS	\$71,100,695	\$71,100,695	\$71,108,790
State General Funds	\$71,100,695	\$71,100,695	\$71,108,790
TOTAL FEDERAL FUNDS	\$340,577,039	\$340,577,039	\$340,577,039
Federal Funds Not Itemized	\$17,778,946	\$17,778,946	\$17,778,946
Medical Assistance Program CFDA93.778	\$288,606,018	\$288,606,018	\$288,606,018
State Children's Insurance Program CFDA93.767	\$34,192,075	\$34,192,075	\$34,192,075
TOTAL AGENCY FUNDS	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties	\$3,116,250	\$3,116,250	\$3,116,250
Sanctions, Fines, and Penalties Not Itemized	\$3,116,250	\$3,116,250	\$3,116,250
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$22,810,104	\$22,810,104	\$22,810,104
State Funds Transfers	\$22,480,104	\$22,480,104	\$22,480,104
Agency to Agency Contracts	\$1,168,519	\$1,168,519	\$1,168,519
Health Insurance Payments	\$21,311,585	\$21,311,585	\$21,311,585
Federal Funds Transfers	\$330,000	\$330,000	\$330,000
FF Medical Assistance Program CFDA93.778	\$330,000	\$330,000	\$330,000
TOTAL PUBLIC FUNDS	\$437,604,088	\$437,604,088	\$437,612,183

Georgia Board of Dentistry

Continuation Budget

The purpose of this appropriation is to protect public health by licensing qualified applicants as dentists and dental hygienists, regulating the practice of dentistry, investigating complaints, and taking appropriate disciplinary action when warranted.

TOTAL STATE FUNDS	\$833,125	\$833,125	\$833,125
State General Funds	\$833,125	\$833,125	\$833,125
TOTAL PUBLIC FUNDS	\$833,125	\$833,125	\$833,125

84.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$43)	(\$43)	(\$43)
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84.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$121)	(\$121)	(\$121)
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84.100-Georgia Board of Dentistry	Appropriation (HB 684)		
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The purpose of this appropriation is to protect public health by licensing qualified applicants as dentists and dental hygienists, regulating the practice of dentistry, investigating complaints, and taking appropriate disciplinary action when warranted.

TOTAL STATE FUNDS	\$832,961	\$832,961	\$832,961
State General Funds	\$832,961	\$832,961	\$832,961
TOTAL PUBLIC FUNDS	\$832,961	\$832,961	\$832,961

Georgia State Board of Pharmacy

Continuation Budget

The purpose of this appropriation is to protect public health by licensing qualified pharmacists and pharmacies, regulating the practice of pharmacy, investigating complaints, and taking appropriate disciplinary actions when warranted.

TOTAL STATE FUNDS	\$768,932	\$768,932	\$768,932
State General Funds	\$768,932	\$768,932	\$768,932
TOTAL PUBLIC FUNDS	\$768,932	\$768,932	\$768,932

85.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$46)	(\$46)	(\$46)
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85.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$130)	(\$130)	(\$130)
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85.100-Georgia State Board of Pharmacy **Appropriation (HB 684)**

The purpose of this appropriation is to protect public health by licensing qualified pharmacists and pharmacies, regulating the practice of pharmacy, investigating complaints, and taking appropriate disciplinary actions when warranted.

TOTAL STATE FUNDS	\$768,756	\$768,756	\$768,756
State General Funds	\$768,756	\$768,756	\$768,756
TOTAL PUBLIC FUNDS	\$768,756	\$768,756	\$768,756

Health Care Access and Improvement**Continuation Budget**

The purpose of this appropriation is to provide grants and other support services for programs that seek to improve health access and outcomes in rural and underserved areas of Georgia through the State Office of Rural Health, the various commissions of the Office of Health Improvement, and the Office of Health Information Technology and Transparency.

TOTAL STATE FUNDS	\$12,265,461	\$12,265,461	\$12,265,461
State General Funds	\$12,265,461	\$12,265,461	\$12,265,461
TOTAL FEDERAL FUNDS	\$16,446,551	\$16,446,551	\$16,446,551
Federal Funds Not Itemized	\$16,030,301	\$16,030,301	\$16,030,301
Medical Assistance Program CFDA93.778	\$416,250	\$416,250	\$416,250
TOTAL PUBLIC FUNDS	\$28,712,012	\$28,712,012	\$28,712,012

86.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$50)	(\$50)	(\$50)
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86.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$144)	(\$144)	(\$144)
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86.3 *Increase funds for the Healthcare for the Homeless grant program.*

State General Funds	\$66,371	\$66,371	\$66,371
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86.4 *Transfer funds from the Health Care Access and Improvement program to the Departmental Administration (DCH) program for Health Information Technology.*

State General Funds	(\$1,762,406)	(\$1,762,406)	(\$1,762,406)
Federal Funds Not Itemized	(\$15,857,713)	(\$15,857,713)	(\$15,857,713)
Total Public Funds:	(\$17,620,119)	(\$17,620,119)	(\$17,620,119)

86.5 *Eliminate one-time start-up funds for Federally Qualified Health Centers.*

State General Funds	(\$1,000,000)	(\$1,000,000)
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86.6 *Increase funds for Federally Qualified Health Center start-up grants for a primary care center in Bryan County and a behavioral health center in Emanuel County. (S:Increase funds for Federally Qualified Health Center start-up grants for behavioral health services in Early and Emanuel Counties)*

State General Funds	\$500,000	\$500,000
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86.7 *Increase funds to hire a full-time position to coordinate donated dental services.*

State General Funds	\$85,000	\$85,000
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86.8 *Increase funds to annualize funds to oversee the competitive bid process for the Rural Health Systems Innovation Center.*

State General Funds	\$75,000	\$75,000
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86.9 *Increase funds for the start-up of the Rural Health Systems Innovation Center.*

State General Funds	\$250,000	\$300,000
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86.10 *Increase funds for the start-up of the Health Coordination and Innovation Council.*

State General Funds		\$1,500,000
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86.11 *Increase funds to provide grants to rural hospitals for Electronic Intensive Care Units (EICU) to improve patient outcomes and reduce the need for long distance travel away from local communities to obtain this level of care.*

State General Funds		\$600,000
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86.12 *Increase funds to the Georgia Council on Lupus Education and Awareness (GCLEA) for lupus research and other lupus related projects.*

State General Funds		\$100,000
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86.13 *Reduce funds in the Patient Centered Medical Home grant program.*

State General Funds		(\$150,000)
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86.100-Health Care Access and Improvement	Appropriation (HB 684)
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The purpose of this appropriation is to provide grants and other support services for programs that seek to improve health access and outcomes in rural and underserved areas of Georgia through the State Office of Rural Health, the various commissions of the Office of Health Improvement, and the Office of Health Information Technology and Transparency.

TOTAL STATE FUNDS	\$10,569,232	\$10,479,232	\$12,579,232
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State General Funds	\$10,569,232	\$10,479,232	\$12,579,232
TOTAL FEDERAL FUNDS	\$588,838	\$588,838	\$588,838
Federal Funds Not Itemized	\$172,588	\$172,588	\$172,588
Medical Assistance Program CFDA93.778	\$416,250	\$416,250	\$416,250
TOTAL PUBLIC FUNDS	\$11,158,070	\$11,068,070	\$13,168,070

Healthcare Facility Regulation

Continuation Budget

The purpose of this appropriation is to inspect and license long term care and health care facilities.

TOTAL STATE FUNDS	\$13,215,132	\$13,215,132	\$13,215,132
State General Funds	\$13,215,132	\$13,215,132	\$13,215,132
TOTAL FEDERAL FUNDS	\$11,948,252	\$11,948,252	\$11,948,252
Federal Funds Not Itemized	\$5,904,653	\$5,904,653	\$5,904,653
Medical Assistance Program CFDA93.778	\$6,043,599	\$6,043,599	\$6,043,599
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$25,263,384	\$25,263,384	\$25,263,384

87.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$721)	(\$721)	(\$721)
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87.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,050)	(\$2,050)	(\$2,050)
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87.3 *Increase funds to support the annual onsite inspection of narcotic treatment programs pursuant to the passage of HB249 and SB88 (2017 Session).*

State General Funds	\$244,317	\$244,317	\$244,317
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87.100-Healthcare Facility Regulation

Appropriation (HB 684)

The purpose of this appropriation is to inspect and license long term care and health care facilities.

TOTAL STATE FUNDS	\$13,456,678	\$13,456,678	\$13,456,678
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State General Funds	\$13,456,678	\$13,456,678	\$13,456,678
TOTAL FEDERAL FUNDS	\$11,948,252	\$11,948,252	\$11,948,252
Federal Funds Not Itemized	\$5,904,653	\$5,904,653	\$5,904,653
Medical Assistance Program CFDA93.778	\$6,043,599	\$6,043,599	\$6,043,599
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$25,504,930	\$25,504,930	\$25,504,930

Indigent Care Trust Fund

Continuation Budget

The purpose of this appropriation is to support rural and other healthcare providers, primarily hospitals that serve medically indigent Georgians.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$257,075,969	\$257,075,969	\$257,075,969
Medical Assistance Program CFDA93.778	\$257,075,969	\$257,075,969	\$257,075,969
TOTAL AGENCY FUNDS	\$142,586,524	\$142,586,524	\$142,586,524
Intergovernmental Transfers	\$139,386,524	\$139,386,524	\$139,386,524
Hospital Authorities	\$139,386,524	\$139,386,524	\$139,386,524
Sales and Services	\$3,200,000	\$3,200,000	\$3,200,000
Sales and Services Not Itemized	\$3,200,000	\$3,200,000	\$3,200,000
TOTAL PUBLIC FUNDS	\$399,662,493	\$399,662,493	\$399,662,493

88.100-Indigent Care Trust Fund

Appropriation (HB 684)

The purpose of this appropriation is to support rural and other healthcare providers, primarily hospitals that serve medically indigent Georgians.

TOTAL FEDERAL FUNDS	\$257,075,969	\$257,075,969	\$257,075,969
Medical Assistance Program CFDA93.778	\$257,075,969	\$257,075,969	\$257,075,969
TOTAL AGENCY FUNDS	\$142,586,524	\$142,586,524	\$142,586,524
Intergovernmental Transfers	\$139,386,524	\$139,386,524	\$139,386,524
Hospital Authorities	\$139,386,524	\$139,386,524	\$139,386,524

Sales and Services	\$3,200,000	\$3,200,000	\$3,200,000
Sales and Services Not Itemized	\$3,200,000	\$3,200,000	\$3,200,000
TOTAL PUBLIC FUNDS	\$399,662,493	\$399,662,493	\$399,662,493

Medicaid: Aged, Blind, and Disabled**Continuation Budget**

The purpose of this appropriation is to provide health care access primarily to elderly and disabled individuals. There is also hereby appropriated to the Department of Community Health a specific sum of money equal to all the provider fees paid to the Indigent Care Trust Fund created pursuant to Article 6A of chapter 8 of Title 31. The sum of money is appropriated for payments for nursing homes pursuant to Article 6A.

TOTAL STATE FUNDS	\$1,662,343,191	\$1,662,343,191	\$1,662,343,191
State General Funds	\$1,451,975,968	\$1,451,975,968	\$1,451,975,968
Tobacco Settlement Funds	\$6,191,806	\$6,191,806	\$6,191,806
Nursing Home Provider Fees	\$171,469,380	\$171,469,380	\$171,469,380
Hospital Provider Fee	\$32,706,037	\$32,706,037	\$32,706,037
TOTAL FEDERAL FUNDS	\$3,604,559,302	\$3,604,559,302	\$3,604,559,302
Federal Funds Not Itemized	\$2,787,214	\$2,787,214	\$2,787,214
Medical Assistance Program CFDA93.778	\$3,601,772,088	\$3,601,772,088	\$3,601,772,088
TOTAL AGENCY FUNDS	\$110,182,092	\$110,182,092	\$110,182,092
Intergovernmental Transfers	\$110,182,092	\$110,182,092	\$110,182,092
Hospital Authorities	\$110,182,092	\$110,182,092	\$110,182,092
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$267,288,632	\$267,288,632	\$267,288,632
State Funds Transfers	\$267,288,632	\$267,288,632	\$267,288,632
Optional Medicaid Services Payments	\$267,288,632	\$267,288,632	\$267,288,632
TOTAL PUBLIC FUNDS	\$5,644,373,217	\$5,644,373,217	\$5,644,373,217

89.1 *Increase funds for growth in Medicaid based on projected need.*

State General Funds	\$38,306,673	\$37,369,367	\$37,369,367
Medical Assistance Program CFDA93.778	\$80,806,116	\$78,828,913	\$78,828,913
Total Public Funds:	\$119,112,789	\$116,198,280	\$116,198,280

89.2 *Replace Tenet settlement agreement funds with state general funds.*

State General Funds	\$47,839,104	\$47,839,104	\$47,839,104
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Hospital Authorities	(\$47,839,104)	(\$47,839,104)	(\$47,839,104)
Total Public Funds:	\$0	\$0	\$0

89.3 *Increase funds to provide a 4.3% nursing home rate increase.*

State General Funds	\$16,894,882	\$16,894,882	\$16,894,882
Medical Assistance Program CFDA93.778	\$35,638,955	\$35,638,955	\$35,638,955
Total Public Funds:	\$52,533,837	\$52,533,837	\$52,533,837

89.4 *Increase funds for the first installment of a two-year plan to increase the personal needs allowance for nursing home residents by \$20 per month pursuant to the passage of HB206 (2017 Session). (H and S:Provide funds to increase the personal needs allowance for nursing home residents by \$15 per month pursuant to the passage of HB206 (2017 Session))*

State General Funds	\$803,049	\$1,204,573	\$1,204,573
Medical Assistance Program CFDA93.778	\$1,693,994	\$2,540,990	\$2,540,990
Total Public Funds:	\$2,497,043	\$3,745,563	\$3,745,563

89.5 *Increase funds for a \$12.62 increase in alternative living service provider rates.*

State General Funds	\$3,378,112	\$3,378,112	\$3,378,112
Medical Assistance Program CFDA93.778	\$7,125,968	\$7,125,968	\$7,125,968
Total Public Funds:	\$10,504,080	\$10,504,080	\$10,504,080

89.6 *Increase nursing home rates for liability insurance.*

State General Funds	\$5,000,000	\$5,000,000	\$5,000,000
Medical Assistance Program CFDA93.778	\$10,547,264	\$10,547,264	\$10,547,264
Total Public Funds:	\$15,547,264	\$15,547,264	\$15,547,264

89.7 *Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.*

State General Funds	\$40,999,734	\$40,999,734	\$40,999,734
Medical Assistance Program CFDA93.778	(\$40,999,734)	(\$40,999,734)	(\$40,999,734)
Total Public Funds:	\$0	\$0	\$0

89.8 *Reduce funds to reflect projected revenue from the nursing home provider fee.*

Medical Assistance Program CFDA93.778	(\$29,833,909)	(\$29,833,909)	(\$29,833,909)
Nursing Home Provider Fees	(\$14,142,962)	(\$14,142,962)	(\$14,142,962)
Total Public Funds:	(\$43,976,871)	(\$43,976,871)	(\$43,976,871)

89.9 *Increase funds for Direct Graduate Medical Education (GME) Medicaid reimbursement for GME expansion programs.*

State General Funds	\$1,700,360	\$1,700,360	\$1,700,360
Medical Assistance Program CFDA93.778	\$3,586,829	\$3,586,829	\$3,586,829
Total Public Funds:	\$5,287,189	\$5,287,189	\$5,287,189

89.10 *Increase funds to reflect additional revenue from hospital provider payments.*

Medical Assistance Program CFDA93.778	\$3,394,084	\$3,394,084	\$3,394,084
Hospital Provider Fee	\$1,608,988	\$1,608,988	\$1,608,988
Total Public Funds:	\$5,003,072	\$5,003,072	\$5,003,072

89.11 *Increase funds to increase the reimbursement rates for Adult Day Health Centers. (S:Increase funds for a five percent increase in reimbursement rates for Adult Day Health Centers)*

State General Funds		\$226,725	\$399,670
Medical Assistance Program CFDA93.778		\$478,265	\$843,085
Total Public Funds:		\$704,990	\$1,242,755

89.12 *Increase funds to increase the triage payment rate by \$10 for urban hospitals and \$20 for rural hospitals.*

State General Funds		\$403,930	\$403,930
Medical Assistance Program CFDA93.778		\$852,072	\$852,072
Total Public Funds:		\$1,256,002	\$1,256,002

89.13 *Increase funds for a three percent increase in nursing home mechanical ventilator reimbursement rates.*

State General Funds			\$104,684
Medical Assistance Program CFDA93.778			\$220,826
Total Public Funds:			\$325,510

89.14 *Increase funds for a one percent increase in reimbursement rates for select dental codes.*

State General Funds			\$57,202
Medical Assistance Program CFDA93.778			\$120,665
Total Public Funds:			\$177,867

89.15 *Increase funds for the Georgia Pediatric Program to increase reimbursement rates for Licensed Practical Nurses to \$37.25 per hour, and to \$42.50 for Registered Nurses.*

State General Funds			\$1,000,000
Medical Assistance Program CFDA93.778			\$2,109,453
Total Public Funds:			\$3,109,453

89.100-Medicaid: Aged, Blind, and Disabled**Appropriation (HB 684)**

The purpose of this appropriation is to provide health care access primarily to elderly and disabled individuals. There is also hereby appropriated to the Department of Community Health a specific sum of money equal to all the provider fees paid to the Indigent Care Trust Fund created pursuant to Article 6A of chapter 8 of Title 31. The sum of money is appropriated for payments for nursing homes pursuant to Article 6A.

TOTAL STATE FUNDS	\$1,804,731,131	\$1,804,826,004	\$1,806,160,835
State General Funds	\$1,606,897,882	\$1,606,992,755	\$1,608,327,586
Tobacco Settlement Funds	\$6,191,806	\$6,191,806	\$6,191,806
Nursing Home Provider Fees	\$157,326,418	\$157,326,418	\$157,326,418
Hospital Provider Fee	\$34,315,025	\$34,315,025	\$34,315,025
TOTAL FEDERAL FUNDS	\$3,676,518,869	\$3,676,718,999	\$3,679,534,763
Federal Funds Not Itemized	\$2,787,214	\$2,787,214	\$2,787,214
Medical Assistance Program CFDA93.778	\$3,673,731,655	\$3,673,931,785	\$3,676,747,549
TOTAL AGENCY FUNDS	\$62,342,988	\$62,342,988	\$62,342,988
Intergovernmental Transfers	\$62,342,988	\$62,342,988	\$62,342,988
Hospital Authorities	\$62,342,988	\$62,342,988	\$62,342,988
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$267,288,632	\$267,288,632	\$267,288,632
State Funds Transfers	\$267,288,632	\$267,288,632	\$267,288,632
Optional Medicaid Services Payments	\$267,288,632	\$267,288,632	\$267,288,632
TOTAL PUBLIC FUNDS	\$5,810,881,620	\$5,811,176,623	\$5,815,327,218

Medicaid: Low-Income Medicaid**Continuation Budget**

The purpose of this appropriation is to provide healthcare access primarily to low-income individuals.

TOTAL STATE FUNDS	\$1,311,837,601	\$1,311,837,601	\$1,311,837,601
State General Funds	\$927,739,267	\$927,739,267	\$927,739,267
Tobacco Settlement Funds	\$105,910,484	\$105,910,484	\$105,910,484
Hospital Provider Fee	\$278,187,850	\$278,187,850	\$278,187,850
TOTAL FEDERAL FUNDS	\$2,993,431,597	\$2,993,431,597	\$2,993,431,597
Medical Assistance Program CFDA93.778	\$2,993,431,597	\$2,993,431,597	\$2,993,431,597
TOTAL AGENCY FUNDS	\$56,860,936	\$56,860,936	\$56,860,936
Intergovernmental Transfers	\$56,860,936	\$56,860,936	\$56,860,936
Hospital Authorities	\$56,860,936	\$56,860,936	\$56,860,936

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$13,416,847	\$13,416,847	\$13,416,847
State Funds Transfers	\$13,416,847	\$13,416,847	\$13,416,847
Optional Medicaid Services Payments	\$13,416,847	\$13,416,847	\$13,416,847
TOTAL PUBLIC FUNDS	\$4,375,546,981	\$4,375,546,981	\$4,375,546,981

90.1 *Increase funds for growth in Medicaid based on projected need.*

State General Funds	\$7,387,897	\$0	(\$4,470,920)
Medical Assistance Program CFDA93.778	\$15,584,420	\$0	(\$9,431,195)
Total Public Funds:	\$22,972,317	\$0	(\$13,902,115)

90.2 *Replace Tenet settlement agreement funds with state general funds.*

State General Funds	\$44,532,620	\$44,532,620	\$44,532,620
Hospital Authorities	(\$44,532,620)	(\$44,532,620)	(\$44,532,620)
Total Public Funds:	\$0	\$0	\$0

90.3 *Increase funds for the Health Insurance Provider Fee.*

State General Funds	\$32,220,521	\$32,220,521	\$32,220,521
Medical Assistance Program CFDA93.778	\$67,967,666	\$67,967,666	\$67,967,666
Total Public Funds:	\$100,188,187	\$100,188,187	\$100,188,187

90.4 *Increase funds to reflect additional revenue from hospital provider payments.*

Medical Assistance Program CFDA93.778	\$28,869,069	\$28,869,069	\$28,869,069
Hospital Provider Fee	\$13,685,573	\$13,685,573	\$13,685,573
Total Public Funds:	\$42,554,642	\$42,554,642	\$42,554,642

90.5 *Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.*

State General Funds	\$16,881,693	\$16,881,693	\$16,881,693
Medical Assistance Program CFDA93.778	(\$16,881,693)	(\$16,881,693)	(\$16,881,693)
Total Public Funds:	\$0	\$0	\$0

90.6 *Replace funds.*

State General Funds	(\$13,650,907)	(\$13,650,907)	(\$13,650,907)
Tobacco Settlement Funds	\$13,650,907	\$13,650,907	\$13,650,907
Total Public Funds:	\$0	\$0	\$0

90.7 *Increase funds to increase the triage payment rate by \$10 for urban hospitals and \$20 for rural hospitals.*

State General Funds	\$1,388,211	\$1,388,211
Medical Assistance Program CFDA93.778	\$2,928,365	\$2,928,365
Total Public Funds:	\$4,316,576	\$4,316,576

90.8 *Increase funds to increase the reimbursement rate for the Marcus Autism Center to cover the costs of treating children with autism with the most significant needs. (S:Increase funds for a four percent increase in reimbursement rates for autism services statewide)*

State General Funds	\$568,057	\$681,493
Medical Assistance Program CFDA93.778	\$1,198,289	\$1,437,577
Total Public Funds:	\$1,766,346	\$2,119,070

90.9 *Increase funds for a \$250 add-on payment for newborn delivery in rural counties (population less than 35,000).*

State General Funds		\$335,188
Medical Assistance Program CFDA93.778		\$707,062
Total Public Funds:		\$1,042,250

90.10 *Increase funds to establish criteria and implement reimbursement for Centering Pregnancy programs.*

State General Funds		\$500,000
Medical Assistance Program CFDA93.778		\$1,054,726
Total Public Funds:		\$1,554,726

90.11 *Increase funds for a one percent increase in reimbursement rates for select dental codes.*

State General Funds		\$444,567
Medical Assistance Program CFDA93.778		\$937,793
Total Public Funds:		\$1,382,360

90.100-Medicaid: Low-Income Medicaid	Appropriation (HB 684)
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The purpose of this appropriation is to provide healthcare access primarily to low-income individuals.

TOTAL STATE FUNDS	\$1,426,545,905	\$1,421,114,276	\$1,418,036,547
State General Funds	\$1,015,111,091	\$1,009,679,462	\$1,006,601,733
Tobacco Settlement Funds	\$119,561,391	\$119,561,391	\$119,561,391
Hospital Provider Fee	\$291,873,423	\$291,873,423	\$291,873,423
TOTAL FEDERAL FUNDS	\$3,088,971,059	\$3,077,513,293	\$3,071,020,967

Medical Assistance Program CFDA93.778	\$3,088,971,059	\$3,077,513,293	\$3,071,020,967
TOTAL AGENCY FUNDS	\$12,328,316	\$12,328,316	\$12,328,316
Intergovernmental Transfers	\$12,328,316	\$12,328,316	\$12,328,316
Hospital Authorities	\$12,328,316	\$12,328,316	\$12,328,316
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$13,416,847	\$13,416,847	\$13,416,847
State Funds Transfers	\$13,416,847	\$13,416,847	\$13,416,847
Optional Medicaid Services Payments	\$13,416,847	\$13,416,847	\$13,416,847
TOTAL PUBLIC FUNDS	\$4,541,262,127	\$4,524,372,732	\$4,514,802,677

PeachCare

Continuation Budget

The purpose of this appropriation is to provide health insurance coverage for qualified low-income Georgia children.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$426,896,856	\$426,896,856	\$426,896,856
State Children's Insurance Program CFDA93.767	\$426,896,856	\$426,896,856	\$426,896,856
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$151,783	\$151,783	\$151,783
State Funds Transfers	\$151,783	\$151,783	\$151,783
Optional Medicaid Services Payments	\$151,783	\$151,783	\$151,783
TOTAL PUBLIC FUNDS	\$427,048,639	\$427,048,639	\$427,048,639

91.100-PeachCare

Appropriation (HB 684)

The purpose of this appropriation is to provide health insurance coverage for qualified low-income Georgia children.

TOTAL FEDERAL FUNDS	\$426,896,856	\$426,896,856	\$426,896,856
State Children's Insurance Program CFDA93.767	\$426,896,856	\$426,896,856	\$426,896,856
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$151,783	\$151,783	\$151,783
State Funds Transfers	\$151,783	\$151,783	\$151,783
Optional Medicaid Services Payments	\$151,783	\$151,783	\$151,783
TOTAL PUBLIC FUNDS	\$427,048,639	\$427,048,639	\$427,048,639

State Health Benefit Plan

Continuation Budget

The purpose of this appropriation is to provide a healthcare benefit for teachers and state employees that is competitive with other commercial benefit plans in quality of care and access to providers; and to provide for the efficient management of provider fees and utilization rates.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,440,009,141	\$3,440,009,141	\$3,440,009,141
State Funds Transfers	\$3,440,009,141	\$3,440,009,141	\$3,440,009,141
Health Insurance Payments	\$3,440,009,141	\$3,440,009,141	\$3,440,009,141
TOTAL PUBLIC FUNDS	\$3,440,009,141	\$3,440,009,141	\$3,440,009,141

92.1 *Increase funds to reflect updated projections for membership, medical services utilization, and medical trend changes.*

Health Insurance Payments	\$263,591,392	\$263,591,392	\$263,591,392
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92.2 *Increase funds to reflect enrollment growth to match Medicaid age requirement for the treatment of autism spectrum disorders (ASDs).*

Health Insurance Payments	\$2,200,000	\$2,200,000	\$2,200,000
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92.3 *Reduce funds to reflect Plan Year 2018 Health Maintenance Organization (HMO) procurement savings.*

Health Insurance Payments	(\$6,980,000)	(\$6,980,000)	(\$6,980,000)
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92.4 *Reduce funds to reflect savings attributable to Medicare Advantage (MA) rates in Plan Year 2018.*

Health Insurance Payments	(\$61,555,000)	(\$61,555,000)	(\$61,555,000)
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92.5 *Increase funds to reflect a 3.7% average increase in employee premiums for non-Medicare Advantage plans, effective January 1, 2018.*

Health Insurance Payments	\$12,100,000	\$12,100,000	\$12,100,000
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92.6 *Increase funds to reflect a \$20.57 premium increase for Medicare Advantage (MA) premium plan members, effective January 1, 2018.*

Health Insurance Payments	\$5,499,500	\$5,499,500	\$5,499,500
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92.7 *Reduce funds to reflect savings associated with the procurement of a pharmacy benefit manager in Plan Year 2018.*

Health Insurance Payments	(\$3,597,000)	(\$3,597,000)	(\$3,597,000)
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92.100-State Health Benefit Plan

Appropriation (HB 684)

The purpose of this appropriation is to provide a healthcare benefit for teachers and state employees that is competitive with other commercial benefit plans in quality of care and access to providers; and to provide for the efficient management of provider fees and utilization rates.

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,651,268,033	\$3,651,268,033	\$3,651,268,033
State Funds Transfers	\$3,651,268,033	\$3,651,268,033	\$3,651,268,033
Health Insurance Payments	\$3,651,268,033	\$3,651,268,033	\$3,651,268,033
TOTAL PUBLIC FUNDS	\$3,651,268,033	\$3,651,268,033	\$3,651,268,033

Physician Workforce, Georgia Board for: Board Administration **Continuation Budget**

The purpose of this appropriation is to provide administrative support to all agency programs.

TOTAL STATE FUNDS	\$1,191,967	\$1,191,967	\$1,191,967
State General Funds	\$1,191,967	\$1,191,967	\$1,191,967
TOTAL PUBLIC FUNDS	\$1,191,967	\$1,191,967	\$1,191,967

93.1 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$102	\$102	\$102
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93.100-Physician Workforce, Georgia Board for: Board Administration	Appropriation (HB 684)
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The purpose of this appropriation is to provide administrative support to all agency programs.

TOTAL STATE FUNDS	\$1,192,069	\$1,192,069	\$1,192,069
State General Funds	\$1,192,069	\$1,192,069	\$1,192,069
TOTAL PUBLIC FUNDS	\$1,192,069	\$1,192,069	\$1,192,069

Physician Workforce, Georgia Board for: Graduate Medical Education **Continuation Budget**

The purpose of this appropriation is to address the physician workforce needs of Georgia communities through the support and development of medical education programs.

TOTAL STATE FUNDS	\$13,296,798	\$13,296,798	\$13,296,798
State General Funds	\$13,296,798	\$13,296,798	\$13,296,798
TOTAL PUBLIC FUNDS	\$13,296,798	\$13,296,798	\$13,296,798

94.1 *Increase funds for 122 new residency slots in primary care medicine. (H and S: Provide funds for 99 new residency slots in primary care medicine)*

State General Funds	\$1,915,629	\$1,732,569	\$1,732,569
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94.2	<i>Increase funds to St. Joseph's/Candler Hospital for two rural surgical fellowships. (S:Increase funds to St. Joseph's/Candler Hospital for two rural surgical fellowships and establish eligibility requirements for participation)</i>		
State General Funds		\$150,000	\$150,000
94.3	<i>Increase funds for new fellowship positions at Augusta University in Vision: Retinal and Glaucoma, Cancer: Gynecological Oncology, Neurology: Alzheimer's Disease and Stroke/Vascular, and Aging.</i>		
State General Funds		\$750,000	\$750,000
94.4	<i>Increase funds for Gateway Behavioral Health for the second year of start-up for the new psychiatry residency program.</i>		
State General Funds		\$120,000	\$120,000
94.5	<i>Transfer funds from the Georgia Board for Physician Workforce: Physicians for Rural Areas program to the Georgia Board for Physician Workforce: Graduate Medical Education program for the Memorial Accelerated Track Program.</i>		
State General Funds		\$180,000	\$180,000
94.6	<i>Increase funds for a statewide residency recruitment fair as recommended by the House Rural Development Council.</i>		
State General Funds		\$40,000	\$40,000
94.7	<i>Increase funds for twenty slots in OB/GYN residency programs, with four slots each at Emory University School of Medicine, Medical College of Georgia, Memorial University Medical Center, Morehouse School of Medicine, and Navicent Health Care Macon.</i>		
State General Funds			\$306,600
94.8	<i>Increase funds for thirteen existing slots in Psychiatry residency programs, including three slots at Emory University School of Medicine, three slots at Medical College of Georgia, five slots at Morehouse School of Medicine, and two slots at Navicent Health Care Macon.</i>		
State General Funds			\$188,500
94.9	<i>Increase funds to increase capitation rates to \$14,500 for ten existing Community and Preventive Medicine residency positions at Emory University School of Medicine and Morehouse School of Medicine.</i>		
State General Funds			\$64,270
94.10	<i>Increase funds for medical residency capitation to help offset a reduction in the Federal Medical Assistance Percentage.</i>		
State General Funds			\$100,000

94.100-Physician Workforce, Georgia Board for: Graduate Medical Education	Appropriation (HB 684)
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The purpose of this appropriation is to address the physician workforce needs of Georgia communities through the support and development of medical education programs.

TOTAL STATE FUNDS	\$15,212,427	\$16,269,367	\$16,928,737
State General Funds	\$15,212,427	\$16,269,367	\$16,928,737
TOTAL PUBLIC FUNDS	\$15,212,427	\$16,269,367	\$16,928,737

Physician Workforce, Georgia Board for: Mercer School of Medicine Grant	Continuation Budget
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The purpose of this appropriation is to provide funding for the Mercer University School of Medicine to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

TOTAL STATE FUNDS	\$24,039,911	\$24,039,911	\$24,039,911
State General Funds	\$24,039,911	\$24,039,911	\$24,039,911
TOTAL PUBLIC FUNDS	\$24,039,911	\$24,039,911	\$24,039,911

95.100-Physician Workforce, Georgia Board for: Mercer School of Medicine Grant	Appropriation (HB 684)
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The purpose of this appropriation is to provide funding for the Mercer University School of Medicine to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

TOTAL STATE FUNDS	\$24,039,911	\$24,039,911	\$24,039,911
State General Funds	\$24,039,911	\$24,039,911	\$24,039,911
TOTAL PUBLIC FUNDS	\$24,039,911	\$24,039,911	\$24,039,911

Physician Workforce, Georgia Board for: Morehouse School of Medicine Grant	Continuation Budget
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The purpose of this appropriation is to provide funding for the Morehouse School of Medicine and affiliated hospitals to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

TOTAL STATE FUNDS	\$23,360,975	\$23,360,975	\$23,360,975
State General Funds	\$23,360,975	\$23,360,975	\$23,360,975
TOTAL PUBLIC FUNDS	\$23,360,975	\$23,360,975	\$23,360,975

96.1 *Increase funds to support a community-centered collaborative for healthcare training and care in Columbus.*

State General Funds \$150,000

96.100-Physician Workforce, Georgia Board for: Morehouse School of Medicine Grant	Appropriation (HB 684)
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The purpose of this appropriation is to provide funding for the Morehouse School of Medicine and affiliated hospitals to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

TOTAL STATE FUNDS	\$23,360,975	\$23,360,975	\$23,510,975
State General Funds	\$23,360,975	\$23,360,975	\$23,510,975
TOTAL PUBLIC FUNDS	\$23,360,975	\$23,360,975	\$23,510,975

Physician Workforce, Georgia Board for: Physicians for Rural Areas **Continuation Budget**

The purpose of this appropriation is to ensure an adequate supply of physicians in rural areas of the state, and to provide a program of aid to promising medical students.

TOTAL STATE FUNDS	\$1,910,000	\$1,910,000	\$1,910,000
State General Funds	\$1,910,000	\$1,910,000	\$1,910,000
TOTAL PUBLIC FUNDS	\$1,910,000	\$1,910,000	\$1,910,000

97.1 *Transfer funds from the Georgia Board for Physician Workforce: Physicians for Rural Areas program to the Georgia Board for Physician Workforce: Graduate Medical Education program for the Memorial Accelerated Track Program.*

State General Funds (\$180,000) (\$180,000)

97.2 *Increase funds for insurance premium assistance for physicians with a practice in underserved counties that currently have one or less physicians. (S:Increase funds for malpractice insurance premium assistance for physicians with a practice in underserved counties that currently have one or less physicians)*

State General Funds \$130,000 \$130,000

97.100-Physician Workforce, Georgia Board for: Physicians for Rural Areas	Appropriation (HB 684)
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The purpose of this appropriation is to ensure an adequate supply of physicians in rural areas of the state, and to provide a program of aid to promising medical students.

TOTAL STATE FUNDS	\$1,910,000	\$1,860,000	\$1,860,000
State General Funds	\$1,910,000	\$1,860,000	\$1,860,000
TOTAL PUBLIC FUNDS	\$1,910,000	\$1,860,000	\$1,860,000

Physician Workforce, Georgia Board for: Undergraduate Medical Education

Continuation Budget

The purpose of this appropriation is to ensure an adequate supply of primary care and other needed physician specialists through a public/private partnership with medical schools in Georgia.

TOTAL STATE FUNDS	\$3,048,113	\$3,048,113	\$3,048,113
State General Funds	\$3,048,113	\$3,048,113	\$3,048,113
TOTAL PUBLIC FUNDS	\$3,048,113	\$3,048,113	\$3,048,113

98.1 *Increase funds for the start-up of the Philadelphia College of Osteopathic Medicine South Georgia campus.*

State General Funds			\$200,000
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98.100-Physician Workforce, Georgia Board for: Undergraduate Medical Education	Appropriation (HB 684)
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The purpose of this appropriation is to ensure an adequate supply of primary care and other needed physician specialists through a public/private partnership with medical schools in Georgia.

TOTAL STATE FUNDS	\$3,048,113	\$3,048,113	\$3,248,113
State General Funds	\$3,048,113	\$3,048,113	\$3,248,113
TOTAL PUBLIC FUNDS	\$3,048,113	\$3,048,113	\$3,248,113

Georgia Composite Medical Board

Continuation Budget

The purpose of this appropriation is to license qualified applicants as physicians, physician's assistants, respiratory care professionals, perfusionists, acupuncturists, orthotists, prosthetists, and auricular (ear) detoxification specialists. Also, investigate complaints and discipline those who violate the Medical Practice Act or other laws governing the professional behavior of the Board licensees.

TOTAL STATE FUNDS	\$2,481,625	\$2,481,625	\$2,481,625
State General Funds	\$2,481,625	\$2,481,625	\$2,481,625
TOTAL AGENCY FUNDS	\$300,000	\$300,000	\$300,000

Sales and Services	\$300,000	\$300,000	\$300,000
Sales and Services Not Itemized	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$2,781,625	\$2,781,625	\$2,781,625

99.1 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$66	\$66	\$66
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99.100-Georgia Composite Medical Board	Appropriation (HB 684)
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The purpose of this appropriation is to license qualified applicants as physicians, physician's assistants, respiratory care professionals, perfusionists, acupuncturists, orthotists, prosthetists, and auricular (ear) detoxification specialists. Also, investigate complaints and discipline those who violate the Medical Practice Act or other laws governing the professional behavior of the Board licensees.

TOTAL STATE FUNDS	\$2,481,691	\$2,481,691	\$2,481,691
State General Funds	\$2,481,691	\$2,481,691	\$2,481,691
TOTAL AGENCY FUNDS	\$300,000	\$300,000	\$300,000
Sales and Services	\$300,000	\$300,000	\$300,000
Sales and Services Not Itemized	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$2,781,691	\$2,781,691	\$2,781,691

Drugs and Narcotics Agency, Georgia	Continuation Budget
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The purpose of this appropriation is to protect the health, safety, and welfare of the general public by providing an enforcement presence to oversee all laws and regulations pertaining to controlled substances and dangerous drugs.

TOTAL STATE FUNDS	\$2,270,046	\$2,270,046	\$2,270,046
State General Funds	\$2,270,046	\$2,270,046	\$2,270,046
TOTAL PUBLIC FUNDS	\$2,270,046	\$2,270,046	\$2,270,046

100.1 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$62	\$62	\$62
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100.2 *Increase funds for pay parity for Georgia Drugs and Narcotics agents responsible for preventing the overutilization and abuse of opioids and other prescription drugs.*

State General Funds		\$143,784	\$0
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100.100-Drugs and Narcotics Agency, Georgia **Appropriation (HB 684)**

The purpose of this appropriation is to protect the health, safety, and welfare of the general public by providing an enforcement presence to oversee all laws and regulations pertaining to controlled substances and dangerous drugs.

TOTAL STATE FUNDS	\$2,270,108	\$2,413,892	\$2,270,108
State General Funds	\$2,270,108	\$2,413,892	\$2,270,108
TOTAL PUBLIC FUNDS	\$2,270,108	\$2,413,892	\$2,270,108

Section 18: Community Supervision, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$182,431,330	\$182,431,330	\$182,431,330
State General Funds	\$182,431,330	\$182,431,330	\$182,431,330
TOTAL FEDERAL FUNDS	\$125,000	\$125,000	\$125,000
Federal Funds Not Itemized	\$125,000	\$125,000	\$125,000
TOTAL AGENCY FUNDS	\$120,000	\$120,000	\$120,000
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$182,676,330	\$182,676,330	\$182,676,330

Section Total - Final

TOTAL STATE FUNDS	\$182,261,129	\$182,204,184	\$182,301,767
State General Funds	\$182,261,129	\$182,204,184	\$182,301,767
TOTAL FEDERAL FUNDS	\$125,000	\$125,000	\$125,000
Federal Funds Not Itemized	\$125,000	\$125,000	\$125,000
TOTAL AGENCY FUNDS	\$120,000	\$120,000	\$120,000
Sales and Services	\$120,000	\$120,000	\$120,000
Sales and Services Not Itemized	\$120,000	\$120,000	\$120,000
TOTAL PUBLIC FUNDS	\$182,506,129	\$182,449,184	\$182,546,767

Departmental Administration (DCS)

Continuation Budget

The purpose of this appropriation is to provide administrative support for the agency.

TOTAL STATE FUNDS	\$9,406,532	\$9,406,532	\$9,406,532
State General Funds	\$9,406,532	\$9,406,532	\$9,406,532

TOTAL PUBLIC FUNDS	\$9,406,532	\$9,406,532	\$9,406,532
101.1 <i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
State General Funds	(\$4,934)	(\$4,934)	(\$4,934)
101.2 <i>Increase funds to reflect an adjustment in merit system assessments.</i>			
State General Funds	\$514	\$514	\$514
101.3 <i>Increase funds to reflect an adjustment in TeamWorks billings.</i>			
State General Funds	\$1,223	\$1,223	\$1,223
101.4 <i>Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.</i>			
State General Funds	(\$54,970)	(\$54,970)	(\$54,970)
101.5 <i>Reduce funds to reflect savings from consolidating state supervision to the Department of Community Supervision.</i>			
State General Funds		(\$100,000)	\$0
101.6 <i>Adjust billings for unemployment insurance to reflect updated claims expenses.</i>			
State General Funds			(\$2,377)

101.100-Departmental Administration (DCS)	Appropriation (HB 684)		
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The purpose of this appropriation is to provide administrative support for the agency.

TOTAL STATE FUNDS	\$9,348,365	\$9,248,365	\$9,345,988
State General Funds	\$9,348,365	\$9,248,365	\$9,345,988
TOTAL PUBLIC FUNDS	\$9,348,365	\$9,248,365	\$9,345,988

Field Services

Continuation Budget

The purpose of this appropriation is to protect and serve Georgia citizens through effective and efficient offender supervision in communities, while providing opportunities for successful outcomes.

TOTAL STATE FUNDS	\$166,664,371	\$166,664,371	\$166,664,371
State General Funds	\$166,664,371	\$166,664,371	\$166,664,371
TOTAL AGENCY FUNDS	\$10,000	\$10,000	\$10,000
Sales and Services	\$10,000	\$10,000	\$10,000

Sales and Services Not Itemized	\$10,000	\$10,000	\$10,000
TOTAL PUBLIC FUNDS	\$166,674,371	\$166,674,371	\$166,674,371

102.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$3,117	\$3,117	\$3,117
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102.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$91,243)	(\$91,243)	(\$91,243)
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102.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$9,509	\$9,509	\$9,509
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102.4 *Increase funds to reflect an adjustment in TeamWorks billings.*

State General Funds	\$21,840	\$21,840	\$21,840
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102.5 *Eliminate funds for one-time funding for the purchase of equipment for the Gwinnett Day Reporting Center.*

State General Funds	(\$56,435)	(\$13,380)	(\$13,380)
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102.6 *Transfer funds and two positions from the Field Services program to the Misdemeanor Probation program.*

State General Funds	(\$248,198)	(\$248,924)	(\$248,924)
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102.100-Field Services	Appropriation (HB 684)
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The purpose of this appropriation is to protect and serve Georgia citizens through effective and efficient offender supervision in communities, while providing opportunities for successful outcomes.

TOTAL STATE FUNDS	\$166,302,961	\$166,345,290	\$166,345,290
State General Funds	\$166,302,961	\$166,345,290	\$166,345,290
TOTAL AGENCY FUNDS	\$10,000	\$10,000	\$10,000
Sales and Services	\$10,000	\$10,000	\$10,000
Sales and Services Not Itemized	\$10,000	\$10,000	\$10,000
TOTAL PUBLIC FUNDS	\$166,312,961	\$166,355,290	\$166,355,290

Misdemeanor Probation

Continuation Budget

The purpose of this appropriation is to provide regulation of all governmental and private misdemeanor probation providers through inspection and investigation.

TOTAL STATE FUNDS	\$639,159	\$639,159	\$639,159
State General Funds	\$639,159	\$639,159	\$639,159
TOTAL PUBLIC FUNDS	\$639,159	\$639,159	\$639,159

103.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$372)	(\$372)	(\$372)
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103.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$39	\$39	\$39
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103.3 *Increase funds to reflect an adjustment in TeamWorks billings.*

State General Funds	\$89	\$89	\$89
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103.4 *Transfer funds and two positions from the Field Services program to the Misdemeanor Probation program.*

State General Funds	\$248,198	\$248,924	\$248,924
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103.100-Misdemeanor Probation	Appropriation (HB 684)
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The purpose of this appropriation is to provide regulation of all governmental and private misdemeanor probation providers through inspection and investigation.

TOTAL STATE FUNDS	\$887,113	\$887,839	\$887,839
State General Funds	\$887,113	\$887,839	\$887,839
TOTAL PUBLIC FUNDS	\$887,113	\$887,839	\$887,839

Governor’s Office of Transition, Support and Reentry

Continuation Budget

The purpose of this appropriation is to provide a collaboration of governmental and nongovernmental stakeholders to develop and execute a systematic reentry plan for Georgia offenders and ensure the delivery of services to reduce recidivism and support the success of returning citizens.

TOTAL STATE FUNDS	\$5,186,691	\$5,186,691	\$5,186,691
State General Funds	\$5,186,691	\$5,186,691	\$5,186,691
TOTAL PUBLIC FUNDS	\$5,186,691	\$5,186,691	\$5,186,691

104.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,798)	(\$1,798)	(\$1,798)
104.2 <i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
State General Funds	(\$857)	(\$857)	(\$857)
104.3 <i>Increase funds to reflect an adjustment in TeamWorks billings.</i>			
State General Funds	\$496	\$496	\$496
104.4 <i>Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.</i>			
State General Funds	\$2,128	\$2,128	\$2,128
104.5 <i>Adjust billings for unemployment insurance to reflect updated claims expenses.</i>			
State General Funds			(\$36)

104.100-Governor’s Office of Transition, Support and Reentry	Appropriation (HB 684)
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The purpose of this appropriation is to provide a collaboration of governmental and nongovernmental stakeholders to develop and execute a systematic reentry plan for Georgia offenders and ensure the delivery of services to reduce recidivism and support the success of returning citizens.

TOTAL STATE FUNDS	\$5,186,660	\$5,186,660	\$5,186,624
State General Funds	\$5,186,660	\$5,186,660	\$5,186,624
TOTAL PUBLIC FUNDS	\$5,186,660	\$5,186,660	\$5,186,624

Family Violence, Georgia Commission on

Continuation Budget

The purpose of this appropriation is to provide for the study and evaluation of needs and services relating to family violence in Georgia, develop models for community task forces on family violence, provide training and continuing education on the dynamics of family violence, and develop standards to be used in the certification and regulation of Family Violence Intervention Programs.

TOTAL STATE FUNDS	\$534,577	\$534,577	\$534,577
State General Funds	\$534,577	\$534,577	\$534,577
TOTAL FEDERAL FUNDS	\$125,000	\$125,000	\$125,000
Federal Funds Not Itemized	\$125,000	\$125,000	\$125,000
TOTAL AGENCY FUNDS	\$110,000	\$110,000	\$110,000
Sales and Services	\$110,000	\$110,000	\$110,000
Sales and Services Not Itemized	\$110,000	\$110,000	\$110,000
TOTAL PUBLIC FUNDS	\$769,577	\$769,577	\$769,577

105.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$269)	(\$269)	(\$269)
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105.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$26)	(\$26)	(\$26)
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105.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,748	\$1,748	\$1,748
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105.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$4)
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105.100-Family Violence, Georgia Commission on	Appropriation (HB 684)
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The purpose of this appropriation is to provide for the study and evaluation of needs and services relating to family violence in Georgia, develop models for community task forces on family violence, provide training and continuing education on the dynamics of family violence, and develop standards to be used in the certification and regulation of Family Violence Intervention Programs.

TOTAL STATE FUNDS	\$536,030	\$536,030	\$536,026
State General Funds	\$536,030	\$536,030	\$536,026
TOTAL FEDERAL FUNDS	\$125,000	\$125,000	\$125,000
Federal Funds Not Itemized	\$125,000	\$125,000	\$125,000
TOTAL AGENCY FUNDS	\$110,000	\$110,000	\$110,000
Sales and Services	\$110,000	\$110,000	\$110,000
Sales and Services Not Itemized	\$110,000	\$110,000	\$110,000
TOTAL PUBLIC FUNDS	\$771,030	\$771,030	\$771,026

Section 19: Corrections, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$1,178,092,379	\$1,178,092,379	\$1,178,092,379
State General Funds	\$1,178,092,379	\$1,178,092,379	\$1,178,092,379
TOTAL FEDERAL FUNDS	\$170,555	\$170,555	\$170,555
Federal Funds Not Itemized	\$170,555	\$170,555	\$170,555
TOTAL AGENCY FUNDS	\$13,564,603	\$13,564,603	\$13,564,603
Sales and Services	\$13,564,603	\$13,564,603	\$13,564,603

Sales and Services Not Itemized	\$13,564,603	\$13,564,603	\$13,564,603
TOTAL PUBLIC FUNDS	\$1,191,827,537	\$1,191,827,537	\$1,191,827,537

Section Total - Final

TOTAL STATE FUNDS	\$1,185,374,621	\$1,187,331,671	\$1,184,581,780
State General Funds	\$1,185,374,621	\$1,187,331,671	\$1,184,581,780
TOTAL FEDERAL FUNDS	\$170,555	\$170,555	\$170,555
Federal Funds Not Itemized	\$170,555	\$170,555	\$170,555
TOTAL AGENCY FUNDS	\$13,564,603	\$13,564,603	\$13,564,603
Sales and Services	\$13,564,603	\$13,564,603	\$13,564,603
Sales and Services Not Itemized	\$13,564,603	\$13,564,603	\$13,564,603
TOTAL PUBLIC FUNDS	\$1,199,109,779	\$1,201,066,829	\$1,198,316,938

County Jail Subsidy

Continuation Budget

The purpose of this appropriation is to reimburse counties for the costs of incarcerating state prisoners in their local facilities after sentencing.

TOTAL STATE FUNDS	\$5,000	\$5,000	\$5,000
State General Funds	\$5,000	\$5,000	\$5,000
TOTAL PUBLIC FUNDS	\$5,000	\$5,000	\$5,000

106.100-County Jail Subsidy	Appropriation (HB 684)
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The purpose of this appropriation is to reimburse counties for the costs of incarcerating state prisoners in their local facilities after sentencing.

TOTAL STATE FUNDS	\$5,000	\$5,000	\$5,000
State General Funds	\$5,000	\$5,000	\$5,000
TOTAL PUBLIC FUNDS	\$5,000	\$5,000	\$5,000

Departmental Administration (DOC)

Continuation Budget

The purpose of this appropriation is to protect and serve the citizens of Georgia by providing an effective and efficient department that administers a balanced correctional system.

TOTAL STATE FUNDS	\$37,548,448	\$37,548,448	\$37,548,448
State General Funds	\$37,548,448	\$37,548,448	\$37,548,448
TOTAL PUBLIC FUNDS	\$37,548,448	\$37,548,448	\$37,548,448

107.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$5,967	\$5,967	\$5,967
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107.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$46,385	\$46,385	\$46,385
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107.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,299)	(\$1,299)	(\$1,299)
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107.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$8,116)	(\$8,116)	(\$8,116)
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107.5 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$127,632)	(\$127,632)	(\$127,632)
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107.6 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$555,641)
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107.100-Departmental Administration (DOC)	Appropriation (HB 684)
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The purpose of this appropriation is to protect and serve the citizens of Georgia by providing an effective and efficient department that administers a balanced correctional system.

TOTAL STATE FUNDS	\$37,463,753	\$37,463,753	\$36,908,112
State General Funds	\$37,463,753	\$37,463,753	\$36,908,112
TOTAL PUBLIC FUNDS	\$37,463,753	\$37,463,753	\$36,908,112

Detention Centers

Continuation Budget

The purpose of this appropriation is to provide housing, academic education, vocational training, work details, counseling, and substance abuse treatment for probationers who require more security or supervision than provided by regular community supervision.

TOTAL STATE FUNDS	\$39,218,080	\$39,218,080	\$39,218,080
State General Funds	\$39,218,080	\$39,218,080	\$39,218,080
TOTAL AGENCY FUNDS	\$450,000	\$450,000	\$450,000
Sales and Services	\$450,000	\$450,000	\$450,000
Sales and Services Not Itemized	\$450,000	\$450,000	\$450,000
TOTAL PUBLIC FUNDS	\$39,668,080	\$39,668,080	\$39,668,080

108.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$64,025	\$64,025	\$64,025
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108.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,794)	(\$1,794)	(\$1,794)
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108.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$11,203)	(\$11,203)	(\$11,203)
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108.4 *Transfer funds for operations and 138 positions from the State Prisons program to the Detention Centers program for one Residential Substance Abuse Treatment (RSAT) Center and two Integrated Treatment Facilities (ITF).*

State General Funds	\$8,955,463	\$8,955,463	\$8,955,463
Sales and Services Not Itemized	\$2,003,500	\$2,003,500	\$2,003,500
Total Public Funds:	\$10,958,963	\$10,958,963	\$10,958,963

108.5 *Eliminate funds for one-time funding for the purchase of GED instructional materials and software installation.*

State General Funds	(\$224,000)	(\$196,000)	(\$196,000)
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108.100-Detention Centers	Appropriation (HB 684)
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The purpose of this appropriation is to provide housing, academic education, vocational training, work details, counseling, and substance abuse treatment for probationers who require more security or supervision than provided by regular community supervision.

TOTAL STATE FUNDS	\$48,000,571	\$48,028,571	\$48,028,571
State General Funds	\$48,000,571	\$48,028,571	\$48,028,571
TOTAL AGENCY FUNDS	\$2,453,500	\$2,453,500	\$2,453,500
Sales and Services	\$2,453,500	\$2,453,500	\$2,453,500

Sales and Services Not Itemized	\$2,453,500	\$2,453,500	\$2,453,500
TOTAL PUBLIC FUNDS	\$50,454,071	\$50,482,071	\$50,482,071

Food and Farm Operations**Continuation Budget**

The purpose of this appropriation is to manage timber, raise crops and livestock, and produce dairy items used in preparing meals for offenders.

TOTAL STATE FUNDS	\$27,608,063	\$27,608,063	\$27,608,063
State General Funds	\$27,608,063	\$27,608,063	\$27,608,063
TOTAL PUBLIC FUNDS	\$27,608,063	\$27,608,063	\$27,608,063

109.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,262	\$2,262	\$2,262
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109.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$63)	(\$63)	(\$63)
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109.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$396)	(\$396)	(\$396)
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109.100-Food and Farm Operations**Appropriation (HB 684)**

The purpose of this appropriation is to manage timber, raise crops and livestock, and produce dairy items used in preparing meals for offenders.

TOTAL STATE FUNDS	\$27,609,866	\$27,609,866	\$27,609,866
State General Funds	\$27,609,866	\$27,609,866	\$27,609,866
TOTAL PUBLIC FUNDS	\$27,609,866	\$27,609,866	\$27,609,866

Health**Continuation Budget**

The purpose of this appropriation is to provide the required constitutional level of physical, dental, and mental health care to all inmates of the state correctional system.

TOTAL STATE FUNDS	\$237,745,725	\$237,745,725	\$237,745,725
State General Funds	\$237,745,725	\$237,745,725	\$237,745,725

TOTAL FEDERAL FUNDS	\$70,555	\$70,555	\$70,555
Federal Funds Not Itemized	\$70,555	\$70,555	\$70,555
TOTAL AGENCY FUNDS	\$390,000	\$390,000	\$390,000
Sales and Services	\$390,000	\$390,000	\$390,000
Sales and Services Not Itemized	\$390,000	\$390,000	\$390,000
TOTAL PUBLIC FUNDS	\$238,206,280	\$238,206,280	\$238,206,280

110.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,917,283	\$1,917,283	\$1,917,283
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110.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$16,087	\$16,087	\$16,087
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110.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$450)	(\$450)	(\$450)
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110.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,814)	(\$2,814)	(\$2,814)
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110.5 *Transfer funds from the Health program to the State Prisons program to redirect funds from the Electronic Health Records (EHR) contract to the annualization of the Metro Re-entry Prison.*

State General Funds	(\$1,294,412)	(\$1,294,412)	(\$1,294,412)
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110.6 *Increase funds for the employer share of health insurance (\$200,848) and retiree health benefits (\$94,352).*

State General Funds	\$295,200	\$0	\$0
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110.7 *Utilize existing funds to implement Phase III of the Electronic Health Records (EHR) contract. (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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110.100-Health	Appropriation (HB 684)
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The purpose of this appropriation is to provide the required constitutional level of physical, dental, and mental health care to all inmates of the state correctional system.

TOTAL STATE FUNDS	\$238,676,619	\$238,381,419	\$238,381,419
State General Funds	\$238,676,619	\$238,381,419	\$238,381,419

TOTAL FEDERAL FUNDS	\$70,555	\$70,555	\$70,555
Federal Funds Not Itemized	\$70,555	\$70,555	\$70,555
TOTAL AGENCY FUNDS	\$390,000	\$390,000	\$390,000
Sales and Services	\$390,000	\$390,000	\$390,000
Sales and Services Not Itemized	\$390,000	\$390,000	\$390,000
TOTAL PUBLIC FUNDS	\$239,137,174	\$238,841,974	\$238,841,974

Offender Management

Continuation Budget

The purpose of this appropriation is to coordinate and operate the following agency-wide support services to ensure public safety: canine units, the County Correctional Institutions program, Correctional Emergency Response Teams, inmate classification, inmate diagnostics, the jail coordination unit, the release and agreements unit, and tactical squads.

TOTAL STATE FUNDS	\$43,614,610	\$43,614,610	\$43,614,610
State General Funds	\$43,614,610	\$43,614,610	\$43,614,610
TOTAL AGENCY FUNDS	\$30,000	\$30,000	\$30,000
Sales and Services	\$30,000	\$30,000	\$30,000
Sales and Services Not Itemized	\$30,000	\$30,000	\$30,000
TOTAL PUBLIC FUNDS	\$43,644,610	\$43,644,610	\$43,644,610

111.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$6,543	\$6,543	\$6,543
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111.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$183)	(\$183)	(\$183)
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111.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$1,145)	(\$1,145)	(\$1,145)
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111.100-Offender Management

Appropriation (HB 684)

The purpose of this appropriation is to coordinate and operate the following agency-wide support services to ensure public safety: canine units, the County Correctional Institutions program, Correctional Emergency Response Teams, inmate classification, inmate diagnostics, the jail coordination unit, the release and agreements unit, and tactical squads.

TOTAL STATE FUNDS	\$43,619,825	\$43,619,825	\$43,619,825
State General Funds	\$43,619,825	\$43,619,825	\$43,619,825
TOTAL AGENCY FUNDS	\$30,000	\$30,000	\$30,000
Sales and Services	\$30,000	\$30,000	\$30,000
Sales and Services Not Itemized	\$30,000	\$30,000	\$30,000
TOTAL PUBLIC FUNDS	\$43,649,825	\$43,649,825	\$43,649,825

Private Prisons

Continuation Budget

The purpose of this appropriation is to contract with private companies to provide cost effective prison facilities that ensure public safety.

TOTAL STATE FUNDS	\$135,395,608	\$135,395,608	\$135,395,608
State General Funds	\$135,395,608	\$135,395,608	\$135,395,608
TOTAL PUBLIC FUNDS	\$135,395,608	\$135,395,608	\$135,395,608

112.1 *Increase funds for current private prison correctional officer pay adjustments.*

State General Funds		\$2,194,250	\$0
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112.100-Private Prisons

Appropriation (HB 684)

The purpose of this appropriation is to contract with private companies to provide cost effective prison facilities that ensure public safety.

TOTAL STATE FUNDS	\$135,395,608	\$137,589,858	\$135,395,608
State General Funds	\$135,395,608	\$137,589,858	\$135,395,608
TOTAL PUBLIC FUNDS	\$135,395,608	\$137,589,858	\$135,395,608

State Prisons

Continuation Budget

The purpose of this appropriation is to provide housing, academic education, religious support, vocational training, counseling, and substance abuse treatment for violent and/or repeat offenders, or nonviolent offenders who have exhausted all other forms of punishment in a secure, well supervised setting; to assist in the reentry of these offenders back into society; and to provide fire services and work details to the Department, state agencies, and local communities.

TOTAL STATE FUNDS	\$624,472,456	\$624,472,456	\$624,472,456
State General Funds	\$624,472,456	\$624,472,456	\$624,472,456

TOTAL FEDERAL FUNDS	\$100,000	\$100,000	\$100,000
Federal Funds Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL AGENCY FUNDS	\$12,694,603	\$12,694,603	\$12,694,603
Sales and Services	\$12,694,603	\$12,694,603	\$12,694,603
Sales and Services Not Itemized	\$12,694,603	\$12,694,603	\$12,694,603
TOTAL PUBLIC FUNDS	\$637,267,059	\$637,267,059	\$637,267,059

113.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$84,938	\$84,938	\$84,938
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113.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$933,569	\$933,569	\$933,569
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113.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$26,139)	(\$26,139)	(\$26,139)
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113.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$163,344)	(\$163,344)	(\$163,344)
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113.5 *Increase funds to annualize the cost of operations for Metro Re-entry Prison.*

State General Funds	\$5,008,101	\$5,008,101	\$5,008,101
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113.6 *Transfer funds from the Health program to the State Prisons program to redirect funds from the Electronic Health Records (EHR) contract to the annualization of the Metro Re-entry Prison.*

State General Funds	\$1,294,412	\$1,294,412	\$1,294,412
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113.7 *Transfer funds for operations and 138 positions from the State Prisons program to the Detention Centers program for one Residential Substance Abuse Treatment (RSAT) Center and two Integrated Treatment Facilities (ITF).*

State General Funds	(\$8,955,463)	(\$8,955,463)	(\$8,955,463)
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Sales and Services Not Itemized	(\$2,003,500)	(\$2,003,500)	(\$2,003,500)
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Total Public Funds:	(\$10,958,963)	(\$10,958,963)	(\$10,958,963)
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113.8 *Eliminate funds for one-time funding for the purchase of literacy and math instructional software.*

State General Funds	(\$568,323)	(\$459,323)	(\$459,323)
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113.9 *Eliminate funds for one-time funding for vocational education classes.*

State General Funds		(\$79,000)	(\$79,000)
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113.100-State Prisons**Appropriation (HB 684)**

The purpose of this appropriation is to provide housing, academic education, religious support, vocational training, counseling, and substance abuse treatment for violent and/or repeat offenders, or nonviolent offenders who have exhausted all other forms of punishment in a secure, well supervised setting; to assist in the reentry of these offenders back into society; and to provide fire services and work details to the Department, state agencies, and local communities.

TOTAL STATE FUNDS	\$622,080,207	\$622,110,207	\$622,110,207
State General Funds	\$622,080,207	\$622,110,207	\$622,110,207
TOTAL FEDERAL FUNDS	\$100,000	\$100,000	\$100,000
Federal Funds Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL AGENCY FUNDS	\$10,691,103	\$10,691,103	\$10,691,103
Sales and Services	\$10,691,103	\$10,691,103	\$10,691,103
Sales and Services Not Itemized	\$10,691,103	\$10,691,103	\$10,691,103
TOTAL PUBLIC FUNDS	\$632,871,310	\$632,901,310	\$632,901,310

Transition Centers**Continuation Budget**

The purpose of this appropriation is to provide "work release," allowing inmates to obtain and maintain a paying job in the community, while still receiving housing, academic education, counseling, and substance abuse treatment in a structured center.

TOTAL STATE FUNDS	\$32,484,389	\$32,484,389	\$32,484,389
State General Funds	\$32,484,389	\$32,484,389	\$32,484,389
TOTAL PUBLIC FUNDS	\$32,484,389	\$32,484,389	\$32,484,389

114.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$48,658	\$48,658	\$48,658
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114.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,362)	(\$1,362)	(\$1,362)
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114.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$8,513)	(\$8,513)	(\$8,513)
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114.100-Transition Centers**Appropriation (HB 684)**

The purpose of this appropriation is to provide "work release," allowing inmates to obtain and maintain a paying job in the community, while still receiving housing, academic education, counseling, and substance abuse treatment in a structured center.

TOTAL STATE FUNDS	\$32,523,172	\$32,523,172	\$32,523,172
State General Funds	\$32,523,172	\$32,523,172	\$32,523,172
TOTAL PUBLIC FUNDS	\$32,523,172	\$32,523,172	\$32,523,172

Section 20: Defense, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$12,060,034	\$12,060,034	\$12,060,034
State General Funds	\$12,060,034	\$12,060,034	\$12,060,034
TOTAL FEDERAL FUNDS	\$53,204,273	\$53,204,273	\$53,204,273
Federal Funds Not Itemized	\$53,204,273	\$53,204,273	\$53,204,273
TOTAL AGENCY FUNDS	\$3,262,875	\$3,262,875	\$3,262,875
Intergovernmental Transfers	\$1,881,548	\$1,881,548	\$1,881,548
Intergovernmental Transfers Not Itemized	\$1,881,548	\$1,881,548	\$1,881,548
Royalties and Rents	\$171,171	\$171,171	\$171,171
Royalties and Rents Not Itemized	\$171,171	\$171,171	\$171,171
Sales and Services	\$1,210,156	\$1,210,156	\$1,210,156
Sales and Services Not Itemized	\$1,210,156	\$1,210,156	\$1,210,156
TOTAL PUBLIC FUNDS	\$68,527,182	\$68,527,182	\$68,527,182

Section Total - Final

TOTAL STATE FUNDS	\$11,954,755	\$11,954,755	\$12,002,823
State General Funds	\$11,954,755	\$11,954,755	\$12,002,823
TOTAL FEDERAL FUNDS	\$52,904,273	\$52,904,273	\$52,904,273
Federal Funds Not Itemized	\$52,904,273	\$52,904,273	\$52,904,273
TOTAL AGENCY FUNDS	\$3,262,875	\$3,262,875	\$3,262,875
Intergovernmental Transfers	\$1,881,548	\$1,881,548	\$1,881,548
Intergovernmental Transfers Not Itemized	\$1,881,548	\$1,881,548	\$1,881,548
Royalties and Rents	\$171,171	\$171,171	\$171,171
Royalties and Rents Not Itemized	\$171,171	\$171,171	\$171,171
Sales and Services	\$1,210,156	\$1,210,156	\$1,210,156

Sales and Services Not Itemized	\$1,210,156	\$1,210,156	\$1,210,156
TOTAL PUBLIC FUNDS	\$68,121,903	\$68,121,903	\$68,169,971

Departmental Administration (DOD)**Continuation Budget**

The purpose of this appropriation is to provide administration to the organized militia in the State of Georgia.

TOTAL STATE FUNDS	\$1,199,217	\$1,199,217	\$1,199,217
State General Funds	\$1,199,217	\$1,199,217	\$1,199,217
TOTAL FEDERAL FUNDS	\$723,528	\$723,528	\$723,528
Federal Funds Not Itemized	\$723,528	\$723,528	\$723,528
TOTAL PUBLIC FUNDS	\$1,922,745	\$1,922,745	\$1,922,745

115.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$674)	(\$674)	(\$674)
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115.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$167	\$167	\$167
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115.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$578)	(\$578)	(\$578)
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115.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$1,932)
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115.100-Departmental Administration (DOD)**Appropriation (HB 684)**

The purpose of this appropriation is to provide administration to the organized militia in the State of Georgia.

TOTAL STATE FUNDS	\$1,198,132	\$1,198,132	\$1,196,200
State General Funds	\$1,198,132	\$1,198,132	\$1,196,200
TOTAL FEDERAL FUNDS	\$723,528	\$723,528	\$723,528
Federal Funds Not Itemized	\$723,528	\$723,528	\$723,528
TOTAL PUBLIC FUNDS	\$1,921,660	\$1,921,660	\$1,919,728

Military Readiness**Continuation Budget**

The purpose of this appropriation is to provide and maintain facilities for the training of Army National Guard, Air National Guard, and State Defense Force personnel, and to provide an organized militia that can be activated and deployed at the direction of the President or Governor for a man-made crisis or natural disaster.

TOTAL STATE FUNDS	\$5,253,863	\$5,253,863	\$5,253,863
State General Funds	\$5,253,863	\$5,253,863	\$5,253,863
TOTAL FEDERAL FUNDS	\$34,639,522	\$34,639,522	\$34,639,522
Federal Funds Not Itemized	\$34,639,522	\$34,639,522	\$34,639,522
TOTAL AGENCY FUNDS	\$3,258,997	\$3,258,997	\$3,258,997
Intergovernmental Transfers	\$1,881,548	\$1,881,548	\$1,881,548
Intergovernmental Transfers Not Itemized	\$1,881,548	\$1,881,548	\$1,881,548
Royalties and Rents	\$171,171	\$171,171	\$171,171
Royalties and Rents Not Itemized	\$171,171	\$171,171	\$171,171
Sales and Services	\$1,206,278	\$1,206,278	\$1,206,278
Sales and Services Not Itemized	\$1,206,278	\$1,206,278	\$1,206,278
TOTAL PUBLIC FUNDS	\$43,152,382	\$43,152,382	\$43,152,382

116.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,138)	(\$1,138)	(\$1,138)
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116.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$390	\$390	\$390
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116.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$1,354)	(\$1,354)	(\$1,354)
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116.4 *Increase funds for the State Defense Force.*

State General Funds			\$50,000
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116.100-Military Readiness**Appropriation (HB 684)**

The purpose of this appropriation is to provide and maintain facilities for the training of Army National Guard, Air National Guard, and State Defense Force personnel, and to provide an organized militia that can be activated and deployed at the direction of the President or Governor for a man-made crisis or natural disaster.

TOTAL STATE FUNDS	\$5,251,761	\$5,251,761	\$5,301,761
State General Funds	\$5,251,761	\$5,251,761	\$5,301,761
TOTAL FEDERAL FUNDS	\$34,639,522	\$34,639,522	\$34,639,522
Federal Funds Not Itemized	\$34,639,522	\$34,639,522	\$34,639,522
TOTAL AGENCY FUNDS	\$3,258,997	\$3,258,997	\$3,258,997
Intergovernmental Transfers	\$1,881,548	\$1,881,548	\$1,881,548
Intergovernmental Transfers Not Itemized	\$1,881,548	\$1,881,548	\$1,881,548
Royalties and Rents	\$171,171	\$171,171	\$171,171
Royalties and Rents Not Itemized	\$171,171	\$171,171	\$171,171
Sales and Services	\$1,206,278	\$1,206,278	\$1,206,278
Sales and Services Not Itemized	\$1,206,278	\$1,206,278	\$1,206,278
TOTAL PUBLIC FUNDS	\$43,150,280	\$43,150,280	\$43,200,280

Youth Educational Services**Continuation Budget**

The purpose of this appropriation is to provide educational and vocational opportunities to at-risk youth through Youth Challenge Academies and Starbase programs.

TOTAL STATE FUNDS	\$5,606,954	\$5,606,954	\$5,606,954
State General Funds	\$5,606,954	\$5,606,954	\$5,606,954
TOTAL FEDERAL FUNDS	\$17,841,223	\$17,841,223	\$17,841,223
Federal Funds Not Itemized	\$17,841,223	\$17,841,223	\$17,841,223
TOTAL AGENCY FUNDS	\$3,878	\$3,878	\$3,878
Sales and Services	\$3,878	\$3,878	\$3,878
Sales and Services Not Itemized	\$3,878	\$3,878	\$3,878
TOTAL PUBLIC FUNDS	\$23,452,055	\$23,452,055	\$23,452,055

117.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$665	\$665	\$665
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117.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,569)	(\$1,569)	(\$1,569)
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117.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$482	\$482	\$482
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117.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$1,670)	(\$1,670)	(\$1,670)
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117.5 *Reduce funds for the Milledgeville Youth Challenge Academy.*

State General Funds	(\$100,000)	(\$100,000)	(\$100,000)
Federal Funds Not Itemized	(\$300,000)	(\$300,000)	(\$300,000)
Total Public Funds:	(\$400,000)	(\$400,000)	(\$400,000)

117.100-Youth Educational Services	Appropriation (HB 684)
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The purpose of this appropriation is to provide educational and vocational opportunities to at-risk youth through Youth Challenge Academies and Starbase programs.

TOTAL STATE FUNDS	\$5,504,862	\$5,504,862	\$5,504,862
State General Funds	\$5,504,862	\$5,504,862	\$5,504,862
TOTAL FEDERAL FUNDS	\$17,541,223	\$17,541,223	\$17,541,223
Federal Funds Not Itemized	\$17,541,223	\$17,541,223	\$17,541,223
TOTAL AGENCY FUNDS	\$3,878	\$3,878	\$3,878
Sales and Services	\$3,878	\$3,878	\$3,878
Sales and Services Not Itemized	\$3,878	\$3,878	\$3,878
TOTAL PUBLIC FUNDS	\$23,049,963	\$23,049,963	\$23,049,963

Section 21: Driver Services, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$69,104,175	\$69,104,175	\$69,104,175
State General Funds	\$69,104,175	\$69,104,175	\$69,104,175
TOTAL AGENCY FUNDS	\$2,844,121	\$2,844,121	\$2,844,121
Sales and Services	\$2,844,121	\$2,844,121	\$2,844,121
Sales and Services Not Itemized	\$2,844,121	\$2,844,121	\$2,844,121
TOTAL PUBLIC FUNDS	\$71,948,296	\$71,948,296	\$71,948,296

Section Total - Final

TOTAL STATE FUNDS	\$69,183,621	\$69,183,621	\$69,177,502
State General Funds	\$69,183,621	\$69,183,621	\$69,177,502
TOTAL AGENCY FUNDS	\$2,844,121	\$2,844,121	\$2,844,121

Sales and Services	\$2,844,121	\$2,844,121	\$2,844,121
Sales and Services Not Itemized	\$2,844,121	\$2,844,121	\$2,844,121
TOTAL PUBLIC FUNDS	\$72,027,742	\$72,027,742	\$72,021,623

Departmental Administration (DDS)**Continuation Budget**

The purpose of this appropriation is for administration of license issuance, motor vehicle registration, and commercial truck compliance.

TOTAL STATE FUNDS	\$9,804,165	\$9,804,165	\$9,804,165
State General Funds	\$9,804,165	\$9,804,165	\$9,804,165
TOTAL AGENCY FUNDS	\$500,857	\$500,857	\$500,857
Sales and Services	\$500,857	\$500,857	\$500,857
Sales and Services Not Itemized	\$500,857	\$500,857	\$500,857
TOTAL PUBLIC FUNDS	\$10,305,022	\$10,305,022	\$10,305,022

118.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$4,339	\$4,339	\$4,339
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118.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$15,527	\$15,527	\$15,527
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118.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$247)	(\$247)	(\$247)
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118.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$5,175)	(\$37,693)	(\$37,693)
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118.5 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,510	\$1,510	\$1,510
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118.6 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$6,119)
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118.100-Departmental Administration (DDS) Appropriation (HB 684)

The purpose of this appropriation is for administration of license issuance, motor vehicle registration, and commercial truck compliance.

TOTAL STATE FUNDS	\$9,820,119	\$9,787,601	\$9,781,482
State General Funds	\$9,820,119	\$9,787,601	\$9,781,482
TOTAL AGENCY FUNDS	\$500,857	\$500,857	\$500,857
Sales and Services	\$500,857	\$500,857	\$500,857
Sales and Services Not Itemized	\$500,857	\$500,857	\$500,857
TOTAL PUBLIC FUNDS	\$10,320,976	\$10,288,458	\$10,282,339

License Issuance

Continuation Budget

The purpose of this appropriation is to issue and renew drivers' licenses, maintain driver records, operate Customer Service Centers, provide online access to services, provide motorcycle safety instruction, produce driver manuals, and investigate driver's license fraud.

TOTAL STATE FUNDS	\$58,350,846	\$58,350,846	\$58,350,846
State General Funds	\$58,350,846	\$58,350,846	\$58,350,846
TOTAL AGENCY FUNDS	\$1,827,835	\$1,827,835	\$1,827,835
Sales and Services	\$1,827,835	\$1,827,835	\$1,827,835
Sales and Services Not Itemized	\$1,827,835	\$1,827,835	\$1,827,835
TOTAL PUBLIC FUNDS	\$60,178,681	\$60,178,681	\$60,178,681

119.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$95,536	\$95,536	\$95,536
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119.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,522)	(\$1,522)	(\$1,522)
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119.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$31,842)	\$0	\$0
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119.4 *Utilize existing funds for five full-time commercial driver examiner positions. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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119.5 *Utilize existing funds for a new lease for the Athens Customer Service Center. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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119.100-License Issuance**Appropriation (HB 684)**

The purpose of this appropriation is to issue and renew drivers' licenses, maintain driver records, operate Customer Service Centers, provide online access to services, provide motorcycle safety instruction, produce driver manuals, and investigate driver's license fraud.

TOTAL STATE FUNDS	\$58,413,018	\$58,444,860	\$58,444,860
State General Funds	\$58,413,018	\$58,444,860	\$58,444,860
TOTAL AGENCY FUNDS	\$1,827,835	\$1,827,835	\$1,827,835
Sales and Services	\$1,827,835	\$1,827,835	\$1,827,835
Sales and Services Not Itemized	\$1,827,835	\$1,827,835	\$1,827,835
TOTAL PUBLIC FUNDS	\$60,240,853	\$60,272,695	\$60,272,695

Regulatory Compliance**Continuation Budget**

The purpose of this appropriation is to regulate driver safety and education programs for both novice and problem drivers by approving driver education curricula and auditing third-party driver education providers for compliance with state laws and regulations; and to certify ignition interlock device providers.

TOTAL STATE FUNDS	\$949,164	\$949,164	\$949,164
State General Funds	\$949,164	\$949,164	\$949,164
TOTAL AGENCY FUNDS	\$515,429	\$515,429	\$515,429
Sales and Services	\$515,429	\$515,429	\$515,429
Sales and Services Not Itemized	\$515,429	\$515,429	\$515,429
TOTAL PUBLIC FUNDS	\$1,464,593	\$1,464,593	\$1,464,593

120.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,028	\$2,028	\$2,028
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120.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$32)	(\$32)	(\$32)
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120.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$676)	\$0	\$0
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120.100-Regulatory Compliance	Appropriation (HB 684)
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The purpose of this appropriation is to regulate driver safety and education programs for both novice and problem drivers by approving driver education curricula and auditing third-party driver education providers for compliance with state laws and regulations; and to certify ignition interlock device providers.

TOTAL STATE FUNDS	\$950,484	\$951,160	\$951,160
State General Funds	\$950,484	\$951,160	\$951,160
TOTAL AGENCY FUNDS	\$515,429	\$515,429	\$515,429
Sales and Services	\$515,429	\$515,429	\$515,429
Sales and Services Not Itemized	\$515,429	\$515,429	\$515,429
TOTAL PUBLIC FUNDS	\$1,465,913	\$1,466,589	\$1,466,589

Section 22: Early Care and Learning, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$426,360,460	\$426,360,460	\$426,360,460
State General Funds	\$61,514,847	\$61,514,847	\$61,514,847
Lottery Proceeds	\$364,845,613	\$364,845,613	\$364,845,613
TOTAL FEDERAL FUNDS	\$389,573,759	\$389,573,759	\$389,573,759
Federal Funds Not Itemized	\$166,259,624	\$166,259,624	\$166,259,624
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$125,696,047	\$125,696,047	\$125,696,047
TOTAL AGENCY FUNDS	\$160,000	\$160,000	\$160,000
Rebates, Refunds, and Reimbursements	\$155,000	\$155,000	\$155,000
Rebates, Refunds, and Reimbursements Not Itemized	\$155,000	\$155,000	\$155,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,000,000	\$2,000,000	\$2,000,000
State Funds Transfers	\$2,000,000	\$2,000,000	\$2,000,000
Agency to Agency Contracts	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL PUBLIC FUNDS	\$818,094,219	\$818,094,219	\$818,094,219

	Section Total - Final		
TOTAL STATE FUNDS	\$428,797,876	\$428,797,876	\$428,799,211
State General Funds	\$61,513,443	\$61,513,443	\$61,514,778
Lottery Proceeds	\$367,284,433	\$367,284,433	\$367,284,433
TOTAL FEDERAL FUNDS	\$389,573,759	\$389,573,759	\$389,573,759
Federal Funds Not Itemized	\$166,259,624	\$166,259,624	\$166,259,624
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$125,696,047	\$125,696,047	\$125,696,047
TOTAL AGENCY FUNDS	\$160,000	\$160,000	\$160,000
Rebates, Refunds, and Reimbursements	\$155,000	\$155,000	\$155,000
Rebates, Refunds, and Reimbursements Not Itemized	\$155,000	\$155,000	\$155,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,000,000	\$2,000,000	\$2,000,000
State Funds Transfers	\$2,000,000	\$2,000,000	\$2,000,000
Agency to Agency Contracts	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL PUBLIC FUNDS	\$820,531,635	\$820,531,635	\$820,532,970

Child Care Services**Continuation Budget**

The purpose of this appropriation is to regulate, license, and train child care providers; to support the infant and toddler and afterschool networks; and to provide inclusion services for children with disabilities.

TOTAL STATE FUNDS	\$61,514,847	\$61,514,847	\$61,514,847
State General Funds	\$61,514,847	\$61,514,847	\$61,514,847
TOTAL FEDERAL FUNDS	\$204,020,984	\$204,020,984	\$204,020,984
Federal Funds Not Itemized	\$4,388,964	\$4,388,964	\$4,388,964
CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
Child Care & Development Block Grant CFDA93.575	\$102,013,932	\$102,013,932	\$102,013,932
TOTAL AGENCY FUNDS	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements Not Itemized	\$25,000	\$25,000	\$25,000
TOTAL PUBLIC FUNDS	\$265,560,831	\$265,560,831	\$265,560,831

121.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$851	\$851	\$851
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121.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$23	\$23	\$23
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121.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$135)	(\$135)	(\$135)
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121.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,382)	(\$2,382)	(\$2,382)
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121.5 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$239	\$239	\$239
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121.6 *Utilize increased grant funds available in the Governor's Office of Student Achievement for birth-to-five literacy/numeracy in rural Georgia. (H:YES)(S:YES; Utilize increased grant funds available in the Governor's Office of Student Achievement for birth-to-five literacy/numeracy in the attendance zones of the state's lowest-performing schools)*

State General Funds		\$0	\$0
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121.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$1,335
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121.100-Child Care Services	Appropriation (HB 684)		
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The purpose of this appropriation is to regulate, license, and train child care providers; to support the infant and toddler and afterschool networks; and to provide inclusion services for children with disabilities.

TOTAL STATE FUNDS	\$61,513,443	\$61,513,443	\$61,514,778
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State General Funds	\$61,513,443	\$61,513,443	\$61,514,778
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TOTAL FEDERAL FUNDS	\$204,020,984	\$204,020,984	\$204,020,984
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Federal Funds Not Itemized	\$4,388,964	\$4,388,964	\$4,388,964
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CCDF Mandatory & Matching Funds CFDA93.596	\$97,618,088	\$97,618,088	\$97,618,088
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Child Care & Development Block Grant CFDA93.575	\$102,013,932	\$102,013,932	\$102,013,932
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TOTAL AGENCY FUNDS	\$25,000	\$25,000	\$25,000
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Rebates, Refunds, and Reimbursements	\$25,000	\$25,000	\$25,000
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Rebates, Refunds, and Reimbursements Not Itemized	\$25,000	\$25,000	\$25,000
TOTAL PUBLIC FUNDS	\$265,559,427	\$265,559,427	\$265,560,762

Nutrition Services**Continuation Budget**

The purpose of this appropriation is to ensure that USDA-compliant meals are served to eligible children and adults in day care settings and to eligible youth during the summer.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$148,000,000	\$148,000,000	\$148,000,000
Federal Funds Not Itemized	\$148,000,000	\$148,000,000	\$148,000,000
TOTAL PUBLIC FUNDS	\$148,000,000	\$148,000,000	\$148,000,000

122.98 *Change the name of the Nutrition program to the Nutrition Services program. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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122.100-Nutrition Services**Appropriation (HB 684)**

The purpose of this appropriation is to ensure that USDA-compliant meals are served to eligible children and adults in day care settings and to eligible youth during the summer.

TOTAL FEDERAL FUNDS	\$148,000,000	\$148,000,000	\$148,000,000
Federal Funds Not Itemized	\$148,000,000	\$148,000,000	\$148,000,000
TOTAL PUBLIC FUNDS	\$148,000,000	\$148,000,000	\$148,000,000

Pre-Kindergarten Program**Continuation Budget**

The purpose of this appropriation is to provide funding, training, technical assistance, and oversight of Pre-Kindergarten programs operated by public and private providers throughout the state and to improve the quality of early learning and increase school readiness for Georgia's four-year-olds.

TOTAL STATE FUNDS	\$364,845,613	\$364,845,613	\$364,845,613
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$364,845,613	\$364,845,613	\$364,845,613
TOTAL FEDERAL FUNDS	\$175,000	\$175,000	\$175,000

Federal Funds Not Itemized	\$175,000	\$175,000	\$175,000
TOTAL PUBLIC FUNDS	\$365,020,613	\$365,020,613	\$365,020,613

123.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

Lottery Proceeds	\$2,438,820	\$2,438,820	\$2,438,820
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123.2 *Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs. (G:YES)(H:YES)(S:YES)*

Lottery Proceeds	\$0	\$0	\$0
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123.3 *Reflect an adjustment in merit system assessments. (G:YES)(H:YES)(S:YES)*

Lottery Proceeds	\$0	\$0	\$0
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123.4 *Reflect an adjustment in TeamWorks billings. (G:YES)(H:YES)(S:YES)*

Lottery Proceeds	\$0	\$0	\$0
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123.5 *Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services. (G:YES)(H:YES)(S:YES)*

Lottery Proceeds	\$0	\$0	\$0
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123.100-Pre-Kindergarten Program	Appropriation (HB 684)		
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The purpose of this appropriation is to provide funding, training, technical assistance, and oversight of Pre-Kindergarten programs operated by public and private providers throughout the state and to improve the quality of early learning and increase school readiness for Georgia's four-year-olds.

TOTAL STATE FUNDS	\$367,284,433	\$367,284,433	\$367,284,433
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Lottery Proceeds	\$367,284,433	\$367,284,433	\$367,284,433
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TOTAL FEDERAL FUNDS	\$175,000	\$175,000	\$175,000
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Federal Funds Not Itemized	\$175,000	\$175,000	\$175,000
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TOTAL PUBLIC FUNDS	\$367,459,433	\$367,459,433	\$367,459,433
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Quality Initiatives

Continuation Budget

The purpose of this appropriation is to implement innovative strategies and programs that focus on improving the quality of and access to early education, child care, and nutrition for Georgia's children and families.

TOTAL STATE FUNDS	\$0	\$0	\$0
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State General Funds	\$0	\$0	\$0
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TOTAL FEDERAL FUNDS	\$37,377,775	\$37,377,775	\$37,377,775
Federal Funds Not Itemized	\$13,695,660	\$13,695,660	\$13,695,660
Child Care & Development Block Grant CFDA93.575	\$23,682,115	\$23,682,115	\$23,682,115
TOTAL AGENCY FUNDS	\$135,000	\$135,000	\$135,000
Rebates, Refunds, and Reimbursements	\$130,000	\$130,000	\$130,000
Rebates, Refunds, and Reimbursements Not Itemized	\$130,000	\$130,000	\$130,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,000,000	\$2,000,000	\$2,000,000
State Funds Transfers	\$2,000,000	\$2,000,000	\$2,000,000
Agency to Agency Contracts	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL PUBLIC FUNDS	\$39,512,775	\$39,512,775	\$39,512,775

124.100-Quality Initiatives**Appropriation (HB 684)**

The purpose of this appropriation is to implement innovative strategies and programs that focus on improving the quality of and access to early education, child care, and nutrition for Georgia's children and families.

TOTAL FEDERAL FUNDS	\$37,377,775	\$37,377,775	\$37,377,775
Federal Funds Not Itemized	\$13,695,660	\$13,695,660	\$13,695,660
Child Care & Development Block Grant CFDA93.575	\$23,682,115	\$23,682,115	\$23,682,115
TOTAL AGENCY FUNDS	\$135,000	\$135,000	\$135,000
Rebates, Refunds, and Reimbursements	\$130,000	\$130,000	\$130,000
Rebates, Refunds, and Reimbursements Not Itemized	\$130,000	\$130,000	\$130,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,000,000	\$2,000,000	\$2,000,000
State Funds Transfers	\$2,000,000	\$2,000,000	\$2,000,000
Agency to Agency Contracts	\$2,000,000	\$2,000,000	\$2,000,000
TOTAL PUBLIC FUNDS	\$39,512,775	\$39,512,775	\$39,512,775

Section 23: Economic Development, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$33,293,859	\$33,293,859	\$33,293,859
State General Funds	\$33,293,859	\$33,293,859	\$33,293,859

TOTAL FEDERAL FUNDS	\$74,021,318	\$74,021,318	\$74,021,318
Federal Funds Not Itemized	\$74,021,318	\$74,021,318	\$74,021,318
TOTAL PUBLIC FUNDS	\$107,315,177	\$107,315,177	\$107,315,177

Section Total - Final

TOTAL STATE FUNDS	\$33,227,615	\$34,016,443	\$34,595,193
State General Funds	\$33,227,615	\$34,016,443	\$34,595,193
TOTAL FEDERAL FUNDS	\$659,400	\$659,400	\$659,400
Federal Funds Not Itemized	\$659,400	\$659,400	\$659,400
TOTAL PUBLIC FUNDS	\$33,887,015	\$34,675,843	\$35,254,593

Departmental Administration (DEcD)

Continuation Budget

The purpose of this appropriation is to influence, affect, and enhance economic development in Georgia and provide information to people and companies to promote the state.

TOTAL STATE FUNDS	\$4,683,930	\$4,683,930	\$4,683,930
State General Funds	\$4,683,930	\$4,683,930	\$4,683,930
TOTAL PUBLIC FUNDS	\$4,683,930	\$4,683,930	\$4,683,930

125.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,274)	(\$1,274)	(\$1,274)
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125.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$932)	(\$932)	(\$932)
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125.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$20,535)	(\$20,535)	(\$20,535)
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125.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$7,375	\$7,375	\$7,375
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125.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$3,750
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125.100-Departmental Administration (DEcD)**Appropriation (HB 684)**

The purpose of this appropriation is to influence, affect, and enhance economic development in Georgia and provide information to people and companies to promote the state.

TOTAL STATE FUNDS	\$4,668,564	\$4,668,564	\$4,672,314
State General Funds	\$4,668,564	\$4,668,564	\$4,672,314
TOTAL PUBLIC FUNDS	\$4,668,564	\$4,668,564	\$4,672,314

Film, Video, and Music**Continuation Budget**

The purpose of this appropriation is to increase industry awareness of Georgia business opportunities, financial incentives, infrastructure resources, and natural resources in order to attract film, video, music, and electronic gaming industry projects and businesses to the state.

TOTAL STATE FUNDS	\$1,131,962	\$1,131,962	\$1,131,962
State General Funds	\$1,131,962	\$1,131,962	\$1,131,962
TOTAL PUBLIC FUNDS	\$1,131,962	\$1,131,962	\$1,131,962

126.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$261)	(\$261)	(\$261)
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126.100-Film, Video, and Music**Appropriation (HB 684)**

The purpose of this appropriation is to increase industry awareness of Georgia business opportunities, financial incentives, infrastructure resources, and natural resources in order to attract film, video, music, and electronic gaming industry projects and businesses to the state.

TOTAL STATE FUNDS	\$1,131,701	\$1,131,701	\$1,131,701
State General Funds	\$1,131,701	\$1,131,701	\$1,131,701
TOTAL PUBLIC FUNDS	\$1,131,701	\$1,131,701	\$1,131,701

Arts, Georgia Council for the**Continuation Budget**

The purpose of this appropriation is to provide for Council operations and maintain the Georgia State Art Collection and Capitol Galleries.

TOTAL STATE FUNDS	\$535,145	\$535,145	\$535,145
State General Funds	\$535,145	\$535,145	\$535,145
TOTAL PUBLIC FUNDS	\$535,145	\$535,145	\$535,145

127.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$191)	(\$191)	(\$191)
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127.100-Arts, Georgia Council for the	Appropriation (HB 684)
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The purpose of this appropriation is to provide for Council operations and maintain the Georgia State Art Collection and Capitol Galleries.

TOTAL STATE FUNDS	\$534,954	\$534,954	\$534,954
State General Funds	\$534,954	\$534,954	\$534,954
TOTAL PUBLIC FUNDS	\$534,954	\$534,954	\$534,954

Georgia Council for the Arts - Special Project

Continuation Budget

The purpose of this appropriation is to increase arts participation and support throughout the state with grants for non-profit arts and cultural organizations through Partner Grants, Project Grants, Education Grants and the 'Grassroots' arts program.

TOTAL STATE FUNDS	\$576,356	\$576,356	\$576,356
State General Funds	\$576,356	\$576,356	\$576,356
TOTAL FEDERAL FUNDS	\$659,400	\$659,400	\$659,400
Federal Funds Not Itemized	\$659,400	\$659,400	\$659,400
TOTAL PUBLIC FUNDS	\$1,235,756	\$1,235,756	\$1,235,756

128.1 *Increase funds for grants.*

State General Funds	\$100,000
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128.100-Georgia Council for the Arts - Special Project	Appropriation (HB 684)
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The purpose of this appropriation is to increase arts participation and support throughout the state with grants for non-profit arts and cultural organizations through Partner Grants, Project Grants, Education Grants and the 'Grassroots' arts program.

TOTAL STATE FUNDS	\$576,356	\$576,356	\$676,356
State General Funds	\$576,356	\$576,356	\$676,356
TOTAL FEDERAL FUNDS	\$659,400	\$659,400	\$659,400
Federal Funds Not Itemized	\$659,400	\$659,400	\$659,400
TOTAL PUBLIC FUNDS	\$1,235,756	\$1,235,756	\$1,335,756

International Relations and Trade**Continuation Budget**

The purpose of this appropriation is to develop international markets for Georgia products and to attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing technical and educational assistance to businesses.

TOTAL STATE FUNDS	\$2,842,845	\$2,842,845	\$2,842,845
State General Funds	\$2,842,845	\$2,842,845	\$2,842,845
TOTAL PUBLIC FUNDS	\$2,842,845	\$2,842,845	\$2,842,845

129.100-International Relations and Trade**Appropriation (HB 684)**

The purpose of this appropriation is to develop international markets for Georgia products and to attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing technical and educational assistance to businesses.

TOTAL STATE FUNDS	\$2,842,845	\$2,842,845	\$2,842,845
State General Funds	\$2,842,845	\$2,842,845	\$2,842,845
TOTAL PUBLIC FUNDS	\$2,842,845	\$2,842,845	\$2,842,845

Global Commerce**Continuation Budget**

The purpose of this appropriation is to promote Georgia as a state that is appealing to businesses along with being competitive in the international trade market; recruit, retain, and expand businesses in Georgia through a network of statewide and regional project managers, foreign and domestic marketing, and participation in Georgia Allies; help develop international markets for Georgia products and attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing international technical and educational assistance to businesses.

TOTAL STATE FUNDS	\$10,671,979	\$10,671,979	\$10,671,979
State General Funds	\$10,671,979	\$10,671,979	\$10,671,979
TOTAL PUBLIC FUNDS	\$10,671,979	\$10,671,979	\$10,671,979

130.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$4,298	\$4,298	\$4,298
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130.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,657)	(\$2,657)	(\$2,657)
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130.100-Global Commerce **Appropriation (HB 684)**

The purpose of this appropriation is to promote Georgia as a state that is appealing to businesses along with being competitive in the international trade market; recruit, retain, and expand businesses in Georgia through a network of statewide and regional project managers, foreign and domestic marketing, and participation in Georgia Allies; help develop international markets for Georgia products and attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing international technical and educational assistance to businesses.

TOTAL STATE FUNDS	\$10,673,620	\$10,673,620	\$10,673,620
State General Funds	\$10,673,620	\$10,673,620	\$10,673,620
TOTAL PUBLIC FUNDS	\$10,673,620	\$10,673,620	\$10,673,620

Governor's Office of Workforce Development **Continuation Budget**

The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$73,361,918	\$73,361,918	\$73,361,918
Federal Funds Not Itemized	\$73,361,918	\$73,361,918	\$73,361,918
TOTAL PUBLIC FUNDS	\$73,361,918	\$73,361,918	\$73,361,918

131.1 *Transfer funds from the Department of Economic Development to the Technical College System of Georgia to leverage workforce development initiatives and educational resources to meet industry workforce training demands.*

Federal Funds Not Itemized	(\$73,361,918)	(\$73,361,918)	(\$73,361,918)
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Small and Minority Business Development **Continuation Budget**

The purpose of this appropriation is to assist entrepreneurs and small and minority businesses by providing technical assistance on planning, advocacy, business needs, and identifying potential markets and suppliers, and to provide assistance to local communities in growing small businesses.

TOTAL STATE FUNDS	\$990,990	\$990,990	\$990,990
State General Funds	\$990,990	\$990,990	\$990,990
TOTAL PUBLIC FUNDS	\$990,990	\$990,990	\$990,990

132.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$302)	(\$302)	(\$302)
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132.100-Small and Minority Business Development	Appropriation (HB 684)
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The purpose of this appropriation is to assist entrepreneurs and small and minority businesses by providing technical assistance on planning, advocacy, business needs, and identifying potential markets and suppliers, and to provide assistance to local communities in growing small businesses.

TOTAL STATE FUNDS	\$990,688	\$990,688	\$990,688
State General Funds	\$990,688	\$990,688	\$990,688
TOTAL PUBLIC FUNDS	\$990,688	\$990,688	\$990,688

Tourism

Continuation Budget

The purpose of this appropriation is to provide information to visitors about tourism opportunities throughout the state, operate and maintain state welcome centers, fund the Georgia Historical Society and Georgia Humanities Council, and work with communities to develop and market tourism products in order to attract more tourism to the state.

TOTAL STATE FUNDS	\$11,860,652	\$11,860,652	\$11,860,652
State General Funds	\$11,860,652	\$11,860,652	\$11,860,652
TOTAL PUBLIC FUNDS	\$11,860,652	\$11,860,652	\$11,860,652

133.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,765)	(\$1,765)	(\$1,765)
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133.2 *Increase funds and utilize existing funds (\$100,000) for the Martin Luther King Jr. Center for Nonviolent Social Change.*

State General Funds	\$50,000	\$50,000	\$150,000
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133.3 *Eliminate funds for one-time funding for the Georgia Historical Society. (H:Reduce funds)(S:Increase funds for the Governor's Marker Program)*

State General Funds	(\$100,000)	(\$50,000)	\$100,000
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133.4 *Increase funds for one-time funding for Georgia Civil War Heritage Trails for marketing materials.*

State General Funds			\$25,000
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133.5 *Increase funds for marketing for the music industry in Georgia.*

State General Funds \$200,000

133.100-Tourism	Appropriation (HB 684)
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The purpose of this appropriation is to provide information to visitors about tourism opportunities throughout the state, operate and maintain state welcome centers, fund the Georgia Historical Society and Georgia Humanities Council, and work with communities to develop and market tourism products in order to attract more tourism to the state.

TOTAL STATE FUNDS	\$11,808,887	\$11,858,887	\$12,333,887
State General Funds	\$11,808,887	\$11,858,887	\$12,333,887
TOTAL PUBLIC FUNDS	\$11,808,887	\$11,858,887	\$12,333,887

Rural Development

Continuation Budget

TOTAL STATE FUNDS	\$0	\$0
State General Funds	\$0	\$0

134.1 *Increase funds for one deputy commissioner position.*

State General Funds \$255,871 \$255,871

134.2 *Increase funds for one project manager position.*

State General Funds \$92,957 \$92,957

134.3 *Increase funds for program operations.*

State General Funds \$390,000 \$390,000

134.99 SAC: *The purpose of this appropriation is to promote rural economic development opportunities and to recruit, retain and expand businesses in rural communities.*

House: *The purpose of this appropriation is to promote rural economic development opportunities and to recruit, retain and expand businesses in rural communities.*

State General Funds \$0 \$0

134.100-Rural Development	Appropriation (HB 684)
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The purpose of this appropriation is to promote rural economic development opportunities and to recruit, retain and expand businesses in rural communities.

TOTAL STATE FUNDS	\$738,828	\$738,828
State General Funds	\$738,828	\$738,828
TOTAL PUBLIC FUNDS	\$738,828	\$738,828

Section 24: Education, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$9,427,358,368	\$9,427,358,368	\$9,427,358,368
State General Funds	\$9,427,358,368	\$9,427,358,368	\$9,427,358,368
TOTAL FEDERAL FUNDS	\$1,919,608,728	\$1,919,608,728	\$1,919,608,728
Federal Funds Not Itemized	\$1,919,589,098	\$1,919,589,098	\$1,919,589,098
Maternal & Child Health Services Block Grant CFDA93.994	\$19,630	\$19,630	\$19,630
TOTAL AGENCY FUNDS	\$44,329,264	\$44,329,264	\$44,329,264
Contributions, Donations, and Forfeitures	\$323,291	\$323,291	\$323,291
Contributions, Donations, and Forfeitures Not Itemized	\$323,291	\$323,291	\$323,291
Intergovernmental Transfers	\$31,128,887	\$31,128,887	\$31,128,887
Intergovernmental Transfers Not Itemized	\$31,128,887	\$31,128,887	\$31,128,887
Rebates, Refunds, and Reimbursements	\$433,536	\$433,536	\$433,536
Rebates, Refunds, and Reimbursements Not Itemized	\$433,536	\$433,536	\$433,536
Sales and Services	\$12,443,550	\$12,443,550	\$12,443,550
Sales and Services Not Itemized	\$12,443,550	\$12,443,550	\$12,443,550
TOTAL PUBLIC FUNDS	\$11,391,296,360	\$11,391,296,360	\$11,391,296,360

Section Total - Final

TOTAL STATE FUNDS	\$9,780,076,182	\$9,779,601,701	\$9,772,435,694
State General Funds	\$9,780,076,182	\$9,779,601,701	\$9,772,435,694
TOTAL FEDERAL FUNDS	\$1,919,608,728	\$1,919,608,728	\$1,919,608,728
Federal Funds Not Itemized	\$1,919,589,098	\$1,919,589,098	\$1,919,589,098
Maternal & Child Health Services Block Grant CFDA93.994	\$19,630	\$19,630	\$19,630
TOTAL AGENCY FUNDS	\$44,329,264	\$44,329,264	\$44,479,264
Contributions, Donations, and Forfeitures	\$323,291	\$323,291	\$323,291
Contributions, Donations, and Forfeitures Not Itemized	\$323,291	\$323,291	\$323,291
Intergovernmental Transfers	\$31,128,887	\$31,128,887	\$31,128,887
Intergovernmental Transfers Not Itemized	\$31,128,887	\$31,128,887	\$31,128,887

Rebates, Refunds, and Reimbursements	\$433,536	\$433,536	\$433,536
Rebates, Refunds, and Reimbursements Not Itemized	\$433,536	\$433,536	\$433,536
Sales and Services	\$12,443,550	\$12,443,550	\$12,593,550
Sales and Services Not Itemized	\$12,443,550	\$12,443,550	\$12,593,550
TOTAL PUBLIC FUNDS	\$11,744,014,174	\$11,743,539,693	\$11,736,523,686

Agricultural Education**Continuation Budget**

The purpose of this appropriation is to assist local school systems with developing and funding agricultural education programs, and to provide afterschool and summer educational and leadership opportunities for students.

TOTAL STATE FUNDS	\$9,894,334	\$9,894,334	\$9,894,334
State General Funds	\$9,894,334	\$9,894,334	\$9,894,334
TOTAL FEDERAL FUNDS	\$360,289	\$360,289	\$360,289
Federal Funds Not Itemized	\$360,289	\$360,289	\$360,289
TOTAL AGENCY FUNDS	\$1,566,000	\$1,566,000	\$1,566,000
Intergovernmental Transfers	\$1,566,000	\$1,566,000	\$1,566,000
Intergovernmental Transfers Not Itemized	\$1,566,000	\$1,566,000	\$1,566,000
TOTAL PUBLIC FUNDS	\$11,820,623	\$11,820,623	\$11,820,623

135.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$8,664	\$8,664	\$8,664
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135.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$220)	(\$220)	(\$220)
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135.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$17)	(\$17)	(\$17)
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135.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$960)	(\$960)	(\$960)
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135.5 *Increase funds for the Young Farmer programs in Polk County and Pataula Charter Academy. (S:Increase funds for the Young Farmer programs in Polk County, Wilcox County, and Pataula Charter Academy which is intended to serve the five counties in the Pataula attendance zone: Baker, Calhoun, Clay, Early, and Randolph counties)*

State General Funds	\$150,000	\$225,000
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135.6 *Increase funds to provide partial funds for a Young Farmer Executive Director position.*

State General Funds	\$50,000	\$50,000
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135.7 *Increase funds for one-time funding for an outdoor learning lab in Walker County and an agricultural education center in Catoosa County.*

State General Funds		\$175,000
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135.100-Agricultural Education	Appropriation (HB 684)
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The purpose of this appropriation is to assist local school systems with developing and funding agricultural education programs, and to provide afterschool and summer educational and leadership opportunities for students.

TOTAL STATE FUNDS	\$9,901,801	\$10,101,801	\$10,351,801
State General Funds	\$9,901,801	\$10,101,801	\$10,351,801
TOTAL FEDERAL FUNDS	\$360,289	\$360,289	\$360,289
Federal Funds Not Itemized	\$360,289	\$360,289	\$360,289
TOTAL AGENCY FUNDS	\$1,566,000	\$1,566,000	\$1,566,000
Intergovernmental Transfers	\$1,566,000	\$1,566,000	\$1,566,000
Intergovernmental Transfers Not Itemized	\$1,566,000	\$1,566,000	\$1,566,000
TOTAL PUBLIC FUNDS	\$11,828,090	\$12,028,090	\$12,278,090

Audio-Video Technology and Film Grants

Continuation Budget

The purpose of this appropriation is to provide funds for grants for film and audio-video equipment to local school systems.

TOTAL STATE FUNDS	\$2,500,000	\$2,500,000	\$2,500,000
State General Funds	\$2,500,000	\$2,500,000	\$2,500,000
TOTAL PUBLIC FUNDS	\$2,500,000	\$2,500,000	\$2,500,000

136.100-Audio-Video Technology and Film Grants	Appropriation (HB 684)
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The purpose of this appropriation is to provide funds for grants for film and audio-video equipment to local school systems.

TOTAL STATE FUNDS	\$2,500,000	\$2,500,000	\$2,500,000
State General Funds	\$2,500,000	\$2,500,000	\$2,500,000
TOTAL PUBLIC FUNDS	\$2,500,000	\$2,500,000	\$2,500,000

Business and Finance Administration**Continuation Budget**

The purpose of this appropriation is to provide administrative support for business, finance, facilities, and pupil transportation.

TOTAL STATE FUNDS	\$7,832,150	\$7,832,150	\$7,832,150
State General Funds	\$7,832,150	\$7,832,150	\$7,832,150
TOTAL FEDERAL FUNDS	\$779,512	\$779,512	\$779,512
Federal Funds Not Itemized	\$779,512	\$779,512	\$779,512
TOTAL AGENCY FUNDS	\$20,000,000	\$20,000,000	\$20,000,000
Intergovernmental Transfers	\$19,287,104	\$19,287,104	\$19,287,104
Intergovernmental Transfers Not Itemized	\$19,287,104	\$19,287,104	\$19,287,104
Rebates, Refunds, and Reimbursements	\$143,810	\$143,810	\$143,810
Rebates, Refunds, and Reimbursements Not Itemized	\$143,810	\$143,810	\$143,810
Sales and Services	\$569,086	\$569,086	\$569,086
Sales and Services Not Itemized	\$569,086	\$569,086	\$569,086
TOTAL PUBLIC FUNDS	\$28,611,662	\$28,611,662	\$28,611,662

137.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$14,321	\$14,321	\$14,321
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137.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$4,224)	(\$4,224)	(\$4,224)
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137.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$317)	(\$317)	(\$317)
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137.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$18,427)	(\$18,427)	(\$18,427)
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137.100-Business and Finance Administration**Appropriation (HB 684)**

The purpose of this appropriation is to provide administrative support for business, finance, facilities, and pupil transportation.

TOTAL STATE FUNDS	\$7,823,503	\$7,823,503	\$7,823,503
State General Funds	\$7,823,503	\$7,823,503	\$7,823,503
TOTAL FEDERAL FUNDS	\$779,512	\$779,512	\$779,512

Federal Funds Not Itemized	\$779,512	\$779,512	\$779,512
TOTAL AGENCY FUNDS	\$20,000,000	\$20,000,000	\$20,000,000
Intergovernmental Transfers	\$19,287,104	\$19,287,104	\$19,287,104
Intergovernmental Transfers Not Itemized	\$19,287,104	\$19,287,104	\$19,287,104
Rebates, Refunds, and Reimbursements	\$143,810	\$143,810	\$143,810
Rebates, Refunds, and Reimbursements Not Itemized	\$143,810	\$143,810	\$143,810
Sales and Services	\$569,086	\$569,086	\$569,086
Sales and Services Not Itemized	\$569,086	\$569,086	\$569,086
TOTAL PUBLIC FUNDS	\$28,603,015	\$28,603,015	\$28,603,015

Central Office**Continuation Budget**

The purpose of this appropriation is to provide administrative support to the State Board of Education, Departmental programs, and local school systems.

TOTAL STATE FUNDS	\$5,482,592	\$5,482,592	\$5,482,592
State General Funds	\$5,482,592	\$5,482,592	\$5,482,592
TOTAL FEDERAL FUNDS	\$17,074,592	\$17,074,592	\$17,074,592
Federal Funds Not Itemized	\$17,074,592	\$17,074,592	\$17,074,592
TOTAL AGENCY FUNDS	\$382,929	\$382,929	\$382,929
Sales and Services	\$382,929	\$382,929	\$382,929
Sales and Services Not Itemized	\$382,929	\$382,929	\$382,929
TOTAL PUBLIC FUNDS	\$22,940,113	\$22,940,113	\$22,940,113

138.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$29,347	\$29,347	\$29,347
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138.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,836)	(\$1,836)	(\$1,836)
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138.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$138)	(\$138)	(\$138)
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138.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds (\$8,003) (\$8,003) (\$8,003)

138.5 *Transfer funds from the Central Office program to the Chief Turnaround Officer program for the chief turnaround officer.*

State General Funds (\$1,000,000) (\$1,000,000)

138.6 *Increase funds for the American Association of Adapted Sports Program.*

State General Funds \$15,000

138.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds \$7,564

138.100-Central Office	Appropriation (HB 684)		
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The purpose of this appropriation is to provide administrative support to the State Board of Education, Departmental programs, and local school systems.

TOTAL STATE FUNDS	\$5,501,962	\$4,501,962	\$4,524,526
State General Funds	\$5,501,962	\$4,501,962	\$4,524,526
TOTAL FEDERAL FUNDS	\$17,074,592	\$17,074,592	\$17,074,592
Federal Funds Not Itemized	\$17,074,592	\$17,074,592	\$17,074,592
TOTAL AGENCY FUNDS	\$382,929	\$382,929	\$382,929
Sales and Services	\$382,929	\$382,929	\$382,929
Sales and Services Not Itemized	\$382,929	\$382,929	\$382,929
TOTAL PUBLIC FUNDS	\$22,959,483	\$21,959,483	\$21,982,047

Charter Schools	Continuation Budget
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The purpose of this appropriation is to authorize charter schools and charter systems and to provide funds for competitive grants for planning, implementation, facilities, and operations of those entities.

TOTAL STATE FUNDS	\$2,172,010	\$2,172,010	\$2,172,010
State General Funds	\$2,172,010	\$2,172,010	\$2,172,010
TOTAL FEDERAL FUNDS	\$426,125	\$426,125	\$426,125
Federal Funds Not Itemized	\$426,125	\$426,125	\$426,125
TOTAL PUBLIC FUNDS	\$2,598,135	\$2,598,135	\$2,598,135

139.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds (\$322) (\$322) (\$322)

139.2 Reduce funds to reflect an adjustment in merit system assessments.

State General Funds (\$24) (\$24) (\$24)

139.3 Reduce funds to reflect an adjustment in TeamWorks billings.

State General Funds (\$1,403) (\$1,403) (\$1,403)

139.4 Utilize \$1,500,535 in existing funds for charter facility grants pursuant to HB430 (2017 Session). (H: YES)(S: YES; Utilize \$1,500,535 in existing funds for competitive charter facility grants pursuant to HB430 (2017 Session))

State General Funds \$0 \$0

139.100-Charter Schools **Appropriation (HB 684)**

The purpose of this appropriation is to authorize charter schools and charter systems and to provide funds for competitive grants for planning, implementation, facilities, and operations of those entities.

TOTAL STATE FUNDS	\$2,170,261	\$2,170,261	\$2,170,261
State General Funds	\$2,170,261	\$2,170,261	\$2,170,261
TOTAL FEDERAL FUNDS	\$426,125	\$426,125	\$426,125
Federal Funds Not Itemized	\$426,125	\$426,125	\$426,125
TOTAL PUBLIC FUNDS	\$2,596,386	\$2,596,386	\$2,596,386

Communities in Schools

Continuation Budget

The purpose of this appropriation is to support Performance Learning Centers and maintain a network of local affiliate organizations across the state, and to partner with other state and national organizations to support student success in school and beyond.

TOTAL STATE FUNDS	\$1,228,100	\$1,228,100	\$1,228,100
State General Funds	\$1,228,100	\$1,228,100	\$1,228,100
TOTAL PUBLIC FUNDS	\$1,228,100	\$1,228,100	\$1,228,100

140.100-Communities in Schools **Appropriation (HB 684)**

The purpose of this appropriation is to support Performance Learning Centers and maintain a network of local affiliate organizations across the state, and to partner with other state and national organizations to support student success in school and beyond.

TOTAL STATE FUNDS	\$1,228,100	\$1,228,100	\$1,228,100
State General Funds	\$1,228,100	\$1,228,100	\$1,228,100
TOTAL PUBLIC FUNDS	\$1,228,100	\$1,228,100	\$1,228,100

Curriculum Development

Continuation Budget

The purpose of this appropriation is to develop a statewide, standards-based curriculum to guide instruction and assessment, and to provide training and instructional resources to teachers for implementing this curriculum.

TOTAL STATE FUNDS	\$3,815,117	\$3,815,117	\$3,815,117
State General Funds	\$3,815,117	\$3,815,117	\$3,815,117
TOTAL FEDERAL FUNDS	\$2,955,489	\$2,955,489	\$2,955,489
Federal Funds Not Itemized	\$2,955,489	\$2,955,489	\$2,955,489
TOTAL AGENCY FUNDS	\$38,036	\$38,036	\$38,036
Contributions, Donations, and Forfeitures	\$38,036	\$38,036	\$38,036
Contributions, Donations, and Forfeitures Not Itemized	\$38,036	\$38,036	\$38,036
TOTAL PUBLIC FUNDS	\$6,808,642	\$6,808,642	\$6,808,642

141.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$41,333	\$41,333	\$41,333
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141.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,710)	(\$1,710)	(\$1,710)
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141.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$129)	(\$129)	(\$129)
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141.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$7,459)	(\$7,459)	(\$7,459)
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141.100-Curriculum Development

Appropriation (HB 684)

The purpose of this appropriation is to develop a statewide, standards-based curriculum to guide instruction and assessment, and to provide training and instructional resources to teachers for implementing this curriculum.

TOTAL STATE FUNDS	\$3,847,152	\$3,847,152	\$3,847,152
State General Funds	\$3,847,152	\$3,847,152	\$3,847,152
TOTAL FEDERAL FUNDS	\$2,955,489	\$2,955,489	\$2,955,489
Federal Funds Not Itemized	\$2,955,489	\$2,955,489	\$2,955,489
TOTAL AGENCY FUNDS	\$38,036	\$38,036	\$38,036

Contributions, Donations, and Forfeitures	\$38,036	\$38,036	\$38,036
Contributions, Donations, and Forfeitures Not Itemized	\$38,036	\$38,036	\$38,036
TOTAL PUBLIC FUNDS	\$6,840,677	\$6,840,677	\$6,840,677

Federal Programs**Continuation Budget**

The purpose of this appropriation is to coordinate federally funded programs and allocate federal funds to school systems.

TOTAL STATE FUNDS	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$993,010,318	\$993,010,318	\$993,010,318
Federal Funds Not Itemized	\$993,010,318	\$993,010,318	\$993,010,318
TOTAL PUBLIC FUNDS	\$993,010,318	\$993,010,318	\$993,010,318

142.100-Federal Programs**Appropriation (HB 684)**

The purpose of this appropriation is to coordinate federally funded programs and allocate federal funds to school systems.

TOTAL FEDERAL FUNDS	\$993,010,318	\$993,010,318	\$993,010,318
Federal Funds Not Itemized	\$993,010,318	\$993,010,318	\$993,010,318
TOTAL PUBLIC FUNDS	\$993,010,318	\$993,010,318	\$993,010,318

Georgia Network for Educational and Therapeutic Support (GNETS)**Continuation Budget**

The purpose of this appropriation is to fund the Georgia Network for Educational and Therapeutic Support (GNETS), which provides services, education, and resources for students ages three to twenty-one with autism or severe emotional behavioral problems and their families.

TOTAL STATE FUNDS	\$66,142,788	\$66,142,788	\$66,142,788
State General Funds	\$66,142,788	\$66,142,788	\$66,142,788
TOTAL FEDERAL FUNDS	\$8,260,042	\$8,260,042	\$8,260,042
Federal Funds Not Itemized	\$8,260,042	\$8,260,042	\$8,260,042
TOTAL PUBLIC FUNDS	\$74,402,830	\$74,402,830	\$74,402,830

143.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,872,359	\$1,872,359	\$1,872,359
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143.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$106)	(\$106)	(\$106)
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143.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$8)	(\$8)	(\$8)
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143.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$463)	(\$463)	(\$463)
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143.5 *Reduce funds for declining enrollment and training and experience.*

State General Funds	(\$3,992,201)	(\$4,193,232)	(\$4,193,232)
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143.100-Georgia Network for Educational and Therapeutic Support (GNETS)	Appropriation (HB 684)
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The purpose of this appropriation is to fund the Georgia Network for Educational and Therapeutic Support (GNETS), which provides services, education, and resources for students ages three to twenty-one with autism or severe emotional behavioral problems and their families.

TOTAL STATE FUNDS	\$64,022,369	\$63,821,338	\$63,821,338
State General Funds	\$64,022,369	\$63,821,338	\$63,821,338
TOTAL FEDERAL FUNDS	\$8,260,042	\$8,260,042	\$8,260,042
Federal Funds Not Itemized	\$8,260,042	\$8,260,042	\$8,260,042
TOTAL PUBLIC FUNDS	\$72,282,411	\$72,081,380	\$72,081,380

Georgia Virtual School

Continuation Budget

The purpose of this appropriation is to expand the accessibility and breadth of course offerings so that Georgia students can recover credits, access supplementary resources, enhance their studies, or earn additional credits in a manner not involving on-site interaction with a teacher.

TOTAL STATE FUNDS	\$3,072,052	\$3,072,052	\$3,072,052
State General Funds	\$3,072,052	\$3,072,052	\$3,072,052
TOTAL AGENCY FUNDS	\$7,109,476	\$7,109,476	\$7,109,476
Sales and Services	\$7,109,476	\$7,109,476	\$7,109,476
Sales and Services Not Itemized	\$7,109,476	\$7,109,476	\$7,109,476
TOTAL PUBLIC FUNDS	\$10,181,528	\$10,181,528	\$10,181,528

144.1	<i>Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.</i>		
State General Funds	\$76,004	\$76,004	\$76,004
144.2	<i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>		
State General Funds	(\$1,925)	(\$1,925)	(\$1,925)
144.3	<i>Reduce funds to reflect an adjustment in merit system assessments.</i>		
State General Funds	(\$145)	(\$145)	(\$145)
144.4	<i>Reduce funds to reflect an adjustment in TeamWorks billings.</i>		
State General Funds	(\$8,397)	(\$8,397)	(\$8,397)
144.5	<i>Replace funds.</i>		
State General Funds			(\$150,000)
Sales and Services Not Itemized			\$150,000
Total Public Funds:			\$0

144.100-Georgia Virtual School	Appropriation (HB 684)
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The purpose of this appropriation is to expand the accessibility and breadth of course offerings so that Georgia students can recover credits, access supplementary resources, enhance their studies, or earn additional credits in a manner not involving on-site interaction with a teacher.

TOTAL STATE FUNDS	\$3,137,589	\$3,137,589	\$2,987,589
State General Funds	\$3,137,589	\$3,137,589	\$2,987,589
TOTAL AGENCY FUNDS	\$7,109,476	\$7,109,476	\$7,259,476
Sales and Services	\$7,109,476	\$7,109,476	\$7,259,476
Sales and Services Not Itemized	\$7,109,476	\$7,109,476	\$7,259,476
TOTAL PUBLIC FUNDS	\$10,247,065	\$10,247,065	\$10,247,065

Information Technology Services

Continuation Budget

The purpose of this appropriation is to manage enterprise technology for the department, provide internet access to local school systems, support data collection and reporting needs, and support technology programs that assist local school systems.

TOTAL STATE FUNDS	\$21,776,586	\$21,776,586	\$21,776,586
State General Funds	\$21,776,586	\$21,776,586	\$21,776,586
TOTAL FEDERAL FUNDS	\$106,825	\$106,825	\$106,825
Federal Funds Not Itemized	\$106,825	\$106,825	\$106,825
TOTAL AGENCY FUNDS	\$558,172	\$558,172	\$558,172
Intergovernmental Transfers	\$558,172	\$558,172	\$558,172
Intergovernmental Transfers Not Itemized	\$558,172	\$558,172	\$558,172
TOTAL PUBLIC FUNDS	\$22,441,583	\$22,441,583	\$22,441,583

145.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$34,793	\$34,793	\$34,793
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145.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$6,722)	(\$6,722)	(\$6,722)
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145.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$505)	(\$505)	(\$505)
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145.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$29,321)	(\$29,321)	(\$29,321)
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145.100-Information Technology Services

Appropriation (HB 684)

The purpose of this appropriation is to manage enterprise technology for the department, provide internet access to local school systems, support data collection and reporting needs, and support technology programs that assist local school systems.

TOTAL STATE FUNDS	\$21,774,831	\$21,774,831	\$21,774,831
State General Funds	\$21,774,831	\$21,774,831	\$21,774,831
TOTAL FEDERAL FUNDS	\$106,825	\$106,825	\$106,825
Federal Funds Not Itemized	\$106,825	\$106,825	\$106,825
TOTAL AGENCY FUNDS	\$558,172	\$558,172	\$558,172
Intergovernmental Transfers	\$558,172	\$558,172	\$558,172
Intergovernmental Transfers Not Itemized	\$558,172	\$558,172	\$558,172
TOTAL PUBLIC FUNDS	\$22,439,828	\$22,439,828	\$22,439,828

Non Quality Basic Education Formula Grants

Continuation Budget

The purpose of this appropriation is to fund specific initiatives, including children in residential education facilities and sparsity grants.

TOTAL STATE FUNDS	\$11,744,265	\$11,744,265	\$11,744,265
State General Funds	\$11,744,265	\$11,744,265	\$11,744,265
TOTAL PUBLIC FUNDS	\$11,744,265	\$11,744,265	\$11,744,265

146.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$377,255	\$377,255	\$377,255
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146.2 *Reduce funds for Residential Treatment Facilities based on attendance.*

State General Funds	(\$264,133)	(\$271,948)	(\$271,948)
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146.3 *Reduce funds for Sparsity Grants based on enrollment growth.*

State General Funds	(\$259,193)	(\$259,193)	(\$259,193)
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146.4 *Increase funds for Residential Treatment Facilities to recognize 20 additional students.*

State General Funds		\$143,373	\$143,373
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146.99 SAC: *The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.*

House: *The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.*

Governor: *The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.*

State General Funds	\$0	\$0	\$0
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146.100-Non Quality Basic Education Formula Grants	Appropriation (HB 684)
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The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.

TOTAL STATE FUNDS	\$11,598,194	\$11,733,752	\$11,733,752
State General Funds	\$11,598,194	\$11,733,752	\$11,733,752
TOTAL PUBLIC FUNDS	\$11,598,194	\$11,733,752	\$11,733,752

Nutrition

Continuation Budget

The purpose of this appropriation is to provide leadership, training, technical assistance, and resources, so local program personnel can deliver meals that support nutritional well-being and performance at school and comply with federal standards.

TOTAL STATE FUNDS	\$24,073,489	\$24,073,489	\$24,073,489
State General Funds	\$24,073,489	\$24,073,489	\$24,073,489
TOTAL FEDERAL FUNDS	\$830,187,832	\$830,187,832	\$830,187,832
Federal Funds Not Itemized	\$830,187,832	\$830,187,832	\$830,187,832
TOTAL AGENCY FUNDS	\$108,824	\$108,824	\$108,824
Intergovernmental Transfers	\$108,824	\$108,824	\$108,824
Intergovernmental Transfers Not Itemized	\$108,824	\$108,824	\$108,824
TOTAL PUBLIC FUNDS	\$854,370,145	\$854,370,145	\$854,370,145

147.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$5,170	\$5,170	\$5,170
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147.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$219)	(\$219)	(\$219)
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147.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$16)	(\$16)	(\$16)
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147.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$957)	(\$957)	(\$957)
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147.100-Nutrition

Appropriation (HB 684)

The purpose of this appropriation is to provide leadership, training, technical assistance, and resources, so local program personnel can deliver meals that support nutritional well-being and performance at school and comply with federal standards.

TOTAL STATE FUNDS	\$24,077,467	\$24,077,467	\$24,077,467
State General Funds	\$24,077,467	\$24,077,467	\$24,077,467
TOTAL FEDERAL FUNDS	\$830,187,832	\$830,187,832	\$830,187,832
Federal Funds Not Itemized	\$830,187,832	\$830,187,832	\$830,187,832
TOTAL AGENCY FUNDS	\$108,824	\$108,824	\$108,824

Intergovernmental Transfers	\$108,824	\$108,824	\$108,824
Intergovernmental Transfers Not Itemized	\$108,824	\$108,824	\$108,824
TOTAL PUBLIC FUNDS	\$854,374,123	\$854,374,123	\$854,374,123

Preschool Disabilities Services

Continuation Budget

The purpose of this appropriation is to provide early educational services to three- and four-year-old students with disabilities so that they enter school better prepared to succeed.

TOTAL STATE FUNDS	\$35,563,132	\$35,563,132	\$35,563,132
State General Funds	\$35,563,132	\$35,563,132	\$35,563,132
TOTAL PUBLIC FUNDS	\$35,563,132	\$35,563,132	\$35,563,132

148.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,056,333	\$1,056,333	\$1,056,333
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148.2 *Increase funds for enrollment growth and training and experience.*

State General Funds	\$1,006,233	\$735,961	\$735,961
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148.100-Preschool Disabilities Services

Appropriation (HB 684)

The purpose of this appropriation is to provide early educational services to three- and four-year-old students with disabilities so that they enter school better prepared to succeed.

TOTAL STATE FUNDS	\$37,625,698	\$37,355,426	\$37,355,426
State General Funds	\$37,625,698	\$37,355,426	\$37,355,426
TOTAL PUBLIC FUNDS	\$37,625,698	\$37,355,426	\$37,355,426

Quality Basic Education Equalization

Continuation Budget

The purpose of this appropriation is to provide additional financial assistance to local school systems ranking below the statewide average of per pupil tax wealth as outlined in O.C.G.A. 20-2-165.

TOTAL STATE FUNDS	\$584,562,416	\$584,562,416	\$584,562,416
State General Funds	\$584,562,416	\$584,562,416	\$584,562,416
TOTAL PUBLIC FUNDS	\$584,562,416	\$584,562,416	\$584,562,416

149.1 *Increase funds for Equalization grants.*

State General Funds	\$30,062,680	\$30,062,680	\$28,836,040
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149.100-Quality Basic Education Equalization	Appropriation (HB 684)
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The purpose of this appropriation is to provide additional financial assistance to local school systems ranking below the statewide average of per pupil tax wealth as outlined in O.C.G.A. 20-2-165.

TOTAL STATE FUNDS	\$614,625,096	\$614,625,096	\$613,398,456
State General Funds	\$614,625,096	\$614,625,096	\$613,398,456
TOTAL PUBLIC FUNDS	\$614,625,096	\$614,625,096	\$613,398,456

Quality Basic Education Local Five Mill Share

Continuation Budget

The purpose of this program is to recognize the required local portion of the Quality Basic Education program as outlined in O.C.G.A. 20-2-164.

TOTAL STATE FUNDS	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)
State General Funds	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)
TOTAL PUBLIC FUNDS	(\$1,777,164,321)	(\$1,777,164,321)	(\$1,777,164,321)

150.1 *Adjust funds for the Local Five Mill Share.*

State General Funds	(\$95,657,043)	(\$95,230,942)	(\$95,230,942)
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150.100-Quality Basic Education Local Five Mill Share	Appropriation (HB 684)
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The purpose of this program is to recognize the required local portion of the Quality Basic Education program as outlined in O.C.G.A. 20-2-164.

TOTAL STATE FUNDS	(\$1,872,821,364)	(\$1,872,395,263)	(\$1,872,395,263)
State General Funds	(\$1,872,821,364)	(\$1,872,395,263)	(\$1,872,395,263)
TOTAL PUBLIC FUNDS	(\$1,872,821,364)	(\$1,872,395,263)	(\$1,872,395,263)

Quality Basic Education Program

Continuation Budget

The purpose of this appropriation is to provide formula funds to school systems based on full time equivalent students for the instruction of students in grades K-12 as outlined in O.C.G.A. 20-2-161.

TOTAL STATE FUNDS	\$10,330,098,597	\$10,330,098,597	\$10,330,098,597
State General Funds	\$10,330,098,597	\$10,330,098,597	\$10,330,098,597
TOTAL PUBLIC FUNDS	\$10,330,098,597	\$10,330,098,597	\$10,330,098,597

151.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$289,903,398	\$289,903,398	\$289,903,398
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151.2 *Increase funds for a 0.38% enrollment growth and training and experience. (H and S:Increase funds for a 0.38% enrollment growth and training and experience and reflect an adjustment due to State Charter School Commission school and grade closures)*

State General Funds	\$119,531,772	\$112,320,693	\$112,320,693
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151.3 *Reduce funds for differentiated pay for newly certified math and science teachers.*

State General Funds	(\$1,247,818)	(\$1,247,818)	(\$1,247,818)
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151.4 *Reduce funds for school nurses. (H and S:Increase funds for school nurses)*

State General Funds	(\$580,542)	\$51,233	\$51,233
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151.5 *Increase funds for the State Commission Charter School supplement. (H and S:Increase funds for the State Commission Charter School supplement and reflect an adjustment due to school and grade closures)*

State General Funds	\$9,854,041	\$4,758,023	\$4,758,023
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151.6 *Increase funds for charter system grants.*

State General Funds	\$46,644	\$46,644	\$46,644
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151.7 *Reduce funds to reflect projected Teachers Retirement System invoices for non-certificated personnel.*

State General Funds		(\$1,039,840)	(\$1,039,840)
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151.8 *Direct the Department of Education to provide a report on the number of counselors and nurses per school and school system to the General Assembly by September 1, 2018. (H:YES)(S:YES)*

State General Funds		\$0	\$0
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151.9 *Forward fund 20 additional students in Residential Treatment Facilities. (H:YES)(S:YES)*

State General Funds		\$0	\$0
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151.10 *Transfer funds from the Quality Basic Education program to the recreated Pupil Transportation program for pupil transportation and to provide for greater transparency.*

State General Funds (131,980,741) (131,980,741)

151.100-Quality Basic Education Program	Appropriation (HB 684)
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The purpose of this appropriation is to provide formula funds to school systems based on full time equivalent students for the instruction of students in grades K-12 as outlined in O.C.G.A. 20-2-161.

TOTAL STATE FUNDS	\$10,747,606,092	\$10,602,910,189	\$10,602,910,189
State General Funds	\$10,747,606,092	\$10,602,910,189	\$10,602,910,189
TOTAL PUBLIC FUNDS	\$10,747,606,092	\$10,602,910,189	\$10,602,910,189

Regional Education Service Agencies (RESAs)

Continuation Budget

The purpose of this appropriation is to provide Georgia's sixteen Regional Education Service Agencies with funds to assist local school systems with improving the effectiveness of their educational programs by providing curriculum consultation, skill enhancement, professional development, technology training, and other shared services.

TOTAL STATE FUNDS	\$12,233,109	\$12,233,109	\$12,233,109
State General Funds	\$12,233,109	\$12,233,109	\$12,233,109
TOTAL PUBLIC FUNDS	\$12,233,109	\$12,233,109	\$12,233,109

152.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds 134,984 134,984 134,984

152.2 *Increase funds for student mental health awareness training.*

State General Funds 1,600,000 1,600,000

152.3 *Promote student awareness of the crisis access line mobile application, funded in the Department of Behavioral Health and Developmental Disabilities, through the Positive Behavioral Interventions and Supports program and mental health awareness training. (H: YES)(S: YES)*

State General Funds 0 0

152.98 *Change the name of the Regional Education Service Agencies program to the Regional Education Service Agencies (RESAs) program. (G: YES)(H: YES)(S: YES)*

State General Funds 0 0 0

152.100-Regional Education Service Agencies (RESAs)**Appropriation (HB 684)**

The purpose of this appropriation is to provide Georgia's sixteen Regional Education Service Agencies with funds to assist local school systems with improving the effectiveness of their educational programs by providing curriculum consultation, skill enhancement, professional development, technology training, and other shared services.

TOTAL STATE FUNDS	\$12,368,093	\$13,968,093	\$13,968,093
State General Funds	\$12,368,093	\$13,968,093	\$13,968,093
TOTAL PUBLIC FUNDS	\$12,368,093	\$13,968,093	\$13,968,093

School Improvement**Continuation Budget**

The purpose of this appropriation is to provide research, technical assistance, resources, teacher professional learning, and leadership training for low- performing schools and local educational agencies to help them design and implement school improvement strategies to improve graduation rates and overall student achievement.

TOTAL STATE FUNDS	\$9,584,743	\$9,584,743	\$9,584,743
State General Funds	\$9,584,743	\$9,584,743	\$9,584,743
TOTAL FEDERAL FUNDS	\$6,869,144	\$6,869,144	\$6,869,144
Federal Funds Not Itemized	\$6,869,144	\$6,869,144	\$6,869,144
TOTAL AGENCY FUNDS	\$16,050	\$16,050	\$16,050
Contributions, Donations, and Forfeitures	\$16,050	\$16,050	\$16,050
Contributions, Donations, and Forfeitures Not Itemized	\$16,050	\$16,050	\$16,050
TOTAL PUBLIC FUNDS	\$16,469,937	\$16,469,937	\$16,469,937

153.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$79,549	\$79,549	\$79,549
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153.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$5,116)	(\$5,116)	(\$5,116)
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153.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$384)	(\$384)	(\$384)
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153.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$22,316)	(\$22,316)	(\$22,316)
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153.100-School Improvement**Appropriation (HB 684)**

The purpose of this appropriation is to provide research, technical assistance, resources, teacher professional learning, and leadership training for low- performing schools and local educational agencies to help them design and implement school improvement strategies to improve graduation rates and overall student achievement.

TOTAL STATE FUNDS	\$9,636,476	\$9,636,476	\$9,636,476
State General Funds	\$9,636,476	\$9,636,476	\$9,636,476
TOTAL FEDERAL FUNDS	\$6,869,144	\$6,869,144	\$6,869,144
Federal Funds Not Itemized	\$6,869,144	\$6,869,144	\$6,869,144
TOTAL AGENCY FUNDS	\$16,050	\$16,050	\$16,050
Contributions, Donations, and Forfeitures	\$16,050	\$16,050	\$16,050
Contributions, Donations, and Forfeitures Not Itemized	\$16,050	\$16,050	\$16,050
TOTAL PUBLIC FUNDS	\$16,521,670	\$16,521,670	\$16,521,670

State Charter School Commission Administration**Continuation Budget**

The purpose of this appropriation is to focus on the development and support of state charter schools in order to better meet the growing and diverse needs of students in this state and to further ensure that state charter schools of the highest academic quality are approved and supported throughout the state in an efficient manner.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$4,156,309	\$4,156,309	\$4,156,309
Sales and Services	\$4,156,309	\$4,156,309	\$4,156,309
Sales and Services Not Itemized	\$4,156,309	\$4,156,309	\$4,156,309
TOTAL PUBLIC FUNDS	\$4,156,309	\$4,156,309	\$4,156,309

154.100-State Charter School Commission Administration**Appropriation (HB 684)**

The purpose of this appropriation is to focus on the development and support of state charter schools in order to better meet the growing and diverse needs of students in this state and to further ensure that state charter schools of the highest academic quality are approved and supported throughout the state in an efficient manner.

TOTAL AGENCY FUNDS	\$4,156,309	\$4,156,309	\$4,156,309
Sales and Services	\$4,156,309	\$4,156,309	\$4,156,309
Sales and Services Not Itemized	\$4,156,309	\$4,156,309	\$4,156,309
TOTAL PUBLIC FUNDS	\$4,156,309	\$4,156,309	\$4,156,309

State Schools**Continuation Budget**

The purpose of this appropriation is to prepare sensory-impaired and multi-disabled students to become productive citizens by providing a learning environment addressing their academic, vocational, and social development.

TOTAL STATE FUNDS	\$28,391,944	\$28,391,944	\$28,391,944
State General Funds	\$28,391,944	\$28,391,944	\$28,391,944
TOTAL FEDERAL FUNDS	\$939,499	\$939,499	\$939,499
Federal Funds Not Itemized	\$919,869	\$919,869	\$919,869
Maternal & Child Health Services Block Grant CFDA93.994	\$19,630	\$19,630	\$19,630
TOTAL AGENCY FUNDS	\$714,444	\$714,444	\$714,444
Contributions, Donations, and Forfeitures	\$269,205	\$269,205	\$269,205
Contributions, Donations, and Forfeitures Not Itemized	\$269,205	\$269,205	\$269,205
Intergovernmental Transfers	\$155,513	\$155,513	\$155,513
Intergovernmental Transfers Not Itemized	\$155,513	\$155,513	\$155,513
Rebates, Refunds, and Reimbursements	\$289,726	\$289,726	\$289,726
Rebates, Refunds, and Reimbursements Not Itemized	\$289,726	\$289,726	\$289,726
TOTAL PUBLIC FUNDS	\$30,045,887	\$30,045,887	\$30,045,887

155.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$236,489	\$236,489	\$236,489
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155.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$13,780)	(\$13,780)	(\$13,780)
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155.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,036)	(\$1,036)	(\$1,036)
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155.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$60,111)	(\$60,111)	(\$60,111)
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155.5 *Increase funds for training and experience.*

State General Funds	\$501,254	\$501,254	\$501,254
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155.6 *Increase funds to purchase and staff a mobile audiology clinic to provide audiological care to children in rural Georgia.*

State General Funds		\$642,500	\$342,500
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155.100-State Schools	Appropriation (HB 684)		
<i>The purpose of this appropriation is to prepare sensory-impaired and multi-disabled students to become productive citizens by providing a learning environment addressing their academic, vocational, and social development.</i>			
TOTAL STATE FUNDS	\$29,054,760	\$29,697,260	\$29,397,260
State General Funds	\$29,054,760	\$29,697,260	\$29,397,260
TOTAL FEDERAL FUNDS	\$939,499	\$939,499	\$939,499
Federal Funds Not Itemized	\$919,869	\$919,869	\$919,869
Maternal & Child Health Services Block Grant CFDA93.994	\$19,630	\$19,630	\$19,630
TOTAL AGENCY FUNDS	\$714,444	\$714,444	\$714,444
Contributions, Donations, and Forfeitures	\$269,205	\$269,205	\$269,205
Contributions, Donations, and Forfeitures Not Itemized	\$269,205	\$269,205	\$269,205
Intergovernmental Transfers	\$155,513	\$155,513	\$155,513
Intergovernmental Transfers Not Itemized	\$155,513	\$155,513	\$155,513
Rebates, Refunds, and Reimbursements	\$289,726	\$289,726	\$289,726
Rebates, Refunds, and Reimbursements Not Itemized	\$289,726	\$289,726	\$289,726
TOTAL PUBLIC FUNDS	\$30,708,703	\$31,351,203	\$31,051,203

Technology/Career Education **Continuation Budget**
The purpose of this appropriation is to equip students with academic, vocational, technical, and leadership skills and to extend learning opportunities beyond the traditional school day and year.

TOTAL STATE FUNDS	\$17,990,799	\$17,990,799	\$17,990,799
State General Funds	\$17,990,799	\$17,990,799	\$17,990,799
TOTAL FEDERAL FUNDS	\$40,668,080	\$40,668,080	\$40,668,080
Federal Funds Not Itemized	\$40,668,080	\$40,668,080	\$40,668,080
TOTAL AGENCY FUNDS	\$9,679,024	\$9,679,024	\$9,679,024
Intergovernmental Transfers	\$9,453,274	\$9,453,274	\$9,453,274
Intergovernmental Transfers Not Itemized	\$9,453,274	\$9,453,274	\$9,453,274
Sales and Services	\$225,750	\$225,750	\$225,750
Sales and Services Not Itemized	\$225,750	\$225,750	\$225,750
TOTAL PUBLIC FUNDS	\$68,337,903	\$68,337,903	\$68,337,903

156.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$17,721	\$17,721	\$17,721
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156.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,038)	(\$1,038)	(\$1,038)
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156.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$78)	(\$78)	(\$78)
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156.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$4,528)	(\$4,528)	(\$4,528)
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156.5 *Increase funds for one-time funding for a counselor study conducted by the Carl Vinson Institute per SB401 (2018 Session).*

State General Funds			\$65,000
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156.6 *Reduce funds for one-time funding of CTAE economic development initiatives in FY2018.*

State General Funds			(\$104,362)
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156.100-Technology/Career Education	Appropriation (HB 684)		
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The purpose of this appropriation is to equip students with academic, vocational, technical, and leadership skills and to extend learning opportunities beyond the traditional school day and year.

TOTAL STATE FUNDS	\$18,002,876	\$18,002,876	\$17,963,514
State General Funds	\$18,002,876	\$18,002,876	\$17,963,514
TOTAL FEDERAL FUNDS	\$40,668,080	\$40,668,080	\$40,668,080
Federal Funds Not Itemized	\$40,668,080	\$40,668,080	\$40,668,080
TOTAL AGENCY FUNDS	\$9,679,024	\$9,679,024	\$9,679,024
Intergovernmental Transfers	\$9,453,274	\$9,453,274	\$9,453,274
Intergovernmental Transfers Not Itemized	\$9,453,274	\$9,453,274	\$9,453,274
Sales and Services	\$225,750	\$225,750	\$225,750
Sales and Services Not Itemized	\$225,750	\$225,750	\$225,750
TOTAL PUBLIC FUNDS	\$68,349,980	\$68,349,980	\$68,310,618

Testing

Continuation Budget

The purpose of this appropriation is to administer the statewide student assessment program and provide related testing instruments and training to local schools.

TOTAL STATE FUNDS	\$24,812,520	\$24,812,520	\$24,812,520
State General Funds	\$24,812,520	\$24,812,520	\$24,812,520
TOTAL FEDERAL FUNDS	\$17,970,981	\$17,970,981	\$17,970,981
Federal Funds Not Itemized	\$17,970,981	\$17,970,981	\$17,970,981
TOTAL PUBLIC FUNDS	\$42,783,501	\$42,783,501	\$42,783,501

157.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$39,069	\$39,069	\$39,069
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157.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,528)	(\$1,528)	(\$1,528)
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157.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$115)	(\$115)	(\$115)
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157.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$6,666)	(\$6,666)	(\$6,666)
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157.5 *Reduce funds to annualize savings to reflect projected expenditures.*

State General Funds		(\$750,000)	(\$1,750,000)
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157.6 *Increase funds for the implementation of the Innovative Assessment Pilot Program described in SB362 (2018 Session).*

State General Funds			\$175,000
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157.100-Testing	Appropriation (HB 684)		
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The purpose of this appropriation is to administer the statewide student assessment program and provide related testing instruments and training to local schools.

TOTAL STATE FUNDS	\$24,843,280	\$24,093,280	\$23,268,280
State General Funds	\$24,843,280	\$24,093,280	\$23,268,280
TOTAL FEDERAL FUNDS	\$17,970,981	\$17,970,981	\$17,970,981
Federal Funds Not Itemized	\$17,970,981	\$17,970,981	\$17,970,981
TOTAL PUBLIC FUNDS	\$42,814,261	\$42,064,261	\$41,239,261

Tuition for Multiple Disability Students

Continuation Budget

The purpose of this appropriation is to partially reimburse school systems for private residential placements when the school system is unable to provide an appropriate program for a multi-disabled student.

TOTAL STATE FUNDS	\$1,551,946	\$1,551,946	\$1,551,946
State General Funds	\$1,551,946	\$1,551,946	\$1,551,946
TOTAL PUBLIC FUNDS	\$1,551,946	\$1,551,946	\$1,551,946

158.100-Tuition for Multiple Disability Students

Appropriation (HB 684)

The purpose of this appropriation is to partially reimburse school systems for private residential placements when the school system is unable to provide an appropriate program for a multi-disabled student.

TOTAL STATE FUNDS	\$1,551,946	\$1,551,946	\$1,551,946
State General Funds	\$1,551,946	\$1,551,946	\$1,551,946
TOTAL PUBLIC FUNDS	\$1,551,946	\$1,551,946	\$1,551,946

Pupil Transportation

Continuation Budget

The purpose of this appropriation is to assist local school systems in their efforts to provide safe and efficient transportation for students to and from school and school related activities.

TOTAL STATE FUNDS		\$0	\$0
State General Funds		\$0	\$0

159.1 *Transfer funds from the Quality Basic Education program to the recreated Pupil Transportation program for pupil transportation and to provide for greater transparency.*

State General Funds		\$131,980,741	\$131,980,741
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159.2 *Increase funds in the pupil transportation formula to reflect a per student increase for new FTE enrollment.*

State General Funds		\$230,255	\$230,255
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159.3 *Increase funds for an annual allotment for school bus replacement.*

State General Funds		\$10,000,000	\$5,000,000
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159.4 *Utilize bond funds to encourage the use of alternative fuel buses where practical. (H:YES)(S:YES)*

State General Funds		\$0	\$0
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159.100-Pupil Transportation **Appropriation (HB 684)**

The purpose of this appropriation is to assist local school systems in their efforts to provide safe and efficient transportation for students to and from school and school related activities.

TOTAL STATE FUNDS	\$142,210,996	\$137,210,996
State General Funds	\$142,210,996	\$137,210,996
TOTAL PUBLIC FUNDS	\$142,210,996	\$137,210,996

Chief Turnaround Officer

Continuation Budget

TOTAL STATE FUNDS	\$0	\$0
State General Funds	\$0	\$0

160.1 *Transfer funds from the Central Office program to the Chief Turnaround Officer program for the chief turnaround officer.*

State General Funds	\$1,000,000	\$1,000,000
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160.2 *Increase funds for the Turnaround Schools Rural Character Education Grant for soft skills training and character education development for the lowest performing schools in rural Georgia. (S:Increase funds for the Turnaround Schools Character Education Grant for soft skills training and character education development for schools under the supervision of the Chief Turnaround Officer)*

State General Funds	\$227,570	\$63,630
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160.3 *Increase funds for personnel and operations for two transformation specialists.*

State General Funds		\$266,371
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160.99 SAC: *The purpose of this appropriation is to work in partnership with schools, districts, parents, and community stakeholders to provide a system of supports for Georgia schools identified and chosen for assistance through the Chief Turnaround Officer.*

House: *The purpose of this appropriation is to work in partnership with schools, districts, parents, and community stakeholders to provide a system of supports for Georgia schools identified as being most in need of assistance through the Chief Turnaround Officer.*

State General Funds	\$0	\$0
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160.100-Chief Turnaround Officer **Appropriation (HB 684)**

The purpose of this appropriation is to work in partnership with schools, districts, parents, and community stakeholders to provide a system of supports for Georgia schools identified and chosen for assistance through the Chief Turnaround Officer.

TOTAL STATE FUNDS	\$1,227,570	\$1,330,001
State General Funds	\$1,227,570	\$1,330,001
TOTAL PUBLIC FUNDS	\$1,227,570	\$1,330,001

The formula calculation for Quality Basic Education funding assumes a base unit cost of \$2,620.77. In addition, all local school system allotments for Quality Basic Education shall be made in accordance with funds appropriated by this Act.

Section 25: Employees' Retirement System of Georgia

	Section Total - Continuation		
TOTAL STATE FUNDS	\$31,663,712	\$31,663,712	\$31,663,712
State General Funds	\$31,663,712	\$31,663,712	\$31,663,712
TOTAL AGENCY FUNDS	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services Not Itemized	\$4,592,288	\$4,592,288	\$4,592,288
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$21,939,700	\$21,939,700	\$21,939,700
State Funds Transfers	\$21,939,700	\$21,939,700	\$21,939,700
Retirement Payments	\$21,939,700	\$21,939,700	\$21,939,700
TOTAL PUBLIC FUNDS	\$58,195,700	\$58,195,700	\$58,195,700

	Section Total - Final		
TOTAL STATE FUNDS	\$31,210,672	\$31,210,672	\$31,210,672
State General Funds	\$31,210,672	\$31,210,672	\$31,210,672
TOTAL AGENCY FUNDS	\$4,847,288	\$4,847,288	\$4,847,288
Sales and Services	\$4,847,288	\$4,847,288	\$4,847,288
Sales and Services Not Itemized	\$4,847,288	\$4,847,288	\$4,847,288
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$21,929,100	\$21,929,100	\$21,929,100
State Funds Transfers	\$21,929,100	\$21,929,100	\$21,929,100
Retirement Payments	\$21,929,100	\$21,929,100	\$21,929,100
TOTAL PUBLIC FUNDS	\$57,987,060	\$57,987,060	\$57,987,060

Deferred Compensation

Continuation Budget

The purpose of this appropriation is to provide excellent service to participants in the deferred compensation program for all employees of the state, giving them an effective supplement for their retirement planning.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services	\$4,592,288	\$4,592,288	\$4,592,288
Sales and Services Not Itemized	\$4,592,288	\$4,592,288	\$4,592,288
TOTAL PUBLIC FUNDS	\$4,592,288	\$4,592,288	\$4,592,288

161.1 *Increase funds for contracts (\$250,000) and operations (\$5,000).*

Sales and Services Not Itemized	\$255,000	\$255,000	\$255,000
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161.100-Deferred Compensation**Appropriation (HB 684)**

The purpose of this appropriation is to provide excellent service to participants in the deferred compensation program for all employees of the state, giving them an effective supplement for their retirement planning.

TOTAL AGENCY FUNDS	\$4,847,288	\$4,847,288	\$4,847,288
Sales and Services	\$4,847,288	\$4,847,288	\$4,847,288
Sales and Services Not Itemized	\$4,847,288	\$4,847,288	\$4,847,288
TOTAL PUBLIC FUNDS	\$4,847,288	\$4,847,288	\$4,847,288

Georgia Military Pension Fund**Continuation Budget**

The purpose of this appropriation is to provide retirement allowances and other benefits for members of the Georgia National Guard.

TOTAL STATE FUNDS	\$2,377,312	\$2,377,312	\$2,377,312
State General Funds	\$2,377,312	\$2,377,312	\$2,377,312
TOTAL PUBLIC FUNDS	\$2,377,312	\$2,377,312	\$2,377,312

162.1 *Increase funds for the actuarially determined employer contribution in accordance with the most recent actuarial report.*

State General Funds	\$159,960	\$159,960	\$159,960
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162.100-Georgia Military Pension Fund**Appropriation (HB 684)**

The purpose of this appropriation is to provide retirement allowances and other benefits for members of the Georgia National Guard.

TOTAL STATE FUNDS	\$2,537,272	\$2,537,272	\$2,537,272
State General Funds	\$2,537,272	\$2,537,272	\$2,537,272
TOTAL PUBLIC FUNDS	\$2,537,272	\$2,537,272	\$2,537,272

Public School Employees Retirement System**Continuation Budget**

The purpose of this appropriation is to account for the receipt of retirement contributions, ensure sound investing of system funds, and provide timely and accurate payment of retirement benefits.

TOTAL STATE FUNDS	\$29,276,000	\$29,276,000	\$29,276,000
State General Funds	\$29,276,000	\$29,276,000	\$29,276,000
TOTAL PUBLIC FUNDS	\$29,276,000	\$29,276,000	\$29,276,000

163.1 *Reduce funds for the actuarially determined employer contribution in accordance with the most recent actuarial report.*

State General Funds	(\$613,000)	(\$613,000)	(\$613,000)
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163.100-Public School Employees Retirement System**Appropriation (HB 684)**

The purpose of this appropriation is to account for the receipt of retirement contributions, ensure sound investing of system funds, and provide timely and accurate payment of retirement benefits.

TOTAL STATE FUNDS	\$28,663,000	\$28,663,000	\$28,663,000
State General Funds	\$28,663,000	\$28,663,000	\$28,663,000
TOTAL PUBLIC FUNDS	\$28,663,000	\$28,663,000	\$28,663,000

System Administration (ERS)**Continuation Budget**

The purpose of this appropriation is to collect employee and employer contributions, invest the accumulated funds, and disburse retirement benefits to members and beneficiaries.

TOTAL STATE FUNDS	\$10,400	\$10,400	\$10,400
State General Funds	\$10,400	\$10,400	\$10,400
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$21,939,700	\$21,939,700	\$21,939,700
State Funds Transfers	\$21,939,700	\$21,939,700	\$21,939,700
Retirement Payments	\$21,939,700	\$21,939,700	\$21,939,700
TOTAL PUBLIC FUNDS	\$21,950,100	\$21,950,100	\$21,950,100

164.1 *Reduce funds for contracts (\$10,000) and operations (\$600).*

Retirement Payments	(\$10,600)	(\$10,600)	(\$10,600)
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164.2 *Provide a one-time benefit adjustment to retired state employees. (H:YES)(S:NO; Legislature is not awarding salary or benefit increases in this budget for teachers or state employees)*

State General Funds		\$0	\$0
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164.100-System Administration (ERS)**Appropriation (HB 684)**

The purpose of this appropriation is to collect employee and employer contributions, invest the accumulated funds, and disburse retirement benefits to members and beneficiaries.

TOTAL STATE FUNDS	\$10,400	\$10,400	\$10,400
State General Funds	\$10,400	\$10,400	\$10,400
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$21,929,100	\$21,929,100	\$21,929,100
State Funds Transfers	\$21,929,100	\$21,929,100	\$21,929,100
Retirement Payments	\$21,929,100	\$21,929,100	\$21,929,100
TOTAL PUBLIC FUNDS	\$21,939,500	\$21,939,500	\$21,939,500

It is the intent of the General Assembly that the employer contribution rate for the Employees' Retirement System shall not exceed 24.90% for New Plan employees and 20.15% for Old Plan employees. For the GSEPS employees, the employer contribution rate shall not exceed 21.90% for the pension portion of the benefit and 3.0% in employer match contributions for the 401(k) portion of the benefit. It is the intent of the General Assembly that the employer contribution for Public School Employees' Retirement System shall not exceed \$777.04 per member for State Fiscal Year 2019.

Section 26: Forestry Commission, State**Section Total - Continuation**

TOTAL STATE FUNDS	\$36,875,232	\$36,875,232	\$36,875,232
State General Funds	\$36,875,232	\$36,875,232	\$36,875,232
TOTAL FEDERAL FUNDS	\$6,074,349	\$6,074,349	\$6,074,349
Federal Funds Not Itemized	\$6,074,349	\$6,074,349	\$6,074,349
TOTAL AGENCY FUNDS	\$6,941,687	\$6,941,687	\$6,941,687
Intergovernmental Transfers	\$2,572,500	\$2,572,500	\$2,572,500
Intergovernmental Transfers Not Itemized	\$2,572,500	\$2,572,500	\$2,572,500
Royalties and Rents	\$33,000	\$33,000	\$33,000
Royalties and Rents Not Itemized	\$33,000	\$33,000	\$33,000
Sales and Services	\$4,286,187	\$4,286,187	\$4,286,187
Sales and Services Not Itemized	\$4,286,187	\$4,286,187	\$4,286,187
Sanctions, Fines, and Penalties	\$50,000	\$50,000	\$50,000
Sanctions, Fines, and Penalties Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$210,500	\$210,500	\$210,500
State Funds Transfers	\$210,500	\$210,500	\$210,500

Agency to Agency Contracts	\$210,500	\$210,500	\$210,500
TOTAL PUBLIC FUNDS	\$50,101,768	\$50,101,768	\$50,101,768

Section Total - Final

TOTAL STATE FUNDS	\$36,929,697	\$36,929,697	\$36,932,906
State General Funds	\$36,929,697	\$36,929,697	\$36,932,906
TOTAL FEDERAL FUNDS	\$6,074,349	\$6,074,349	\$6,074,349
Federal Funds Not Itemized	\$6,074,349	\$6,074,349	\$6,074,349
TOTAL AGENCY FUNDS	\$6,941,687	\$6,941,687	\$6,941,687
Intergovernmental Transfers	\$2,572,500	\$2,572,500	\$2,572,500
Intergovernmental Transfers Not Itemized	\$2,572,500	\$2,572,500	\$2,572,500
Royalties and Rents	\$33,000	\$33,000	\$33,000
Royalties and Rents Not Itemized	\$33,000	\$33,000	\$33,000
Sales and Services	\$4,286,187	\$4,286,187	\$4,286,187
Sales and Services Not Itemized	\$4,286,187	\$4,286,187	\$4,286,187
Sanctions, Fines, and Penalties	\$50,000	\$50,000	\$50,000
Sanctions, Fines, and Penalties Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$210,500	\$210,500	\$210,500
State Funds Transfers	\$210,500	\$210,500	\$210,500
Agency to Agency Contracts	\$210,500	\$210,500	\$210,500
TOTAL PUBLIC FUNDS	\$50,156,233	\$50,156,233	\$50,159,442

Commission Administration (SFC)**Continuation Budget**

The purpose of this appropriation is to administer workforce needs, handle purchasing, accounts receivable and payable, meet information technology needs, and provide oversight that emphasizes customer values and process innovation.

TOTAL STATE FUNDS	\$3,793,828	\$3,793,828	\$3,793,828
State General Funds	\$3,793,828	\$3,793,828	\$3,793,828
TOTAL FEDERAL FUNDS	\$48,800	\$48,800	\$48,800
Federal Funds Not Itemized	\$48,800	\$48,800	\$48,800
TOTAL AGENCY FUNDS	\$182,780	\$182,780	\$182,780
Sales and Services	\$182,780	\$182,780	\$182,780
Sales and Services Not Itemized	\$182,780	\$182,780	\$182,780
TOTAL PUBLIC FUNDS	\$4,025,408	\$4,025,408	\$4,025,408

165.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$6,810)	(\$6,810)	(\$6,810)
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165.2 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$37,100)	(\$37,100)	(\$37,100)
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165.3 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$3,918)	(\$3,918)	(\$3,918)
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165.4 *Increase funds for one deputy director position.*

State General Funds	\$179,205	\$179,205	\$179,205
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165.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$3,209
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165.100-Commission Administration (SFC)	Appropriation (HB 684)
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The purpose of this appropriation is to administer workforce needs, handle purchasing, accounts receivable and payable, meet information technology needs, and provide oversight that emphasizes customer values and process innovation.

TOTAL STATE FUNDS	\$3,925,205	\$3,925,205	\$3,928,414
State General Funds	\$3,925,205	\$3,925,205	\$3,928,414
TOTAL FEDERAL FUNDS	\$48,800	\$48,800	\$48,800
Federal Funds Not Itemized	\$48,800	\$48,800	\$48,800
TOTAL AGENCY FUNDS	\$182,780	\$182,780	\$182,780
Sales and Services	\$182,780	\$182,780	\$182,780
Sales and Services Not Itemized	\$182,780	\$182,780	\$182,780
TOTAL PUBLIC FUNDS	\$4,156,785	\$4,156,785	\$4,159,994

Forest Management

Continuation Budget

The purpose of this appropriation is to ensure the stewardship of forest lands; to collect and analyze state forestry inventory data; to administer federal forestry cost share assistance programs; to study forest health and invasive species control issues; to manage state-owned forests; to educate private forest landowners and timber harvesters about best management practices; to assist communities with management of forested greenspace; to promote and obtain conservation easements; to manage Georgia's Carbon Registry; to promote retention, investment, and/or expansion of new emerging and existing forest and forest biomass industries, and, during extreme fire danger, to provide logistical, overhead, and direct fire suppression assistance to the Forest Protection program.

TOTAL STATE FUNDS	\$2,901,933	\$2,901,933	\$2,901,933
State General Funds	\$2,901,933	\$2,901,933	\$2,901,933
TOTAL FEDERAL FUNDS	\$3,645,151	\$3,645,151	\$3,645,151
Federal Funds Not Itemized	\$3,645,151	\$3,645,151	\$3,645,151
TOTAL AGENCY FUNDS	\$950,732	\$950,732	\$950,732
Intergovernmental Transfers	\$187,000	\$187,000	\$187,000
Intergovernmental Transfers Not Itemized	\$187,000	\$187,000	\$187,000
Sales and Services	\$763,732	\$763,732	\$763,732
Sales and Services Not Itemized	\$763,732	\$763,732	\$763,732
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$189,000	\$189,000	\$189,000
State Funds Transfers	\$189,000	\$189,000	\$189,000
Agency to Agency Contracts	\$189,000	\$189,000	\$189,000
TOTAL PUBLIC FUNDS	\$7,686,816	\$7,686,816	\$7,686,816

166.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$7,585)	(\$7,585)	(\$7,585)
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166.100-Forest Management

Appropriation (HB 684)

The purpose of this appropriation is to ensure the stewardship of forest lands; to collect and analyze state forestry inventory data; to administer federal forestry cost share assistance programs; to study forest health and invasive species control issues; to manage state-owned forests; to educate private forest landowners and timber harvesters about best management practices; to assist communities with management of forested greenspace; to promote and obtain conservation easements; to manage Georgia's Carbon Registry; to promote retention, investment, and/or expansion of new emerging and existing forest and forest biomass industries, and, during extreme fire danger, to provide logistical, overhead, and direct fire suppression assistance to the Forest Protection program.

TOTAL STATE FUNDS	\$2,894,348	\$2,894,348	\$2,894,348
State General Funds	\$2,894,348	\$2,894,348	\$2,894,348
TOTAL FEDERAL FUNDS	\$3,645,151	\$3,645,151	\$3,645,151
Federal Funds Not Itemized	\$3,645,151	\$3,645,151	\$3,645,151
TOTAL AGENCY FUNDS	\$950,732	\$950,732	\$950,732
Intergovernmental Transfers	\$187,000	\$187,000	\$187,000
Intergovernmental Transfers Not Itemized	\$187,000	\$187,000	\$187,000
Sales and Services	\$763,732	\$763,732	\$763,732

Sales and Services Not Itemized	\$763,732	\$763,732	\$763,732
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$189,000	\$189,000	\$189,000
State Funds Transfers	\$189,000	\$189,000	\$189,000
Agency to Agency Contracts	\$189,000	\$189,000	\$189,000
TOTAL PUBLIC FUNDS	\$7,679,231	\$7,679,231	\$7,679,231

Forest Protection**Continuation Budget**

The purpose of this appropriation is to ensure an aggressive and efficient response and suppression of forest fires in the unincorporated areas of the State; to mitigate hazardous forest fuels; to issue burn permits, to provide statewide education in the prevention of wildfires; to perform wildfire arson investigations; to promote community wildland fire planning and protection through cooperative agreements with fire departments; to train and certify firefighters in wildland firefighting; to provide assistance and support to rural fire departments including selling wildland fire engines and tankers; and to support the Forest Management program during periods of low fire danger.

TOTAL STATE FUNDS	\$30,179,471	\$30,179,471	\$30,179,471
State General Funds	\$30,179,471	\$30,179,471	\$30,179,471
TOTAL FEDERAL FUNDS	\$2,246,681	\$2,246,681	\$2,246,681
Federal Funds Not Itemized	\$2,246,681	\$2,246,681	\$2,246,681
TOTAL AGENCY FUNDS	\$4,741,312	\$4,741,312	\$4,741,312
Intergovernmental Transfers	\$2,385,500	\$2,385,500	\$2,385,500
Intergovernmental Transfers Not Itemized	\$2,385,500	\$2,385,500	\$2,385,500
Royalties and Rents	\$33,000	\$33,000	\$33,000
Royalties and Rents Not Itemized	\$33,000	\$33,000	\$33,000
Sales and Services	\$2,272,812	\$2,272,812	\$2,272,812
Sales and Services Not Itemized	\$2,272,812	\$2,272,812	\$2,272,812
Sanctions, Fines, and Penalties	\$50,000	\$50,000	\$50,000
Sanctions, Fines, and Penalties Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$15,000	\$15,000	\$15,000
State Funds Transfers	\$15,000	\$15,000	\$15,000
Agency to Agency Contracts	\$15,000	\$15,000	\$15,000
TOTAL PUBLIC FUNDS	\$37,182,464	\$37,182,464	\$37,182,464

167.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$69,597)	(\$69,597)	(\$69,597)
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167.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$270	\$270	\$270
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167.100-Forest Protection	Appropriation (HB 684)
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The purpose of this appropriation is to ensure an aggressive and efficient response and suppression of forest fires in the unincorporated areas of the State; to mitigate hazardous forest fuels; to issue burn permits, to provide statewide education in the prevention of wildfires; to perform wildfire arson investigations; to promote community wildland fire planning and protection through cooperative agreements with fire departments; to train and certify firefighters in wildland firefighting; to provide assistance and support to rural fire departments including selling wildland fire engines and tankers; and to support the Forest Management program during periods of low fire danger.

TOTAL STATE FUNDS	\$30,110,144	\$30,110,144	\$30,110,144
State General Funds	\$30,110,144	\$30,110,144	\$30,110,144
TOTAL FEDERAL FUNDS	\$2,246,681	\$2,246,681	\$2,246,681
Federal Funds Not Itemized	\$2,246,681	\$2,246,681	\$2,246,681
TOTAL AGENCY FUNDS	\$4,741,312	\$4,741,312	\$4,741,312
Intergovernmental Transfers	\$2,385,500	\$2,385,500	\$2,385,500
Intergovernmental Transfers Not Itemized	\$2,385,500	\$2,385,500	\$2,385,500
Royalties and Rents	\$33,000	\$33,000	\$33,000
Royalties and Rents Not Itemized	\$33,000	\$33,000	\$33,000
Sales and Services	\$2,272,812	\$2,272,812	\$2,272,812
Sales and Services Not Itemized	\$2,272,812	\$2,272,812	\$2,272,812
Sanctions, Fines, and Penalties	\$50,000	\$50,000	\$50,000
Sanctions, Fines, and Penalties Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$15,000	\$15,000	\$15,000
State Funds Transfers	\$15,000	\$15,000	\$15,000
Agency to Agency Contracts	\$15,000	\$15,000	\$15,000
TOTAL PUBLIC FUNDS	\$37,113,137	\$37,113,137	\$37,113,137

Tree Seedling Nursery

Continuation Budget

The purpose of this appropriation is to produce an adequate quantity of high quality forest tree seedlings for sale at reasonable cost to Georgia landowners.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$133,717	\$133,717	\$133,717
Federal Funds Not Itemized	\$133,717	\$133,717	\$133,717
TOTAL AGENCY FUNDS	\$1,066,863	\$1,066,863	\$1,066,863
Sales and Services	\$1,066,863	\$1,066,863	\$1,066,863
Sales and Services Not Itemized	\$1,066,863	\$1,066,863	\$1,066,863
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$6,500	\$6,500	\$6,500
State Funds Transfers	\$6,500	\$6,500	\$6,500
Agency to Agency Contracts	\$6,500	\$6,500	\$6,500
TOTAL PUBLIC FUNDS	\$1,207,080	\$1,207,080	\$1,207,080

168.100-Tree Seedling Nursery**Appropriation (HB 684)**

The purpose of this appropriation is to produce an adequate quantity of high quality forest tree seedlings for sale at reasonable cost to Georgia landowners.

TOTAL FEDERAL FUNDS	\$133,717	\$133,717	\$133,717
Federal Funds Not Itemized	\$133,717	\$133,717	\$133,717
TOTAL AGENCY FUNDS	\$1,066,863	\$1,066,863	\$1,066,863
Sales and Services	\$1,066,863	\$1,066,863	\$1,066,863
Sales and Services Not Itemized	\$1,066,863	\$1,066,863	\$1,066,863
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$6,500	\$6,500	\$6,500
State Funds Transfers	\$6,500	\$6,500	\$6,500
Agency to Agency Contracts	\$6,500	\$6,500	\$6,500
TOTAL PUBLIC FUNDS	\$1,207,080	\$1,207,080	\$1,207,080

*Section 27: Governor, Office of the***Section Total - Continuation**

TOTAL STATE FUNDS	\$61,269,172	\$61,269,172	\$61,269,172
State General Funds	\$61,269,172	\$61,269,172	\$61,269,172
TOTAL FEDERAL FUNDS	\$30,115,112	\$30,115,112	\$30,115,112
Federal Funds Not Itemized	\$30,115,112	\$30,115,112	\$30,115,112
TOTAL AGENCY FUNDS	\$660,531	\$660,531	\$660,531

Reserved Fund Balances	\$500,000	\$500,000	\$500,000
Reserved Fund Balances Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$160,531	\$160,531	\$160,531
Sales and Services Not Itemized	\$160,531	\$160,531	\$160,531
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,325	\$147,325	\$147,325
State Funds Transfers	\$147,325	\$147,325	\$147,325
Agency to Agency Contracts	\$147,325	\$147,325	\$147,325
TOTAL PUBLIC FUNDS	\$92,192,140	\$92,192,140	\$92,192,140

Section Total - Final

TOTAL STATE FUNDS	\$62,936,687	\$63,686,687	\$64,179,742
State General Funds	\$62,936,687	\$63,686,687	\$64,179,742
TOTAL FEDERAL FUNDS	\$30,115,112	\$30,115,112	\$30,430,112
Federal Funds Not Itemized	\$30,115,112	\$30,115,112	\$30,430,112
TOTAL AGENCY FUNDS	\$660,531	\$660,531	\$660,531
Reserved Fund Balances	\$500,000	\$500,000	\$500,000
Reserved Fund Balances Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$160,531	\$160,531	\$160,531
Sales and Services Not Itemized	\$160,531	\$160,531	\$160,531
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,325	\$147,325	\$147,325
State Funds Transfers	\$147,325	\$147,325	\$147,325
Agency to Agency Contracts	\$147,325	\$147,325	\$147,325
TOTAL PUBLIC FUNDS	\$93,859,655	\$94,609,655	\$95,417,710

Governor's Emergency Fund**Continuation Budget**

The purpose of this appropriation is to provide emergency funds to draw on when disasters create extraordinary demands on government.

TOTAL STATE FUNDS	\$11,062,041	\$11,062,041	\$11,062,041
State General Funds	\$11,062,041	\$11,062,041	\$11,062,041
TOTAL PUBLIC FUNDS	\$11,062,041	\$11,062,041	\$11,062,041

169.100-Governor's Emergency Fund **Appropriation (HB 684)**

The purpose of this appropriation is to provide emergency funds to draw on when disasters create extraordinary demands on government.

TOTAL STATE FUNDS	\$11,062,041	\$11,062,041	\$11,062,041
State General Funds	\$11,062,041	\$11,062,041	\$11,062,041
TOTAL PUBLIC FUNDS	\$11,062,041	\$11,062,041	\$11,062,041

Governor's Office

Continuation Budget

The purpose of this appropriation is to provide numerous duties including, but not limited to: granting commissions, appointments and vacancies, maintaining order, and temporary transfer of institutions between departments or agencies. The Mansion allowance per O.C.G.A. 45-7-4 shall be \$40,000.

TOTAL STATE FUNDS	\$6,760,258	\$6,760,258	\$6,760,258
State General Funds	\$6,760,258	\$6,760,258	\$6,760,258
TOTAL PUBLIC FUNDS	\$6,760,258	\$6,760,258	\$6,760,258

170.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$4,373)	(\$4,373)	(\$4,373)
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170.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$577)	(\$577)	(\$577)
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170.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,343	\$2,343	\$2,343
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170.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$71)
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170.100-Governor's Office **Appropriation (HB 684)**

The purpose of this appropriation is to provide numerous duties including, but not limited to: granting commissions, appointments and vacancies, maintaining order, and temporary transfer of institutions between departments or agencies. The Mansion allowance per O.C.G.A. 45-7-4 shall be \$40,000.

TOTAL STATE FUNDS	\$6,757,651	\$6,757,651	\$6,757,580
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State General Funds	\$6,757,651	\$6,757,651	\$6,757,580
TOTAL PUBLIC FUNDS	\$6,757,651	\$6,757,651	\$6,757,580

Planning and Budget, Governor's Office of**Continuation Budget**

The purpose of this appropriation is to improve state government operations and services by leading and assisting in the evaluation, development, and implementation of budgets, plans, programs, and policies.

TOTAL STATE FUNDS	\$8,842,879	\$8,842,879	\$8,842,879
State General Funds	\$8,842,879	\$8,842,879	\$8,842,879
TOTAL PUBLIC FUNDS	\$8,842,879	\$8,842,879	\$8,842,879

171.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$15,230)	(\$15,230)	(\$15,230)
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171.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$793)	(\$793)	(\$793)
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171.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$22,493)	(\$22,493)	(\$22,493)
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171.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,054	\$3,054	\$3,054
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171.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$11,508
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171.100-Planning and Budget, Governor's Office of	Appropriation (HB 684)		
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The purpose of this appropriation is to improve state government operations and services by leading and assisting in the evaluation, development, and implementation of budgets, plans, programs, and policies.

TOTAL STATE FUNDS	\$8,807,417	\$8,807,417	\$8,818,925
State General Funds	\$8,807,417	\$8,807,417	\$8,818,925
TOTAL PUBLIC FUNDS	\$8,807,417	\$8,807,417	\$8,818,925

Child Advocate, Office of the**Continuation Budget**

The purpose of this appropriation is to provide independent oversight of persons, organizations, and agencies responsible for the protection and well-being of children.

TOTAL STATE FUNDS	\$1,019,322	\$1,019,322	\$1,019,322
State General Funds	\$1,019,322	\$1,019,322	\$1,019,322
TOTAL PUBLIC FUNDS	\$1,019,322	\$1,019,322	\$1,019,322

172.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$23	\$23	\$23
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172.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$40	\$40	\$40
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172.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,145	\$3,145	\$3,145
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172.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$7)
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172.100-Child Advocate, Office of the**Appropriation (HB 684)**

The purpose of this appropriation is to provide independent oversight of persons, organizations, and agencies responsible for the protection and well-being of children.

TOTAL STATE FUNDS	\$1,022,530	\$1,022,530	\$1,022,523
State General Funds	\$1,022,530	\$1,022,530	\$1,022,523
TOTAL PUBLIC FUNDS	\$1,022,530	\$1,022,530	\$1,022,523

Emergency Management and Homeland Security Agency, Georgia**Continuation Budget**

The purpose of this appropriation is to provide a disaster, mitigation, preparedness, response, and recovery program by coordinating federal, state, and other resources and supporting local governments to respond to major disasters and emergency events, and to coordinate state resources for the preparation and prevention of threats and acts of terrorism and to serve as the State's point of contact for the federal Department of Homeland Security.

TOTAL STATE FUNDS	\$2,963,269	\$2,963,269	\$2,963,269
State General Funds	\$2,963,269	\$2,963,269	\$2,963,269
TOTAL FEDERAL FUNDS	\$29,703,182	\$29,703,182	\$29,703,182
Federal Funds Not Itemized	\$29,703,182	\$29,703,182	\$29,703,182
TOTAL AGENCY FUNDS	\$660,531	\$660,531	\$660,531
Reserved Fund Balances	\$500,000	\$500,000	\$500,000
Reserved Fund Balances Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$160,531	\$160,531	\$160,531
Sales and Services Not Itemized	\$160,531	\$160,531	\$160,531
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,325	\$147,325	\$147,325
State Funds Transfers	\$147,325	\$147,325	\$147,325
Agency to Agency Contracts	\$147,325	\$147,325	\$147,325
TOTAL PUBLIC FUNDS	\$33,474,307	\$33,474,307	\$33,474,307

173.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$5,129)	(\$5,129)	(\$5,129)
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173.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,317)	(\$1,317)	(\$1,317)
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173.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,627	\$1,627	\$1,627
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173.4 *Increase funds for Local Government 9-1-1 Authority established by Executive Order 05.30.17.01.*

State General Funds	\$138,476	\$138,476	\$138,476
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173.5 *Eliminate funds for one-time funding for equipment purchases for two intelligence analyst positions.*

State General Funds	(\$56,820)	(\$56,820)	(\$56,820)
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173.6 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$65)
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173.100-Emergency Management and Homeland Security Agency, Georgia **Appropriation (HB 684)**

The purpose of this appropriation is to provide a disaster, mitigation, preparedness, response, and recovery program by coordinating federal, state, and other resources and supporting local governments to respond to major disasters and emergency events, and to coordinate state resources for the preparation and prevention of threats and acts of terrorism and to serve as the State's point of contact for the federal Department of Homeland Security.

TOTAL STATE FUNDS	\$3,040,106	\$3,040,106	\$3,040,041
State General Funds	\$3,040,106	\$3,040,106	\$3,040,041
TOTAL FEDERAL FUNDS	\$29,703,182	\$29,703,182	\$29,703,182
Federal Funds Not Itemized	\$29,703,182	\$29,703,182	\$29,703,182
TOTAL AGENCY FUNDS	\$660,531	\$660,531	\$660,531
Reserved Fund Balances	\$500,000	\$500,000	\$500,000
Reserved Fund Balances Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$160,531	\$160,531	\$160,531
Sales and Services Not Itemized	\$160,531	\$160,531	\$160,531
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$147,325	\$147,325	\$147,325
State Funds Transfers	\$147,325	\$147,325	\$147,325
Agency to Agency Contracts	\$147,325	\$147,325	\$147,325
TOTAL PUBLIC FUNDS	\$33,551,144	\$33,551,144	\$33,551,079

Equal Opportunity, Georgia Commission on**Continuation Budget**

The purpose of this appropriation is to enforce the Georgia Fair Employment Practices Act of 1978, as amended, and the Fair Housing Act, which makes it unlawful to discriminate against any individual.

TOTAL STATE FUNDS	\$701,501	\$701,501	\$701,501
State General Funds	\$701,501	\$701,501	\$701,501
TOTAL PUBLIC FUNDS	\$701,501	\$701,501	\$701,501

174.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$81	\$81	\$81
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174.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$34	\$34	\$34
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174.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,079	\$3,079	\$3,079
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174.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$6)
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174.100-Equal Opportunity, Georgia Commission on

Appropriation (HB 684)

The purpose of this appropriation is to enforce the Georgia Fair Employment Practices Act of 1978, as amended, and the Fair Housing Act, which makes it unlawful to discriminate against any individual.

TOTAL STATE FUNDS	\$704,695	\$704,695	\$704,689
State General Funds	\$704,695	\$704,695	\$704,689
TOTAL PUBLIC FUNDS	\$704,695	\$704,695	\$704,689

Professional Standards Commission, Georgia

Continuation Budget

The purpose of this appropriation is to direct the preparation of, certify, recognize, and recruit Georgia educators, and to enforce standards regarding educator professional preparation, performance, and ethics.

TOTAL STATE FUNDS	\$7,288,063	\$7,288,063	\$7,288,063
State General Funds	\$7,288,063	\$7,288,063	\$7,288,063
TOTAL FEDERAL FUNDS	\$411,930	\$411,930	\$411,930
Federal Funds Not Itemized	\$411,930	\$411,930	\$411,930
TOTAL PUBLIC FUNDS	\$7,699,993	\$7,699,993	\$7,699,993

175.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$7,578	\$7,578	\$7,578
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175.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$114)	(\$114)	(\$114)
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175.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$517)	(\$517)	(\$517)
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175.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds \$1,929 \$1,929 \$1,929

175.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds (\$58)

175.100-Professional Standards Commission, Georgia **Appropriation (HB 684)**

The purpose of this appropriation is to direct the preparation of, certify, recognize, and recruit Georgia educators, and to enforce standards regarding educator professional preparation, performance, and ethics.

TOTAL STATE FUNDS	\$7,296,939	\$7,296,939	\$7,296,881
State General Funds	\$7,296,939	\$7,296,939	\$7,296,881
TOTAL FEDERAL FUNDS	\$411,930	\$411,930	\$411,930
Federal Funds Not Itemized	\$411,930	\$411,930	\$411,930
TOTAL PUBLIC FUNDS	\$7,708,869	\$7,708,869	\$7,708,811

Office of the State Inspector General

Continuation Budget

The purpose of this appropriation is to foster and promote accountability and integrity in state government by investigating and preventing fraud, waste, and abuse.

TOTAL STATE FUNDS	\$701,154	\$701,154	\$701,154
State General Funds	\$701,154	\$701,154	\$701,154
TOTAL PUBLIC FUNDS	\$701,154	\$701,154	\$701,154

176.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds \$80 \$80 \$80

176.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds (\$31) (\$31) (\$31)

176.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds \$10,051 \$10,051 \$10,051

176.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds (\$5)

176.100-Office of the State Inspector General **Appropriation (HB 684)**

The purpose of this appropriation is to foster and promote accountability and integrity in state government by investigating and preventing fraud, waste, and abuse.

TOTAL STATE FUNDS	\$711,254	\$711,254	\$711,249
State General Funds	\$711,254	\$711,254	\$711,249
TOTAL PUBLIC FUNDS	\$711,254	\$711,254	\$711,249

Student Achievement, Office of **Continuation Budget**

The purpose of this appropriation is to support educational accountability, evaluation, and reporting efforts, establishment of standards on state assessments, the preparation and release of the state's education report card and scoreboard, and education research to inform policy and budget efforts.

TOTAL STATE FUNDS	\$21,930,685	\$21,930,685	\$21,930,685
State General Funds	\$21,930,685	\$21,930,685	\$21,930,685
TOTAL PUBLIC FUNDS	\$21,930,685	\$21,930,685	\$21,930,685

177.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$40,980	\$40,980	\$40,980
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177.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$585	\$585	\$585
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177.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$298)	(\$298)	(\$298)
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177.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,474	\$4,474	\$4,474
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177.5 *Increase funds to establish a statewide leadership academy for principals per HB338 (2017 Session).*

State General Funds	\$1,557,628	\$1,557,628	\$1,557,628
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177.6 *Increase funds for one non-STEM AP exam fee for low-income students.*

State General Funds		\$750,000	\$750,000
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177.7 *Increase existing grant funds for birth-to-five literacy/numeracy in rural Georgia. (H:YES)(S:YES; Increase existing grant funds for birth-to-five literacy/numeracy in the attendance zones of the state's lowest-performing schools)*

State General Funds \$0 \$0

177.8 *Increase funds for a proven AmeriCorps program to be established at the Commodore Conyers College and Career Academy in conjunction with Dougherty County Schools and Albany State University to serve Dougherty County Schools to provide direct math assistance to 4th - 8th grade students at low performing schools identified by Georgia's Chief Turnaround Officer.*

State General Funds \$481,788

Federal Funds Not Itemized \$315,000

Total Public Funds: \$796,788

177.9 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds (\$29)

177.100-Student Achievement, Office of	Appropriation (HB 684)
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The purpose of this appropriation is to support educational accountability, evaluation, and reporting efforts, establishment of standards on state assessments, the preparation and release of the state's education report card and scoreboard, and education research to inform policy and budget efforts.

TOTAL STATE FUNDS	\$23,534,054	\$24,284,054	\$24,765,813
State General Funds	\$23,534,054	\$24,284,054	\$24,765,813
TOTAL FEDERAL FUNDS			\$315,000
Federal Funds Not Itemized			\$315,000
TOTAL PUBLIC FUNDS	\$23,534,054	\$24,284,054	\$25,080,813

The Mansion allowance shall be \$40,000.

Section 28: Human Services, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$757,325,486	\$757,325,486	\$757,325,486
State General Funds	\$757,325,486	\$757,325,486	\$757,325,486
TOTAL FEDERAL FUNDS	\$1,111,083,936	\$1,111,083,936	\$1,111,083,936
Federal Funds Not Itemized	\$511,811,903	\$511,811,903	\$511,811,903
Community Services Block Grant CFDA93.569	\$16,844,514	\$16,844,514	\$16,844,514
Foster Care Title IV-E CFDA93.658	\$97,884,214	\$97,884,214	\$97,884,214

Rebates, Refunds, and Reimbursements Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services	\$25,609,096	\$25,609,096	\$25,609,096
Sales and Services Not Itemized	\$25,609,096	\$25,609,096	\$25,609,096
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,874,360	\$2,874,360	\$2,874,360
State Funds Transfers	\$1,415,147	\$1,415,147	\$1,415,147
Agency to Agency Contracts	\$1,415,147	\$1,415,147	\$1,415,147
Agency Funds Transfers	\$1,459,213	\$1,459,213	\$1,459,213
Agency Fund Transfers Not Itemized	\$1,459,213	\$1,459,213	\$1,459,213
TOTAL PUBLIC FUNDS	\$1,932,517,412	\$1,935,524,848	\$1,936,223,768

Adoptions Services

Continuation Budget

The purpose of this appropriation is to support and facilitate the safe permanent placement of children by prescreening families and providing support and financial services after adoption.

TOTAL STATE FUNDS	\$33,305,979	\$33,305,979	\$33,305,979
State General Funds	\$33,305,979	\$33,305,979	\$33,305,979
TOTAL FEDERAL FUNDS	\$61,901,518	\$61,901,518	\$61,901,518
Federal Funds Not Itemized	\$45,501,518	\$45,501,518	\$45,501,518
Temporary Assistance for Needy Families	\$16,400,000	\$16,400,000	\$16,400,000
Temporary Assistance for Needy Families Grant CFDA93.558	\$16,400,000	\$16,400,000	\$16,400,000
TOTAL PUBLIC FUNDS	\$95,207,497	\$95,207,497	\$95,207,497

178.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$3,259)	(\$3,259)	(\$3,259)
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178.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$170)	(\$170)	(\$170)
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178.3 *Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.*

State General Funds	\$320,740	\$320,740	\$320,740
Federal Funds Not Itemized	(\$320,740)	(\$320,740)	(\$320,740)
Total Public Funds:	\$0	\$0	\$0

178.4 *Replace funds to reflect projected expenditures.*

State General Funds	\$2,700,520	\$2,700,520	\$2,700,520
Temporary Assistance for Needy Families Grant CFDA93.558	(\$2,700,520)	(\$2,700,520)	(\$2,700,520)
Total Public Funds:	\$0	\$0	\$0

178.100-Adoptions Services**Appropriation (HB 684)**

The purpose of this appropriation is to support and facilitate the safe permanent placement of children by prescreening families and providing support and financial services after adoption.

TOTAL STATE FUNDS	\$36,323,810	\$36,323,810	\$36,323,810
State General Funds	\$36,323,810	\$36,323,810	\$36,323,810
TOTAL FEDERAL FUNDS	\$58,880,258	\$58,880,258	\$58,880,258
Federal Funds Not Itemized	\$45,180,778	\$45,180,778	\$45,180,778
Temporary Assistance for Needy Families	\$13,699,480	\$13,699,480	\$13,699,480
Temporary Assistance for Needy Families Grant CFDA93.558	\$13,699,480	\$13,699,480	\$13,699,480
TOTAL PUBLIC FUNDS	\$95,204,068	\$95,204,068	\$95,204,068

After School Care**Continuation Budget**

The purpose of this appropriation is to expand the provision of after school care services and draw down TANF maintenance of effort funds.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$15,500,000	\$15,500,000	\$15,500,000
Temporary Assistance for Needy Families	\$15,500,000	\$15,500,000	\$15,500,000
Temporary Assistance for Needy Families Grant CFDA93.558	\$15,500,000	\$15,500,000	\$15,500,000
TOTAL PUBLIC FUNDS	\$15,500,000	\$15,500,000	\$15,500,000

179.100-After School Care**Appropriation (HB 684)**

The purpose of this appropriation is to expand the provision of after school care services and draw down TANF maintenance of effort funds.

TOTAL FEDERAL FUNDS	\$15,500,000	\$15,500,000	\$15,500,000
Temporary Assistance for Needy Families	\$15,500,000	\$15,500,000	\$15,500,000
Temporary Assistance for Needy Families Grant CFDA93.558	\$15,500,000	\$15,500,000	\$15,500,000
TOTAL PUBLIC FUNDS	\$15,500,000	\$15,500,000	\$15,500,000

Child Abuse and Neglect Prevention

Continuation Budget

The purpose of this appropriation is to promote child abuse and neglect prevention programs and support child victims of abuse.

TOTAL STATE FUNDS	\$1,334,765	\$1,334,765	\$1,334,765
State General Funds	\$1,334,765	\$1,334,765	\$1,334,765
TOTAL FEDERAL FUNDS	\$6,563,416	\$6,563,416	\$6,563,416
Federal Funds Not Itemized	\$3,490,746	\$3,490,746	\$3,490,746
Temporary Assistance for Needy Families	\$3,072,670	\$3,072,670	\$3,072,670
Temporary Assistance for Needy Families Grant CFDA93.558	\$3,072,670	\$3,072,670	\$3,072,670
TOTAL PUBLIC FUNDS	\$7,898,181	\$7,898,181	\$7,898,181

180.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$763)	(\$763)	(\$763)
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180.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$40)	(\$40)	(\$40)
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180.3 *Increase funds for child advocacy centers to provide an increase in equipment and therapeutic, medical, and outreach services.*

State General Funds		\$490,000	\$980,000
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180.100-Child Abuse and Neglect Prevention

Appropriation (HB 684)

The purpose of this appropriation is to promote child abuse and neglect prevention programs and support child victims of abuse.

TOTAL STATE FUNDS	\$1,333,962	\$1,823,962	\$2,313,962
State General Funds	\$1,333,962	\$1,823,962	\$2,313,962
TOTAL FEDERAL FUNDS	\$6,563,416	\$6,563,416	\$6,563,416
Federal Funds Not Itemized	\$3,490,746	\$3,490,746	\$3,490,746
Temporary Assistance for Needy Families	\$3,072,670	\$3,072,670	\$3,072,670
Temporary Assistance for Needy Families Grant CFDA93.558	\$3,072,670	\$3,072,670	\$3,072,670
TOTAL PUBLIC FUNDS	\$7,897,378	\$8,387,378	\$8,877,378

Child Care Assistance**Continuation Budget**

The purpose of this appropriation is to permit low-income families to be self-reliant while protecting the safety and well-being of their children by ensuring access to child care.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$9,777,346	\$9,777,346	\$9,777,346
Federal Funds Not Itemized	\$9,777,346	\$9,777,346	\$9,777,346
TOTAL PUBLIC FUNDS	\$9,777,346	\$9,777,346	\$9,777,346

181.98 *Change the name of the Child Care Services program to the Child Care Assistance program. (H:YES)(S:YES)*

State General Funds			\$0
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181.100-Child Care Assistance**Appropriation (HB 684)**

The purpose of this appropriation is to permit low-income families to be self-reliant while protecting the safety and well-being of their children by ensuring access to child care.

TOTAL FEDERAL FUNDS	\$9,777,346	\$9,777,346	\$9,777,346
Federal Funds Not Itemized	\$9,777,346	\$9,777,346	\$9,777,346
TOTAL PUBLIC FUNDS	\$9,777,346	\$9,777,346	\$9,777,346

Child Support Services**Continuation Budget**

The purpose of this appropriation is to encourage and enforce the parental responsibility of paying financial support.

TOTAL STATE FUNDS	\$29,694,795	\$29,694,795	\$29,694,795
State General Funds	\$29,694,795	\$29,694,795	\$29,694,795
TOTAL FEDERAL FUNDS	\$76,285,754	\$76,285,754	\$76,285,754
Federal Funds Not Itemized	\$76,285,754	\$76,285,754	\$76,285,754
TOTAL AGENCY FUNDS	\$2,841,500	\$2,841,500	\$2,841,500
Sales and Services	\$2,841,500	\$2,841,500	\$2,841,500
Sales and Services Not Itemized	\$2,841,500	\$2,841,500	\$2,841,500
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$395,760	\$395,760	\$395,760
State Funds Transfers	\$395,760	\$395,760	\$395,760
Agency to Agency Contracts	\$395,760	\$395,760	\$395,760
TOTAL PUBLIC FUNDS	\$109,217,809	\$109,217,809	\$109,217,809

182.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$21,087)	(\$21,087)	(\$21,087)
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182.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,098)	(\$1,098)	(\$1,098)
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182.100-Child Support Services	Appropriation (HB 684)		
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The purpose of this appropriation is to encourage and enforce the parental responsibility of paying financial support.

TOTAL STATE FUNDS	\$29,672,610	\$29,672,610	\$29,672,610
State General Funds	\$29,672,610	\$29,672,610	\$29,672,610
TOTAL FEDERAL FUNDS	\$76,285,754	\$76,285,754	\$76,285,754
Federal Funds Not Itemized	\$76,285,754	\$76,285,754	\$76,285,754
TOTAL AGENCY FUNDS	\$2,841,500	\$2,841,500	\$2,841,500
Sales and Services	\$2,841,500	\$2,841,500	\$2,841,500
Sales and Services Not Itemized	\$2,841,500	\$2,841,500	\$2,841,500
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$395,760	\$395,760	\$395,760
State Funds Transfers	\$395,760	\$395,760	\$395,760
Agency to Agency Contracts	\$395,760	\$395,760	\$395,760
TOTAL PUBLIC FUNDS	\$109,195,624	\$109,195,624	\$109,195,624

Child Welfare Services

Continuation Budget

The purpose of this appropriation is to investigate allegations of child abuse, abandonment, and neglect, and to provide services to protect the child and strengthen the family.

TOTAL STATE FUNDS	\$193,338,758	\$193,338,758	\$193,338,758
State General Funds	\$193,338,758	\$193,338,758	\$193,338,758
TOTAL FEDERAL FUNDS	\$201,282,274	\$201,282,274	\$201,282,274
Federal Funds Not Itemized	\$28,930,766	\$28,930,766	\$28,930,766
Foster Care Title IV-E CFDA93.658	\$39,911,718	\$39,911,718	\$39,911,718
Medical Assistance Program CFDA93.778	\$264,879	\$264,879	\$264,879
Social Services Block Grant CFDA93.667	\$2,871,034	\$2,871,034	\$2,871,034
Temporary Assistance for Needy Families	\$129,303,877	\$129,303,877	\$129,303,877

Temporary Assistance for Needy Families Grant CFDA93.558	\$125,101,599	\$125,101,599	\$125,101,599
TANF Transfers to Social Services Block Grant per 42 USC 604	\$4,202,278	\$4,202,278	\$4,202,278
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$134,930	\$134,930	\$134,930
State Funds Transfers	\$134,930	\$134,930	\$134,930
Agency to Agency Contracts	\$134,930	\$134,930	\$134,930
TOTAL PUBLIC FUNDS	\$394,755,962	\$394,755,962	\$394,755,962

183.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$3,387)	(\$3,387)	(\$3,387)
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183.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$28,835	\$28,835	\$28,835
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183.3 *Increase funds to reflect an adjustment in TeamWorks billings.*

State General Funds	\$18,176	\$18,176	\$18,176
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183.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$122,422)	(\$122,422)	(\$122,422)
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183.5 *Increase funds for care coordinator positions to improve mental health outcomes for children in foster care as recommended by the Commission on Children's Mental Health.*

State General Funds	\$2,255,408	\$2,255,408	\$2,255,408
Foster Care Title IV-E CFDA93.658	\$209,520	\$209,520	\$209,520
Total Public Funds:	\$2,464,928	\$2,464,928	\$2,464,928

183.6 *Replace funds to reflect projected expenditures.*

State General Funds	(\$2,700,520)	(\$2,700,520)	(\$2,700,520)
Temporary Assistance for Needy Families Grant CFDA93.558	\$2,700,520	\$2,700,520	\$2,700,520
Total Public Funds:	\$0	\$0	\$0

183.7 *Reduce one-time funds for mobile technologies.*

State General Funds		(\$1,033,000)	(\$1,033,000)
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183.8 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$18,055)
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183.100-Child Welfare Services **Appropriation (HB 684)**

The purpose of this appropriation is to investigate allegations of child abuse, abandonment, and neglect, and to provide services to protect the child and strengthen the family.

TOTAL STATE FUNDS	\$192,814,848	\$191,781,848	\$191,763,793
State General Funds	\$192,814,848	\$191,781,848	\$191,763,793
TOTAL FEDERAL FUNDS	\$204,192,314	\$204,192,314	\$204,192,314
Federal Funds Not Itemized	\$28,930,766	\$28,930,766	\$28,930,766
Foster Care Title IV-E CFDA93.658	\$40,121,238	\$40,121,238	\$40,121,238
Medical Assistance Program CFDA93.778	\$264,879	\$264,879	\$264,879
Social Services Block Grant CFDA93.667	\$2,871,034	\$2,871,034	\$2,871,034
Temporary Assistance for Needy Families	\$132,004,397	\$132,004,397	\$132,004,397
Temporary Assistance for Needy Families Grant CFDA93.558	\$127,802,119	\$127,802,119	\$127,802,119
TANF Transfers to Social Services Block Grant per 42 USC 604	\$4,202,278	\$4,202,278	\$4,202,278
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$134,930	\$134,930	\$134,930
State Funds Transfers	\$134,930	\$134,930	\$134,930
Agency to Agency Contracts	\$134,930	\$134,930	\$134,930
TOTAL PUBLIC FUNDS	\$397,142,092	\$396,109,092	\$396,091,037

Community Services**Continuation Budget**

The purpose of this appropriation is to provide services and activities through local agencies to assist low-income Georgians with employment, education, nutrition, and housing services.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$16,110,137	\$16,110,137	\$16,110,137
Community Services Block Grant CFDA93.569	\$16,110,137	\$16,110,137	\$16,110,137
TOTAL PUBLIC FUNDS	\$16,110,137	\$16,110,137	\$16,110,137

184.100-Community Services **Appropriation (HB 684)**

The purpose of this appropriation is to provide services and activities through local agencies to assist low-income Georgians with employment, education, nutrition, and housing services.

TOTAL FEDERAL FUNDS	\$16,110,137	\$16,110,137	\$16,110,137
Community Services Block Grant CFDA93.569	\$16,110,137	\$16,110,137	\$16,110,137
TOTAL PUBLIC FUNDS	\$16,110,137	\$16,110,137	\$16,110,137

Departmental Administration (DHS)**Continuation Budget**

The purpose of this appropriation is to provide administration and support for the Divisions and Operating Office in meeting the needs of the people of Georgia.

TOTAL STATE FUNDS	\$54,731,421	\$54,731,421	\$54,731,421
State General Funds	\$54,731,421	\$54,731,421	\$54,731,421
TOTAL FEDERAL FUNDS	\$80,633,308	\$80,633,308	\$80,633,308
Federal Funds Not Itemized	\$28,437,694	\$28,437,694	\$28,437,694
Community Services Block Grant CFDA93.569	\$474,379	\$474,379	\$474,379
Foster Care Title IV-E CFDA93.658	\$6,195,093	\$6,195,093	\$6,195,093
Low-Income Home Energy Assistance CFDA93.568	\$346,481	\$346,481	\$346,481
Medical Assistance Program CFDA93.778	\$37,419,688	\$37,419,688	\$37,419,688
Social Services Block Grant CFDA93.667	\$23,001	\$23,001	\$23,001
Temporary Assistance for Needy Families	\$7,736,972	\$7,736,972	\$7,736,972
Temporary Assistance for Needy Families Grant CFDA93.558	\$7,736,972	\$7,736,972	\$7,736,972
TOTAL AGENCY FUNDS	\$12,824,744	\$12,824,744	\$12,824,744
Rebates, Refunds, and Reimbursements	\$1,500,000	\$1,500,000	\$1,500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services	\$11,324,744	\$11,324,744	\$11,324,744
Sales and Services Not Itemized	\$11,324,744	\$11,324,744	\$11,324,744
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$100,543	\$100,543	\$100,543
State Funds Transfers	\$100,543	\$100,543	\$100,543
Agency to Agency Contracts	\$100,543	\$100,543	\$100,543
TOTAL PUBLIC FUNDS	\$148,290,016	\$148,290,016	\$148,290,016

185.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$3,720	\$3,720	\$3,720
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185.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$70,833)	(\$70,833)	(\$70,833)
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185.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,688)	(\$3,688)	(\$3,688)
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185.4 *Increase funds to reflect an adjustment in TeamWorks billings.*

State General Funds	\$1,156,304	\$1,156,304	\$1,156,304
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185.5 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$15,848)	(\$15,848)	(\$15,848)
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185.6 *Increase funds for the first installment of a two-year plan to increase the personal needs allowance for nursing home residents by \$20 per month pursuant to the passage of HB206 (2017 Session). (H and S:Provide funds to increase the personal needs allowance for nursing home residents by \$15 per month pursuant to the passage of HB206 (2017 Session))*

State General Funds	\$287,982	\$431,973	\$431,973
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185.7 *Transfer one-time matching funds from the Elder Community Living Services program to the Departmental Administration (DHS) program for the Alzheimer's Disease Supportive Service Program (ADSSP) grant.*

State General Funds	\$80,067	\$80,067	\$80,067
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185.8 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$170,553
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185.100-Departmental Administration (DHS)**Appropriation (HB 684)**

The purpose of this appropriation is to provide administration and support for the Divisions and Operating Office in meeting the needs of the people of Georgia.

TOTAL STATE FUNDS	\$56,169,125	\$56,313,116	\$56,483,669
State General Funds	\$56,169,125	\$56,313,116	\$56,483,669
TOTAL FEDERAL FUNDS	\$80,633,308	\$80,633,308	\$80,633,308
Federal Funds Not Itemized	\$28,437,694	\$28,437,694	\$28,437,694
Community Services Block Grant CFDA93.569	\$474,379	\$474,379	\$474,379
Foster Care Title IV-E CFDA93.658	\$6,195,093	\$6,195,093	\$6,195,093
Low-Income Home Energy Assistance CFDA93.568	\$346,481	\$346,481	\$346,481
Medical Assistance Program CFDA93.778	\$37,419,688	\$37,419,688	\$37,419,688
Social Services Block Grant CFDA93.667	\$23,001	\$23,001	\$23,001
Temporary Assistance for Needy Families	\$7,736,972	\$7,736,972	\$7,736,972
Temporary Assistance for Needy Families Grant CFDA93.558	\$7,736,972	\$7,736,972	\$7,736,972
TOTAL AGENCY FUNDS	\$12,824,744	\$12,824,744	\$12,824,744
Rebates, Refunds, and Reimbursements	\$1,500,000	\$1,500,000	\$1,500,000

Rebates, Refunds, and Reimbursements Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services	\$11,324,744	\$11,324,744	\$11,324,744
Sales and Services Not Itemized	\$11,324,744	\$11,324,744	\$11,324,744
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$100,543	\$100,543	\$100,543
State Funds Transfers	\$100,543	\$100,543	\$100,543
Agency to Agency Contracts	\$100,543	\$100,543	\$100,543
TOTAL PUBLIC FUNDS	\$149,727,720	\$149,871,711	\$150,042,264

Elder Abuse Investigations and Prevention**Continuation Budget**

The purpose of this appropriation is to prevent disabled adults and elder persons from abuse, exploitation and neglect, and investigate situations where it might have occurred.

TOTAL STATE FUNDS	\$20,556,335	\$20,556,335	\$20,556,335
State General Funds	\$20,556,335	\$20,556,335	\$20,556,335
TOTAL FEDERAL FUNDS	\$3,868,926	\$3,868,926	\$3,868,926
Federal Funds Not Itemized	\$1,589,387	\$1,589,387	\$1,589,387
Social Services Block Grant CFDA93.667	\$2,279,539	\$2,279,539	\$2,279,539
TOTAL PUBLIC FUNDS	\$24,425,261	\$24,425,261	\$24,425,261

186.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$25,188)	(\$25,188)	(\$25,188)
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186.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,312)	(\$1,312)	(\$1,312)
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186.100-Elder Abuse Investigations and Prevention**Appropriation (HB 684)**

The purpose of this appropriation is to prevent disabled adults and elder persons from abuse, exploitation and neglect, and investigate situations where it might have occurred.

TOTAL STATE FUNDS	\$20,529,835	\$20,529,835	\$20,529,835
State General Funds	\$20,529,835	\$20,529,835	\$20,529,835
TOTAL FEDERAL FUNDS	\$3,868,926	\$3,868,926	\$3,868,926
Federal Funds Not Itemized	\$1,589,387	\$1,589,387	\$1,589,387

Social Services Block Grant CFDA93.667	\$2,279,539	\$2,279,539	\$2,279,539
TOTAL PUBLIC FUNDS	\$24,398,761	\$24,398,761	\$24,398,761

Elder Community Living Services

Continuation Budget

The purpose of this appropriation is to provide Georgians who need nursing home level of care the option of remaining in their own communities.

TOTAL STATE FUNDS	\$25,939,397	\$25,939,397	\$25,939,397
State General Funds	\$25,939,397	\$25,939,397	\$25,939,397
TOTAL FEDERAL FUNDS	\$30,929,341	\$30,929,341	\$30,929,341
Federal Funds Not Itemized	\$24,728,998	\$24,728,998	\$24,728,998
Social Services Block Grant CFDA93.667	\$6,200,343	\$6,200,343	\$6,200,343
TOTAL PUBLIC FUNDS	\$56,868,738	\$56,868,738	\$56,868,738

187.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$487)	(\$487)	(\$487)
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187.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$25)	(\$25)	(\$25)
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187.3 *Transfer one-time matching funds from the Elder Community Living Services program to the Departmental Administration (DHS) program for the Alzheimer's Disease Supportive Service Program (ADSSP) grant.*

State General Funds	(\$80,067)	(\$80,067)	(\$80,067)
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187.100-Elder Community Living Services	Appropriation (HB 684)
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The purpose of this appropriation is to provide Georgians who need nursing home level of care the option of remaining in their own communities.

TOTAL STATE FUNDS	\$25,858,818	\$25,858,818	\$25,858,818
State General Funds	\$25,858,818	\$25,858,818	\$25,858,818
TOTAL FEDERAL FUNDS	\$30,929,341	\$30,929,341	\$30,929,341
Federal Funds Not Itemized	\$24,728,998	\$24,728,998	\$24,728,998
Social Services Block Grant CFDA93.667	\$6,200,343	\$6,200,343	\$6,200,343
TOTAL PUBLIC FUNDS	\$56,788,159	\$56,788,159	\$56,788,159

Elder Support Services**Continuation Budget**

The purpose of this appropriation is to assist older Georgians, so that they may live in their homes and communities, by providing health, employment, nutrition, and other support and education services.

TOTAL STATE FUNDS	\$4,143,424	\$4,143,424	\$4,143,424
State General Funds	\$4,143,424	\$4,143,424	\$4,143,424
TOTAL FEDERAL FUNDS	\$6,737,729	\$6,737,729	\$6,737,729
Federal Funds Not Itemized	\$5,987,729	\$5,987,729	\$5,987,729
Social Services Block Grant CFDA93.667	\$750,000	\$750,000	\$750,000
TOTAL PUBLIC FUNDS	\$10,881,153	\$10,881,153	\$10,881,153

188.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$777)	(\$777)	(\$777)
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188.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$41)	(\$41)	(\$41)
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188.3 *Utilize existing funds for the Area Agencies on Aging (AAA) to determine the unmet need for non-Medicaid senior transportation in each of the 12 AAA regions and report back to the Georgia General Assembly by December 1, 2018. (S:YES)*

State General Funds			\$0
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188.100-Elder Support Services**Appropriation (HB 684)**

The purpose of this appropriation is to assist older Georgians, so that they may live in their homes and communities, by providing health, employment, nutrition, and other support and education services.

TOTAL STATE FUNDS	\$4,142,606	\$4,142,606	\$4,142,606
State General Funds	\$4,142,606	\$4,142,606	\$4,142,606
TOTAL FEDERAL FUNDS	\$6,737,729	\$6,737,729	\$6,737,729
Federal Funds Not Itemized	\$5,987,729	\$5,987,729	\$5,987,729
Social Services Block Grant CFDA93.667	\$750,000	\$750,000	\$750,000
TOTAL PUBLIC FUNDS	\$10,880,335	\$10,880,335	\$10,880,335

Energy Assistance**Continuation Budget**

The purpose of this appropriation is to assist low-income households in meeting their immediate home energy needs.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$55,320,027	\$55,320,027	\$55,320,027
Low-Income Home Energy Assistance CFDA93.568	\$55,320,027	\$55,320,027	\$55,320,027
TOTAL PUBLIC FUNDS	\$55,320,027	\$55,320,027	\$55,320,027

189.100-Energy Assistance**Appropriation (HB 684)**

The purpose of this appropriation is to assist low-income households in meeting their immediate home energy needs.

TOTAL FEDERAL FUNDS	\$55,320,027	\$55,320,027	\$55,320,027
Low-Income Home Energy Assistance CFDA93.568	\$55,320,027	\$55,320,027	\$55,320,027
TOTAL PUBLIC FUNDS	\$55,320,027	\$55,320,027	\$55,320,027

Federal Eligibility Benefit Services**Continuation Budget**

The purpose of this appropriation is to verify eligibility and provide support services for Medicaid, Food Stamp, and Temporary Assistance for Needy Families (TANF).

TOTAL STATE FUNDS	\$119,357,699	\$119,357,699	\$119,357,699
State General Funds	\$119,357,699	\$119,357,699	\$119,357,699
TOTAL FEDERAL FUNDS	\$196,903,657	\$196,903,657	\$196,903,657
Federal Funds Not Itemized	\$95,115,064	\$95,115,064	\$95,115,064
Community Services Block Grant CFDA93.569	\$259,998	\$259,998	\$259,998
Foster Care Title IV-E CFDA93.658	\$5,282,954	\$5,282,954	\$5,282,954
Low-Income Home Energy Assistance CFDA93.568	\$416,254	\$416,254	\$416,254
Medical Assistance Program CFDA93.778	\$69,813,174	\$69,813,174	\$69,813,174
Temporary Assistance for Needy Families	\$26,016,213	\$26,016,213	\$26,016,213
Temporary Assistance for Needy Families Grant CFDA93.558	\$26,016,213	\$26,016,213	\$26,016,213
TOTAL PUBLIC FUNDS	\$316,261,356	\$316,261,356	\$316,261,356

190.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$2,119	\$2,119	\$2,119
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190.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,383)	(\$1,383)	(\$1,383)
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190.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$11,773	\$11,773	\$11,773
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190.100-Federal Eligibility Benefit Services	Appropriation (HB 684)		
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The purpose of this appropriation is to verify eligibility and provide support services for Medicaid, Food Stamp, and Temporary Assistance for Needy Families (TANF).

TOTAL STATE FUNDS	\$119,370,208	\$119,370,208	\$119,370,208
State General Funds	\$119,370,208	\$119,370,208	\$119,370,208
TOTAL FEDERAL FUNDS	\$196,903,657	\$196,903,657	\$196,903,657
Federal Funds Not Itemized	\$95,115,064	\$95,115,064	\$95,115,064
Community Services Block Grant CFDA93.569	\$259,998	\$259,998	\$259,998
Foster Care Title IV-E CFDA93.658	\$5,282,954	\$5,282,954	\$5,282,954
Low-Income Home Energy Assistance CFDA93.568	\$416,254	\$416,254	\$416,254
Medical Assistance Program CFDA93.778	\$69,813,174	\$69,813,174	\$69,813,174
Temporary Assistance for Needy Families	\$26,016,213	\$26,016,213	\$26,016,213
Temporary Assistance for Needy Families Grant CFDA93.558	\$26,016,213	\$26,016,213	\$26,016,213
TOTAL PUBLIC FUNDS	\$316,273,865	\$316,273,865	\$316,273,865

Out-of-Home Care

Continuation Budget

The purpose of this appropriation is to provide safe and appropriate temporary homes for children removed from their families due to neglect, abuse, or abandonment.

TOTAL STATE FUNDS	\$239,298,714	\$239,298,714	\$239,298,714
State General Funds	\$239,298,714	\$239,298,714	\$239,298,714
TOTAL FEDERAL FUNDS	\$94,965,282	\$94,965,282	\$94,965,282
Federal Funds Not Itemized	\$239,636	\$239,636	\$239,636
Foster Care Title IV-E CFDA93.658	\$45,875,186	\$45,875,186	\$45,875,186
Temporary Assistance for Needy Families	\$48,850,460	\$48,850,460	\$48,850,460
Temporary Assistance for Needy Families Grant CFDA93.558	\$48,850,460	\$48,850,460	\$48,850,460
TOTAL PUBLIC FUNDS	\$334,263,996	\$334,263,996	\$334,263,996

191.1 *Increase funds for growth in Out-of-Home Care utilization.*

State General Funds	\$15,104,050	\$15,104,050	\$15,104,050
Foster Care Title IV-E CFDA93.658	\$2,258,865	\$2,258,865	\$2,258,865
Total Public Funds:	\$17,362,915	\$17,362,915	\$17,362,915

191.2 *Increase funds to reflect a \$2.50 per day increase for relative foster care rates. (H:Reflect a \$3.75 per day increase for relative foster care rates)(S:Increase funds to reflect a \$3.85 per day increase for relative foster care rates)*

State General Funds	\$7,462,425	\$11,193,638	\$11,492,135
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191.3 *Increase funds to reflect a \$2.50 increase for child placement agency (CPA) foster parent per diem rates. (H:Reflect a \$3.75 increase for child placement agency (CPA) foster parent per diem rates)(S:Increase funds to reflect a \$3.85 increase for child placement agency (CPA) foster parent per diem rates)*

State General Funds	\$2,673,464	\$4,010,196	\$4,117,135
Foster Care Title IV-E CFDA93.658	\$399,836	\$399,836	\$415,829
Total Public Funds:	\$3,073,300	\$4,410,032	\$4,532,964

191.4 *Increase funds for child caring institution (CCI) per diem rates by 2.5 percent. (S:Increase funds for child caring institution (CCI) per diem rates by 2.6 percent)*

State General Funds	\$2,426,667	\$2,426,667	\$2,523,734
Foster Care Title IV-E CFDA93.658	\$362,926	\$362,926	\$377,443
Total Public Funds:	\$2,789,593	\$2,789,593	\$2,901,177

191.5 *Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.*

State General Funds	\$289,288	\$289,288	\$289,288
Foster Care Title IV-E CFDA93.658	(\$289,288)	(\$289,288)	(\$289,288)
Total Public Funds:	\$0	\$0	\$0

191.6 *Increase funds for child placement agency (CPA) administrative costs by 2.5 percent. (S:Increase funds for child placement agency (CPA) administrative costs by 2.6 percent)*

State General Funds	\$1,170,954	\$1,170,954	\$1,217,792
Foster Care Title IV-E CFDA93.658	\$175,125	\$175,125	\$182,130
Total Public Funds:	\$1,346,079	\$1,346,079	\$1,399,922

191.7 *Reduce funds for the Families First COACHES program.*

State General Funds		(\$2,000,000)	(\$2,000,000)
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191.100-Out-of-Home Care**Appropriation (HB 684)**

The purpose of this appropriation is to provide safe and appropriate temporary homes for children removed from their families due to neglect, abuse, or abandonment.

TOTAL STATE FUNDS	\$268,425,562	\$271,493,507	\$272,042,848
State General Funds	\$268,425,562	\$271,493,507	\$272,042,848
TOTAL FEDERAL FUNDS	\$97,872,746	\$97,872,746	\$97,910,261
Federal Funds Not Itemized	\$239,636	\$239,636	\$239,636
Foster Care Title IV-E CFDA93.658	\$48,782,650	\$48,782,650	\$48,820,165
Temporary Assistance for Needy Families	\$48,850,460	\$48,850,460	\$48,850,460
Temporary Assistance for Needy Families Grant CFDA93.558	\$48,850,460	\$48,850,460	\$48,850,460
TOTAL PUBLIC FUNDS	\$366,298,308	\$369,366,253	\$369,953,109

Refugee Assistance**Continuation Budget**

The purpose of this appropriation is to provide employment, health screening, medical, cash, and social services assistance to refugees.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$11,388,225	\$11,388,225	\$11,388,225
Federal Funds Not Itemized	\$11,388,225	\$11,388,225	\$11,388,225
TOTAL PUBLIC FUNDS	\$11,388,225	\$11,388,225	\$11,388,225

192.100-Refugee Assistance**Appropriation (HB 684)**

The purpose of this appropriation is to provide employment, health screening, medical, cash, and social services assistance to refugees.

TOTAL FEDERAL FUNDS	\$11,388,225	\$11,388,225	\$11,388,225
Federal Funds Not Itemized	\$11,388,225	\$11,388,225	\$11,388,225
TOTAL PUBLIC FUNDS	\$11,388,225	\$11,388,225	\$11,388,225

Residential Child Care Licensing**Continuation Budget**

The purpose of this appropriation is to protect the health and safety of children who receive full-time care outside of their homes by licensing, monitoring, and inspecting residential care providers.

TOTAL STATE FUNDS	\$1,684,640	\$1,684,640	\$1,684,640
State General Funds	\$1,684,640	\$1,684,640	\$1,684,640
TOTAL FEDERAL FUNDS	\$619,263	\$619,263	\$619,263
Foster Care Title IV-E CFDA93.658	\$619,263	\$619,263	\$619,263
TOTAL PUBLIC FUNDS	\$2,303,903	\$2,303,903	\$2,303,903

193.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$3,545)	(\$3,545)	(\$3,545)
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193.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$185)	(\$185)	(\$185)
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193.100-Residential Child Care Licensing	Appropriation (HB 684)
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The purpose of this appropriation is to protect the health and safety of children who receive full-time care outside of their homes by licensing, monitoring, and inspecting residential care providers.

TOTAL STATE FUNDS	\$1,680,910	\$1,680,910	\$1,680,910
State General Funds	\$1,680,910	\$1,680,910	\$1,680,910
TOTAL FEDERAL FUNDS	\$619,263	\$619,263	\$619,263
Foster Care Title IV-E CFDA93.658	\$619,263	\$619,263	\$619,263
TOTAL PUBLIC FUNDS	\$2,300,173	\$2,300,173	\$2,300,173

Support for Needy Families - Basic Assistance

Continuation Budget

The purpose of this appropriation is to provide cash assistance to needy families in compliance with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

TOTAL STATE FUNDS	\$100,000	\$100,000	\$100,000
State General Funds	\$100,000	\$100,000	\$100,000
TOTAL FEDERAL FUNDS	\$43,453,008	\$43,453,008	\$43,453,008
Temporary Assistance for Needy Families	\$43,453,008	\$43,453,008	\$43,453,008
Temporary Assistance for Needy Families Grant CFDA93.558	\$43,453,008	\$43,453,008	\$43,453,008
TOTAL PUBLIC FUNDS	\$43,553,008	\$43,553,008	\$43,553,008

194.100-Support for Needy Families - Basic Assistance	Appropriation (HB 684)
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The purpose of this appropriation is to provide cash assistance to needy families in compliance with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

TOTAL STATE FUNDS	\$100,000	\$100,000	\$100,000
State General Funds	\$100,000	\$100,000	\$100,000
TOTAL FEDERAL FUNDS	\$43,453,008	\$43,453,008	\$43,453,008
Temporary Assistance for Needy Families	\$43,453,008	\$43,453,008	\$43,453,008
Temporary Assistance for Needy Families Grant CFDA93.558	\$43,453,008	\$43,453,008	\$43,453,008
TOTAL PUBLIC FUNDS	\$43,553,008	\$43,553,008	\$43,553,008

Support for Needy Families - Work Assistance**Continuation Budget**

The purpose of this appropriation is to assist needy Georgian families in achieving self-sufficiency by obtaining and keeping employment as well as complying with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

TOTAL STATE FUNDS	\$100,000	\$100,000	\$100,000
State General Funds	\$100,000	\$100,000	\$100,000
TOTAL FEDERAL FUNDS	\$25,567,755	\$25,567,755	\$25,567,755
Federal Funds Not Itemized	\$8,234,889	\$8,234,889	\$8,234,889
Temporary Assistance for Needy Families	\$17,332,866	\$17,332,866	\$17,332,866
Temporary Assistance for Needy Families Grant CFDA93.558	\$17,332,866	\$17,332,866	\$17,332,866
TOTAL PUBLIC FUNDS	\$25,667,755	\$25,667,755	\$25,667,755

195.100-Support for Needy Families - Work Assistance	Appropriation (HB 684)
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The purpose of this appropriation is to assist needy Georgian families in achieving self-sufficiency by obtaining and keeping employment as well as complying with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

TOTAL STATE FUNDS	\$100,000	\$100,000	\$100,000
State General Funds	\$100,000	\$100,000	\$100,000
TOTAL FEDERAL FUNDS	\$25,567,755	\$25,567,755	\$25,567,755
Federal Funds Not Itemized	\$8,234,889	\$8,234,889	\$8,234,889
Temporary Assistance for Needy Families	\$17,332,866	\$17,332,866	\$17,332,866
Temporary Assistance for Needy Families Grant CFDA93.558	\$17,332,866	\$17,332,866	\$17,332,866
TOTAL PUBLIC FUNDS	\$25,667,755	\$25,667,755	\$25,667,755

Council On Aging**Continuation Budget**

The purpose of this appropriation is to assist older individuals, at-risk adults, persons with disabilities, their families and caregivers in achieving safe, healthy, independent and self-reliant lives.

TOTAL STATE FUNDS	\$252,157	\$252,157	\$252,157
State General Funds	\$252,157	\$252,157	\$252,157
TOTAL PUBLIC FUNDS	\$252,157	\$252,157	\$252,157

196.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$110)	(\$110)	(\$110)
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196.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$23	\$23	\$23
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196.100-Council On Aging**Appropriation (HB 684)**

The purpose of this appropriation is to assist older individuals, at-risk adults, persons with disabilities, their families and caregivers in achieving safe, healthy, independent and self-reliant lives.

TOTAL STATE FUNDS	\$252,070	\$252,070	\$252,070
State General Funds	\$252,070	\$252,070	\$252,070
TOTAL PUBLIC FUNDS	\$252,070	\$252,070	\$252,070

Family Connection**Continuation Budget**

The purpose of this appropriation is to provide a statewide network of county collaboratives that work to improve conditions for children and families.

TOTAL STATE FUNDS	\$9,061,648	\$9,061,648	\$9,061,648
State General Funds	\$9,061,648	\$9,061,648	\$9,061,648
TOTAL FEDERAL FUNDS	\$1,172,819	\$1,172,819	\$1,172,819
Medical Assistance Program CFDA93.778	\$1,172,819	\$1,172,819	\$1,172,819
TOTAL PUBLIC FUNDS	\$10,234,467	\$10,234,467	\$10,234,467

197.1 *Increase funds to increase each county's allocation to \$50,000.*

State General Funds		\$238,500	\$238,500
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197.2 *Increase funds to support Georgia Family Connection Partnership technical assistance to the counties.*

State General Funds

\$50,000

197.100-Family Connection**Appropriation (HB 684)***The purpose of this appropriation is to provide a statewide network of county collaboratives that work to improve conditions for children and families.*

TOTAL STATE FUNDS	\$9,061,648	\$9,300,148	\$9,350,148
State General Funds	\$9,061,648	\$9,300,148	\$9,350,148
TOTAL FEDERAL FUNDS	\$1,172,819	\$1,172,819	\$1,172,819
Medical Assistance Program CFDA93.778	\$1,172,819	\$1,172,819	\$1,172,819
TOTAL PUBLIC FUNDS	\$10,234,467	\$10,472,967	\$10,522,967

Georgia Vocational Rehabilitation Agency: Business Enterprise Program**Continuation Budget***The purpose of this appropriation is to assist people who are blind in becoming successful contributors to the state's economy.*

TOTAL STATE FUNDS	\$290,866	\$290,866	\$290,866
State General Funds	\$290,866	\$290,866	\$290,866
TOTAL FEDERAL FUNDS	\$2,436,357	\$2,436,357	\$2,436,357
Federal Funds Not Itemized	\$2,436,357	\$2,436,357	\$2,436,357
TOTAL PUBLIC FUNDS	\$2,727,223	\$2,727,223	\$2,727,223

198.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds

(\$71)

(\$71)

(\$71)

198.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds

(\$70)

(\$70)

(\$70)

198.100-Georgia Vocational Rehabilitation Agency: Business Enterprise Program**Appropriation (HB 684)***The purpose of this appropriation is to assist people who are blind in becoming successful contributors to the state's economy.*

TOTAL STATE FUNDS	\$290,725	\$290,725	\$290,725
State General Funds	\$290,725	\$290,725	\$290,725
TOTAL FEDERAL FUNDS	\$2,436,357	\$2,436,357	\$2,436,357
Federal Funds Not Itemized	\$2,436,357	\$2,436,357	\$2,436,357
TOTAL PUBLIC FUNDS	\$2,727,082	\$2,727,082	\$2,727,082

Georgia Vocational Rehabilitation Agency: Departmental Administration

Continuation Budget

The purpose of this appropriation is to help people with disabilities to become fully productive members of society by achieving independence and meaningful employment.

TOTAL STATE FUNDS	\$1,413,785	\$1,413,785	\$1,413,785
State General Funds	\$1,413,785	\$1,413,785	\$1,413,785
TOTAL FEDERAL FUNDS	\$11,078,328	\$11,078,328	\$11,078,328
Federal Funds Not Itemized	\$11,078,328	\$11,078,328	\$11,078,328
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$12,592,113	\$12,592,113	\$12,592,113

199.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$3,042	\$3,042	\$3,042
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199.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,459)	(\$2,459)	(\$2,459)
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199.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$2,448)	(\$2,448)	(\$2,448)
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199.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$1,434)	(\$1,434)	(\$1,434)
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199.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$434)
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199.100-Georgia Vocational Rehabilitation Agency: Departmental Administration	Appropriation (HB 684)
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The purpose of this appropriation is to help people with disabilities to become fully productive members of society by achieving independence and meaningful employment.

TOTAL STATE FUNDS	\$1,410,486	\$1,410,486	\$1,410,052
State General Funds	\$1,410,486	\$1,410,486	\$1,410,052
TOTAL FEDERAL FUNDS	\$11,078,328	\$11,078,328	\$11,078,328
Federal Funds Not Itemized	\$11,078,328	\$11,078,328	\$11,078,328
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$12,588,814	\$12,588,814	\$12,588,380

Georgia Vocational Rehabilitation Agency: Disability Adjudication Services

Continuation Budget

The purpose of this appropriation is to efficiently process applications for federal disability programs so that eligible Georgia citizens can obtain support.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$75,429,922	\$75,429,922	\$75,429,922
Federal Funds Not Itemized	\$75,429,922	\$75,429,922	\$75,429,922
TOTAL PUBLIC FUNDS	\$75,429,922	\$75,429,922	\$75,429,922

200.100-Georgia Vocational Rehabilitation Agency: Disability Adjudication Services	Appropriation (HB 684)
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The purpose of this appropriation is to efficiently process applications for federal disability programs so that eligible Georgia citizens can obtain support.

TOTAL FEDERAL FUNDS	\$75,429,922	\$75,429,922	\$75,429,922
Federal Funds Not Itemized	\$75,429,922	\$75,429,922	\$75,429,922
TOTAL PUBLIC FUNDS	\$75,429,922	\$75,429,922	\$75,429,922

Georgia Vocational Rehabilitation Agency: Georgia Industries for the Blind

Continuation Budget

The purpose of this appropriation is to employ people who are blind in manufacturing and packaging facilities in Bainbridge and Griffin.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$6,845,755	\$6,845,755	\$6,845,755
Sales and Services	\$6,845,755	\$6,845,755	\$6,845,755
Sales and Services Not Itemized	\$6,845,755	\$6,845,755	\$6,845,755
TOTAL PUBLIC FUNDS	\$6,845,755	\$6,845,755	\$6,845,755

201.100-Georgia Vocational Rehabilitation Agency: Georgia Industries for the Blind

Appropriation (HB 684)

The purpose of this appropriation is to employ people who are blind in manufacturing and packaging facilities in Bainbridge and Griffin.

TOTAL AGENCY FUNDS	\$6,845,755	\$6,845,755	\$6,845,755
Sales and Services	\$6,845,755	\$6,845,755	\$6,845,755
Sales and Services Not Itemized	\$6,845,755	\$6,845,755	\$6,845,755
TOTAL PUBLIC FUNDS	\$6,845,755	\$6,845,755	\$6,845,755

Georgia Vocational Rehabilitation Agency: Roosevelt Warm Springs Medical Hospital

Continuation Budget

The purpose of this appropriation is to provide rehabilitative and medical care for individuals to return to the most independent lifestyle possible.

TOTAL STATE FUNDS	\$1,600,000	\$1,600,000	\$1,600,000
State General Funds	\$1,600,000	\$1,600,000	\$1,600,000
TOTAL PUBLIC FUNDS	\$1,600,000	\$1,600,000	\$1,600,000

202.1 *Transfer funds from the Georgia Vocational Rehabilitation Agency to the Board of Regents of the University System of Georgia to offset the operations deficit for medical education and patient care.*

State General Funds	(\$1,600,000)	(\$1,600,000)	(\$1,600,000)
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Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program

Continuation Budget

The purpose of this appropriation is to assist people with disabilities so that they may go to work.

TOTAL STATE FUNDS	\$21,121,103	\$21,121,103	\$21,121,103
State General Funds	\$21,121,103	\$21,121,103	\$21,121,103
TOTAL FEDERAL FUNDS	\$83,159,544	\$83,159,544	\$83,159,544
Federal Funds Not Itemized	\$83,159,544	\$83,159,544	\$83,159,544
TOTAL AGENCY FUNDS	\$4,497,097	\$4,497,097	\$4,497,097
Sales and Services	\$4,497,097	\$4,497,097	\$4,497,097
Sales and Services Not Itemized	\$4,497,097	\$4,497,097	\$4,497,097
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,243,127	\$2,243,127	\$2,243,127
State Funds Transfers	\$783,914	\$783,914	\$783,914
Agency to Agency Contracts	\$783,914	\$783,914	\$783,914
Agency Funds Transfers	\$1,459,213	\$1,459,213	\$1,459,213
Agency Fund Transfers Not Itemized	\$1,459,213	\$1,459,213	\$1,459,213
TOTAL PUBLIC FUNDS	\$111,020,871	\$111,020,871	\$111,020,871

203.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,587	\$1,587	\$1,587
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203.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$3,076)	(\$3,076)	(\$3,076)
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203.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,061)	(\$3,061)	(\$3,061)
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203.4 *Utilize \$500,000 in existing state funds to provide ongoing support and scholarships for the Inclusive Post-Secondary Education (IPSE) program. (H:YES)(S:Transfer funds from the Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program to the Georgia Council on Developmental Disabilities to provide ongoing support and scholarships for the Inclusive Post-Secondary Education (IPSE) program)*

State General Funds		\$0	(\$500,000)
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203.5 *Eliminate funds for the Warrior Alliance.*

State General Funds	(\$100,000)	(\$100,000)
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203.6 *Increase funds for a state hub geographically located to provide outreach and services to support independent living for disabled citizens in southwest Georgia.*

State General Funds	\$200,000	\$100,000
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203.7 *Increase funds for Friends of Disabled Adults and Children (FODAC) equipment.*

State General Funds		\$20,000
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203.100-Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program	Appropriation (HB 684)
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The purpose of this appropriation is to assist people with disabilities so that they may go to work.

TOTAL STATE FUNDS	\$21,116,553	\$21,216,553	\$20,636,553
State General Funds	\$21,116,553	\$21,216,553	\$20,636,553
TOTAL FEDERAL FUNDS	\$83,159,544	\$83,159,544	\$83,159,544
Federal Funds Not Itemized	\$83,159,544	\$83,159,544	\$83,159,544
TOTAL AGENCY FUNDS	\$4,497,097	\$4,497,097	\$4,497,097
Sales and Services	\$4,497,097	\$4,497,097	\$4,497,097
Sales and Services Not Itemized	\$4,497,097	\$4,497,097	\$4,497,097
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,243,127	\$2,243,127	\$2,243,127
State Funds Transfers	\$783,914	\$783,914	\$783,914
Agency to Agency Contracts	\$783,914	\$783,914	\$783,914
Agency Funds Transfers	\$1,459,213	\$1,459,213	\$1,459,213
Agency Fund Transfers Not Itemized	\$1,459,213	\$1,459,213	\$1,459,213
TOTAL PUBLIC FUNDS	\$111,016,321	\$111,116,321	\$110,536,321

All Temporary Assistance for Needy Families benefit payments are calculated utilizing a factor of 66.0% of the standards of need; such payments shall be made from the date of certification and not from the date of application; and the following maximum benefits and maximum standards of need shall apply:

For an assistance group of one, the standard of need is \$235, and the maximum monthly amount is \$155.

For an assistance group of two, the standard of need is \$356, and the maximum monthly amount is \$235.

For an assistance group of three, the standard of need is \$424, and the maximum monthly amount is \$280.

For an assistance group of four, the standard of need is \$500, and the maximum monthly amount is \$330.

For an assistance group of five, the standard of need is \$573, and the maximum monthly amount is \$378.
 For an assistance group of six, the standard of need is \$621, and the maximum monthly amount is \$410.
 For an assistance group of seven, the standard of need is \$672, and the maximum monthly amount is \$444.
 For an assistance group of eight, the standard of need is \$713, and the maximum monthly amount is \$470.
 For an assistance group of nine, the standard of need is \$751, and the maximum monthly amount is \$496.
 For an assistance group of ten, the standard of need is \$804, and the maximum monthly amount is \$530.
 For an assistance group of eleven, the standard of need is \$860, and the maximum monthly amount is \$568.
 Provided, the Department of Human Services is authorized to make supplemental payments on these maximum monthly amounts up to the amount that is equal to the minimum hourly wage for clients who are enrolled in subsidized work experience and subsidized employment.

Section 29: Insurance, Office of the Commissioner of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$20,806,940	\$20,806,940	\$20,806,940
State General Funds	\$20,806,940	\$20,806,940	\$20,806,940
TOTAL FEDERAL FUNDS	\$425,368	\$425,368	\$425,368
Federal Funds Not Itemized	\$425,368	\$425,368	\$425,368
TOTAL AGENCY FUNDS	\$5,000	\$5,000	\$5,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$334,026	\$334,026	\$334,026
State Funds Transfers	\$334,026	\$334,026	\$334,026
Agency to Agency Contracts	\$334,026	\$334,026	\$334,026
TOTAL PUBLIC FUNDS	\$21,571,334	\$21,571,334	\$21,571,334

	Section Total - Final		
TOTAL STATE FUNDS	\$20,786,467	\$20,738,432	\$20,340,682
State General Funds	\$20,786,467	\$20,738,432	\$20,340,682
TOTAL FEDERAL FUNDS	\$425,368	\$425,368	\$425,368
Federal Funds Not Itemized	\$425,368	\$425,368	\$425,368
TOTAL AGENCY FUNDS	\$5,000	\$5,000	\$5,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$334,026	\$334,026	\$334,026
State Funds Transfers	\$334,026	\$334,026	\$334,026
Agency to Agency Contracts	\$334,026	\$334,026	\$334,026
TOTAL PUBLIC FUNDS	\$21,550,861	\$21,502,826	\$21,105,076

Departmental Administration (COI)**Continuation Budget**

The purpose of this appropriation is to be responsible for protecting the rights of Georgia citizens in insurance and industrial loan transactions and maintain a fire-safe environment.

TOTAL STATE FUNDS	\$1,969,256	\$1,969,256	\$1,969,256
State General Funds	\$1,969,256	\$1,969,256	\$1,969,256
TOTAL PUBLIC FUNDS	\$1,969,256	\$1,969,256	\$1,969,256

204.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,144)	(\$1,144)	(\$1,144)
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204.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$347)	(\$347)	(\$347)
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204.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$13,096)	(\$13,096)	(\$13,096)
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204.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$588	\$588	\$588
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204.5 *Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to align budget with program expenditures. (H:Transfer funds from the Departmental Administration (COI) program to the Insurance Regulation and Fire Safety programs to align budget with program expenditures)(S:Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to align budget with program expenditures)*

State General Funds	\$1,700,000	(\$1,444,051)	\$255,949
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204.6 *Reduce funds for personnel.*

State General Funds		(\$48,035)	(\$30,131)
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204.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds (\$42)

204.100-Departmental Administration (COI)	Appropriation (HB 684)		
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The purpose of this appropriation is to be responsible for protecting the rights of Georgia citizens in insurance and industrial loan transactions and maintain a fire-safe environment.

TOTAL STATE FUNDS	\$3,655,257	\$463,171	\$2,181,033
State General Funds	\$3,655,257	\$463,171	\$2,181,033
TOTAL PUBLIC FUNDS	\$3,655,257	\$463,171	\$2,181,033

Enforcement

Continuation Budget

The purpose of this appropriation is to provide legal advice and to initiate legal proceedings with regard to enforcement of specific provisions of state law relating to insurance, industrial loan, fire safety, and fraud.

TOTAL STATE FUNDS	\$823,783	\$823,783	\$823,783
State General Funds	\$823,783	\$823,783	\$823,783
TOTAL PUBLIC FUNDS	\$823,783	\$823,783	\$823,783

205.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds (\$243)

205.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds (\$73)

205.100-Enforcement	Appropriation (HB 684)		
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The purpose of this appropriation is to provide legal advice and to initiate legal proceedings with regard to enforcement of specific provisions of state law relating to insurance, industrial loan, fire safety, and fraud.

TOTAL STATE FUNDS	\$823,467	\$823,467	\$823,467
State General Funds	\$823,467	\$823,467	\$823,467
TOTAL PUBLIC FUNDS	\$823,467	\$823,467	\$823,467

Fire Safety

Continuation Budget

The purpose of this appropriation is to promote fire safety awareness through education and training, and to protect the public from fire and limit the loss of life and property by setting the minimum fire safety standards in the state, enforcing and regulating fire safety rules for public buildings and manufactured housing, and regulating the storage, transportation, and handling of hazardous materials.

TOTAL STATE FUNDS	\$7,198,381	\$7,198,381	\$7,198,381
State General Funds	\$7,198,381	\$7,198,381	\$7,198,381
TOTAL FEDERAL FUNDS	\$425,368	\$425,368	\$425,368
Federal Funds Not Itemized	\$425,368	\$425,368	\$425,368
TOTAL AGENCY FUNDS	\$5,000	\$5,000	\$5,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$334,026	\$334,026	\$334,026
State Funds Transfers	\$334,026	\$334,026	\$334,026
Agency to Agency Contracts	\$334,026	\$334,026	\$334,026
TOTAL PUBLIC FUNDS	\$7,962,775	\$7,962,775	\$7,962,775

206.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,202)	(\$2,202)	(\$2,202)
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206.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$667)	(\$667)	(\$667)
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206.3 *Transfer funds from the Departmental Administration (COI) program to the Fire Safety program to align budget with program expenditures. (S:Transfer funds from the Insurance Regulation program to the Fire Safety program to align budget with program expenditures)*

State General Funds		\$529,051	\$252,143
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206.100-Fire Safety

Appropriation (HB 684)

The purpose of this appropriation is to promote fire safety awareness through education and training, and to protect the public from fire and limit the loss of life and property by setting the minimum fire safety standards in the state, enforcing and regulating fire safety

rules for public buildings and manufactured housing, and regulating the storage, transportation, and handling of hazardous materials.

TOTAL STATE FUNDS	\$7,195,512	\$7,724,563	\$7,447,655
State General Funds	\$7,195,512	\$7,724,563	\$7,447,655
TOTAL FEDERAL FUNDS	\$425,368	\$425,368	\$425,368
Federal Funds Not Itemized	\$425,368	\$425,368	\$425,368
TOTAL AGENCY FUNDS	\$5,000	\$5,000	\$5,000
Sales and Services	\$5,000	\$5,000	\$5,000
Sales and Services Not Itemized	\$5,000	\$5,000	\$5,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$334,026	\$334,026	\$334,026
State Funds Transfers	\$334,026	\$334,026	\$334,026
Agency to Agency Contracts	\$334,026	\$334,026	\$334,026
TOTAL PUBLIC FUNDS	\$7,959,906	\$8,488,957	\$8,212,049

Industrial Loan

Continuation Budget

The purpose of this appropriation is to protect consumers by licensing, regulating, and examining finance companies that provide consumer loans of \$3,000 or less.

TOTAL STATE FUNDS	\$697,288	\$697,288	\$697,288
State General Funds	\$697,288	\$697,288	\$697,288
TOTAL PUBLIC FUNDS	\$697,288	\$697,288	\$697,288

207.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$211)	(\$211)	(\$211)
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207.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$64)	(\$64)	(\$64)
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207.100-Industrial Loan	Appropriation (HB 684)
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The purpose of this appropriation is to protect consumers by licensing, regulating, and examining finance companies that provide consumer loans of \$3,000 or less.

TOTAL STATE FUNDS	\$697,013	\$697,013	\$697,013
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State General Funds	\$697,013	\$697,013	\$697,013
TOTAL PUBLIC FUNDS	\$697,013	\$697,013	\$697,013

Insurance Regulation

Continuation Budget

The purpose of this appropriation is to ensure that licensed insurance entities maintain solvency and conform to state law by conducting financial and market examinations, investigating policyholder complaints, monitoring for compliance with state laws and regulations, reviewing and approving premium rates, and disseminating information to the public and the insurance industry about the state's insurance laws and regulations.

TOTAL STATE FUNDS	\$10,118,232	\$10,118,232	\$10,118,232
State General Funds	\$10,118,232	\$10,118,232	\$10,118,232
TOTAL PUBLIC FUNDS	\$10,118,232	\$10,118,232	\$10,118,232

208.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,313)	(\$2,313)	(\$2,313)
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208.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$701)	(\$701)	(\$701)
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208.3 *Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to align budget with program expenditures. (H:Transfer funds from the Departmental Administration (COI) program to the Insurance Regulation program to align budget with program expenditures)(S:Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program and the Fire Safety program to align budget with program expenditures)*

State General Funds	(\$1,700,000)	\$915,000	(\$508,362)
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208.4 *Utilize existing funds to collect Special Insurance Fraud Fund assessments quarterly per O.C.G.A. 33-1-17(c)(2). (S:YES)*

State General Funds			\$0
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208.5 *Prepare, on an annual basis, a separate budget request to the Georgia General Assembly per O.C.G.A. 33-1-17(c)(1) which sets forth the anticipated cost and expense of funding the investigation and prosecution of insurance fraud in this state for the ensuing 12 months which shall set forth the annual cost and expense of the investigation and prosecution of insurance fraud in Georgia for the preceding 12 months. (S:YES)*

State General Funds			\$0
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208.6 *Reduce funds to reflect level of special fraud investigation activities.*

State General Funds

(\$415,342)

208.100-Insurance Regulation**Appropriation (HB 684)**

The purpose of this appropriation is to ensure that licensed insurance entities maintain solvency and conform to state law by conducting financial and market examinations, investigating policyholder complaints, monitoring for compliance with state laws and regulations, reviewing and approving premium rates, and disseminating information to the public and the insurance industry about the state's insurance laws and regulations.

TOTAL STATE FUNDS	\$8,415,218	\$11,030,218	\$9,191,514
State General Funds	\$8,415,218	\$11,030,218	\$9,191,514
TOTAL PUBLIC FUNDS	\$8,415,218	\$11,030,218	\$9,191,514

Section 30: Investigation, Georgia Bureau of**Section Total - Continuation**

TOTAL STATE FUNDS	\$145,180,783	\$145,180,783	\$145,180,783
State General Funds	\$145,180,783	\$145,180,783	\$145,180,783
TOTAL FEDERAL FUNDS	\$62,177,241	\$62,177,241	\$62,177,241
Federal Funds Not Itemized	\$61,965,025	\$61,965,025	\$61,965,025
Temporary Assistance for Needy Families	\$212,216	\$212,216	\$212,216
Temporary Assistance for Needy Families Grant CFDA93.558	\$212,216	\$212,216	\$212,216
TOTAL AGENCY FUNDS	\$31,735,144	\$31,735,144	\$31,735,144
Intergovernmental Transfers	\$1,727,772	\$1,727,772	\$1,727,772
Intergovernmental Transfers Not Itemized	\$1,727,772	\$1,727,772	\$1,727,772
Sales and Services	\$30,007,372	\$30,007,372	\$30,007,372
Sales and Services Not Itemized	\$30,007,372	\$30,007,372	\$30,007,372
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$120,594	\$120,594	\$120,594
State Funds Transfers	\$120,594	\$120,594	\$120,594
Agency to Agency Contracts	\$120,594	\$120,594	\$120,594
TOTAL PUBLIC FUNDS	\$239,213,762	\$239,213,762	\$239,213,762

Section Total - Final

TOTAL STATE FUNDS	\$151,765,542	\$151,855,624	\$155,673,643
State General Funds	\$151,765,542	\$151,855,624	\$155,673,643

TOTAL FEDERAL FUNDS	\$62,177,241	\$62,177,241	\$62,177,241
Federal Funds Not Itemized	\$61,965,025	\$61,965,025	\$61,965,025
Temporary Assistance for Needy Families	\$212,216	\$212,216	\$212,216
Temporary Assistance for Needy Families Grant CFDA93.558	\$212,216	\$212,216	\$212,216
TOTAL AGENCY FUNDS	\$31,735,144	\$31,735,144	\$31,735,144
Intergovernmental Transfers	\$1,727,772	\$1,727,772	\$1,727,772
Intergovernmental Transfers Not Itemized	\$1,727,772	\$1,727,772	\$1,727,772
Sales and Services	\$30,007,372	\$30,007,372	\$30,007,372
Sales and Services Not Itemized	\$30,007,372	\$30,007,372	\$30,007,372
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$120,594	\$120,594	\$120,594
State Funds Transfers	\$120,594	\$120,594	\$120,594
Agency to Agency Contracts	\$120,594	\$120,594	\$120,594
TOTAL PUBLIC FUNDS	\$245,798,521	\$245,888,603	\$249,706,622

Bureau Administration**Continuation Budget**

The purpose of this appropriation is to provide the highest quality investigative, scientific, information services, and resources for the purpose of maintaining law and order and protecting life and property.

TOTAL STATE FUNDS	\$8,302,577	\$8,302,577	\$8,302,577
State General Funds	\$8,302,577	\$8,302,577	\$8,302,577
TOTAL FEDERAL FUNDS	\$12,600	\$12,600	\$12,600
Federal Funds Not Itemized	\$12,600	\$12,600	\$12,600
TOTAL AGENCY FUNDS	\$45,000	\$45,000	\$45,000
Intergovernmental Transfers	\$45,000	\$45,000	\$45,000
Intergovernmental Transfers Not Itemized	\$45,000	\$45,000	\$45,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$120,594	\$120,594	\$120,594
State Funds Transfers	\$120,594	\$120,594	\$120,594
Agency to Agency Contracts	\$120,594	\$120,594	\$120,594
TOTAL PUBLIC FUNDS	\$8,480,771	\$8,480,771	\$8,480,771

209.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,602)	(\$2,602)	(\$2,602)
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209.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$19	\$19	\$19
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209.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$3,417)	(\$60,210)	(\$60,210)
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209.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,024	\$3,024	\$3,024
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209.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$138
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209.100-Bureau Administration**Appropriation (HB 684)**

The purpose of this appropriation is to provide the highest quality investigative, scientific, information services, and resources for the purpose of maintaining law and order and protecting life and property.

TOTAL STATE FUNDS	\$8,299,601	\$8,242,808	\$8,242,946
State General Funds	\$8,299,601	\$8,242,808	\$8,242,946
TOTAL FEDERAL FUNDS	\$12,600	\$12,600	\$12,600
Federal Funds Not Itemized	\$12,600	\$12,600	\$12,600
TOTAL AGENCY FUNDS	\$45,000	\$45,000	\$45,000
Intergovernmental Transfers	\$45,000	\$45,000	\$45,000
Intergovernmental Transfers Not Itemized	\$45,000	\$45,000	\$45,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$120,594	\$120,594	\$120,594
State Funds Transfers	\$120,594	\$120,594	\$120,594
Agency to Agency Contracts	\$120,594	\$120,594	\$120,594
TOTAL PUBLIC FUNDS	\$8,477,795	\$8,421,002	\$8,421,140

Criminal Justice Information Services**Continuation Budget**

The purpose of this appropriation is to provide the State of Georgia with essential information and identification services through the operation of the Automated Fingerprint Identification System, Criminal History System, Criminal Justice Information Services network, Protective Order Registry, Sexual Violent Offender Registry, and the Uniform Crime Reporting Program.

TOTAL STATE FUNDS	\$4,684,496	\$4,684,496	\$4,684,496
State General Funds	\$4,684,496	\$4,684,496	\$4,684,496

TOTAL AGENCY FUNDS	\$6,308,894	\$6,308,894	\$6,308,894
Sales and Services	\$6,308,894	\$6,308,894	\$6,308,894
Sales and Services Not Itemized	\$6,308,894	\$6,308,894	\$6,308,894
TOTAL PUBLIC FUNDS	\$10,993,390	\$10,993,390	\$10,993,390

210.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$3,315	\$3,315	\$3,315
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210.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,239)	(\$2,239)	(\$2,239)
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210.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$15	\$15	\$15
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210.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,941)	\$0	\$0
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210.100-Criminal Justice Information Services	Appropriation (HB 684)
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The purpose of this appropriation is to provide the State of Georgia with essential information and identification services through the operation of the Automated Fingerprint Identification System, Criminal History System, Criminal Justice Information Services network, Protective Order Registry, Sexual Violent Offender Registry, and the Uniform Crime Reporting Program.

TOTAL STATE FUNDS	\$4,682,646	\$4,685,587	\$4,685,587
State General Funds	\$4,682,646	\$4,685,587	\$4,685,587
TOTAL AGENCY FUNDS	\$6,308,894	\$6,308,894	\$6,308,894
Sales and Services	\$6,308,894	\$6,308,894	\$6,308,894
Sales and Services Not Itemized	\$6,308,894	\$6,308,894	\$6,308,894
TOTAL PUBLIC FUNDS	\$10,991,540	\$10,994,481	\$10,994,481

Forensic Scientific Services

Continuation Budget

The purpose of this appropriation is to provide forensic analysis and testimony in the areas of chemistry (drug identification), firearms, digital imaging, forensic biology (serology/DNA), latent prints, pathology, questioned documents, photography, toxicology, implied consent, and trace evidence in support of the criminal justice system; to provide medical examiner (autopsy) services; and to analyze and enter samples into national databases such as AFIS, CODIS, and NIBIN.

TOTAL STATE FUNDS	\$38,217,548	\$38,217,548	\$38,217,548
State General Funds	\$38,217,548	\$38,217,548	\$38,217,548
TOTAL FEDERAL FUNDS	\$1,766,684	\$1,766,684	\$1,766,684
Federal Funds Not Itemized	\$1,766,684	\$1,766,684	\$1,766,684
TOTAL AGENCY FUNDS	\$157,865	\$157,865	\$157,865
Sales and Services	\$157,865	\$157,865	\$157,865
Sales and Services Not Itemized	\$157,865	\$157,865	\$157,865
TOTAL PUBLIC FUNDS	\$40,142,097	\$40,142,097	\$40,142,097

211.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$18,105)	(\$18,105)	(\$18,105)
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211.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$125	\$125	\$125
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211.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$23,775)	\$0	\$0
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211.4 *Increase funds to annualize four scientist positions and two lab technician positions to address the sexual assault kit backlog per SB304 (2016 Session).*

State General Funds	\$285,226	\$244,335	\$244,335
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211.5 *Utilize existing funds (\$48,000) for janitorial and utility expenses for the morgue. (G:YES)(H and S:Increase funds for operations to reflect additional utility and janitorial expenses as a result of the morgue expansion)*

State General Funds	\$0	\$130,973	\$130,973
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211.6 *Increase funds for personnel for one scientist position to assist with the statewide drug task forces and combat the opioid epidemic in Georgia.*

State General Funds			\$110,271
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211.100-Forensic Scientific Services

Appropriation (HB 684)

The purpose of this appropriation is to provide forensic analysis and testimony in the areas of chemistry (drug identification), firearms, digital imaging, forensic biology (serology/DNA), latent prints, pathology, questioned documents, photography, toxicology,

implied consent, and trace evidence in support of the criminal justice system; to provide medical examiner (autopsy) services; and to analyze and enter samples into national databases such as AFIS, CODIS, and NIBIN.

TOTAL STATE FUNDS	\$38,461,019	\$38,574,876	\$38,685,147
State General Funds	\$38,461,019	\$38,574,876	\$38,685,147
TOTAL FEDERAL FUNDS	\$1,766,684	\$1,766,684	\$1,766,684
Federal Funds Not Itemized	\$1,766,684	\$1,766,684	\$1,766,684
TOTAL AGENCY FUNDS	\$157,865	\$157,865	\$157,865
Sales and Services	\$157,865	\$157,865	\$157,865
Sales and Services Not Itemized	\$157,865	\$157,865	\$157,865
TOTAL PUBLIC FUNDS	\$40,385,568	\$40,499,425	\$40,609,696

Regional Investigative Services

Continuation Budget

The purpose of this appropriation is to identify, collect, preserve, and process evidence located during crime scene investigations, and to assist in the investigation, identification, arrest and prosecution of individuals. The purpose of this appropriation is also to coordinate and operate the following specialized units: bingo unit, anti-terrorist team, forensic art, bomb disposal unit, high technology investigations unit, communications center, regional drug enforcement, and polygraph examinations.

TOTAL STATE FUNDS	\$45,621,793	\$45,621,793	\$45,621,793
State General Funds	\$45,621,793	\$45,621,793	\$45,621,793
TOTAL FEDERAL FUNDS	\$1,515,073	\$1,515,073	\$1,515,073
Federal Funds Not Itemized	\$1,515,073	\$1,515,073	\$1,515,073
TOTAL AGENCY FUNDS	\$1,724,650	\$1,724,650	\$1,724,650
Intergovernmental Transfers	\$1,653,451	\$1,653,451	\$1,653,451
Intergovernmental Transfers Not Itemized	\$1,653,451	\$1,653,451	\$1,653,451
Sales and Services	\$71,199	\$71,199	\$71,199
Sales and Services Not Itemized	\$71,199	\$71,199	\$71,199
TOTAL PUBLIC FUNDS	\$48,861,516	\$48,861,516	\$48,861,516

212.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$22,901)	(\$22,901)	(\$22,901)
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212.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$158	\$158	\$158
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212.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$30,077)	\$0	\$0
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212.4 *Increase funds for personnel and operations for eight positions for the prevention and investigation of cyber-criminal activities, a first line defense against cyber crimes. (H and S:Increase funds for eight positions and operations for the prevention and investigation of cyber-criminal activities)*

State General Funds	\$1,398,967	\$1,398,967	\$1,398,967
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212.5 *Increase funds to implement drug task forces statewide to combat the opioid epidemic in Georgia.*

State General Funds			\$3,597,610
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212.100-Regional Investigative Services	Appropriation (HB 684)
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The purpose of this appropriation is to identify, collect, preserve, and process evidence located during crime scene investigations, and to assist in the investigation, identification, arrest and prosecution of individuals. The purpose of this appropriation is also to coordinate and operate the following specialized units: bingo unit, anti-terrorist team, forensic art, bomb disposal unit, high technology investigations unit, communications center, regional drug enforcement, and polygraph examinations.

TOTAL STATE FUNDS	\$46,967,940	\$46,998,017	\$50,595,627
State General Funds	\$46,967,940	\$46,998,017	\$50,595,627
TOTAL FEDERAL FUNDS	\$1,515,073	\$1,515,073	\$1,515,073
Federal Funds Not Itemized	\$1,515,073	\$1,515,073	\$1,515,073
TOTAL AGENCY FUNDS	\$1,724,650	\$1,724,650	\$1,724,650
Intergovernmental Transfers	\$1,653,451	\$1,653,451	\$1,653,451
Intergovernmental Transfers Not Itemized	\$1,653,451	\$1,653,451	\$1,653,451
Sales and Services	\$71,199	\$71,199	\$71,199
Sales and Services Not Itemized	\$71,199	\$71,199	\$71,199
TOTAL PUBLIC FUNDS	\$50,207,663	\$50,237,740	\$53,835,350

Criminal Justice Coordinating Council

Continuation Budget

The purpose of this appropriation is to improve and coordinate criminal justice efforts throughout Georgia, help create safe and secure communities, and award grants.

TOTAL STATE FUNDS	\$35,184,102	\$35,184,102	\$35,184,102
State General Funds	\$35,184,102	\$35,184,102	\$35,184,102

TOTAL FEDERAL FUNDS	\$58,882,884	\$58,882,884	\$58,882,884
Federal Funds Not Itemized	\$58,670,668	\$58,670,668	\$58,670,668
Temporary Assistance for Needy Families	\$212,216	\$212,216	\$212,216
Temporary Assistance for Needy Families Grant CFDA93.558	\$212,216	\$212,216	\$212,216
TOTAL AGENCY FUNDS	\$23,498,735	\$23,498,735	\$23,498,735
Intergovernmental Transfers	\$29,321	\$29,321	\$29,321
Intergovernmental Transfers Not Itemized	\$29,321	\$29,321	\$29,321
Sales and Services	\$23,469,414	\$23,469,414	\$23,469,414
Sales and Services Not Itemized	\$23,469,414	\$23,469,414	\$23,469,414
TOTAL PUBLIC FUNDS	\$117,565,721	\$117,565,721	\$117,565,721

213.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$6)	(\$6)	(\$6)
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213.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$27)	(\$27)	(\$27)
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213.3 *Increase funds for the Accountability Courts Grants program to expand 53 existing courts and to create three new adult felony drug courts.*

State General Funds	\$2,124,227	\$2,124,227	\$2,124,227
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213.4 *Increase funds for the Accountability Courts Grants program to expand 28 existing courts and to create three new mental health courts.*

State General Funds	\$1,057,375	\$1,057,375	\$1,057,375
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213.5 *Increase funds for the Accountability Courts Grants program to expand 18 existing courts and to create three new family dependency treatment courts.*

State General Funds	\$741,498	\$741,498	\$741,498
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213.6 *Increase funds for the Accountability Courts Grants program to expand 15 existing courts and to create two new veterans' courts.*

State General Funds	\$514,124	\$514,124	\$514,124
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213.7 *Increase funds for the Accountability Courts Grants program to expand 21 existing courts and to create two new DUI accountability courts.*

State General Funds	\$475,109	\$475,109	\$475,109
213.8 <i>Increase funds for the Accountability Courts Grants program to expand 14 existing juvenile accountability courts.</i>			
State General Funds	\$87,667	\$87,667	\$87,667

213.100-Criminal Justice Coordinating Council	Appropriation (HB 684)		
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The purpose of this appropriation is to improve and coordinate criminal justice efforts throughout Georgia, help create safe and secure communities, and award grants.

TOTAL STATE FUNDS	\$40,184,069	\$40,184,069	\$40,184,069
State General Funds	\$40,184,069	\$40,184,069	\$40,184,069
TOTAL FEDERAL FUNDS	\$58,882,884	\$58,882,884	\$58,882,884
Federal Funds Not Itemized	\$58,670,668	\$58,670,668	\$58,670,668
Temporary Assistance for Needy Families	\$212,216	\$212,216	\$212,216
Temporary Assistance for Needy Families Grant CFDA93.558	\$212,216	\$212,216	\$212,216
TOTAL AGENCY FUNDS	\$23,498,735	\$23,498,735	\$23,498,735
Intergovernmental Transfers	\$29,321	\$29,321	\$29,321
Intergovernmental Transfers Not Itemized	\$29,321	\$29,321	\$29,321
Sales and Services	\$23,469,414	\$23,469,414	\$23,469,414
Sales and Services Not Itemized	\$23,469,414	\$23,469,414	\$23,469,414
TOTAL PUBLIC FUNDS	\$122,565,688	\$122,565,688	\$122,565,688

Criminal Justice Coordinating Council: Council of Accountability Court Judges

Continuation Budget

The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

TOTAL STATE FUNDS	\$489,344	\$489,344	\$489,344
State General Funds	\$489,344	\$489,344	\$489,344
TOTAL PUBLIC FUNDS	\$489,344	\$489,344	\$489,344

214.100-Criminal Justice Coordinating Council: Council of Accountability	Appropriation (HB 684)
Court Judges	

The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

TOTAL STATE FUNDS	\$489,344	\$489,344	\$489,344
State General Funds	\$489,344	\$489,344	\$489,344
TOTAL PUBLIC FUNDS	\$489,344	\$489,344	\$489,344

Criminal Justice Coordinating Council: Family Violence	Continuation Budget
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The purpose of this appropriation is to provide safe shelter and related services for victims of family violence and their dependent children and to provide education about family violence to communities across the state.

TOTAL STATE FUNDS	\$12,680,923	\$12,680,923	\$12,680,923
State General Funds	\$12,680,923	\$12,680,923	\$12,680,923
TOTAL PUBLIC FUNDS	\$12,680,923	\$12,680,923	\$12,680,923

215.1 *Increase funds for grants to 22 Sexual Assault Centers.*

State General Funds			\$110,000
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215.99 SAC: *The purpose of this appropriation is to provide certified domestic violence shelters and sexual assault centers with funds so as to provide the necessary services to primary and secondary victims of domestic violence and sexual assault statewide.*

House: *The purpose of this appropriation is to provide certified domestic violence shelters and sexual assault centers with funds so as to provide the necessary services to primary and secondary victims of domestic violence and sexual assault statewide.*

Governor: *The purpose of this appropriation is to provide certified domestic violence shelters and sexual assault centers with funds so as to provide the necessary services to primary and secondary victims of domestic violence and sexual assault statewide.*

State General Funds	\$0	\$0	\$0
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215.100-Criminal Justice Coordinating Council: Family Violence	Appropriation (HB 684)
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The purpose of this appropriation is to provide certified domestic violence shelters and sexual assault centers with funds so as to provide the necessary services to primary and secondary victims of domestic violence and sexual assault statewide.

TOTAL STATE FUNDS	\$12,680,923	\$12,680,923	\$12,790,923
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State General Funds	\$12,680,923	\$12,680,923	\$12,790,923
TOTAL PUBLIC FUNDS	\$12,680,923	\$12,680,923	\$12,790,923

Section 31: Juvenile Justice, Department of

TOTAL STATE FUNDS	\$337,154,387	\$337,154,387	\$337,154,387
State General Funds	\$337,154,387	\$337,154,387	\$337,154,387
TOTAL FEDERAL FUNDS	\$7,804,205	\$7,804,205	\$7,804,205
Federal Funds Not Itemized	\$6,309,027	\$6,309,027	\$6,309,027
Foster Care Title IV-E CFDA93.658	\$1,495,178	\$1,495,178	\$1,495,178
TOTAL AGENCY FUNDS	\$40,502	\$40,502	\$40,502
Sales and Services	\$40,502	\$40,502	\$40,502
Sales and Services Not Itemized	\$40,502	\$40,502	\$40,502
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$299,805	\$299,805	\$299,805
Federal Funds Transfers	\$299,805	\$299,805	\$299,805
FF Medical Assistance Program CFDA93.778	\$299,805	\$299,805	\$299,805
TOTAL PUBLIC FUNDS	\$345,298,899	\$345,298,899	\$345,298,899

Section Total - Continuation

TOTAL STATE FUNDS	\$343,703,800	\$343,295,366	\$343,319,927
State General Funds	\$343,703,800	\$343,295,366	\$343,319,927
TOTAL FEDERAL FUNDS	\$7,804,205	\$7,804,205	\$7,804,205
Federal Funds Not Itemized	\$6,309,027	\$6,309,027	\$6,309,027
Foster Care Title IV-E CFDA93.658	\$1,495,178	\$1,495,178	\$1,495,178
TOTAL AGENCY FUNDS	\$40,502	\$40,502	\$40,502
Sales and Services	\$40,502	\$40,502	\$40,502
Sales and Services Not Itemized	\$40,502	\$40,502	\$40,502
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$299,805	\$299,805	\$299,805
Federal Funds Transfers	\$299,805	\$299,805	\$299,805
FF Medical Assistance Program CFDA93.778	\$299,805	\$299,805	\$299,805
TOTAL PUBLIC FUNDS	\$351,848,312	\$351,439,878	\$351,464,439

Section Total - Final

Community Services**Continuation Budget**

The purpose of this appropriation is to protect the public, hold youth accountable for their actions, assist youth in becoming law-abiding citizens and transition youth from secure detention, and provide the following alternative detention options: non-secure detention shelters, housebound detention, emergency shelters, a short-term stay in a residential placement, tracking services, wraparound services, electronic monitoring, or detention in an alternative program. Additionally, Community Supervision supervises youth directly in the community according to their risk and need levels, provides transitional and treatment services to those youth either directly or by brokering or making appropriate referrals for services, and provides agency-wide services, including intake, court services, and case management.

TOTAL STATE FUNDS	\$95,391,548	\$95,391,548	\$95,391,548
State General Funds	\$95,391,548	\$95,391,548	\$95,391,548
TOTAL FEDERAL FUNDS	\$1,541,798	\$1,541,798	\$1,541,798
Federal Funds Not Itemized	\$46,620	\$46,620	\$46,620
Foster Care Title IV-E CFDA93.658	\$1,495,178	\$1,495,178	\$1,495,178
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$299,805	\$299,805	\$299,805
Federal Funds Transfers	\$299,805	\$299,805	\$299,805
FF Medical Assistance Program CFDA93.778	\$299,805	\$299,805	\$299,805
TOTAL PUBLIC FUNDS	\$97,233,151	\$97,233,151	\$97,233,151

216.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$7,672	\$7,672	\$7,672
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216.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$36,198)	(\$36,198)	(\$36,198)
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216.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,763)	(\$3,763)	(\$3,763)
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216.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$41,320)	(\$41,320)	(\$41,320)
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216.5 *Increase funds to provide for youth who pose a public safety risk during determination of competency as provided in SB175 (2017 Session).*

State General Funds	\$1,865,880	\$1,481,353	\$1,573,296
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216.6 *Increase funds for child caring institutions (CCI) per diem rates by 2.5 percent. (S:Increase funds for child caring institution (CCI) per diem rates by 2.6 percent)*

State General Funds	\$531,810	\$531,810	\$553,082
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216.100-Community Services	Appropriation (HB 684)
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The purpose of this appropriation is to protect the public, hold youth accountable for their actions, assist youth in becoming law-abiding citizens and transition youth from secure detention, and provide the following alternative detention options: non-secure detention shelters, housebound detention, emergency shelters, a short-term stay in a residential placement, tracking services, wraparound services, electronic monitoring, or detention in an alternative program. Additionally, Community Supervision supervises youth directly in the community according to their risk and need levels, provides transitional and treatment services to those youth either directly or by brokering or making appropriate referrals for services, and provides agency-wide services, including intake, court services, and case management.

TOTAL STATE FUNDS	\$97,715,629	\$97,331,102	\$97,444,317
State General Funds	\$97,715,629	\$97,331,102	\$97,444,317
TOTAL FEDERAL FUNDS	\$1,541,798	\$1,541,798	\$1,541,798
Federal Funds Not Itemized	\$46,620	\$46,620	\$46,620
Foster Care Title IV-E CFDA93.658	\$1,495,178	\$1,495,178	\$1,495,178
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$299,805	\$299,805	\$299,805
Federal Funds Transfers	\$299,805	\$299,805	\$299,805
FF Medical Assistance Program CFDA93.778	\$299,805	\$299,805	\$299,805
TOTAL PUBLIC FUNDS	\$99,557,232	\$99,172,705	\$99,285,920

Departmental Administration (DJJ)

Continuation Budget

The purpose of this appropriation is to protect and serve the citizens of Georgia by holding youthful offenders accountable for their actions through the delivery of effective services in appropriate settings.

TOTAL STATE FUNDS	\$24,819,289	\$24,819,289	\$24,819,289
State General Funds	\$24,819,289	\$24,819,289	\$24,819,289
TOTAL AGENCY FUNDS	\$18,130	\$18,130	\$18,130
Sales and Services	\$18,130	\$18,130	\$18,130
Sales and Services Not Itemized	\$18,130	\$18,130	\$18,130
TOTAL PUBLIC FUNDS	\$24,837,419	\$24,837,419	\$24,837,419

217.1	<i>Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.</i>			
	State General Funds	\$1,985	\$1,985	\$1,985
217.2	<i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
	State General Funds	(\$10,865)	(\$10,865)	(\$10,865)
217.3	<i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
	State General Funds	(\$1,130)	(\$1,130)	(\$1,130)
217.4	<i>Reduce funds to reflect an adjustment in TeamWorks billings.</i>			
	State General Funds	(\$12,402)	(\$12,402)	(\$12,402)
217.5	<i>Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.</i>			
	State General Funds	(\$28,340)	(\$28,340)	(\$28,340)
217.6	<i>Adjust billings for unemployment insurance to reflect updated claims expenses.</i>			
	State General Funds			(\$88,654)

217.100-Departmental Administration (DJJ)	Appropriation (HB 684)
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The purpose of this appropriation is to protect and serve the citizens of Georgia by holding youthful offenders accountable for their actions through the delivery of effective services in appropriate settings.

TOTAL STATE FUNDS	\$24,768,537	\$24,768,537	\$24,679,883
State General Funds	\$24,768,537	\$24,768,537	\$24,679,883
TOTAL AGENCY FUNDS	\$18,130	\$18,130	\$18,130
Sales and Services	\$18,130	\$18,130	\$18,130
Sales and Services Not Itemized	\$18,130	\$18,130	\$18,130
TOTAL PUBLIC FUNDS	\$24,786,667	\$24,786,667	\$24,698,013

Secure Commitment (YDCs)

Continuation Budget

The purpose of this appropriation is to protect the public and hold youth accountable for their actions, and provide secure care and supervision of youth including academic, recreational, vocational, medical, mental health, counseling, and religious services for those youth committed to the Department's custody, or convicted of an offense under Senate Bill 440.

TOTAL STATE FUNDS	\$94,034,131	\$94,034,131	\$94,034,131
State General Funds	\$94,034,131	\$94,034,131	\$94,034,131
TOTAL FEDERAL FUNDS	\$4,554,231	\$4,554,231	\$4,554,231
Federal Funds Not Itemized	\$4,554,231	\$4,554,231	\$4,554,231
TOTAL AGENCY FUNDS	\$8,949	\$8,949	\$8,949
Sales and Services	\$8,949	\$8,949	\$8,949
Sales and Services Not Itemized	\$8,949	\$8,949	\$8,949
TOTAL PUBLIC FUNDS	\$98,597,311	\$98,597,311	\$98,597,311

218.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$141,943	\$141,943	\$141,943
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218.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$47,204)	(\$47,204)	(\$47,204)
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218.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$4,907)	(\$4,907)	(\$4,907)
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218.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$53,884)	(\$53,884)	(\$53,884)
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218.5 *Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees.*

State General Funds	\$9,565	\$0	\$0
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218.6 *Increase funds to provide for differentiated pay for newly certified math and science teachers.*

State General Funds	\$12,953	\$12,953	\$12,953
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218.7 *Utilize existing funds for the culinary vocational program at Macon YDC. (S:YES)*

State General Funds			\$0
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218.100-Secure Commitment (YDCs)	Appropriation (HB 684)
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The purpose of this appropriation is to protect the public and hold youth accountable for their actions, and provide secure care and supervision of youth including academic, recreational, vocational, medical, mental health, counseling, and religious services for those youth committed to the Department's custody, or convicted of an offense under Senate Bill 440.

TOTAL STATE FUNDS	\$94,092,597	\$94,083,032	\$94,083,032
State General Funds	\$94,092,597	\$94,083,032	\$94,083,032
TOTAL FEDERAL FUNDS	\$4,554,231	\$4,554,231	\$4,554,231
Federal Funds Not Itemized	\$4,554,231	\$4,554,231	\$4,554,231
TOTAL AGENCY FUNDS	\$8,949	\$8,949	\$8,949
Sales and Services	\$8,949	\$8,949	\$8,949
Sales and Services Not Itemized	\$8,949	\$8,949	\$8,949
TOTAL PUBLIC FUNDS	\$98,655,777	\$98,646,212	\$98,646,212

Secure Detention (RYDCs)**Continuation Budget**

The purpose of this appropriation is to protect the public and hold youth accountable for their actions and, provide temporary, secure care, and supervision of youth who are charged with crimes or who have been found guilty of crimes and are awaiting disposition of their cases by juvenile courts or awaiting placement in one of the Department's treatment programs or facilities, or sentenced to the Short Term Program.

TOTAL STATE FUNDS	\$122,909,419	\$122,909,419	\$122,909,419
State General Funds	\$122,909,419	\$122,909,419	\$122,909,419
TOTAL FEDERAL FUNDS	\$1,708,176	\$1,708,176	\$1,708,176
Federal Funds Not Itemized	\$1,708,176	\$1,708,176	\$1,708,176
TOTAL AGENCY FUNDS	\$13,423	\$13,423	\$13,423
Sales and Services	\$13,423	\$13,423	\$13,423
Sales and Services Not Itemized	\$13,423	\$13,423	\$13,423
TOTAL PUBLIC FUNDS	\$124,631,018	\$124,631,018	\$124,631,018

219.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$199,336	\$199,336	\$199,336
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219.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$66,591)	(\$66,591)	(\$66,591)
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219.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$6,926)	(\$6,926)	(\$6,926)
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219.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$76,015)	(\$76,015)	(\$76,015)
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219.5 *Increase funds to annualize expenditures of the Wilkes RYDC facility.*

State General Funds	\$650,000	\$650,000	\$650,000
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219.6 *Increase funds for security management, education, and medical services at the 56 bed Cadwell Regional Youth Detention Center effective September 1, 2018.*

State General Funds	\$3,503,472	\$3,503,472	\$3,503,472
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219.7 *Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees.*

State General Funds	\$14,342	\$0	\$0
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219.100-Secure Detention (RYDCs)

Appropriation (HB 684)

The purpose of this appropriation is to protect the public and hold youth accountable for their actions and, provide temporary, secure care, and supervision of youth who are charged with crimes or who have been found guilty of crimes and are awaiting disposition of their cases by juvenile courts or awaiting placement in one of the Department's treatment programs or facilities, or sentenced to the Short Term Program.

TOTAL STATE FUNDS	\$127,127,037	\$127,112,695	\$127,112,695
State General Funds	\$127,127,037	\$127,112,695	\$127,112,695
TOTAL FEDERAL FUNDS	\$1,708,176	\$1,708,176	\$1,708,176
Federal Funds Not Itemized	\$1,708,176	\$1,708,176	\$1,708,176
TOTAL AGENCY FUNDS	\$13,423	\$13,423	\$13,423
Sales and Services	\$13,423	\$13,423	\$13,423
Sales and Services Not Itemized	\$13,423	\$13,423	\$13,423
TOTAL PUBLIC FUNDS	\$128,848,636	\$128,834,294	\$128,834,294

Section 32: Labor, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$13,516,194	\$13,516,194	\$13,516,194
State General Funds	\$13,516,194	\$13,516,194	\$13,516,194
TOTAL FEDERAL FUNDS	\$104,179,469	\$104,179,469	\$104,179,469
Federal Funds Not Itemized	\$104,179,469	\$104,179,469	\$104,179,469

TOTAL AGENCY FUNDS	\$3,016,413	\$3,016,413	\$3,016,413
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
Intergovernmental Transfers Not Itemized	\$600,000	\$600,000	\$600,000
Sales and Services	\$2,416,413	\$2,416,413	\$2,416,413
Sales and Services Not Itemized	\$2,416,413	\$2,416,413	\$2,416,413
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$7,218,987	\$7,218,987	\$7,218,987
State Funds Transfers	\$5,659,769	\$5,659,769	\$5,659,769
Agency to Agency Contracts	\$5,659,769	\$5,659,769	\$5,659,769
Agency Funds Transfers	\$1,559,218	\$1,559,218	\$1,559,218
Agency Fund Transfers Not Itemized	\$1,559,218	\$1,559,218	\$1,559,218
TOTAL PUBLIC FUNDS	\$127,931,063	\$127,931,063	\$127,931,063

Section Total - Final

TOTAL STATE FUNDS	\$13,251,246	\$13,501,246	\$13,751,015
State General Funds	\$13,251,246	\$13,501,246	\$13,751,015
TOTAL FEDERAL FUNDS	\$104,179,469	\$104,179,469	\$104,179,469
Federal Funds Not Itemized	\$104,179,469	\$104,179,469	\$104,179,469
TOTAL AGENCY FUNDS	\$3,016,413	\$3,016,413	\$3,016,413
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
Intergovernmental Transfers Not Itemized	\$600,000	\$600,000	\$600,000
Sales and Services	\$2,416,413	\$2,416,413	\$2,416,413
Sales and Services Not Itemized	\$2,416,413	\$2,416,413	\$2,416,413
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$7,218,987	\$7,218,987	\$7,218,987
State Funds Transfers	\$5,659,769	\$5,659,769	\$5,659,769
Agency to Agency Contracts	\$5,659,769	\$5,659,769	\$5,659,769
Agency Funds Transfers	\$1,559,218	\$1,559,218	\$1,559,218
Agency Fund Transfers Not Itemized	\$1,559,218	\$1,559,218	\$1,559,218
TOTAL PUBLIC FUNDS	\$127,666,115	\$127,916,115	\$128,165,884

Departmental Administration (DOL)

The purpose of this appropriation is to work with public and private partners in building a world-class workforce system that contributes to Georgia's economic prosperity.

Continuation Budget

TOTAL STATE FUNDS	\$1,731,339	\$1,731,339	\$1,731,339
State General Funds	\$1,731,339	\$1,731,339	\$1,731,339
TOTAL FEDERAL FUNDS	\$25,411,990	\$25,411,990	\$25,411,990
Federal Funds Not Itemized	\$25,411,990	\$25,411,990	\$25,411,990
TOTAL AGENCY FUNDS	\$3,016,413	\$3,016,413	\$3,016,413
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
Intergovernmental Transfers Not Itemized	\$600,000	\$600,000	\$600,000
Sales and Services	\$2,416,413	\$2,416,413	\$2,416,413
Sales and Services Not Itemized	\$2,416,413	\$2,416,413	\$2,416,413
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$275,769	\$275,769	\$275,769
State Funds Transfers	\$275,769	\$275,769	\$275,769
Agency to Agency Contracts	\$275,769	\$275,769	\$275,769
TOTAL PUBLIC FUNDS	\$30,435,511	\$30,435,511	\$30,435,511

220.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$5,908)	(\$5,908)	(\$5,908)
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220.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,808)	(\$1,808)	(\$1,808)
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220.3 *Increase funds to reflect an adjustment in TeamWorks billings.*

State General Funds	\$1,949	\$1,949	\$1,949
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220.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$5,580)	(\$5,580)	(\$5,580)
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220.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$231)
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220.100-Departmental Administration (DOL)	Appropriation (HB 684)
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The purpose of this appropriation is to work with public and private partners in building a world-class workforce system that contributes to Georgia's economic prosperity.

TOTAL STATE FUNDS	\$1,719,992	\$1,719,992	\$1,719,761
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State General Funds	\$1,719,992	\$1,719,992	\$1,719,761
TOTAL FEDERAL FUNDS	\$25,411,990	\$25,411,990	\$25,411,990
Federal Funds Not Itemized	\$25,411,990	\$25,411,990	\$25,411,990
TOTAL AGENCY FUNDS	\$3,016,413	\$3,016,413	\$3,016,413
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
Intergovernmental Transfers Not Itemized	\$600,000	\$600,000	\$600,000
Sales and Services	\$2,416,413	\$2,416,413	\$2,416,413
Sales and Services Not Itemized	\$2,416,413	\$2,416,413	\$2,416,413
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$275,769	\$275,769	\$275,769
State Funds Transfers	\$275,769	\$275,769	\$275,769
Agency to Agency Contracts	\$275,769	\$275,769	\$275,769
TOTAL PUBLIC FUNDS	\$30,424,164	\$30,424,164	\$30,423,933

Labor Market Information

Continuation Budget

The purpose of this appropriation is to collect, analyze, and publish a wide array of information about the state's labor market.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL FEDERAL FUNDS	\$2,532,139	\$2,532,139	\$2,532,139
Federal Funds Not Itemized	\$2,532,139	\$2,532,139	\$2,532,139
TOTAL PUBLIC FUNDS	\$2,532,139	\$2,532,139	\$2,532,139

221.100-Labor Market Information

Appropriation (HB 684)

The purpose of this appropriation is to collect, analyze, and publish a wide array of information about the state's labor market.

TOTAL FEDERAL FUNDS	\$2,532,139	\$2,532,139	\$2,532,139
Federal Funds Not Itemized	\$2,532,139	\$2,532,139	\$2,532,139
TOTAL PUBLIC FUNDS	\$2,532,139	\$2,532,139	\$2,532,139

Unemployment Insurance

Continuation Budget

The purpose of this appropriation is to enhance Georgia's economic strength by collecting unemployment insurance taxes from Georgia's employers and distributing unemployment benefits to eligible claimants.

TOTAL STATE FUNDS	\$4,385,121	\$4,385,121	\$4,385,121
State General Funds	\$4,385,121	\$4,385,121	\$4,385,121
TOTAL FEDERAL FUNDS	\$31,646,176	\$31,646,176	\$31,646,176
Federal Funds Not Itemized	\$31,646,176	\$31,646,176	\$31,646,176
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$150,000	\$150,000	\$150,000
State Funds Transfers	\$150,000	\$150,000	\$150,000
Agency to Agency Contracts	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$36,181,297	\$36,181,297	\$36,181,297

222.1 *Utilize existing state funds for the collection of administrative assessments. (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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222.100-Unemployment Insurance

Appropriation (HB 684)

The purpose of this appropriation is to enhance Georgia's economic strength by collecting unemployment insurance taxes from Georgia's employers and distributing unemployment benefits to eligible claimants.

TOTAL STATE FUNDS	\$4,385,121	\$4,385,121	\$4,385,121
State General Funds	\$4,385,121	\$4,385,121	\$4,385,121
TOTAL FEDERAL FUNDS	\$31,646,176	\$31,646,176	\$31,646,176
Federal Funds Not Itemized	\$31,646,176	\$31,646,176	\$31,646,176
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$150,000	\$150,000	\$150,000
State Funds Transfers	\$150,000	\$150,000	\$150,000
Agency to Agency Contracts	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$36,181,297	\$36,181,297	\$36,181,297

Workforce Solutions

Continuation Budget

The purpose of this appropriation is to assist employers and job seekers with job matching services and to promote economic growth and development.

TOTAL STATE FUNDS	\$7,399,734	\$7,399,734	\$7,399,734
State General Funds	\$7,399,734	\$7,399,734	\$7,399,734
TOTAL FEDERAL FUNDS	\$44,589,164	\$44,589,164	\$44,589,164
Federal Funds Not Itemized	\$44,589,164	\$44,589,164	\$44,589,164
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$6,793,218	\$6,793,218	\$6,793,218

State Funds Transfers	\$5,234,000	\$5,234,000	\$5,234,000
Agency to Agency Contracts	\$5,234,000	\$5,234,000	\$5,234,000
Agency Funds Transfers	\$1,559,218	\$1,559,218	\$1,559,218
Agency Fund Transfers Not Itemized	\$1,559,218	\$1,559,218	\$1,559,218
TOTAL PUBLIC FUNDS	\$58,782,116	\$58,782,116	\$58,782,116

223.1 *Transfer funds from the Georgia Department of Labor to the Technical College System of Georgia for the customized recruitment initiative to support workforce needs throughout the state.*

State General Funds	(\$253,601)	(\$253,601)	(\$253,601)
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223.2 *Encourage the collaboration with other state agencies, including public libraries and technical schools, to maintain a physical presence where career centers have closed and to continue the expansion of online services. (H:YES)(S:YES; Encourage the collaboration with other state agencies, including public libraries and technical colleges, to maintain a physical presence where career centers have closed and to continue the expansion of online services)*

State General Funds		\$0	\$0
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223.3 *Increase funds for local career centers to replace federal funds.*

State General Funds		\$250,000	\$500,000
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223.100-Workforce Solutions	Appropriation (HB 684)
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The purpose of this appropriation is to assist employers and job seekers with job matching services and to promote economic growth and development.

TOTAL STATE FUNDS	\$7,146,133	\$7,396,133	\$7,646,133
State General Funds	\$7,146,133	\$7,396,133	\$7,646,133
TOTAL FEDERAL FUNDS	\$44,589,164	\$44,589,164	\$44,589,164
Federal Funds Not Itemized	\$44,589,164	\$44,589,164	\$44,589,164
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$6,793,218	\$6,793,218	\$6,793,218
State Funds Transfers	\$5,234,000	\$5,234,000	\$5,234,000
Agency to Agency Contracts	\$5,234,000	\$5,234,000	\$5,234,000
Agency Funds Transfers	\$1,559,218	\$1,559,218	\$1,559,218
Agency Fund Transfers Not Itemized	\$1,559,218	\$1,559,218	\$1,559,218
TOTAL PUBLIC FUNDS	\$58,528,515	\$58,778,515	\$59,028,515

Section 33: Law, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$32,001,062	\$32,001,062	\$32,001,062
State General Funds	\$32,001,062	\$32,001,062	\$32,001,062
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990	\$3,597,990
Federal Funds Not Itemized	\$3,597,990	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$939,740	\$939,740	\$939,740
Sales and Services	\$772,051	\$772,051	\$772,051
Sales and Services Not Itemized	\$772,051	\$772,051	\$772,051
Sanctions, Fines, and Penalties	\$167,689	\$167,689	\$167,689
Sanctions, Fines, and Penalties Not Itemized	\$167,689	\$167,689	\$167,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074	\$36,317,074
State Fund Transfers Not Itemized	\$36,317,074	\$36,317,074	\$36,317,074
TOTAL PUBLIC FUNDS	\$72,855,866	\$72,855,866	\$72,855,866

	Section Total - Final		
TOTAL STATE FUNDS	\$31,973,737	\$32,040,838	\$32,109,609
State General Funds	\$31,973,737	\$32,040,838	\$32,109,609
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990	\$3,597,990
Federal Funds Not Itemized	\$3,597,990	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$939,740	\$939,740	\$939,740
Sales and Services	\$772,051	\$772,051	\$772,051
Sales and Services Not Itemized	\$772,051	\$772,051	\$772,051
Sanctions, Fines, and Penalties	\$167,689	\$167,689	\$167,689
Sanctions, Fines, and Penalties Not Itemized	\$167,689	\$167,689	\$167,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074	\$36,317,074
State Fund Transfers Not Itemized	\$36,317,074	\$36,317,074	\$36,317,074
TOTAL PUBLIC FUNDS	\$72,828,541	\$72,895,642	\$72,964,413

Law, Department of**Continuation Budget**

The purpose of this appropriation is to serve as the attorney and legal advisor for all state agencies, departments, authorities, and the Governor; to provide binding opinions on legal questions concerning the state of Georgia and its agencies; and to prepare all contracts and agreements regarding any matter in which the state of Georgia is involved.

TOTAL STATE FUNDS	\$30,638,648	\$30,638,648	\$30,638,648
State General Funds	\$30,638,648	\$30,638,648	\$30,638,648
TOTAL AGENCY FUNDS	\$937,629	\$937,629	\$937,629
Sales and Services	\$769,940	\$769,940	\$769,940
Sales and Services Not Itemized	\$769,940	\$769,940	\$769,940
Sanctions, Fines, and Penalties	\$167,689	\$167,689	\$167,689
Sanctions, Fines, and Penalties Not Itemized	\$167,689	\$167,689	\$167,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074	\$36,317,074
State Fund Transfers Not Itemized	\$36,317,074	\$36,317,074	\$36,317,074
TOTAL PUBLIC FUNDS	\$67,893,351	\$67,893,351	\$67,893,351

224.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$2,679	\$2,679	\$2,679
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224.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$47,436)	(\$47,436)	(\$47,436)
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224.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$14,093)	(\$14,093)	(\$14,093)
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224.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$35,476)	(\$35,476)	(\$35,476)
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224.5 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$59)	(\$59)	(\$59)
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224.6 *Increase funds for personnel for one paralegal position. (H:Increase funds for two paralegals)(S:Increase funds for three paralegals)*

State General Funds	\$67,101	\$134,202	\$201,303
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224.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$1,670
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224.100-Law, Department of	Appropriation (HB 684)		
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The purpose of this appropriation is to serve as the attorney and legal advisor for all state agencies, departments, authorities, and the Governor; to provide binding opinions on legal questions concerning the state of Georgia and its agencies; and to prepare all contracts and agreements regarding any matter in which the state of Georgia is involved.

TOTAL STATE FUNDS	\$30,611,364	\$30,678,465	\$30,747,236
State General Funds	\$30,611,364	\$30,678,465	\$30,747,236
TOTAL AGENCY FUNDS	\$937,629	\$937,629	\$937,629
Sales and Services	\$769,940	\$769,940	\$769,940
Sales and Services Not Itemized	\$769,940	\$769,940	\$769,940
Sanctions, Fines, and Penalties	\$167,689	\$167,689	\$167,689
Sanctions, Fines, and Penalties Not Itemized	\$167,689	\$167,689	\$167,689
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$36,317,074	\$36,317,074	\$36,317,074
State Funds Transfers	\$36,317,074	\$36,317,074	\$36,317,074
State Fund Transfers Not Itemized	\$36,317,074	\$36,317,074	\$36,317,074
TOTAL PUBLIC FUNDS	\$67,866,067	\$67,933,168	\$68,001,939

Medicaid Fraud Control Unit

Continuation Budget

The purpose of this appropriation is to serve as the center for the identification, arrest, and prosecution of providers of health services and patients who defraud the Medicaid Program.

TOTAL STATE FUNDS	\$1,362,414	\$1,362,414	\$1,362,414
State General Funds	\$1,362,414	\$1,362,414	\$1,362,414
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990	\$3,597,990
Federal Funds Not Itemized	\$3,597,990	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$2,111	\$2,111	\$2,111
Sales and Services	\$2,111	\$2,111	\$2,111
Sales and Services Not Itemized	\$2,111	\$2,111	\$2,111
TOTAL PUBLIC FUNDS	\$4,962,515	\$4,962,515	\$4,962,515

225.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$41)	(\$41)	(\$41)
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225.100-Medicaid Fraud Control Unit	Appropriation (HB 684)
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The purpose of this appropriation is to serve as the center for the identification, arrest, and prosecution of providers of health services and patients who defraud the Medicaid Program.

TOTAL STATE FUNDS	\$1,362,373	\$1,362,373	\$1,362,373
State General Funds	\$1,362,373	\$1,362,373	\$1,362,373
TOTAL FEDERAL FUNDS	\$3,597,990	\$3,597,990	\$3,597,990
Federal Funds Not Itemized	\$3,597,990	\$3,597,990	\$3,597,990
TOTAL AGENCY FUNDS	\$2,111	\$2,111	\$2,111
Sales and Services	\$2,111	\$2,111	\$2,111
Sales and Services Not Itemized	\$2,111	\$2,111	\$2,111
TOTAL PUBLIC FUNDS	\$4,962,474	\$4,962,474	\$4,962,474

There is hereby appropriated to the Department of Law the sum of \$500,000 of the moneys collected in accordance with O.C.G.A. Title 10, Chapter 1, Article 28. The sum of money is appropriated for use by the Department of Law for consumer protection for all the purposes for which such moneys may be appropriated pursuant to Article 28.

Section 34: Natural Resources, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$110,593,079	\$110,593,079	\$110,593,079
State General Funds	\$110,593,079	\$110,593,079	\$110,593,079
TOTAL FEDERAL FUNDS	\$64,264,463	\$64,264,463	\$64,264,463
Federal Funds Not Itemized	\$62,353,000	\$62,353,000	\$62,353,000
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,911,463	\$1,911,463	\$1,911,463
TOTAL AGENCY FUNDS	\$96,669,289	\$96,669,289	\$96,669,289
Contributions, Donations, and Forfeitures	\$605,932	\$605,932	\$605,932
Contributions, Donations, and Forfeitures Not Itemized	\$605,932	\$605,932	\$605,932
Intergovernmental Transfers	\$2,930	\$2,930	\$2,930
Intergovernmental Transfers Not Itemized	\$2,930	\$2,930	\$2,930
Rebates, Refunds, and Reimbursements	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements Not Itemized	\$3,657	\$3,657	\$3,657

Royalties and Rents	\$64,790	\$64,790	\$64,790
Royalties and Rents Not Itemized	\$64,790	\$64,790	\$64,790
Sales and Services	\$95,991,980	\$95,991,980	\$95,991,980
Sales and Services Not Itemized	\$95,991,980	\$95,991,980	\$95,991,980
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$239,782	\$239,782	\$239,782
State Funds Transfers	\$239,782	\$239,782	\$239,782
Agency to Agency Contracts	\$239,782	\$239,782	\$239,782
TOTAL PUBLIC FUNDS	\$271,766,613	\$271,766,613	\$271,766,613

Section Total - Final

TOTAL STATE FUNDS	\$118,342,585	\$118,892,585	\$118,778,239
State General Funds	\$118,342,585	\$118,892,585	\$118,778,239
TOTAL FEDERAL FUNDS	\$64,264,463	\$64,264,463	\$64,264,463
Federal Funds Not Itemized	\$62,353,000	\$62,353,000	\$62,353,000
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,911,463	\$1,911,463	\$1,911,463
TOTAL AGENCY FUNDS	\$96,669,289	\$96,669,289	\$96,669,289
Contributions, Donations, and Forfeitures	\$605,932	\$605,932	\$605,932
Contributions, Donations, and Forfeitures Not Itemized	\$605,932	\$605,932	\$605,932
Intergovernmental Transfers	\$2,930	\$2,930	\$2,930
Intergovernmental Transfers Not Itemized	\$2,930	\$2,930	\$2,930
Rebates, Refunds, and Reimbursements	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements Not Itemized	\$3,657	\$3,657	\$3,657
Royalties and Rents	\$64,790	\$64,790	\$64,790
Royalties and Rents Not Itemized	\$64,790	\$64,790	\$64,790
Sales and Services	\$95,991,980	\$95,991,980	\$95,991,980
Sales and Services Not Itemized	\$95,991,980	\$95,991,980	\$95,991,980
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$239,782	\$239,782	\$239,782
State Funds Transfers	\$239,782	\$239,782	\$239,782
Agency to Agency Contracts	\$239,782	\$239,782	\$239,782
TOTAL PUBLIC FUNDS	\$279,516,119	\$280,066,119	\$279,951,773

Coastal Resources**Continuation Budget**

The purpose of this appropriation is to preserve the natural, environmental, historic, archaeological, and recreational resources of the state's coastal zone by balancing economic development with resource preservation and improvement by assessing and restoring coastal wetlands, by regulating development within the coastal zone, by promulgating and enforcing rules and regulations to protect the coastal wetlands, by monitoring the population status of commercially and recreationally fished species and developing fishery management plans, by providing fishing education, and by constructing and maintaining artificial reefs.

TOTAL STATE FUNDS	\$2,221,884	\$2,221,884	\$2,221,884
State General Funds	\$2,221,884	\$2,221,884	\$2,221,884
TOTAL FEDERAL FUNDS	\$5,054,621	\$5,054,621	\$5,054,621
Federal Funds Not Itemized	\$5,054,621	\$5,054,621	\$5,054,621
TOTAL AGENCY FUNDS	\$107,925	\$107,925	\$107,925
Contributions, Donations, and Forfeitures	\$70,760	\$70,760	\$70,760
Contributions, Donations, and Forfeitures Not Itemized	\$70,760	\$70,760	\$70,760
Royalties and Rents	\$37,165	\$37,165	\$37,165
Royalties and Rents Not Itemized	\$37,165	\$37,165	\$37,165
TOTAL PUBLIC FUNDS	\$7,384,430	\$7,384,430	\$7,384,430

226.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$4,815)	(\$4,815)	(\$4,815)
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226.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$213	\$213	\$213
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226.3 *Increase funds to utilize increased revenues per HB208 (2017 Session) for public access and offshore fishery habitat maintenance.*

State General Funds	\$720,000	\$720,000	\$720,000
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226.4 *Increase funds for one-time funding to clear hurricane debris and remove sunken vessels along the Georgia coastline.*

State General Funds		\$300,000	\$0
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226.100-Coastal Resources **Appropriation (HB 684)**

The purpose of this appropriation is to preserve the natural, environmental, historic, archaeological, and recreational resources of the state's coastal zone by balancing economic development with resource preservation and improvement by assessing and restoring coastal wetlands, by regulating development within the coastal zone, by promulgating and enforcing rules and regulations to protect the coastal wetlands, by monitoring the population status of commercially and recreationally fished species and developing fishery management plans, by providing fishing education, and by constructing and maintaining artificial reefs.

TOTAL STATE FUNDS	\$2,937,282	\$3,237,282	\$2,937,282
State General Funds	\$2,937,282	\$3,237,282	\$2,937,282
TOTAL FEDERAL FUNDS	\$5,054,621	\$5,054,621	\$5,054,621
Federal Funds Not Itemized	\$5,054,621	\$5,054,621	\$5,054,621
TOTAL AGENCY FUNDS	\$107,925	\$107,925	\$107,925
Contributions, Donations, and Forfeitures	\$70,760	\$70,760	\$70,760
Contributions, Donations, and Forfeitures Not Itemized	\$70,760	\$70,760	\$70,760
Royalties and Rents	\$37,165	\$37,165	\$37,165
Royalties and Rents Not Itemized	\$37,165	\$37,165	\$37,165
TOTAL PUBLIC FUNDS	\$8,099,828	\$8,399,828	\$8,099,828

Departmental Administration (DNR) **Continuation Budget**

The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$12,269,341	\$12,269,341	\$12,269,341
State General Funds	\$12,269,341	\$12,269,341	\$12,269,341
TOTAL AGENCY FUNDS	\$39,065	\$39,065	\$39,065
Sales and Services	\$39,065	\$39,065	\$39,065
Sales and Services Not Itemized	\$39,065	\$39,065	\$39,065
TOTAL PUBLIC FUNDS	\$12,308,406	\$12,308,406	\$12,308,406

227.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$16,853)	(\$16,853)	(\$16,853)
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227.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$746	\$746	\$746
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227.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$42,104)	(\$42,104)	(\$42,104)
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227.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$27,352)	(\$27,352)	(\$27,352)
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227.5 *Transfer funds and 13 positions from the Parks, Recreation and Historic Sites program to the Departmental Administration (DNR) program to streamline agency-wide engineering and construction activities.*

State General Funds	\$1,962,790	\$1,962,790	\$1,962,790
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227.6 *Transfer funds and three positions from the Wildlife Resources program to the Departmental Administration (DNR) program to consolidate agency-wide real estate and land acquisition activities.*

State General Funds	\$308,474	\$308,474	\$308,474
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227.7 *Increase funds to utilize increased revenues per HB208 (2017 Session) for additional reporting and processing.*

State General Funds	\$240,000	\$240,000	\$240,000
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227.8 *Increase funds for the grant to McIntosh County per O.C.G.A. 48-14-4.*

State General Funds			\$187,826
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227.9 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$2,172)
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227.100-Departmental Administration (DNR)	Appropriation (HB 684)
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The purpose of this appropriation is to provide administrative support for all programs of the department.

TOTAL STATE FUNDS	\$14,695,042	\$14,695,042	\$14,880,696
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State General Funds	\$14,695,042	\$14,695,042	\$14,880,696
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TOTAL AGENCY FUNDS	\$39,065	\$39,065	\$39,065
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Sales and Services	\$39,065	\$39,065	\$39,065
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Sales and Services Not Itemized	\$39,065	\$39,065	\$39,065
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TOTAL PUBLIC FUNDS	\$14,734,107	\$14,734,107	\$14,919,761
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Environmental Protection

Continuation Budget

The purpose of this appropriation is to protect the quality of Georgia's air by controlling, monitoring and regulating pollution from large, small, mobile, and area sources (including pollution from motor vehicle emissions) by performing ambient air monitoring, and

by participating in the Clean Air Campaign; to protect Georgia's land by permitting, managing, and planning for solid waste facilities, by implementing waste reduction strategies, by administering the Solid Waste Trust Fund and the Underground Storage Tank program, by cleaning up scrap tire piles, and by permitting and regulating surface mining operations; to protect Georgia and its citizens from hazardous materials by investigating and remediating hazardous sites, and by utilizing the Hazardous Waste Trust Fund to manage the state's hazardous sites inventory, to oversee site cleanup and brownfield remediation, to remediate abandoned sites, to respond to environmental emergencies, and to monitor and regulate the hazardous materials industry in Georgia. The purpose of this appropriation is also to ensure the quality and quantity of Georgia's water supplies by managing floodplains, by ensuring the safety of dams, by monitoring, regulating, and certifying water quality, and by regulating the amount of water used.

TOTAL STATE FUNDS	\$30,819,868	\$30,819,868	\$30,819,868
State General Funds	\$30,819,868	\$30,819,868	\$30,819,868
TOTAL FEDERAL FUNDS	\$31,869,796	\$31,869,796	\$31,869,796
Federal Funds Not Itemized	\$29,969,940	\$29,969,940	\$29,969,940
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,899,856	\$1,899,856	\$1,899,856
TOTAL AGENCY FUNDS	\$55,584,073	\$55,584,073	\$55,584,073
Contributions, Donations, and Forfeitures	\$16,571	\$16,571	\$16,571
Contributions, Donations, and Forfeitures Not Itemized	\$16,571	\$16,571	\$16,571
Sales and Services	\$55,567,502	\$55,567,502	\$55,567,502
Sales and Services Not Itemized	\$55,567,502	\$55,567,502	\$55,567,502
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$209,782	\$209,782	\$209,782
State Funds Transfers	\$209,782	\$209,782	\$209,782
Agency to Agency Contracts	\$209,782	\$209,782	\$209,782
TOTAL PUBLIC FUNDS	\$118,483,519	\$118,483,519	\$118,483,519

228.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$900	\$900	\$900
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228.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$51,128)	(\$51,128)	(\$51,128)
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228.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$2,262	\$2,262	\$2,262
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228.4 Utilize existing funds for one asbestos remediation position. (G: YES)(H: YES)(S: YES)

State General Funds \$0 \$0 \$0

228.100-Environmental Protection Appropriation (HB 684)

The purpose of this appropriation is to protect the quality of Georgia's air by controlling, monitoring and regulating pollution from large, small, mobile, and area sources (including pollution from motor vehicle emissions) by performing ambient air monitoring, and by participating in the Clean Air Campaign; to protect Georgia's land by permitting, managing, and planning for solid waste facilities, by implementing waste reduction strategies, by administering the Solid Waste Trust Fund and the Underground Storage Tank program, by cleaning up scrap tire piles, and by permitting and regulating surface mining operations; to protect Georgia and its citizens from hazardous materials by investigating and remediating hazardous sites, and by utilizing the Hazardous Waste Trust Fund to manage the state's hazardous sites inventory, to oversee site cleanup and brownfield remediation, to remediate abandoned sites, to respond to environmental emergencies, and to monitor and regulate the hazardous materials industry in Georgia. The purpose of this appropriation is also to ensure the quality and quantity of Georgia's water supplies by managing floodplains, by ensuring the safety of dams, by monitoring, regulating, and certifying water quality, and by regulating the amount of water used.

TOTAL STATE FUNDS	\$30,771,902	\$30,771,902	\$30,771,902
State General Funds	\$30,771,902	\$30,771,902	\$30,771,902
TOTAL FEDERAL FUNDS	\$31,869,796	\$31,869,796	\$31,869,796
Federal Funds Not Itemized	\$29,969,940	\$29,969,940	\$29,969,940
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,899,856	\$1,899,856	\$1,899,856
TOTAL AGENCY FUNDS	\$55,584,073	\$55,584,073	\$55,584,073
Contributions, Donations, and Forfeitures	\$16,571	\$16,571	\$16,571
Contributions, Donations, and Forfeitures Not Itemized	\$16,571	\$16,571	\$16,571
Sales and Services	\$55,567,502	\$55,567,502	\$55,567,502
Sales and Services Not Itemized	\$55,567,502	\$55,567,502	\$55,567,502
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$209,782	\$209,782	\$209,782
State Funds Transfers	\$209,782	\$209,782	\$209,782
Agency to Agency Contracts	\$209,782	\$209,782	\$209,782
TOTAL PUBLIC FUNDS	\$118,435,553	\$118,435,553	\$118,435,553

Hazardous Waste Trust Fund Continuation Budget

The purpose of this appropriation is to fund investigations and cleanup of abandoned landfills and other hazardous sites, to meet cost-sharing requirements for Superfund sites identified by the US Environmental Protection Agency, to fund related operations and oversight positions within the Environmental Protection Division, and to reimburse local governments for landfill remediation.

TOTAL STATE FUNDS	\$4,027,423	\$4,027,423	\$4,027,423
State General Funds	\$4,027,423	\$4,027,423	\$4,027,423
TOTAL PUBLIC FUNDS	\$4,027,423	\$4,027,423	\$4,027,423

229.100-Hazardous Waste Trust Fund**Appropriation (HB 684)**

The purpose of this appropriation is to fund investigations and cleanup of abandoned landfills and other hazardous sites, to meet cost-sharing requirements for Superfund sites identified by the US Environmental Protection Agency, to fund related operations and oversight positions within the Environmental Protection Division, and to reimburse local governments for landfill remediation.

TOTAL STATE FUNDS	\$4,027,423	\$4,027,423	\$4,027,423
State General Funds	\$4,027,423	\$4,027,423	\$4,027,423
TOTAL PUBLIC FUNDS	\$4,027,423	\$4,027,423	\$4,027,423

Historic Preservation**Continuation Budget**

The purpose of this appropriation is to identify, protect, and preserve Georgia's historical sites by administering historic preservation grants, by cataloging all historic resources statewide, by providing research and planning required to list a site on the state and national historic registries, by working with building owners to ensure that renovation plans comply with historic preservation standards, and by executing and sponsoring archaeological research.

TOTAL STATE FUNDS	\$1,830,590	\$1,830,590	\$1,830,590
State General Funds	\$1,830,590	\$1,830,590	\$1,830,590
TOTAL FEDERAL FUNDS	\$1,020,787	\$1,020,787	\$1,020,787
Federal Funds Not Itemized	\$1,009,180	\$1,009,180	\$1,009,180
Federal Highway Admin.-Planning & Construction CFDA20.205	\$11,607	\$11,607	\$11,607
TOTAL PUBLIC FUNDS	\$2,851,377	\$2,851,377	\$2,851,377

230.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$3,148)	(\$3,148)	(\$3,148)
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230.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$139	\$139	\$139
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230.100-Historic Preservation **Appropriation (HB 684)**

The purpose of this appropriation is to identify, protect, and preserve Georgia's historical sites by administering historic preservation grants, by cataloging all historic resources statewide, by providing research and planning required to list a site on the state and national historic registries, by working with building owners to ensure that renovation plans comply with historic preservation standards, and by executing and sponsoring archaeological research.

TOTAL STATE FUNDS	\$1,827,581	\$1,827,581	\$1,827,581
State General Funds	\$1,827,581	\$1,827,581	\$1,827,581
TOTAL FEDERAL FUNDS	\$1,020,787	\$1,020,787	\$1,020,787
Federal Funds Not Itemized	\$1,009,180	\$1,009,180	\$1,009,180
Federal Highway Admin.-Planning & Construction CFDA20.205	\$11,607	\$11,607	\$11,607
TOTAL PUBLIC FUNDS	\$2,848,368	\$2,848,368	\$2,848,368

Law Enforcement

Continuation Budget

The purpose of this appropriation is to enforce all state and federal laws and departmental regulations relative to protecting Georgia's wildlife, natural, archeological, and cultural resources, DNR properties, boating safety, and litter and waste laws; to teach hunter and boater education classes; and to assist other law enforcement agencies upon request in providing public safety for the citizens and visitors of Georgia.

TOTAL STATE FUNDS	\$22,873,096	\$22,873,096	\$22,873,096
State General Funds	\$22,873,096	\$22,873,096	\$22,873,096
TOTAL FEDERAL FUNDS	\$3,001,293	\$3,001,293	\$3,001,293
Federal Funds Not Itemized	\$3,001,293	\$3,001,293	\$3,001,293
TOTAL AGENCY FUNDS	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements Not Itemized	\$3,657	\$3,657	\$3,657
TOTAL PUBLIC FUNDS	\$25,878,046	\$25,878,046	\$25,878,046

231.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$47,052)	(\$47,052)	(\$47,052)
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231.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$2,082	\$2,082	\$2,082
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231.3 *Increase funds to utilize increased revenues per HB208 (2017 Session) for additional law enforcement rangers to address high-demand areas of the state.*

State General Funds	\$2,720,000	\$2,720,000	\$2,720,000
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231.100-Law Enforcement

Appropriation (HB 684)

The purpose of this appropriation is to enforce all state and federal laws and departmental regulations relative to protecting Georgia's wildlife, natural, archeological, and cultural resources, DNR properties, boating safety, and litter and waste laws; to teach hunter and boater education classes; and to assist other law enforcement agencies upon request in providing public safety for the citizens and visitors of Georgia.

TOTAL STATE FUNDS	\$25,548,126	\$25,548,126	\$25,548,126
State General Funds	\$25,548,126	\$25,548,126	\$25,548,126
TOTAL FEDERAL FUNDS	\$3,001,293	\$3,001,293	\$3,001,293
Federal Funds Not Itemized	\$3,001,293	\$3,001,293	\$3,001,293
TOTAL AGENCY FUNDS	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements	\$3,657	\$3,657	\$3,657
Rebates, Refunds, and Reimbursements Not Itemized	\$3,657	\$3,657	\$3,657
TOTAL PUBLIC FUNDS	\$28,553,076	\$28,553,076	\$28,553,076

Parks, Recreation and Historic Sites

Continuation Budget

The purpose of this appropriation is to manage, operate, market, and maintain the state's golf courses, parks, lodges, conference centers, and historic sites.

TOTAL STATE FUNDS	\$15,171,556	\$15,171,556	\$15,171,556
State General Funds	\$15,171,556	\$15,171,556	\$15,171,556
TOTAL FEDERAL FUNDS	\$3,204,029	\$3,204,029	\$3,204,029
Federal Funds Not Itemized	\$3,204,029	\$3,204,029	\$3,204,029
TOTAL AGENCY FUNDS	\$32,391,791	\$32,391,791	\$32,391,791
Contributions, Donations, and Forfeitures	\$518,601	\$518,601	\$518,601
Contributions, Donations, and Forfeitures Not Itemized	\$518,601	\$518,601	\$518,601
Sales and Services	\$31,873,190	\$31,873,190	\$31,873,190
Sales and Services Not Itemized	\$31,873,190	\$31,873,190	\$31,873,190
TOTAL PUBLIC FUNDS	\$50,767,376	\$50,767,376	\$50,767,376

232.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$601	\$601	\$601
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232.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$34,661)	(\$34,661)	(\$34,661)
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232.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$1,534	\$1,534	\$1,534
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232.4 *Transfer funds and 13 positions from the Parks, Recreation and Historic Sites program to the Departmental Administration (DNR) program to streamline agency-wide engineering and construction activities.*

State General Funds	(\$1,962,790)	(\$1,962,790)	(\$1,962,790)
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232.5 *Increase funds for park facility improvements.*

State General Funds		\$250,000	\$250,000
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232.100-Parks, Recreation and Historic Sites	Appropriation (HB 684)
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The purpose of this appropriation is to manage, operate, market, and maintain the state's golf courses, parks, lodges, conference centers, and historic sites.

TOTAL STATE FUNDS	\$13,176,240	\$13,426,240	\$13,426,240
State General Funds	\$13,176,240	\$13,426,240	\$13,426,240
TOTAL FEDERAL FUNDS	\$3,204,029	\$3,204,029	\$3,204,029
Federal Funds Not Itemized	\$3,204,029	\$3,204,029	\$3,204,029
TOTAL AGENCY FUNDS	\$32,391,791	\$32,391,791	\$32,391,791
Contributions, Donations, and Forfeitures	\$518,601	\$518,601	\$518,601
Contributions, Donations, and Forfeitures Not Itemized	\$518,601	\$518,601	\$518,601
Sales and Services	\$31,873,190	\$31,873,190	\$31,873,190
Sales and Services Not Itemized	\$31,873,190	\$31,873,190	\$31,873,190
TOTAL PUBLIC FUNDS	\$48,772,060	\$49,022,060	\$49,022,060

Solid Waste Trust Fund

Continuation Budget

The purpose of this appropriation is to fund the administration of the Scrap Tire Management Program; to enable emergency, preventative, and corrective actions at solid waste disposal facilities; to assist local governments with the development of solid waste management plans; and to promote statewide recycling and waste reduction programs.

TOTAL STATE FUNDS	\$2,790,775	\$2,790,775	\$2,790,775
State General Funds	\$2,790,775	\$2,790,775	\$2,790,775
TOTAL PUBLIC FUNDS	\$2,790,775	\$2,790,775	\$2,790,775

233.100-Solid Waste Trust Fund**Appropriation (HB 684)**

The purpose of this appropriation is to fund the administration of the Scrap Tire Management Program; to enable emergency, preventative, and corrective actions at solid waste disposal facilities; to assist local governments with the development of solid waste management plans; and to promote statewide recycling and waste reduction programs.

TOTAL STATE FUNDS	\$2,790,775	\$2,790,775	\$2,790,775
State General Funds	\$2,790,775	\$2,790,775	\$2,790,775
TOTAL PUBLIC FUNDS	\$2,790,775	\$2,790,775	\$2,790,775

Wildlife Resources**Continuation Budget**

The purpose of this appropriation is to regulate hunting, fishing, and the operation of watercraft in Georgia; to provide hunter and boating education; to protect non-game and endangered wildlife; to promulgate statewide hunting, fishing, trapping, and coastal commercial fishing regulations; to operate the state's archery and shooting ranges; to license hunters and anglers; and to register boats.

TOTAL STATE FUNDS	\$18,588,546	\$18,588,546	\$18,588,546
State General Funds	\$18,588,546	\$18,588,546	\$18,588,546
TOTAL FEDERAL FUNDS	\$20,113,937	\$20,113,937	\$20,113,937
Federal Funds Not Itemized	\$20,113,937	\$20,113,937	\$20,113,937
TOTAL AGENCY FUNDS	\$8,542,778	\$8,542,778	\$8,542,778
Intergovernmental Transfers	\$2,930	\$2,930	\$2,930
Intergovernmental Transfers Not Itemized	\$2,930	\$2,930	\$2,930
Royalties and Rents	\$27,625	\$27,625	\$27,625
Royalties and Rents Not Itemized	\$27,625	\$27,625	\$27,625
Sales and Services	\$8,512,223	\$8,512,223	\$8,512,223
Sales and Services Not Itemized	\$8,512,223	\$8,512,223	\$8,512,223
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$30,000	\$30,000	\$30,000
State Funds Transfers	\$30,000	\$30,000	\$30,000
Agency to Agency Contracts	\$30,000	\$30,000	\$30,000
TOTAL PUBLIC FUNDS	\$47,275,261	\$47,275,261	\$47,275,261

234.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,586	\$1,586	\$1,586
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234.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$34,992)	(\$34,992)	(\$34,992)
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234.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$1,548	\$1,548	\$1,548
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234.4 *Increase funds to utilize increased revenues per HB208 (2017 Session) for additional public access and land management activities.*

State General Funds	\$4,320,000	\$4,320,000	\$4,320,000
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234.5 *Transfer funds and three positions from the Wildlife Resources program to the Departmental Administration (DNR) program to consolidate agency-wide real estate and land acquisition activities.*

State General Funds	(\$308,474)	(\$308,474)	(\$308,474)
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234.100-Wildlife Resources

Appropriation (HB 684)

The purpose of this appropriation is to regulate hunting, fishing, and the operation of watercraft in Georgia; to provide hunter and boating education; to protect non-game and endangered wildlife; to promulgate statewide hunting, fishing, trapping, and coastal commercial fishing regulations; to operate the state's archery and shooting ranges; to license hunters and anglers; and to register boats.

TOTAL STATE FUNDS	\$22,568,214	\$22,568,214	\$22,568,214
State General Funds	\$22,568,214	\$22,568,214	\$22,568,214
TOTAL FEDERAL FUNDS	\$20,113,937	\$20,113,937	\$20,113,937
Federal Funds Not Itemized	\$20,113,937	\$20,113,937	\$20,113,937
TOTAL AGENCY FUNDS	\$8,542,778	\$8,542,778	\$8,542,778
Intergovernmental Transfers	\$2,930	\$2,930	\$2,930
Intergovernmental Transfers Not Itemized	\$2,930	\$2,930	\$2,930
Royalties and Rents	\$27,625	\$27,625	\$27,625
Royalties and Rents Not Itemized	\$27,625	\$27,625	\$27,625
Sales and Services	\$8,512,223	\$8,512,223	\$8,512,223
Sales and Services Not Itemized	\$8,512,223	\$8,512,223	\$8,512,223

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$30,000	\$30,000	\$30,000
State Funds Transfers	\$30,000	\$30,000	\$30,000
Agency to Agency Contracts	\$30,000	\$30,000	\$30,000
TOTAL PUBLIC FUNDS	\$51,254,929	\$51,254,929	\$51,254,929

Provided, that to the extent State Parks and Historic Sites receipts are realized in excess of the amount of such funds contemplated in this Act, the Office of Planning and Budget is authorized to use up to 50 percent of the excess receipts to supplant State funds and the balance may be amended into the budget of the Parks, Recreation and Historic Sites Division for the most critical needs of the Division. This provision shall not apply to revenues collected from a state park's parking pass implemented by the Department.

Section 35: Pardons and Paroles, State Board of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$17,604,724	\$17,604,724	\$17,604,724
State General Funds	\$17,604,724	\$17,604,724	\$17,604,724
TOTAL PUBLIC FUNDS	\$17,604,724	\$17,604,724	\$17,604,724

	Section Total - Final		
TOTAL STATE FUNDS	\$17,614,041	\$17,614,041	\$17,617,070
State General Funds	\$17,614,041	\$17,614,041	\$17,617,070
TOTAL PUBLIC FUNDS	\$17,614,041	\$17,614,041	\$17,617,070

Board Administration (SBPP)

Continuation Budget

The purpose of this appropriation is to provide administrative support for the agency.

TOTAL STATE FUNDS	\$1,121,049	\$1,121,049	\$1,121,049
State General Funds	\$1,121,049	\$1,121,049	\$1,121,049
TOTAL PUBLIC FUNDS	\$1,121,049	\$1,121,049	\$1,121,049

235.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,849	\$1,849	\$1,849
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235.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$28)	(\$28)	(\$28)
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235.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$1,345)	(\$1,345)	(\$1,345)
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235.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$1,695)	(\$1,695)	(\$1,695)
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235.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$3,029
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235.100-Board Administration (SBPP)	Appropriation (HB 684)		
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The purpose of this appropriation is to provide administrative support for the agency.

TOTAL STATE FUNDS	\$1,119,830	\$1,119,830	\$1,122,859
State General Funds	\$1,119,830	\$1,119,830	\$1,122,859
TOTAL PUBLIC FUNDS	\$1,119,830	\$1,119,830	\$1,122,859

Clemency Decisions

Continuation Budget

The purpose of this appropriation is to support the Board in exercising its constitutional authority over executive clemency. This includes setting tentative parole dates for offenders in the correctional system and all aspects of parole status of offenders in the community including warrants, violations, commutations, and revocations. The Board coordinates all interstate compact release matters regarding the acceptance and placement of parolees into and from the State of Georgia and administers the pardon process by reviewing all applications and granting or denying these applications based on specific criteria.

TOTAL STATE FUNDS	\$15,978,980	\$15,978,980	\$15,978,980
State General Funds	\$15,978,980	\$15,978,980	\$15,978,980
TOTAL PUBLIC FUNDS	\$15,978,980	\$15,978,980	\$15,978,980

236.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$39,677	\$39,677	\$39,677
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236.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$599)	(\$599)	(\$599)
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236.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$28,856)	(\$28,856)	(\$28,856)
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236.100-Clemency Decisions**Appropriation (HB 684)**

The purpose of this appropriation is to support the Board in exercising its constitutional authority over executive clemency. This includes setting tentative parole dates for offenders in the correctional system and all aspects of parole status of offenders in the community including warrants, violations, commutations, and revocations. The Board coordinates all interstate compact release matters regarding the acceptance and placement of parolees into and from the State of Georgia and administers the pardon process by reviewing all applications and granting or denying these applications based on specific criteria.

TOTAL STATE FUNDS	\$15,989,202	\$15,989,202	\$15,989,202
State General Funds	\$15,989,202	\$15,989,202	\$15,989,202
TOTAL PUBLIC FUNDS	\$15,989,202	\$15,989,202	\$15,989,202

Victim Services**Continuation Budget**

The purpose of this appropriation is to provide notification to victims of changes in offender status or placement through the Victim Information Program, to conduct outreach and information gathering from victims during clemency proceedings, to host victim and visitor days, and act as a liaison for victims to the state corrections system.

TOTAL STATE FUNDS	\$504,695	\$504,695	\$504,695
State General Funds	\$504,695	\$504,695	\$504,695
TOTAL PUBLIC FUNDS	\$504,695	\$504,695	\$504,695

237.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,216	\$1,216	\$1,216
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237.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$18)	(\$18)	(\$18)
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237.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$884)	(\$884)	(\$884)
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237.99 SAC: *The purpose of this appropriation is to provide notification to victims of changes in offender status or placement, conduct outreach and information gathering from victims during clemency proceedings, host victims visitors' days, and act as a liaison for victims to the state corrections, community supervision, and pardons and paroles systems.*

House: *The purpose of this appropriation is to provide notification to victims of changes in offender status or placement, conduct outreach and information gathering from victims during clemency proceedings, host victims visitors' days, and act as a liaison*

for victims to the state corrections, community supervision, and pardons and paroles systems.

Governor: *The purpose of this appropriation is to provide notification to victims of changes in offender status or placement, conduct outreach and information gathering from victims during clemency proceedings, host victims visitors' days, and act as a liaison for victims to the state corrections, community supervision, and pardons and paroles systems.*

State General Funds	\$0	\$0	\$0
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237.100-Victim Services	Appropriation (HB 684)
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The purpose of this appropriation is to provide notification to victims of changes in offender status or placement, conduct outreach and information gathering from victims during clemency proceedings, host victims visitors' days, and act as a liaison for victims to the state corrections, community supervision, and pardons and paroles systems.

TOTAL STATE FUNDS	\$505,009	\$505,009	\$505,009
State General Funds	\$505,009	\$505,009	\$505,009
TOTAL PUBLIC FUNDS	\$505,009	\$505,009	\$505,009

Section 36: Properties Commission, State

Section Total - Continuation

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,100,000	\$2,100,000	\$2,100,000
State Funds Transfers	\$2,100,000	\$2,100,000	\$2,100,000
State Fund Transfers Not Itemized	\$2,100,000	\$2,100,000	\$2,100,000
TOTAL PUBLIC FUNDS	\$2,100,000	\$2,100,000	\$2,100,000

Section Total - Final

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,100,000	\$2,100,000	\$2,100,000
State Funds Transfers	\$2,100,000	\$2,100,000	\$2,100,000
State Fund Transfers Not Itemized	\$2,100,000	\$2,100,000	\$2,100,000
TOTAL PUBLIC FUNDS	\$2,100,000	\$2,100,000	\$2,100,000

Properties Commission, State

Continuation Budget

The purpose of this appropriation is to maintain long-term plans for state buildings and land; to compile an accessible database of state-owned and leased real property with information about utilization, demand management, and space standards; and to negotiate better rates in the leasing market and property acquisitions and dispositions.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,100,000	\$2,100,000	\$2,100,000
State Funds Transfers	\$2,100,000	\$2,100,000	\$2,100,000
State Fund Transfers Not Itemized	\$2,100,000	\$2,100,000	\$2,100,000
TOTAL PUBLIC FUNDS	\$2,100,000	\$2,100,000	\$2,100,000

238.100-Properties Commission, State	Appropriation (HB 684)
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The purpose of this appropriation is to maintain long-term plans for state buildings and land; to compile an accessible database of state-owned and leased real property with information about utilization, demand management, and space standards; and to negotiate better rates in the leasing market and property acquisitions and dispositions.

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,100,000	\$2,100,000	\$2,100,000
State Funds Transfers	\$2,100,000	\$2,100,000	\$2,100,000
State Fund Transfers Not Itemized	\$2,100,000	\$2,100,000	\$2,100,000
TOTAL PUBLIC FUNDS	\$2,100,000	\$2,100,000	\$2,100,000

Section 37: Public Defender Council, Georgia

Section Total - Continuation

TOTAL STATE FUNDS	\$58,266,540	\$58,266,540	\$58,266,540
State General Funds	\$58,266,540	\$58,266,540	\$58,266,540
TOTAL FEDERAL FUNDS	\$68,300	\$68,300	\$68,300
Federal Funds Not Itemized	\$68,300	\$68,300	\$68,300
TOTAL AGENCY FUNDS	\$33,340,000	\$33,340,000	\$33,340,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000
Intergovernmental Transfers	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers Not Itemized	\$31,500,000	\$31,500,000	\$31,500,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$91,674,840	\$91,674,840	\$91,674,840

Section Total - Final

TOTAL STATE FUNDS	\$58,309,239	\$60,239,082	\$59,009,829
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State General Funds	\$58,309,239	\$60,239,082	\$59,009,829
TOTAL FEDERAL FUNDS	\$68,300	\$68,300	\$68,300
Federal Funds Not Itemized	\$68,300	\$68,300	\$68,300
TOTAL AGENCY FUNDS	\$33,340,000	\$33,340,000	\$33,340,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000
Intergovernmental Transfers	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers Not Itemized	\$31,500,000	\$31,500,000	\$31,500,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$91,717,539	\$93,647,382	\$92,418,129

Public Defender Council**Continuation Budget**

The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, Central Office, and the administration of the Conflict Division.

TOTAL STATE FUNDS	\$8,111,445	\$8,111,445	\$8,111,445
State General Funds	\$8,111,445	\$8,111,445	\$8,111,445
TOTAL FEDERAL FUNDS	\$68,300	\$68,300	\$68,300
Federal Funds Not Itemized	\$68,300	\$68,300	\$68,300
TOTAL AGENCY FUNDS	\$1,840,000	\$1,840,000	\$1,840,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$10,019,745	\$10,019,745	\$10,019,745

239.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,550	\$1,550	\$1,550
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239.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$681)	(\$681)	(\$681)
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239.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,465)	(\$2,465)	(\$2,465)
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239.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$5,899)	(\$5,899)	(\$5,899)
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239.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$483)
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239.100-Public Defender Council**Appropriation (HB 684)**

The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, Central Office, and the administration of the Conflict Division.

TOTAL STATE FUNDS	\$8,103,950	\$8,103,950	\$8,103,467
State General Funds	\$8,103,950	\$8,103,950	\$8,103,467
TOTAL FEDERAL FUNDS	\$68,300	\$68,300	\$68,300
Federal Funds Not Itemized	\$68,300	\$68,300	\$68,300
TOTAL AGENCY FUNDS	\$1,840,000	\$1,840,000	\$1,840,000
Interest and Investment Income	\$340,000	\$340,000	\$340,000
Interest and Investment Income Not Itemized	\$340,000	\$340,000	\$340,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$10,012,250	\$10,012,250	\$10,011,767

Public Defenders**Continuation Budget**

The purpose of this appropriation is to assure that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter; provided that staffing for circuits are based on O.C.G.A. 17-12; including providing representation to clients in cases where the Capital Defender or a circuit public defender has a conflict of interest.

TOTAL STATE FUNDS	\$50,155,095	\$50,155,095	\$50,155,095
State General Funds	\$50,155,095	\$50,155,095	\$50,155,095
TOTAL AGENCY FUNDS	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers	\$31,500,000	\$31,500,000	\$31,500,000
Intergovernmental Transfers Not Itemized	\$31,500,000	\$31,500,000	\$31,500,000
TOTAL PUBLIC FUNDS	\$81,655,095	\$81,655,095	\$81,655,095

240.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$9,033	\$9,033	\$9,033
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240.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$3,969)	(\$3,969)	(\$3,969)
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240.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$14,360)	(\$14,360)	(\$14,360)
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240.4 *Increase funds to annualize an additional assistant public defender position to reflect a new judgeship in the Northeastern Judicial Circuit created in HB138 (2017 Session).*

State General Funds	\$40,318	\$40,318	\$40,318
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240.5 *Increase funds to reflect an accountability court supplement for circuit public defenders for two newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits.*

State General Funds	\$19,172	\$19,172	\$19,172
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240.6 *Increase funds to align the salary scale for public defenders with prosecuting attorneys.*

State General Funds		\$1,228,770	\$0
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240.7 *Increase funds for nine additional juvenile public defenders.*

State General Funds		\$701,073	\$701,073
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240.100-Public Defenders	Appropriation (HB 684)
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The purpose of this appropriation is to assure that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter; provided that staffing for circuits are based on O.C.G.A. 17-12; including providing representation to clients in cases where the Capital Defender or a circuit public defender has a conflict of interest.

TOTAL STATE FUNDS	\$50,205,289	\$52,135,132	\$50,906,362
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State General Funds	\$50,205,289	\$52,135,132	\$50,906,362
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TOTAL AGENCY FUNDS	\$31,500,000	\$31,500,000	\$31,500,000
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Intergovernmental Transfers	\$31,500,000	\$31,500,000	\$31,500,000
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Intergovernmental Transfers Not Itemized	\$31,500,000	\$31,500,000	\$31,500,000
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TOTAL PUBLIC FUNDS	\$81,705,289	\$83,635,132	\$82,406,362
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Section 38: Public Health, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$275,275,331	\$275,275,331	\$275,275,331
State General Funds	\$260,231,536	\$260,231,536	\$260,231,536
Tobacco Settlement Funds	\$13,717,860	\$13,717,860	\$13,717,860
Brain & Spinal Injury Trust Fund	\$1,325,935	\$1,325,935	\$1,325,935
TOTAL FEDERAL FUNDS	\$395,951,809	\$395,951,809	\$395,951,809
Federal Funds Not Itemized	\$366,475,845	\$366,475,845	\$366,475,845
Maternal & Child Health Services Block Grant CFDA93.994	\$16,864,606	\$16,864,606	\$16,864,606
Preventive Health & Health Services Block Grant CFDA93.991	\$2,206,829	\$2,206,829	\$2,206,829
Temporary Assistance for Needy Families	\$10,404,529	\$10,404,529	\$10,404,529
Temporary Assistance for Needy Families Grant CFDA93.558	\$10,404,529	\$10,404,529	\$10,404,529
TOTAL AGENCY FUNDS	\$9,575,836	\$9,575,836	\$9,575,836
Contributions, Donations, and Forfeitures	\$370,000	\$370,000	\$370,000
Contributions, Donations, and Forfeitures Not Itemized	\$370,000	\$370,000	\$370,000
Rebates, Refunds, and Reimbursements	\$8,594,702	\$8,594,702	\$8,594,702
Rebates, Refunds, and Reimbursements Not Itemized	\$8,594,702	\$8,594,702	\$8,594,702
Sales and Services	\$611,134	\$611,134	\$611,134
Sales and Services Not Itemized	\$611,134	\$611,134	\$611,134
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$581,976	\$581,976	\$581,976
State Funds Transfers	\$581,976	\$581,976	\$581,976
Agency to Agency Contracts	\$581,976	\$581,976	\$581,976
TOTAL PUBLIC FUNDS	\$681,384,952	\$681,384,952	\$681,384,952

	Section Total - Final		
TOTAL STATE FUNDS	\$276,478,982	\$280,558,259	\$281,261,454
State General Funds	\$261,315,265	\$265,394,542	\$266,097,737
Tobacco Settlement Funds	\$13,717,860	\$13,717,860	\$13,717,860
Brain & Spinal Injury Trust Fund	\$1,445,857	\$1,445,857	\$1,445,857
TOTAL FEDERAL FUNDS	\$395,951,809	\$395,951,809	\$395,951,809
Federal Funds Not Itemized	\$366,475,845	\$366,475,845	\$366,475,845
Maternal & Child Health Services Block Grant CFDA93.994	\$16,864,606	\$16,864,606	\$16,864,606
Preventive Health & Health Services Block Grant CFDA93.991	\$2,206,829	\$2,206,829	\$2,206,829

Temporary Assistance for Needy Families	\$10,404,529	\$10,404,529	\$10,404,529
Temporary Assistance for Needy Families Grant CFDA93.558	\$10,404,529	\$10,404,529	\$10,404,529
TOTAL AGENCY FUNDS	\$9,575,836	\$9,575,836	\$9,575,836
Contributions, Donations, and Forfeitures	\$370,000	\$370,000	\$370,000
Contributions, Donations, and Forfeitures Not Itemized	\$370,000	\$370,000	\$370,000
Rebates, Refunds, and Reimbursements	\$8,594,702	\$8,594,702	\$8,594,702
Rebates, Refunds, and Reimbursements Not Itemized	\$8,594,702	\$8,594,702	\$8,594,702
Sales and Services	\$611,134	\$611,134	\$611,134
Sales and Services Not Itemized	\$611,134	\$611,134	\$611,134
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$581,976	\$581,976	\$581,976
State Funds Transfers	\$581,976	\$581,976	\$581,976
Agency to Agency Contracts	\$581,976	\$581,976	\$581,976
TOTAL PUBLIC FUNDS	\$682,588,603	\$686,667,880	\$687,371,075

Adolescent and Adult Health Promotion**Continuation Budget**

The purpose of this appropriation is to provide education and services to promote the health and well-being of Georgians. Activities include preventing teenage pregnancies, tobacco use prevention, cancer screening and prevention, and family planning services.

TOTAL STATE FUNDS	\$14,812,115	\$14,812,115	\$14,812,115
State General Funds	\$7,954,936	\$7,954,936	\$7,954,936
Tobacco Settlement Funds	\$6,857,179	\$6,857,179	\$6,857,179
TOTAL FEDERAL FUNDS	\$19,467,781	\$19,467,781	\$19,467,781
Federal Funds Not Itemized	\$8,397,424	\$8,397,424	\$8,397,424
Maternal & Child Health Services Block Grant CFDA93.994	\$516,828	\$516,828	\$516,828
Preventive Health & Health Services Block Grant CFDA93.991	\$149,000	\$149,000	\$149,000
Temporary Assistance for Needy Families	\$10,404,529	\$10,404,529	\$10,404,529
Temporary Assistance for Needy Families Grant CFDA93.558	\$10,404,529	\$10,404,529	\$10,404,529
TOTAL AGENCY FUNDS	\$335,000	\$335,000	\$335,000
Contributions, Donations, and Forfeitures	\$285,000	\$285,000	\$285,000
Contributions, Donations, and Forfeitures Not Itemized	\$285,000	\$285,000	\$285,000
Sales and Services	\$50,000	\$50,000	\$50,000
Sales and Services Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$410,000	\$410,000	\$410,000

State Funds Transfers	\$410,000	\$410,000	\$410,000
Agency to Agency Contracts	\$410,000	\$410,000	\$410,000
TOTAL PUBLIC FUNDS	\$35,024,896	\$35,024,896	\$35,024,896

241.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,459)	(\$2,459)	(\$2,459)
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241.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$34)	(\$34)	(\$34)
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241.3 *Increase funds for the Office of Cardiac Care pursuant to the passage of SB102 (2017 Session).*

State General Funds	\$355,406	\$355,406	\$355,406
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241.4 *Eliminate one-time funds for the evaluation of maternal mortality.*

State General Funds		(\$100,000)	(\$100,000)
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241.5 *Increase funds to address maternal mortality in Georgia.*

State General Funds		\$2,000,000	\$2,000,000
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241.6 *Increase funds for the Sickle Cell Foundation of Georgia for sickle cell outreach offices to improve access to care and reduce unnecessary emergency room costs.*

State General Funds		\$150,000	\$150,000
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241.7 *Increase funds for the Georgia Cancer Control Consortium to fund the Georgia Center for Oncology Research and Education (CORE) and the five regional cancer coalitions.*

State General Funds		\$887,500	\$887,500
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241.8 *Increase funds to implement the Diabetes Prevention Program in the five counties with the highest need.*

State General Funds		\$75,000	\$75,000
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241.100-Adolescent and Adult Health Promotion

Appropriation (HB 684)

The purpose of this appropriation is to provide education and services to promote the health and well-being of Georgians. Activities include preventing teenage pregnancies, tobacco use prevention, cancer screening and prevention, and family planning services.

TOTAL STATE FUNDS	\$15,165,028	\$18,177,528	\$18,177,528
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State General Funds	\$8,307,849	\$11,320,349	\$11,320,349
Tobacco Settlement Funds	\$6,857,179	\$6,857,179	\$6,857,179
TOTAL FEDERAL FUNDS	\$19,467,781	\$19,467,781	\$19,467,781
Federal Funds Not Itemized	\$8,397,424	\$8,397,424	\$8,397,424
Maternal & Child Health Services Block Grant CFDA93.994	\$516,828	\$516,828	\$516,828
Preventive Health & Health Services Block Grant CFDA93.991	\$149,000	\$149,000	\$149,000
Temporary Assistance for Needy Families	\$10,404,529	\$10,404,529	\$10,404,529
Temporary Assistance for Needy Families Grant CFDA93.558	\$10,404,529	\$10,404,529	\$10,404,529
TOTAL AGENCY FUNDS	\$335,000	\$335,000	\$335,000
Contributions, Donations, and Forfeitures	\$285,000	\$285,000	\$285,000
Contributions, Donations, and Forfeitures Not Itemized	\$285,000	\$285,000	\$285,000
Sales and Services	\$50,000	\$50,000	\$50,000
Sales and Services Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$410,000	\$410,000	\$410,000
State Funds Transfers	\$410,000	\$410,000	\$410,000
Agency to Agency Contracts	\$410,000	\$410,000	\$410,000
TOTAL PUBLIC FUNDS	\$35,377,809	\$38,390,309	\$38,390,309

Adult Essential Health Treatment Services

Continuation Budget

The purpose of this appropriation is to provide treatment and services to low-income Georgians with cancer, and Georgians at risk of stroke or heart attacks.

TOTAL STATE FUNDS	\$6,613,249	\$6,613,249	\$6,613,249
State General Funds	\$0	\$0	\$0
Tobacco Settlement Funds	\$6,613,249	\$6,613,249	\$6,613,249
TOTAL FEDERAL FUNDS	\$300,000	\$300,000	\$300,000
Preventive Health & Health Services Block Grant CFDA93.991	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$6,913,249	\$6,913,249	\$6,913,249

242.100-Adult Essential Health Treatment Services

Appropriation (HB 684)

The purpose of this appropriation is to provide treatment and services to low-income Georgians with cancer, and Georgians at risk of stroke or heart attacks.

TOTAL STATE FUNDS	\$6,613,249	\$6,613,249	\$6,613,249
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Tobacco Settlement Funds	\$6,613,249	\$6,613,249	\$6,613,249
TOTAL FEDERAL FUNDS	\$300,000	\$300,000	\$300,000
Preventive Health & Health Services Block Grant CFDA93.991	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$6,913,249	\$6,913,249	\$6,913,249

Departmental Administration (DPH)**Continuation Budget**

The purpose of this appropriation is to provide administrative support to all departmental programs.

TOTAL STATE FUNDS	\$23,247,220	\$23,247,220	\$23,247,220
State General Funds	\$23,115,425	\$23,115,425	\$23,115,425
Tobacco Settlement Funds	\$131,795	\$131,795	\$131,795
TOTAL FEDERAL FUNDS	\$8,312,856	\$8,312,856	\$8,312,856
Federal Funds Not Itemized	\$7,045,918	\$7,045,918	\$7,045,918
Preventive Health & Health Services Block Grant CFDA93.991	\$1,266,938	\$1,266,938	\$1,266,938
TOTAL AGENCY FUNDS	\$3,945,000	\$3,945,000	\$3,945,000
Rebates, Refunds, and Reimbursements	\$3,945,000	\$3,945,000	\$3,945,000
Rebates, Refunds, and Reimbursements Not Itemized	\$3,945,000	\$3,945,000	\$3,945,000
TOTAL PUBLIC FUNDS	\$35,505,076	\$35,505,076	\$35,505,076

243.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$69,707)	(\$69,707)	(\$69,707)
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243.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$964)	(\$964)	(\$964)
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243.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$110,538)	(\$110,538)	(\$110,538)
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243.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$96,515)	(\$96,515)	(\$96,515)
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243.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$101,337
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243.6 *Add funds for the Georgia Commission on Women as authorized under O.C.G.A. 50-12-80 for operations.*

State General Funds \$50,000

243.100-Departmental Administration (DPH)	Appropriation (HB 684)		
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The purpose of this appropriation is to provide administrative support to all departmental programs.

TOTAL STATE FUNDS	\$22,969,496	\$22,969,496	\$23,120,833
State General Funds	\$22,837,701	\$22,837,701	\$22,989,038
Tobacco Settlement Funds	\$131,795	\$131,795	\$131,795
TOTAL FEDERAL FUNDS	\$8,312,856	\$8,312,856	\$8,312,856
Federal Funds Not Itemized	\$7,045,918	\$7,045,918	\$7,045,918
Preventive Health & Health Services Block Grant CFDA93.991	\$1,266,938	\$1,266,938	\$1,266,938
TOTAL AGENCY FUNDS	\$3,945,000	\$3,945,000	\$3,945,000
Rebates, Refunds, and Reimbursements	\$3,945,000	\$3,945,000	\$3,945,000
Rebates, Refunds, and Reimbursements Not Itemized	\$3,945,000	\$3,945,000	\$3,945,000
TOTAL PUBLIC FUNDS	\$35,227,352	\$35,227,352	\$35,378,689

Emergency Preparedness / Trauma System Improvement

Continuation Budget

The purpose of this appropriation is to prepare for natural disasters, bioterrorism, and other emergencies, as well as improving the capacity of the state's trauma system.

TOTAL STATE FUNDS	\$2,782,367	\$2,782,367	\$2,782,367
State General Funds	\$2,782,367	\$2,782,367	\$2,782,367
TOTAL FEDERAL FUNDS	\$23,675,473	\$23,675,473	\$23,675,473
Federal Funds Not Itemized	\$23,125,473	\$23,125,473	\$23,125,473
Maternal & Child Health Services Block Grant CFDA93.994	\$350,000	\$350,000	\$350,000
Preventive Health & Health Services Block Grant CFDA93.991	\$200,000	\$200,000	\$200,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$171,976	\$171,976	\$171,976
State Funds Transfers	\$171,976	\$171,976	\$171,976
Agency to Agency Contracts	\$171,976	\$171,976	\$171,976
TOTAL PUBLIC FUNDS	\$26,629,816	\$26,629,816	\$26,629,816

244.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$6,007)	(\$6,007)	(\$6,007)
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244.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$83)	(\$83)	(\$83)
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244.3 *Contract with the Georgia Trauma Care Network Commission to reinstate funding for the 10 regional Emergency Medical Services training positions. (H:YES)(S:YES)*

State General Funds		\$0	\$0
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244.100-Emergency Preparedness / Trauma System Improvement**Appropriation (HB 684)**

The purpose of this appropriation is to prepare for natural disasters, bioterrorism, and other emergencies, as well as improving the capacity of the state's trauma system.

TOTAL STATE FUNDS	\$2,776,277	\$2,776,277	\$2,776,277
State General Funds	\$2,776,277	\$2,776,277	\$2,776,277
TOTAL FEDERAL FUNDS	\$23,675,473	\$23,675,473	\$23,675,473
Federal Funds Not Itemized	\$23,125,473	\$23,125,473	\$23,125,473
Maternal & Child Health Services Block Grant CFDA93.994	\$350,000	\$350,000	\$350,000
Preventive Health & Health Services Block Grant CFDA93.991	\$200,000	\$200,000	\$200,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$171,976	\$171,976	\$171,976
State Funds Transfers	\$171,976	\$171,976	\$171,976
Agency to Agency Contracts	\$171,976	\$171,976	\$171,976
TOTAL PUBLIC FUNDS	\$26,623,726	\$26,623,726	\$26,623,726

Epidemiology**Continuation Budget**

The purpose of this appropriation is to monitor, investigate, and respond to disease, injury, and other events of public health concern.

TOTAL STATE FUNDS	\$4,777,155	\$4,777,155	\$4,777,155
State General Funds	\$4,661,518	\$4,661,518	\$4,661,518
Tobacco Settlement Funds	\$115,637	\$115,637	\$115,637
TOTAL FEDERAL FUNDS	\$6,552,593	\$6,552,593	\$6,552,593
Federal Funds Not Itemized	\$6,552,593	\$6,552,593	\$6,552,593
TOTAL PUBLIC FUNDS	\$11,329,748	\$11,329,748	\$11,329,748

245.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,266	\$1,266	\$1,266
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245.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$4,659)	(\$4,659)	(\$4,659)
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245.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$64)	(\$64)	(\$64)
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245.4 *Increase funds for the prescription drug monitoring program pursuant to the passage of HB249 (2017 Session).*

State General Funds	\$626,545	\$626,545	\$626,545
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245.100-Epidemiology

Appropriation (HB 684)

The purpose of this appropriation is to monitor, investigate, and respond to disease, injury, and other events of public health concern.

TOTAL STATE FUNDS	\$5,400,243	\$5,400,243	\$5,400,243
State General Funds	\$5,284,606	\$5,284,606	\$5,284,606
Tobacco Settlement Funds	\$115,637	\$115,637	\$115,637
TOTAL FEDERAL FUNDS	\$6,552,593	\$6,552,593	\$6,552,593
Federal Funds Not Itemized	\$6,552,593	\$6,552,593	\$6,552,593
TOTAL PUBLIC FUNDS	\$11,952,836	\$11,952,836	\$11,952,836

Immunization

Continuation Budget

The purpose of this appropriation is to provide immunization, consultation, training, assessment, vaccines, and technical assistance.

TOTAL STATE FUNDS	\$2,553,457	\$2,553,457	\$2,553,457
State General Funds	\$2,553,457	\$2,553,457	\$2,553,457
TOTAL FEDERAL FUNDS	\$2,061,486	\$2,061,486	\$2,061,486
Federal Funds Not Itemized	\$2,061,486	\$2,061,486	\$2,061,486
TOTAL AGENCY FUNDS	\$4,649,702	\$4,649,702	\$4,649,702
Rebates, Refunds, and Reimbursements	\$4,649,702	\$4,649,702	\$4,649,702
Rebates, Refunds, and Reimbursements Not Itemized	\$4,649,702	\$4,649,702	\$4,649,702
TOTAL PUBLIC FUNDS	\$9,264,645	\$9,264,645	\$9,264,645

246.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$666)	(\$666)	(\$666)
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246.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$9)	(\$9)	(\$9)
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246.100-Immunization**Appropriation (HB 684)**

The purpose of this appropriation is to provide immunization, consultation, training, assessment, vaccines, and technical assistance.

TOTAL STATE FUNDS	\$2,552,782	\$2,552,782	\$2,552,782
State General Funds	\$2,552,782	\$2,552,782	\$2,552,782
TOTAL FEDERAL FUNDS	\$2,061,486	\$2,061,486	\$2,061,486
Federal Funds Not Itemized	\$2,061,486	\$2,061,486	\$2,061,486
TOTAL AGENCY FUNDS	\$4,649,702	\$4,649,702	\$4,649,702
Rebates, Refunds, and Reimbursements	\$4,649,702	\$4,649,702	\$4,649,702
Rebates, Refunds, and Reimbursements Not Itemized	\$4,649,702	\$4,649,702	\$4,649,702
TOTAL PUBLIC FUNDS	\$9,263,970	\$9,263,970	\$9,263,970

Infant and Child Essential Health Treatment Services**Continuation Budget**

The purpose of this appropriation is to avoid unnecessary health problems in later life by providing comprehensive health services to infants and children.

TOTAL STATE FUNDS	\$23,116,794	\$23,116,794	\$23,116,794
State General Funds	\$23,116,794	\$23,116,794	\$23,116,794
TOTAL FEDERAL FUNDS	\$22,992,820	\$22,992,820	\$22,992,820
Federal Funds Not Itemized	\$14,255,140	\$14,255,140	\$14,255,140
Maternal & Child Health Services Block Grant CFDA93.994	\$8,605,171	\$8,605,171	\$8,605,171
Preventive Health & Health Services Block Grant CFDA93.991	\$132,509	\$132,509	\$132,509
TOTAL AGENCY FUNDS	\$85,000	\$85,000	\$85,000
Contributions, Donations, and Forfeitures	\$85,000	\$85,000	\$85,000
Contributions, Donations, and Forfeitures Not Itemized	\$85,000	\$85,000	\$85,000
TOTAL PUBLIC FUNDS	\$46,194,614	\$46,194,614	\$46,194,614

247.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$3,640)	(\$3,640)	(\$3,640)
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247.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$50)	(\$50)	(\$50)
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247.3 *Increase funds to develop capacity for children under 21 who are diagnosed as autistic.*

State General Funds	\$100,000	\$100,000	\$100,000
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247.4 *Utilize \$50,700 in existing funds for one program support coordinator position for children under 21 who are diagnosed as autistic (Total Funds: \$101,400). (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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247.5 *Transfer funds from the Office for Children and Families program to the Infant and Child Essential Health Treatment Services program for the Emory autism contract.*

State General Funds		\$399,005	\$399,005
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247.6 *Increase funds to increase the occupational and physical therapy rates in the Babies Can't Wait program. (S:Increase funds to increase the occupational, speech, and physical therapy rates in the Babies Can't Wait program)*

State General Funds		\$551,858	\$1,103,716
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247.7 *Increase funds to reflect a decrease in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.*

State General Funds		\$249,219	\$249,219
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247.100-Infant and Child Essential Health Treatment Services	Appropriation (HB 684)
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The purpose of this appropriation is to avoid unnecessary health problems in later life by providing comprehensive health services to infants and children.

TOTAL STATE FUNDS	\$23,213,104	\$24,413,186	\$24,965,044
State General Funds	\$23,213,104	\$24,413,186	\$24,965,044
TOTAL FEDERAL FUNDS	\$22,992,820	\$22,992,820	\$22,992,820
Federal Funds Not Itemized	\$14,255,140	\$14,255,140	\$14,255,140
Maternal & Child Health Services Block Grant CFDA93.994	\$8,605,171	\$8,605,171	\$8,605,171
Preventive Health & Health Services Block Grant CFDA93.991	\$132,509	\$132,509	\$132,509
TOTAL AGENCY FUNDS	\$85,000	\$85,000	\$85,000
Contributions, Donations, and Forfeitures	\$85,000	\$85,000	\$85,000
Contributions, Donations, and Forfeitures Not Itemized	\$85,000	\$85,000	\$85,000
TOTAL PUBLIC FUNDS	\$46,290,924	\$47,491,006	\$48,042,864

Infant and Child Health Promotion**Continuation Budget**

The purpose of this appropriation is to provide education and services to promote health and nutrition for infants and children.

TOTAL STATE FUNDS	\$12,953,909	\$12,953,909	\$12,953,909
State General Funds	\$12,953,909	\$12,953,909	\$12,953,909
TOTAL FEDERAL FUNDS	\$263,619,396	\$263,619,396	\$263,619,396
Federal Funds Not Itemized	\$256,226,789	\$256,226,789	\$256,226,789
Maternal & Child Health Services Block Grant CFDA93.994	\$7,392,607	\$7,392,607	\$7,392,607
TOTAL PUBLIC FUNDS	\$276,573,305	\$276,573,305	\$276,573,305

248.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$8,563)	(\$8,563)	(\$8,563)
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248.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$120)	(\$120)	(\$120)
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248.100-Infant and Child Health Promotion**Appropriation (HB 684)**

The purpose of this appropriation is to provide education and services to promote health and nutrition for infants and children.

TOTAL STATE FUNDS	\$12,945,226	\$12,945,226	\$12,945,226
State General Funds	\$12,945,226	\$12,945,226	\$12,945,226
TOTAL FEDERAL FUNDS	\$263,619,396	\$263,619,396	\$263,619,396
Federal Funds Not Itemized	\$256,226,789	\$256,226,789	\$256,226,789
Maternal & Child Health Services Block Grant CFDA93.994	\$7,392,607	\$7,392,607	\$7,392,607
TOTAL PUBLIC FUNDS	\$276,564,622	\$276,564,622	\$276,564,622

Infectious Disease Control**Continuation Budget**

The purpose of this appropriation is to ensure quality prevention and treatment of HIV/AIDS, sexually transmitted diseases, tuberculosis, and other infectious diseases.

TOTAL STATE FUNDS	\$32,129,971	\$32,129,971	\$32,129,971
State General Funds	\$32,129,971	\$32,129,971	\$32,129,971
TOTAL FEDERAL FUNDS	\$47,927,661	\$47,927,661	\$47,927,661

Federal Funds Not Itemized	\$47,927,661	\$47,927,661	\$47,927,661
TOTAL PUBLIC FUNDS	\$80,057,632	\$80,057,632	\$80,057,632

249.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$29,854)	(\$29,854)	(\$29,854)
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249.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$413)	(\$413)	(\$413)
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249.3 *Increase funds for the Grady Infectious Disease Program to support retention in care efforts for patients with HIV/AIDS.*

State General Funds		\$50,000	\$50,000
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249.4 *Increase funds to improve perinatal hepatitis C surveillance, linkage to care, and testing to address the statewide increase of the hepatitis C virus due to the opioid epidemic.*

State General Funds		\$215,700	\$215,700
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249.100-Infectious Disease Control	Appropriation (HB 684)
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The purpose of this appropriation is to ensure quality prevention and treatment of HIV/AIDS, sexually transmitted diseases, tuberculosis, and other infectious diseases.

TOTAL STATE FUNDS	\$32,099,704	\$32,365,404	\$32,365,404
State General Funds	\$32,099,704	\$32,365,404	\$32,365,404
TOTAL FEDERAL FUNDS	\$47,927,661	\$47,927,661	\$47,927,661
Federal Funds Not Itemized	\$47,927,661	\$47,927,661	\$47,927,661
TOTAL PUBLIC FUNDS	\$80,027,365	\$80,293,065	\$80,293,065

Inspections and Environmental Hazard Control

Continuation Budget

The purpose of this appropriation is to detect and prevent environmental hazards, as well as providing inspection and enforcement of health regulations for food service establishments, sewage management facilities, and swimming pools.

TOTAL STATE FUNDS	\$6,155,573	\$6,155,573	\$6,155,573
State General Funds	\$6,155,573	\$6,155,573	\$6,155,573
TOTAL FEDERAL FUNDS	\$511,063	\$511,063	\$511,063
Federal Funds Not Itemized	\$352,681	\$352,681	\$352,681

Preventive Health & Health Services Block Grant CFDA93.991	\$158,382	\$158,382	\$158,382
TOTAL AGENCY FUNDS	\$561,134	\$561,134	\$561,134
Sales and Services	\$561,134	\$561,134	\$561,134
Sales and Services Not Itemized	\$561,134	\$561,134	\$561,134
TOTAL PUBLIC FUNDS	\$7,227,770	\$7,227,770	\$7,227,770

250.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$7,993)	(\$7,993)	(\$7,993)
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250.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$111)	(\$111)	(\$111)
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250.100-Inspections and Environmental Hazard Control

Appropriation (HB 684)

The purpose of this appropriation is to detect and prevent environmental hazards, as well as providing inspection and enforcement of health regulations for food service establishments, sewage management facilities, and swimming pools.

TOTAL STATE FUNDS	\$6,147,469	\$6,147,469	\$6,147,469
State General Funds	\$6,147,469	\$6,147,469	\$6,147,469
TOTAL FEDERAL FUNDS	\$511,063	\$511,063	\$511,063
Federal Funds Not Itemized	\$352,681	\$352,681	\$352,681
Preventive Health & Health Services Block Grant CFDA93.991	\$158,382	\$158,382	\$158,382
TOTAL AGENCY FUNDS	\$561,134	\$561,134	\$561,134
Sales and Services	\$561,134	\$561,134	\$561,134
Sales and Services Not Itemized	\$561,134	\$561,134	\$561,134
TOTAL PUBLIC FUNDS	\$7,219,666	\$7,219,666	\$7,219,666

Office for Children and Families

Continuation Budget

The purpose of this appropriation is to enhance coordination and communication among providers and stakeholders of services to families.

TOTAL STATE FUNDS	\$827,428	\$827,428	\$827,428
State General Funds	\$827,428	\$827,428	\$827,428
TOTAL PUBLIC FUNDS	\$827,428	\$827,428	\$827,428

251.1 *Transfer funds from the Office for Children and Families program to the Infant and Child Essential Health Treatment Services program for the Emory autism contract.*

State General Funds		(\$399,005)	(\$399,005)
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251.100-Office for Children and Families	Appropriation (HB 684)
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The purpose of this appropriation is to enhance coordination and communication among providers and stakeholders of services to families.

TOTAL STATE FUNDS	\$827,428	\$428,423	\$428,423
State General Funds	\$827,428	\$428,423	\$428,423
TOTAL PUBLIC FUNDS	\$827,428	\$428,423	\$428,423

Public Health Formula Grants to Counties

Continuation Budget

The purpose of this appropriation is to provide general grant-in-aid to county boards of health delivering local public health services.

TOTAL STATE FUNDS	\$123,188,442	\$123,188,442	\$123,188,442
State General Funds	\$123,188,442	\$123,188,442	\$123,188,442
TOTAL PUBLIC FUNDS	\$123,188,442	\$123,188,442	\$123,188,442

252.1 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$24)	(\$24)	(\$24)
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252.2 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,761)	(\$2,761)	(\$2,761)
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252.100-Public Health Formula Grants to Counties	Appropriation (HB 684)
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The purpose of this appropriation is to provide general grant-in-aid to county boards of health delivering local public health services.

TOTAL STATE FUNDS	\$123,185,657	\$123,185,657	\$123,185,657
State General Funds	\$123,185,657	\$123,185,657	\$123,185,657
TOTAL PUBLIC FUNDS	\$123,185,657	\$123,185,657	\$123,185,657

Vital Records

Continuation Budget

The purpose of this appropriation is to register, enter, archive and provide to the public in a timely manner vital records and associated documents.

TOTAL STATE FUNDS	\$4,401,465	\$4,401,465	\$4,401,465
State General Funds	\$4,401,465	\$4,401,465	\$4,401,465
TOTAL FEDERAL FUNDS	\$530,680	\$530,680	\$530,680
Federal Funds Not Itemized	\$530,680	\$530,680	\$530,680
TOTAL PUBLIC FUNDS	\$4,932,145	\$4,932,145	\$4,932,145

253.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,992	\$1,992	\$1,992
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253.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$9,937)	(\$9,937)	(\$9,937)
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253.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$137)	(\$137)	(\$137)
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253.100-Vital Records

Appropriation (HB 684)

The purpose of this appropriation is to register, enter, archive and provide to the public in a timely manner vital records and associated documents.

TOTAL STATE FUNDS	\$4,393,383	\$4,393,383	\$4,393,383
State General Funds	\$4,393,383	\$4,393,383	\$4,393,383
TOTAL FEDERAL FUNDS	\$530,680	\$530,680	\$530,680
Federal Funds Not Itemized	\$530,680	\$530,680	\$530,680
TOTAL PUBLIC FUNDS	\$4,924,063	\$4,924,063	\$4,924,063

Brain and Spinal Injury Trust Fund

Continuation Budget

The purpose of this appropriation is to provide disbursements from the Trust Fund to offset the costs of care and rehabilitative services to citizens of the state who have survived brain or spinal cord injuries.

TOTAL STATE FUNDS	\$1,325,935	\$1,325,935	\$1,325,935
State General Funds	\$0	\$0	\$0
Brain & Spinal Injury Trust Fund	\$1,325,935	\$1,325,935	\$1,325,935
TOTAL PUBLIC FUNDS	\$1,325,935	\$1,325,935	\$1,325,935

254.1 *Increase funds to reflect 2017 collections.*

Brain & Spinal Injury Trust Fund	\$119,922	\$119,922	\$119,922
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254.100-Brain and Spinal Injury Trust Fund	Appropriation (HB 684)		
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The purpose of this appropriation is to provide disbursements from the Trust Fund to offset the costs of care and rehabilitative services to citizens of the state who have survived brain or spinal cord injuries.

TOTAL STATE FUNDS	\$1,445,857	\$1,445,857	\$1,445,857
Brain & Spinal Injury Trust Fund	\$1,445,857	\$1,445,857	\$1,445,857
TOTAL PUBLIC FUNDS	\$1,445,857	\$1,445,857	\$1,445,857

Georgia Trauma Care Network Commission

Continuation Budget

The purpose of this appropriation is to establish, maintain, and administer a trauma center network, to coordinate the best use of existing trauma facilities and to direct patients to the best available facility for treatment of traumatic injury and participate in the accountability mechanism for the entire Georgia trauma system, primarily overseeing the flow of funds for system improvement.

TOTAL STATE FUNDS	\$16,390,251	\$16,390,251	\$16,390,251
State General Funds	\$16,390,251	\$16,390,251	\$16,390,251
TOTAL PUBLIC FUNDS	\$16,390,251	\$16,390,251	\$16,390,251

255.1 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$138	\$138	\$138
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255.2 *Increase funds to reflect fireworks excise tax collections pursuant to the passage of SR558 and SB350 (2016 Session).*

State General Funds	\$353,690	\$353,690	\$353,690
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255.3 *Utilize existing funds (\$979,591) to contract with the Department of Public Health's Office of Emergency Preparedness and Trauma System Improvement to reinstate 10 regional Emergency Medical Services training positions. (H:YES)(S:YES; Utilize existing administration funds (\$979,591) to contract with the Department of Public Health's Office of Emergency Preparedness and Trauma System Improvement to reinstate 10 regional Emergency Medical Services training positions)*

State General Funds		\$0	\$0
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255.100-Georgia Trauma Care Network Commission	Appropriation (HB 684)		
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The purpose of this appropriation is to establish, maintain, and administer a trauma center network, to coordinate the best use of

existing trauma facilities and to direct patients to the best available facility for treatment of traumatic injury and participate in the accountability mechanism for the entire Georgia trauma system, primarily overseeing the flow of funds for system improvement.

TOTAL STATE FUNDS	\$16,744,079	\$16,744,079	\$16,744,079
State General Funds	\$16,744,079	\$16,744,079	\$16,744,079
TOTAL PUBLIC FUNDS	\$16,744,079	\$16,744,079	\$16,744,079

Section 39: Public Safety, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$178,554,244	\$178,554,244	\$178,554,244
State General Funds	\$178,554,244	\$178,554,244	\$178,554,244
TOTAL FEDERAL FUNDS	\$27,054,358	\$27,054,358	\$27,054,358
Federal Funds Not Itemized	\$27,054,358	\$27,054,358	\$27,054,358
TOTAL AGENCY FUNDS	\$36,905,598	\$36,905,598	\$36,905,598
Intergovernmental Transfers	\$13,737,948	\$13,737,948	\$13,737,948
Intergovernmental Transfers Not Itemized	\$13,737,948	\$13,737,948	\$13,737,948
Rebates, Refunds, and Reimbursements	\$660,000	\$660,000	\$660,000
Rebates, Refunds, and Reimbursements Not Itemized	\$660,000	\$660,000	\$660,000
Sales and Services	\$21,657,650	\$21,657,650	\$21,657,650
Sales and Services Not Itemized	\$21,657,650	\$21,657,650	\$21,657,650
Sanctions, Fines, and Penalties	\$850,000	\$850,000	\$850,000
Sanctions, Fines, and Penalties Not Itemized	\$850,000	\$850,000	\$850,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$145,000	\$145,000	\$145,000
State Funds Transfers	\$145,000	\$145,000	\$145,000
Agency to Agency Contracts	\$145,000	\$145,000	\$145,000
TOTAL PUBLIC FUNDS	\$242,659,200	\$242,659,200	\$242,659,200

Section Total - Final

TOTAL STATE FUNDS	\$184,011,617	\$183,635,326	\$182,930,091
State General Funds	\$184,011,617	\$183,635,326	\$182,930,091
TOTAL FEDERAL FUNDS	\$27,054,358	\$27,054,358	\$27,054,358
Federal Funds Not Itemized	\$27,054,358	\$27,054,358	\$27,054,358
TOTAL AGENCY FUNDS	\$36,905,598	\$36,905,598	\$37,905,598
Intergovernmental Transfers	\$13,737,948	\$13,737,948	\$13,737,948

Intergovernmental Transfers Not Itemized	\$13,737,948	\$13,737,948	\$13,737,948
Rebates, Refunds, and Reimbursements	\$660,000	\$660,000	\$660,000
Rebates, Refunds, and Reimbursements Not Itemized	\$660,000	\$660,000	\$660,000
Sales and Services	\$21,657,650	\$21,657,650	\$22,657,650
Sales and Services Not Itemized	\$21,657,650	\$21,657,650	\$22,657,650
Sanctions, Fines, and Penalties	\$850,000	\$850,000	\$850,000
Sanctions, Fines, and Penalties Not Itemized	\$850,000	\$850,000	\$850,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$145,000	\$145,000	\$145,000
State Funds Transfers	\$145,000	\$145,000	\$145,000
Agency to Agency Contracts	\$145,000	\$145,000	\$145,000
TOTAL PUBLIC FUNDS	\$248,116,573	\$247,740,282	\$248,035,047

Aviation**Continuation Budget**

The purpose of this appropriation is to provide aerial support for search and rescue missions and search and apprehension missions in criminal pursuits within the State of Georgia; to provide transport flights to conduct state business, for emergency medical transport, and to support local and federal agencies in public safety efforts with aerial surveillance and observation.

TOTAL STATE FUNDS	\$4,478,155	\$4,478,155	\$4,478,155
State General Funds	\$4,478,155	\$4,478,155	\$4,478,155
TOTAL FEDERAL FUNDS	\$10,034	\$10,034	\$10,034
Federal Funds Not Itemized	\$10,034	\$10,034	\$10,034
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$4,588,189	\$4,588,189	\$4,588,189

256.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,678)	(\$2,678)	(\$2,678)
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256.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$116	\$116	\$116
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256.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$1,188)	(\$1,188)	(\$1,188)
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256.100-Aviation**Appropriation (HB 684)**

The purpose of this appropriation is to provide aerial support for search and rescue missions and search and apprehension missions in criminal pursuits within the State of Georgia; to provide transport flights to conduct state business, for emergency medical transport, and to support local and federal agencies in public safety efforts with aerial surveillance and observation.

TOTAL STATE FUNDS	\$4,474,405	\$4,474,405	\$4,474,405
State General Funds	\$4,474,405	\$4,474,405	\$4,474,405
TOTAL FEDERAL FUNDS	\$10,034	\$10,034	\$10,034
Federal Funds Not Itemized	\$10,034	\$10,034	\$10,034
TOTAL AGENCY FUNDS	\$100,000	\$100,000	\$100,000
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$4,584,439	\$4,584,439	\$4,584,439

Capitol Police Services**Continuation Budget**

The purpose of this appropriation is to protect life and property in the Capitol Square area, enforce traffic regulations around the Capitol, monitor entrances of state buildings, screen packages and personal items of individuals entering state facilities, and provide general security for elected officials, government employees, and visitors to the Capitol.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$8,143,321	\$8,143,321	\$8,143,321
Intergovernmental Transfers	\$190,000	\$190,000	\$190,000
Intergovernmental Transfers Not Itemized	\$190,000	\$190,000	\$190,000
Sales and Services	\$7,953,321	\$7,953,321	\$7,953,321
Sales and Services Not Itemized	\$7,953,321	\$7,953,321	\$7,953,321
TOTAL PUBLIC FUNDS	\$8,143,321	\$8,143,321	\$8,143,321

257.100-Capitol Police Services**Appropriation (HB 684)**

The purpose of this appropriation is to protect life and property in the Capitol Square area, enforce traffic regulations around the Capitol, monitor entrances of state buildings, screen packages and personal items of individuals entering state facilities, and provide general security for elected officials, government employees, and visitors to the Capitol.

TOTAL AGENCY FUNDS	\$8,143,321	\$8,143,321	\$8,143,321
Intergovernmental Transfers	\$190,000	\$190,000	\$190,000

Intergovernmental Transfers Not Itemized	\$190,000	\$190,000	\$190,000
Sales and Services	\$7,953,321	\$7,953,321	\$7,953,321
Sales and Services Not Itemized	\$7,953,321	\$7,953,321	\$7,953,321
TOTAL PUBLIC FUNDS	\$8,143,321	\$8,143,321	\$8,143,321

Departmental Administration (DPS)**Continuation Budget**

The purpose of this appropriation is to work cooperatively with all levels of government to provide a safe environment for residents and visitors to our state.

TOTAL STATE FUNDS	\$9,509,912	\$9,509,912	\$9,509,912
State General Funds	\$9,509,912	\$9,509,912	\$9,509,912
TOTAL FEDERAL FUNDS	\$5,571	\$5,571	\$5,571
Federal Funds Not Itemized	\$5,571	\$5,571	\$5,571
TOTAL AGENCY FUNDS	\$3,510	\$3,510	\$3,510
Sales and Services	\$3,510	\$3,510	\$3,510
Sales and Services Not Itemized	\$3,510	\$3,510	\$3,510
TOTAL PUBLIC FUNDS	\$9,518,993	\$9,518,993	\$9,518,993

258.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$7,645)	(\$7,645)	(\$7,645)
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258.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$330	\$330	\$330
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258.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$3,391)	(\$3,391)	(\$3,391)
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258.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$7,472)	(\$7,472)	(\$7,472)
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258.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$26,381)
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258.99 SAC: *The purpose of this appropriation is to provide administrative support for all programs of the department and administratively attached agencies.*

House: The purpose of this appropriation is to provide administrative support for all programs of the department and administratively attached agencies.

Governor: The purpose of this appropriation is to provide administrative support for all programs of the department and administratively attached agencies.

State General Funds \$0 \$0 \$0

258.100-Departmental Administration (DPS)

Appropriation (HB 684)

The purpose of this appropriation is to provide administrative support for all programs of the department and administratively attached agencies.

TOTAL STATE FUNDS	\$9,491,734	\$9,491,734	\$9,465,353
State General Funds	\$9,491,734	\$9,491,734	\$9,465,353
TOTAL FEDERAL FUNDS	\$5,571	\$5,571	\$5,571
Federal Funds Not Itemized	\$5,571	\$5,571	\$5,571
TOTAL AGENCY FUNDS	\$3,510	\$3,510	\$3,510
Sales and Services	\$3,510	\$3,510	\$3,510
Sales and Services Not Itemized	\$3,510	\$3,510	\$3,510
TOTAL PUBLIC FUNDS	\$9,500,815	\$9,500,815	\$9,474,434

Field Offices and Services

Continuation Budget

The purpose of this appropriation is to provide enforcement for traffic and criminal laws through the Department of Public Safety's Uniform Division, and support a variety of specialized teams and offices, which include the Motorcycle Unit, Criminal Interdiction Unit, the Crisis Negotiations Team, the Special Projects Adjutant Office, Headquarters Adjutant Office, Special Investigations Office, the Special Weapons and Tactics (SWAT) Unit, and the Training Unit.

TOTAL STATE FUNDS	\$125,545,315	\$125,545,315	\$125,545,315
State General Funds	\$125,545,315	\$125,545,315	\$125,545,315
TOTAL FEDERAL FUNDS	\$1,888,148	\$1,888,148	\$1,888,148
Federal Funds Not Itemized	\$1,888,148	\$1,888,148	\$1,888,148
TOTAL AGENCY FUNDS	\$8,602,608	\$8,602,608	\$8,602,608
Intergovernmental Transfers	\$7,038,708	\$7,038,708	\$7,038,708
Intergovernmental Transfers Not Itemized	\$7,038,708	\$7,038,708	\$7,038,708
Rebates, Refunds, and Reimbursements	\$660,000	\$660,000	\$660,000
Rebates, Refunds, and Reimbursements Not Itemized	\$660,000	\$660,000	\$660,000

Sales and Services	\$53,900	\$53,900	\$53,900
Sales and Services Not Itemized	\$53,900	\$53,900	\$53,900
Sanctions, Fines, and Penalties	\$850,000	\$850,000	\$850,000
Sanctions, Fines, and Penalties Not Itemized	\$850,000	\$850,000	\$850,000
TOTAL PUBLIC FUNDS	\$136,036,071	\$136,036,071	\$136,036,071

259.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$101,891)	(\$101,891)	(\$101,891)
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259.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$4,399	\$4,399	\$4,399
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259.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$45,196)	(\$45,196)	(\$45,196)
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259.4 *Increase funds for the second phase of the Department's transfer of network management services to the Georgia Technology Authority.*

State General Funds	\$1,517,871	\$1,171,713	\$1,171,713
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259.5 *Increase funds for personnel associated with one 75 person trooper school.*

State General Funds	\$3,247,270	\$3,247,270	\$3,247,270
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259.100-Field Offices and Services

Appropriation (HB 684)

The purpose of this appropriation is to provide enforcement for traffic and criminal laws through the Department of Public Safety's Uniform Division, and support a variety of specialized teams and offices, which include the Motorcycle Unit, Criminal Interdiction Unit, the Crisis Negotiations Team, the Special Projects Adjutant Office, Headquarters Adjutant Office, Special Investigations Office, the Special Weapons and Tactics (SWAT) Unit, and the Training Unit.

TOTAL STATE FUNDS	\$130,167,768	\$129,821,610	\$129,821,610
State General Funds	\$130,167,768	\$129,821,610	\$129,821,610
TOTAL FEDERAL FUNDS	\$1,888,148	\$1,888,148	\$1,888,148
Federal Funds Not Itemized	\$1,888,148	\$1,888,148	\$1,888,148
TOTAL AGENCY FUNDS	\$8,602,608	\$8,602,608	\$8,602,608
Intergovernmental Transfers	\$7,038,708	\$7,038,708	\$7,038,708

Intergovernmental Transfers Not Itemized	\$7,038,708	\$7,038,708	\$7,038,708
Rebates, Refunds, and Reimbursements	\$660,000	\$660,000	\$660,000
Rebates, Refunds, and Reimbursements Not Itemized	\$660,000	\$660,000	\$660,000
Sales and Services	\$53,900	\$53,900	\$53,900
Sales and Services Not Itemized	\$53,900	\$53,900	\$53,900
Sanctions, Fines, and Penalties	\$850,000	\$850,000	\$850,000
Sanctions, Fines, and Penalties Not Itemized	\$850,000	\$850,000	\$850,000
TOTAL PUBLIC FUNDS	\$140,658,524	\$140,312,366	\$140,312,366

Motor Carrier Compliance**Continuation Budget**

The purpose of this appropriation is to provide inspection, regulation, and enforcement for size, weight, and safety standards as well as traffic and criminal laws for commercial motor carriers, limousines, non-consensual tow trucks, household goods movers, all buses, and large passenger vehicles as well as providing High Occupancy Vehicle and High Occupancy Toll lane use restriction enforcement.

TOTAL STATE FUNDS	\$15,008,523	\$15,008,523	\$15,008,523
State General Funds	\$15,008,523	\$15,008,523	\$15,008,523
TOTAL FEDERAL FUNDS	\$3,880,764	\$3,880,764	\$3,880,764
Federal Funds Not Itemized	\$3,880,764	\$3,880,764	\$3,880,764
TOTAL AGENCY FUNDS	\$11,245,544	\$11,245,544	\$11,245,544
Intergovernmental Transfers	\$1,214,400	\$1,214,400	\$1,214,400
Intergovernmental Transfers Not Itemized	\$1,214,400	\$1,214,400	\$1,214,400
Sales and Services	\$10,031,144	\$10,031,144	\$10,031,144
Sales and Services Not Itemized	\$10,031,144	\$10,031,144	\$10,031,144
TOTAL PUBLIC FUNDS	\$30,134,831	\$30,134,831	\$30,134,831

260.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$3,275	\$3,275	\$3,275
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260.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$10,437)	(\$10,437)	(\$10,437)
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260.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$450	\$450	\$450
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260.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$4,629)	(\$4,629)	(\$4,629)
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260.5 *Recognize additional Unified Carrier Registration receipts.*

State General Funds			(\$1,000,000)
Sales and Services Not Itemized			\$1,000,000
Total Public Funds:			\$0

260.100-Motor Carrier Compliance

Appropriation (HB 684)

The purpose of this appropriation is to provide inspection, regulation, and enforcement for size, weight, and safety standards as well as traffic and criminal laws for commercial motor carriers, limousines, non-consensual tow trucks, household goods movers, all buses, and large passenger vehicles as well as providing High Occupancy Vehicle and High Occupancy Toll lane use restriction enforcement.

TOTAL STATE FUNDS	\$14,997,182	\$14,997,182	\$13,997,182
State General Funds	\$14,997,182	\$14,997,182	\$13,997,182
TOTAL FEDERAL FUNDS	\$3,880,764	\$3,880,764	\$3,880,764
Federal Funds Not Itemized	\$3,880,764	\$3,880,764	\$3,880,764
TOTAL AGENCY FUNDS	\$11,245,544	\$11,245,544	\$12,245,544
Intergovernmental Transfers	\$1,214,400	\$1,214,400	\$1,214,400
Intergovernmental Transfers Not Itemized	\$1,214,400	\$1,214,400	\$1,214,400
Sales and Services	\$10,031,144	\$10,031,144	\$11,031,144
Sales and Services Not Itemized	\$10,031,144	\$10,031,144	\$11,031,144
TOTAL PUBLIC FUNDS	\$30,123,490	\$30,123,490	\$30,123,490

Firefighter Standards and Training Council, Georgia

Continuation Budget

The purpose of this appropriation is to provide professionally trained, competent, and ethical firefighters with the proper equipment and facilities to ensure a fire-safe environment for Georgia citizens, and establish professional standards for fire service training including consulting, testing, and certification of Georgia firefighters.

TOTAL STATE FUNDS	\$1,008,460	\$1,008,460	\$1,008,460
State General Funds	\$1,008,460	\$1,008,460	\$1,008,460
TOTAL PUBLIC FUNDS	\$1,008,460	\$1,008,460	\$1,008,460

261.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$292)	(\$292)	(\$292)
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261.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$64	\$64	\$64
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261.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,905	\$2,905	\$2,905
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261.4 *Increase funds to reflect fireworks excise tax collections pursuant to the passage of SR558 and SB350 (2016 Session).*

State General Funds	\$257,230	\$257,230	\$257,230
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261.5 *Eliminate funds for one-time funding for the purchase of two vehicles and equipment for compliance manager positions.*

State General Funds	(\$55,000)	(\$60,536)	(\$60,536)
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261.6 *Increase funds for temporary personnel to reinstate the compensation for proctors, monitors, and evaluators for course and test validation processes.*

State General Funds			\$100,000
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261.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$10)
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261.100-Firefighter Standards and Training Council, Georgia	Appropriation (HB 684)		
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The purpose of this appropriation is to provide professionally trained, competent, and ethical firefighters with the proper equipment and facilities to ensure a fire-safe environment for Georgia citizens, and establish professional standards for fire service training including consulting, testing, and certification of Georgia firefighters.

TOTAL STATE FUNDS	\$1,213,367	\$1,207,831	\$1,307,821
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State General Funds	\$1,213,367	\$1,207,831	\$1,307,821
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TOTAL PUBLIC FUNDS	\$1,213,367	\$1,207,831	\$1,307,821
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Highway Safety, Office of

Continuation Budget

The purpose of this appropriation is to educate the public on highway safety issues, and facilitate the implementation of programs to reduce crashes, injuries, and fatalities on Georgia roadways.

TOTAL STATE FUNDS	\$3,524,883	\$3,524,883	\$3,524,883
State General Funds	\$3,524,883	\$3,524,883	\$3,524,883
TOTAL FEDERAL FUNDS	\$19,689,178	\$19,689,178	\$19,689,178
Federal Funds Not Itemized	\$19,689,178	\$19,689,178	\$19,689,178
TOTAL AGENCY FUNDS	\$507,912	\$507,912	\$507,912
Sales and Services	\$507,912	\$507,912	\$507,912
Sales and Services Not Itemized	\$507,912	\$507,912	\$507,912
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$145,000	\$145,000	\$145,000
State Funds Transfers	\$145,000	\$145,000	\$145,000
Agency to Agency Contracts	\$145,000	\$145,000	\$145,000
TOTAL PUBLIC FUNDS	\$23,866,973	\$23,866,973	\$23,866,973

262.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$882)	(\$882)	(\$882)
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262.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$150)	(\$150)	(\$150)
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262.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,276	\$1,276	\$1,276
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262.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$9)
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262.100-Highway Safety, Office of	Appropriation (HB 684)
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The purpose of this appropriation is to educate the public on highway safety issues, and facilitate the implementation of programs to reduce crashes, injuries, and fatalities on Georgia roadways.

TOTAL STATE FUNDS	\$3,525,127	\$3,525,127	\$3,525,118
State General Funds	\$3,525,127	\$3,525,127	\$3,525,118
TOTAL FEDERAL FUNDS	\$19,689,178	\$19,689,178	\$19,689,178
Federal Funds Not Itemized	\$19,689,178	\$19,689,178	\$19,689,178
TOTAL AGENCY FUNDS	\$507,912	\$507,912	\$507,912
Sales and Services	\$507,912	\$507,912	\$507,912

Sales and Services Not Itemized	\$507,912	\$507,912	\$507,912
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$145,000	\$145,000	\$145,000
State Funds Transfers	\$145,000	\$145,000	\$145,000
Agency to Agency Contracts	\$145,000	\$145,000	\$145,000
TOTAL PUBLIC FUNDS	\$23,867,217	\$23,867,217	\$23,867,208

Peace Officer Standards and Training Council, Georgia**Continuation Budget**

The purpose of this appropriation is to set standards for the law enforcement community; ensure adequate training at the highest level for all of Georgia's law enforcement officers and public safety professionals; and, certify individuals when all requirements are met. Investigate officers and public safety professionals when an allegation of unethical and/or illegal conduct is made, and sanction these individuals by disciplining officers and public safety professionals when necessary.

TOTAL STATE FUNDS	\$3,574,821	\$3,574,821	\$3,574,821
State General Funds	\$3,574,821	\$3,574,821	\$3,574,821
TOTAL PUBLIC FUNDS	\$3,574,821	\$3,574,821	\$3,574,821

263.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$8,031	\$8,031	\$8,031
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263.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,974)	(\$1,974)	(\$1,974)
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263.3 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds	\$55	\$55	\$55
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263.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,620	\$2,620	\$2,620
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263.5 *Eliminate funds for one-time funding for the purchase of equipment for two criminal investigator positions.*

State General Funds	(\$5,900)	(\$5,900)	(\$5,900)
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263.6 *Increase funds for Georgia Association of Chiefs of Police sponsored training.*

State General Funds	\$216,054	\$216,054	\$216,054
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263.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds

(\$3)

263.100-Peace Officer Standards and Training Council, Georgia **Appropriation (HB 684)**

The purpose of this appropriation is to set standards for the law enforcement community; ensure adequate training at the highest level for all of Georgia's law enforcement officers and public safety professionals; and, certify individuals when all requirements are met. Investigate officers and public safety professionals when an allegation of unethical and/or illegal conduct is made, and sanction these individuals by disciplining officers and public safety professionals when necessary.

TOTAL STATE FUNDS	\$3,793,707	\$3,793,707	\$3,793,704
State General Funds	\$3,793,707	\$3,793,707	\$3,793,704
TOTAL PUBLIC FUNDS	\$3,793,707	\$3,793,707	\$3,793,704

Public Safety Training Center, Georgia

Continuation Budget

The purpose of this appropriation is to develop, deliver, and facilitate training that results in professional and competent public safety services for the people of Georgia.

TOTAL STATE FUNDS	\$15,904,175	\$15,904,175	\$15,904,175
State General Funds	\$15,904,175	\$15,904,175	\$15,904,175
TOTAL FEDERAL FUNDS	\$1,580,663	\$1,580,663	\$1,580,663
Federal Funds Not Itemized	\$1,580,663	\$1,580,663	\$1,580,663
TOTAL AGENCY FUNDS	\$8,302,703	\$8,302,703	\$8,302,703
Intergovernmental Transfers	\$5,294,840	\$5,294,840	\$5,294,840
Intergovernmental Transfers Not Itemized	\$5,294,840	\$5,294,840	\$5,294,840
Sales and Services	\$3,007,863	\$3,007,863	\$3,007,863
Sales and Services Not Itemized	\$3,007,863	\$3,007,863	\$3,007,863
TOTAL PUBLIC FUNDS	\$25,787,541	\$25,787,541	\$25,787,541

264.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds

(\$56,970) (\$56,970) (\$56,970)

264.2 *Increase funds to reflect an adjustment in merit system assessments.*

State General Funds

\$221 \$221 \$221

264.3 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$6,896	\$6,896	\$6,896
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264.4 *Increase funds for personnel and operations for five Crisis Intervention Training (CIT) instructors.*

State General Funds	\$514,291	\$514,291	\$514,291
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264.5 *Eliminate funds for one-time funding for the purchase of computer equipment associated with online public safety training courses.*

State General Funds	(\$20,286)	(\$20,286)	(\$20,286)
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264.6 *Eliminate funds for one-time funding for the purchase of laptops and projectors for 12 Crisis Intervention Training (CIT) positions.*

State General Funds		(\$24,597)	(\$24,597)
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264.7 *Increase funds for one driving simulator for Advanced/Specialized Training.*

State General Funds			\$221,525
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264.8 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$357)
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264.100-Public Safety Training Center, Georgia

Appropriation (HB 684)

The purpose of this appropriation is to develop, deliver, and facilitate training that results in professional and competent public safety services for the people of Georgia.

TOTAL STATE FUNDS	\$16,348,327	\$16,323,730	\$16,544,898
State General Funds	\$16,348,327	\$16,323,730	\$16,544,898
TOTAL FEDERAL FUNDS	\$1,580,663	\$1,580,663	\$1,580,663
Federal Funds Not Itemized	\$1,580,663	\$1,580,663	\$1,580,663
TOTAL AGENCY FUNDS	\$8,302,703	\$8,302,703	\$8,302,703
Intergovernmental Transfers	\$5,294,840	\$5,294,840	\$5,294,840
Intergovernmental Transfers Not Itemized	\$5,294,840	\$5,294,840	\$5,294,840
Sales and Services	\$3,007,863	\$3,007,863	\$3,007,863
Sales and Services Not Itemized	\$3,007,863	\$3,007,863	\$3,007,863
TOTAL PUBLIC FUNDS	\$26,231,693	\$26,207,096	\$26,428,264

Section 40: Public Service Commission

	Section Total - Continuation		
TOTAL STATE FUNDS	\$9,434,186	\$9,434,186	\$9,434,186
State General Funds	\$9,434,186	\$9,434,186	\$9,434,186
TOTAL FEDERAL FUNDS	\$1,343,100	\$1,343,100	\$1,343,100
Federal Funds Not Itemized	\$1,343,100	\$1,343,100	\$1,343,100
TOTAL PUBLIC FUNDS	\$10,777,286	\$10,777,286	\$10,777,286

	Section Total - Final		
TOTAL STATE FUNDS	\$9,435,407	\$9,667,059	\$9,777,371
State General Funds	\$9,435,407	\$9,667,059	\$9,777,371
TOTAL FEDERAL FUNDS	\$1,343,100	\$1,343,100	\$1,343,100
Federal Funds Not Itemized	\$1,343,100	\$1,343,100	\$1,343,100
TOTAL PUBLIC FUNDS	\$10,778,507	\$11,010,159	\$11,120,471

Commission Administration (PSC)

Continuation Budget

The purpose of this appropriation is to assist the Commissioners and staff in achieving the agency's goals.

TOTAL STATE FUNDS	\$1,554,632	\$1,554,632	\$1,554,632
State General Funds	\$1,554,632	\$1,554,632	\$1,554,632
TOTAL FEDERAL FUNDS	\$83,500	\$83,500	\$83,500
Federal Funds Not Itemized	\$83,500	\$83,500	\$83,500
TOTAL PUBLIC FUNDS	\$1,638,132	\$1,638,132	\$1,638,132

265.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,085)	(\$1,085)	(\$1,085)
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265.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$571)	(\$571)	(\$571)
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265.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$221)	(\$221)	(\$221)
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265.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,098	\$3,098	\$3,098
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265.5 *Increase funds for one attorney position and one engineer position.*

State General Funds		\$231,652	\$231,652
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265.6 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$312
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265.100-Commission Administration (PSC)	Appropriation (HB 684)		
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The purpose of this appropriation is to assist the Commissioners and staff in achieving the agency's goals.

TOTAL STATE FUNDS	\$1,555,853	\$1,787,505	\$1,787,817
State General Funds	\$1,555,853	\$1,787,505	\$1,787,817
TOTAL FEDERAL FUNDS	\$83,500	\$83,500	\$83,500
Federal Funds Not Itemized	\$83,500	\$83,500	\$83,500
TOTAL PUBLIC FUNDS	\$1,639,353	\$1,871,005	\$1,871,317

Facility Protection

Continuation Budget

The purpose of this appropriation is to enforce state and federal regulations pertaining to buried utility facility infrastructure and to promote safety through training and inspections.

TOTAL STATE FUNDS	\$1,117,952	\$1,117,952	\$1,117,952
State General Funds	\$1,117,952	\$1,117,952	\$1,117,952
TOTAL FEDERAL FUNDS	\$1,231,100	\$1,231,100	\$1,231,100
Federal Funds Not Itemized	\$1,231,100	\$1,231,100	\$1,231,100
TOTAL PUBLIC FUNDS	\$2,349,052	\$2,349,052	\$2,349,052

266.100-Facility Protection	Appropriation (HB 684)		
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The purpose of this appropriation is to enforce state and federal regulations pertaining to buried utility facility infrastructure and to promote safety through training and inspections.

TOTAL STATE FUNDS	\$1,117,952	\$1,117,952	\$1,117,952
State General Funds	\$1,117,952	\$1,117,952	\$1,117,952
TOTAL FEDERAL FUNDS	\$1,231,100	\$1,231,100	\$1,231,100
Federal Funds Not Itemized	\$1,231,100	\$1,231,100	\$1,231,100
TOTAL PUBLIC FUNDS	\$2,349,052	\$2,349,052	\$2,349,052

Utilities Regulation

Continuation Budget

The purpose of this appropriation is to monitor the rates and service standards of electric, natural gas, and telecommunications companies, approve supply plans for electric and natural gas companies, monitor utility system and telecommunications network planning, arbitrate complaints among competitors, provide consumer protection and education, and certify competitive natural gas and telecommunications providers.

TOTAL STATE FUNDS	\$6,761,602	\$6,761,602	\$6,761,602
State General Funds	\$6,761,602	\$6,761,602	\$6,761,602
TOTAL FEDERAL FUNDS	\$28,500	\$28,500	\$28,500
Federal Funds Not Itemized	\$28,500	\$28,500	\$28,500
TOTAL PUBLIC FUNDS	\$6,790,102	\$6,790,102	\$6,790,102

267.1 *Increase funds for personnel for one engineer position.*

State General Funds			\$110,000
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267.100-Utilities Regulation

Appropriation (HB 684)

The purpose of this appropriation is to monitor the rates and service standards of electric, natural gas, and telecommunications companies, approve supply plans for electric and natural gas companies, monitor utility system and telecommunications network planning, arbitrate complaints among competitors, provide consumer protection and education, and certify competitive natural gas and telecommunications providers.

TOTAL STATE FUNDS	\$6,761,602	\$6,761,602	\$6,871,602
State General Funds	\$6,761,602	\$6,761,602	\$6,871,602
TOTAL FEDERAL FUNDS	\$28,500	\$28,500	\$28,500
Federal Funds Not Itemized	\$28,500	\$28,500	\$28,500
TOTAL PUBLIC FUNDS	\$6,790,102	\$6,790,102	\$6,900,102

Section 41: Regents, University System of Georgia

Section Total - Continuation

TOTAL STATE FUNDS	\$2,305,085,976	\$2,305,085,976	\$2,305,085,976
State General Funds	\$2,305,085,976	\$2,305,085,976	\$2,305,085,976
TOTAL AGENCY FUNDS	\$5,377,687,172	\$5,377,687,172	\$5,377,687,172
Contributions, Donations, and Forfeitures	\$4,236,754	\$4,236,754	\$4,236,754
Contributions, Donations, and Forfeitures Not Itemized	\$4,236,754	\$4,236,754	\$4,236,754

Intergovernmental Transfers	\$2,375,264,572	\$2,375,264,572	\$2,375,264,572
University System of Georgia Research Funds	\$2,183,681,574	\$2,183,681,574	\$2,183,681,574
Intergovernmental Transfers Not Itemized	\$191,582,998	\$191,582,998	\$191,582,998
Rebates, Refunds, and Reimbursements	\$282,651,128	\$282,651,128	\$282,651,128
Rebates, Refunds, and Reimbursements Not Itemized	\$282,651,128	\$282,651,128	\$282,651,128
Sales and Services	\$2,715,534,718	\$2,715,534,718	\$2,715,534,718
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$447,160,626	\$447,160,626	\$447,160,626
Tuition and Fees for Higher Education	\$2,267,755,190	\$2,267,755,190	\$2,267,755,190
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$16,603,302	\$16,603,302	\$16,603,302
State Funds Transfers	\$3,286,331	\$3,286,331	\$3,286,331
Agency to Agency Contracts	\$3,286,331	\$3,286,331	\$3,286,331
Agency Funds Transfers	\$13,316,971	\$13,316,971	\$13,316,971
Agency Fund Transfers Not Itemized	\$13,316,971	\$13,316,971	\$13,316,971
TOTAL PUBLIC FUNDS	\$7,699,376,450	\$7,699,376,450	\$7,699,376,450

Section Total - Final

TOTAL STATE FUNDS	\$2,421,676,024	\$2,427,192,752	\$2,426,659,461
State General Funds	\$2,421,676,024	\$2,427,192,752	\$2,426,659,461
TOTAL AGENCY FUNDS	\$5,373,450,418	\$5,373,450,418	\$5,373,450,418
Intergovernmental Transfers	\$2,375,264,572	\$2,375,264,572	\$2,375,264,572
University System of Georgia Research Funds	\$2,183,681,574	\$2,183,681,574	\$2,183,681,574
Intergovernmental Transfers Not Itemized	\$191,582,998	\$191,582,998	\$191,582,998
Rebates, Refunds, and Reimbursements	\$282,651,128	\$282,651,128	\$282,651,128
Rebates, Refunds, and Reimbursements Not Itemized	\$282,651,128	\$282,651,128	\$282,651,128
Sales and Services	\$2,715,534,718	\$2,715,534,718	\$2,715,534,718
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$447,160,626	\$447,160,626	\$447,160,626
Tuition and Fees for Higher Education	\$2,267,755,190	\$2,267,755,190	\$2,267,755,190
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$16,603,302	\$16,603,302	\$16,603,302
State Funds Transfers	\$3,286,331	\$3,286,331	\$3,286,331
Agency to Agency Contracts	\$3,286,331	\$3,286,331	\$3,286,331
Agency Funds Transfers	\$13,316,971	\$13,316,971	\$13,316,971

Agency Fund Transfers Not Itemized	\$13,316,971	\$13,316,971	\$13,316,971
TOTAL PUBLIC FUNDS	\$7,811,729,744	\$7,817,246,472	\$7,816,713,181

Agricultural Experiment Station**Continuation Budget**

The purpose of this appropriation is to improve production, processing, new product development, food safety, storage, and marketing to increase profitability and global competitiveness of Georgia's agribusiness.

TOTAL STATE FUNDS	\$45,107,031	\$45,107,031	\$45,107,031
State General Funds	\$45,107,031	\$45,107,031	\$45,107,031
TOTAL AGENCY FUNDS	\$32,069,877	\$32,069,877	\$32,069,877
Intergovernmental Transfers	\$22,000,000	\$22,000,000	\$22,000,000
University System of Georgia Research Funds	\$22,000,000	\$22,000,000	\$22,000,000
Rebates, Refunds, and Reimbursements	\$2,000,000	\$2,000,000	\$2,000,000
Rebates, Refunds, and Reimbursements Not Itemized	\$2,000,000	\$2,000,000	\$2,000,000
Sales and Services	\$8,069,877	\$8,069,877	\$8,069,877
Sales and Services Not Itemized	\$8,069,877	\$8,069,877	\$8,069,877
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$5,483,042	\$5,483,042	\$5,483,042
Agency Funds Transfers	\$5,483,042	\$5,483,042	\$5,483,042
Agency Fund Transfers Not Itemized	\$5,483,042	\$5,483,042	\$5,483,042
TOTAL PUBLIC FUNDS	\$82,659,950	\$82,659,950	\$82,659,950

268.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$770,204	\$770,204	\$770,204
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268.2 *Increase funds for one-time funding for whitefly management research.*

State General Funds	\$223,823	\$223,823	\$223,823
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268.3 *Increase funds for a pasture weeds and forage specialist in crop and soil sciences, a distinguished investigator and professor in peanut genetics and genomics, a soil nutritionist in crop and soil sciences, and a postharvest physiologist in horticulture.*

State General Funds	\$402,740	\$402,740	\$402,740
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268.4 *Increase funds for a turfgrass pathologist to develop disease-resistant grass and forage cultivars.*

State General Funds	\$171,400	\$171,400	\$171,400
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268.100-Agricultural Experiment Station**Appropriation (HB 684)**

The purpose of this appropriation is to improve production, processing, new product development, food safety, storage, and marketing to increase profitability and global competitiveness of Georgia's agribusiness.

TOTAL STATE FUNDS	\$46,101,058	\$46,675,198	\$46,675,198
State General Funds	\$46,101,058	\$46,675,198	\$46,675,198
TOTAL AGENCY FUNDS	\$32,069,877	\$32,069,877	\$32,069,877
Intergovernmental Transfers	\$22,000,000	\$22,000,000	\$22,000,000
University System of Georgia Research Funds	\$22,000,000	\$22,000,000	\$22,000,000
Rebates, Refunds, and Reimbursements	\$2,000,000	\$2,000,000	\$2,000,000
Rebates, Refunds, and Reimbursements Not Itemized	\$2,000,000	\$2,000,000	\$2,000,000
Sales and Services	\$8,069,877	\$8,069,877	\$8,069,877
Sales and Services Not Itemized	\$8,069,877	\$8,069,877	\$8,069,877
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$5,483,042	\$5,483,042	\$5,483,042
Agency Funds Transfers	\$5,483,042	\$5,483,042	\$5,483,042
Agency Fund Transfers Not Itemized	\$5,483,042	\$5,483,042	\$5,483,042
TOTAL PUBLIC FUNDS	\$83,653,977	\$84,228,117	\$84,228,117

Athens and Tifton Veterinary Laboratories Contract**Continuation Budget**

The purpose of this appropriation is to provide diagnostic services, educational outreach, and consultation for veterinarians and animal owners to ensure the safety of Georgia's food supply and the health of Georgia's production, equine, and companion animals.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$3,323,357	\$3,323,357	\$3,323,357
Intergovernmental Transfers	\$375,000	\$375,000	\$375,000
University System of Georgia Research Funds	\$375,000	\$375,000	\$375,000
Sales and Services	\$2,948,357	\$2,948,357	\$2,948,357
Sales and Services Not Itemized	\$2,948,357	\$2,948,357	\$2,948,357
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,286,331	\$3,286,331	\$3,286,331
State Funds Transfers	\$3,286,331	\$3,286,331	\$3,286,331
Agency to Agency Contracts	\$3,286,331	\$3,286,331	\$3,286,331
TOTAL PUBLIC FUNDS	\$6,609,688	\$6,609,688	\$6,609,688

269.98 *Change the name of the Athens and Tifton Veterinary Laboratories program to the Athens & Tifton Veterinary Laboratories program. (G:YES)(H and S:YES; Reflect a change in the program name from Athens and Tifton Veterinary Laboratories to Athens and Tifton Veterinary Laboratories Contract)*

State General Funds \$0 \$0 \$0

269.100-Athens and Tifton Veterinary Laboratories Contract	Appropriation (HB 684)
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The purpose of this appropriation is to provide diagnostic services, educational outreach, and consultation for veterinarians and animal owners to ensure the safety of Georgia's food supply and the health of Georgia's production, equine, and companion animals.

TOTAL AGENCY FUNDS	\$3,323,357	\$3,323,357	\$3,323,357
Intergovernmental Transfers	\$375,000	\$375,000	\$375,000
University System of Georgia Research Funds	\$375,000	\$375,000	\$375,000
Sales and Services	\$2,948,357	\$2,948,357	\$2,948,357
Sales and Services Not Itemized	\$2,948,357	\$2,948,357	\$2,948,357
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$3,286,331	\$3,286,331	\$3,286,331
State Funds Transfers	\$3,286,331	\$3,286,331	\$3,286,331
Agency to Agency Contracts	\$3,286,331	\$3,286,331	\$3,286,331
TOTAL PUBLIC FUNDS	\$6,609,688	\$6,609,688	\$6,609,688

Cooperative Extension Service

Continuation Budget

The purpose of this appropriation is to provide training, educational programs, and outreach to Georgians in agricultural, horticultural, food, and family and consumer sciences, and to manage the 4-H youth program for the state.

TOTAL STATE FUNDS	\$39,842,725	\$39,842,725	\$39,842,725
State General Funds	\$39,842,725	\$39,842,725	\$39,842,725
TOTAL AGENCY FUNDS	\$23,500,000	\$23,500,000	\$23,500,000
Intergovernmental Transfers	\$10,000,000	\$10,000,000	\$10,000,000
University System of Georgia Research Funds	\$10,000,000	\$10,000,000	\$10,000,000
Rebates, Refunds, and Reimbursements	\$250,000	\$250,000	\$250,000
Rebates, Refunds, and Reimbursements Not Itemized	\$250,000	\$250,000	\$250,000
Sales and Services	\$13,250,000	\$13,250,000	\$13,250,000
Sales and Services Not Itemized	\$13,250,000	\$13,250,000	\$13,250,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$7,833,929	\$7,833,929	\$7,833,929

Agency Funds Transfers	\$7,833,929	\$7,833,929	\$7,833,929
Agency Fund Transfers Not Itemized	\$7,833,929	\$7,833,929	\$7,833,929
TOTAL PUBLIC FUNDS	\$71,176,654	\$71,176,654	\$71,176,654

270.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,126,358	\$1,126,358	\$1,126,358
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270.2 *Increase funds for six educator positions to support Agricultural and Natural Resources, 4-H Youth Development, and the Family and Consumer Sciences educational program.*

State General Funds		\$324,000	\$324,000
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270.3 *Increase funds for a pasture weeds and forage specialist in crop and soil sciences, a soil nutritionist in crop and soil sciences, and a postharvest physiologist in horticulture.*

State General Funds		\$325,660	\$325,660
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270.100-Cooperative Extension Service

Appropriation (HB 684)

The purpose of this appropriation is to provide training, educational programs, and outreach to Georgians in agricultural, horticultural, food, and family and consumer sciences, and to manage the 4-H youth program for the state.

TOTAL STATE FUNDS	\$40,969,083	\$41,618,743	\$41,618,743
State General Funds	\$40,969,083	\$41,618,743	\$41,618,743
TOTAL AGENCY FUNDS	\$23,500,000	\$23,500,000	\$23,500,000
Intergovernmental Transfers	\$10,000,000	\$10,000,000	\$10,000,000
University System of Georgia Research Funds	\$10,000,000	\$10,000,000	\$10,000,000
Rebates, Refunds, and Reimbursements	\$250,000	\$250,000	\$250,000
Rebates, Refunds, and Reimbursements Not Itemized	\$250,000	\$250,000	\$250,000
Sales and Services	\$13,250,000	\$13,250,000	\$13,250,000
Sales and Services Not Itemized	\$13,250,000	\$13,250,000	\$13,250,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$7,833,929	\$7,833,929	\$7,833,929
Agency Funds Transfers	\$7,833,929	\$7,833,929	\$7,833,929
Agency Fund Transfers Not Itemized	\$7,833,929	\$7,833,929	\$7,833,929
TOTAL PUBLIC FUNDS	\$72,303,012	\$72,952,672	\$72,952,672

Enterprise Innovation Institute**Continuation Budget**

The purpose of this appropriation is to advise Georgia manufacturers, entrepreneurs, and government officials on best business practices and technology-driven economic development, and to provide the state share to federal incentive and assistance programs for entrepreneurs and innovative businesses.

TOTAL STATE FUNDS	\$19,510,493	\$19,510,493	\$19,510,493
State General Funds	\$19,510,493	\$19,510,493	\$19,510,493
TOTAL AGENCY FUNDS	\$10,900,000	\$10,900,000	\$10,900,000
Intergovernmental Transfers	\$8,000,000	\$8,000,000	\$8,000,000
Intergovernmental Transfers Not Itemized	\$8,000,000	\$8,000,000	\$8,000,000
Rebates, Refunds, and Reimbursements	\$1,400,000	\$1,400,000	\$1,400,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,400,000	\$1,400,000	\$1,400,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$30,410,493	\$30,410,493	\$30,410,493

271.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$66,416	\$66,416	\$66,416
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271.100-Enterprise Innovation Institute**Appropriation (HB 684)**

The purpose of this appropriation is to advise Georgia manufacturers, entrepreneurs, and government officials on best business practices and technology-driven economic development, and to provide the state share to federal incentive and assistance programs for entrepreneurs and innovative businesses.

TOTAL STATE FUNDS	\$19,576,909	\$19,576,909	\$19,576,909
State General Funds	\$19,576,909	\$19,576,909	\$19,576,909
TOTAL AGENCY FUNDS	\$10,900,000	\$10,900,000	\$10,900,000
Intergovernmental Transfers	\$8,000,000	\$8,000,000	\$8,000,000
Intergovernmental Transfers Not Itemized	\$8,000,000	\$8,000,000	\$8,000,000
Rebates, Refunds, and Reimbursements	\$1,400,000	\$1,400,000	\$1,400,000
Rebates, Refunds, and Reimbursements Not Itemized	\$1,400,000	\$1,400,000	\$1,400,000
Sales and Services	\$1,500,000	\$1,500,000	\$1,500,000
Sales and Services Not Itemized	\$1,500,000	\$1,500,000	\$1,500,000
TOTAL PUBLIC FUNDS	\$30,476,909	\$30,476,909	\$30,476,909

Forestry Cooperative Extension**Continuation Budget**

The purpose of this appropriation is to provide funding for faculty to support instruction and outreach about conservation and sustainable management of forests and other natural resources.

TOTAL STATE FUNDS	\$983,248	\$983,248	\$983,248
State General Funds	\$983,248	\$983,248	\$983,248
TOTAL AGENCY FUNDS	\$575,988	\$575,988	\$575,988
Intergovernmental Transfers	\$475,988	\$475,988	\$475,988
University System of Georgia Research Funds	\$475,988	\$475,988	\$475,988
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$1,559,236	\$1,559,236	\$1,559,236

272.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$11,880	\$11,880	\$11,880
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272.2 *Increase funds for one-time funding for building maintenance at Whitehall Forest in Athens.*

State General Funds		\$170,000	\$170,000
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272.3 *Increase funds for one-time funding for the demolition of surplus buildings at B.F. Grant Memorial Forest and Whitehall Forest.*

State General Funds		\$50,000	\$50,000
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272.100-Forestry Cooperative Extension**Appropriation (HB 684)**

The purpose of this appropriation is to provide funding for faculty to support instruction and outreach about conservation and sustainable management of forests and other natural resources.

TOTAL STATE FUNDS	\$995,128	\$1,215,128	\$1,215,128
State General Funds	\$995,128	\$1,215,128	\$1,215,128
TOTAL AGENCY FUNDS	\$575,988	\$575,988	\$575,988
Intergovernmental Transfers	\$475,988	\$475,988	\$475,988
University System of Georgia Research Funds	\$475,988	\$475,988	\$475,988
Sales and Services	\$100,000	\$100,000	\$100,000
Sales and Services Not Itemized	\$100,000	\$100,000	\$100,000
TOTAL PUBLIC FUNDS	\$1,571,116	\$1,791,116	\$1,791,116

Forestry Research

Continuation Budget

The purpose of this appropriation is to conduct research about economically and environmentally sound forest resources management and to assist non-industrial forest landowners and natural resources professionals in complying with state and federal regulations.

TOTAL STATE FUNDS	\$2,908,323	\$2,908,323	\$2,908,323
State General Funds	\$2,908,323	\$2,908,323	\$2,908,323
TOTAL AGENCY FUNDS	\$10,250,426	\$10,250,426	\$10,250,426
Intergovernmental Transfers	\$9,000,000	\$9,000,000	\$9,000,000
University System of Georgia Research Funds	\$9,000,000	\$9,000,000	\$9,000,000
Rebates, Refunds, and Reimbursements	\$590,634	\$590,634	\$590,634
Rebates, Refunds, and Reimbursements Not Itemized	\$590,634	\$590,634	\$590,634
Sales and Services	\$659,792	\$659,792	\$659,792
Sales and Services Not Itemized	\$659,792	\$659,792	\$659,792
TOTAL PUBLIC FUNDS	\$13,158,749	\$13,158,749	\$13,158,749

273.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$51,527	\$51,527	\$51,527
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273.100-Forestry Research	Appropriation (HB 684)
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The purpose of this appropriation is to conduct research about economically and environmentally sound forest resources management and to assist non-industrial forest landowners and natural resources professionals in complying with state and federal regulations.

TOTAL STATE FUNDS	\$2,959,850	\$2,959,850	\$2,959,850
State General Funds	\$2,959,850	\$2,959,850	\$2,959,850
TOTAL AGENCY FUNDS	\$10,250,426	\$10,250,426	\$10,250,426
Intergovernmental Transfers	\$9,000,000	\$9,000,000	\$9,000,000
University System of Georgia Research Funds	\$9,000,000	\$9,000,000	\$9,000,000
Rebates, Refunds, and Reimbursements	\$590,634	\$590,634	\$590,634
Rebates, Refunds, and Reimbursements Not Itemized	\$590,634	\$590,634	\$590,634
Sales and Services	\$659,792	\$659,792	\$659,792
Sales and Services Not Itemized	\$659,792	\$659,792	\$659,792
TOTAL PUBLIC FUNDS	\$13,210,276	\$13,210,276	\$13,210,276

Georgia Archives**Continuation Budget**

The purpose of this appropriation is to maintain the state's archives; document and interpret the history of the Georgia State Capitol building; and assist State Agencies with adequately documenting their activities, administering their records management programs, scheduling their records, and transferring their non-current records to the State Records Center.

TOTAL STATE FUNDS	\$4,720,507	\$4,720,507	\$4,720,507
State General Funds	\$4,720,507	\$4,720,507	\$4,720,507
TOTAL AGENCY FUNDS	\$883,030	\$883,030	\$883,030
Rebates, Refunds, and Reimbursements	\$64,128	\$64,128	\$64,128
Rebates, Refunds, and Reimbursements Not Itemized	\$64,128	\$64,128	\$64,128
Sales and Services	\$818,902	\$818,902	\$818,902
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL PUBLIC FUNDS	\$5,603,537	\$5,603,537	\$5,603,537

274.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$31,483	\$31,483	\$31,483
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274.100-Georgia Archives**Appropriation (HB 684)**

The purpose of this appropriation is to maintain the state's archives; document and interpret the history of the Georgia State Capitol building; and assist State Agencies with adequately documenting their activities, administering their records management programs, scheduling their records, and transferring their non-current records to the State Records Center.

TOTAL STATE FUNDS	\$4,751,990	\$4,751,990	\$4,751,990
State General Funds	\$4,751,990	\$4,751,990	\$4,751,990
TOTAL AGENCY FUNDS	\$883,030	\$883,030	\$883,030
Rebates, Refunds, and Reimbursements	\$64,128	\$64,128	\$64,128
Rebates, Refunds, and Reimbursements Not Itemized	\$64,128	\$64,128	\$64,128
Sales and Services	\$818,902	\$818,902	\$818,902
Record Center Storage Fees	\$618,902	\$618,902	\$618,902
Sales and Services Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL PUBLIC FUNDS	\$5,635,020	\$5,635,020	\$5,635,020

Georgia Cyber Innovation and Training Center

Continuation Budget

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0

275.1 *Increase funds for personnel for 19 positions and operations to facilitate economic development through collaboration between technology industry leaders, startup companies, and government to recruit, train, and retain cybersecurity technology experts.*

State General Funds	\$4,494,296	\$4,407,753	\$4,407,753
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275.99 SAC: *The purpose of this appropriation is to enhance cybersecurity technology for private and public industries through unique education, training, research, and practical applications.*

House: *The purpose of this appropriation is to enhance cybersecurity technology for private and public industries through unique education, training, research, and practical applications.*

Governor: *The purpose of this appropriation is to enhance cybersecurity technology for private and public industries through unique education, training, research, and practical applications.*

State General Funds	\$0	\$0	\$0
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275.100-Georgia Cyber Innovation and Training Center	Appropriation (HB 684)
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The purpose of this appropriation is to enhance cybersecurity technology for private and public industries through unique education, training, research, and practical applications.

TOTAL STATE FUNDS	\$4,494,296	\$4,407,753	\$4,407,753
State General Funds	\$4,494,296	\$4,407,753	\$4,407,753
TOTAL PUBLIC FUNDS	\$4,494,296	\$4,407,753	\$4,407,753

Georgia Research Alliance

Continuation Budget

The purpose of this appropriation is to expand research and commercialization capacity in public and private universities in Georgia to launch new companies and create jobs.

TOTAL STATE FUNDS	\$5,105,243	\$5,105,243	\$5,105,243
State General Funds	\$5,105,243	\$5,105,243	\$5,105,243
TOTAL PUBLIC FUNDS	\$5,105,243	\$5,105,243	\$5,105,243

276.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$12,345	\$12,345	\$12,345
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276.100-Georgia Research Alliance**Appropriation (HB 684)**

The purpose of this appropriation is to expand research and commercialization capacity in public and private universities in Georgia to launch new companies and create jobs.

TOTAL STATE FUNDS	\$5,117,588	\$5,117,588	\$5,117,588
State General Funds	\$5,117,588	\$5,117,588	\$5,117,588
TOTAL PUBLIC FUNDS	\$5,117,588	\$5,117,588	\$5,117,588

Georgia Radiation Therapy Center**Continuation Budget**

The purpose of this appropriation is to provide care and treatment for cancer patients and to administer baccalaureate programs in Medical Dosimetry and Radiation Therapy.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL AGENCY FUNDS	\$4,236,754	\$4,236,754	\$4,236,754
Contributions, Donations, and Forfeitures	\$4,236,754	\$4,236,754	\$4,236,754
Contributions, Donations, and Forfeitures Not Itemized	\$4,236,754	\$4,236,754	\$4,236,754
TOTAL PUBLIC FUNDS	\$4,236,754	\$4,236,754	\$4,236,754

277.1 *Eliminate funds.*

Contributions, Donations, and Forfeitures Not Itemized	(\$4,236,754)	(\$4,236,754)	(\$4,236,754)
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Georgia Tech Research Institute**Continuation Budget**

The purpose of this appropriation is to provide funding to laboratories and research centers affiliated with the Georgia Institute of Technology whose scientific, engineering, industrial, or policy research promotes economic development, health, and safety in Georgia.

TOTAL STATE FUNDS	\$6,072,039	\$6,072,039	\$6,072,039
State General Funds	\$6,072,039	\$6,072,039	\$6,072,039
TOTAL AGENCY FUNDS	\$406,225,535	\$406,225,535	\$406,225,535

Intergovernmental Transfers	\$255,583,517	\$255,583,517	\$255,583,517
University System of Georgia Research Funds	\$255,583,517	\$255,583,517	\$255,583,517
Rebates, Refunds, and Reimbursements	\$140,042,683	\$140,042,683	\$140,042,683
Rebates, Refunds, and Reimbursements Not Itemized	\$140,042,683	\$140,042,683	\$140,042,683
Sales and Services	\$10,599,335	\$10,599,335	\$10,599,335
Sales and Services Not Itemized	\$10,599,335	\$10,599,335	\$10,599,335
TOTAL PUBLIC FUNDS	\$412,297,574	\$412,297,574	\$412,297,574

278.1 Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.

State General Funds	\$22,917	\$22,917	\$22,917
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278.100-Georgia Tech Research Institute

Appropriation (HB 684)

The purpose of this appropriation is to provide funding to laboratories and research centers affiliated with the Georgia Institute of Technology whose scientific, engineering, industrial, or policy research promotes economic development, health, and safety in Georgia.

TOTAL STATE FUNDS	\$6,094,956	\$6,094,956	\$6,094,956
State General Funds	\$6,094,956	\$6,094,956	\$6,094,956
TOTAL AGENCY FUNDS	\$406,225,535	\$406,225,535	\$406,225,535
Intergovernmental Transfers	\$255,583,517	\$255,583,517	\$255,583,517
University System of Georgia Research Funds	\$255,583,517	\$255,583,517	\$255,583,517
Rebates, Refunds, and Reimbursements	\$140,042,683	\$140,042,683	\$140,042,683
Rebates, Refunds, and Reimbursements Not Itemized	\$140,042,683	\$140,042,683	\$140,042,683
Sales and Services	\$10,599,335	\$10,599,335	\$10,599,335
Sales and Services Not Itemized	\$10,599,335	\$10,599,335	\$10,599,335
TOTAL PUBLIC FUNDS	\$412,320,491	\$412,320,491	\$412,320,491

Marine Institute

Continuation Budget

The purpose of this appropriation is to support research on coastal processes involving the unique ecosystems of the Georgia coastline and to provide access and facilities for graduate and undergraduate classes to conduct field research on the Georgia coast.

TOTAL STATE FUNDS	\$993,619	\$993,619	\$993,619
State General Funds	\$993,619	\$993,619	\$993,619
TOTAL AGENCY FUNDS	\$486,281	\$486,281	\$486,281

Intergovernmental Transfers	\$367,648	\$367,648	\$367,648
University System of Georgia Research Funds	\$367,648	\$367,648	\$367,648
Rebates, Refunds, and Reimbursements	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements Not Itemized	\$25,000	\$25,000	\$25,000
Sales and Services	\$93,633	\$93,633	\$93,633
Sales and Services Not Itemized	\$93,633	\$93,633	\$93,633
TOTAL PUBLIC FUNDS	\$1,479,900	\$1,479,900	\$1,479,900

279.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$19,619	\$19,619	\$19,619
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279.100-Marine Institute

Appropriation (HB 684)

The purpose of this appropriation is to support research on coastal processes involving the unique ecosystems of the Georgia coastline and to provide access and facilities for graduate and undergraduate classes to conduct field research on the Georgia coast.

TOTAL STATE FUNDS	\$1,013,238	\$1,013,238	\$1,013,238
State General Funds	\$1,013,238	\$1,013,238	\$1,013,238
TOTAL AGENCY FUNDS	\$486,281	\$486,281	\$486,281
Intergovernmental Transfers	\$367,648	\$367,648	\$367,648
University System of Georgia Research Funds	\$367,648	\$367,648	\$367,648
Rebates, Refunds, and Reimbursements	\$25,000	\$25,000	\$25,000
Rebates, Refunds, and Reimbursements Not Itemized	\$25,000	\$25,000	\$25,000
Sales and Services	\$93,633	\$93,633	\$93,633
Sales and Services Not Itemized	\$93,633	\$93,633	\$93,633
TOTAL PUBLIC FUNDS	\$1,499,519	\$1,499,519	\$1,499,519

Marine Resources Extension Center

Continuation Budget

The purpose of this appropriation is to fund outreach, education, and research to enhance coastal environmental and economic sustainability.

TOTAL STATE FUNDS	\$1,522,189	\$1,522,189	\$1,522,189
State General Funds	\$1,522,189	\$1,522,189	\$1,522,189
TOTAL AGENCY FUNDS	\$1,345,529	\$1,345,529	\$1,345,529
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000

University System of Georgia Research Funds	\$600,000	\$600,000	\$600,000
Rebates, Refunds, and Reimbursements	\$90,000	\$90,000	\$90,000
Rebates, Refunds, and Reimbursements Not Itemized	\$90,000	\$90,000	\$90,000
Sales and Services	\$655,529	\$655,529	\$655,529
Sales and Services Not Itemized	\$655,529	\$655,529	\$655,529
TOTAL PUBLIC FUNDS	\$2,867,718	\$2,867,718	\$2,867,718

280.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$32,740	\$32,740	\$32,740
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280.100-Marine Resources Extension Center

Appropriation (HB 684)

The purpose of this appropriation is to fund outreach, education, and research to enhance coastal environmental and economic sustainability.

TOTAL STATE FUNDS	\$1,554,929	\$1,554,929	\$1,554,929
State General Funds	\$1,554,929	\$1,554,929	\$1,554,929
TOTAL AGENCY FUNDS	\$1,345,529	\$1,345,529	\$1,345,529
Intergovernmental Transfers	\$600,000	\$600,000	\$600,000
University System of Georgia Research Funds	\$600,000	\$600,000	\$600,000
Rebates, Refunds, and Reimbursements	\$90,000	\$90,000	\$90,000
Rebates, Refunds, and Reimbursements Not Itemized	\$90,000	\$90,000	\$90,000
Sales and Services	\$655,529	\$655,529	\$655,529
Sales and Services Not Itemized	\$655,529	\$655,529	\$655,529
TOTAL PUBLIC FUNDS	\$2,900,458	\$2,900,458	\$2,900,458

Medical College of Georgia Hospital and Clinics

Continuation Budget

The purpose of this appropriation is to provide medical education and patient care, including ambulatory, trauma, cancer, neonatal intensive, and emergency and express care.

TOTAL STATE FUNDS	\$30,392,211	\$30,392,211	\$30,392,211
State General Funds	\$30,392,211	\$30,392,211	\$30,392,211
TOTAL PUBLIC FUNDS	\$30,392,211	\$30,392,211	\$30,392,211

281.1 *Transfer funds from the Georgia Vocational Rehabilitation Agency to the Board of Regents of the University System of Georgia to offset the operations deficit for medical education and patient care.*

State General Funds	\$1,600,000	\$1,600,000	\$1,600,000
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281.100-Medical College of Georgia Hospital and Clinics

Appropriation (HB 684)

The purpose of this appropriation is to provide medical education and patient care, including ambulatory, trauma, cancer, neonatal intensive, and emergency and express care.

TOTAL STATE FUNDS	\$31,992,211	\$31,992,211	\$31,992,211
State General Funds	\$31,992,211	\$31,992,211	\$31,992,211
TOTAL PUBLIC FUNDS	\$31,992,211	\$31,992,211	\$31,992,211

Public Libraries

Continuation Budget

The purpose of this appropriation is to award grants from the Public Library Fund, promote literacy, and provide library services that facilitate access to information for all Georgians regardless of geographic location or special needs.

TOTAL STATE FUNDS	\$37,205,936	\$37,205,936	\$37,205,936
State General Funds	\$37,205,936	\$37,205,936	\$37,205,936
TOTAL AGENCY FUNDS	\$4,287,961	\$4,287,961	\$4,287,961
Rebates, Refunds, and Reimbursements	\$90,169	\$90,169	\$90,169
Rebates, Refunds, and Reimbursements Not Itemized	\$90,169	\$90,169	\$90,169
Sales and Services	\$4,197,792	\$4,197,792	\$4,197,792
Sales and Services Not Itemized	\$4,197,792	\$4,197,792	\$4,197,792
TOTAL PUBLIC FUNDS	\$41,493,897	\$41,493,897	\$41,493,897

282.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$797,365	\$797,365	\$797,365
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282.2 *Increase funds for the New Directions formula based on an increase in the state population.*

State General Funds	\$169,108	\$169,108	\$169,108
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282.3 *Increase funds for the New Directions formula to provide for a \$0.30 per capita funding for materials grants.*

State General Funds			\$538,306
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282.100-Public Libraries **Appropriation (HB 684)**

The purpose of this appropriation is to award grants from the Public Library Fund, promote literacy, and provide library services that facilitate access to information for all Georgians regardless of geographic location or special needs.

TOTAL STATE FUNDS	\$38,172,409	\$38,172,409	\$38,710,715
State General Funds	\$38,172,409	\$38,172,409	\$38,710,715
TOTAL AGENCY FUNDS	\$4,287,961	\$4,287,961	\$4,287,961
Rebates, Refunds, and Reimbursements	\$90,169	\$90,169	\$90,169
Rebates, Refunds, and Reimbursements Not Itemized	\$90,169	\$90,169	\$90,169
Sales and Services	\$4,197,792	\$4,197,792	\$4,197,792
Sales and Services Not Itemized	\$4,197,792	\$4,197,792	\$4,197,792
TOTAL PUBLIC FUNDS	\$42,460,370	\$42,460,370	\$42,998,676

Public Service / Special Funding Initiatives

Continuation Budget

The purpose of this appropriation is to fund leadership, service, and education initiatives that require funding beyond what is provided by formula.

TOTAL STATE FUNDS	\$24,997,015	\$24,997,015	\$24,997,015
State General Funds	\$24,997,015	\$24,997,015	\$24,997,015
TOTAL PUBLIC FUNDS	\$24,997,015	\$24,997,015	\$24,997,015

283.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$164,344	\$164,344	\$164,344
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283.2 *Increase funds for Georgia Youth Science and Technology Centers.*

State General Funds	\$125,000	\$125,000
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283.3 *Increase funds for the Center for Rural Prosperity and Innovations as recommended by the House Rural Development Council.*

State General Funds	\$1,717,100	\$858,550
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283.4 *Increase funds for the planning, operations and Phase I implementation of the Agricultural History Georgia Capitol Museum.*

State General Funds	\$166,800
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283.5 *Increase funds to establish an Adrenal Center Adrenal Disease program at the Medical College of Georgia at Augusta University.*

State General Funds	\$1,370,000
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283.100-Public Service / Special Funding Initiatives**Appropriation (HB 684)**

The purpose of this appropriation is to fund leadership, service, and education initiatives that require funding beyond what is provided by formula.

TOTAL STATE FUNDS	\$25,161,359	\$27,003,459	\$27,681,709
State General Funds	\$25,161,359	\$27,003,459	\$27,681,709
TOTAL PUBLIC FUNDS	\$25,161,359	\$27,003,459	\$27,681,709

Regents Central Office**Continuation Budget**

The purpose of this appropriation is to provide administrative support to institutions of the University System of Georgia and to fund membership in the Southern Regional Education Board.

TOTAL STATE FUNDS	\$12,250,625	\$12,250,625	\$12,250,625
State General Funds	\$12,250,625	\$12,250,625	\$12,250,625
TOTAL PUBLIC FUNDS	\$12,250,625	\$12,250,625	\$12,250,625

284.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$65,954	\$65,954	\$65,954
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284.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs. (H and S:Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs)*

State General Funds	(\$137,744)	\$17,398	\$17,398
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284.3 *Utilize existing funds for the Southern Regional Education Board to reflect FY2019 dues and contracts amounts (\$20,036). (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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284.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$6,398)
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284.100-Regents Central Office**Appropriation (HB 684)**

The purpose of this appropriation is to provide administrative support to institutions of the University System of Georgia and to fund membership in the Southern Regional Education Board.

TOTAL STATE FUNDS	\$12,178,835	\$12,333,977	\$12,327,579
State General Funds	\$12,178,835	\$12,333,977	\$12,327,579
TOTAL PUBLIC FUNDS	\$12,178,835	\$12,333,977	\$12,327,579

Skidaway Institute of Oceanography**Continuation Budget**

The purpose of this appropriation is to fund research and educational programs regarding marine and ocean science and aquatic environments.

TOTAL STATE FUNDS	\$1,388,024	\$1,388,024	\$1,388,024
State General Funds	\$1,388,024	\$1,388,024	\$1,388,024
TOTAL AGENCY FUNDS	\$3,900,620	\$3,900,620	\$3,900,620
Intergovernmental Transfers	\$2,750,620	\$2,750,620	\$2,750,620
University System of Georgia Research Funds	\$2,750,620	\$2,750,620	\$2,750,620
Rebates, Refunds, and Reimbursements	\$500,000	\$500,000	\$500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$650,000	\$650,000	\$650,000
Sales and Services Not Itemized	\$650,000	\$650,000	\$650,000
TOTAL PUBLIC FUNDS	\$5,288,644	\$5,288,644	\$5,288,644

285.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$22,421	\$22,421	\$22,421
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285.2 *Increase funds for research activities and experiential learning on Research Vessel Savannah.*

State General Funds		\$57,200	\$114,400
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285.100-Skidaway Institute of Oceanography	Appropriation (HB 684)		
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The purpose of this appropriation is to fund research and educational programs regarding marine and ocean science and aquatic environments.

TOTAL STATE FUNDS	\$1,410,445	\$1,467,645	\$1,524,845
State General Funds	\$1,410,445	\$1,467,645	\$1,524,845
TOTAL AGENCY FUNDS	\$3,900,620	\$3,900,620	\$3,900,620
Intergovernmental Transfers	\$2,750,620	\$2,750,620	\$2,750,620
University System of Georgia Research Funds	\$2,750,620	\$2,750,620	\$2,750,620

Rebates, Refunds, and Reimbursements	\$500,000	\$500,000	\$500,000
Rebates, Refunds, and Reimbursements Not Itemized	\$500,000	\$500,000	\$500,000
Sales and Services	\$650,000	\$650,000	\$650,000
Sales and Services Not Itemized	\$650,000	\$650,000	\$650,000
TOTAL PUBLIC FUNDS	\$5,311,065	\$5,368,265	\$5,425,465

Teaching**Continuation Budget**

The purpose of this appropriation is provide funds to the Board of Regents for annual allocations to University System of Georgia institutions for student instruction and to establish and operate other initiatives that promote, support, or extend student learning.

TOTAL STATE FUNDS	\$2,047,001,762	\$2,047,001,762	\$2,047,001,762
State General Funds	\$2,047,001,762	\$2,047,001,762	\$2,047,001,762
TOTAL AGENCY FUNDS	\$4,857,951,814	\$4,857,951,814	\$4,857,951,814
Intergovernmental Transfers	\$2,066,111,799	\$2,066,111,799	\$2,066,111,799
University System of Georgia Research Funds	\$1,882,528,801	\$1,882,528,801	\$1,882,528,801
Intergovernmental Transfers Not Itemized	\$183,582,998	\$183,582,998	\$183,582,998
Rebates, Refunds, and Reimbursements	\$137,598,514	\$137,598,514	\$137,598,514
Rebates, Refunds, and Reimbursements Not Itemized	\$137,598,514	\$137,598,514	\$137,598,514
Sales and Services	\$2,654,241,501	\$2,654,241,501	\$2,654,241,501
Sales and Services Not Itemized	\$386,486,311	\$386,486,311	\$386,486,311
Tuition and Fees for Higher Education	\$2,267,755,190	\$2,267,755,190	\$2,267,755,190
TOTAL PUBLIC FUNDS	\$6,904,953,576	\$6,904,953,576	\$6,904,953,576

286.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$56,894,999	\$56,894,999	\$56,894,999
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286.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$2,474,661)	(\$2,629,803)	(\$2,629,803)
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286.3 *Increase funds to reflect the change in enrollment (\$51,060,786) and square footage (\$3,216,434) at University System of Georgia institutions. (S:Increase funds to reflect the change in enrollment (\$51,060,786) and square footage (\$3,216,434) at University System of Georgia institutions, and reflect an updated adjustment)*

State General Funds	\$54,277,220	\$54,277,220	\$53,265,631
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286.4 *Reduce funds for Georgia Gwinnett College (GGC) to reflect year five of the seven year plan to eliminate the GGC Special Funding Initiative.*

State General Funds	(\$1,375,000)	(\$1,375,000)	(\$1,375,000)
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286.5 *Increase funds to adjust the debt service payback amount for a project constructed at the University of Georgia.*

State General Funds	\$830,125	\$830,125	\$830,125
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286.6 *Transfer funds from the Board of Regents of the University System of Georgia to the Technical College System of Georgia for the Bainbridge State College campus.*

State General Funds	(\$1,409,616)	(\$1,143,795)	(\$1,143,795)
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286.7 *Utilize existing system funds for the University of Georgia to provide new experiential learning opportunities through the School of Public and International Affairs that promote careers in public service and provide an annual report on outcomes to the university's president. (H:YES)(S:YES)*

State General Funds		\$0	\$0
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286.8 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$83,311)
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286.100-Teaching	Appropriation (HB 684)
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The purpose of this appropriation is provide funds to the Board of Regents for annual allocations to University System of Georgia institutions for student instruction and to establish and operate other initiatives that promote, support, or extend student learning.

TOTAL STATE FUNDS	\$2,153,744,829	\$2,153,855,508	\$2,152,760,608
State General Funds	\$2,153,744,829	\$2,153,855,508	\$2,152,760,608
TOTAL AGENCY FUNDS	\$4,857,951,814	\$4,857,951,814	\$4,857,951,814
Intergovernmental Transfers	\$2,066,111,799	\$2,066,111,799	\$2,066,111,799
University System of Georgia Research Funds	\$1,882,528,801	\$1,882,528,801	\$1,882,528,801
Intergovernmental Transfers Not Itemized	\$183,582,998	\$183,582,998	\$183,582,998
Rebates, Refunds, and Reimbursements	\$137,598,514	\$137,598,514	\$137,598,514
Rebates, Refunds, and Reimbursements Not Itemized	\$137,598,514	\$137,598,514	\$137,598,514
Sales and Services	\$2,654,241,501	\$2,654,241,501	\$2,654,241,501
Sales and Services Not Itemized	\$386,486,311	\$386,486,311	\$386,486,311
Tuition and Fees for Higher Education	\$2,267,755,190	\$2,267,755,190	\$2,267,755,190
TOTAL PUBLIC FUNDS	\$7,011,696,643	\$7,011,807,322	\$7,010,712,422

Veterinary Medicine Experiment Station**Continuation Budget**

The purpose of this appropriation is to coordinate and conduct research at the University of Georgia on animal disease problems of present and potential concern to Georgia's livestock and poultry industries and to provide training and education in disease research, surveillance, and intervention.

TOTAL STATE FUNDS	\$3,209,528	\$3,209,528	\$3,209,528
State General Funds	\$3,209,528	\$3,209,528	\$3,209,528
TOTAL PUBLIC FUNDS	\$3,209,528	\$3,209,528	\$3,209,528

287.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$53,812	\$53,812	\$53,812
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287.2 *Increase funds for personnel to annualize the lab supervisor and lab technician positions at the Poultry Diagnostic Research Center and two field services clinical veterinarian positions dedicated to food animal practice.*

State General Funds	\$108,750	\$108,750	\$108,750
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287.3 *Increase funds for a poultry clinical services veterinarian to address avian influenza.*

State General Funds		\$160,000	\$160,000
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287.4 *Increase funds for maintenance and operations.*

State General Funds		\$157,500	\$157,500
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287.5 *Increase funds for one-time funding for a Food Animal Medicine Haul-In Facility in Tifton.*

State General Funds		\$900,000	\$900,000
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287.6 *Increase funds for a technician to support applied research at Tifton Veterinary Diagnostic and Investigational Laboratory.*

State General Funds		\$52,000	\$52,000
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287.100-Veterinary Medicine Experiment Station**Appropriation (HB 684)**

The purpose of this appropriation is to coordinate and conduct research at the University of Georgia on animal disease problems of present and potential concern to Georgia's livestock and poultry industries and to provide training and education in disease research, surveillance, and intervention.

TOTAL STATE FUNDS	\$3,372,090	\$4,641,590	\$4,641,590
State General Funds	\$3,372,090	\$4,641,590	\$4,641,590
TOTAL PUBLIC FUNDS	\$3,372,090	\$4,641,590	\$4,641,590

Veterinary Medicine Teaching Hospital**Continuation Budget**

The purpose of this appropriation is to provide clinical instruction for veterinary medicine students, support research that enhances the health and welfare of production and companion animals in Georgia, and address the shortage of veterinarians in Georgia and the nation.

TOTAL STATE FUNDS	\$465,826	\$465,826	\$465,826
State General Funds	\$465,826	\$465,826	\$465,826
TOTAL AGENCY FUNDS	\$17,750,000	\$17,750,000	\$17,750,000
Sales and Services	\$17,750,000	\$17,750,000	\$17,750,000
Sales and Services Not Itemized	\$17,750,000	\$17,750,000	\$17,750,000
TOTAL PUBLIC FUNDS	\$18,215,826	\$18,215,826	\$18,215,826

288.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$13,293	\$13,293	\$13,293
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288.100-Veterinary Medicine Teaching Hospital**Appropriation (HB 684)**

The purpose of this appropriation is to provide clinical instruction for veterinary medicine students, support research that enhances the health and welfare of production and companion animals in Georgia, and address the shortage of veterinarians in Georgia and the nation.

TOTAL STATE FUNDS	\$479,119	\$479,119	\$479,119
State General Funds	\$479,119	\$479,119	\$479,119
TOTAL AGENCY FUNDS	\$17,750,000	\$17,750,000	\$17,750,000
Sales and Services	\$17,750,000	\$17,750,000	\$17,750,000
Sales and Services Not Itemized	\$17,750,000	\$17,750,000	\$17,750,000
TOTAL PUBLIC FUNDS	\$18,229,119	\$18,229,119	\$18,229,119

Payments to Georgia Military College**Continuation Budget**

The purpose of this appropriation is to provide quality basic education funding for grades six through twelve at Georgia Military College's Junior Military College and preparatory school.

TOTAL STATE FUNDS	\$6,162,608	\$6,162,608	\$6,162,608
State General Funds	\$6,162,608	\$6,162,608	\$6,162,608
TOTAL PUBLIC FUNDS	\$6,162,608	\$6,162,608	\$6,162,608

289.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$228,573	\$953,423	\$228,573
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289.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$42,227)	(\$42,227)	(\$42,227)
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289.3 *Reduce funds for enrollment decline and training and experience at the Georgia Military College Preparatory School.*

State General Funds	(\$3,388)	(\$3,388)	(\$3,388)
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289.4 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$13,429
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289.100-Payments to Georgia Military College	Appropriation (HB 684)		
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The purpose of this appropriation is to provide quality basic education funding for grades six through twelve at Georgia Military College's Junior Military College and preparatory school.

TOTAL STATE FUNDS	\$6,345,566	\$7,070,416	\$6,358,995
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State General Funds	\$6,345,566	\$7,070,416	\$6,358,995
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TOTAL PUBLIC FUNDS	\$6,345,566	\$7,070,416	\$6,358,995
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Payments to Georgia Public Telecommunications Commission

Continuation Budget

The purpose of this appropriation is to create, produce, and distribute high quality programs and services that educate, inform, and entertain audiences, and enrich the quality of their lives.

TOTAL STATE FUNDS	\$15,247,024	\$15,247,024	\$15,247,024
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State General Funds	\$15,247,024	\$15,247,024	\$15,247,024
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TOTAL PUBLIC FUNDS	\$15,247,024	\$15,247,024	\$15,247,024
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290.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$6,853	\$6,853	\$6,853
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290.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$51,488)	(\$51,488)	(\$51,488)
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290.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$194)	(\$194)	(\$194)
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290.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$15,492)	(\$15,492)	(\$15,492)
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290.5 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$3,433	\$3,433	\$3,433
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290.6 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$5,672
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290.100-Payments to Georgia Public Telecommunications Commission	Appropriation (HB 684)
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The purpose of this appropriation is to create, produce, and distribute high quality programs and services that educate, inform, and entertain audiences, and enrich the quality of their lives.

TOTAL STATE FUNDS	\$15,190,136	\$15,190,136	\$15,195,808
State General Funds	\$15,190,136	\$15,190,136	\$15,195,808
TOTAL PUBLIC FUNDS	\$15,190,136	\$15,190,136	\$15,195,808

Section 42: Revenue, Department of

Section Total - Continuation

TOTAL STATE FUNDS	\$189,500,433	\$189,500,433	\$189,500,433
State General Funds	\$189,066,650	\$189,066,650	\$189,066,650
Tobacco Settlement Funds	\$433,783	\$433,783	\$433,783
TOTAL FEDERAL FUNDS	\$2,113,684	\$2,113,684	\$2,113,684
Federal Funds Not Itemized	\$1,594,786	\$1,594,786	\$1,594,786
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$518,898	\$518,898	\$518,898
TOTAL AGENCY FUNDS	\$1,891,921	\$1,891,921	\$1,891,921
Sales and Services	\$1,891,921	\$1,891,921	\$1,891,921
Sales and Services Not Itemized	\$1,891,921	\$1,891,921	\$1,891,921
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$257,711	\$257,711	\$257,711
State Funds Transfers	\$257,711	\$257,711	\$257,711
Agency to Agency Contracts	\$257,711	\$257,711	\$257,711
TOTAL PUBLIC FUNDS	\$193,763,749	\$193,763,749	\$193,763,749

	Section Total - Final		
TOTAL STATE FUNDS	\$190,409,483	\$190,409,483	\$190,415,365
State General Funds	\$189,975,700	\$189,975,700	\$189,981,582
Tobacco Settlement Funds	\$433,783	\$433,783	\$433,783
TOTAL FEDERAL FUNDS	\$2,113,684	\$2,113,684	\$2,113,684
Federal Funds Not Itemized	\$1,594,786	\$1,594,786	\$1,594,786
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$518,898	\$518,898	\$518,898
TOTAL AGENCY FUNDS	\$1,891,921	\$1,891,921	\$1,891,921
Sales and Services	\$1,891,921	\$1,891,921	\$1,891,921
Sales and Services Not Itemized	\$1,891,921	\$1,891,921	\$1,891,921
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$257,711	\$257,711	\$257,711
State Funds Transfers	\$257,711	\$257,711	\$257,711
Agency to Agency Contracts	\$257,711	\$257,711	\$257,711
TOTAL PUBLIC FUNDS	\$194,672,799	\$194,672,799	\$194,678,681

Departmental Administration (DOR)**Continuation Budget**

The purpose of this appropriation is to administer and enforce the tax laws of the State of Georgia and provide general support services to the operating programs of the Department of Revenue.

TOTAL STATE FUNDS	\$14,328,477	\$14,328,477	\$14,328,477
State General Funds	\$14,328,477	\$14,328,477	\$14,328,477
TOTAL PUBLIC FUNDS	\$14,328,477	\$14,328,477	\$14,328,477

291.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,695	\$3,695	\$3,695
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291.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$322)	(\$322)	(\$322)
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291.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$8,634)	(\$8,634)	(\$8,634)
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291.4 *Reduce funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	(\$2,934)	(\$2,934)	(\$2,934)
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291.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$5,882
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291.100-Departmental Administration (DOR)	Appropriation (HB 684)		
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The purpose of this appropriation is to administer and enforce the tax laws of the State of Georgia and provide general support services to the operating programs of the Department of Revenue.

TOTAL STATE FUNDS	\$14,320,282	\$14,320,282	\$14,326,164
State General Funds	\$14,320,282	\$14,320,282	\$14,326,164
TOTAL PUBLIC FUNDS	\$14,320,282	\$14,320,282	\$14,326,164

Forestland Protection Grants

Continuation Budget

The purpose of this appropriation is to provide reimbursement for preferential assessment of qualifying conservation use forestland to counties, municipalities, and school districts pursuant to O.C.G.A. 48-5A-2, the Forestland Protection Act, created by HB 1211 and HB 1276 during the 2008 legislative session.

TOTAL STATE FUNDS	\$14,072,351	\$14,072,351	\$14,072,351
State General Funds	\$14,072,351	\$14,072,351	\$14,072,351
TOTAL PUBLIC FUNDS	\$14,072,351	\$14,072,351	\$14,072,351

292.100-Forestland Protection Grants	Appropriation (HB 684)		
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The purpose of this appropriation is to provide reimbursement for preferential assessment of qualifying conservation use forestland to counties, municipalities, and school districts pursuant to O.C.G.A. 48-5A-2, the Forestland Protection Act, created by HB 1211 and HB 1276 during the 2008 legislative session.

TOTAL STATE FUNDS	\$14,072,351	\$14,072,351	\$14,072,351
State General Funds	\$14,072,351	\$14,072,351	\$14,072,351
TOTAL PUBLIC FUNDS	\$14,072,351	\$14,072,351	\$14,072,351

Industry Regulation

Continuation Budget

The purpose of this appropriation is to provide regulation of the distribution, sale, and consumption of alcoholic beverages, tobacco products; and conduct checkpoints in areas where reports indicate the use of dyed fuels in on-road vehicles.

TOTAL STATE FUNDS	\$7,624,064	\$7,624,064	\$7,624,064
State General Funds	\$7,190,281	\$7,190,281	\$7,190,281
Tobacco Settlement Funds	\$433,783	\$433,783	\$433,783
TOTAL FEDERAL FUNDS	\$1,280,859	\$1,280,859	\$1,280,859
Federal Funds Not Itemized	\$761,961	\$761,961	\$761,961
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$518,898	\$518,898	\$518,898
TOTAL AGENCY FUNDS	\$591,911	\$591,911	\$591,911
Sales and Services	\$591,911	\$591,911	\$591,911
Sales and Services Not Itemized	\$591,911	\$591,911	\$591,911
TOTAL PUBLIC FUNDS	\$9,496,834	\$9,496,834	\$9,496,834

293.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,390	\$1,390	\$1,390
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293.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$121)	(\$121)	(\$121)
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293.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$3,248)	(\$3,248)	(\$3,248)
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293.100-Industry Regulation

Appropriation (HB 684)

The purpose of this appropriation is to provide regulation of the distribution, sale, and consumption of alcoholic beverages, tobacco products; and conduct checkpoints in areas where reports indicate the use of dyed fuels in on-road vehicles.

TOTAL STATE FUNDS	\$7,622,085	\$7,622,085	\$7,622,085
State General Funds	\$7,188,302	\$7,188,302	\$7,188,302
Tobacco Settlement Funds	\$433,783	\$433,783	\$433,783
TOTAL FEDERAL FUNDS	\$1,280,859	\$1,280,859	\$1,280,859
Federal Funds Not Itemized	\$761,961	\$761,961	\$761,961
Prevention & Treatment of Substance Abuse Grant CFDA93.959	\$518,898	\$518,898	\$518,898
TOTAL AGENCY FUNDS	\$591,911	\$591,911	\$591,911
Sales and Services	\$591,911	\$591,911	\$591,911
Sales and Services Not Itemized	\$591,911	\$591,911	\$591,911
TOTAL PUBLIC FUNDS	\$9,494,855	\$9,494,855	\$9,494,855

Local Government Services**Continuation Budget**

The purpose of this appropriation is to assist local tax officials with the administration of state tax laws and administer the unclaimed property unit.

TOTAL STATE FUNDS	\$4,937,881	\$4,937,881	\$4,937,881
State General Funds	\$4,937,881	\$4,937,881	\$4,937,881
TOTAL AGENCY FUNDS	\$200,000	\$200,000	\$200,000
Sales and Services	\$200,000	\$200,000	\$200,000
Sales and Services Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL PUBLIC FUNDS	\$5,137,881	\$5,137,881	\$5,137,881

294.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,098	\$1,098	\$1,098
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294.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$96)	(\$96)	(\$96)
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294.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,566)	(\$2,566)	(\$2,566)
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294.100-Local Government Services**Appropriation (HB 684)**

The purpose of this appropriation is to assist local tax officials with the administration of state tax laws and administer the unclaimed property unit.

TOTAL STATE FUNDS	\$4,936,317	\$4,936,317	\$4,936,317
State General Funds	\$4,936,317	\$4,936,317	\$4,936,317
TOTAL AGENCY FUNDS	\$200,000	\$200,000	\$200,000
Sales and Services	\$200,000	\$200,000	\$200,000
Sales and Services Not Itemized	\$200,000	\$200,000	\$200,000
TOTAL PUBLIC FUNDS	\$5,136,317	\$5,136,317	\$5,136,317

Local Tax Officials Retirement and FICA**Continuation Budget**

The purpose of this appropriation is to provide state retirement benefits and employer share of FICA to local tax officials.

TOTAL STATE FUNDS	\$10,877,034	\$10,877,034	\$10,877,034
State General Funds	\$10,877,034	\$10,877,034	\$10,877,034
TOTAL PUBLIC FUNDS	\$10,877,034	\$10,877,034	\$10,877,034

295.100-Local Tax Officials Retirement and FICA	Appropriation (HB 684)		
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The purpose of this appropriation is to provide state retirement benefits and employer share of FICA to local tax officials.

TOTAL STATE FUNDS	\$10,877,034	\$10,877,034	\$10,877,034
State General Funds	\$10,877,034	\$10,877,034	\$10,877,034
TOTAL PUBLIC FUNDS	\$10,877,034	\$10,877,034	\$10,877,034

Motor Vehicle Registration and Titling

Continuation Budget

The purpose of this appropriation is to establish motor vehicle ownership by maintaining title and registration records and validate rebuilt vehicles for road-worthiness for new title issuance.

TOTAL STATE FUNDS	\$37,964,300	\$37,964,300	\$37,964,300
State General Funds	\$37,964,300	\$37,964,300	\$37,964,300
TOTAL PUBLIC FUNDS	\$37,964,300	\$37,964,300	\$37,964,300

296.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$3,036	\$5,063	\$5,063
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296.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$265)	(\$442)	(\$442)
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296.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$7,094)	(\$11,832)	(\$11,832)
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296.4 *Increase funds for telecommunications expenses.*

State General Funds	\$726,177	\$726,177	\$726,177
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296.5 *Increase funds for personnel for one customer service representative and one odometer fraud investigator.*

State General Funds	\$99,378	\$99,378	\$99,378
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296.6 *Utilize existing funds to conduct a feasibility study on internet connectivity associated with the implementation of DRIVES.*

(G: YES)(H and S: Transfer funds from the Revenue Processing program to the Motor Vehicle Registration and Titling program for DRIVES connectivity)

State General Funds	\$0	\$2,100,000	\$2,100,000
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296.7 *Transfer funds from the Revenue Processing program to the Motor Vehicle Registration and Titling program to allow for more efficient delivery of services.*

State General Funds		\$1,225,899	\$1,225,899
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296.100-Motor Vehicle Registration and Titling	Appropriation (HB 684)
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The purpose of this appropriation is to establish motor vehicle ownership by maintaining title and registration records and validate rebuilt vehicles for road-worthiness for new title issuance.

TOTAL STATE FUNDS	\$38,785,532	\$42,108,543	\$42,108,543
State General Funds	\$38,785,532	\$42,108,543	\$42,108,543
TOTAL PUBLIC FUNDS	\$38,785,532	\$42,108,543	\$42,108,543

Office of Special Investigations

Continuation Budget

The purpose of this appropriation is to investigate fraudulent taxpayer and criminal activities involving department efforts.

TOTAL STATE FUNDS	\$6,219,141	\$6,219,141	\$6,219,141
State General Funds	\$6,219,141	\$6,219,141	\$6,219,141
TOTAL FEDERAL FUNDS	\$58,879	\$58,879	\$58,879
Federal Funds Not Itemized	\$58,879	\$58,879	\$58,879
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$93,278	\$93,278	\$93,278
State Funds Transfers	\$93,278	\$93,278	\$93,278
Agency to Agency Contracts	\$93,278	\$93,278	\$93,278
TOTAL PUBLIC FUNDS	\$6,371,298	\$6,371,298	\$6,371,298

297.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,117	\$1,117	\$1,117
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297.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$97)	(\$97)	(\$97)
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297.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,610)	(\$2,610)	(\$2,610)
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297.100-Office of Special Investigations	Appropriation (HB 684)		
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The purpose of this appropriation is to investigate fraudulent taxpayer and criminal activities involving department efforts.

TOTAL STATE FUNDS	\$6,217,551	\$6,217,551	\$6,217,551
State General Funds	\$6,217,551	\$6,217,551	\$6,217,551
TOTAL FEDERAL FUNDS	\$58,879	\$58,879	\$58,879
Federal Funds Not Itemized	\$58,879	\$58,879	\$58,879
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$93,278	\$93,278	\$93,278
State Funds Transfers	\$93,278	\$93,278	\$93,278
Agency to Agency Contracts	\$93,278	\$93,278	\$93,278
TOTAL PUBLIC FUNDS	\$6,369,708	\$6,369,708	\$6,369,708

Revenue Processing

Continuation Budget

The purpose of this appropriation is to ensure that all tax payments are received, credited, and deposited according to sound business practices and the law, and to ensure that all tax returns are reviewed and recorded to accurately update taxpayer information.

TOTAL STATE FUNDS	\$14,124,112	\$14,124,112	\$14,124,112
State General Funds	\$14,124,112	\$14,124,112	\$14,124,112
TOTAL PUBLIC FUNDS	\$14,124,112	\$14,124,112	\$14,124,112

298.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,027	\$0	\$0
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298.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$177)	\$0	\$0
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298.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$4,738)	\$0	\$0
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298.4 *Transfer funds from the Revenue Processing program to the Motor Vehicle Registration and Titling and Taxpayer Services programs to allow for more efficient delivery of services.*

State General Funds		(\$14,124,112)	(\$14,124,112)
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298.100-Revenue Processing**Appropriation (HB 684)**

The purpose of this appropriation is to ensure that all tax payments are received, credited, and deposited according to sound business practices and the law, and to ensure that all tax returns are reviewed and recorded to accurately update taxpayer information.

TOTAL STATE FUNDS	\$14,121,224	\$0	\$0
State General Funds	\$14,121,224	\$0	\$0
TOTAL PUBLIC FUNDS	\$14,121,224	\$0	\$0

Tax Compliance**Continuation Budget**

The purpose of this appropriation is to audit tax accounts, ensure compliance, and collect on delinquent accounts.

TOTAL STATE FUNDS	\$60,148,170	\$60,148,170	\$60,148,170
State General Funds	\$60,148,170	\$60,148,170	\$60,148,170
TOTAL FEDERAL FUNDS	\$398,439	\$398,439	\$398,439
Federal Funds Not Itemized	\$398,439	\$398,439	\$398,439
TOTAL AGENCY FUNDS	\$1,100,010	\$1,100,010	\$1,100,010
Sales and Services	\$1,100,010	\$1,100,010	\$1,100,010
Sales and Services Not Itemized	\$1,100,010	\$1,100,010	\$1,100,010
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$164,433	\$164,433	\$164,433
State Funds Transfers	\$164,433	\$164,433	\$164,433
Agency to Agency Contracts	\$164,433	\$164,433	\$164,433
TOTAL PUBLIC FUNDS	\$61,811,052	\$61,811,052	\$61,811,052

299.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,513	\$1,513	\$1,513
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299.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$12,068	\$12,068	\$12,068
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299.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,052)	(\$1,052)	(\$1,052)
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299.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$28,203)	(\$28,203)	(\$28,203)
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299.100-Tax Compliance	Appropriation (HB 684)		
<i>The purpose of this appropriation is to audit tax accounts, ensure compliance, and collect on delinquent accounts.</i>			
TOTAL STATE FUNDS	\$60,132,496	\$60,132,496	\$60,132,496
State General Funds	\$60,132,496	\$60,132,496	\$60,132,496
TOTAL FEDERAL FUNDS	\$398,439	\$398,439	\$398,439
Federal Funds Not Itemized	\$398,439	\$398,439	\$398,439
TOTAL AGENCY FUNDS	\$1,100,010	\$1,100,010	\$1,100,010
Sales and Services	\$1,100,010	\$1,100,010	\$1,100,010
Sales and Services Not Itemized	\$1,100,010	\$1,100,010	\$1,100,010
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$164,433	\$164,433	\$164,433
State Funds Transfers	\$164,433	\$164,433	\$164,433
Agency to Agency Contracts	\$164,433	\$164,433	\$164,433
TOTAL PUBLIC FUNDS	\$61,795,378	\$61,795,378	\$61,795,378

Tax Policy**Continuation Budget**

The purpose of this appropriation is to conduct all administrative appeals of tax assessments; draft regulations for taxes collected by the department; support the State Board of Equalization; and draft letter rulings and provide research and analysis related to all tax law and policy inquiries.

TOTAL STATE FUNDS	\$4,324,227	\$4,324,227	\$4,324,227
State General Funds	\$4,324,227	\$4,324,227	\$4,324,227
TOTAL PUBLIC FUNDS	\$4,324,227	\$4,324,227	\$4,324,227

300.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$1,571	\$1,571	\$1,571
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300.2 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$1,162	\$1,162	\$1,162
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300.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$101)	(\$101)	(\$101)
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300.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$2,716)	(\$2,716)	(\$2,716)
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300.100-Tax Policy**Appropriation (HB 684)**

The purpose of this appropriation is to conduct all administrative appeals of tax assessments; draft regulations for taxes collected by the department; support the State Board of Equalization; and draft letter rulings and provide research and analysis related to all tax law and policy inquiries.

TOTAL STATE FUNDS	\$4,324,143	\$4,324,143	\$4,324,143
State General Funds	\$4,324,143	\$4,324,143	\$4,324,143
TOTAL PUBLIC FUNDS	\$4,324,143	\$4,324,143	\$4,324,143

Taxpayer Services**Continuation Budget**

The purpose of this appropriation is to provide assistance to customer inquiries about the administration of individual income tax, sales and use tax, withholding tax, corporate tax, motor fuel and motor carrier taxes, and all registration functions.

TOTAL STATE FUNDS	\$14,880,676	\$14,880,676	\$14,880,676
State General Funds	\$14,880,676	\$14,880,676	\$14,880,676
TOTAL FEDERAL FUNDS	\$375,507	\$375,507	\$375,507
Federal Funds Not Itemized	\$375,507	\$375,507	\$375,507
TOTAL PUBLIC FUNDS	\$15,256,183	\$15,256,183	\$15,256,183

301.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,475	\$2,475	\$2,475
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301.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$216)	(\$216)	(\$216)
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301.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$5,785)	(\$5,785)	(\$5,785)
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301.4 *Increase funds for personnel for two tax examiner positions to address increased workload associated with processing business tax credits.*

State General Funds	\$123,318	\$123,318	\$123,318
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301.5 *Transfer funds from the Revenue Processing program to the Taxpayer Services program to allow for more efficient delivery of services.*

State General Funds		\$10,798,213	\$10,798,213
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301.100-Taxpayer Services **Appropriation (HB 684)**

The purpose of this appropriation is to provide assistance to customer inquiries about the administration of individual income tax, sales and use tax, withholding tax, corporate tax, motor fuel and motor carrier taxes, and all registration functions.

TOTAL STATE FUNDS	\$15,000,468	\$25,798,681	\$25,798,681
State General Funds	\$15,000,468	\$25,798,681	\$25,798,681
TOTAL FEDERAL FUNDS	\$375,507	\$375,507	\$375,507
Federal Funds Not Itemized	\$375,507	\$375,507	\$375,507
TOTAL PUBLIC FUNDS	\$15,375,975	\$26,174,188	\$26,174,188

Section 43: Secretary of State

Section Total - Continuation

TOTAL STATE FUNDS	\$25,007,289	\$25,007,289	\$25,007,289
State General Funds	\$25,007,289	\$25,007,289	\$25,007,289
TOTAL FEDERAL FUNDS	\$325,000	\$325,000	\$325,000
Federal Funds Not Itemized	\$325,000	\$325,000	\$325,000
TOTAL AGENCY FUNDS	\$4,425,596	\$4,425,596	\$4,425,596
Contributions, Donations, and Forfeitures	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures Not Itemized	\$20,000	\$20,000	\$20,000
Sales and Services	\$4,405,596	\$4,405,596	\$4,405,596
Sales and Services Not Itemized	\$4,405,596	\$4,405,596	\$4,405,596
TOTAL PUBLIC FUNDS	\$29,757,885	\$29,757,885	\$29,757,885

Section Total - Final

TOTAL STATE FUNDS	\$24,947,149	\$24,947,149	\$25,065,128
State General Funds	\$24,947,149	\$24,947,149	\$25,065,128
TOTAL FEDERAL FUNDS	\$325,000	\$325,000	\$325,000
Federal Funds Not Itemized	\$325,000	\$325,000	\$325,000
TOTAL AGENCY FUNDS	\$4,425,596	\$4,425,596	\$4,425,596
Contributions, Donations, and Forfeitures	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures Not Itemized	\$20,000	\$20,000	\$20,000
Sales and Services	\$4,405,596	\$4,405,596	\$4,405,596
Sales and Services Not Itemized	\$4,405,596	\$4,405,596	\$4,405,596
TOTAL PUBLIC FUNDS	\$29,697,745	\$29,697,745	\$29,815,724

Corporations

Continuation Budget

The purpose of this appropriation is to accept and review filings made pursuant to statutes; to issue certifications of records on file; and to provide general information to the public on all filed entities.

TOTAL STATE FUNDS	\$442,548	\$442,548	\$442,548
State General Funds	\$442,548	\$442,548	\$442,548
TOTAL AGENCY FUNDS	\$3,775,096	\$3,775,096	\$3,775,096
Sales and Services	\$3,775,096	\$3,775,096	\$3,775,096
Sales and Services Not Itemized	\$3,775,096	\$3,775,096	\$3,775,096
TOTAL PUBLIC FUNDS	\$4,217,644	\$4,217,644	\$4,217,644

302.100-Corporations

Appropriation (HB 684)

The purpose of this appropriation is to accept and review filings made pursuant to statutes; to issue certifications of records on file; and to provide general information to the public on all filed entities.

TOTAL STATE FUNDS	\$442,548	\$442,548	\$442,548
State General Funds	\$442,548	\$442,548	\$442,548
TOTAL AGENCY FUNDS	\$3,775,096	\$3,775,096	\$3,775,096
Sales and Services	\$3,775,096	\$3,775,096	\$3,775,096
Sales and Services Not Itemized	\$3,775,096	\$3,775,096	\$3,775,096
TOTAL PUBLIC FUNDS	\$4,217,644	\$4,217,644	\$4,217,644

Elections

Continuation Budget

The purpose of this appropriation is to administer all duties imposed upon the Secretary of State by providing all required filing and public information services, performing all certification and commissioning duties required by law, and assisting candidates, local governments, and citizens in interpreting and complying with all election, voter registration, and financial disclosure laws.

TOTAL STATE FUNDS	\$5,487,702	\$5,487,702	\$5,487,702
State General Funds	\$5,487,702	\$5,487,702	\$5,487,702
TOTAL FEDERAL FUNDS	\$325,000	\$325,000	\$325,000
Federal Funds Not Itemized	\$325,000	\$325,000	\$325,000
TOTAL AGENCY FUNDS	\$50,000	\$50,000	\$50,000
Sales and Services	\$50,000	\$50,000	\$50,000
Sales and Services Not Itemized	\$50,000	\$50,000	\$50,000

TOTAL PUBLIC FUNDS	\$5,862,702	\$5,862,702	\$5,862,702
303.1 <i>Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.</i>			
State General Funds	(\$5,239)	(\$5,239)	(\$5,239)
303.2 <i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
State General Funds	(\$480)	(\$480)	(\$480)
303.3 <i>Reduce funds to reflect an adjustment in TeamWorks billings.</i>			
State General Funds	(\$4,391)	(\$4,391)	(\$4,391)
303.4 <i>Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.</i>			
State General Funds	\$1,534	\$1,534	\$1,534

303.100-Elections	Appropriation (HB 684)
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The purpose of this appropriation is to administer all duties imposed upon the Secretary of State by providing all required filing and public information services, performing all certification and commissioning duties required by law, and assisting candidates, local governments, and citizens in interpreting and complying with all election, voter registration, and financial disclosure laws.

TOTAL STATE FUNDS	\$5,479,126	\$5,479,126	\$5,479,126
State General Funds	\$5,479,126	\$5,479,126	\$5,479,126
TOTAL FEDERAL FUNDS	\$325,000	\$325,000	\$325,000
Federal Funds Not Itemized	\$325,000	\$325,000	\$325,000
TOTAL AGENCY FUNDS	\$50,000	\$50,000	\$50,000
Sales and Services	\$50,000	\$50,000	\$50,000
Sales and Services Not Itemized	\$50,000	\$50,000	\$50,000
TOTAL PUBLIC FUNDS	\$5,854,126	\$5,854,126	\$5,854,126

Investigations

Continuation Budget

The purpose of this appropriation is to enforce the laws and regulations related to professional licenses, elections, and securities; to investigate complaints; and to conduct inspections of applicants and existing license holders.

TOTAL STATE FUNDS	\$3,121,038	\$3,121,038	\$3,121,038
State General Funds	\$3,121,038	\$3,121,038	\$3,121,038
TOTAL PUBLIC FUNDS	\$3,121,038	\$3,121,038	\$3,121,038

304.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$6,108)	(\$6,108)	(\$6,108)
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304.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$559)	(\$559)	(\$559)
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304.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$5,121)	(\$5,121)	(\$5,121)
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304.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,789	\$1,789	\$1,789
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304.100-Investigations	Appropriation (HB 684)
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The purpose of this appropriation is to enforce the laws and regulations related to professional licenses, elections, and securities; to investigate complaints; and to conduct inspections of applicants and existing license holders.

TOTAL STATE FUNDS	\$3,111,039	\$3,111,039	\$3,111,039
State General Funds	\$3,111,039	\$3,111,039	\$3,111,039
TOTAL PUBLIC FUNDS	\$3,111,039	\$3,111,039	\$3,111,039

Office Administration (SOS)

Continuation Budget

The purpose of this appropriation is to provide administrative support to the Office of Secretary of State and its attached agencies.

TOTAL STATE FUNDS	\$3,389,703	\$3,389,703	\$3,389,703
State General Funds	\$3,389,703	\$3,389,703	\$3,389,703
TOTAL AGENCY FUNDS	\$5,500	\$5,500	\$5,500
Sales and Services	\$5,500	\$5,500	\$5,500
Sales and Services Not Itemized	\$5,500	\$5,500	\$5,500
TOTAL PUBLIC FUNDS	\$3,395,203	\$3,395,203	\$3,395,203

305.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$5,850)	(\$5,850)	(\$5,850)
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305.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$536)	(\$536)	(\$536)
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305.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$4,905)	(\$4,905)	(\$4,905)
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305.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,713	\$1,713	\$1,713
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305.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$32,979
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305.100-Office Administration (SOS)	Appropriation (HB 684)		
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The purpose of this appropriation is to provide administrative support to the Office of Secretary of State and its attached agencies.

TOTAL STATE FUNDS	\$3,380,125	\$3,380,125	\$3,413,104
State General Funds	\$3,380,125	\$3,380,125	\$3,413,104
TOTAL AGENCY FUNDS	\$5,500	\$5,500	\$5,500
Sales and Services	\$5,500	\$5,500	\$5,500
Sales and Services Not Itemized	\$5,500	\$5,500	\$5,500
TOTAL PUBLIC FUNDS	\$3,385,625	\$3,385,625	\$3,418,604

Professional Licensing Boards

Continuation Budget

The purpose of this appropriation is to protect the public health and welfare by supporting all operations of Boards which license professions.

TOTAL STATE FUNDS	\$8,479,759	\$8,479,759	\$8,479,759
State General Funds	\$8,479,759	\$8,479,759	\$8,479,759
TOTAL AGENCY FUNDS	\$400,000	\$400,000	\$400,000
Sales and Services	\$400,000	\$400,000	\$400,000
Sales and Services Not Itemized	\$400,000	\$400,000	\$400,000
TOTAL PUBLIC FUNDS	\$8,879,759	\$8,879,759	\$8,879,759

306.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$15,690)	(\$15,690)	(\$15,690)
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306.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,437)	(\$1,437)	(\$1,437)
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306.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$13,153)	(\$13,153)	(\$13,153)
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306.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$4,592	\$4,592	\$4,592
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306.100-Professional Licensing Boards

Appropriation (HB 684)

The purpose of this appropriation is to protect the public health and welfare by supporting all operations of Boards which license professions.

TOTAL STATE FUNDS	\$8,454,071	\$8,454,071	\$8,454,071
State General Funds	\$8,454,071	\$8,454,071	\$8,454,071
TOTAL AGENCY FUNDS	\$400,000	\$400,000	\$400,000
Sales and Services	\$400,000	\$400,000	\$400,000
Sales and Services Not Itemized	\$400,000	\$400,000	\$400,000
TOTAL PUBLIC FUNDS	\$8,854,071	\$8,854,071	\$8,854,071

Securities

Continuation Budget

The purpose of this appropriation is to provide for the administration and enforcement of the Georgia Securities Act, the Georgia Charitable Solicitations Act, and the Georgia Cemetery Act. Functions under each act include registration, examinations, investigation, and administrative enforcement actions.

TOTAL STATE FUNDS	\$699,859	\$699,859	\$699,859
State General Funds	\$699,859	\$699,859	\$699,859
TOTAL AGENCY FUNDS	\$25,000	\$25,000	\$25,000
Sales and Services	\$25,000	\$25,000	\$25,000
Sales and Services Not Itemized	\$25,000	\$25,000	\$25,000
TOTAL PUBLIC FUNDS	\$724,859	\$724,859	\$724,859

307.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,141)	(\$1,141)	(\$1,141)
307.2 <i>Reduce funds to reflect an adjustment in merit system assessments.</i>			
State General Funds	(\$105)	(\$105)	(\$105)
307.3 <i>Reduce funds to reflect an adjustment in TeamWorks billings.</i>			
State General Funds	(\$957)	(\$957)	(\$957)
307.4 <i>Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.</i>			
State General Funds	\$334	\$334	\$334

307.100-Securities**Appropriation (HB 684)**

The purpose of this appropriation is to provide for the administration and enforcement of the Georgia Securities Act, the Georgia Charitable Solicitations Act, and the Georgia Cemetery Act. Functions under each act include registration, examinations, investigation, and administrative enforcement actions.

TOTAL STATE FUNDS	\$697,990	\$697,990	\$697,990
State General Funds	\$697,990	\$697,990	\$697,990
TOTAL AGENCY FUNDS	\$25,000	\$25,000	\$25,000
Sales and Services	\$25,000	\$25,000	\$25,000
Sales and Services Not Itemized	\$25,000	\$25,000	\$25,000
TOTAL PUBLIC FUNDS	\$722,990	\$722,990	\$722,990

Commission on the Holocaust, Georgia**Continuation Budget**

The purpose of this appropriation is to teach the lessons of the Holocaust to present and future generations of Georgians in order to create an awareness of the enormity of the crimes of prejudice and inhumanity.

TOTAL STATE FUNDS	\$279,627	\$279,627	\$279,627
State General Funds	\$279,627	\$279,627	\$279,627
TOTAL AGENCY FUNDS	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures Not Itemized	\$20,000	\$20,000	\$20,000
TOTAL PUBLIC FUNDS	\$299,627	\$299,627	\$299,627

308.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$720)	(\$720)	(\$720)
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308.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$17)	(\$17)	(\$17)
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308.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$462)	(\$462)	(\$462)
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308.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,564	\$2,564	\$2,564
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308.5 *Increase funds for operations.*

State General Funds			\$85,000
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308.100-Commission on the Holocaust, Georgia	Appropriation (HB 684)
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The purpose of this appropriation is to teach the lessons of the Holocaust to present and future generations of Georgians in order to create an awareness of the enormity of the crimes of prejudice and inhumanity.

TOTAL STATE FUNDS	\$280,992	\$280,992	\$365,992
State General Funds	\$280,992	\$280,992	\$365,992
TOTAL AGENCY FUNDS	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures	\$20,000	\$20,000	\$20,000
Contributions, Donations, and Forfeitures Not Itemized	\$20,000	\$20,000	\$20,000
TOTAL PUBLIC FUNDS	\$300,992	\$300,992	\$385,992

Real Estate Commission

Continuation Budget

The purpose of this appropriation is to administer the license law for real estate brokers and salespersons, and provide administrative support to the Georgia Real Estate Appraisers Board in their administration of the Real Estate Appraisal Act.

TOTAL STATE FUNDS	\$3,107,053	\$3,107,053	\$3,107,053
State General Funds	\$3,107,053	\$3,107,053	\$3,107,053
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000

Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$3,257,053	\$3,257,053	\$3,257,053

309.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$4,286)	(\$4,286)	(\$4,286)
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309.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$14)	(\$14)	(\$14)
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309.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$4,300)	(\$4,300)	(\$4,300)
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309.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,805	\$2,805	\$2,805
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309.100-Real Estate Commission	Appropriation (HB 684)		
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The purpose of this appropriation is to administer the license law for real estate brokers and salespersons, and provide administrative support to the Georgia Real Estate Appraisers Board in their administration of the Real Estate Appraisal Act.

TOTAL STATE FUNDS	\$3,101,258	\$3,101,258	\$3,101,258
State General Funds	\$3,101,258	\$3,101,258	\$3,101,258
TOTAL AGENCY FUNDS	\$150,000	\$150,000	\$150,000
Sales and Services	\$150,000	\$150,000	\$150,000
Sales and Services Not Itemized	\$150,000	\$150,000	\$150,000
TOTAL PUBLIC FUNDS	\$3,251,258	\$3,251,258	\$3,251,258

Section 44: Student Finance Commission and Authority, Georgia

Section Total - Continuation

TOTAL STATE FUNDS	\$879,685,290	\$879,685,290	\$879,685,290
State General Funds	\$113,565,752	\$113,565,752	\$113,565,752
Lottery Proceeds	\$766,119,538	\$766,119,538	\$766,119,538
TOTAL FEDERAL FUNDS	\$38,650	\$38,650	\$38,650
Federal Funds Not Itemized	\$38,650	\$38,650	\$38,650
TOTAL AGENCY FUNDS	\$1,000,000	\$1,000,000	\$1,000,000

Sales and Services	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services Not Itemized	\$1,000,000	\$1,000,000	\$1,000,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$600,000	\$600,000	\$600,000
State Funds Transfers	\$600,000	\$600,000	\$600,000
Agency to Agency Contracts	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$881,323,940	\$881,323,940	\$881,323,940

Section Total - Final

TOTAL STATE FUNDS	\$984,744,895	\$976,088,325	\$975,838,325
State General Funds	\$150,533,109	\$141,876,539	\$141,626,539
Lottery Proceeds	\$834,211,786	\$834,211,786	\$834,211,786
TOTAL FEDERAL FUNDS	\$38,650	\$38,650	\$38,650
Federal Funds Not Itemized	\$38,650	\$38,650	\$38,650
TOTAL AGENCY FUNDS	\$2,278,261	\$9,778,261	\$10,028,261
Sales and Services	\$2,278,261	\$9,778,261	\$10,028,261
Sales and Services Not Itemized	\$2,278,261	\$9,778,261	\$10,028,261
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$600,000	\$600,000	\$600,000
State Funds Transfers	\$600,000	\$600,000	\$600,000
Agency to Agency Contracts	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$987,661,806	\$986,505,236	\$986,505,236

Dual Enrollment

Continuation Budget

The purpose of this appropriation is to allow students to pursue post-secondary study at approved public and private post-secondary institutions, while receiving dual high school and college credit for courses successfully completed.

TOTAL STATE FUNDS	\$78,839,337	\$78,839,337	\$78,839,337
State General Funds	\$78,839,337	\$78,839,337	\$78,839,337
TOTAL PUBLIC FUNDS	\$78,839,337	\$78,839,337	\$78,839,337

310.1 *Increase funds to meet the projected need. (H:Increase funds to meet the projected need based on the implementation of a 15-credit hour per student per semester rate and a policy requiring that courses be taught by higher education faculty not directly employed by a high school effective January 1, 2019)(S:Increase funds to meet the projected need)*

State General Funds	\$34,379,357	\$26,722,787	\$26,722,787
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310.2 *Eliminate the transportation grant and reflect funds in the Department of Education Pupil Transportation program for school bus replacement.*

State General Funds		(\$500,000)	(\$500,000)
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310.98 *Change the name of the Move on When Ready program to the Dual Enrollment program. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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310.99 SAC: *The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions, while receiving dual high school and college credit for courses successfully completed.*

House: *The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions, while receiving dual high school and college credit for courses successfully completed.*

Governor: *The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions, while receiving dual high school and college credit for courses successfully completed.*

State General Funds	\$0	\$0	\$0
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310.100-Dual Enrollment	Appropriation (HB 684)
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The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions, while receiving dual high school and college credit for courses successfully completed.

TOTAL STATE FUNDS	\$113,218,694	\$105,062,124	\$105,062,124
State General Funds	\$113,218,694	\$105,062,124	\$105,062,124
TOTAL PUBLIC FUNDS	\$113,218,694	\$105,062,124	\$105,062,124

Engineer Scholarship	Continuation Budget
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The purpose of this appropriation is to provide forgivable loans to Georgia residents who are engineering students at Mercer University (Macon campus) and retain those students as engineers in the State.

TOTAL STATE FUNDS	\$1,060,500	\$1,060,500	\$1,060,500
State General Funds	\$1,060,500	\$1,060,500	\$1,060,500
TOTAL PUBLIC FUNDS	\$1,060,500	\$1,060,500	\$1,060,500

311.100-Engineer Scholarship	Appropriation (HB 684)
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The purpose of this appropriation is to provide forgivable loans to Georgia residents who are engineering students at Mercer University (Macon campus) and retain those students as engineers in the State.

TOTAL STATE FUNDS	\$1,060,500	\$1,060,500	\$1,060,500
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State General Funds	\$1,060,500	\$1,060,500	\$1,060,500
TOTAL PUBLIC FUNDS	\$1,060,500	\$1,060,500	\$1,060,500

Georgia Military College Scholarship**Continuation Budget**

The purpose of this appropriation is to provide outstanding students with a full scholarship to attend Georgia Military College, thereby strengthening Georgia's National Guard with their membership.

TOTAL STATE FUNDS	\$1,203,240	\$1,203,240	\$1,203,240
State General Funds	\$1,203,240	\$1,203,240	\$1,203,240
TOTAL PUBLIC FUNDS	\$1,203,240	\$1,203,240	\$1,203,240

312.100-Georgia Military College Scholarship**Appropriation (HB 684)**

The purpose of this appropriation is to provide outstanding students with a full scholarship to attend Georgia Military College, thereby strengthening Georgia's National Guard with their membership.

TOTAL STATE FUNDS	\$1,203,240	\$1,203,240	\$1,203,240
State General Funds	\$1,203,240	\$1,203,240	\$1,203,240
TOTAL PUBLIC FUNDS	\$1,203,240	\$1,203,240	\$1,203,240

HERO Scholarship**Continuation Budget**

The purpose of this appropriation is to provide educational grant assistance to members of the Georgia National Guard and U.S. Military Reservists who served in combat zones and the spouses and children of such members.

TOTAL STATE FUNDS	\$700,000	\$700,000	\$700,000
State General Funds	\$700,000	\$700,000	\$700,000
TOTAL PUBLIC FUNDS	\$700,000	\$700,000	\$700,000

313.100-HERO Scholarship**Appropriation (HB 684)**

The purpose of this appropriation is to provide educational grant assistance to members of the Georgia National Guard and U.S. Military Reservists who served in combat zones and the spouses and children of such members.

TOTAL STATE FUNDS	\$700,000	\$700,000	\$700,000
State General Funds	\$700,000	\$700,000	\$700,000
TOTAL PUBLIC FUNDS	\$700,000	\$700,000	\$700,000

HOPE Administration**Continuation Budget**

The purpose of this appropriation is to provide scholarships that reward students with financial assistance in degree, diploma, and certificate programs at eligible Georgia public and private colleges and universities, and public technical colleges.

TOTAL STATE FUNDS	\$8,867,180	\$8,867,180	\$8,867,180
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$8,867,180	\$8,867,180	\$8,867,180
TOTAL FEDERAL FUNDS	\$38,650	\$38,650	\$38,650
Federal Funds Not Itemized	\$38,650	\$38,650	\$38,650
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$600,000	\$600,000	\$600,000
State Funds Transfers	\$600,000	\$600,000	\$600,000
Agency to Agency Contracts	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$9,505,830	\$9,505,830	\$9,505,830

314.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

Lottery Proceeds	\$13,146	\$13,146	\$13,146
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314.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

Lottery Proceeds	(\$25,285)	(\$25,285)	(\$25,285)
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314.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

Lottery Proceeds	(\$231)	(\$231)	(\$231)
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314.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

Lottery Proceeds	\$11,056	\$11,056	\$11,056
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314.100-HOPE Administration**Appropriation (HB 684)**

The purpose of this appropriation is to provide scholarships that reward students with financial assistance in degree, diploma, and certificate programs at eligible Georgia public and private colleges and universities, and public technical colleges.

TOTAL STATE FUNDS	\$8,865,866	\$8,865,866	\$8,865,866
Lottery Proceeds	\$8,865,866	\$8,865,866	\$8,865,866
TOTAL FEDERAL FUNDS	\$38,650	\$38,650	\$38,650
Federal Funds Not Itemized	\$38,650	\$38,650	\$38,650

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$600,000	\$600,000	\$600,000
State Funds Transfers	\$600,000	\$600,000	\$600,000
Agency to Agency Contracts	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$9,504,516	\$9,504,516	\$9,504,516

HOPE GED**Continuation Budget**

The purpose of this program is to encourage Georgia's General Educational Development (GED) recipients to pursue education beyond the high school level at an eligible postsecondary institution located in Georgia.

TOTAL STATE FUNDS	\$1,930,296	\$1,930,296	\$1,930,296
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$1,930,296	\$1,930,296	\$1,930,296
TOTAL PUBLIC FUNDS	\$1,930,296	\$1,930,296	\$1,930,296

315.100-HOPE GED**Appropriation (HB 684)**

The purpose of this program is to encourage Georgia's General Educational Development (GED) recipients to pursue education beyond the high school level at an eligible postsecondary institution located in Georgia.

TOTAL STATE FUNDS	\$1,930,296	\$1,930,296	\$1,930,296
Lottery Proceeds	\$1,930,296	\$1,930,296	\$1,930,296
TOTAL PUBLIC FUNDS	\$1,930,296	\$1,930,296	\$1,930,296

HOPE Grant**Continuation Budget**

The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public post-secondary institution.

TOTAL STATE FUNDS	\$109,059,989	\$109,059,989	\$109,059,989
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$109,059,989	\$109,059,989	\$109,059,989
TOTAL PUBLIC FUNDS	\$109,059,989	\$109,059,989	\$109,059,989

316.1 *Utilize existing funds (\$1,224,748) to increase the HOPE Grant award amount by 3%. (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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316.99 SAC: *The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.*

House: *The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.*

Governor: *The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.*

State General Funds	\$0	\$0	\$0
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316.100-HOPE Grant	Appropriation (HB 684)
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The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.

TOTAL STATE FUNDS	\$109,059,989	\$109,059,989	\$109,059,989
Lottery Proceeds	\$109,059,989	\$109,059,989	\$109,059,989
TOTAL PUBLIC FUNDS	\$109,059,989	\$109,059,989	\$109,059,989

HOPE Scholarships - Private Schools

Continuation Budget

The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private post-secondary institution.

TOTAL STATE FUNDS	\$48,431,771	\$48,431,771	\$48,431,771
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$48,431,771	\$48,431,771	\$48,431,771
TOTAL PUBLIC FUNDS	\$48,431,771	\$48,431,771	\$48,431,771

317.1 *Increase the award amount for HOPE Scholarships - Private Schools by 3% (\$1,200,040) and increase funds to meet the projected need (\$1,452,979).*

Lottery Proceeds	\$2,653,019	\$2,653,019	\$2,653,019
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317.2 *Increase funds to meet the projected need for Zell Miller Scholarship students attending private postsecondary institutions.*

Lottery Proceeds	\$91,451	\$91,451	\$91,451
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317.99 SAC: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.*

House: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.*

Governor: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.*

State General Funds	\$0	\$0	\$0
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317.100-HOPE Scholarships - Private Schools	Appropriation (HB 684)
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The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.

TOTAL STATE FUNDS	\$51,176,241	\$51,176,241	\$51,176,241
Lottery Proceeds	\$51,176,241	\$51,176,241	\$51,176,241
TOTAL PUBLIC FUNDS	\$51,176,241	\$51,176,241	\$51,176,241

HOPE Scholarships - Public Schools

Continuation Budget

The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public post-secondary institution.

TOTAL STATE FUNDS	\$571,830,302	\$571,830,302	\$571,830,302
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$571,830,302	\$571,830,302	\$571,830,302
TOTAL PUBLIC FUNDS	\$571,830,302	\$571,830,302	\$571,830,302

318.1 *Increase the award amount for HOPE Scholarships - Public Schools by 3% (\$11,811,928) and increase funds to meet the projected need (\$23,879,358).*

Lottery Proceeds	\$35,691,286	\$35,691,286	\$35,691,286
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318.2 *Increase funds to meet the projected need for Zell Miller Scholarship students attending public postsecondary institutions.*

Lottery Proceeds	\$29,657,806	\$29,657,806	\$29,657,806
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318.99 SAC: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.*

House: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.*

Governor: *The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.*

State General Funds	\$0	\$0	\$0
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318.100-HOPE Scholarships - Public Schools	Appropriation (HB 684)
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The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.

TOTAL STATE FUNDS	\$637,179,394	\$637,179,394	\$637,179,394
Lottery Proceeds	\$637,179,394	\$637,179,394	\$637,179,394
TOTAL PUBLIC FUNDS	\$637,179,394	\$637,179,394	\$637,179,394

Low Interest Loans

Continuation Budget

The purpose of this appropriation is to implement a low-interest loan program to assist with the affordability of a college or technical college education, encourage timely persistence to the achievement of postsecondary credentials, and to incentivize loan recipients to work in public service. The loans are forgivable for recipients who work in certain critical need occupations. The purpose of this appropriation is also to provide loans for students eligible under O.C.G.A. 20-3-400.2(e.1).

TOTAL STATE FUNDS	\$26,000,000	\$26,000,000	\$26,000,000
State General Funds	\$0	\$0	\$0
Lottery Proceeds	\$26,000,000	\$26,000,000	\$26,000,000
TOTAL AGENCY FUNDS	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services	\$1,000,000	\$1,000,000	\$1,000,000
Sales and Services Not Itemized	\$1,000,000	\$1,000,000	\$1,000,000
TOTAL PUBLIC FUNDS	\$27,000,000	\$27,000,000	\$27,000,000

319.1 *Recognize and reinvest loan principal repayments and interest revenue to provide additional loans.*

Sales and Services Not Itemized	\$7,000,000	\$7,000,000
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319.100-Low Interest Loans	Appropriation (HB 684)
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The purpose of this appropriation is to implement a low-interest loan program to assist with the affordability of a college or technical college education, encourage timely persistence to the achievement of postsecondary credentials, and to incentivize loan recipients to work in public service. The loans are forgivable for recipients who work in certain critical need occupations. The purpose of this appropriation is also to provide loans for students eligible under O.C.G.A. 20-3-400.2(e.1).

TOTAL STATE FUNDS	\$26,000,000	\$26,000,000	\$26,000,000
Lottery Proceeds	\$26,000,000	\$26,000,000	\$26,000,000
TOTAL AGENCY FUNDS	\$1,000,000	\$8,000,000	\$8,000,000
Sales and Services	\$1,000,000	\$8,000,000	\$8,000,000
Sales and Services Not Itemized	\$1,000,000	\$8,000,000	\$8,000,000
TOTAL PUBLIC FUNDS	\$27,000,000	\$34,000,000	\$34,000,000

North Georgia Military Scholarship Grants

Continuation Budget

The purpose of this appropriation is to provide outstanding students with a full scholarship to attend the University of North Georgia, thereby strengthening Georgia's Army National Guard with their membership.

TOTAL STATE FUNDS	\$3,037,740	\$3,037,740	\$3,037,740
State General Funds	\$3,037,740	\$3,037,740	\$3,037,740
TOTAL PUBLIC FUNDS	\$3,037,740	\$3,037,740	\$3,037,740

320.100-North Georgia Military Scholarship Grants

Appropriation (HB 684)

The purpose of this appropriation is to provide outstanding students with a full scholarship to attend the University of North Georgia, thereby strengthening Georgia's Army National Guard with their membership.

TOTAL STATE FUNDS	\$3,037,740	\$3,037,740	\$3,037,740
State General Funds	\$3,037,740	\$3,037,740	\$3,037,740
TOTAL PUBLIC FUNDS	\$3,037,740	\$3,037,740	\$3,037,740

North Georgia ROTC Grants

Continuation Budget

The purpose of this appropriation is to provide Georgia residents with non-repayable financial assistance to attend the University of North Georgia and to participate in the Reserve Officers Training Corps program.

TOTAL STATE FUNDS	\$1,237,500	\$1,237,500	\$1,237,500
State General Funds	\$1,237,500	\$1,237,500	\$1,237,500
TOTAL PUBLIC FUNDS	\$1,237,500	\$1,237,500	\$1,237,500

321.100-North Georgia ROTC Grants

Appropriation (HB 684)

The purpose of this appropriation is to provide Georgia residents with non-repayable financial assistance to attend the University of North Georgia and to participate in the Reserve Officers Training Corps program.

TOTAL STATE FUNDS	\$1,237,500	\$1,237,500	\$1,237,500
State General Funds	\$1,237,500	\$1,237,500	\$1,237,500
TOTAL PUBLIC FUNDS	\$1,237,500	\$1,237,500	\$1,237,500

Public Safety Memorial Grant**Continuation Budget**

The purpose of this appropriation is to provide educational grant assistance to the children of Georgia law enforcement officers, fire fighters, EMTs, correctional officers, and prison guards who were permanently disabled or killed in the line of duty, to attend a public or private postsecondary institution in the State of Georgia.

TOTAL STATE FUNDS	\$600,000	\$600,000	\$600,000
State General Funds	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$600,000	\$600,000	\$600,000

322.100-Public Safety Memorial Grant**Appropriation (HB 684)**

The purpose of this appropriation is to provide educational grant assistance to the children of Georgia law enforcement officers, fire fighters, EMTs, correctional officers, and prison guards who were permanently disabled or killed in the line of duty, to attend a public or private postsecondary institution in the State of Georgia.

TOTAL STATE FUNDS	\$600,000	\$600,000	\$600,000
State General Funds	\$600,000	\$600,000	\$600,000
TOTAL PUBLIC FUNDS	\$600,000	\$600,000	\$600,000

REACH Georgia Scholarship**Continuation Budget**

The purpose of this appropriation is to provide needs-based scholarships to selected students participating in the REACH Georgia mentorship and scholarship program, which encourages and supports academically promising middle and high school students in their educational pursuits.

TOTAL STATE FUNDS	\$2,750,000	\$2,750,000	\$2,750,000
State General Funds	\$2,750,000	\$2,750,000	\$2,750,000
TOTAL PUBLIC FUNDS	\$2,750,000	\$2,750,000	\$2,750,000

323.1 Increase funds to provide 226 additional scholarships statewide and expand into 44 new school systems.

State General Funds	\$1,838,000	\$1,838,000	\$1,838,000
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323.100-REACH Georgia Scholarship **Appropriation (HB 684)**

The purpose of this appropriation is to provide needs-based scholarships to selected students participating in the REACH Georgia mentorship and scholarship program, which encourages and supports academically promising middle and high school students in their educational pursuits.

TOTAL STATE FUNDS	\$4,588,000	\$4,588,000	\$4,588,000
State General Funds	\$4,588,000	\$4,588,000	\$4,588,000
TOTAL PUBLIC FUNDS	\$4,588,000	\$4,588,000	\$4,588,000

Service Cancelable Loans

Continuation Budget

The purpose of this appropriation is to provide service cancelable loans as authorized in statute including programs for large animal veterinarians and Georgia National Guard members.

TOTAL STATE FUNDS	\$300,000	\$300,000	\$300,000
State General Funds	\$300,000	\$300,000	\$300,000
TOTAL PUBLIC FUNDS	\$300,000	\$300,000	\$300,000

324.1 *Increase funds for the Georgia National Guard service cancelable loan to provide additional awards and expand program eligibility to include graduate degree programs. (H:Increase funds and utilize deferred revenue for the Georgia National Guard Service cancelable loan to provide additional awards for graduate and undergraduate degree programs)(S:Utilize deferred revenue for the Georgia National Guard Service cancelable loan to provide additional awards for graduate and undergraduate degree programs)*

State General Funds	\$750,000	\$250,000	\$0
Sales and Services Not Itemized		\$500,000	\$750,000
Total Public Funds:	\$750,000	\$750,000	\$750,000

324.100-Service Cancelable Loans **Appropriation (HB 684)**

The purpose of this appropriation is to provide service cancelable loans as authorized in statute including programs for large animal veterinarians and Georgia National Guard members.

TOTAL STATE FUNDS	\$1,050,000	\$550,000	\$300,000
State General Funds	\$1,050,000	\$550,000	\$300,000
TOTAL AGENCY FUNDS		\$500,000	\$750,000
Sales and Services		\$500,000	\$750,000
Sales and Services Not Itemized		\$500,000	\$750,000
TOTAL PUBLIC FUNDS	\$1,050,000	\$1,050,000	\$1,050,000

Tuition Equalization Grants**Continuation Budget**

The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private post-secondary institutions.

TOTAL STATE FUNDS	\$22,841,185	\$22,841,185	\$22,841,185
State General Funds	\$22,841,185	\$22,841,185	\$22,841,185
TOTAL PUBLIC FUNDS	\$22,841,185	\$22,841,185	\$22,841,185

325.1 Utilize deferred revenue to meet projected need.

Sales and Services Not Itemized	\$1,278,261	\$1,278,261	\$1,278,261
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325.99 SAC: *The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.*

House: *The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.*

Governor: *The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.*

State General Funds	\$0	\$0	\$0
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325.100-Tuition Equalization Grants**Appropriation (HB 684)**

The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.

TOTAL STATE FUNDS	\$22,841,185	\$22,841,185	\$22,841,185
State General Funds	\$22,841,185	\$22,841,185	\$22,841,185
TOTAL AGENCY FUNDS	\$1,278,261	\$1,278,261	\$1,278,261
Sales and Services	\$1,278,261	\$1,278,261	\$1,278,261
Sales and Services Not Itemized	\$1,278,261	\$1,278,261	\$1,278,261
TOTAL PUBLIC FUNDS	\$24,119,446	\$24,119,446	\$24,119,446

Nonpublic Postsecondary Education Commission**Continuation Budget**

The purpose of this appropriation is to authorize private post-secondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.

TOTAL STATE FUNDS	\$996,250	\$996,250	\$996,250
State General Funds	\$996,250	\$996,250	\$996,250
TOTAL PUBLIC FUNDS	\$996,250	\$996,250	\$996,250

326.99 SAC: *The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.*

House: *The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.*

Governor: *The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.*

State General Funds	\$0	\$0	\$0
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326.100-Nonpublic Postsecondary Education Commission	Appropriation (HB 684)
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The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.

TOTAL STATE FUNDS	\$996,250	\$996,250	\$996,250
State General Funds	\$996,250	\$996,250	\$996,250
TOTAL PUBLIC FUNDS	\$996,250	\$996,250	\$996,250

Section 45: Teachers' Retirement System

Section Total - Continuation

TOTAL STATE FUNDS	\$240,000	\$240,000	\$240,000
State General Funds	\$240,000	\$240,000	\$240,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$39,982,647	\$39,982,647	\$39,982,647
State Funds Transfers	\$39,982,647	\$39,982,647	\$39,982,647
Retirement Payments	\$39,982,647	\$39,982,647	\$39,982,647
TOTAL PUBLIC FUNDS	\$40,222,647	\$40,222,647	\$40,222,647

Section Total - Final

TOTAL STATE FUNDS	\$240,000	\$240,000	\$240,000
State General Funds	\$240,000	\$240,000	\$240,000
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$39,477,997	\$39,477,997	\$39,477,997
State Funds Transfers	\$39,477,997	\$39,477,997	\$39,477,997

Retirement Payments	\$39,477,997	\$39,477,997	\$39,477,997
TOTAL PUBLIC FUNDS	\$39,717,997	\$39,717,997	\$39,717,997

Local/Floor COLA**Continuation Budget**

The purpose of this appropriation is to provide retirees from local retirement systems a minimum allowance upon retirement (Floor) and a post-retirement benefit adjustment (COLA) whenever such adjustment is granted to teachers who retired under TRS.

TOTAL STATE FUNDS	\$240,000	\$240,000	\$240,000
State General Funds	\$240,000	\$240,000	\$240,000
TOTAL PUBLIC FUNDS	\$240,000	\$240,000	\$240,000

327.100-Local/Floor COLA**Appropriation (HB 684)**

The purpose of this appropriation is to provide retirees from local retirement systems a minimum allowance upon retirement (Floor) and a post-retirement benefit adjustment (COLA) whenever such adjustment is granted to teachers who retired under TRS.

TOTAL STATE FUNDS	\$240,000	\$240,000	\$240,000
State General Funds	\$240,000	\$240,000	\$240,000
TOTAL PUBLIC FUNDS	\$240,000	\$240,000	\$240,000

System Administration (TRS)**Continuation Budget**

The purpose of this appropriation is to administer the Teachers Retirement System of Georgia, including paying retiree benefits, investing retirement funds, accounting for the status and contributions of active and inactive members, counseling members, and processing refunds.

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$39,982,647	\$39,982,647	\$39,982,647
State Funds Transfers	\$39,982,647	\$39,982,647	\$39,982,647
Retirement Payments	\$39,982,647	\$39,982,647	\$39,982,647
TOTAL PUBLIC FUNDS	\$39,982,647	\$39,982,647	\$39,982,647

328.1 *Reduce funds for equipment (\$436,000), contracts (\$77,300), telecommunications (\$32,700), and operations (\$1,650).*

Retirement Payments	(\$547,650)	(\$547,650)	(\$547,650)
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328.2 *Increase funds for information technology.*

Retirement Payments	\$43,000	\$43,000	\$43,000
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328.100-System Administration (TRS)	Appropriation (HB 684)
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The purpose of this appropriation is to administer the Teachers Retirement System of Georgia, including paying retiree benefits, investing retirement funds, accounting for the status and contributions of active and inactive members, counseling members, and processing refunds.

TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$39,477,997	\$39,477,997	\$39,477,997
State Funds Transfers	\$39,477,997	\$39,477,997	\$39,477,997
Retirement Payments	\$39,477,997	\$39,477,997	\$39,477,997
TOTAL PUBLIC FUNDS	\$39,477,997	\$39,477,997	\$39,477,997

It is the intent of the General Assembly that the employer contribution rate for the Teachers' Retirement System shall not exceed 20.90% for State Fiscal Year 2019.

Section 46: Technical College System of Georgia

Section Total - Continuation

TOTAL STATE FUNDS	\$361,017,151	\$361,017,151	\$361,017,151
State General Funds	\$361,017,151	\$361,017,151	\$361,017,151
TOTAL FEDERAL FUNDS	\$77,784,382	\$77,784,382	\$77,784,382
Federal Funds Not Itemized	\$75,562,707	\$75,562,707	\$75,562,707
Child Care & Development Block Grant CFDA93.575	\$2,221,675	\$2,221,675	\$2,221,675
TOTAL AGENCY FUNDS	\$346,152,569	\$346,152,569	\$346,152,569
Intergovernmental Transfers	\$1,485,475	\$1,485,475	\$1,485,475
Intergovernmental Transfers Not Itemized	\$1,485,475	\$1,485,475	\$1,485,475
Rebates, Refunds, and Reimbursements	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements Not Itemized	\$134,945	\$134,945	\$134,945
Sales and Services	\$344,532,149	\$344,532,149	\$344,532,149
Sales and Services Not Itemized	\$74,313,334	\$74,313,334	\$74,313,334
Tuition and Fees for Higher Education	\$270,218,815	\$270,218,815	\$270,218,815
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,762,138	\$2,762,138	\$2,762,138
State Funds Transfers	\$2,762,138	\$2,762,138	\$2,762,138

Agency to Agency Contracts	\$2,762,138	\$2,762,138	\$2,762,138
TOTAL PUBLIC FUNDS	\$787,716,240	\$787,716,240	\$787,716,240

Section Total - Final

TOTAL STATE FUNDS	\$366,682,081	\$366,541,260	\$366,645,030
State General Funds	\$366,682,081	\$366,541,260	\$366,645,030
TOTAL FEDERAL FUNDS	\$151,146,300	\$160,175,417	\$160,425,417
Federal Funds Not Itemized	\$148,924,625	\$157,953,742	\$158,203,742
Child Care & Development Block Grant CFDA93.575	\$2,221,675	\$2,221,675	\$2,221,675
TOTAL AGENCY FUNDS	\$346,152,569	\$346,152,569	\$346,152,569
Intergovernmental Transfers	\$1,485,475	\$1,485,475	\$1,485,475
Intergovernmental Transfers Not Itemized	\$1,485,475	\$1,485,475	\$1,485,475
Rebates, Refunds, and Reimbursements	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements Not Itemized	\$134,945	\$134,945	\$134,945
Sales and Services	\$344,532,149	\$344,532,149	\$344,532,149
Sales and Services Not Itemized	\$74,313,334	\$74,313,334	\$74,313,334
Tuition and Fees for Higher Education	\$270,218,815	\$270,218,815	\$270,218,815
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,762,138	\$2,762,138	\$2,762,138
State Funds Transfers	\$2,762,138	\$2,762,138	\$2,762,138
Agency to Agency Contracts	\$2,762,138	\$2,762,138	\$2,762,138
TOTAL PUBLIC FUNDS	\$866,743,088	\$875,631,384	\$875,985,154

Adult Education**Continuation Budget**

The purpose of this appropriation is to develop Georgia's workforce by providing adult learners in Georgia with basic reading, writing, computation, speaking, listening, and technology skills; to provide secondary instruction to adults without a high school diploma; and to provide oversight of GED preparation, testing, and the processing of diplomas and transcripts.

TOTAL STATE FUNDS	\$16,445,050	\$16,445,050	\$16,445,050
State General Funds	\$16,445,050	\$16,445,050	\$16,445,050
TOTAL FEDERAL FUNDS	\$22,013,369	\$22,013,369	\$22,013,369
Federal Funds Not Itemized	\$22,013,369	\$22,013,369	\$22,013,369
TOTAL AGENCY FUNDS	\$4,283,915	\$4,283,915	\$4,283,915
Intergovernmental Transfers	\$1,485,475	\$1,485,475	\$1,485,475

Intergovernmental Transfers Not Itemized	\$1,485,475	\$1,485,475	\$1,485,475
Sales and Services	\$2,798,440	\$2,798,440	\$2,798,440
Sales and Services Not Itemized	\$2,798,440	\$2,798,440	\$2,798,440
TOTAL PUBLIC FUNDS	\$42,742,334	\$42,742,334	\$42,742,334

329.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$186,148	\$186,148	\$186,148
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329.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,305)	(\$1,305)	(\$1,305)
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329.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,506)	(\$1,506)	(\$1,506)
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329.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$18,034)	(\$18,034)	(\$18,034)
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329.5 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$2,936	\$2,936	\$2,936
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329.6 *Increase funds for the personnel and operations related to the transition of Cedartown Career Center to an adult education and workforce development facility.*

State General Funds		\$125,000	\$125,000
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329.100-Adult Education

Appropriation (HB 684)

The purpose of this appropriation is to develop Georgia's workforce by providing adult learners in Georgia with basic reading, writing, computation, speaking, listening, and technology skills; to provide secondary instruction to adults without a high school diploma; and to provide oversight of GED preparation, testing, and the processing of diplomas and transcripts.

TOTAL STATE FUNDS	\$16,613,289	\$16,738,289	\$16,738,289
State General Funds	\$16,613,289	\$16,738,289	\$16,738,289
TOTAL FEDERAL FUNDS	\$22,013,369	\$22,013,369	\$22,013,369
Federal Funds Not Itemized	\$22,013,369	\$22,013,369	\$22,013,369
TOTAL AGENCY FUNDS	\$4,283,915	\$4,283,915	\$4,283,915

Intergovernmental Transfers	\$1,485,475	\$1,485,475	\$1,485,475
Intergovernmental Transfers Not Itemized	\$1,485,475	\$1,485,475	\$1,485,475
Sales and Services	\$2,798,440	\$2,798,440	\$2,798,440
Sales and Services Not Itemized	\$2,798,440	\$2,798,440	\$2,798,440
TOTAL PUBLIC FUNDS	\$42,910,573	\$43,035,573	\$43,035,573

Departmental Administration (TCSG)**Continuation Budget**

The purpose of this appropriation is to provide statewide administrative services to support the state workforce development efforts undertaken by the department through its associated programs and institutions.

TOTAL STATE FUNDS	\$9,301,188	\$9,301,188	\$9,301,188
State General Funds	\$9,301,188	\$9,301,188	\$9,301,188
TOTAL AGENCY FUNDS	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements Not Itemized	\$134,945	\$134,945	\$134,945
TOTAL PUBLIC FUNDS	\$9,436,133	\$9,436,133	\$9,436,133

330.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$49,351	\$49,351	\$49,351
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330.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$14,572)	(\$14,572)	(\$14,572)
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330.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$839)	(\$839)	(\$839)
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330.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$10,043)	(\$10,043)	(\$10,043)
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330.5 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,635	\$1,635	\$1,635
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330.6 *Increase funds for marketing to promote the educational opportunities available at the state's technical colleges and develop a skilled workforce.*

State General Funds	\$1,000,000	\$1,000,000	\$1,000,000
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330.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$1,833
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330.100-Departmental Administration (TCSG)	Appropriation (HB 684)		
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The purpose of this appropriation is to provide statewide administrative services to support the state workforce development efforts undertaken by the department through its associated programs and institutions.

TOTAL STATE FUNDS	\$10,326,720	\$10,326,720	\$10,328,553
State General Funds	\$10,326,720	\$10,326,720	\$10,328,553
TOTAL AGENCY FUNDS	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements	\$134,945	\$134,945	\$134,945
Rebates, Refunds, and Reimbursements Not Itemized	\$134,945	\$134,945	\$134,945
TOTAL PUBLIC FUNDS	\$10,461,665	\$10,461,665	\$10,463,498

Governor’s Office of Workforce Development

Continuation Budget

TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0

331.1 *Transfer funds from the Georgia Department of Labor to the Technical College System of Georgia for the customized recruitment initiative to support workforce needs throughout the state.*

State General Funds	\$253,601	\$253,601	\$253,601
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331.2 *Transfer funds from the Department of Economic Development to the Technical College System of Georgia to leverage workforce development initiatives and educational resources to meet industry workforce training demands. (H and S:Transfer and recognize the full federal award for the Governor's Office of Workforce Development from the Department of Economic Development to leverage workforce development initiatives and educational resources to meet industry workforce training demands)*

Federal Funds Not Itemized	\$73,361,918	\$82,391,035	\$82,391,035
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331.3 *Utilize \$2,000,000 in existing funds to support the Governor's Defense Initiative. (H:YES)(S:YES)*

State General Funds		\$0	\$0
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331.4 *Recognize and utilize existing funds (\$250,000) for the Georgia Consortium for Advanced Technical Training (GA CATT) apprenticeships program to provide mentor training and apprentice testing. (S:YES)*

Federal Funds Not Itemized			\$250,000
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331.99 SAC: *The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.*

House: *The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.*

Governor: *The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.*

State General Funds	\$0	\$0	\$0
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331.100-Governor's Office of Workforce Development	Appropriation (HB 684)		
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The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.

TOTAL STATE FUNDS	\$253,601	\$253,601	\$253,601
State General Funds	\$253,601	\$253,601	\$253,601
TOTAL FEDERAL FUNDS	\$73,361,918	\$82,391,035	\$82,641,035
Federal Funds Not Itemized	\$73,361,918	\$82,391,035	\$82,641,035
TOTAL PUBLIC FUNDS	\$73,615,519	\$82,644,636	\$82,894,636

Quick Start and Customized Services

Continuation Budget

The purpose of this appropriation is to promote job creation and retention by developing and delivering customized workforce training for Georgia businesses during start-up, expansion, or when they make capital investments in new technology, processes, or product lines in order to remain competitive in the global marketplace.

TOTAL STATE FUNDS	\$13,499,537	\$13,499,537	\$13,499,537
State General Funds	\$13,499,537	\$13,499,537	\$13,499,537
TOTAL FEDERAL FUNDS	\$154,594	\$154,594	\$154,594
Federal Funds Not Itemized	\$154,594	\$154,594	\$154,594
TOTAL AGENCY FUNDS	\$11,640,612	\$11,640,612	\$11,640,612
Sales and Services	\$11,640,612	\$11,640,612	\$11,640,612
Sales and Services Not Itemized	\$11,640,612	\$11,640,612	\$11,640,612
TOTAL PUBLIC FUNDS	\$25,294,743	\$25,294,743	\$25,294,743

332.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$104,303	\$104,303	\$104,303
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332.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$15,101)	(\$15,101)	(\$15,101)
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332.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$870)	(\$870)	(\$870)
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332.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$10,410)	(\$10,410)	(\$10,410)
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332.5 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$1,695	\$1,695	\$1,695
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332.100-Quick Start and Customized Services	Appropriation (HB 684)
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The purpose of this appropriation is to promote job creation and retention by developing and delivering customized workforce training for Georgia businesses during start-up, expansion, or when they make capital investments in new technology, processes, or product lines in order to remain competitive in the global marketplace.

TOTAL STATE FUNDS	\$13,579,154	\$13,579,154	\$13,579,154
State General Funds	\$13,579,154	\$13,579,154	\$13,579,154
TOTAL FEDERAL FUNDS	\$154,594	\$154,594	\$154,594
Federal Funds Not Itemized	\$154,594	\$154,594	\$154,594
TOTAL AGENCY FUNDS	\$11,640,612	\$11,640,612	\$11,640,612
Sales and Services	\$11,640,612	\$11,640,612	\$11,640,612
Sales and Services Not Itemized	\$11,640,612	\$11,640,612	\$11,640,612
TOTAL PUBLIC FUNDS	\$25,374,360	\$25,374,360	\$25,374,360

Technical Education

Continuation Budget

The purpose of this appropriation is to provide for workforce development through certificate, diploma, and degree programs in technical education and continuing education programs for adult learners, and to encourage both youth and adult learners to acquire postsecondary education or training to increase their competitiveness in the workplace.

TOTAL STATE FUNDS	\$321,771,376	\$321,771,376	\$321,771,376
State General Funds	\$321,771,376	\$321,771,376	\$321,771,376
TOTAL FEDERAL FUNDS	\$55,616,419	\$55,616,419	\$55,616,419

Federal Funds Not Itemized	\$53,394,744	\$53,394,744	\$53,394,744
Child Care & Development Block Grant CFDA93.575	\$2,221,675	\$2,221,675	\$2,221,675
TOTAL AGENCY FUNDS	\$330,093,097	\$330,093,097	\$330,093,097
Sales and Services	\$330,093,097	\$330,093,097	\$330,093,097
Sales and Services Not Itemized	\$59,874,282	\$59,874,282	\$59,874,282
Tuition and Fees for Higher Education	\$270,218,815	\$270,218,815	\$270,218,815
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,762,138	\$2,762,138	\$2,762,138
State Funds Transfers	\$2,762,138	\$2,762,138	\$2,762,138
Agency to Agency Contracts	\$2,762,138	\$2,762,138	\$2,762,138
TOTAL PUBLIC FUNDS	\$710,243,030	\$710,243,030	\$710,243,030

333.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$4,103,086	\$4,103,086	\$4,103,086
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333.2 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,298,715)	(\$1,298,715)	(\$1,298,715)
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333.3 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$31,919)	(\$31,919)	(\$31,919)
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333.4 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$382,146)	(\$382,146)	(\$382,146)
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333.5 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$62,219	\$62,219	\$62,219
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333.6 *Transfer funds from the Board of Regents of the University System of Georgia to the Technical College System of Georgia for the Bainbridge State College campus and increase funds for formula growth based on a 3% increase in square footage.*

State General Funds	\$1,685,416	\$1,419,595	\$1,419,595
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333.7 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$101,937
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333.100-Technical Education**Appropriation (HB 684)**

The purpose of this appropriation is to provide for workforce development through certificate, diploma, and degree programs in technical education and continuing education programs for adult learners, and to encourage both youth and adult learners to acquire postsecondary education or training to increase their competitiveness in the workplace.

TOTAL STATE FUNDS	\$325,909,317	\$325,643,496	\$325,745,433
State General Funds	\$325,909,317	\$325,643,496	\$325,745,433
TOTAL FEDERAL FUNDS	\$55,616,419	\$55,616,419	\$55,616,419
Federal Funds Not Itemized	\$53,394,744	\$53,394,744	\$53,394,744
Child Care & Development Block Grant CFDA93.575	\$2,221,675	\$2,221,675	\$2,221,675
TOTAL AGENCY FUNDS	\$330,093,097	\$330,093,097	\$330,093,097
Sales and Services	\$330,093,097	\$330,093,097	\$330,093,097
Sales and Services Not Itemized	\$59,874,282	\$59,874,282	\$59,874,282
Tuition and Fees for Higher Education	\$270,218,815	\$270,218,815	\$270,218,815
TOTAL INTRA-STATE GOVERNMENT TRANSFERS	\$2,762,138	\$2,762,138	\$2,762,138
State Funds Transfers	\$2,762,138	\$2,762,138	\$2,762,138
Agency to Agency Contracts	\$2,762,138	\$2,762,138	\$2,762,138
TOTAL PUBLIC FUNDS	\$714,380,971	\$714,115,150	\$714,217,087

Section 47: Transportation, Department of**Section Total - Continuation**

TOTAL STATE FUNDS	\$1,900,586,829	\$1,900,586,829	\$1,900,586,829
State General Funds	\$101,736,829	\$101,736,829	\$101,736,829
State Motor Fuel Funds	\$1,798,850,000	\$1,798,850,000	\$1,798,850,000
TOTAL FEDERAL FUNDS	\$1,593,146,310	\$1,593,146,310	\$1,593,146,310
Federal Funds Not Itemized	\$66,861,369	\$66,861,369	\$66,861,369
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,526,284,941	\$1,526,284,941	\$1,526,284,941
TOTAL AGENCY FUNDS	\$89,566,703	\$89,566,703	\$89,566,703
Intergovernmental Transfers	\$39,945,170	\$39,945,170	\$39,945,170
Intergovernmental Transfers Not Itemized	\$39,945,170	\$39,945,170	\$39,945,170
Sales and Services	\$49,621,533	\$49,621,533	\$49,621,533
Sales and Services Not Itemized	\$49,621,533	\$49,621,533	\$49,621,533
TOTAL PUBLIC FUNDS	\$3,583,299,842	\$3,583,299,842	\$3,583,299,842

	Section Total - Final		
TOTAL STATE FUNDS	\$1,916,080,040	\$1,916,080,040	\$1,916,080,040
State General Funds	\$85,580,040	\$85,580,040	\$85,580,040
State Motor Fuel Funds	\$1,830,500,000	\$1,830,500,000	\$1,830,500,000
TOTAL FEDERAL FUNDS	\$1,593,146,310	\$1,593,146,310	\$1,593,146,310
Federal Funds Not Itemized	\$66,861,369	\$66,861,369	\$66,861,369
Federal Highway Admin.-Planning & Construction CFDA20.205	\$1,526,284,941	\$1,526,284,941	\$1,526,284,941
TOTAL AGENCY FUNDS	\$89,566,703	\$89,566,703	\$89,566,703
Intergovernmental Transfers	\$39,945,170	\$39,945,170	\$39,945,170
Intergovernmental Transfers Not Itemized	\$39,945,170	\$39,945,170	\$39,945,170
Sales and Services	\$49,621,533	\$49,621,533	\$49,621,533
Sales and Services Not Itemized	\$49,621,533	\$49,621,533	\$49,621,533
TOTAL PUBLIC FUNDS	\$3,598,793,053	\$3,598,793,053	\$3,598,793,053

Capital Construction Projects

Continuation Budget

The purpose of this appropriation is to provide funding for capital outlay road construction and enhancement projects on local and state road systems.

TOTAL STATE FUNDS	\$783,993,059	\$783,993,059	\$783,993,059
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$783,993,059	\$783,993,059	\$783,993,059
TOTAL FEDERAL FUNDS	\$875,452,699	\$875,452,699	\$875,452,699
Federal Highway Admin.-Planning & Construction CFDA20.205	\$875,452,699	\$875,452,699	\$875,452,699
TOTAL AGENCY FUNDS	\$55,300,430	\$55,300,430	\$55,300,430
Intergovernmental Transfers	\$38,737,112	\$38,737,112	\$38,737,112
Intergovernmental Transfers Not Itemized	\$38,737,112	\$38,737,112	\$38,737,112
Sales and Services	\$16,563,318	\$16,563,318	\$16,563,318
Sales and Services Not Itemized	\$16,563,318	\$16,563,318	\$16,563,318
TOTAL PUBLIC FUNDS	\$1,714,746,188	\$1,714,746,188	\$1,714,746,188

334.1 *Transfer funds from the Routine Maintenance program to the Capital Construction Projects program for additional capital projects.*

State Motor Fuel Funds	\$38,834,750	\$38,834,750	\$38,834,750
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334.2 *Increase funds based on projected revenues per HB170 (2015 Session).*

State Motor Fuel Funds	\$12,169,883	\$12,169,883	\$12,169,883
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334.100-Capital Construction Projects**Appropriation (HB 684)**

The purpose of this appropriation is to provide funding for capital outlay road construction and enhancement projects on local and state road systems.

TOTAL STATE FUNDS	\$834,997,692	\$834,997,692	\$834,997,692
State Motor Fuel Funds	\$834,997,692	\$834,997,692	\$834,997,692
TOTAL FEDERAL FUNDS	\$875,452,699	\$875,452,699	\$875,452,699
Federal Highway Admin.-Planning & Construction CFDA20.205	\$875,452,699	\$875,452,699	\$875,452,699
TOTAL AGENCY FUNDS	\$55,300,430	\$55,300,430	\$55,300,430
Intergovernmental Transfers	\$38,737,112	\$38,737,112	\$38,737,112
Intergovernmental Transfers Not Itemized	\$38,737,112	\$38,737,112	\$38,737,112
Sales and Services	\$16,563,318	\$16,563,318	\$16,563,318
Sales and Services Not Itemized	\$16,563,318	\$16,563,318	\$16,563,318
TOTAL PUBLIC FUNDS	\$1,765,750,821	\$1,765,750,821	\$1,765,750,821

Capital Maintenance Projects**Continuation Budget**

The purpose of this appropriation is to provide funding for capital outlay for maintenance projects.

TOTAL STATE FUNDS	\$148,931,288	\$148,931,288	\$148,931,288
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$148,931,288	\$148,931,288	\$148,931,288
TOTAL FEDERAL FUNDS	\$281,600,000	\$281,600,000	\$281,600,000
Federal Highway Admin.-Planning & Construction CFDA20.205	\$281,600,000	\$281,600,000	\$281,600,000
TOTAL AGENCY FUNDS	\$350,574	\$350,574	\$350,574
Sales and Services	\$350,574	\$350,574	\$350,574
Sales and Services Not Itemized	\$350,574	\$350,574	\$350,574
TOTAL PUBLIC FUNDS	\$430,881,862	\$430,881,862	\$430,881,862

335.100-Capital Maintenance Projects**Appropriation (HB 684)**

The purpose of this appropriation is to provide funding for capital outlay for maintenance projects.

TOTAL STATE FUNDS	\$148,931,288	\$148,931,288	\$148,931,288
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State Motor Fuel Funds	\$148,931,288	\$148,931,288	\$148,931,288
TOTAL FEDERAL FUNDS	\$281,600,000	\$281,600,000	\$281,600,000
Federal Highway Admin.-Planning & Construction CFDA20.205	\$281,600,000	\$281,600,000	\$281,600,000
TOTAL AGENCY FUNDS	\$350,574	\$350,574	\$350,574
Sales and Services	\$350,574	\$350,574	\$350,574
Sales and Services Not Itemized	\$350,574	\$350,574	\$350,574
TOTAL PUBLIC FUNDS	\$430,881,862	\$430,881,862	\$430,881,862

Construction Administration**Continuation Budget**

The purpose of this appropriation is to improve and expand the state's transportation infrastructure by planning for and selecting road and bridge projects, acquiring rights-of-way, completing engineering and project impact analyses, procuring and monitoring construction contracts, and certifying completed projects.

TOTAL STATE FUNDS	\$101,192,556	\$101,192,556	\$101,192,556
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$101,192,556	\$101,192,556	\$101,192,556
TOTAL FEDERAL FUNDS	\$53,642,990	\$53,642,990	\$53,642,990
Federal Highway Admin.-Planning & Construction CFDA20.205	\$53,642,990	\$53,642,990	\$53,642,990
TOTAL AGENCY FUNDS	\$963,619	\$963,619	\$963,619
Intergovernmental Transfers	\$526,415	\$526,415	\$526,415
Intergovernmental Transfers Not Itemized	\$526,415	\$526,415	\$526,415
Sales and Services	\$437,204	\$437,204	\$437,204
Sales and Services Not Itemized	\$437,204	\$437,204	\$437,204
TOTAL PUBLIC FUNDS	\$155,799,165	\$155,799,165	\$155,799,165

336.100-Construction Administration**Appropriation (HB 684)**

The purpose of this appropriation is to improve and expand the state's transportation infrastructure by planning for and selecting road and bridge projects, acquiring rights-of-way, completing engineering and project impact analyses, procuring and monitoring construction contracts, and certifying completed projects.

TOTAL STATE FUNDS	\$101,192,556	\$101,192,556	\$101,192,556
State Motor Fuel Funds	\$101,192,556	\$101,192,556	\$101,192,556
TOTAL FEDERAL FUNDS	\$53,642,990	\$53,642,990	\$53,642,990
Federal Highway Admin.-Planning & Construction CFDA20.205	\$53,642,990	\$53,642,990	\$53,642,990

TOTAL AGENCY FUNDS	\$963,619	\$963,619	\$963,619
Intergovernmental Transfers	\$526,415	\$526,415	\$526,415
Intergovernmental Transfers Not Itemized	\$526,415	\$526,415	\$526,415
Sales and Services	\$437,204	\$437,204	\$437,204
Sales and Services Not Itemized	\$437,204	\$437,204	\$437,204
TOTAL PUBLIC FUNDS	\$155,799,165	\$155,799,165	\$155,799,165

Data Collection, Compliance and Reporting

Continuation Budget

The purpose of this appropriation is to collect and disseminate crash, accident, road, and traffic data in accordance with state and federal law in order to provide current and accurate information for planning and public awareness needs.

TOTAL STATE FUNDS	\$1,851,687	\$1,851,687	\$1,851,687
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$1,851,687	\$1,851,687	\$1,851,687
TOTAL FEDERAL FUNDS	\$7,770,257	\$7,770,257	\$7,770,257
Federal Highway Admin.-Planning & Construction CFDA20.205	\$7,770,257	\$7,770,257	\$7,770,257
TOTAL AGENCY FUNDS	\$62,257	\$62,257	\$62,257
Sales and Services	\$62,257	\$62,257	\$62,257
Sales and Services Not Itemized	\$62,257	\$62,257	\$62,257
TOTAL PUBLIC FUNDS	\$9,684,201	\$9,684,201	\$9,684,201

337.1 *Increase funds based on projected revenues per HB170 (2015 Session).*

State Motor Fuel Funds	\$1,100,000	\$1,100,000	\$1,100,000
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337.100-Data Collection, Compliance and Reporting	Appropriation (HB 684)
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The purpose of this appropriation is to collect and disseminate crash, accident, road, and traffic data in accordance with state and federal law in order to provide current and accurate information for planning and public awareness needs.

TOTAL STATE FUNDS	\$2,951,687	\$2,951,687	\$2,951,687
State Motor Fuel Funds	\$2,951,687	\$2,951,687	\$2,951,687
TOTAL FEDERAL FUNDS	\$7,770,257	\$7,770,257	\$7,770,257
Federal Highway Admin.-Planning & Construction CFDA20.205	\$7,770,257	\$7,770,257	\$7,770,257
TOTAL AGENCY FUNDS	\$62,257	\$62,257	\$62,257
Sales and Services	\$62,257	\$62,257	\$62,257

Sales and Services Not Itemized	\$62,257	\$62,257	\$62,257
TOTAL PUBLIC FUNDS	\$10,784,201	\$10,784,201	\$10,784,201

Departmental Administration (DOT)

Continuation Budget

The purpose of this appropriation is to plan, construct, maintain, and improve the state's roads and bridges; provide planning and financial support for other modes of transportation such as mass transit, airports, railroads and waterways.

TOTAL STATE FUNDS	\$69,327,455	\$69,327,455	\$69,327,455
State General Funds	\$3,278	\$3,278	\$3,278
State Motor Fuel Funds	\$69,324,177	\$69,324,177	\$69,324,177
TOTAL FEDERAL FUNDS	\$10,839,823	\$10,839,823	\$10,839,823
Federal Highway Admin.-Planning & Construction CFDA20.205	\$10,839,823	\$10,839,823	\$10,839,823
TOTAL AGENCY FUNDS	\$898,970	\$898,970	\$898,970
Sales and Services	\$898,970	\$898,970	\$898,970
Sales and Services Not Itemized	\$898,970	\$898,970	\$898,970
TOTAL PUBLIC FUNDS	\$81,066,248	\$81,066,248	\$81,066,248

338.1 *Transfer funds from the Departmental Administration (DOT) program to the Intermodal program for cyber insurance premiums.*

State General Funds	(\$3,278)	(\$3,278)	(\$3,278)
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338.100-Departmental Administration (DOT)	Appropriation (HB 684)
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The purpose of this appropriation is to plan, construct, maintain, and improve the state's roads and bridges; provide planning and financial support for other modes of transportation such as mass transit, airports, railroads and waterways.

TOTAL STATE FUNDS	\$69,324,177	\$69,324,177	\$69,324,177
State Motor Fuel Funds	\$69,324,177	\$69,324,177	\$69,324,177
TOTAL FEDERAL FUNDS	\$10,839,823	\$10,839,823	\$10,839,823
Federal Highway Admin.-Planning & Construction CFDA20.205	\$10,839,823	\$10,839,823	\$10,839,823
TOTAL AGENCY FUNDS	\$898,970	\$898,970	\$898,970
Sales and Services	\$898,970	\$898,970	\$898,970
Sales and Services Not Itemized	\$898,970	\$898,970	\$898,970
TOTAL PUBLIC FUNDS	\$81,062,970	\$81,062,970	\$81,062,970

Intermodal**Continuation Budget**

The purpose of this appropriation is to support the planning, development and maintenance of Georgia's Airports, Rail, Transit and Ports and Waterways to facilitate a complete and seamless statewide transportation system.

TOTAL STATE FUNDS	\$18,593,377	\$18,593,377	\$18,593,377
State General Funds	\$18,593,377	\$18,593,377	\$18,593,377
TOTAL FEDERAL FUNDS	\$66,861,369	\$66,861,369	\$66,861,369
Federal Funds Not Itemized	\$66,861,369	\$66,861,369	\$66,861,369
TOTAL AGENCY FUNDS	\$782,232	\$782,232	\$782,232
Intergovernmental Transfers	\$681,643	\$681,643	\$681,643
Intergovernmental Transfers Not Itemized	\$681,643	\$681,643	\$681,643
Sales and Services	\$100,589	\$100,589	\$100,589
Sales and Services Not Itemized	\$100,589	\$100,589	\$100,589
TOTAL PUBLIC FUNDS	\$86,236,978	\$86,236,978	\$86,236,978

339.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$353	\$353	\$353
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339.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$278)	(\$278)	(\$278)
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339.3 *Increase funds to reflect an adjustment in TeamWorks billings.*

State General Funds	\$53	\$53	\$53
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339.4 *Eliminate funds for one-time funding for a feasibility study on strategies to mitigate man-made shipping channel impacts to shelf and shoreline erosion.*

State General Funds	(\$150,000)	(\$150,000)	(\$150,000)
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339.5 *Transfer funds from the Departmental Administration (DOT) program to the Intermodal program for cyber insurance premiums.*

State General Funds	\$3,278	\$3,278	\$3,278
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339.6 *Transfer state general funds from the Payments to State Road and Tollway Authority program (\$4,400,000) to the Intermodal program to offset a projected decrease in jet fuel tax exemption revenue ((\$4,400,00)). (G:YES)(H and S:YES; Transfer state*

general funds from the Payments to State Road and Tollway Authority program (\$4,400,000) to offset a projected decrease of (\$4,400,000) in jet fuel tax exemption revenue)

State General Funds	\$0	\$0	\$0
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339.7 *Utilize existing funds for airport aid excluding projects in Dawson County. (H:YES)(S:YES)*

State General Funds		\$0	\$0
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339.100-Intermodal	Appropriation (HB 684)
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The purpose of this appropriation is to support the planning, development and maintenance of Georgia's Airports, Rail, Transit and Ports and Waterways to facilitate a complete and seamless statewide transportation system.

TOTAL STATE FUNDS	\$18,446,783	\$18,446,783	\$18,446,783
State General Funds	\$18,446,783	\$18,446,783	\$18,446,783
TOTAL FEDERAL FUNDS	\$66,861,369	\$66,861,369	\$66,861,369
Federal Funds Not Itemized	\$66,861,369	\$66,861,369	\$66,861,369
TOTAL AGENCY FUNDS	\$782,232	\$782,232	\$782,232
Intergovernmental Transfers	\$681,643	\$681,643	\$681,643
Intergovernmental Transfers Not Itemized	\$681,643	\$681,643	\$681,643
Sales and Services	\$100,589	\$100,589	\$100,589
Sales and Services Not Itemized	\$100,589	\$100,589	\$100,589
TOTAL PUBLIC FUNDS	\$86,090,384	\$86,090,384	\$86,090,384

Local Maintenance and Improvement Grants

Continuation Budget

The purpose of this appropriation is to provide funding for capital outlay grants to local governments for road and bridge resurfacing projects through the state-funded Construction-Local Road Assistance program.

TOTAL STATE FUNDS	\$179,885,000	\$179,885,000	\$179,885,000
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$179,885,000	\$179,885,000	\$179,885,000
TOTAL PUBLIC FUNDS	\$179,885,000	\$179,885,000	\$179,885,000

340.1 *Increase funds based on projected revenues per HB170 (2015 Session).*

State Motor Fuel Funds	\$3,165,000	\$3,165,000	\$3,165,000
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340.100-Local Maintenance and Improvement Grants**Appropriation (HB 684)**

The purpose of this appropriation is to provide funding for capital outlay grants to local governments for road and bridge resurfacing projects through the state-funded Construction-Local Road Assistance program.

TOTAL STATE FUNDS	\$183,050,000	\$183,050,000	\$183,050,000
State Motor Fuel Funds	\$183,050,000	\$183,050,000	\$183,050,000
TOTAL PUBLIC FUNDS	\$183,050,000	\$183,050,000	\$183,050,000

Local Road Assistance Administration**Continuation Budget**

The purpose of this appropriation is to provide technical and financial assistance to local governments for construction, maintenance, and resurfacing of local roads and bridges.

TOTAL STATE FUNDS	\$4,346,461	\$4,346,461	\$4,346,461
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$4,346,461	\$4,346,461	\$4,346,461
TOTAL FEDERAL FUNDS	\$51,655,917	\$51,655,917	\$51,655,917
Federal Highway Admin.-Planning & Construction CFDA20.205	\$51,655,917	\$51,655,917	\$51,655,917
TOTAL AGENCY FUNDS	\$595,233	\$595,233	\$595,233
Sales and Services	\$595,233	\$595,233	\$595,233
Sales and Services Not Itemized	\$595,233	\$595,233	\$595,233
TOTAL PUBLIC FUNDS	\$56,597,611	\$56,597,611	\$56,597,611

341.100-Local Road Assistance Administration**Appropriation (HB 684)**

The purpose of this appropriation is to provide technical and financial assistance to local governments for construction, maintenance, and resurfacing of local roads and bridges.

TOTAL STATE FUNDS	\$4,346,461	\$4,346,461	\$4,346,461
State Motor Fuel Funds	\$4,346,461	\$4,346,461	\$4,346,461
TOTAL FEDERAL FUNDS	\$51,655,917	\$51,655,917	\$51,655,917
Federal Highway Admin.-Planning & Construction CFDA20.205	\$51,655,917	\$51,655,917	\$51,655,917
TOTAL AGENCY FUNDS	\$595,233	\$595,233	\$595,233
Sales and Services	\$595,233	\$595,233	\$595,233
Sales and Services Not Itemized	\$595,233	\$595,233	\$595,233
TOTAL PUBLIC FUNDS	\$56,597,611	\$56,597,611	\$56,597,611

Planning**Continuation Budget**

The purpose of this appropriation is to develop the state transportation improvement program and the statewide strategic transportation plan, and coordinate transportation policies, planning, and programs related to design, construction, maintenance, operations, and financing of transportation.

TOTAL STATE FUNDS	\$1,787,098	\$1,787,098	\$1,787,098
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$1,787,098	\$1,787,098	\$1,787,098
TOTAL FEDERAL FUNDS	\$22,772,795	\$22,772,795	\$22,772,795
Federal Highway Admin.-Planning & Construction CFDA20.205	\$22,772,795	\$22,772,795	\$22,772,795
TOTAL PUBLIC FUNDS	\$24,559,893	\$24,559,893	\$24,559,893

342.1 *Increase funds based on projected revenues per HB170 (2015 Session).*

State Motor Fuel Funds	\$500,000	\$500,000	\$500,000
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342.100-Planning**Appropriation (HB 684)**

The purpose of this appropriation is to develop the state transportation improvement program and the statewide strategic transportation plan, and coordinate transportation policies, planning, and programs related to design, construction, maintenance, operations, and financing of transportation.

TOTAL STATE FUNDS	\$2,287,098	\$2,287,098	\$2,287,098
State Motor Fuel Funds	\$2,287,098	\$2,287,098	\$2,287,098
TOTAL FEDERAL FUNDS	\$22,772,795	\$22,772,795	\$22,772,795
Federal Highway Admin.-Planning & Construction CFDA20.205	\$22,772,795	\$22,772,795	\$22,772,795
TOTAL PUBLIC FUNDS	\$25,059,893	\$25,059,893	\$25,059,893

Routine Maintenance**Continuation Budget**

The purpose of this appropriation is to ensure a safe and adequately maintained state transportation system by inspecting roads and bridges, cataloguing road and bridge conditions and maintenance needs, and providing routine maintenance for state road and bridges. The purpose of this appropriation is also to maintain landscaping on road easements and rights-of-way through planting, litter control, vegetation removal, and grants to local governments, to provide for emergency operations on state routes, and to maintain state rest areas and welcome centers.

TOTAL STATE FUNDS	\$447,927,451	\$447,927,451	\$447,927,451
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$447,927,451	\$447,927,451	\$447,927,451
TOTAL FEDERAL FUNDS	\$3,886,452	\$3,886,452	\$3,886,452
Federal Highway Admin.-Planning & Construction CFDA20.205	\$3,886,452	\$3,886,452	\$3,886,452
TOTAL AGENCY FUNDS	\$5,078,904	\$5,078,904	\$5,078,904
Sales and Services	\$5,078,904	\$5,078,904	\$5,078,904
Sales and Services Not Itemized	\$5,078,904	\$5,078,904	\$5,078,904
TOTAL PUBLIC FUNDS	\$456,892,807	\$456,892,807	\$456,892,807

343.1 *Transfer funds from the Routine Maintenance program to the Capital Construction Projects program to align budget to projected expenditures.*

State Motor Fuel Funds	(\$38,834,750)	(\$38,834,750)	(\$38,834,750)
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343.100-Routine Maintenance	Appropriation (HB 684)
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The purpose of this appropriation is to ensure a safe and adequately maintained state transportation system by inspecting roads and bridges, cataloguing road and bridge conditions and maintenance needs, and providing routine maintenance for state road and bridges. The purpose of this appropriation is also to maintain landscaping on road easements and rights-of-way through planting, litter control, vegetation removal, and grants to local governments, to provide for emergency operations on state routes, and to maintain state rest areas and welcome centers.

TOTAL STATE FUNDS	\$409,092,701	\$409,092,701	\$409,092,701
State Motor Fuel Funds	\$409,092,701	\$409,092,701	\$409,092,701
TOTAL FEDERAL FUNDS	\$3,886,452	\$3,886,452	\$3,886,452
Federal Highway Admin.-Planning & Construction CFDA20.205	\$3,886,452	\$3,886,452	\$3,886,452
TOTAL AGENCY FUNDS	\$5,078,904	\$5,078,904	\$5,078,904
Sales and Services	\$5,078,904	\$5,078,904	\$5,078,904
Sales and Services Not Itemized	\$5,078,904	\$5,078,904	\$5,078,904
TOTAL PUBLIC FUNDS	\$418,058,057	\$418,058,057	\$418,058,057

Traffic Management and Control	Continuation Budget
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The purpose of this appropriation is to ensure a safe and efficient transportation system statewide by conducting traffic engineering studies for traffic safety planning, permitting for activity on or adjacent to state roads, providing motorist assistance and traffic information through the Highway Emergency Response Operators (HERO) program and Intelligent Transportation System, and conducting inspections, repairs, and installations of traffic signals.

TOTAL STATE FUNDS	\$31,062,611	\$31,062,611	\$31,062,611
State General Funds	\$0	\$0	\$0
State Motor Fuel Funds	\$31,062,611	\$31,062,611	\$31,062,611
TOTAL FEDERAL FUNDS	\$68,110,542	\$68,110,542	\$68,110,542
Federal Highway Admin.-Planning & Construction CFDA20.205	\$68,110,542	\$68,110,542	\$68,110,542
TOTAL AGENCY FUNDS	\$25,534,484	\$25,534,484	\$25,534,484
Sales and Services	\$25,534,484	\$25,534,484	\$25,534,484
Sales and Services Not Itemized	\$25,534,484	\$25,534,484	\$25,534,484
TOTAL PUBLIC FUNDS	\$124,707,637	\$124,707,637	\$124,707,637

344.1 *Increase funds based on projected revenues per HB170 (2015 Session).*

State Motor Fuel Funds	\$2,400,000	\$2,400,000	\$2,400,000
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344.2 *Transfer funds from the Payments to the State Road and Tollway Authority program to the Traffic Management and Control program for managed lanes operations and HERO service expansion.*

State Motor Fuel Funds	\$4,600,000	\$4,600,000	\$4,600,000
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344.100-Traffic Management and Control

Appropriation (HB 684)

The purpose of this appropriation is to ensure a safe and efficient transportation system statewide by conducting traffic engineering studies for traffic safety planning, permitting for activity on or adjacent to state roads, providing motorist assistance and traffic information through the Highway Emergency Response Operators (HERO) program and Intelligent Transportation System, and conducting inspections, repairs, and installations of traffic signals.

TOTAL STATE FUNDS	\$38,062,611	\$38,062,611	\$38,062,611
State Motor Fuel Funds	\$38,062,611	\$38,062,611	\$38,062,611
TOTAL FEDERAL FUNDS	\$68,110,542	\$68,110,542	\$68,110,542
Federal Highway Admin.-Planning & Construction CFDA20.205	\$68,110,542	\$68,110,542	\$68,110,542
TOTAL AGENCY FUNDS	\$25,534,484	\$25,534,484	\$25,534,484
Sales and Services	\$25,534,484	\$25,534,484	\$25,534,484
Sales and Services Not Itemized	\$25,534,484	\$25,534,484	\$25,534,484
TOTAL PUBLIC FUNDS	\$131,707,637	\$131,707,637	\$131,707,637

Payments to the State Road and Tollway Authority

Continuation Budget

The purpose of this appropriation is to fund debt service payments and other finance instruments and for operations.

TOTAL STATE FUNDS	\$111,688,786	\$111,688,786	\$111,688,786
State General Funds	\$83,140,174	\$83,140,174	\$83,140,174
State Motor Fuel Funds	\$28,548,612	\$28,548,612	\$28,548,612
TOTAL FEDERAL FUNDS	\$150,553,466	\$150,553,466	\$150,553,466
Federal Highway Admin.-Planning & Construction CFDA20.205	\$150,553,466	\$150,553,466	\$150,553,466
TOTAL PUBLIC FUNDS	\$262,242,252	\$262,242,252	\$262,242,252

345.1 *Transfer funds from the Payments to the State Road and Tollway Authority program to the Traffic Management and Control program due to lower match requirements for GARVEE debt service.*

State Motor Fuel Funds	(\$4,600,000)	(\$4,600,000)	(\$4,600,000)
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345.2 *Reduce state general funds for debt service due to lower projected revenue from transportation fees.*

State General Funds	(\$3,691,800)	(\$3,691,800)	(\$3,691,800)
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345.3 *Transfer state general funds from the Payments to State Road and Tollway Authority program to the Georgia General Obligation Debt Sinking Fund.*

State General Funds	(\$7,915,117)	(\$7,915,117)	(\$7,915,117)
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345.4 *Increase motor fuel funds based on projected revenues per HB170 (2015 Session).*

State Motor Fuel Funds	\$12,315,117	\$12,315,117	\$12,315,117
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345.5 *Transfer state general funds from the Payments to State Road and Tollway Authority program to the Intermodal program.*

State General Funds	(\$4,400,000)	(\$4,400,000)	(\$4,400,000)
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345.6 *Utilize existing funds for year two of a ten year plan for operations of the Northwest Corridor and I-75 South new managed lanes and I-85 lane extension. (G: YES)(H: YES)(S: YES)*

State General Funds	\$0	\$0	\$0
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345.100-Payments to the State Road and Tollway Authority	Appropriation (HB 684)		
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The purpose of this appropriation is to fund debt service payments and other finance instruments and for operations.

TOTAL STATE FUNDS	\$103,396,986	\$103,396,986	\$103,396,986
State General Funds	\$67,133,257	\$67,133,257	\$67,133,257
State Motor Fuel Funds	\$36,263,729	\$36,263,729	\$36,263,729
TOTAL FEDERAL FUNDS	\$150,553,466	\$150,553,466	\$150,553,466

Federal Highway Admin.-Planning & Construction CFDA20.205	\$150,553,466	\$150,553,466	\$150,553,466
TOTAL PUBLIC FUNDS	\$253,950,452	\$253,950,452	\$253,950,452

It is the intent of this General Assembly that the following provisions apply:

- a.) In order to meet the requirements for projects on the Interstate System, the Office of Planning and Budget is hereby authorized and directed to give advanced budgetary authorization for letting and execution of Interstate Highway Contracts not to exceed the amount of Motor Fuel Tax Revenues actually paid into the Office of the State Treasurer, attached agency of the Department of Administrative Services.
- b.) Programs financed by Motor Fuel Tax Funds may be adjusted for additional appropriation or balances brought forward from previous years with prior approval by the Office of Planning and Budget.
- c.) The Fiscal Officers of the State are hereby directed as of July 1st of each fiscal year to determine the collection of Motor Fuel Tax in the immediately preceding year less refunds, rebates and collection costs and enter this amount as being the appropriation payable in lieu of the Motor Fuel Tax Funds appropriated in this Bill, in the event such collections, less refunds, rebates and collection costs, exceed such Motor Fuel Tax Appropriation.
- d.) Functions financed with General Fund appropriations shall be accounted for separately and shall be in addition to appropriations of Motor Fuel Tax revenues required under Article III, Section IX, Paragraph VI, Subsection (b) of the State Constitution.
- e.) Bus rental income may be retained to operate, maintain and upgrade department-owned buses.

Section 48: Veterans Service, Department of

	Section Total - Continuation		
TOTAL STATE FUNDS	\$22,477,909	\$22,477,909	\$22,477,909
State General Funds	\$22,477,909	\$22,477,909	\$22,477,909
TOTAL FEDERAL FUNDS	\$14,734,560	\$14,734,560	\$14,734,560
Federal Funds Not Itemized	\$14,734,560	\$14,734,560	\$14,734,560
TOTAL AGENCY FUNDS	\$3,107,465	\$3,107,465	\$3,107,465
Intergovernmental Transfers	\$724,733	\$724,733	\$724,733
Intergovernmental Transfers Not Itemized	\$724,733	\$724,733	\$724,733
Sales and Services	\$2,382,732	\$2,382,732	\$2,382,732
Sales and Services Not Itemized	\$2,382,732	\$2,382,732	\$2,382,732
TOTAL PUBLIC FUNDS	\$40,319,934	\$40,319,934	\$40,319,934

	Section Total - Final		
TOTAL STATE FUNDS	\$22,998,283	\$22,973,297	\$23,072,409
State General Funds	\$22,998,283	\$22,973,297	\$23,072,409
TOTAL FEDERAL FUNDS	\$14,734,560	\$14,734,560	\$14,734,560
Federal Funds Not Itemized	\$14,734,560	\$14,734,560	\$14,734,560
TOTAL AGENCY FUNDS	\$3,107,465	\$3,107,465	\$3,107,465
Intergovernmental Transfers	\$724,733	\$724,733	\$724,733
Intergovernmental Transfers Not Itemized	\$724,733	\$724,733	\$724,733
Sales and Services	\$2,382,732	\$2,382,732	\$2,382,732
Sales and Services Not Itemized	\$2,382,732	\$2,382,732	\$2,382,732
TOTAL PUBLIC FUNDS	\$40,840,308	\$40,815,322	\$40,914,434

Departmental Administration (DVS)

Continuation Budget

The purpose of this appropriation is to coordinate, manage, and supervise all aspects of department operations to include financial, public information, personnel, accounting, purchasing, supply, mail, records management, and information technology.

TOTAL STATE FUNDS	\$1,896,474	\$1,896,474	\$1,896,474
State General Funds	\$1,896,474	\$1,896,474	\$1,896,474
TOTAL PUBLIC FUNDS	\$1,896,474	\$1,896,474	\$1,896,474

346.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$3,176)	(\$3,176)	(\$3,176)
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346.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$69)	(\$69)	(\$69)
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346.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$10,300)	(\$10,300)	(\$10,300)
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346.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$6,806	\$6,806	\$6,806
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346.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			\$447
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346.100-Departmental Administration (DVS)**Appropriation (HB 684)**

The purpose of this appropriation is to coordinate, manage, and supervise all aspects of department operations to include financial, public information, personnel, accounting, purchasing, supply, mail, records management, and information technology.

TOTAL STATE FUNDS	\$1,889,735	\$1,889,735	\$1,890,182
State General Funds	\$1,889,735	\$1,889,735	\$1,890,182
TOTAL PUBLIC FUNDS	\$1,889,735	\$1,889,735	\$1,890,182

Georgia Veterans Memorial Cemetery**Continuation Budget**

The purpose of this appropriation is to provide for the interment of eligible Georgia Veterans who served faithfully and honorably in the military service of our country.

TOTAL STATE FUNDS	\$700,361	\$700,361	\$700,361
State General Funds	\$700,361	\$700,361	\$700,361
TOTAL FEDERAL FUNDS	\$928,004	\$928,004	\$928,004
Federal Funds Not Itemized	\$928,004	\$928,004	\$928,004
TOTAL PUBLIC FUNDS	\$1,628,365	\$1,628,365	\$1,628,365

347.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$1,349)	(\$1,349)	(\$1,349)
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347.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$29)	(\$29)	(\$29)
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347.100-Georgia Veterans Memorial Cemetery**Appropriation (HB 684)**

The purpose of this appropriation is to provide for the interment of eligible Georgia Veterans who served faithfully and honorably in the military service of our country.

TOTAL STATE FUNDS	\$698,983	\$698,983	\$698,983
State General Funds	\$698,983	\$698,983	\$698,983
TOTAL FEDERAL FUNDS	\$928,004	\$928,004	\$928,004
Federal Funds Not Itemized	\$928,004	\$928,004	\$928,004
TOTAL PUBLIC FUNDS	\$1,626,987	\$1,626,987	\$1,626,987

Georgia War Veterans Nursing Homes

Continuation Budget

The purpose of this appropriation is to provide skilled nursing care to aged and infirmed Georgia war veterans.

TOTAL STATE FUNDS	\$12,566,609	\$12,566,609	\$12,566,609
State General Funds	\$12,566,609	\$12,566,609	\$12,566,609
TOTAL FEDERAL FUNDS	\$13,179,116	\$13,179,116	\$13,179,116
Federal Funds Not Itemized	\$13,179,116	\$13,179,116	\$13,179,116
TOTAL AGENCY FUNDS	\$3,107,465	\$3,107,465	\$3,107,465
Intergovernmental Transfers	\$724,733	\$724,733	\$724,733
Intergovernmental Transfers Not Itemized	\$724,733	\$724,733	\$724,733
Sales and Services	\$2,382,732	\$2,382,732	\$2,382,732
Sales and Services Not Itemized	\$2,382,732	\$2,382,732	\$2,382,732
TOTAL PUBLIC FUNDS	\$28,853,190	\$28,853,190	\$28,853,190

348.1 *Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.*

State General Funds	\$236,964	\$236,964	\$236,964
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348.2 *Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees.*

State General Funds	\$24,986	\$0	\$0
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348.100-Georgia War Veterans Nursing Homes	Appropriation (HB 684)
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The purpose of this appropriation is to provide skilled nursing care to aged and infirmed Georgia war veterans.

TOTAL STATE FUNDS	\$12,828,559	\$12,803,573	\$12,803,573
State General Funds	\$12,828,559	\$12,803,573	\$12,803,573
TOTAL FEDERAL FUNDS	\$13,179,116	\$13,179,116	\$13,179,116
Federal Funds Not Itemized	\$13,179,116	\$13,179,116	\$13,179,116
TOTAL AGENCY FUNDS	\$3,107,465	\$3,107,465	\$3,107,465
Intergovernmental Transfers	\$724,733	\$724,733	\$724,733
Intergovernmental Transfers Not Itemized	\$724,733	\$724,733	\$724,733
Sales and Services	\$2,382,732	\$2,382,732	\$2,382,732
Sales and Services Not Itemized	\$2,382,732	\$2,382,732	\$2,382,732
TOTAL PUBLIC FUNDS	\$29,115,140	\$29,090,154	\$29,090,154

Veterans Benefits**Continuation Budget**

The purpose of this appropriation is to serve Georgia's veterans, their dependents, and survivors in all matters pertaining to veterans' benefits by informing the veterans and their families about veterans' benefits, and directly assisting and advising them in securing the benefits to which they are entitled.

TOTAL STATE FUNDS	\$7,314,465	\$7,314,465	\$7,314,465
State General Funds	\$7,314,465	\$7,314,465	\$7,314,465
TOTAL FEDERAL FUNDS	\$627,440	\$627,440	\$627,440
Federal Funds Not Itemized	\$627,440	\$627,440	\$627,440
TOTAL PUBLIC FUNDS	\$7,941,905	\$7,941,905	\$7,941,905

349.1 *Reduce funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	(\$11,676)	(\$11,676)	(\$11,676)
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349.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$251)	(\$251)	(\$251)
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349.3 *Increase funds to establish a veterans field service office in Columbia County and to expand existing veterans field service offices in Fulton and Columbus-Muscogee Counties.*

State General Funds	\$278,468	\$278,468	\$278,468
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349.4 *Reduce funds for one-time funding for office outfitting.*

State General Funds			(\$8,000)
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349.5 *Increase funds to support regular operating activities in order to maximize income tax-free benefits received by the veterans of Georgia.*

State General Funds			\$106,665
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349.100-Veterans Benefits**Appropriation (HB 684)**

The purpose of this appropriation is to serve Georgia's veterans, their dependents, and survivors in all matters pertaining to veterans' benefits by informing the veterans and their families about veterans' benefits, and directly assisting and advising them in securing the benefits to which they are entitled.

TOTAL STATE FUNDS	\$7,581,006	\$7,581,006	\$7,679,671
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State General Funds	\$7,581,006	\$7,581,006	\$7,679,671
TOTAL FEDERAL FUNDS	\$627,440	\$627,440	\$627,440
Federal Funds Not Itemized	\$627,440	\$627,440	\$627,440
TOTAL PUBLIC FUNDS	\$8,208,446	\$8,208,446	\$8,307,111

Section 49: Workers' Compensation, State Board of

Section Total - Continuation

TOTAL STATE FUNDS	\$18,951,542	\$18,951,542	\$18,951,542
State General Funds	\$18,951,542	\$18,951,542	\$18,951,542
TOTAL AGENCY FUNDS	\$373,832	\$373,832	\$373,832
Sales and Services	\$373,832	\$373,832	\$373,832
Sales and Services Not Itemized	\$373,832	\$373,832	\$373,832
TOTAL PUBLIC FUNDS	\$19,325,374	\$19,325,374	\$19,325,374

Section Total - Final

TOTAL STATE FUNDS	\$18,954,787	\$18,954,787	\$18,954,723
State General Funds	\$18,954,787	\$18,954,787	\$18,954,723
TOTAL AGENCY FUNDS	\$373,832	\$373,832	\$373,832
Sales and Services	\$373,832	\$373,832	\$373,832
Sales and Services Not Itemized	\$373,832	\$373,832	\$373,832
TOTAL PUBLIC FUNDS	\$19,328,619	\$19,328,619	\$19,328,555

Administer the Workers' Compensation Laws

Continuation Budget

The purpose of this appropriation is to provide exclusive remedy for resolution of disputes in the Georgia Workers' Compensation law.

TOTAL STATE FUNDS	\$12,898,822	\$12,898,822	\$12,898,822
State General Funds	\$12,898,822	\$12,898,822	\$12,898,822
TOTAL AGENCY FUNDS	\$308,353	\$308,353	\$308,353
Sales and Services	\$308,353	\$308,353	\$308,353
Sales and Services Not Itemized	\$308,353	\$308,353	\$308,353
TOTAL PUBLIC FUNDS	\$13,207,175	\$13,207,175	\$13,207,175

350.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$2,841	\$2,841	\$2,841
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350.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$1,037)	(\$1,037)	(\$1,037)
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350.100-Administer the Workers' Compensation Laws	Appropriation (HB 684)		
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The purpose of this appropriation is to provide exclusive remedy for resolution of disputes in the Georgia Workers' Compensation law.

TOTAL STATE FUNDS	\$12,900,626	\$12,900,626	\$12,900,626
State General Funds	\$12,900,626	\$12,900,626	\$12,900,626
TOTAL AGENCY FUNDS	\$308,353	\$308,353	\$308,353
Sales and Services	\$308,353	\$308,353	\$308,353
Sales and Services Not Itemized	\$308,353	\$308,353	\$308,353
TOTAL PUBLIC FUNDS	\$13,208,979	\$13,208,979	\$13,208,979

Board Administration (SBWC)

Continuation Budget

The purpose of this appropriation is to provide superior access to the Georgia Workers' Compensation program for injured workers and employers in a manner that is sensitive, responsive, and effective.

TOTAL STATE FUNDS	\$6,052,720	\$6,052,720	\$6,052,720
State General Funds	\$6,052,720	\$6,052,720	\$6,052,720
TOTAL AGENCY FUNDS	\$65,479	\$65,479	\$65,479
Sales and Services	\$65,479	\$65,479	\$65,479
Sales and Services Not Itemized	\$65,479	\$65,479	\$65,479
TOTAL PUBLIC FUNDS	\$6,118,199	\$6,118,199	\$6,118,199

351.1 *Increase funds to reflect an adjustment in agency premiums for Department of Administrative Services administered self-insurance programs.*

State General Funds	\$488	\$488	\$488
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351.2 *Reduce funds to reflect an adjustment in merit system assessments.*

State General Funds	(\$178)	(\$178)	(\$178)
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351.3 *Reduce funds to reflect an adjustment in TeamWorks billings.*

State General Funds	(\$7,847)	(\$7,847)	(\$7,847)
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351.4 *Increase funds to reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.*

State General Funds	\$8,978	\$8,978	\$8,978
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351.5 *Adjust billings for unemployment insurance to reflect updated claims expenses.*

State General Funds			(\$64)
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351.100-Board Administration (SBWC)	Appropriation (HB 684)
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The purpose of this appropriation is to provide superior access to the Georgia Workers' Compensation program for injured workers and employers in a manner that is sensitive, responsive, and effective.

TOTAL STATE FUNDS	\$6,054,161	\$6,054,161	\$6,054,097
State General Funds	\$6,054,161	\$6,054,161	\$6,054,097
TOTAL AGENCY FUNDS	\$65,479	\$65,479	\$65,479
Sales and Services	\$65,479	\$65,479	\$65,479
Sales and Services Not Itemized	\$65,479	\$65,479	\$65,479
TOTAL PUBLIC FUNDS	\$6,119,640	\$6,119,640	\$6,119,576

Section 50: State of Georgia General Obligation Debt Sinking Fund

Section Total - Continuation

TOTAL STATE FUNDS	\$1,210,798,469	\$1,210,798,469	\$1,210,798,469
State General Funds	\$1,210,798,469	\$1,210,798,469	\$1,210,798,469
TOTAL FEDERAL FUNDS	\$20,104,750	\$20,104,750	\$20,104,750
Federal Funds Not Itemized	\$20,104,750	\$20,104,750	\$20,104,750
TOTAL PUBLIC FUNDS	\$1,230,903,219	\$1,230,903,219	\$1,230,903,219

Section Total - Final

TOTAL STATE FUNDS	\$1,246,512,444	\$1,245,976,012	\$1,245,883,844
State General Funds	\$1,246,512,444	\$1,245,976,012	\$1,245,883,844
TOTAL FEDERAL FUNDS	\$20,104,750	\$20,104,750	\$20,104,750
Federal Funds Not Itemized	\$20,104,750	\$20,104,750	\$20,104,750
TOTAL PUBLIC FUNDS	\$1,266,617,194	\$1,266,080,762	\$1,265,988,594

General Obligation Debt Sinking Fund - Issued**Continuation Budget**

TOTAL STATE FUNDS	\$1,091,170,677	\$1,091,170,677	\$1,091,170,677
State General Funds	\$1,091,170,677	\$1,091,170,677	\$1,091,170,677
TOTAL FEDERAL FUNDS	\$20,104,750	\$20,104,750	\$20,104,750
Federal Funds Not Itemized	\$20,104,750	\$20,104,750	\$20,104,750
TOTAL PUBLIC FUNDS	\$1,111,275,427	\$1,111,275,427	\$1,111,275,427

352.1 *Transfer funds from GO Bonds New to GO Bonds Issued to reflect the issuance of new bonds.*

State General Funds	\$119,627,792	\$119,627,792	\$119,627,792
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352.2 *Reduce funds for debt service to reflect savings associated with refunding and favorable rates received in recent bond sales.*

State General Funds	(\$72,711,380)	(\$72,711,380)	(\$72,711,380)
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352.3 *Increase funds for debt service.*

State General Funds	\$15,631,589	\$7,786,875	\$0
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352.4 *Increase funds for debt service on road and bridge projects to meet projected need.*

State General Funds	\$7,915,117	\$7,915,117	\$7,915,117
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352.5 *Redirect \$3,600,000 in 20-year unissued bonds from FY2014 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program - Low Wealth (HB106, Bond 362.303) to be used for the FY2019 Capital Outlay Program - Regular for local school construction, statewide. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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352.6 *Redirect \$620,000 in 20-year unissued bonds from FY2014 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program - Regular Advance (HB106, Bond 362.302) to be used for the FY2019 Capital Outlay Program - Regular for local school construction, statewide. (G:YES)(H:YES)(S:YES)*

State General Funds	\$0	\$0	\$0
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352.7 *Redirect \$655,000 in 20-year unissued bonds from FY2015 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program - Regular (HB744, Bond #1) to be used for the FY2019 Capital Outlay Program - Regular for local school construction, statewide. (G:YES)(H:YES)(S:YES)*

State General Funds \$0 \$0 \$0

352.8 *Redirect \$875,000 in 20-year unissued bonds from FY2016 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program - Regular (HB76, Bond 355.101) to be used for the FY2019 Capital Outlay Program - Regular for local school construction, statewide. (G:YES)(H:YES)(S:YES)*

State General Funds \$0 \$0 \$0

352.9 *Redirect \$2,855,000 in 20-year unissued bonds from FY2017 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program - Regular (HB751, Bond #1) to be used for the FY2019 Capital Outlay Program - Regular for local school construction, statewide. (G:YES)(H:YES)(S:YES)*

State General Funds \$0 \$0 \$0

352.10 *Redirect \$350,560 in 5-year issued bonds from FY2014 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through technology infrastructure upgrades, local school districts, statewide (HB106, Bond 362.306) to be used to purchase vocational equipment, statewide. (H:YES)(S:YES)*

State General Funds \$0 \$0

352.11 *Redirect \$2,492,696 in 5-year issued bonds from FY2015 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through technology infrastructure upgrades, local school districts, statewide (HB744, Bond #8) to be used to purchase vocational equipment, statewide. (H:YES)(S:YES)*

State General Funds \$0 \$0

352.12 *Redirect \$1,860,000 in 5-year unissued bonds from FY2017 for the Georgia Bureau of Investigation for the purpose to fund design of a new investigative Division Building to house the Georgia Information Sharing and Analysis Center (HB751, Bond #91) to be used for the FY2019 purchase of equipment for new Coastal Regional Crime Lab, Pooler, Chatham County. (S:YES)*

State General Funds \$0

352.100-General Obligation Debt Sinking Fund - Issued	Appropriation (HB 684)		
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TOTAL STATE FUNDS	\$1,161,633,795	\$1,153,789,081	\$1,146,002,206
State General Funds	\$1,161,633,795	\$1,153,789,081	\$1,146,002,206
TOTAL FEDERAL FUNDS	\$20,104,750	\$20,104,750	\$20,104,750
Federal Funds Not Itemized	\$20,104,750	\$20,104,750	\$20,104,750
TOTAL PUBLIC FUNDS	\$1,181,738,545	\$1,173,893,831	\$1,166,106,956

General Obligation Debt Sinking Fund - New**Continuation Budget**

TOTAL STATE FUNDS	\$119,627,792	\$119,627,792	\$119,627,792
State General Funds	\$119,627,792	\$119,627,792	\$119,627,792
TOTAL PUBLIC FUNDS	\$119,627,792	\$119,627,792	\$119,627,792

Total Debt Service*5 year at 5.07%*

State General Funds	\$14,093,417	\$15,250,417	\$16,642,288
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10 year at 5.52%

State General Funds		\$166,000	\$830,000
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20 year at 5.77%

State General Funds	\$52,048,652	\$56,282,856	\$59,097,812
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20 year at 6.5%

State General Funds	\$18,736,580	\$20,487,658	\$23,311,538
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Total Amount

State General Funds	\$84,878,649	\$92,186,931	\$99,881,638
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Total Principal Amount*5 year at 5.07%*

State General Funds	\$60,905,000	\$65,905,000	\$71,920,000
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10 year at 5.52%

State General Funds		\$1,250,000	\$6,250,000
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20 year at 5.77%

State General Funds	\$608,045,000	\$657,510,000	\$690,395,000
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20 year at 6.5%

State General Funds	\$206,350,000	\$225,635,000	\$256,735,000
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Total Amount

State General Funds	\$875,300,000	\$950,300,000	\$1,025,300,000
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353.1 *Transfer bonds from GO Bonds New to GO Bonds Issued to reflect the issuance of new bonds.*

State General Funds	(\$119,627,792)	(\$119,627,792)	(\$119,627,792)
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353.100-General Obligation Debt Sinking Fund - New	Appropriation (HB 684)		
TOTAL STATE FUNDS	\$0	\$0	\$0
State General Funds	\$0	\$0	\$0
TOTAL PUBLIC FUNDS	\$0	\$0	\$0

Education, Department of

353.101 BOND: K - 12 Schools: \$207,195,000 in principal for 20 years at 5.77%: Fund the Capital Outlay Program - Regular for local school construction, statewide.

From State General Funds, \$17,735,892 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$207,195,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$17,733,752	\$17,735,892	\$17,735,892
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Education, Department of

353.102 BOND: K - 12 Schools: \$12,075,000 in principal for 20 years at 5.77%: Fund the Capital Outlay Program - Regular Advance for local school construction, statewide.

From State General Funds, \$1,033,620 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$12,075,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$1,033,620	\$1,033,620	\$1,033,620
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Education, Department of

353.103 BOND: K - 12 Schools: \$31,620,000 in principal for 20 years at 5.77%: Fund the Capital Outlay Program - Low-Wealth for local school construction, statewide.

From State General Funds, \$2,706,672 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems,

through the issuance of not more than \$31,620,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$2,706,672	\$2,706,672	\$2,706,672
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Education, Department of

353.104 BOND: K - 12 Schools: \$8,660,000 in principal for 20 years at 5.77%: Fund the Capital Outlay Program - Additional Project Specific Low-Wealth for local school construction, statewide.

From State General Funds, \$741,296 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$8,660,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$741,296	\$741,296	\$741,296
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Education, Department of

353.105 BOND: State Schools: \$1,150,000 in principal for 20 years at 5.77%: Fund facility improvements and repairs, Georgia state schools, statewide.

From State General Funds, \$98,440 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,150,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$98,440	\$98,440	\$98,440
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Education, Department of

353.106 BOND: DOE Locations Statewide: \$1,675,000 in principal for 20 years at 6.5%: Fund renovation of Cabins 6 and 10 and construction of the assistant manager residence at Camp John Hope, Fort Valley, Peach County and for design for the renovation of Mobley Hall and facility maintenance at Sheffer Hall at the FFA/FCCLA Center, Covington, Newton County. [Taxable Bond]

From State General Funds, \$152,090 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,675,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$152,090	\$152,090	\$152,090
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Education, Department of

353.107 BOND: K - 12 Equipment: \$2,985,000 in principal for 5 years at 5.07%: Purchase agriculture education equipment, statewide.

From State General Funds, \$690,729 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,985,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$690,729	\$690,729
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Education, Department of

353.108 BOND: K - 12 Equipment: \$2,420,000 in principal for 5 years at 5.07%: Purchase vocational equipment, statewide.

From State General Funds, \$559,988 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,420,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$328,588	\$559,988
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Education, Department of

353.109 BOND: K - 12 Schools: \$10,000,000 in principal for 5 years at 5.07%: Fund school facility safety grants, statewide.

From State General Funds, \$2,314,000 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$10,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$1,851,200	\$2,314,000
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Education, Department of

353.110 BOND: K - 12 Schools: \$1,250,000 in principal for 10 years at 5.52%: Fund incentive to purchase alternative fuel school buses.

From State General Funds, \$166,000 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$1,250,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of one hundred and twenty months.

State General Funds	\$166,000	\$166,000
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Education, Department of

353.111 BOND: K - 12 Equipment: \$425,000 in principal for 5 years at 5.07%: Purchase mobile audiology unit, statewide.

From State General Funds, \$98,345 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$425,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds \$98,345 \$98,345

Education, Department of

353.112 BOND: DOE Locations Statewide: \$500,000 in principal for 20 years at 6.5%: Fund the construction of an Agricultural Center at the FFA/FCCLA Center, Covington, Newton County. [Taxable Bond]

From State General Funds, \$45,400 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$45,400

Education, Department of

353.113 BOND: K - 12 Schools: \$5,000,000 in principal for 10 years at 5.52%: Purchase school buses, local school districts, statewide.

From State General Funds, \$664,000 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of one hundred and twenty months.

State General Funds \$664,000

University System of Georgia, Board of Regents

353.201 BOND: Regents: \$60,000,000 in principal for 20 years at 5.77%: Fund facility major improvements and renovations, statewide.

From State General Funds, \$5,136,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance

of not more than \$60,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$5,564,000	\$5,136,000	\$5,136,000
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University System of Georgia, Board of Regents

353.202 BOND: Georgia Southern University: \$2,700,000 in principal for 5 years at 5.07%: Purchase equipment for new Health Professions Academic Center and renovation of Ashmore Hall, Armstrong State University, Savannah, Chatham County. (H and S:Purchase equipment for new Health Professions Academic Center and renovation of Ashmore Hall, Georgia Southern University, Savannah, Chatham County)

From State General Funds, \$624,780 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$624,780	\$624,780	\$624,780
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University System of Georgia, Board of Regents

353.203 BOND: Georgia College and State University: \$900,000 in principal for 5 years at 5.07%: Purchase equipment for the renovation of Historic Terrell Hall and Kilpatrick Hall, Georgia College and State University, Milledgeville, Baldwin County.

From State General Funds, \$208,260 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$208,260	\$208,260	\$208,260
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University System of Georgia, Board of Regents

353.204 BOND: Georgia Gwinnett College: \$1,400,000 in principal for 5 years at 5.07%: Purchase equipment for Phase IV addition to Academic Building C, Georgia Gwinnett College, Lawrenceville, Gwinnett County.

From State General Funds, \$323,960 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$323,960	\$323,960	\$323,960
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University System of Georgia, Board of Regents

353.205 BOND: University of Georgia: \$2,300,000 in principal for 20 years at 5.77%: Fund construction and equipment for Phase III of the Terry College Business Learning Center, University of Georgia, Athens, Clarke County.

From State General Funds, \$196,880 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$196,880	\$196,880	\$196,880
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University System of Georgia, Board of Regents

353.206 BOND: Augusta University: \$49,400,000 in principal for 20 years at 5.77%: Fund construction of the new College of Science and Math Building, Augusta University, Augusta, Richmond County.

From State General Funds, \$4,228,640 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$49,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$4,228,640	\$4,228,640	\$4,228,640
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University System of Georgia, Board of Regents

353.207 BOND: Georgia Institute of Technology: \$30,600,000 in principal for 20 years at 5.77%: Fund construction for the renovation of the Price Gilbert Library and Crosland Tower complex, Georgia Institute of Technology, Atlanta, Fulton County.

From State General Funds, \$2,619,360 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$30,600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$2,619,360	\$2,619,360	\$2,619,360
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University System of Georgia, Board of Regents

353.208 BOND: Georgia Southern University: \$49,900,000 in principal for 20 years at 6.5%: Fund construction of new Center for Engineering and Research, Georgia Southern University, Statesboro, Bulloch County. [Taxable Bond]

From State General Funds, \$4,530,920 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$49,900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$4,530,920	\$4,530,920	\$4,530,920
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University System of Georgia, Board of Regents

353.209 BOND: University of Georgia: \$34,800,000 in principal for 20 years at 6.5%: Fund construction of the new Interdisciplinary STEM Research Building, University of Georgia, Athens, Clarke County. [Taxable Bond]

From State General Funds, \$3,159,840 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$34,800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$3,159,840	\$3,159,840	\$3,159,840
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University System of Georgia, Board of Regents

353.210 BOND: Georgia State University: \$5,000,000 in principal for 5 years at 5.07%: Fund design of new Convocation Center, Georgia State University, Atlanta, Fulton County.

From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$1,157,000	\$1,157,000	\$1,157,000
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University System of Georgia, Board of Regents

353.211 BOND: Bainbridge State College: \$19,700,000 in principal for 20 years at 6.5%: Fund acquisition of the Student Wellness Center, Bainbridge State College, Bainbridge, Early County. [Taxable Bond]

From State General Funds, \$1,788,760 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$19,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$1,788,760	\$1,788,760	\$1,788,760
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University System of Georgia, Board of Regents

353.212 BOND: Georgia Institute of Technology: \$5,000,000 in principal for 5 years at 5.07%: Purchase equipment for Georgia Institute of Technology, Atlanta, Fulton County.

From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$1,157,000	\$1,157,000	\$1,157,000
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University System of Georgia, Board of Regents

353.213 BOND: Georgia Public Library Service: \$1,860,000 in principal for 5 years at 5.07%: Fund major repairs and renovations for public libraries, Georgia Public Library Service, statewide.

From State General Funds, \$430,404 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,860,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$462,800	\$430,404	\$430,404
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University System of Georgia, Board of Regents

353.214 BOND: Georgia Military College: \$1,900,000 in principal for 5 years at 5.07%: Purchase equipment and furniture for the renovation of Jenkins Hall, Georgia Military College, Milledgeville, Baldwin County.

From State General Funds, \$439,660 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing projects and facilities for the Board of Trustees of the Georgia Military College by means of the acquisition, construction, development, extension, enlargement, or improvement

of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$439,660	\$439,660	\$439,660
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University System of Georgia, Board of Regents

353.215 BOND: Georgia Research Alliance: \$5,000,000 in principal for 5 years at 5.07%: Purchase equipment and fund GRA research and development infrastructure, Georgia Research Alliance, multiple locations. [Taxable Bond]

From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds		\$1,157,000	\$1,157,000
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University System of Georgia, Board of Regents

353.216 BOND: Middle Georgia State University: \$900,000 in principal for 5 years at 5.07%: Fund design of the renovation of the Academic and Student Success Centers at Roberts Library and Dillard Hall, Middle Georgia State University, Cochran, Bleckley County.

From State General Funds, \$208,260 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds		\$104,130	\$208,260
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University System of Georgia, Board of Regents

353.217 BOND: University of North Georgia: \$3,000,000 in principal for 20 years at 5.77%: Fund design and construction of the renovation of Lanier Tech - Oakwood Campus, University of North Georgia, Oakwood, Hall County.

From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance

of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$256,800	\$256,800
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University System of Georgia, Board of Regents

353.218 BOND: Georgia Highlands College: \$4,100,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for the renovation of the Winn, Bagby, and Teller Buildings - Paulding Campus, Georgia Highlands College, Dallas, Paulding County.

From State General Funds, \$350,960 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$350,960	\$350,960
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University System of Georgia, Board of Regents

353.219 BOND: Gordon State College: \$2,300,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for the renovation of the Academic Building, Gordon State College, Barnesville, Lamar County.

From State General Funds, \$196,880 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$196,880	\$196,880
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University System of Georgia, Board of Regents

353.220 BOND: Valdosta State University: \$4,400,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for the renovation of Powell Hall, Valdosta State University, Valdosta, Lowndes County.

From State General Funds, \$376,640 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$376,640	\$376,640
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University System of Georgia, Board of Regents

353.221 BOND: Kennesaw State University: \$5,000,000 in principal for 20 years at 5.77%: Fund construction and equipment for the renovation of the Engineering Lab Building G, Kennesaw State University - Marietta Campus, Marietta, Cobb County.

From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$214,000	\$428,000
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University System of Georgia, Board of Regents

353.222 BOND: University of North Georgia: \$5,500,000 in principal for 20 years at 5.77%: Fund land acquisition, design, construction and equipment for the new instructional building, University of North Georgia - Blue Ridge Campus, Blue Ridge, Fannin County.

From State General Funds, \$470,800 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$470,800	\$470,800
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University System of Georgia, Board of Regents

353.223 BOND: Savannah State University: \$3,700,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for the renovation of Herty Hall, Savannah State University, Savannah, Chatham County.

From State General Funds, \$316,720 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$158,360	\$316,720
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University System of Georgia, Board of Regents

353.224 BOND: University of Georgia - Griffin Campus: \$130,000 in principal for 5 years at 5.07%: Purchase equipment for the Turf Program at the Georgia Station at the University of Georgia - Griffin Campus, Griffin, Spalding County. [Taxable Bond]

From State General Funds, \$30,082 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$130,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$30,082	\$30,082
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University System of Georgia, Board of Regents

353.225 BOND: Clayton State University: \$5,300,000 in principal for 20 years at 5.77%: Fund construction of academic and core renovations, Clayton State University, Morrow, Clayton County.

From State General Funds, \$453,680 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$226,840	\$453,680
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University System of Georgia, Board of Regents

353.226 BOND: Abraham Baldwin Agricultural College: \$17,700,000 in principal for 20 years at 5.77%: Fund construction of the renovation of the Carlton Library and Fine Arts Building, Abraham Baldwin Agricultural College, Tifton, Tift County.

From State General Funds, \$1,515,120 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$17,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$1,515,120	\$1,515,120
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University System of Georgia, Board of Regents

353.227 BOND: Columbus State University: \$4,800,000 in principal for 20 years at 5.77%: Fund construction of the renovation and addition to the Schwob Memorial Library, Columbus State University, Columbus, Muscogee County.

From State General Funds, \$410,880 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$205,440	\$410,880
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University System of Georgia, Board of Regents

353.228 BOND: University of West Georgia: \$1,700,000 in principal for 5 years at 5.07%: Fund design of the new College of Business Building, University of West Georgia, Carrollton, Carroll County.

From State General Funds, \$393,380 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$196,690	\$393,380
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University System of Georgia, Board of Regents

353.229 BOND: Georgia Public Library System: \$2,000,000 in principal for 20 years at 5.77%: Fund design and construction of the renovation of the Switzer Library, Marietta, Cobb County.

From State General Funds, \$171,200 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$85,600	\$171,200
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University System of Georgia, Board of Regents

353.230 BOND: Georgia Public Library System: \$900,000 in principal for 20 years at 5.77%: Fund design and construction of the renovation of the Covington Public Library, Covington, Newton County.

From State General Funds, \$77,040 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$900,000

in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$77,040	\$77,040
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University System of Georgia, Board of Regents

353.231 BOND: Georgia Public Library System: \$2,000,000 in principal for 20 years at 5.77%: Fund design and construction of the renovation of the Hall County Public Library, Gainesville, Hall County.

From State General Funds, \$171,200 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$85,600	\$171,200
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University System of Georgia, Board of Regents

353.232 BOND: Georgia Public Library System: \$1,640,000 in principal for 20 years at 5.77%: Fund design and construction of the renovation of the W.H. Stanton Memorial Library, Social Circle, Walton County.

From State General Funds, \$140,384 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,640,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$70,192	\$140,384
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University System of Georgia, Board of Regents

353.233 BOND: Georgia Public Library System: \$895,000 in principal for 5 years at 5.07%: Fund technology improvements and upgrades for public libraries, Georgia Public Library Service, statewide.

From State General Funds, \$207,103 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$895,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$207,103	\$207,103
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University System of Georgia, Board of Regents

353.234 BOND: Georgia Public Library System: \$1,890,000 in principal for 20 years at 5.77%: Fund repurpose grants for public libraries, Georgia

Public Library Service, statewide.

From State General Funds, \$161,784 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,890,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$104,860	\$161,784
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University System of Georgia, Board of Regents

353.235 BOND: Georgia Military College: \$4,000,000 in principal for 20 years at 5.77%: Fund construction of the renovation of Jenkins Hall, Georgia Military College, Milledgeville, Baldwin County.

From State General Funds, \$342,400 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing projects and facilities for the Board of Trustees of the Georgia Military College by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$342,400	\$342,400
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University System of Georgia, Board of Regents

353.236 BOND: Georgia College and State University: \$1,700,000 in principal for 5 years at 5.07%: Fund design of the new Integrated Science Complex, Georgia College and State University, Milledgeville, Baldwin County.

From State General Funds, \$393,380 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds		\$393,380
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University System of Georgia, Board of Regents

353.237 BOND: Georgia Southwestern State University: \$3,400,000 in principal for 20 years at 5.77%: Fund design, construction and equipment for the renovation of the Academic Center for Excellence, Georgia Southwestern State University, Americus, Sumter County.

From State General Funds, \$291,040 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction,

development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds

\$291,040

University System of Georgia, Board of Regents

353.238 BOND: Georgia State University: \$2,500,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for the renovation of an addition to the Library North, Georgia State University, Atlanta, Fulton County.

From State General Funds, \$214,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds

\$214,000

University System of Georgia, Board of Regents

353.239 BOND: South Georgia State College: \$3,100,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for the renovation of Powell Hall, South Georgia State College, Douglas, Coffee County.

From State General Funds, \$265,360 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds

\$265,360

University System of Georgia, Board of Regents

353.240 BOND: University of North Georgia: \$5,000,000 in principal for 20 years at 5.77%: Fund construction of additions, University of North Georgia, Cumming, Forsyth County.

From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance

of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$428,000

University System of Georgia, Board of Regents

353.241 BOND: University of Georgia: \$3,000,000 in principal for 20 years at 5.77%: Fund the renovation and expansion of Russell Hall at the Health Sciences Campus, University of Georgia, Athens, Clarke County.

From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$256,800

University System of Georgia, Board of Regents

353.242 BOND: Georgia Public Library System: \$2,000,000 in principal for 20 years at 5.77%: Fund design and construction for the renovation of the Lumpkin County Library, Dahlonega, Lumpkin County.

From State General Funds, \$171,200 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$171,200

Technical College System of Georgia

353.251 BOND: Technical College Multi-Projects: \$25,000,000 in principal for 20 years at 6.5%: Fund facility major improvements and renovations, statewide. [Taxable Bond]

From State General Funds, \$2,270,000 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$25,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$2,270,000 \$2,270,000 \$2,270,000

Technical College System of Georgia

353.252 BOND: Technical College Multi-Projects: \$0 in principal for 5 years at 5.07%: Purchase equipment for refresh, statewide. [Taxable Bond] (H and S:NO; Reflect funding in HB683, 2018 Session)

State General Funds	\$2,384,577	\$0	\$0
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Technical College System of Georgia

353.253 BOND: Georgia Northwestern Technical College: \$4,065,000 in principal for 5 years at 5.07%: Purchase equipment for the new Education Building, Whitfield Murray Campus, Georgia Northwestern Technical College, Dalton, Whitfield County. [Taxable Bond]

From State General Funds, \$940,641 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,065,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$940,641	\$940,641	\$940,641
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Technical College System of Georgia

353.254 BOND: Ogeechee Technical College: \$1,675,000 in principal for 5 years at 5.07%: Purchase equipment for the Plant Operations and Workforce Training Center, Ogeechee Technical College, Statesboro, Bulloch County. [Taxable Bond]

From State General Funds, \$387,595 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,675,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$387,595	\$387,595	\$387,595
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Technical College System of Georgia

353.255 BOND: Coastal Pines Technical College: \$17,795,000 in principal for 20 years at 6.5%: Fund construction of new Camden County Campus, Coastal Pines Technical College, Kingsland, Camden County. [Taxable Bond]

From State General Funds, \$1,615,786 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$17,795,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities

not in excess of two hundred and forty months.

State General Funds	\$1,615,786	\$1,615,786	\$1,615,786
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Technical College System of Georgia

353.256 BOND: Chattahoochee Technical College: \$23,525,000 in principal for 20 years at 6.5%: Fund construction of new Health Sciences Building, Chattahoochee Technical College, Marietta, Cobb County. [Taxable Bond]

From State General Funds, \$2,136,070 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$23,525,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$2,136,070	\$2,136,070	\$2,136,070
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Technical College System of Georgia

353.257 BOND: West Georgia Technical College: \$4,000,000 in principal for 20 years at 6.5%: Fund property acquisition, planning, and design of new Carroll County Campus, West Georgia Technical College, Carrollton, Carroll County. [Taxable Bond]

From State General Funds, \$363,200 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$363,200	\$363,200	\$363,200
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Technical College System of Georgia

353.258 BOND: Chattahoochee Technical College: \$8,905,000 in principal for 20 years at 6.5%: Fund design, construction, and equipment for new Center for Advanced Manufacturing and Emerging Technologies, Chattahoochee Technical College, Acworth, Bartow County. [Taxable Bond]

From State General Funds, \$808,574 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$8,905,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$808,574	\$808,574	\$808,574
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Technical College System of Georgia

353.259 BOND: Central Georgia Technical College: \$1,990,000 in principal for 20 years at 6.5%: Fund design, construction, and equipment for VECTR Industrial Lab Facility Expansion, Central Georgia Technical College, Warner Robins, Houston County. [Taxable Bond]

From State General Funds, \$180,692 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,990,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$180,692 \$180,692

Technical College System of Georgia

353.260 BOND: Southern Crescent Technical College: \$2,370,000 in principal for 20 years at 6.5%: Fund design, construction, and equipment for the Renovation and Backfill of Griffin Campus, Southern Crescent Technical College, Griffin, Spalding County. [Taxable Bond]

From State General Funds, \$215,196 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,370,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$215,196 \$215,196

Technical College System of Georgia

353.261 BOND: Technical College Multi-Projects: \$12,000,000 in principal for 20 years at 6.5%: Fund construction of College and Career Academies, statewide. [Taxable Bond]

From State General Funds, \$1,089,600 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$12,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$1,089,600

Technical College System of Georgia

353.262 BOND: North Georgia Technical College: \$200,000 in principal for 20 years at 6.5%: Fund construction of new equipment barn for the Modern Agriculture Program at North Georgia Technical College, Clarkesville, Habersham County. [Taxable Bond]

From State General Funds, \$18,160 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$200,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$18,160

Technical College System of Georgia

353.263 BOND: Athens Technical College: \$435,000 in principal for 5 years at 5.07%: Fund planning and design of Athens Technical College, Athens, Clarke County. [Taxable Bond]

From State General Funds, \$100,659 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$435,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds \$100,659

Behavioral Health and Developmental Disabilities, Department of

353.301 BOND: DBHDD Multi-projects: \$3,000,000 in principal for 5 years at 5.07%: Fund facility repairs and sustainment, statewide.

From State General Funds, \$694,200 is specifically appropriated for the purpose of financing projects and facilities for the Department of Behavioral Health and Developmental Disabilities by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds \$694,200 \$694,200 \$694,200

Behavioral Health and Developmental Disabilities, Department of

353.302 BOND: East Central Regional Hospital: \$0 in principal for 5 years at 5.07%: Fund design for the kitchen renovation at East Central Regional Hospital, Augusta, Richmond County. (H and S:NO; Reflect funding in HB683, 2018 Session)

State General Funds \$94,874 \$0 \$0

Behavioral Health and Developmental Disabilities, Department of

353.303 BOND: DBHDD Multi-projects: \$3,000,000 in principal for 20 years at 5.77%: Fund facility major improvements and renovations, statewide.

From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Department of Behavioral Health and Developmental Disabilities by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$256,800	\$256,800	\$256,800
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Human Services, Department of

353.321 BOND: Human Service Multi-Projects: \$1,150,000 in principal for 20 years at 5.77%: Fund design and construction for the renovation of the recently acquired Division of Family and Children Services Building, LaGrange, Troup County.

From State General Funds, \$98,440 is specifically appropriated for the purpose of financing projects and facilities for the Department of Human Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,150,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$98,440	\$98,440	\$98,440
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Human Services, Department of

353.322 BOND: Human Service Multi-Projects: \$0 in principal for 20 years at 5.77%: Fund design and construction for the renovation of the recently acquired Division of Family and Children Services Building, Fitzgerald, Ben Hill County. (H and S:NO; Reflect funding in HB683, 2018 Session)

State General Funds	\$47,080	\$0	\$0
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Human Services, Department of

353.323 BOND: Human Service Multi-Projects: \$1,000,000 in principal for 20 years at 5.77%: Fund facility major improvements and renovations, Division of Family and Children Services, Fort Valley, Peach County.

From State General Funds, \$85,600 is specifically appropriated for the purpose of financing projects and facilities for the Department of Human Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than

\$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$85,600	\$85,600	\$85,600
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Georgia Vocational Rehabilitation Agency

353.331 BOND: Georgia Vocational Rehabilitation Agency Multi-Projects: \$1,030,000 in principal for 20 years at 5.77%: Fund facility major improvements and renovations.

From State General Funds, \$88,168 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Vocational Rehabilitation Agency by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,030,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds		\$88,168	\$88,168
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Veterans Service, Department of

353.351 BOND: Georgia War Veterans Nursing Home, Milledgeville: \$215,000 in principal for 20 years at 5.77%: Fund installation of new thermal windows, Georgia War Veterans Home, Milledgeville, Baldwin County.

From State General Funds, \$18,404 is specifically appropriated for the purpose of financing projects and facilities for the Department of Veterans Service by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$215,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds		\$18,404	\$18,404
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Community Supervision, Department of

353.361 BOND: DCS - Multi - Projects: \$510,000 in principal for 20 years at 5.77%: Fund design and construction of new Community Supervision Office, Waycross, Ware County.

From State General Funds, \$43,656 is specifically appropriated for the purpose of financing projects and facilities for the Department of Community Supervision by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$510,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$43,656	\$43,656	\$43,656
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Community Supervision, Department of

353.362 BOND: DCS - Multi - Projects: \$265,000 in principal for 20 years at 5.77%: Fund facility major maintenance and repairs, statewide.

From State General Funds, \$22,684 is specifically appropriated for the purpose of financing projects and facilities for the Department of Community Supervision by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$265,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$22,684	\$22,684	\$22,684
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Corrections, Department of

353.371 BOND: GDC multi-projects: \$0 in principal for 5 years at 5.07%: Fund emergency repairs, sustainment, and equipment, statewide. (H and S:NO; Reflect funding in HB683, 2018 Session)

State General Funds	\$694,200	\$0	\$0
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Corrections, Department of

353.372 BOND: GDC multi-projects: \$2,500,000 in principal for 20 years at 5.77%: Fund facility major improvements and renovations, multiple locations.

From State General Funds, \$214,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Corrections by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$214,000	\$214,000	\$214,000
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Defense, Department of

353.381 BOND: National Guard Armories: \$500,000 in principal for 5 years at 5.07%: Fund facility maintenance and repairs, statewide.

From State General Funds, \$115,700 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than

\$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$115,700	\$115,700	\$115,700
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Defense, Department of

353.382 BOND: Defense Multi-projects: \$975,000 in principal for 20 years at 5.77%: Fund design for the renovation of Fort Gordon Youth Challenge Academy, Augusta, Richmond County.

From State General Funds, \$83,460 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$975,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$83,460	\$83,460	\$83,460
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Defense, Department of

353.383 BOND: National Guard Armories: \$3,000,000 in principal for 20 years at 5.77%: Fund site improvements and renovations, multiple locations.

From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$256,800	\$256,800	\$256,800
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Investigation, Georgia Bureau of

353.391 BOND: Coastal Regional Crime Lab: \$7,940,000 in principal for 5 years at 5.07%: Purchase equipment for new Coastal Regional Crime Lab, Pooler, Chatham County. (S:Purchase equipment for new Coastal Regional Crime Lab, Pooler, Chatham County and utilize redirected bonds)

From State General Funds, \$1,837,316 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$7,940,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$2,267,720	\$2,267,720	\$1,837,316
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Investigation, Georgia Bureau of

353.392 BOND: GBI Multi-Projects: \$350,000 in principal for 20 years at 5.77%: Fund design of new Dual Investigative-Drug Office Building, Thomson, McDuffie County.

From State General Funds, \$29,960 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$350,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$29,960	\$29,960	\$29,960
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Investigation, Georgia Bureau of

353.393 BOND: GBI Multi-Projects: \$2,100,000 in principal for 20 years at 5.77%: Fund facility major improvements and renovations, statewide.

From State General Funds, \$179,760 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$179,760	\$179,760	\$179,760
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Investigation, Georgia Bureau of

353.394 BOND: GBI Multi-Projects: \$500,000 in principal for 5 years at 5.07%: Fund facility maintenance and repairs, statewide.

From State General Funds, \$115,700 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$115,700	\$115,700	\$115,700
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Juvenile Justice, Department of

353.401 BOND: DJJ Multi-Projects: \$2,000,000 in principal for 5 years at 5.07%: Fund facility repairs and sustainment, statewide.

From State General Funds, \$462,800 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension,

enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$462,800	\$462,800	\$462,800
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Juvenile Justice, Department of

353.402 BOND: DJJ Multi-Projects: \$5,000,000 in principal for 20 years at 5.77%: Fund facility major improvements and renovations, statewide.

From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$428,000	\$428,000	\$428,000
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Public Safety, Department of

353.421 BOND: Patrol Posts Various: \$3,350,000 in principal for 5 years at 5.07%: Fund facility major maintenance and repairs, statewide.

From State General Funds, \$775,190 is specifically appropriated for the purpose of financing projects and facilities for the Department of Public Safety by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,350,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$775,190	\$775,190	\$775,190
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Public Safety, Department of

353.422 BOND: Georgia Public Safety Training Center: \$1,760,000 in principal for 20 years at 5.77%: Fund design and construction for three new Tactical Training Ranges, Georgia Public Safety Training Center, Forsyth, Monroe County.

From State General Funds, \$150,656 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,760,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$150,656	\$150,656	\$150,656
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Public Safety, Department of

353.423 BOND: Georgia Public Safety Training Center: \$640,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for new Tactical Training Building, Georgia Public Safety Training Center, Forsyth, Monroe County.

From State General Funds, \$54,784 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$640,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$54,784	\$54,784	\$54,784
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Public Safety, Department of

353.424 BOND: Georgia Public Safety Training Center: \$1,420,000 in principal for 20 years at 5.77%: Fund design and construction for addition to Firearms Training Building, Georgia Public Safety Training Center, Forsyth, Monroe County.

From State General Funds, \$121,552 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,420,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$121,552	\$121,552	\$121,552
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Public Safety, Department of

353.425 BOND: Georgia Public Safety Training Center: \$1,130,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for addition to Savannah Training Facility, Georgia Public Safety Training Center, Savannah, Chatham County.

From State General Funds, \$96,728 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,130,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$96,728	\$96,728	\$96,728
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Driver Services, Department of

353.491 BOND: Department of Driver Services - Multi-Projects: \$3,550,000 in principal for 20 years at 5.77%: Fund design, construction, and equipment for new Customer Service Center, Gainesville, Hall County.

From State General Funds, \$303,880 is specifically appropriated for the purpose of financing projects and facilities for the Department of Driver Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,550,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$303,880	\$303,880	\$303,880
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Driver Services, Department of

353.492 BOND: Department of Driver Services - Multi-Projects: \$750,000 in principal for 20 years at 5.77%: Fund property acquisition, design, and construction for the expansion of the Customer Service Center parking lot, Atlanta, Fulton County.

From State General Funds, \$64,200 is specifically appropriated for the purpose of financing projects and facilities for the Department of Driver Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$750,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$64,200	\$64,200	\$64,200
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Labor, Department of

353.501 BOND: DOL Sites: \$1,190,000 in principal for 20 years at 5.77%: Fund ADA related improvements, statewide.

From State General Funds, \$101,864 is specifically appropriated for the purpose of financing projects and facilities for the Department of Labor by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,190,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$101,864	\$101,864	\$101,864
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Agriculture, Department of

353.581 BOND: Agriculture - Multi-Projects: \$0 in principal for 5 years at 5.07%: Fund facility repairs and sustainment, statewide. (H and S:NO; Reflect funding in HB683, 2018 Session)

State General Funds	\$555,360	\$0	\$0
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Agriculture, Department of

353.582 BOND: Athens and Tifton Veterinary Diagnostic Laboratories: \$600,000 in principal for 5 years at 5.07%: Fund lab repairs and equipment, Tifton, Tift County.

From State General Funds, \$138,840 is specifically appropriated for the purpose of financing projects and facilities for the Department of Agriculture by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds		\$138,840	\$138,840
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Agriculture, Department of

353.583 BOND: State Farmers' Markets: \$500,000 in principal for 5 years at 5.07%: Fund assessment to replace the Atlanta Farmers' Market water system, Atlanta, Fulton County. [Taxable Bond]

From State General Funds, \$115,700 is specifically appropriated for the purpose of financing projects and facilities for the Department of Agriculture by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds		\$115,700	\$115,700
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Soil and Water Conservation Commission, State

353.591 BOND: Soil & Water Conservation Watershed: \$5,500,000 in principal for 20 years at 5.77%: Fund the rehabilitation of flood control structures, Columbus, Muscogee County.

From State General Funds, \$470,800 is specifically appropriated for the purpose of financing projects and facilities for the Soil and Water Conservation Commission by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$470,800	\$470,800	\$470,800
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Environmental Finance Authority, Georgia

353.631 BOND: Local Government Infrastructure: \$8,000,000 in principal for 20 years at 5.77%: Fund Federal State Revolving Fund Match, Clean and Drinking Water Programs, match federal funds, statewide.

From State General Funds, \$684,800 is specifically appropriated for the Georgia Environmental Finance Authority for the purpose of financing loans to counties, municipal corporations, political subdivisions, local authorities, and other local government entities for water or sewerage facilities or systems or for regional or multijurisdictional solid waste recycling or solid waste facilities or systems, through the issuance of not more than \$8,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$342,400	\$684,800	\$684,800
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Environmental Finance Authority, Georgia

353.632 BOND: Local Government Infrastructure: \$8,000,000 in principal for 20 years at 5.77%: Fund State Funded Water and Sewer Construction Loan Program, statewide.

From State General Funds, \$684,800 is specifically appropriated for the Georgia Environmental Finance Authority for the purpose of financing loans to counties, municipal corporations, political subdivisions, local authorities, and other local government entities for water or sewerage facilities or systems or for regional or multijurisdictional solid waste recycling or solid waste facilities or systems, through the issuance of not more than \$8,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$1,027,200	\$684,800	\$684,800
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Economic Development, Department of

353.641 BOND: Georgia World Congress Center: \$7,500,000 in principal for 20 years at 6.5%: Fund construction of pedestrian mall, Atlanta, Fulton County. [Taxable Bond]

From State General Funds, \$681,000 is specifically appropriated for the Department of Economic Development for the purpose of financing projects and facilities for the Georgia World Congress Center Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$7,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$681,000	\$681,000	\$681,000
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Economic Development, Department of

353.642 BOND: Savannah International Trade and Convention Center: \$6,300,000 in principal for 20 years at 6.5%: Fund planning, construction and equipment for the expansion of the Savannah International Trade and Convention Center. (S:Fund planning, construction and equipment for the

expansion of the Savannah International Trade and Convention Center, Savannah, Chatham County) [Taxable Bond]

From State General Funds, \$572,040 is specifically appropriated for the Department of Economic Development for the purpose of financing projects and facilities for the Georgia World Congress Center Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$6,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$286,020	\$572,040	
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Forestry Commission, State

353.651 BOND: Forestry Buildings: \$2,030,000 in principal for 20 years at 5.77%: Fund planning, design, construction, and equipment for district offices, multiple locations.

From State General Funds, \$173,768 is specifically appropriated for the purpose of financing projects and facilities for the State Forestry Commission by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,030,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$173,768	\$173,768	\$173,768
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Natural Resources, Department of

353.661 BOND: DNR multi-projects: \$15,600,000 in principal for 20 years at 6.5%: Fund facility major improvements and renovations, statewide. [Taxable Bond]

From State General Funds, \$1,416,480 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$15,600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$1,230,340	\$1,230,340	\$1,416,480
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Natural Resources, Department of

353.662 BOND: DNR Land Acquisition: \$5,000,000 in principal for 20 years at 5.77%: Fund land acquisition for the preservation of wildlife and natural resources, multiple locations.

From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development,

extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$428,000	\$428,000	\$428,000
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Natural Resources, Department of

353.663 BOND: DNR State Parks: \$4,100,000 in principal for 20 years at 5.77%: Fund construction for two new boat houses and the replacement of Skidaway Island and Red Top Mountain Visitor Centers, multiple locations.

From State General Funds, \$350,960 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$350,960	\$350,960	\$350,960
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Natural Resources, Department of

353.664 BOND: DNR multi-projects: \$1,000,000 in principal for 5 years at 5.07%: Fund ADA related improvements, statewide.

From State General Funds, \$231,400 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds	\$231,400	\$231,400	\$231,400
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Natural Resources, Department of

353.665 BOND: DNR multi-projects: \$1,190,000 in principal for 5 years at 5.07%: Fund dambreak routings for state-owned dams, statewide.

From State General Funds, \$275,366 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,190,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds \$275,366

Jekyll Island-State Park Authority

353.671 BOND: Jekyll Island: \$0 in principal for 20 years at 5.77%: Fund construction and equipment for the renovation of Great Dunes South Beach Park, Jekyll Island, Glynn County. (H and S:NO; Reflect funding in HB683, 2018 Session)

State General Funds \$66,340 \$0 \$0

Jekyll Island-State Park Authority

353.672 BOND: Jekyll Island: \$0 in principal for 20 years at 5.77%: Fund construction and equipment for the renovation of Ocean View Beach Park, Jekyll Island, Glynn County. (H and S:NO; Reflect funding in HB683, 2018 Session)

State General Funds \$70,620 \$0 \$0

Ports Authority, Georgia

353.681 BOND: Ports Authority: \$35,000,000 in principal for 20 years at 5.77%: Fund continuation of Savannah Harbor deepening project, Savannah, Chatham County, match federal funds.

From State General Funds, \$2,996,000 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Ports Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$35,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$2,996,000 \$2,996,000 \$2,996,000

Stone Mountain Memorial Association

353.685 BOND: Stone Mountain Memorial Association: \$12,500,000 in principal for 20 years at 6.5%: Fund construction of the renovation of the Stone Mountain Inn and Evergreen Conference Center and Resort, Stone Mountain, DeKalb County. [Taxable Bond]

From State General Funds, \$1,135,000 is specifically appropriated for the purpose of financing projects and facilities for the Stone Mountain Memorial Association by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$12,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds \$567,500 \$1,135,000

Transportation, Department of

353.691 BOND: Roads and Bridges: \$100,000,000 in principal for 20 years at 5.77%: Fund repair, replacement, and renovation of bridges, statewide.

From State General Funds, \$8,560,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$100,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$8,560,000	\$8,560,000	\$8,560,000
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Transportation, Department of

353.692 BOND: Rail Lines: \$1,200,000 in principal for 20 years at 6.5%: Fund rehabilitation and improvements on Ogeechee Railway state-owned rail.
[Taxable Bond]

From State General Funds, \$108,960 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,200,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds		\$54,480	\$108,960
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Transportation, Department of

353.693 BOND: Rail Lines: \$2,605,000 in principal for 20 years at 6.5%: Fund rehabilitation and improvements on Georgia Southwestern Railroad state-owned rail. [Taxable Bond]

From State General Funds, \$236,534 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,605,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds		\$236,534	\$236,534
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Transportation, Department of

353.694 BOND: Rail Lines: \$7,320,000 in principal for 20 years at 6.5%: Fund rehabilitation and improvements on Heart of Georgia Railroad state-owned rail. [Taxable Bond]

From State General Funds, \$664,656 is specifically appropriated for the purpose of financing projects and

facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$7,320,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds	\$210,656	\$664,656
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Transportation, Department of

353.695 BOND: Rail Lines: \$1,350,000 in principal for 20 years at 6.5%: Fund rehabilitation and improvements on Chattooga and Chickamauga Railway state-owned rail. [Taxable Bond]

From State General Funds, \$122,580 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,350,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds		\$122,580
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Senate, Georgia

353.701 BOND: Georgia Senate: \$250,000 in principal for 5 years at 5.07%: Fund print shop renovations, furniture and equipment.

From State General Funds, \$57,850 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Senate by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$250,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

State General Funds		\$57,850
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Building Authority, Georgia

353.705 BOND: State Capitol: \$1,000,000 in principal for 20 years at 5.77%: Fund renovation and rehabilitation of Capitol flooring, Atlanta, Fulton County.

From State General Funds, \$85,600 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Building Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than

\$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

State General Funds

\$85,600

Section 51: General Obligation Bonds Repealed, Revised, or Reinstated Reserved.

Section 52: Refunds

In addition to all other appropriations, there is hereby appropriated, as needed, a specific sum of money equal to each refund authorized by law, which is required to make refunds of taxes and other monies collected in error, farmer gasoline tax refunds, and any other refunds specifically authorized by law.

Section 53: Leases

In accordance with the requirements of Article IX, Section III, Paragraph I(a) of the Constitution of the State of Georgia, as amended, there is hereby appropriated payable to each department, agency, or institution of the State sums sufficient to satisfy the payments required to be made in each year under existing lease contracts between any department, agency, or institution of the State and any authority created and activated at the time of the effective date of the aforesaid constitutional provision, as amended, or appropriated for the State Fiscal Year addressed within this Act. If for any reason any of the sums herein provided under any other provision of this Act are insufficient to make the required payments in full, then there shall be taken from other funds appropriated to the department, agency, or institution involved an amount sufficient to satisfy such deficiency in full, and the lease payment shall constitute a first charge on all such appropriations.

Section 54: Budgetary Control and Interpretation

The appropriations in this Act consist of the amount stated in the right-most column, for each line at the lowest level of detail for the fund source categories, "Total State Funds" and "Total Federal Funds," under a caption beginning with a program or special project number that has a 100 or a higher number after the decimal and a program or special project name. In each case, such appropriation is associated with the immediately preceding program or special project name, number, and statement of program or special project purpose. The program or special project purpose is stated immediately below the program or special project name. For authorizations for general obligation debt in Section 50, the indented, bold-faced

paragraphs following each Bond number are the lowest level of detail and constitute appropriations in accordance with Article VII, Section IV, Paragraph III(a)(1) of the Georgia Constitution. The caption above the Bond number, the light-faced text immediately following the Bond number before the bold-faced text, and the light-faced after the bold-faced text are information only.

Similarly, text in a group of lines that has a number less than 100 after the decimal (01 through 99) is not part of a statement of purpose but constitutes information as to how the appropriation was derived. Amounts in the columns other than the right-most column are for informational purposes only. The summary and lowest level of detail for the fund source categories "Total Agency Funds" and "Total Intra-State Governmental Transfers," are for informational purposes only. The blocks of text and numerals immediately following the section header and beginning with the phrases, "Section Total - Continuation" and "Section Totals - Final" are for informational purposes only. Sections 51, 52, 53 and 54 contain, constitute, or amend appropriations.

Section 55: Flex

Notwithstanding any other statement of purpose, the purpose of each appropriation of federal funds or other funds shall be the stated purpose or any other lawful purpose consistent with the fund source and the general law powers of the budget unit.

In the preceding sentence, "Federal Funds" means any federal funding source, whether specifically identified or not specifically identified; "Other Funds" means all other fund sources except State Funds or Federal Funds, including without limitation Intra-State Government Transfers. This paragraph shall not permit an agency to include within its flex the appropriations for an agency attached to it for administrative purposes.

For purposes of the appropriations for the "Medicaid: Low-Income Medicaid," "Medicaid: Aged, Blind, and Disabled," and "PeachCare" programs of the Department of Community Health, the appropriation of a particular State fund source for each program shall be the amount stated, and each such program shall also be authorized up to an additional amount of 10 percent (10%) of the amount stated. However, if the additional authority is used, the appropriation of the same State fund source for the other programs to that agency shall be reduced in the same amount, such that the stated total in program appropriations from that State fund source for the three programs shall not be exceeded. However, the additional amount shall be from a State fund source which is lawfully available for the program to which it is added.

For purposes of the appropriations for the "Capital Construction Projects," "Capital Maintenance Projects," and "Local Road Assistance Administration" programs of the Department of Transportation, the appropriation of a particular State fund source for each program shall be the amount stated, and each such program shall also be authorized up to an additional amount of 10 percent (10%) of the amount stated. However, if the additional authority is used, the appropriation of the same State fund source for the other programs to that agency shall be reduced in the same amount, such that the stated total in program appropriations from that State fund source for the three programs shall not be exceeded. However, the additional amount shall be from a State fund source which is lawfully available for the program to which it is added.

Part II

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

Part III

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 684, having received the requisite constitutional majority, was passed by substitute.

Senator Hill of the 4th moved that HB 684 be immediately transmitted to the House.

On the motion, there was no objection, and HB 684 was immediately transmitted.

The following communication was received by the Secretary:

23 March 2018

Due to business outside the Senate Chamber, I missed the vote on HB 684. Had I been present, I would have voted “yes”.

/s/ Horacena Tate
District 38

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the House and Senate:

HB 1061. By Representative Morris of the 156th:

A BILL to be entitled an Act to provide a new charter for the Town of Tarrytown; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for other matters relative to the foregoing; to repeal a specific Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1063. By Representatives Bruce of the 61st, Bazemore of the 63rd, Jackson of the 64th and Boddie of the 62nd:

A BILL to be entitled an Act to amend an Act to incorporate the City of South Fulton in Fulton County, Georgia, approved April 26, 2016 (Ga. L. 2016, p. 3726), as amended, so as to limit the authority of the mayor and city council over personnel matters; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1064. By Representatives Martin of the 49th, Jones of the 47th, Raffensperger of the 50th, Price of the 48th and Silcox of the 52nd:

A BILL to be entitled an Act to provide for a new homestead exemption from Fulton County ad valorem taxes for county purposes in the amount of \$60,000.00 of the assessed value of the homestead for residents of that county who are older than 65 years of age; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1065. By Representative Benton of the 31st:

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in the City of Jefferson; or referendum

shall be required; to provide the procedures connected with all of the foregoing; to provide for the termination of districts under certain conditions; to provide for severability; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 1067. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption from City of Stonecrest ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1068. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption for disabled and senior citizen residents from City of Stonecrest ad valorem taxes for municipal purposes in the amount of \$14,000.00 of the assessed value of a homestead, provided that the resident's income does not exceed \$15,000.00 for the preceding year; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1069. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption from City of Stonecrest ad valorem taxes for municipal purposes in the amount that provides the dollar equivalent of a one mill reduction of the millage rate applicable to the homestead property; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1070. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption from City of Stonecrest ad valorem taxes for municipal purposes in the amount of \$10,000.00 of the assessed value of a homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1071. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption for unremarried surviving spouses of military veterans from City of Stonecrest ad valorem taxes for municipal purposes in the amount of the greater of \$32,500.00 or the maximum amount which may be granted to a disabled veteran under federal law; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

HB 1072. By Representatives Cauble of the 111th, Rutledge of the 109th, Welch of the 110th, Mathiak of the 73rd and Knight of the 130th:

A BILL to be entitled an Act to amend an Act to provide for a salary and expense allowance for the coroner of Henry County, approved March 23, 1977 (Ga. L. 1977, p. 4127), as amended, particularly by an Act approved April 4, 1991 (Ga. L. 1991, p. 4415), so as to provide for an annual salary for the coroner; to provide for a salary for the deputy coroner; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 477. By Senator Parent of the 42nd:

A BILL to be entitled an Act to authorize the governing authority of the City of Decatur to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 478. By Senators Parent of the 42nd and Millar of the 40th:

A BILL to be entitled an Act to create the City of Brookhaven Public Facilities Authority and to provide for the appointment of members of the authority; to confer powers upon the authority; to provide definitions; to authorize the issuance of revenue bonds of the authority; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to exempt the property and revenue bonds of the authority from taxation; to provide for the separate enactment of a certain provision of this Act; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senator Tate of the 38th was excused for business outside the Senate Chamber.

The Calendar was resumed.

HR 51. By Representatives Powell of the 171st, England of the 116th, McCall of the 33rd, Williams of the 119th and Greene of the 151st:

Senate Sponsor: Senator Black of the 8th.

A RESOLUTION

Proposing an amendment to the Constitution so as to revise the prescribed methodology for establishing the fair market value of forest land conservation use property; to permit the deduction and retention of a portion of assistance grants related to forest land conservation use property; to permit the subclassification of timberland property for ad valorem taxation purposes; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article VII, Section I, Paragraph III of the Constitution is amended by revising subparagraph (f) and by adding a new subparagraph to read as follows:

"(f)(1) The General Assembly shall be authorized to provide by general law for the definition and methods of assessment and taxation, ~~such methods to include a formula based on current use, annual productivity, and real property sales data,~~ of 'forest land conservation use property' to include only forest land each tract of which exceeds 200 acres of a qualified owner. ~~Such methods of assessment and taxation shall be subject to the following conditions:~~

(2)(A) Any individual or ~~A qualified owner shall consist of any individual or individuals or any entity registered to do business in this state;~~

~~(B) A qualified owner~~ desiring the benefit of such methods of assessment and

taxation for forest land conservation use property shall be required to enter into a covenant to continue the property in forest land use;.

~~(C)~~(B) All contiguous forest land conservation use property of an owner within a county for which forest land conservation use assessment is sought under this subparagraph shall be in a single covenant;.

~~(D)~~(C) A breach of such covenant within 15 years shall result in a recapture of the tax savings resulting from such methods of assessment and taxation and may result in other appropriate penalties; and.

~~(E)~~(D) The General Assembly may provide by general law for a limited exception to the 200 acre requirement in the case of a transfer of ownership of all or a part of the forest land conservation use property during a covenant period to another owner qualified to enter into an original forest land conservation use covenant if the original covenant is continued by both such acquiring owner and the transferor for the remainder of the term, in which event no breach of the covenant shall be deemed to have occurred even if the total size of a tract from which the transfer was made is reduced below 200 acres.

~~(2)~~(3) No portion of an otherwise eligible tract of forest land conservation use property shall be entitled to receive simultaneously special assessment and taxation under this subparagraph and either subparagraph (c) or (e) of this Paragraph.

~~(3)~~(4)(A) The General Assembly shall appropriate an amount for assistance grants to counties, municipalities, and county and independent school districts to offset revenue loss attributable to the implementation of this subparagraph. Such grants shall be made in such manner and shall be subject to such procedures as may be specified by general law.

(B)(i) If the forest land conservation use property is located in a county, municipality, or county or independent school district where forest land conservation use value causes an ad valorem tax revenue reduction of 3 percent or less due to the implementation of this subparagraph, in each taxable year in which such reduction occurs, the assistance grants to the county, each municipality located therein, and the county or independent school districts located therein shall be in an amount equal to 50 percent of the amount of such reduction.

~~(C)~~(ii) If the forest land conservation use property is located in a county, municipality, or county or independent school district where forest land conservation use value causes an ad valorem tax revenue reduction of more than 3 percent due to the implementation of this subparagraph, in each taxable year in which such reduction occurs, the assistance grants to the county, each municipality located therein, and the county or independent school districts located therein shall be, for as follows:

~~(i)~~ ~~For~~ the first 3 percent of such reduction amount, in an amount equal to 50 percent of the amount of such reduction; and, for

~~(ii)~~ ~~For~~ the remainder of such reduction amount, in an amount equal to 100 percent of the amount of such remaining reduction amount.

~~(4)~~ ~~Such revenue reduction shall be calculated by utilizing forest land fair market~~

~~value. For purposes of this subparagraph, forest land fair market value means the 2008 fair market value of the forest land. Such 2008 valuation may increase from one taxable year to the next by a rate equal to the percentage change in the price index for gross output of state and local government from the prior year to the current year as defined by the National Income and Product Accounts and determined by the United States Bureau of Economic Analysis and indicated by the Price Index for Government Consumption Expenditures and General Government Gross Output (Table 3.10.4).~~

~~(C)(i)~~ Such revenue reduction shall be determined by subtracting the aggregate forest land conservation use value of qualified properties from the aggregate forest land fair market value of qualified properties for the applicable tax year and the resulting amount shall be multiplied by the millage rate of the county, municipality, or county or independent school district.

~~(S)(ii)~~ For purposes of this subparagraph, the forest land conservation use value shall not include the value of the standing timber located on forest land conservation use property.

(D) Notwithstanding subparagraph (a) of Paragraph VI of Section IX of Article II of this Constitution, the General Assembly may provide by general law for a fee, not to exceed 5 percent, to be deducted from such assistance grants and retained by the state revenue commissioner to provide for the costs to the state of administering the provisions of this subparagraph.

(f.1) The General Assembly shall be authorized by general law to establish a separate class of property for ad valorem taxation purposes that includes only tangible real property that has as its primary use the production of trees for the primary purpose of producing timber for commercial uses. Such property shall be known as 'timberland property' and shall be assessed for ad valorem taxation pursuant to a method or manner to be prescribed by general law."

SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

- "() YES Shall the Constitution of Georgia be amended so as to revise the prescribed methodology for establishing the fair market value of forest land conservation use property, to provide that up to 5 percent of assistance grants related to forest land conservation use property may be deducted and retained by the state revenue commissioner to provide for
- () NO state administrative costs, and to provide for the subclassification of timberland property for ad valorem taxation purposes?"

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes." All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.

The Senate Committee on Rules offered the following substitute to HR 51:

A RESOLUTION

Proposing an amendment to the Constitution so as to revise provisions subclassifying forest land conservation use property for ad valorem taxation purposes; to revise the prescribed methodology for establishing the value of forest land conservation use property and related assistance grants; to permit increases to assistance grants by general law up to a five-year period; to permit the deduction and retention of a portion of assistance grants related to forest land conservation use property; to permit the subclassification of qualified timberland property for ad valorem taxation purposes; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article VII, Section I, Paragraph III of the Constitution is amended by revising subparagraph (f) and by adding a new subparagraph to read as follows:

"(f)(1) The General Assembly shall provide by general law for the definition ~~and~~, methods of assessment, and taxation, such methods to include a formula based on current use, annual productivity, and real property sales data, of 'forest land conservation use property' to include only forest land ~~each tract of which exceeds 200 acres of a qualified owner. Such methods of assessment and taxation shall be subject to the following conditions:~~ of at least 200 acres in aggregate which lies within one or more counties, provided that such forest land is in parcels of at least 100 acres within any given county.

~~(2)(A) A qualified owner shall consist of any~~ Any individual or individuals or any entity registered to do business in this state;

~~(B) A qualified owner~~ desiring the benefit of such methods of assessment and taxation for forest land conservation use property shall be required to enter into a covenant to continue the property in forest land use;

~~(C)(B)~~ All contiguous forest land conservation use property of an owner within a county for which forest land conservation use assessment is sought under this subparagraph shall be in a single covenant;

~~(D)(C)~~ A breach of such covenant within ~~15~~ ten years shall result in a recapture of the tax savings resulting from such methods of assessment and taxation and may result in other appropriate penalties; ~~and~~.

~~(E)(D)~~ The General Assembly may provide by general law for a limited exception to the 200 acre requirement in the case of a transfer of ownership of all or a part of the forest land conservation use property during a covenant period to another owner qualified to enter into an original forest land conservation use covenant if the original covenant is continued by both such acquiring owner and the transferor for

the remainder of the term, in which event no breach of the covenant shall be deemed to have occurred even if the total size of a tract from which the transfer was made is reduced below 200 acres.

~~(2)~~(3) No portion of an otherwise eligible tract of forest land conservation use property shall be entitled to receive simultaneously special assessment and taxation under this subparagraph and either subparagraph (c) or (e) of this Paragraph.

~~(3)~~(4)(A) The General Assembly shall appropriate an amount for assistance grants to counties, municipalities, and county and independent school districts to offset revenue loss attributable to the implementation of this subparagraph. Such grants shall be made in such manner and shall be subject to such procedures as may be specified by general law. For the years 2019, 2020, 2021, 2022, and 2023, the value of the assistance grants may be increased by general law beyond the amounts prescribed by this subparagraph.

(B)(i) If the forest land conservation use property is located in a county, municipality, or county or independent school district where forest land conservation use value causes an ad valorem tax revenue reduction of 3 percent or less due to the implementation of this subparagraph, in each taxable year in which such reduction occurs, the assistance grants to the county, each municipality located therein, and the county or independent school districts located therein shall be in an amount equal to 50 percent of the amount of such reduction.

~~(C)~~(ii) If the forest land conservation use property is located in a county, municipality, or county or independent school district where forest land conservation use value causes an ad valorem tax revenue reduction of more than 3 percent due to the implementation of this subparagraph, in each taxable year in which such reduction occurs, the assistance grants to the county, each municipality located therein, and the county or independent school districts located therein shall be as follows: for

(i) ~~For~~ the first 3 percent of such reduction amount, in an amount equal to 50 percent of the amount of such reduction; and, for

(ii) ~~For~~ the remainder of such reduction amount, in an amount equal to 100 percent of the amount of such remaining reduction amount.

~~(4) Such revenue reduction shall be calculated by utilizing forest land fair market value. For purposes of this subparagraph, forest land fair market value means the 2008 fair market value of the forest land. Such 2008 valuation may increase from one taxable year to the next by a rate equal to the percentage change in the price index for gross output of state and local government from the prior year to the current year as defined by the National Income and Product Accounts and determined by the United States Bureau of Economic Analysis and indicated by the Price Index for Government Consumption Expenditures and General Government Gross Output (Table 3.10.4).~~

(C)(i) Such revenue reduction shall be determined by subtracting the aggregate forest land conservation use value of qualified properties from the aggregate forest land fair market value of qualified properties for the applicable tax year and the resulting amount shall be multiplied by the millage rate of the county,

municipality, or county or independent school district.

~~(5)~~(ii) For purposes of this subparagraph, the forest land conservation use value shall not include the value of the standing timber located on forest land conservation use property.

(iii) For the purposes of this subparagraph, forest land fair market value means the fair market value of the forest land as determined in 2016, provided that such value shall change in 2019 and every three years thereafter to the fair market value of forest land as determined in such year.

(D) Notwithstanding subparagraph (a) of Paragraph VI of Section IX of Article III of this Constitution, the General Assembly may provide by general law for a fee, not to exceed 5 percent, to be deducted from such assistance grants and retained by the state revenue commissioner to provide for the costs to the state of administering the provisions of subparagraph (f.1) of this Paragraph.

(f.1)(1)(A) The General Assembly shall be authorized by general law to establish a separate class of property for ad valorem taxation purposes that includes only tangible real property that has as its primary use the production of trees for the primary purpose of producing timber for commercial uses and that meets such further requirements as may be prescribed by general law. Such property shall be known as 'qualified timberland property.'

(B) The assessed value of qualified timberland property shall be at least 175 percent of such property's forest land conservation use value as determined pursuant to subparagraph (f) of this Paragraph.

(2) The only two purposes authorized by the subclassification of qualified timberland property as provided by this subparagraph shall be to allow the General Assembly by general law to:

(A) Provide that the Department of Revenue shall appraise qualified timberland property at its fair market value using any combination of appraisal methodologies otherwise provided by general law for establishing the fair market value of real property, provided that such methodology is not subject to an exception authorized by subparagraph (b), (c), (d), (e), (f), or (g) of this Paragraph; and

(B) Authorize the General Assembly to provide for a separate system by which to appeal appraisals of and determinations made related to qualified timberland property."

SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

"() YES Shall the Constitution of Georgia be amended so as to revise provisions related to the subclassification for tax purposes of and the prescribed methodology for establishing the value of forest land conservation use property and related assistance grants, to provide that assistance grants

- () NO related to forest land conservation use property may be increased by general law for a five-year period and that up to 5 percent of assistance grants may be deducted and retained by the state revenue commissioner to provide for certain state administrative costs, and to provide for the subclassification of qualified timberland property for ad valorem taxation purposes?"

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes." All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.

Senator Black of the 8th offered the following amendment #1:

Amend Senate Committee on Rules substitute to HR 51 (LC 43 0991S) by deleting "assessed" in line 97.

On the adoption of the amendment, there were no objections, and the Black amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the adoption of the resolution by substitute, was agreed to as amended.

On the adoption of the resolution proposing an amendment to the Constitution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson

Y Harper
 Y Heath
 Y Henson
 Y Hill

Y Miller
 Y Mullis
 Y Orrock
 Y Parent

Y Wilkinson
 N Williams, M
 Y Williams, N

On the adoption of the resolution, the yeas were 52, nays 1.

HR 51, having received the requisite two-thirds constitutional majority, was adopted by substitute.

HB 85. By Representatives Powell of the 171st, England of the 116th, McCall of the 33rd, Williams of the 119th and Greene of the 151st:

A BILL to be entitled an Act to amend Code Section 48-5-271 of the Official Code of Georgia Annotated, relating to table of values for conservation use value of forest land, so as to revise the methodology used to establish forest land fair market value; to provide for a sales data bank; to provide for publication; to provide for appeals; to provide for an administrative fee; to provide for related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Black of the 8th.

The Senate Committee on Rules offered the following substitute to HB 85:

A BILL TO BE ENTITLED
 AN ACT

To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to revise definitions related to the value of property; to provide for the values for assessments for forest land conservation use property and qualified timberland property; to revise provisions related to covenants for forest land conservation use property; to provide for the certification and appraisal of certain timberland property by the state revenue commissioner; to provide for the return of such property to the commissioner; to provide for appeals; to provide for definitions; to provide that the state revenue commissioner shall deduct and retain an administrative fee from assistance grants related to forest land conservation use property; to provide for related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended in Chapter 5, relating to ad valorem taxation of property, by adding a new

subparagraph to paragraph (3) of Code Section 48-5-2, relating to definitions, as follows:

"(G) Fair market value of 'qualified timberland property' means the fair market value determined in accordance with Article 13 of this chapter."

SECTION 2.

Said title is further amended in said chapter by revising paragraphs (5) and (6) of Code Section 48-5-2, relating to definitions, as follows:

"(5) 'Forest land conservation use value' of forest land conservation use property means the amount determined in accordance with the specifications and criteria provided for in Code Section 48-5-271 and Article VII, Section I, Paragraph III(f) of the Constitution.

(6) 'Forest land fair market value' means the ~~2008~~ fair market value of the forest land determined in accordance with Article VII, Section I, Paragraph III(f) of the Constitution; ~~provided, however, that when the 2008 fair market value of the forest land has been appealed by a property owner and the ultimate fair market value of the forest land is changed in the appeal process by either the board of assessors, the board of equalization, a hearing officer, an arbitrator, or a superior court judge, then the final fair market value of the forest land shall replace the 2008 fair market value of the forest land. This final fair market value of the forest land shall be used in the calculation of local assistance grants. If local assistance grants have been granted to either a county, a county board of education, or a municipality based on the 2008 fair market value of forest land and subsequently the fair market value of such forest land is reduced on an appeal, then the county or the municipality shall reimburse the state, within 12 months unless otherwise agreed to by the parties, the difference between local assistance grants paid to the county or municipality and the amount which would have been due based on the final fair market value of the forest land. Such 2008 valuation may increase from one taxable year to the next by a rate equal to the percentage change in the price index for gross output of state and local government from the prior year to the current year as defined by the National Income and Product Accounts and determined by the United States Bureau of Economic Analysis and indicated by the Price Index for Government Consumption Expenditures and General Government Gross Output (Table 3.10.4).~~"

SECTION 3.

Said title is further amended in said chapter by adding two new subsections to Code Section 48-5-7, relating to assessment of tangible property, to read as follows:

"(c.5) Tangible real property which qualifies as forest land conservation use property pursuant to the provisions of Code Section 48-5-7.7 shall be assessed at 40 percent of its forest land conservation use value and shall be taxed on a levy made by each respective tax jurisdiction according to 40 percent of the property's forest land conservation use value.

(c.6) Tangible real property which qualifies as qualified timberland property in accordance with the provisions of Article 13 of this chapter shall be assessed at 40

percent of its fair market value of qualified timberland property and shall be taxed on a levy made by each respective tax jurisdiction according to 40 percent of its fair market value of qualified timberland property as such value is determined by the commissioner in accordance with Article 13 of this chapter."

SECTION 4.

Said title is further amended in said chapter by revising subsections (b), (c), (d), and (v) of Code Section 48-5-7.7, relating to the Georgia Forest Land Protection Act of 2008, as follows:

"(b) As used in this Code section, the term:

(1) 'Contiguous' means real property within a county that abuts, joins, or touches and has the same undivided common ownership. If an applicant's tract is divided by a county boundary, public roadway, public easement, public right of way, natural boundary, land lot line, or railroad track, then the applicant has, at the time of the initial application, a one-time election to declare the tract as contiguous irrespective of a county boundary, public roadway, public easement, public right of way, natural boundary, land lot line, or railroad track.

(2) 'Forest land conservation use property' means real property that is forest land each tract of which consists of more than 200 acres of tangible real property of an owner of at least 200 acres in aggregate which lies within one or more counties, provided that such forest land is in parcels of at least 100 acres within any given county and that is subject to the following qualifications:

(A) Such property must be owned by an individual or individuals or by any entity registered to do business in this state;

(B) Such property excludes the entire value of any residence and its underlying land located on the property; as used in this subparagraph, the term 'underlying land' means the minimum lot size required for residential construction by local zoning ordinances or two acres, whichever is less. This provision for excluding the underlying land of a residence from eligibility in the conservation use covenant shall only apply to property that is first made subject to such a covenant, or is subject to a renewal of a previous conservation use covenant, on or after January 1, 2014;

(C) Such property has as its primary use the good faith subsistence or commercial production of trees, timber, or other wood and wood fiber products from or on the land. Such primary use includes land conservation and ecological forest management in which commercial production of wood and wood fiber products may be undertaken primarily for conservation and restoration purposes rather than financial gain. Such property may, in addition, have one or more of the following secondary uses:

(i) The promotion, preservation, or management of wildlife habitat;

(ii) Carbon sequestration in accordance with the Georgia Carbon Sequestration Registry;

(iii) Mitigation and conservation banking that results in restoration or conservation of wetlands and other natural resources; or

(iv) The production and maintenance of ecosystem products and services, such as, but not limited to, clean air and water.

Forest land conservation use property may include, but is not limited to, land that has been certified as environmentally sensitive property by the Department of Natural Resources or which is managed in accordance with a recognized sustainable forestry certification program, such as the Sustainable Forestry Initiative, Forest Stewardship Council, American Tree Farm Program, or an equivalent sustainable forestry certification program approved by the State Forestry Commission.

(3) 'Qualified owner' means any individual or individuals or any entity registered to do business in this state.

(4) 'Qualified property' means forest land conservation use property as defined in this subsection.

(5) 'Qualifying purpose' means a use that meets the qualifications of subparagraph (C) of paragraph (2) of this subsection.

(c) The following additional rules shall apply to the qualification of forest land conservation use property for conservation use assessment:

(1) ~~All contiguous forest~~ Forest land conservation use property of an owner within a county for which forest land conservation use assessment is sought under this Code section shall be in a single covenant covenants, which shall include forest land of at least 200 acres in aggregate which lies within one or more counties, provided that such forest land is in parcels of at least 100 acres within any given county, unless otherwise required under subsection (e) of this Code section;

(2) When one-half or more of the area of a single tract of real property is used for the qualifying purpose, then the entirety of such tract shall be considered as used for such qualifying purpose unless some other type of business is being operated on the portion of the tract that is not being used for a qualifying purpose; provided, however, that such other portion must be minimally managed so that it does not contribute significantly to erosion or other environmental or conservation problems or must be used for one or more secondary purposes specified in subparagraph (b)(2)(C) of this Code section. The following uses of real property shall not constitute using the property for another type of business:

(A) The lease of hunting rights or the use of the property for hunting purposes;

(B) The charging of admission for use of the property for fishing purposes;

(C) The production of pine straw or native grass seed;

(D) The granting of easements solely for ingress and egress; and

(E) Any type of business devoted to secondary uses listed under subparagraph (b)(2)(C) of this Code section; and

(3) No otherwise qualified forest land conservation use property shall be denied conservation use assessment on the grounds that no soil map is available for the county or counties, if applicable, in which such property is located; provided, however, that if no soil map is available for the county or counties, if applicable, in which such property is located, the board of tax assessors shall use the current soil classification applicable to such property.

(d) No property shall qualify for conservation use assessment under this Code section unless and until the qualified owner of such property agrees by covenant with the appropriate taxing authority to maintain the eligible property in forest land conservation use for a period of ~~15~~ ten years beginning on the first day of January of the year in which such property qualifies for such conservation use assessment and ending on the last day of December of the final year of the covenant period. After the qualified owner has applied for and has been allowed conservation use assessment provided for in this Code section, it shall not be necessary to make application thereafter for any year in which the covenant period is in effect and conservation use assessment shall continue to be allowed such qualified owner as specified in this Code section. At least 60 days prior to the expiration date of the covenant, the county board of tax assessors where the property is located shall send by first-class mail written notification of such impending expiration. Upon the expiration of any covenant period, the property shall not qualify for further conservation use assessment under this Code section unless and until the qualified owner of the property has entered into a renewal covenant for an additional period of ~~15~~ ten years; provided, however, that the qualified owner may enter into a renewal contract in the ~~fourteenth~~ ninth year of a covenant period so that the contract is continued without a lapse for an additional ~~15~~ ten years."

"(v) At such time as the property ceases to be eligible for forest land conservation use assessment or when any ~~15-year~~ ten-year covenant period expires and the property does not qualify for further forest land conservation use assessment, the qualified owner of the property shall file an application for release of forest land conservation use treatment with the county board of tax assessors where the property is located who shall approve the release upon verification that all taxes and penalties with respect to the property have been satisfied. After the application for release has been approved by such board of tax assessors, the board shall file the release in the office of the clerk of the superior court in the county in which the original covenant was filed. The clerk of the superior court shall file and index such release in the real property records maintained in the clerk's office. No fee shall be paid to the clerk of the superior court for recording such release. The commissioner shall by regulation provide uniform release forms."

SECTION 5.

Said title is further amended in said chapter by adding a new article to read as follows:

"ARTICLE 13

48-5-600.

As used in this article, the term:

(1) 'Bona fide production of trees' means the good faith, real, actual, and genuine production of trees for commercial uses.

(2) 'Qualified owner' means an individual or entity that meets the conditions of Code Section 48-5-603.

(3) 'Qualified timberland property' means timberland property that meets the conditions of Code Section 48-5-604.

(4) 'Timberland property' means tangible real property that has as its primary use the bona fide production of trees for the primary purpose of producing timber for commercial uses.

48-5-600.1.

In accordance with Article VII, Section I, Paragraph III(f.1) of the Constitution of Georgia, qualified timberland property shall be classified as a separate and distinct class of tangible property. The procedures prescribed by this article for appraisal and valuation of such property and for appeals of the assessed value of such property shall be exclusive.

48-5-601.

(a) Qualified timberland property shall be returned to the commissioner between January 1 and April 1 each year.

(b) The fair market value of qualified timberland property shall be determined through an annual appraisal conducted by the commissioner in accordance with the qualified timberland property appraisal manual provided for in Code Section 48-5-602.

(c) The commissioner shall have access to qualified timberland property for the purpose of conducting appraisals, provided that prior notice has been given to the qualified owner of such property.

(d) The commissioner shall ensure that the appraisal values of qualified timberland property are delivered to county tax officials by July 1 of each year.

(e) Notwithstanding anything in this chapter to the contrary, pursuant to Article VII, Section I, Paragraph III(f.1) of the Constitution, the assessed value of qualified timberland property shall be at least 175 percent of such property's forest land conservation value determined pursuant to this chapter.

48-5-602.

(a) The commissioner shall adopt by rule, subject to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' and maintain a qualified timberland property appraisal manual that shall be used by the commissioner in the appraisal of qualified timberland property for ad valorem tax purposes.

(b) The commissioner shall provide for a period of consultation with the Georgia Agricultural Statistical Service, Cooperative Extension Service, Georgia Forestry Association, and State Forestry Commission prior to the adoption of the qualified timberland property appraisal manual.

(c)(1) Such manual shall be proposed and published on or before June 1, 2019, and annually thereafter.

(2) Published manuals shall apply to the tax year following the tax year in which they are published.

(3) This annual publication requirement shall not be construed to require annual

adjustments, revisions, or modifications to the appraisal methodology.

(d) Such manual shall contain:

- (1) Complete parameters for the appraisal of qualified timberland property;
- (2) A table of regional values for qualified timberland property based on the geographic locations and productivity levels within the state; and
- (3) A prescription of methods and procedures by which identification data, appraisal and assessment data, sales data, and any other information relating to the appraisal and assessment of property shall be furnished to the department using electronic data processing systems and equipment.

48-5-603.

The commissioner shall certify as a qualified owner any individual or entity registered to do business in this state that is engaged in the bona fide production of trees for the primary purpose of producing timber for commercial uses, provided that such individual or entity:

- (1) Registers with the commissioner; and
- (2) Certifies to the commissioner that such individual or entity is engaged in the bona fide production of trees.

48-5-604.

(a) Upon application by a qualified owner, the commissioner shall certify as qualified timberland property any timberland property that is titled to a qualified owner, provided that:

- (1) The timberland property is at least 50 contiguous acres;
- (2) The production of trees on the timberland property is being done for the purpose of making a profit and is the primary activity taking place on the property;
- (3) A consistent effort has been clearly demonstrated in land management in accordance with accepted commercial forestry practices, which may include reforestation, periodic thinning, undergrowth control of unwanted vegetation, fertilization, prescribed burning, sales of timber, and maintenance of firebreaks; and
- (4) Such qualified owner:

(A) Submits a list of all parcels to the commissioner that contain timberland property and that identify the specific portions of such parcels that such owner certifies are timberland property; and

(B) Certifies that such timberland property is used for the bona fide production of trees and that:

(i) There is a reasonable attainable economic salability of the timber products within a reasonable future time; and

(ii) The production of trees is being done for the purpose of making a profit and is the primary activity taking place on the property.

(b)(1) The qualified owner's submission provided for in paragraph (4) of subsection (a) of this Code section shall be certified by the qualified owner and shall be updated annually filed together with such qualified owner's return required by subsection (a)

of Code Section 48-5-601. If such conditions are not met annually, the real property at issue shall be decertified as qualified timberland property and the commissioner shall notify the respective county tax officials of such decertification by April 15 of the respective year.

(2) The commissioner shall be authorized to conduct an audit of any list submitted pursuant to this Code section.

(c) The commissioner shall file certifications of qualified timberland property with the respective county tax officials in which any of such real property exists by April 15 each year.

48-5-605.

(a) A taxpayer or county board of tax assessors may appeal the commissioner's decisions related to:

(1) Such taxpayer's status as a qualified owner;

(2) The certification or noncertification of such taxpayer's timberland as qualified timberland property; or

(3) The appraised value of such taxpayer's qualified timberland property.

(b)(1) Such appeals shall be made as an appeal to the Georgia Tax Tribunal in accordance with Chapter 13A of Title 50 within 30 days of the commissioner's publication of such decision.

(2) The Georgia Tax Tribunal shall issue a final decision on such appeals on or before September 1 of the year in which an appeal is filed.

48-5-606.

(a) A taxpayer, group of taxpayers, county board of tax assessors, or association representing taxpayers may appeal the commissioner's decisions related to the commissioner's complete parameters for the appraisal of qualified timberland property required by paragraph (1) of subsection (d) of Code section 48-5-602.

(b)(1) Such appeals shall be made as an appeal to the Georgia Tax Tribunal in accordance with Chapter 13A of Title 50 within 60 days of the commissioner's publication of such manual.

(2) The Georgia Tax Tribunal shall issue a final decision on such appeals on or before September 1 of the year in which an appeal is filed.

48-5-607.

The commissioner shall be authorized to prescribe such forms and promulgate such rules and regulations as are necessary to implement this article."

SECTION 6.

Said title is further amended in Chapter 5A, relating to special assessment of forest land conservation use property, by adding two new Code sections to read as follows:

"48-5A-5.

Pursuant to Article VII, Section I, Paragraph III(f) of the Constitution, the

commissioner shall deduct and retain an amount equal to 3 percent of an assistance grant upon distribution of such assistance grant to a county, municipality, or county or independent school district as an administrative fee to provide for the costs of administering Article 13 of Chapter 5 of this title.

48-5A-6.

(a) For 2019, the value of the local assistance grant to any county shall be increased by an amount equal to 80 percent of the difference between the value of the local assistance grant such county received for 2018 and the amount for which such county is eligible to receive in 2019.

(b) For 2020, the value of the local assistance grant to any county shall be increased by an amount equal to 60 percent of the difference between the value of the local assistance grant such county received for 2018 and the amount for which such county is eligible to receive in 2020.

(c) For 2021, the value of the local assistance grant to any county shall be increased by an amount equal to 40 percent of the difference between the value of the local assistance grant such county received for 2018 and the amount for which such county is eligible to receive in 2021.

(d) For 2022, the value of the local assistance grant to any county shall be increased by an amount equal to 20 percent of the difference between the value of the local assistance grant such county received for 2018 and the amount for which such county is eligible to receive in 2022."

SECTION 7.

(a) This Act shall become effective on January 1, 2019, only if an amendment to the Constitution of Georgia is ratified at the November, 2018, general election modifying constitutional prescriptions for forest land conservation use property and related assistance grants, permitting the withholding of a portion of assistance grants to provide for certain state administrative costs, and establishing qualified timberland property as a subclassification of tangible property for purposes of ad valorem taxation.

(b) If such an amendment to the Constitution is not so ratified, then this Act shall not become effective and shall stand repealed by operation of law on January 1, 2019.

SECTION 8.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 1.

HB 85, having received the requisite constitutional majority, was passed by substitute.

Senator Harper of the 7th was excused for business outside the Senate Chamber.

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Beach of the 21st.

The Senate Committee on Transportation offered the following substitute to HB 930:

**A BILL TO BE ENTITLED
AN ACT**

To amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to provide for an exception to the ceiling on local sales and use taxes; to provide for the imposition of a transit special purpose local option sales and use tax within special districts; to establish special districts; to provide for definitions, procedures, conditions, and limitations for the imposition, collection, disbursement, and termination of the tax; to provide for powers, duties, and authority of the state revenue commissioner; to provide for other matters relative to the foregoing; to amend Chapter 32 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Regional Transportation Authority, so as to create the Atlanta-region Transit Link "ATL" Commission to serve as a division within such authority; to provide for purposes of such commission; to provide for definitions; to provide for composition of the board of directors of such commission; to provide for powers and duties of such commission; to provide for the establishment of a special fund to carry out the purposes of the commission; to provide for immunity; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use taxes, is amended in Code Section 48-8-6, relating to prohibition of political subdivisions from imposing various taxes, ceiling on local sales and use taxes, and taxation of mobile telecommunications, by revising subsection (a) as follows:

"(a) There shall not be imposed in any jurisdiction in this state or on any transaction in this state local sales taxes, local use taxes, or local sales and use taxes in excess of 2 percent. For purposes of this prohibition, the taxes affected are any sales tax, use tax, or sales and use tax which is levied in an area consisting of less than the entire state, however authorized, including such taxes authorized by or pursuant to constitutional amendment, except that the following taxes shall not count toward or be subject to such 2 percent limitation:

(1) A sales and use tax for educational purposes exempted from such limitation under Article VIII, Section VI, Paragraph IV of the Constitution;

(2) Any tax levied for purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Georgia Laws, 1964, page 1008; the continuation of such amendment under Article XI, Section I, Paragraph IV(d) of the Constitution; and the laws enacted pursuant to such constitutional amendment; provided, however, that the exception provided for under this paragraph shall only apply:

(A) In a county in which a tax is being imposed under subparagraph (a)(1)(D) of Code Section 48-8-111 in whole or in part for the purpose or purposes of a water capital outlay project or projects, a sewer capital outlay project or projects, a water and sewer capital outlay project or projects, water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200, or any combination thereof and with respect to which the county has entered into an intergovernmental contract with a municipality, in which the average waste-water system flow of such municipality is not less than 85 million gallons per day, allocating proceeds to such municipality to be used solely for water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200. The exception provided for under this subparagraph shall apply only during the period the tax under such subparagraph (a)(1)(D) is in effect. The exception provided for under this subparagraph shall not apply in any county in which a tax is being imposed under Article 2A of this chapter;

(B) In a county in which the tax levied for purposes of a metropolitan area system of public transportation is first levied after January 1, 2010, and before November 1, 2016. Such tax shall not apply to the following:

(i) The sale or use of jet fuel to or by a qualifying airline at a qualifying airport. For purposes of this division, a 'qualifying airline' means any person which is authorized by the Federal Aviation Administration or another appropriate agency of the United States to operate as an air carrier under an air carrier operating certificate and which provides regularly scheduled flights for the transportation of passengers or cargo for hire. For purposes of this division, a 'qualifying airport' means any airport in this state that has had more than 750,000 takeoffs and landings during a calendar year; and

(ii) The sale of motor vehicles; or

(C) In a county in which a tax is levied and collected pursuant to Part 2 of Article 2A of this chapter;

(3) In the event of a rate increase imposed pursuant to Code Section 48-8-96, only the amount in excess of the initial 1 percent sales and use tax and in the event of a newly imposed tax pursuant to Code Section 48-8-96, only the amount in excess of a 1 percent sales and use tax;

(4) A sales and use tax levied under Article 4 of this chapter;

(5) Either a A sales and use tax levied under Article 5 of this chapter or a sales and use tax levied under Article 5B of this chapter, but not both; and

(6) A sales and use tax levied under Article 5A of this chapter.

If the imposition of any otherwise authorized local sales tax, local use tax, or local sales and use tax would result in a tax rate in excess of that authorized by this subsection, then such otherwise authorized tax may not be imposed."

SECTION 2.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 5B48-8-269.40.

As used in this article, the term:

(1) 'Commission' means the Atlanta-region Transit Link 'ATL' Commission created pursuant to Code Section 50-32-56.

(2) 'County' means any county created under the Constitution or laws of this state.

(3) 'Dealer' shall have the same meaning as provided for in paragraph (8) of Code Section 48-8-2.

(4) 'Intergovernmental agreement' means a contract entered into pursuant to Article IX, Section III, Paragraph I of the Constitution.

(5) 'Nonattainment area' means those counties currently having or previously deemed to have excess levels of ozone, carbon monoxide, or particulate matter in violation of the standards in the federal Clean Air Act, as amended in 1990 and codified at 42 U.S.C. Section 7401 through Section 7671q and which fall under the jurisdiction exercised by the Atlanta-region Transit Link 'ATL' Authority or any predecessor authority as described in Article 2 of Chapter 32 of Title 50.

(6) 'Qualified municipality' means a qualified municipality as defined in paragraph (4) of Code Section 48-8-110 and which is located wholly or partly within a special district.

(7) 'Rail based' means designed to be operated upon rail or rails.

(8) 'Regional transit plan' means the official multiyear plan for transit services and facilities adopted pursuant to Code Section 50-32-58.

(9) 'Transit' means modes of transportation serving the general public which are appropriate to transport people by highways or rail and which are operated by or under contract with the state, a public agency or authority, a county or municipality, a community improvement district, or any other similar public entity of this state and all accompanying infrastructure and services necessary to provide access to these modes of transportation.

(10) 'Transit projects' means and includes purposes to establish, enhance, operate, and maintain, or improve access to transit, including general obligation debt and other multiyear obligations issued to finance such projects.

(11) 'Transportation services contract' means a contract to provide transit services, facilities, or both in accordance with standards set forth in Section 24A of the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended.

48-8-269.41.

(a) Pursuant to the authority granted by Article IX, Section II, Paragraph VI of the Constitution of this state, 159 special districts are created within this state. The geographical boundary of each county shall correspond with and shall be conterminous with the geographical boundary of the 159 special districts created.

(b) Any county that is within a nonattainment area may, by following the procedures

required by this article, impose within the special district, a transit special purpose local option sales and use tax for a period of 30 years, the proceeds of which shall be used only for transit projects.

48-8-269.42.

(a) Prior to the issuance of any call for the referendum by any county that desires to levy a tax for transit projects authorized under this article, the county shall determine whether the region has proposed a referendum on a tax under Article 5 of this chapter. This determination shall be based on whether, pursuant to paragraphs (2) and (3) of subsection (c) of Code Section 48-8-245, a majority of the governing authorities of counties within the region containing the county proposing the tax have passed resolutions calling for the levy of a tax under Article 5 of this chapter. If a majority of the governing authorities of the counties in the region have passed such a resolution, the county proposing a tax under this article shall postpone the referendum under this article until the regional referendum has been decided. No ballot shall propose a tax under this article and under Article 5 of this chapter at the same election.

(b) Prior to the issuance of any call for the referendum by any county that desires to levy a tax for transit projects authorized under this article, the county shall determine whether the county has proposed a referendum on or is levying a tax under Article 5A of this chapter. If a county has proposed a referendum on a tax under Article 5A of this chapter or is levying a tax under Article 5A of this chapter, no referendum for tax under this article shall be called. No ballot shall propose a tax under this article and under Article 5A of this chapter at the same election.

48-8-269.43.

(a) Prior to calling a referendum as provided for in this article, any county qualified to levy a tax under this article shall deliver or mail a written notice to the mayor or chief elected official in each qualified municipality located within the special district, the chief executive officer of the Metropolitan Atlanta Rapid Transit Authority, and a designee of the commission prior to the issuance of the call for the referendum. Such notice shall contain the date, time, place, and purpose of a meeting at which the governing authorities of the county and of each qualified municipality and such chief executive officer are to meet to discuss possible transit projects for inclusion in the referendum and the rate of tax. The notice shall be delivered or mailed at least ten days prior to the date of the meeting. Any project list developed at such meeting shall be finalized at least 60 days prior to the issuance of the call for the referendum.

(b) Following the meeting required by subsection (a) of this Code section, the county shall deliver or mail a written notice to the commission of the intent to call for such referendum. Such notice shall include a list of transit projects located within such county which the county intends to fund with proceeds from the tax authorized under this article.

(c) Upon receipt of such notice from a county, the commission shall have the authority to approve or deny any or all projects within a submitted transit project list. In making

a determination upon whether to approve transit projects, the commission shall take into consideration any other transit projects the commission has approved for any neighboring counties, any transit projects in progress in any neighboring counties, and any additional federal or state funding that may be available for any projects. The commission shall make a determination and send notification to a county approving or denying the submitted transit projects no later than 45 days from the receipt of such list.

(d) Following receipt of notification approving or denying transit projects and prior to any tax being imposed under this article, the county and all qualified municipalities therein may execute an intergovernmental agreement memorializing their agreement to the levy of a tax. If an intergovernmental agreement is entered into, it shall, at a minimum, include the following:

(1) A list of the transit projects proposed to be funded from the proceeds of the tax;

(2) An agreement that the operator of any transit services which are not rail based to be funded by the proceeds of the tax authorized under this article shall be selected by the commission;

(3) An agreement that all rail based transit services to be funded by the proceeds of the tax authorized under this article shall be operated by the Metropolitan Atlanta Rapid Transit Authority or any successor authority;

(4) Copies of transportation services contracts entered into between the county and the Metropolitan Atlanta Rapid Transit Authority, if applicable;

(5) Record-keeping and audit procedures necessary to carry out the purposes of this article; and

(6) Such other provisions as the county and qualified municipalities choose to address.

(e) The rate of the tax shall be 1 percent; provided, however, that if the county and all qualified municipalities fail to enter into the agreements described in paragraphs (2) and (3) of subsection (d) of this Code section, no tax shall be imposed pursuant to this article.

(f)(1) As soon as practicable after the meeting required in subsection (a) of this Code section and the execution of an intergovernmental agreement, if applicable, the governing authority of the county calling for a referendum shall, by a majority vote on a resolution offered for such purpose, submit the list of transit projects and the question of whether the tax should be approved to electors of the special district in the next scheduled election and shall notify the county election superintendent within the special district by forwarding to the superintendent a copy of such resolution calling for the imposition of the tax. Such list, or a digest thereof, shall be available during regular business hours in the office of the county clerk.

(2) The resolution authorized by paragraph (1) of this subsection shall describe or identify:

(A) The specific transit projects to be funded which have been approved by the authority;

(B) The approximate cost of such transit projects;

(C) A statement that the Metropolitan Atlanta Rapid Transit Authority shall serve,

through a transportation services contract, as the operator of all rail based transit services within the county; and

(D) A statement that the commission shall select the operator of any transit services funded by the proceeds of the tax which are not rail based.

48-8-269.44.

(a)(1) The ballot submitting the question of the imposition of the tax to the voters within the special district shall have written or printed thereon the following:

' () YES Shall a special ____ percent sales and use tax be imposed in the special district consisting of _____ County for transit projects for a period of

() NO 30 years?'

(2) If debt is to be issued, the ballot shall also have written or printed thereon, following the language specified by paragraph (1) of this subsection, the following:

'If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of _____ in the principal amount of \$ _____ for the above purpose.'

(b) The election superintendent shall issue the call and conduct the election in the manner authorized by general law. The superintendent shall canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the commissioner. The expense of the election shall be paid from county funds. All persons desiring to vote in favor of imposing the tax shall vote 'Yes,' and all persons opposed to imposing the tax shall vote 'No.' If more than one-half of the votes cast throughout the entire special district are in favor of imposing the tax, then the tax shall be imposed as provided in this article.

(c) Where such question is not approved by the voters, the county may resubmit such question from time to time upon compliance with the requirements of this article.

(d)(1) If the intergovernmental agreement, if applicable, and proposal include the authority to issue general obligation debt and if more than one-half of the votes cast are in favor of the proposal, then the authority to issue such debt in accordance with Article IX, Section V, Paragraph I of the Constitution is given to the proper officers of the county or qualified municipality; otherwise, such debt shall not be issued. If the authority to issue such debt is so approved by the voters, then such debt may be issued without further approval by the voters.

(2) If the issuance of general obligation debt is included and approved as provided in this Code section, then the governing authority of the county or qualified municipality may incur such debt either through the issuance and validation of general obligation bonds or through the execution of a promissory note or notes or other instrument or instruments. If such debt is incurred through the issuance of general obligation bonds, such bonds and their issuance and validation shall be subject to Articles 1 and 2 of Chapter 82 of Title 36 except as specifically provided otherwise in this article. If such debt is incurred through the execution of a promissory note or notes or other instrument or instruments, no validation proceedings shall be necessary, and such debt

shall be subject to Code Sections 36-80-10 through 36-80-14 except as specifically provided otherwise in this article. In either event, such general obligation debt shall be payable first from the separate account in which are placed the proceeds received by the county or qualified municipality from the tax. Such general obligation debt shall, however, constitute a pledge of the full faith, credit, and taxing power of the county or qualified municipality; and any liability on such debt which is not satisfied from the proceeds of the tax shall be satisfied from the general funds of the county or qualified municipality.

48-8-269.45.

(a)(1) If the imposition of the tax is approved at the election, the tax shall be imposed on the first day of the next succeeding calendar quarter which begins more than 80 days after the date of the election at which the tax was approved by the voters.

(2) With respect to services which are regularly billed on a monthly basis, however, the resolution shall become effective with respect to and the tax shall apply to services billed on or after the effective date specified in paragraph (1) of this subsection.

(b) The tax shall cease to be imposed on the earliest of the following dates:

(1) If the resolution calling for the imposition of the tax provided for the issuance of general obligation debt and such debt is the subject of validation proceedings, as of the end of the first calendar quarter ending more than 80 days after the date on which a court of competent jurisdiction enters a final order denying validation of such debt;

(2) As of the end of the calendar quarter during which the commissioner determines that the tax will have raised revenues sufficient to complete the transit projects included in the referendum; or

(3) On the final day of the 30 year period of time specified for the imposition of the tax.

(c) Following the expiration of a tax under this article, proceedings for the reimposition of a tax under this article may be initiated in the same manner as provided in this article for initial imposition of such tax.

48-8-269.46.

A tax levied pursuant to this article shall be exclusively administered and collected by the commissioner for the use and benefit of the county and qualified municipalities within the special district imposing the tax. Such administration and collection shall be accomplished in the same manner and subject to the same applicable provisions, procedures, and penalties provided in Article 1 of this chapter; provided, however, that all moneys collected from each taxpayer by the commissioner shall be applied first to such taxpayer's liability for taxes owed the state; and provided, further, that the commissioner may rely upon a representation by or on behalf of the special district or the Secretary of State that such a tax has been validly imposed, and the commissioner and the commissioner's agents shall not be liable to any person for collecting any such tax which was not validly imposed. Dealers shall be allowed a percentage of the amount of the tax due and accounted for and shall be reimbursed in the form of a

deduction in submitting, reporting, and paying the amount due if such amount is not delinquent at the time of payment. The deduction shall be at the rate and subject to the requirements specified under subsections (b) through (f) of Code Section 48-8-50.

48-8-269.47.

Each sales tax return remitting taxes collected under this article shall separately identify the location of each transaction at which any of the taxes remitted were collected and shall specify the amount of sales and the amount of taxes collected at each such location for the period covered by the return in order to facilitate the determination by the commissioner that all taxes imposed by this article are collected and distributed according to situs of sale.

48-8-269.48.

The proceeds of the tax collected by the commissioner in each special district under this article shall be disbursed as soon as practicable after collection as follows:

- (1) One percent of the amount collected shall be paid into the general fund of the state treasury in order to defray the costs of administration; and
- (2) Except for the percentage provided in paragraph (1) of this Code section, the remaining proceeds of the tax shall be distributed to be paid toward the cost of or debt incurred, if applicable, in relation to the transit projects listed in the resolution provided for in Code Section 48-8-269.42.

48-8-269.49.

(a) The proceeds of a tax under this article shall not be subject to any allocation or balancing of state and federal funds provided for by general law, and such proceeds shall not be considered or taken into account in any such allocation or balancing.

(b) The approval of the tax under this article shall not in any way diminish the percentage of state or federal funds allocated to any of the local governments under Code Section 32-5-27 within the special district levying the tax.

48-8-269.50.

(a) Except as to rate, a tax imposed under this article shall correspond to the tax imposed by Article 1 of this chapter. No item or transaction which is not subject to taxation under Article 1 of this chapter shall be subject to a tax imposed under this article, except that a tax imposed under this article shall not apply to:

- (1) The sale or use of any type of fuel used for off-road heavy-duty equipment, off-road farm or agricultural equipment, or locomotives;
- (2) The sale or use of jet fuel to or by a qualifying airline at a qualifying airport, as such terms are defined in paragraph (33.1) of Code Section 48-8-3;
- (3) The sale or use of fuel that is used for propulsion of motor vehicles on the public highways;
- (4) The sale or use of energy used in the manufacturing or processing of tangible goods primarily for resale, as such sale or use is described in Code Section 48-8-3.2;

(5) The sale or use of motor fuel, as defined under paragraph (9) of Code Section 48-9-2, for public mass transit; or

(6) The purchase or lease of any motor vehicle pursuant to Code Section 48-5C-1.

(b) Except as otherwise specifically provided in this article, the tax imposed pursuant to this article shall be subject to any sales and use tax exemption which is otherwise imposed by law; provided, however, that the tax levied by this article shall be applicable to the sale of food and food ingredients as provided for in paragraph (57) of Code Section 48-8-3.

48-8-269.51.

Where a local sales or use tax has been paid with respect to tangible personal property by the purchaser either in another local tax jurisdiction within this state or in a tax jurisdiction outside this state, the tax may be credited against the tax authorized to be imposed by this article upon the same property. If the amount of sales or use tax so paid is less than the amount of the tax due under this article, the purchaser shall pay an amount equal to the difference between the amount paid in the other tax jurisdiction and the amount due under this article. The commissioner may require such proof of payment in another local tax jurisdiction as he or she deems necessary and proper. No credit shall be granted, however, against the tax under this article for tax paid in another jurisdiction if the tax paid in such other jurisdiction is used to obtain a credit against any other local sales and use tax levied in the county or in a special district which includes the county.

48-8-269.52.

No tax shall be imposed upon the sale of tangible personal property which is ordered by and delivered to the purchaser at a point outside the geographical area of the special district in which the tax is imposed regardless of the point at which title passes, if the delivery is made by the seller's vehicle, United States mail, or common carrier or by private or contract carrier.

48-8-269.53.

The commissioner shall have the power and authority to promulgate such rules and regulations as shall be necessary for the effective and efficient administration and enforcement of the collection of the tax.

48-8-269.54.

Except as provided in Code Section 48-8-6, the tax authorized under this article shall be in addition to any other local sales and use tax. Except as otherwise provided in this article and except as provided in Code Section 48-8-6, the imposition of any other local sales and use tax within a county or qualified municipality within a special district shall not affect the authority of a county to impose the tax authorized under this article, and the imposition of the tax authorized under this article shall not affect the imposition of any otherwise authorized local sales and use tax within the special district.

48-8-269.55.

(a)(1) The proceeds received from the tax shall be used by the county and qualified municipalities within the special district exclusively for the transit projects specified in the resolution calling for imposition of the tax and in the ranking order so specified. Such proceeds shall be kept in a separate account from other funds of any county or qualified municipality receiving proceeds of the tax and shall not in any manner be commingled with other funds of any county or qualified municipality prior to the expenditure.

(2) The governing authority of each county and the governing authority of each qualified municipality receiving any proceeds from the tax under this article shall maintain a record of each and every purpose for which the proceeds of the tax are used. A schedule shall be included in each annual audit which shows for each purpose in the resolution calling for imposition of the tax the original estimated cost, the current estimated cost if it is not the original estimated cost, amounts expended in prior years, and amounts expended in the current year. The auditor shall verify and test expenditures sufficient to provide assurances that the schedule is fairly presented in relation to the financial statements. The auditor's report on the financial statements shall include an opinion, or disclaimer of opinion, as to whether the schedule is presented fairly in all material respects in relation to the financial statements taken as a whole.

(b) No general obligation debt shall be issued in conjunction with the imposition of the tax unless the county or qualified municipality governing authority determines that, and if the debt is to be validated it is demonstrated in the validation proceedings that, during each year in which any payment of principal or interest on the debt comes due, the county or qualified municipality will receive from the tax net proceeds sufficient to fully satisfy such liability. General obligation debt issued under this article shall be payable first from the separate account in which are placed the proceeds received by the county or qualified municipality from the tax. Such debt, however, shall constitute a pledge of the full faith, credit, and taxing power of the county or qualified municipality; and any liability on such debt which is not satisfied from the proceeds of the tax shall be satisfied from the general funds of the county or qualified municipality.

(c) The intergovernmental agreement, if applicable, and resolution calling for the imposition of the tax may specify that all of the proceeds of the tax will be used for payment of general obligation debt issued in conjunction with the imposition of the tax, and, in that event, such proceeds shall be solely for such purpose except as otherwise provided in subsection (f) of this Code section.

(d) The intergovernmental agreement, if applicable, and resolution calling for the imposition of the tax may specify that a part of the proceeds of the tax will be used for payment of general obligation debt issued in conjunction with the imposition of the tax. The intergovernmental agreement, if applicable, and resolution shall specifically state the other purposes for which such proceeds will be used. In such a case, no part of the net proceeds from the tax received in any year shall be used for such other purposes until all debt service requirements of the general obligation debt for that year have first

been satisfied from the account in which the proceeds of the tax are placed.

(e) The resolution calling for the imposition of the tax may specify that no general obligation debt is to be issued in conjunction with the imposition of the tax. The intergovernmental agreement, if applicable, and resolution shall specifically state the purpose or purposes for which the proceeds will be used.

(f)(1)(A) If the proceeds of the tax are specified to be used solely for the purpose of payment of general obligation debt issued in conjunction with the imposition of the tax, then any net proceeds of the tax in excess of the amount required for final payment of such debt shall be subject to and applied as provided in paragraph (2) of this subsection.

(B) If the special district receives from the tax net proceeds in excess of the maximum cost of the transit projects stated in the resolution calling for the imposition of the tax or in excess of the actual cost of such projects, then such excess proceeds shall be subject to and applied as provided in paragraph (2) of this subsection unless otherwise specified in the intergovernmental agreement, if applicable.

(C) If the tax is terminated under paragraph (1) of subsection (b) of Code Section 48-8-269.45 by reason of denial of validation of debt, then all net proceeds received by the special district from the tax shall be excess proceeds subject to paragraph (2) of this subsection.

(2) Excess proceeds subject to this subsection shall be used solely for the purpose of reducing any indebtedness of any county or qualified municipality within the special district other than indebtedness incurred pursuant to this article. If there is no such other indebtedness or if the excess proceeds exceed the amount of any such other indebtedness, then the excess proceeds shall next be paid into the general fund of such county or qualified municipality, it being the intent that any funds so paid into the general fund of such county or qualified municipality be used for the purpose of reducing ad valorem taxes."

SECTION 3.

Chapter 32 of Title 50 of the Official Code of Georgia Annotated, relating to the Georgia Regional Transportation Authority, is amended in Code Section 50-32-2, relating to definitions, by adding new paragraphs to read as follows:

"(3.1) 'Commission' means the Atlanta-region Transit Link 'ATL' Commission."

"(6.1) 'Land public transportation' means movement of people, animals, and goods from one location to another on land which is available for use by the general public; such term shall include transit."

"(14.1) 'Rail based' means designed to be operated upon rail or rails.

(14.2) 'Regional transit plan' means the official multiyear plan adopted by the commission for the provision of transit services and facilities throughout the jurisdiction of the authority pursuant to Code Section 50-32-58."

"(18.1) 'Transit' means movement of people from one location to another on land or by rail through a shared passenger-transport service which is available for use by the

general public. Such transport is distinct from and shall exclude modes shared by the general public through private arrangement, including but not limited to transport provided by limousine carriers, taxi services, transportation referral services, and ride share network services as such terms are defined in Chapter 1 of Title 40."

SECTION 4.

Said chapter is further amended in Code Section 50-32-3, relating to creation of authority and board, quorum, and vacancies, by revising subsection (c) as follows:

"(c) Except as otherwise provided in this chapter, a majority of the members of the board then in office shall constitute a quorum for the transaction of business. The vote of a majority of the members of the board present at the time of the vote, if a quorum is present at such time, shall be the act of the board unless the vote of a greater number is required by law or by the bylaws of the board of directors. ~~The board of directors, by resolution adopted by a majority of the full board of directors, shall designate from among its members an executive committee and one or more other committees, each consisting of two or more members of the board, which shall have and exercise such authority as the board may delegate to it under such procedures as the board may direct by resolution establishing such committee or committees."~~

SECTION 5.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 4A

50-32-56.

There is created the Atlanta-region Transit Link 'ATL' Commission which shall serve as a division within the authority for purposes of planning and coordinating the provision of transit services, establishment of transit facilities, and funding of such purposes throughout the jurisdiction of the authority.

50-32-57.

(a) The commission shall be governed by a board of directors that shall initially consist of the following 14 members:

- (1) The Governor;
- (2) The commissioner of transportation;
- (3) The chief executive officer of the Metropolitan Atlanta Rapid Transit Authority;
- (4) The executive director of the Atlanta Regional Commission;
- (5) An appointee of the mayor of the City of Atlanta;
- (6) An appointee of the president of the Atlanta City Council;
- (7) An appointee of the chairperson of the Clayton County Board of Commissioners;
- (8) An appointee selected by a majority vote of a caucus of the mayors from municipalities within Clayton County;
- (9) An appointee of the chief executive officer of DeKalb County;

(10) An appointee selected by a majority vote of a caucus of the mayors from municipalities within DeKalb County;

(11) An appointee of the chairperson of the Fulton County Board of Commissioners;

(12) An appointee selected by a majority vote of a caucus of the mayors from municipalities within Fulton County, excluding the City of Atlanta;

(13) An appointee of the chairperson of the Cobb County Board of Commissioners;
and

(14) An appointee of the chairperson of the Gwinnett County Board of Commissioners.

(b) The chairperson of any county without an appointment to the board and which approves a referendum to levy a sales and use tax pursuant to Article 5B of Chapter 8 of Title 48 or an initial sales and use tax pursuant to or in accordance with Section 25 of the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, shall be provided an appointment to the initial board of directors. A mayor from such county selected by a majority vote of a caucus of the mayors from municipalities within such county shall also be given an appointment to the board of directors at the same time, provided that an intergovernmental agreement was entered into pursuant to Code Section 48-8-269.43 or the sales and use tax was an initial tax approved pursuant to or in accordance with the Metropolitan Atlanta Rapid Transit Authority Act.

(c) The Governor shall serve as the chairperson of the board of directors. The power of the commission shall be vested in the members of the board of directors and a majority of members in office shall constitute a quorum for the transaction of any business and for the exercise of any power or function of the commission. Action may be taken and motions and resolutions adopted by the board at any meeting thereof by the affirmative vote of a majority of present and voting board members. No vacancy in the membership of the board shall impair the right of the members to exercise all the powers and perform all duties of the board.

50-32-58.

In consultation with the metropolitan planning organization, as such term is defined in Code Section 48-8-242, which jurisdiction is located wholly or partially within the jurisdiction of the authority, the commission shall develop, annually review, and amend, as necessary, a regional transit plan. Such plan shall include, but not be limited to, transit projects based upon a region-wide approach to the provision of transit services through buses and rail, the establishment of multimodal stations within the jurisdiction of the authority, enhancement of connectivity throughout the region, cost-effective expansion of existing transit systems, and the coordination of schedules and methods of payment for transit service providers. Such plan shall include the creation of a unified brand to encompass all transit service providers within the jurisdiction of the authority.

50-32-59.

(a) In addition to all the powers and duties conferred upon the authority by this chapter, the commission may serve as the entity to discharge all duties imposed on the state by any act of Congress allotting federal funds to be expended for transit purposes within the jurisdiction of the authority.

(b) Upon receipt of notice of intent to levy a tax pursuant to Article 5B of Chapter 8 of Title 48 by a county governing authority, the commission shall approve or deny any or all transit projects submitted with such notice to be included in the referendum to approve such tax. The commission shall serve notice to a county of the determination to deny or approve such projects no later than 45 days from receipt of such list.

(c) The commission shall select a single operator to provide transit services which are not rail based throughout the jurisdiction of the authority. Such procedures for making such selection may be adopted by rule or regulation of the commission and shall include, but not be limited to:

- (1) Prequalification requirements;
- (2) Public advertisement procedures;
- (3) Request for qualification requirements; and
- (4) Request for proposal requirements.

(d) The commission may employ and fix the compensation of consultants and professional personnel as it may deem necessary to assist in the exercise of its duties.

50-32-59.1.

(a) All moneys received by the commission shall be set aside as a special fund to be used by the commission to carry out the purposes of this article. The commission shall maintain and account for funds received by it for its purposes separately from the funds of the authority.

(b) To the extent otherwise provided by law, the authority may make its funds available to the commission for the purposes of the commission and shall be empowered to provide such other assistance to the commission as the commission and the authority deem appropriate.

(c) The commission, as a division and arm of the authority, shall hold the status of the authority as a public body corporate and politic and an instrumentality of the state, but neither the commission nor its members shall be amenable to any action of any kind or nature arising out of the discharge of its powers and responsibilities under this article. The commission shall otherwise have and enjoy the sovereign immunity of the state."

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 3.

HB 930, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

23 Mar 18

Due to business outside the Senate Chamber, I missed the vote on HB 930. Had I been present, I would have voted "yes".

/s/ Mike Dugan
District 30

HB 735. By Representatives Bentley of the 139th, Powell of the 171st, Jackson of the 128th, Dickey of the 140th, Tanner of the 9th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and

computation of and exemptions from state income taxes, so as to create an income tax credit for expenditures on the maintenance of railroad track owned or leased by a Class III railroad; to provide for rules and regulations related to such income tax credit; to provide for certain conditions and limitations; to require annual reporting of certain statistics related to such credit; to provide for definitions; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Gooch of the 51st.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN

STATE AUDITOR
(404) 656-2174

February 5, 2018

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 735 (LC 43 0771ER)

Dear Chairman Powell:

The bill would provide an income tax credit for maintenance expenditures related to railroad track owned or leased by Class III railroads. The credit is 50 percent of railroad track maintenance expenditures, with a credit maximum of \$3,500 per track mile per year. In addition to Class III railroads, persons transporting property using a Class III railroad's facilities or persons furnishing railroad-related property or services to a Class III railroad are also eligible for the credit with respect to maintenance of their assigned track miles. The credit is effective for tax years beginning on or after January 1, 2019.

Georgia State University's Fiscal Research Center (FRC) estimated the bill would result in a reduction in state revenue of \$2.6 million to \$4.8 million in FY 2021, the first year of the bill's full effect. FRC did not anticipate a significant change in subsequent years. Details of the analysis are in the attached appendix.

Table 1. State Revenue Effects of HB 735 LC 43 0771ER

(\$ millions)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
High	-	(\$2.4)	(\$4.8)	(\$4.8)	(\$4.8)
Low	-	(\$1.3)	(\$2.6)	(\$2.7)	(\$2.8)

Impact on Expenditures

The Department of Revenue (DOR) anticipates the need for an auditor at an annual cost of \$90,000. In addition, DOR estimated one-time costs of \$68,000 for updating IT systems, vendor certification, form creation, and equipment for the new auditor position.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

Analysis by the Fiscal Research Center

This bill draws upon the tax credit model of the federal Railroad Track Maintenance Credit Program. Authorized within the Internal Revenue Code in 2005, this program provided tax credits to qualifying rail carriers and related individuals for 50 percent of track maintenance costs not to exceed \$3,500 per mile; the credit expired at the close of 2013. In their 2015 Georgia State Rail Plan, the Georgia Department of Transportation (GDOT) identifies this program model as a possibility for rail-related funding in the state. The estimated state revenue impact of this tax credit for fiscal years 2019-23 relies upon data provided by GDOT in the same 2015 plan document.

- In 2014, Class III railroads collectively operated (owned and leased) a total of 1,362 track miles in the state.
- High estimates assume the maximum credit available per mile per year to the total mileage owned and leased by Class III railroads.
- Low estimates are based on the tabulation of 4-year maintenance project plans reported in the GDOT report for Class III railroads, applying the \$3,500 per mile per year credit limit where a given railroad would reach the cap. Planned

expenditures total approximately \$40.8 million over four years, resulting in credits earned averaging approximately \$2.5 million per year through 2018. Expenditures and resulting credits are assumed to grow from that level at 3 percent per annum.

- Given the first date for expenditures to qualify for the credit, firm taxable years beginning on or after January 1, 2019, it is assumed that the credit will first impact state revenues in FY 2020 with a partial-year effect.

The Senate Committee on Rules offered the following substitute to HB 735:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to exempt certain railroad property from storm-water fees; to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of and exemptions from state income taxes, so as to create an income tax credit for expenditures on the maintenance of railroad track owned or leased by a Class III railroad; to provide for such credit to be freely assignable; to provide for rules and regulations related to such income tax credit; to provide for certain conditions and limitations; to require annual reporting of certain statistics related to such credit; to provide for a tax credit for certain employers who purchase qualified investment property and create new full-time jobs; to provide for definitions; to amend Article 2 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to the State Properties Code, so as to provide that certain property owned by the state shall be exempt from any fees imposed by any county or municipality for the management, collection, or disposal of storm water, whether or not the property is subject to a lease; to provide for related matters; to provide for effective dates, applicability, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, is amended by adding a new Code section to read as follows:

"36-60-17.2.

Land located within a railroad's right of way and covered with ballast and rail shall be exempt from any fees imposed by any county or municipality for the management, collection, or disposal of storm water; provided, however, that railroad stations, maintenance buildings, or other developed land used for railroad purposes shall not be exempt from storm-water fees."

SECTION 2.

Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of and exemptions from state income taxes, is amended by adding a new Code section to read as follows:

"48-7-40.34.

(a) As used in this Code section, the term:

(1) 'Class III railroad' means a rail carrier classified as a Class III railroad by the United States Surface Transportation Board in accordance with Section 1-1 of 49 C.F.R. 1201, as it existed on January 1, 2018.

(2) 'Qualified railroad track maintenance expenditures' means gross expenditures for maintaining railroad track, including roadbed, bridges, and related track structures, owned or leased as of January 1, 2018, by a Class III railroad.

(b) A Class III railroad shall be given a credit against the tax imposed under this article for a taxable year in the amount of 50 percent of the qualified railroad track maintenance expenditures paid or incurred by such Class III railroad during the taxable year, provided that such credit shall not exceed \$3,500.00 multiplied by each mile of railroad track owned or leased in this state as of the close of the taxable year by such Class III railroad.

(c)(1) The credit given under this Code section shall only be allowed once for each mile of railroad track in each taxable year.

(2) Such credit shall be given for each taxable year beginning on or after January 1, 2019, and ending on or before December 30, 2023, in which the conditions of this Code section have been met.

(d) If a credit is given under this Code section with respect to any railroad track, the basis of such railroad track shall be reduced by the amount of the credit so allowed.

(e) The tax credits given to a Class III railroad by this Code section that are not used by such Class III railroad shall be freely assignable one time between January 1, 2019, and January 1, 2024, by written agreement to a taxpayer subject to the tax imposed by this chapter.

(f) On or before September 1 of 2020 and annually thereafter until 2024, the commissioner shall issue a report to the chairpersons of the Senate Finance Committee and the House Committee on Ways and Means concerning the tax credit created by this Code section, which shall include the following statistics for the preceding taxable year:

(1) The total number of taxpayers that claimed a credit provided by this Code section; and

(2) The number and total value of all credits earned and all credits applied during such tax year pursuant to this Code section.

(g) The commissioner shall promulgate such forms, rules, and regulations as are necessary to implement and administer the provisions of this Code section.

(h) This Code section shall be automatically repealed on January 1, 2024."

SECTION 3.

Said article is further amended by adding a new Code section to read as follows:

"48-7-40.35.

(a) As used in this Code section, the term:

(1) 'New full-time employee job' shall have the same meaning as provided in Code Section 48-7-40.

(2) 'Qualified employer' means a taxpayer that:

(A) Operates a facility in this state that recycles post-consumer waste materials into polyester bulk continuous filament fibers;

(B) Certifies to the commissioner that between January 1, 2018, and December 31, 2020, such taxpayer will purchase or acquire \$20 million of qualified investment property for use in this state; and

(C) Certifies to the commissioner that between January 1, 2018, and January 1, 2020, such taxpayer will create 25 new full-time employee jobs in this state.

(3) 'Qualified investment property' shall have the same meaning as provided in Code Section 48-7-40.2.

(b) A qualified employer is allowed a credit against the tax imposed by this article in an amount equal to the value of credits provided for in Code Section 48-7-40.2 that the qualified employer claimed on original or amended returns on which such qualified employer also claimed the credit provided for in Code Section 48-7-40 for the same project.

(c) The credit allowed under subsection (b) of this Code section shall be subject to the following conditions and limitations:

(1)(A) Any credit claimed under this Code section but not used in any taxable year may be carried forward for ten years from the close of the taxable year in which the credit was first claimed.

(B) The credit established by this Code section taken in any one taxable year shall be limited to an amount not greater than 50 percent of the qualified employer's state income tax liability which is attributable to income derived from operations in this state for that taxable year.

(C) The sale, merger, acquisition, or bankruptcy of any qualified employer shall not create new eligibility in any succeeding qualified employer, but any unused credit may be transferred and continued by any transferee of such qualified employer.

(2)(A) The utilization of such credit shall not affect the qualified employer's ability to claim depreciation for tax purposes on the assets acquired by such qualified employer.

(B) Such credit shall not have any effect on the qualified employer's basis in such assets for the purpose of depreciation.

(3) Notwithstanding any other provision of this chapter to the contrary, a qualified employer is authorized to claim on a tax return for a given project both the credit provided for in this Code section and the credit provided for in Code section 48-7-40.2.

(d)(1) When the amount of the credit granted under subsection (b) of this Code section exceeds 50 percent of the qualified employer's liability for taxes imposed under this article in a taxable year, such qualified employer may take the excess as a

credit against such qualified employer's quarterly or monthly payments under Code section 48-7-103.

(2) Each employee whose qualified employer receives credit against such qualified employer's quarterly or monthly payment under Code section 48-7-103 shall receive credit against his or her income tax liability under Code section 48-7-20 for the corresponding taxable year for the full amount which would be credited against such liability prior to the application of this subsection.

(3) Credits against quarterly or monthly payments under Code section 48-7-103 and credits against income tax liability under Code section 48-7-20 established by this subsection shall not constitute income to the qualified employer or the employee.

(e) A qualified employer that fails to purchase or acquire \$20 million of qualified investment property for use in this state between January 1, 2018, and December 31, 2020, or fails to create 25 new full-time employee jobs in this state between January 1, 2018, and January 1, 2020, shall not be a qualified employer and any tax imposed by this article upon such taxpayer shall be increased by any reduction in tax allowed to such taxpayer pursuant to the application of this Code section.

(f) After December 31, 2023, this Code section shall stand repealed in its entirety by operation of law."

SECTION 4.

Article 2 of Chapter 16 of Title 50 of the Official Code of Georgia Annotated, relating to the State Properties Code, is amended by revising Code Section 50-16-34.1, relating to acquisition of property within railroad lines abandoned as operating rail lines, as follows:

"50-16-34.1.

(a) The State Properties Commission is empowered and may acquire from a railroad company the real property, including the right of way, and any other properties, personal or otherwise, associated therewith, encompassed within any railroad line that has been abandoned as an operating rail line by said railroad company if the commission first determines that preserving ownership of the said railroad corridor, in whole or in part, may be useful for the present or future needs of public transportation in this state.

(b) Such an acquisition as described in subsection (a) of this Code section shall be in the name of the state, custody in the commission, a 'property' similar to the state owned properties described in subparagraphs (A), (B), and (C) of paragraph (8) of Code Section 50-16-31, and may be made by the commission without a request to acquire from another state agency, or without a request from another state agency, state authority, or other instrumentality of the state to provide or perform acquisition related services. Any property owned by the state as described in subsection (a) or in subparagraph (A) of paragraph (8) of Code Section 50-16-31 shall be exempt from any fees imposed by any county or municipality for the management, collection, or disposal of storm water, without regard to whether the property is subject to a lease.

(c) Notwithstanding any provisions and requirements of law to the contrary and particularly notwithstanding the requirements of Code Section 50-16-39, the

commission, acting for and on behalf of and in the name of the state, is empowered and may deed, lease, rent, or license any such acquired property to any state authority or other instrumentality of the state for public transportation use.

(d) Except as otherwise provided for in this Code section, the powers set forth in subsections (a), (b), and (c) of this Code section are cumulative, and not in derogation, of other powers of the commission as set forth in the 'State Properties Code.'

(e) The powers set forth in subsections (a), (b), and (c) of this Code section are intended to be exercised independently of any power or action by any other state agency, state authority, or other unit or instrumentality of government, but said powers are not intended to repeal similar or related powers in any other state agency, state authority, or other unit or instrumentality of government."

SECTION 5.

(a) Section 2 of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall be applicable to taxable years beginning on or after January 1, 2019, and ending on or before December 31, 2023.

(b) Section 3 of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall be applicable to taxable years beginning on or after January 1, 2018, and ending on or before December 31, 2023.

(c) The remaining sections of this Act shall become effective July 1, 2018.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery

Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	N Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 5.

HB 735, having received the requisite constitutional majority, was passed by substitute.

SR 989. By Senators Wilkinson of the 50th, Anderson of the 24th, Black of the 8th, Burke of the 11th and Harper of the 7th:

A RESOLUTION encouraging the Federal Motor Carrier Safety Administration (FMCSA) to withdraw the Electronic Logging Device (ELD) regulations on the agriculture industry and supporting agribusinesses; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	N Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson

Y Heath
Y Henson
Y Hill

Y Mullis
Y Orrock
Y Parent

Y Williams, M
Y Williams, N

On the adoption of the resolution, the yeas were 51, nays 1.

SR 989, having received the requisite constitutional majority, was adopted.

At 12:45 p.m. the President announced that the Senate would stand at ease until 1:30 p.m.

At 1:43 p.m. Senator Butch Miller, President Pro Tempore, called the Senate to order.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 402. By Senators Gooch of the 51st, Cowser of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

SB 451. By Senators Walker III of the 20th, Martin of the 9th, Strickland of the 17th, Wilkinson of the 50th and Black of the 8th:

A BILL to be entitled an Act to amend Code Section 2-6-27 of the O.C.G.A., relating to the State Soil and Water Conservation Commission - additional duties and powers, so as to remove authority of the State Soil and Water Conservation Commission to formulate certain rules and regulations

in consultation with the Environmental Protection Division of the Department of Natural Resources; to amend Chapter 5 of Title 12 of the O.C.G.A., relating to water resources, so as to modify provisions relating to regulated riparian rights to surface waters for general or farm use, permits for withdrawal, diversion or impoundment, coordination with water plans, metering of farm use, interbasin transfers, and appeal procedures; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, as amended, by the requisite constitutional majority the following Bill of the Senate:

SB 397. By Senators Watson of the 1st, Stone of the 23rd, Cowser of the 46th, Hufstetler of the 52nd, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Chapter 37 of Title 36 of the Official Code of Georgia Annotated, relating to the acquisition and disposition of real and personal property generally, so as to allow municipalities to hire state licensed real estate brokers to assist in the sale of real property; to provide for the duties of the state licensed real estate broker; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has disagreed to the Senate substitute to the following Bill of the House:

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

The following bill was taken up to consider House action thereto:

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senator Watson of the 1st asked unanimous consent that the Senate insist on its substitute to HB 684.

The consent was granted, and the Senate insisted on its substitute to HB 684.

Senator Williams of the 27th asked unanimous consent that Senator McKoon of the 29th be excused. The consent was granted, and Senator McKoon was excused.

Senator Thompson of the 14th was excused for business outside the Senate Chamber.

The Calendar was resumed.

HB 121. By Representatives Efstoration of the 104th, Willard of the 51st, Powell of the 171st, Reeves of the 34th, Holcomb of the 81st and others:

A BILL to be entitled an Act to amend Chapter 12 of Title 53 of the Official Code of Georgia Annotated, relating to trusts, so as to change provisions relating to minor or unborn beneficiaries; to change provisions relating to nonjudicial settlement agreements, the modification and termination of noncharitable trusts, and distribution to another trust; to change provisions relating to modification or termination of uneconomic trusts; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Stone of the 23rd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Brass	Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Butler	Y Kennedy	E Tate
N Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 42, nays 1.

HB 121, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3-23-18

Due to business outside the Senate Chamber, I missed the vote on HB 121. Had I been present, I would have voted "Yes".

/s/ Matt Brass
District 28

The following Senators were excused for business outside the Senate Chamber:

Martin of the 9th Shafer of the 48th Tippins of the 37th

HB 927. By Representatives Nimmer of the 178th, Dempsey of the 13th, Oliver of the 82nd, LaRiccia of the 169th, Houston of the 170th and others:

A BILL to be entitled an Act to amend Part 1 of Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general

provisions relative to dependency proceedings, so as to require certain information be provided to a caregiver, foster parent, preadoptive parent, or relative by DFCS upon placement of a child; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Unterman of the 45th.

The Senate Committee on Health and Human Services offered the following substitute to HB 927:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice, so as to revise provisions related to delegation of certain medical acts to advanced practice nurse; to revise definitions to provide for changes to radiographic imaging tests; to provide for changes to the ratio of a delegating physician to advanced practice registered nurses; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 34 of Title 43 of the Official Code of Georgia Annotated, relating to medical practice, is amended in Code Section 43-34-25, relating to delegation of certain medical acts to advanced practice registered nurse, construction and limitations of such delegation, definitions, conditions of nurse protocol, and issuance of prescription drug orders, by revising paragraphs (9), (10), and (11) of subsection (a), and subsections (b), (g), (g.1), and (g.2) as follows:

"(9) ~~'Life threatening' means an emergency situation in which a patient's life or physical well being will be harmed if certain testing is not performed immediately.~~
Reserved.

(10) 'Nurse protocol agreement' means a written document mutually agreed upon and signed by an advanced practice registered nurse and a physician, by which document the physician delegates to that advanced practice registered nurse the authority to perform certain medical acts pursuant to this Code section, and which acts may include, without being limited to, the ordering of drugs, medical devices, medical treatments, diagnostic studies, or ~~in life threatening situations~~ radiographic imaging tests. Such agreements shall conform to the provisions set forth in subsection (c) of this Code section.

(11) 'Order' means to prescribe pursuant to a nurse protocol agreement which drug, medical device, medical treatment, diagnostic study, or ~~in life threatening situations~~ radiographic imaging test is appropriate for a patient and to communicate the same in

writing, orally, via facsimile, or electronically."

"(b) In addition to and without limiting the authority granted pursuant to Code Section 43-34-23, a physician may delegate to an advanced practice registered nurse in accordance with a nurse protocol agreement the authority to order drugs, medical devices, medical treatments, diagnostic studies, or, ~~in life-threatening situations,~~ radiographic imaging tests."

"(g) Except as otherwise provided in subsection (g.1) or (g.2) of this Code section, a delegating physician may not enter into a nurse protocol agreement pursuant to this Code section with more than ~~four~~ eight advanced practice registered nurses at any one time and may not supervise more than eight advanced practice registered nurses at any one time, except this limitation shall not apply to an advanced practice registered nurse who is practicing:

- (1) In a hospital licensed under Title 31;
- (2) In any college or university as defined in Code Section 20-8-1;
- (3) In the Department of Public Health;
- (4) In any county board of health;
- (4.1) In any community service board;
- (5) In any free health clinic;
- (6) In a birthing center;
- (7) In any entity:
 - (A) Which is exempt from federal taxes pursuant to Section 501(c)(3) of the Internal Revenue Code, as defined in Code Section 48-1-2, and primarily serves uninsured or indigent Medicaid and medicare patients; or
 - (B) Which has been established under the authority of or is receiving funds pursuant to 42 U.S.C. Section 254b or 254c of the United States Public Health Service Act;
- (8) In any local board of education which has a school nurse program;
- (9) In a health maintenance organization that has an exclusive contract with a medical group practice and arranges for the provision of substantially all physician services to enrollees in health benefits of the health maintenance organization; or
- (10) In any emergency medical services system operated by, or on behalf of, any county, municipality, or hospital authority with a full-time medical director and who does not order drugs.

(g.1) A delegating physician ~~may not enter into a nurse protocol agreement pursuant to this Code section with more than eight advanced practice registered nurses at any one time, may not supervise more than four advanced practice registered nurses at any one time pursuant to nurse protocol agreements,~~ and shall not be required to conduct any meetings, observations, or review of medical records except as otherwise provided in this subsection, if the advanced practice registered nurses practice at a location that:

- (1) Maintains evidence-based clinical practice guidelines;
- (2) Is accredited by an accrediting body, approved by the board, such as the Joint Commission or a nationally recognized accrediting organization with comparable standards;

(3) Requires the delegating physician to document and maintain a record of review of at least 10 percent of the advanced practice registered nurses' medical records to monitor quality of care being provided to patients, which may be conducted electronically or onsite;

(4) Requires the delegating physician and advanced practice registered nurse to participate in and maintain documentation of quarterly clinical collaboration meetings, either by telephone, in person, or onsite, for purposes of monitoring care being provided to patients; and

(5) Requires the delegating physician's name, contact information, and record of the visit to be provided to the patient's primary care provider of choice with the patient's consent within 24 hours of the visit.

(g.2) A delegating physician may not enter into a nurse protocol agreement pursuant to this Code section with more than eight advanced practice registered nurses at any one time or supervise more than ~~four~~ eight advanced practice registered nurses at any one time in any emergency medical services system operated by, or on behalf of, any county, municipality, or hospital authority with a full-time medical director."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
N Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	N Jones, B	E Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	N Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
N Cowsert	Y Kirk	E Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
N Ginn	Y Lucas	E Tippins
Y Gooch	E Martin	Y Unterman
N Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	N Watson

N Harper	Miller (PRS)	Y Wilkinson
N Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 34, nays 12.

HB 927, having received the requisite constitutional majority, was passed by substitute.

HB 899. By Representatives LaRiccia of the 169th, Harden of the 148th, Nimmer of the 178th, Morris of the 156th, Dunahoo of the 30th and others:

A BILL to be entitled an Act to amend Chapter 10 of Title 13 and Chapter 91 of Title 36 of the Official Code of Georgia Annotated, relating to contracts for public works and public works bidding, respectively, so as to change the limitation on disqualification of bidders; to prohibit the disqualification of bidders based upon lack of previous experience with the delivery method; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Dugan of the 30th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Beach	Y Jones, B	E Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	N Stone
Y Burke	Y Jordan	E Strickland
Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson

Y Heath
Y Henson
Y Hill

Y Mullis
Y Orrock
Y Parent

Y Williams, M
Y Williams, N

On the passage of the bill, the yeas were 42, nays 1.

HB 899, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

March 23, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 899. Had I been present, I would have voted "YES".

/s/ Tonya Anderson
District 43

3/23/2018

Due to business outside the Senate Chamber, I missed the vote on HB 899. Had I been present, I would have voted "Yes".

/s/ Gloria S. Butler
District 55

HB 904. By Representatives Hanson of the 80th, Willard of the 51st, Fleming of the 121st, Kelley of the 16th and Harrell of the 106th:

A BILL to be entitled an Act to amend Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, so as to clarify provisions relating to the effect of an owner of land charging an admission price or fee; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Tillery of the 19th.

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to HB 904:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, so as to clarify provisions relating to the effect of an owner of

land charging an admission price or fee; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, is amended by revising paragraph (2) as follows:

"(2) For injury suffered in any case on a date when the owner of land charges ~~the any person or persons who enter or go~~ who lawfully enters or goes on the designated land for the authorized recreational use thereof, except that, in the case of land leased to the state or a subdivision thereof, any consideration received by the owner for the lease shall not be deemed a charge within the meaning of this Code section."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Miller of the 49th offered the following amendment #1:

Amend the Senate Committee on Agriculture and Consumer Affairs substitute to HB 904 (LC 37 2674S) by deleting lines 9 and 10 and inserting in lieu thereof the following:

"(2) For injury suffered in any case on a portion of land on a date when the owner of such land charges ~~the person or persons who enter or go on the land~~ any person who lawfully enters or goes on such portion designated for

On the adoption of the amendment, there were no objections, and the Miller amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland

Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	N Walker
Y Harbison	Y Millar	Y Watson
N Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 4.

HB 904, having received the requisite constitutional majority, was passed by substitute.

The President resumed the Chair.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House insists on its position in disagreeing to the Senate substitute, and has appointed a Committee of Conference to confer with a like committee on the part of the Senate on the following Bill of the House:

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

The Speaker has appointed on the part of the House, Representatives England of the 116th, Burns of the 159th, and Jones of the 47th.

Senator Heath of the 31st was excused for business outside the Senate Chamber.

The Calendar was resumed.

HB 65. By Representatives Peake of the 141st, Gravley of the 67th, Powell of the 32nd, Clark of the 98th, Battles of the 15th and others:

A BILL to be entitled an Act to amend Code Section 31-2A-18 of the Official Code of Georgia Annotated, relating to the establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards, quarterly reports, and waiver forms, so as to change provisions relating to conditions and eligibility; to provide a definition; to remove certain reporting requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Brass of the 28th.

The Senate Committee on Health and Human Services offered the following substitute to HB 65:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Public Health, so as to provide for the creation of the Joint Study Committee on THC Medical Oil Access; to provide for an automatic repealer; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Public Health, is amended by adding a new Code section to read as follows:

"31-2A-18.1.

(a) The Joint Study Committee on THC Medical Oil Access is hereby created. The committee shall study the in-state access of medical cannabis, THC oil, including, but not limited to, the security and control of all aspects of the process from acquisition and planting of seeds to final destruction of any unused portion of the plant; quality control of all aspects of the manufacturing process, including, but not limited to, product labeling and independent testing for purity and safety; and all aspects of dispensing the final product, including, but not limited to, security, competency of the dispensing staff, training on dosing, and proper delivery methods. The committee shall study and identify how to ensure proper security safeguards and systems for evaluating

qualifications of potential licensees and contain a plan to ensure that THC oil is readily available in all parts of the state at an affordable price to patients and caregivers who are properly registered in the state.

(b) The committee shall be composed of ten members.

(1) The President of the Senate shall appoint three members of the Senate as members of the committee and shall designate one of such members as cochairperson. The President of the Senate shall also appoint two citizens of this state to serve as members; and

(2) The Speaker of the House of Representatives shall appoint three members of the House of Representatives as members of the committee and shall designate one of such members as cochairperson. The Speaker of the House of Representatives shall also appoint two citizens of this state to serve as members.

(c) The cochairpersons shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.

(d) The legislative members of the committee shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated. Any members of the committee who are not legislators shall receive a daily expense allowance in an amount the same as that specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia Annotated, as well as the mileage or transportation allowance authorized for state employees. The allowances and expenses authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate and the House of Representatives.

(e) The committee shall report its findings and recommendations, including any proposed legislation, no later than December 31, 2018, to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and chairperson of the Senate Health and Human Services and the House Committee on Health and Human Services.

(f) The committee shall stand abolished and this Code section shall stand repealed by operation of law on December 31, 2018."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Watson of the 1st, Brass of the 28th, Miller of the 49th, Kirk of the 13th, Ligon, Jr. of the 3rd and others offered the following amendment #1:

Amend the Senate Committee on Health and Human Services substitute to HB 65 (LC 37 2680S) by striking "Committee" on line 3 and inserting in its place "Commission".

By striking "Committee" on line 11 and inserting in its place "Commission".

By striking "committee" on lines 12, 18, 23, 25, 29, 32, 36, 38, 42, 45, and 49 and inserting in its place "commission" everywhere such term appears.

By inserting after "repealer;" on line 4 the following:

to provide for recommendations by the Georgia Composite Medical Board on additional conditions that may be treated by low THC oil;

By inserting between lines 50 and 51 the following:

SECTION 2.

Said article is further amended in Code Section 31-2A-18, relating to the establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards, semiannual reports, and waiver forms, by adding a new subsection to read as follows:

"(h) The board shall annually review the conditions included in paragraph (3) of subsection (a) of this Code section and recommend additional conditions that have been shown through research to be effectively treated with low THC oil. Such recommendations shall include recommended dosages for a particular condition, patient responses to treatment with respect to the particular condition, and drug interactions with other drugs commonly taken by patients with the particular condition. Such recommendations shall be made to the General Assembly no later than December 1 of each year."

By redesignating Section 2 as Section 3.

Senator Heath of the 31st offered the following amendment #1a:

Amend Amend 1 to HB 65 by inserting "medical" after the word "through" on line 16

On the adoption of amendment #1a, there were no objections, and the Heath amendment #1a to the Watson, et al. amendment #1 to the committee substitute was adopted.

On the adoption of amendment #1 as amended, the President asked unanimous consent.

Senator Thompson of the 5th objected.

On the adoption of the amendment, the yeas were 26, nays 12, and the Watson, et al. amendment#1 to the committee substitute was adopted as amended.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
Y Anderson, T	N James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	N Jordan	E Strickland
N Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	E Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	N Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
N Harbison	N Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
E Heath	N Mullis	N Williams, M
N Henson	N Orrock	Y Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 31, nays 17.

HB 65, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bills of the Senate:

SB 365. By Senators Ligon, Jr. of the 3rd, Kennedy of the 18th, Cowsert of the 46th, Gooch of the 51st, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend the Official Code of Georgia Annotated, so as to revise, modernize, correct errors or omissions in, and reenact the statutory portion of said Code, as amended, in furtherance of the

work of the Code Revision Commission; to repeal portions of said Code, or Acts in amendment thereof, which have become obsolete, have been declared to be unconstitutional, or have been preempted or superseded by subsequent laws; to codify principles of law derived from decisions of the state Supreme Court; to provide for other matters relating to revision, reenactment, and publication of said Code; to provide for effect in event of conflicts; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 422. By Senators Unterman of the 45th, Walker III of the 20th and Orrock of the 36th:

A BILL to be entitled an Act to amend Chapter 22 of Title 31 of the Official Code of Georgia Annotated, relating to clinical laboratories, so as to provide for changes to provisions exempting pharmacists from provisions of said chapter when performing certain tests; to remove a cross-reference; to provide for reporting of tests and standards; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 194. By Senators Stone of the 23rd, Albers of the 56th, Tillery of the 19th and Harbin of the 16th:

A BILL to be entitled an Act to amend Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, so as to change the maximum part of disposable earnings subject to garnishment and conform the form used therewith; to clarify various provisions; to change provisions relating to serving the defendant; to change provisions relating to the introduction of evidence and how judgments are paid; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following bill was taken up to consider House action thereto:

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies,

for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senator Hill of the 4th asked unanimous consent that the Senate adhere to its substitute to HB 684 and that a Conference Committee be appointed.

The consent was granted, and the President appointed as a Conference Committee the following Senators: Miller of the 49th, Cowser of the 46th and Hill of the 4th.

The Calendar was resumed.

HB 93. By Representatives Corbett of the 174th, Kelley of the 16th, Watson of the 172nd, Blackmon of the 146th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Code Section 48-2-35.1 of the Official Code of Georgia Annotated, relating to refunds of sales and use taxes, so as to provide that no interest shall be paid on refunds of sales and use taxes to a purchaser that held a certificate or exemption letter if such purchaser did not use such document during the purchase; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Finance offered the following substitute to HB 93:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to administration of revenue and taxation, so as to provide that interest shall be paid on certain refunds of sales and use taxes to certain purchasers under certain circumstances; to amend Article 3 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to fiscal bills generally, so as to require an economic analysis prior to the introduction or amendment of legislation containing tax incentives or modifying or extending existing tax incentives; to provide for the waiving of such requirements; to provide for definitions; to require an economic analysis to be conducted by the state auditor of certain income tax credits and exemptions from sales and use taxes according to a schedule; to exclude tax bills from the fiscal note process; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Article 2 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to administration of revenue and taxation, is amended by revising Code Section 48-2-35.1, relating to refunds of sales and use taxes, as follows:

"(a)(1) If a certificate or exemption determination letter issued by the commissioner certifying that the purchaser is entitled to purchase tangible personal property or taxable services without the payment of sales and use tax has not been obtained and used prior to purchasing such tangible personal property or taxable services, a refund of sales and use taxes shall be made to such purchaser without interest.

(2)(A) For refunds of overpayments of state and local sales and use taxes made by a taxpayer with a direct payment permit, interest shall be paid on the overpaid amount of the taxes or fees pursuant to subsection (a) of Code Section 48-2-35 from the date of the filing of the claim for refund by the taxpayer.

(B) Interest shall only be determined and paid pursuant to this paragraph after the calculation of net payments at the end of a filing period.

(C) The commissioner shall pay and a taxpayer shall not waive the interest on refunds owed to such taxpayer pursuant to this paragraph."

PART II
SECTION 2-1.

This part shall be known and may be cited as the "Georgia Measuring Success Act."

SECTION 2-2.

Article 3 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to fiscal bills generally, is amended by revising Code Section 28-5-41, which is designated as reserved, as follows:

"28-5-41.

(a) As used in this Code section, the term:

(1) 'Economic analysis' means a report issued by the state auditor in accordance with this Code section.

(2) 'Fiscal amendment' means any modification of a bill, whether by amendment, substitute, or otherwise, which would cause such bill to become a tax bill or which would modify the provisions of a tax incentive within a tax bill.

(3) 'LC number' means that number preceded by the letters 'LC' assigned to a bill by the Office of Legislative Counsel when that office prepares a bill for a member of the General Assembly.

(4) 'Tax bill' means any bill that provides for a tax incentive or modifies or extends an existing tax incentive.

- (5) 'Tax incentive' means, whether direct or indirect, an exemption, exclusion, or deduction from the base of a tax, a credit against a tax, a deferral of a tax, a rebate of taxes paid, a tax abatement, or a preferential tax rate.
- (b) A tax bill shall not be adopted by a committee, the House of Representatives, or the Senate unless an economic analysis of the bill has been completed in accordance with this Code section or such requirement has been waived in accordance with subsection (h) of this Code section.
- (c) An economic analysis shall include, but not be limited to, a good faith estimate as a result of the bill becoming law upon its effective date, on an annual basis for ten years thereafter, of the following, on both a direct and indirect basis:
- (1) Net change in state revenue;
 - (2) Net change in state expenditures, which shall include, but not be limited to, costs of administering the bill;
 - (3) Net change in economic activity; and
 - (4) Net change in public benefit.
- (d) The Clerk of the House of Representatives or the Secretary of the Senate shall cause the summary of each economic analysis to be printed in sufficient quantities to attach a copy thereof to all printed copies of the bill.
- (e)(1) To obtain an economic analysis, a member of the General Assembly shall present an exact copy of a proposed bill that bears an LC number in the upper right portion of each page of the bill and a transmittal letter that requests the state auditor to issue an economic analysis for such bill.
- (2)(A) Within ten days of his or her receipt of a proposed bill, the state auditor shall determine whether or not the proposed bill is a tax bill and, if it is not, will issue a certification reflecting such determination to the member of the General Assembly who submitted such bill to the state auditor.
- (B) Within 30 days of his or her receipt of a proposed bill, if he or she determines that the proposed bill is a tax bill, the state auditor shall issue an economic analysis to the member of the General Assembly who submitted such bill to the state auditor.
- (f) A tax bill may only be modified by amendment or substitute if the amended or substituted bill is submitted to the state auditor for a revised economic analysis and such analysis is attached to the amendment or substitute before being adopted by either chamber of the General Assembly or reported out of a committee; provided, however, that such requirement can be waived in accordance with subsection (h) of this Code section.
- (g)(1) Any member of the General Assembly may submit a copy of a bill that has been introduced without an economic analysis, or an amendment or substitute to a bill that has been adopted without a corresponding, revised economic analysis and for which the requirements of this Code section have not been waived pursuant to subsection (h) of this Code section, to the state auditor at any time for a certification of whether or not the bill is a tax bill, or the amendment or substitute is a fiscal amendment.
- (2) The state auditor shall issue such certification within 72 hours following his or

her receipt of the submission.

(3) If the state auditor certifies an amendment or substitute as a fiscal amendment and such fiscal amendment is or has been adopted, without a corresponding, revised economic analysis attached or waiver of this Code section pursuant to subsection (h) of this Code section, the bill's progress in the legislative process will end, and the bill shall not be considered further by either the House of Representatives or the Senate, and, if passed by the General Assembly, the bill shall not become law and shall stand repealed in its entirety upon its enactment, provided that such amendment or substitute may be withdrawn by the legislative body that made the amendment or substitute and thereafter the bill may continue in the legislative process as any other bill, unless it is subsequently amended, and, in that event, this subsection shall still apply to the subsequent amendment.

(h) The provisions of the Code section may be waived for a tax bill or fiscal amendment by a two-thirds' majority vote of the House of Representatives, the Senate, the Senate Finance Committee, or the House Committee on Ways and Means to expressly waive the requirements of this Code section."

SECTION 2-3.

Said article is further amended by adding a new Code section to read as follows:

"28-5-41.1.

(a) An economic analysis shall include, but not be limited to, a good faith estimate as a result of the law, on an annual basis for ten years thereafter, of the following, on both a direct and indirect basis:

(1) Net change in state revenue;

(2) Net change in state expenditures, which shall include, but not be limited to, costs of administering the bill;

(3) Net change in economic activity; and

(4) Net change in public benefit.

(b) An economic analysis shall be issued by the state auditor to the House Committee on Ways and Means and the Senate Finance Committee according to the following schedule for the following Code sections or portions thereof:

(1) On or before December 1, 2018, Code Sections 48-7-29, 48-7-29.2, 48-7-29.6, 48-7-29.7, 48-7-29.14, 48-7-29.17, 48-7-40, 48-7-40.1, 48-7-40.5, 48-7-40.22, and 48-7-41 and paragraphs (7.2), (14), (15), (76), and (93) of Code Section 48-8-3;

(2) On or before December 1, 2019, Code Sections 48-7-40.6, 48-7-40.7, 48-7-40.8, 48-7-40.9, 48-7-40.15, 48-7-40.17, and 48-7-40.30 and paragraphs (15.1), (24), (38), (50), (57.3), and (62) of Code Section 48-8-3;

(3) On or before December 1, 2020, Code Sections 48-7-29.12, 48-7-29.13, 48-7-29.16, 48-7-40.27, and 48-7-40.28 and paragraphs (53) and (59) of Code Section 48-8-3;

(4) On or before December 1, 2021, Code Sections 48-7-29.1, 48-7-29.4, 48-7-29.10, 48-7-29.15, and 48-7-40.26 and paragraphs (7.1), (39), (56), (57), (71), (97), and (98) of Code Section 48-8-3;

(5) On or before December 1, 2022, Code Sections 48-7-29.9, 48-7-40.2, 48-7-40.3, 48-7-40.4, 48-7-40.15A, and 48-7A-3 and paragraphs (47), (51), (52), and (54) of Code Section 48-8-3;

(6) On or before December 1, 2023, paragraphs (18), (36), (36.1), (40), (72), and (86) of Code Section 48-8-3; and

(7) On or before December 1, 2024, paragraphs (7), (30), (41), (46), and (63) of Code Section 48-8-3."

SECTION 2-4.

Said article is further amended in Code Section 28-5-42, relating to introduction of bills having significant impact upon anticipated revenues or expenditures and furnishing of fiscal notes, by revising paragraph (1) of subsection (a) as follows:

"(a)(1) Any bill, other than a tax bill as defined in Code Section 28-5-41, having a significant impact on the anticipated revenue or expenditure level of any state department, bureau, board, council, committee, commission, or other state agency must be introduced no later than the twentieth day of any session. The sponsor of such legislation must request a fiscal note from the Office of Planning and Budget and the Department of Audits and Accounts by November 1 of the year preceding the annual convening of the General Assembly in which the bill is to be introduced, but subsequent to the preparation of such bill by the Office of Legislative Counsel. With respect to a member-elect of the General Assembly, such person must request a fiscal note from the Office of Planning and Budget and the Department of Audits and Accounts by December 1 of the year preceding the annual convening of the General Assembly in which the bill is to be introduced, but subsequent to the preparation of such bill by the Office of Legislative Counsel. The director of the Office of Planning and Budget and the state auditor shall prepare and submit the fiscal note not later than the day of convening of the General Assembly."

PART III **SECTION 3-1.**

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3-2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

HB 93, having received the requisite constitutional majority, was passed by substitute.

Senator Thompson of the 5th was excused for business outside the Senate Chamber.

HB 374. By Representative Knight of the 130th:

A BILL to be entitled an Act to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to allow for electronic filing of returns in certain cases; to provide for certain changes in proceedings before the county board of equalization; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Brass of the 28th.

The Senate Committee on Finance offered the following substitute to HB 374:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to provide for certain changes in proceedings before

the county board of equalization; to provide for procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, is amended by revising paragraph (2) of subsection (b) of Code Section 48-5-306, relating to the annual notice of current assessment, as follows:

"(2)(A) In addition to the items required under paragraph (1) of this subsection, the notice shall contain a statement of the taxpayer's right to an appeal and an estimate of the current year's taxes for all levying authorities which shall be in substantially the following form:

"The amount of your ad valorem tax bill for this year will be based on the appraised and assessed values specified in this notice. You have the right to appeal these values to the county board of tax assessors. At the time of filing your appeal you must select one of the following options:

- (i) An appeal to the county board of equalization with appeal to the superior court;
- (ii) To arbitration without an appeal to the superior court; or
- (iii) For a parcel of nonhomestead property with a fair market value in excess of ~~\$750,000.00~~ \$500,000.00 as shown on the taxpayer's annual notice of current assessment under this Code section, or for one or more account numbers of wireless property as defined in subparagraph (e.1)(1)(B) of Code Section 48-5-311 with an aggregate fair market value in excess of ~~\$750,000.00~~ \$500,000.00 as shown on the taxpayer's annual notice of current assessment under this Code section, to a hearing officer with appeal to the superior court.

If you wish to file an appeal, you must do so in writing no later than 45 days after the date of this notice. If you do not file an appeal by this date, your right to file an appeal will be lost. For further information on the proper method for filing an appeal, you may contact the county board of tax assessors which is located at: (insert address) and which may be contacted by telephone at: (insert telephone number)."

(B) The notice shall also contain the following statements in bold print:

"The estimate of your ad valorem tax bill for the current year is based on the previous or most applicable year's millage rate and the fair market value contained in this notice. The actual tax bill you receive may be more or less than this estimate. This estimate may not include all eligible exemptions."

SECTION 2.

Said chapter is further amended by revising subsections (e), (e.1), (f), and (g) of Code Section 48-5-311, relating to creation and duties of county boards of equalization, as follows:

"(e) Appeal.

(1)(A) Any taxpayer or property owner as of the last date for filing an appeal may elect to file an appeal from an assessment by the county board of tax assessors to:

(i) The county board of equalization as to matters of taxability, uniformity of assessment, and value, and, for residents, as to denials of homestead exemptions pursuant to paragraph (2) of this subsection;

(ii) An arbitrator as to matters of value pursuant to subsection (f) of this Code section;

(iii) A hearing officer as to matters of value and uniformity of assessment for a parcel of nonhomestead real property with a fair market value in excess of ~~\$750,000.00~~ \$500,000.00 as shown on the taxpayer's annual notice of current assessment under Code Section 48-5-306, and any contiguous nonhomestead real property owned by the same taxpayer, pursuant to subsection (e.1) of this Code section; or

(iv) A hearing officer as to matters of values or uniformity of assessment of one or more account numbers of wireless property as defined in subparagraph (e.1)(1)(B) of this Code section with an aggregate fair market value in excess of ~~\$750,000.00~~ \$500,000.00 as shown on the taxpayer's annual notice of current assessment under Code Section 48-5-306, pursuant to subsection (e.1) of this Code section.

(A.1) The commissioner shall establish by rule and regulation a uniform appeal form that the taxpayer may use. Such uniform appeal form shall require the initial assertion of a valuation of the property by the taxpayer.

(B) In addition to the grounds enumerated in subparagraph (A) of this paragraph, any taxpayer having property that is located within a municipality, the boundaries of which municipality extend into more than one county, may also appeal from an assessment on such property by the county board of tax assessors to the county board of equalization, to a hearing officer, or to arbitration as to matters of uniformity of assessment of such property with other properties located within such municipality, and any uniformity adjustments to the assessment that may result from such appeal shall only apply for municipal ad valorem tax purposes.

(B.1) The taxpayer or his or her agent or representative may submit in support of his or her appeal an appraisal given, signed, and certified as such by a real property appraiser as classified by the Georgia Real Estate Commission and the Georgia Real Estate Appraisers Board which was performed not later than nine months prior to the date of assessment. The board of tax assessors shall consider the appraisal upon request. Within 45 days of the receipt of the taxpayer's appraisal, the board of tax assessors shall notify the taxpayer or his or her agent or representative of acceptance of the appraisal or shall notify the taxpayer or his or her agent or representative of the reasons for rejection.

(B.2) The taxpayer or his or her agent or representative may submit in support of his or her appeal the most current report of the sales ratio study for the county conducted pursuant to Code Section 48-5-274. The board of tax assessors shall

consider such sales ratio study upon request of the taxpayer or his or her agent or representative.

(B.3) Any assertion of value by the taxpayer on the uniform appeal form made to the board of tax assessors shall be subject to later amendment or revision by the taxpayer by submission of written evidence to the board of tax assessors.

(B.4) If more than one property of a taxpayer is under appeal, the board of equalization, arbitrator, or hearing officer, as the case may be, shall, upon request of the taxpayer, consolidate all such appeals in one hearing and shall announce separate decisions as to each parcel or item of property. Any appeal from such a consolidated hearing to the superior court as provided in subsection (g) of this Code section shall constitute a single civil action and, unless the taxpayer specifically so indicates in the taxpayer's notice of appeal, shall apply to all such parcels or items of property.

(B.5) Within ten days of a final determination of value under this Code section and the expiration of the 30 day appeal period provided by subsection (g) of this Code section, or, as otherwise provided by law, with no further option to appeal, the county board of tax assessors shall forward such final determination of value to the tax commissioner.

(C) Appeals to the county board of equalization shall be conducted in the manner provided in paragraph (2) of this subsection. Appeals to a hearing officer shall be conducted in the manner specified in subsection (e.1) of this Code section. Appeals to an arbitrator shall be conducted in the manner specified in subsection (f) of this Code section. Such appeal proceedings shall be conducted between the hours of 8:00 A.M. and 7:00 P.M. on a business day. Following the notification of the taxpayer of the date and time of such taxpayer's scheduled hearing, the taxpayer shall be authorized to exercise a one-time option of changing the date and time of the taxpayer's scheduled hearing to a day and time acceptable to the taxpayer and the county board of tax assessors. The appeal administrator shall grant additional extensions to the taxpayer or the county board of tax assessors for good cause shown, or by agreement of the parties.

(D) The commissioner, by regulation, shall adopt uniform procedures and standards which shall be followed by county boards of equalization, hearing officers, and arbitrators in determining appeals. Such rules shall be updated and revised periodically and reviewed no less frequently than every five years. The commissioner shall publish and update annually a manual for use by county boards of equalization, arbitrators, and hearing officers.

(2)(A) An appeal shall be effected by e-mailing, if the county board of tax assessors has adopted a written policy consenting to electronic service, by mailing to, or by filing with the county board of tax assessors a notice of appeal within 45 days from the date of mailing the notice pursuant to Code Section 48-5-306. A written objection to an assessment of real property received by a county board of tax assessors stating the location of the real property and the identification number, if any, contained in the tax notice shall be deemed a notice of appeal by the taxpayer

under the grounds listed in paragraph (1) of this subsection. A written objection to an assessment of personal property received by a county board of tax assessors giving the account number, if any, contained in the tax notice and stating that the objection is to an assessment of personal property shall be deemed a notice of appeal by the taxpayer under the grounds listed in paragraph (1) of this subsection. The county board of tax assessors shall review the valuation or denial in question, and, if any changes or corrections are made in the valuation or decision in question, the board shall send a notice of the changes or corrections to the taxpayer pursuant to Code Section 48-5-306. Such notice shall also explain the taxpayer's right to appeal to the county board of equalization as provided in subparagraph (C) of this paragraph if the taxpayer is dissatisfied with the changes or corrections made by the county board of tax assessors.

(B) If no changes or corrections are made in the valuation or decision, the county board of tax assessors shall send written notice thereof to the taxpayer, to any authorized agent or representative of the taxpayer to whom the taxpayer has requested that such notice be sent, and to the county board of equalization which notice shall also constitute the taxpayer's appeal to the county board of equalization without the necessity of the taxpayer's filing any additional notice of appeal to the county board of tax assessors or to the county board of equalization. The county board of tax assessors shall also send or deliver all necessary papers to the county board of equalization. If, however, the taxpayer and the county board of tax assessors execute a signed agreement as to valuation, the appeal shall terminate as of the date of such signed agreement.

(C) If changes or corrections are made by the county board of tax assessors, the board shall notify the taxpayer in writing of such changes. The commissioner shall develop and make available to county boards of tax assessors a suitable form which shall be used in such notification to the taxpayer. The notice shall be sent by regular mail properly addressed to the address or addresses the taxpayer provided to the county board of tax assessors and to any authorized agent or representative of the taxpayer to whom the taxpayer has requested that such notice be sent. If the taxpayer is dissatisfied with such changes or corrections, the taxpayer shall, within 30 days of the date of mailing of the change notice, notify the county board of tax assessors to continue the taxpayer's appeal to the county board of equalization by e-mailing, if the county board of tax assessors has adopted a written policy consenting to electronic service, or by mailing to or filing with the county board of tax assessors a written notice of continuance. The county board of tax assessors shall send or deliver the notice of appeal and all necessary papers to the county board of equalization.

(D) The written notice to the taxpayer required by this paragraph shall contain a statement of the grounds for rejection of any position the taxpayer has asserted with regard to the valuation of the property. No addition to or amendment of such grounds as to such position shall be permitted before the county board of equalization.

(3)(A) In each year, the county board of tax assessors shall review the appeal and notify the taxpayer (i) if there are no changes or corrections in the valuation or decision, or (ii) of any corrections or changes within 180 days after receipt of the taxpayer's notice of appeal. If the county board of tax assessors fails to respond to the taxpayer within such 180 day period, the property valuation asserted by the taxpayer on the property tax return or the taxpayer's notice of appeal shall become the assessed fair market value for the taxpayer's property for the tax year under appeal. If no such assertion of value was submitted by the taxpayer, the appeal shall be forwarded to the county board of equalization.

(B) In any county in which the number of appeals exceeds a number equal to or greater than 3 percent of the total number of parcels in the county or the sum of the current assessed value of the parcels under appeal is equal to or greater than 3 percent of the gross tax digest of the county, the county board of tax assessors ~~shall~~ may be granted an additional 180 day period to make its determination and notify the taxpayer. ~~The~~ However, as a condition to receiving such an extension, the county board of tax assessors shall, at least 30 days before the expiration of the 180 day period provided under subparagraph (A) of this paragraph, notify each affected taxpayer of the additional 180 day review period provided in this subparagraph by mail or electronic communication, including posting notice on the website of the county board of tax assessors if such a website is available. Such additional period shall commence immediately following the last day of the 180 days provided for under subparagraph (A) of this paragraph. If the county board of tax assessors fails to review the appeal and notify the taxpayer of either no changes or of any corrections or changes not later than the last day of such additional 180 day period, then the most recent property tax valuation asserted by the taxpayer on the property tax return or on appeal shall prevail and shall be deemed the value established on such appeal unless a time extension is granted under subparagraph (C) of this paragraph. If no such assertion of value was submitted by the taxpayer, the appeal shall be forwarded to the county board of equalization.

(C) Upon a sufficient showing of good cause by reason of unforeseen circumstances proven to the commissioner at least 30 days prior to the expiration of the additional 180 day period provided for under subparagraph (B) of this paragraph, the commissioner shall be authorized, in the commissioner's sole discretion, to provide for a time extension beyond the end of such additional 180 day period. The duration of any such time extension shall be specified in writing by the commissioner and, at least 30 days prior to the expiration of the extension provided for under subparagraph (B) of this paragraph, shall be sent to each affected taxpayer and shall also be posted on the website of the county board of tax assessors if such a website is available. If the county board of tax assessors fails to make its review and notify the taxpayer and the taxpayer's attorney not later than 30 days before the last day of such time extension, the most recent property tax valuation asserted by the taxpayer on the property tax return or on the taxpayer's notice of appeal shall prevail and shall be deemed the value established on such appeal. If no

such assertion of value was submitted by the taxpayer, the appeal shall be forwarded to the county board of equalization. In addition, the commissioner shall be authorized to require additional training or require such other remediation as the commissioner may deem appropriate for failure to meet the deadline imposed by the commissioner under this subparagraph.

(4) The determination by the county board of tax assessors of questions of factual characteristics of the property under appeal, as opposed to questions of value, shall be prima-facie correct in any appeal to the county board of equalization. However, the board of tax assessors shall have the burden of proving its opinions of value and the validity of its proposed assessment by a preponderance of evidence.

(5) The county board of equalization shall determine all questions presented to it on the basis of the best information available to the board.

(6)(A) Within 15 days of the receipt of the notice of appeal, the county board of equalization shall set a date for a hearing on the questions presented and shall so notify the taxpayer and the county board of tax assessors in writing. Such notice shall be sent by first-class mail to the taxpayer and to any authorized agent or representative of the taxpayer to whom the taxpayer has requested that such notice be sent. Such notice shall be transmitted by e-mail to the county board of tax assessors if such board has adopted a written policy consenting to electronic service, and, if it has not, then such notice shall be sent to such board by first-class mail or intergovernmental mail. Such written notice shall advise each party that he or she may request a list of witnesses, documents, or other written evidence to be presented at the hearing by the other party, ~~which~~. Such request must be made not less than ten days prior to the hearing date, and such information shall be provided to the requesting party not less than seven days prior to the time of the hearing. Any failure to comply with this requirement shall be grounds for an automatic continuance or for exclusion of such witness, documents, or other written evidence. A taxpayer may appear before the board of equalization concerning any appeal in person, by his or her authorized agent or representative, or both. The taxpayer shall specify in writing to the board of equalization the name of any such agent or representative prior to any appearance by the agent or representative before the board.

(B) Within 30 days of the date of notification to the taxpayer of the hearing required in this paragraph but not earlier than 20 days from the date of such notification to the taxpayer, the county board of equalization shall hold such hearing to determine the questions presented.

(C) If more than one property of a taxpayer is under appeal, the board of equalization shall, upon request of the taxpayer, consolidate all such appeals in one hearing and announce separate decisions as to each parcel or item of property. Any appeal from such a consolidated board of equalization hearing to the superior court as provided in this subsection shall constitute a single civil action, and, unless the taxpayer specifically so indicates in his or her notice of appeal, shall apply to all such parcels or items of property.

(D)(i) The board of equalization shall announce its decision on each appeal at the conclusion of the hearing held in accordance with subparagraph (B) of this paragraph before proceeding with another hearing. The decision of the county board of equalization shall be in writing, shall be signed by each member of the board, shall specifically decide each question presented by the appeal, shall specify the reason or reasons for each such decision as to the specific issues of taxability, uniformity of assessment, value, or denial of homestead exemptions depending upon the specific issue or issues raised by the taxpayer in the course of such taxpayer's appeal, shall state that with respect to the appeal no member of the board is disqualified from acting by virtue of subsection (j) of this Code section, and shall certify the date on which notice of the decision is given to the parties. Notice of the decision shall be delivered by hand to each party, with written receipt, or given to each party by sending a copy of the decision by registered or certified mail or statutory overnight delivery to the appellant and by filing the original copy of the decision with the county board of tax assessors. Each of the three members of the county board of equalization must be present and must participate in the deliberations on any appeal. A majority vote shall be required in any matter. All three members of the board shall sign the decision indicating their vote.

(ii) Except as otherwise provided in subparagraph (g)(4)(B) of this Code section, the county board of tax assessors shall use the valuation of the county board of equalization in compiling the tax digest for the county for the year in question and shall indicate such valuation as the previous year's value on the property tax notice of assessment of such taxpayer for the immediately following year rather than substituting the valuation which was changed by the county board of equalization.

(iii)(I) If the county's tax bills are issued before an appeal has been finally determined, the county board of tax assessors shall specify to the county tax commissioner the lesser of the valuation in the last year for which taxes were finally determined to be due on the property or 85 percent of the current year's value, unless the property in issue is homestead property and has been issued a building permit and structural improvements have occurred, or structural improvements have been made without a building permit, in which case, it shall specify 85 percent of the current year's valuation as set by the county board of tax assessors. Depending on the circumstances of the property, this amount shall be the basis for a temporary tax bill to be issued; provided, however, that a nonhomestead owner of a single property valued at \$2 million or more may elect to pay the temporary tax bill which specifies 85 percent of the current year's valuation; or, such owner may elect to pay the amount of the difference between the 85 percent tax bill based on the current year's valuation and the tax bill based on the valuation from the last year for which taxes were finally determined to be due on the property in conjunction with the amount of the tax bill based on valuation from the last year for which taxes were finally determined to be due on the property, to the tax commissioner's office. Only the amount which

represents the difference between the tax bill based on the current year's valuation and the tax bill based on the valuation from the last year for which taxes were finally determined to be due will be held in an escrow account by the tax commissioner's office. Once the appeal is concluded, the escrowed funds shall be released by the tax commissioner's office to the prevailing party. The taxpayer may elect to pay the temporary tax bill in the amount of 100 percent of the current year's valuation if no substantial property improvement has occurred. The county tax commissioner shall have the authority to adjust such tax bill to reflect the 100 percent value as requested by the taxpayer. Such tax bill shall be accompanied by a notice to the taxpayer that the bill is a temporary tax bill pending the outcome of the appeal process. Such notice shall also indicate that upon resolution of the appeal, there may be additional taxes due or a refund issued.

(II) For the purposes of this Code section, any final value that causes a reduction in taxes and creates a refund that is owed to the taxpayer shall be paid by the tax commissioner to the taxpayer, entity, or transferee who paid the taxes with interest, as provided in subsection (m) of this Code section.

(III) For the purposes of this Code section, any final value that causes an increase in taxes and creates an additional billing shall be paid to the tax commissioner as any other tax due along with interest, as provided in subsection (m) of this Code section.

(7) The appeal administrator shall furnish the county board of equalization necessary facilities and administrative help. The appeal administrator shall see that the records and information of the county board of tax assessors are transmitted to the county board of equalization. The county board of equalization shall consider in the performance of its duties the information furnished by the county board of tax assessors and the taxpayer.

(8) If at any time during the appeal process to the county board of equalization ~~and after certification by the county board of tax assessors to the county board of equalization~~, the county board of tax assessors and the taxpayer mutually agree in writing on the fair market value, then the county board of tax assessors, or the county board of equalization, as the case may be, shall enter the agreed amount in all appropriate records as the fair market value of the property under appeal, and the appeal shall be concluded. The provisions in subsection (c) of Code Section 48-5-299 shall apply to the agreed-upon valuation unless otherwise waived by both parties.

(9) Notwithstanding any other provision of law to the contrary, on any real property tax appeal made under this Code section on and after January 1, 2016, the assessed value being appealed may be lowered by the deciding body based upon the evidence presented but cannot be increased from the amount assessed by the county board of tax assessors. This paragraph shall not apply to any appeal where the taxpayer files an appeal during a time when subsection (c) of Code Section 48-5-299 is in effect for the assessment being appealed.

(e.1) **Appeals to hearing officer.**

(1)(A) For any dispute involving the value or uniformity of a parcel of nonhomestead real property with a fair market value in excess of ~~\$750,000.00~~ \$500,000.00 as shown on the taxpayer's annual notice of current assessment under Code Section 48-5-306, at the option of the taxpayer, an appeal may be submitted to a hearing officer in accordance with this subsection. If such taxpayer owns nonhomestead real property contiguous to such qualified nonhomestead real property, at the option of the taxpayer, such contiguous property may be consolidated with the qualified property for purposes of the hearing under this subsection.

(B)(i) As used in this subparagraph, the term 'wireless property' means tangible personal property or equipment used directly for the provision of wireless services by a provider of wireless services which is attached to or is located underneath a wireless cell tower or at a network data center location but which is not permanently affixed to such tower or data center so as to constitute a fixture.

(ii) For any dispute involving the values or uniformity of one or more account numbers of wireless property as defined in this subparagraph with an aggregate fair market value in excess of ~~\$750,000.00~~ \$500,000.00 as shown on the taxpayer's annual notice of current assessment under Code Section 48-5-306, at the option of the taxpayer, an appeal may be submitted to a hearing officer in accordance with this subsection.

(2) Individuals desiring to serve as hearing officers and who are either state certified general real property appraisers or state certified residential real property appraisers as classified by the Georgia Real Estate Commission and the Georgia Real Estate Appraisers Board for real property appeals or are designated appraisers by a nationally recognized appraiser's organization for wireless property appeals shall complete and submit an application, a list of counties the hearing officer is willing to serve, disqualification questionnaire, and resume and be approved by the Georgia Real Estate Commission and the Georgia Real Estate Appraisers Board to serve as a hearing officer. Such board shall annually publish a list of qualified and approved hearing officers for Georgia.

(3) The appeal administrator shall furnish any hearing officer so selected the necessary facilities.

(4) An appeal shall be effected by e-mailing, if the county board of tax assessors has adopted a written policy consenting to electronic service, or by filing with the county board of tax assessors a notice of appeal to a hearing officer within 45 days from the date of mailing the notice of assessment pursuant to Code Section 48-5-306. A written objection to an assessment of real property or wireless property received by a county board of tax assessors stating the taxpayer's election to appeal to a hearing officer and showing the location of the real property or wireless property contained in the assessment notice shall be deemed a notice of appeal by the taxpayer.

(5) The county board of tax assessors may for no more than 90 days review the taxpayer's written appeal, and if changes or corrections are made by the county board

of tax assessors, the board shall notify the taxpayer in writing of such changes. Within 30 days of the county board of tax assessors' mailing of such notice, the taxpayer may notify the county board of tax assessors in writing that the changes or corrections made by the county board of tax assessors are not acceptable, in which case, the county board of tax assessors shall, within 30 days of the date of mailing of such taxpayer's notification, send or deliver all necessary ~~papers~~ documentation to the appeal administrator, in paper or electronic format as agreed upon by the county board of tax assessors and appeal administrator, and mail a copy to the taxpayer or, alternatively, forward the appeal to the board of equalization if so elected by the taxpayer and such election is included in the taxpayer's notification that the changes are not acceptable. If, after review, the county board of tax assessors determines that no changes or corrections are warranted, the county board of tax assessors shall notify the taxpayer of such decision. The taxpayer may elect to forward the appeal to the board of equalization by notifying the county board of tax assessors within 30 days of the mailing of the county board of tax assessor's notice of no changes or corrections. Upon the expiration of 30 days following the mailing of the county board of tax assessors' notice of no changes or corrections, the county board of tax assessors shall certify the notice of appeal and send or deliver all necessary ~~papers~~ documentation to the appeal administrator, in paper or electronic format as agreed upon by the county board of tax assessors and appeal administrator, for the appeal to the hearing officer, or board of equalization if elected by the taxpayer, and mail a copy to the taxpayer. If the county board of tax assessors fails to respond in writing, either with changes or no changes, to the taxpayer within 180 days after receiving the taxpayer's notice of appeal, the property valuation asserted by the taxpayer on the property tax return or the taxpayer's notice of appeal shall become the assessed fair market value for the taxpayer's property for the tax year under appeal.

(6)(A) The appeal administrator shall randomly select from such list a hearing officer who shall have experience or expertise in hearing or appraising the type of property that is the subject of appeal to hear the appeal, unless the taxpayer and the county board of tax assessors mutually agree upon a hearing officer from such list. The appeal administrator shall notify the taxpayer and the taxpayer's attorney in compliance with subsection (o) of this Code section of the name of the hearing officer and transmit a copy of the hearing officer's disqualification questionnaire and resume provided for under paragraph (2) of this subsection. If no hearing officer is appointed or if no hearing is scheduled within 180 days after the county board of tax assessors receives the taxpayer's notice of appeal, the property valuation asserted by the taxpayer on the property tax return or the taxpayer's notice of appeal shall become the assessed fair market value for the taxpayer's property for the tax year under appeal, and subsection (c) of Code Section 48-5-299 shall apply. The hearing officer, in conjunction with all parties to the appeal, shall set a time and place to hear evidence and testimony from both parties. The hearing shall take place in the county where the property is located, or such other place as mutually agreed to by the parties and the hearing officer. The hearing officer shall provide electronic or

written notice to the parties personally or by registered or certified mail or statutory overnight delivery not less than ten days before the hearing. Such written notice shall advise each party that he or she may request a list of witnesses, documents, or other written evidence to be presented at the hearing by a the other party. Such request must be made not less than ten days prior to the hearing date, and such information shall ~~must~~ be provided to the ~~other~~ requesting party not less than seven days prior to the time of the hearing. Any ~~and that any~~ failure to comply with this requirement shall be grounds for an automatic continuance or for exclusion of such witnesses, documents, or other written evidence.

(B) If the appeal administrator, after a diligent search, cannot find a qualified hearing officer who is willing to serve, the appeal administrator shall transfer the certification of the appeal to the county or regional board of equalization and notify the taxpayer and the taxpayer's attorney in compliance with subsection (o) of this Code section and the county board of tax assessors of the transmittal of such appeal.

(7) The hearing officer shall swear in all witnesses, perform the powers, duties, and authority of a county or regional board of equalization, and determine the fair market value of the real property or wireless property based upon the testimony and evidence presented during the hearing. Any issues other than fair market value and uniformity raised in the appeal shall be preserved for appeal to the superior court. The board of tax assessors shall have the burden of proving its opinion of value and the validity of its proposed assessment by a preponderance of evidence. At the conclusion of the hearing, the hearing officer shall notify both parties of the decision verbally and shall either send both parties the decision in writing or deliver the decision by hand to each party, with written receipt.

(8) The taxpayer or the board of tax assessors may appeal the decision of the hearing officer to the superior court as provided in subsection (g) of this Code section.

(9) If, at any time during the appeal under this subsection, the taxpayer and the county board of tax assessors execute a signed written agreement on the fair market value and any other issues raised: the appeal shall terminate as of the date of such signed agreement; the fair market value as set forth in such agreement shall become final; and subsection (c) of Code Section 48-5-299 shall apply.

(9.1) The provisions contained in this subsection may be waived at any time by written consent of the taxpayer and the county board of tax assessors.

(10) Each hearing officer shall be compensated by the county for time expended in ~~considering~~ hearing appeals. The compensation shall be paid at a rate of not less than ~~\$75.00~~ \$100.00 per hour for the first hour and not less than \$25.00 per hour for each hour thereafter as determined by the county governing authority or as may be agreed upon by the parties with the consent of the county governing authority. Compensation pursuant to this paragraph shall be paid from the county treasury or, if the parties agree to pay compensation exceeding the minimum compensation set by this Code section, by a combination of the parties as agreed on by the parties. The hearing officer shall receive such compensation upon certification by the hearing officer of the hours expended in hearing of appeals. The attendance at any training

required by the commissioner shall be part of the qualifications of the hearing officer, and any nominal cost of such training shall be paid by the hearing officer.

(11) The commissioner shall promulgate rules and regulations for the proper administration of this subsection, including, but not limited to, qualifications; training, including an eight-hour course on Georgia property law, Georgia evidence law, preponderance of evidence, burden of proof, credibility of the witnesses, and weight of evidence; disqualification questionnaire; selection; removal; an annual continuing education requirement of at least four hours of instruction in recent legislation, current case law, and updates on appraisal and equalization procedures, as prepared and required by the commissioner; and any other matters necessary to the proper administration of this subsection. The failure of any hearing officer to fulfill the requirements of this paragraph shall render such officer ineligible to serve. Such rules and regulations shall also include a uniform appeal form which shall require the initial assertion of a valuation of the property by the taxpayer. Any such assertion of value shall be subject to later revision by the taxpayer based upon written evidence. The commissioner shall seek input from all interested parties prior to such promulgation.

(12) If the county's tax bills are issued before the hearing officer has rendered his or her decision on property which is on appeal, a temporary tax bill shall be issued in the same manner as otherwise required under division (e)(6)(D)(iii) of this Code section.

(13) Upon determination of the final value, the temporary tax bill shall be adjusted as required under division (e)(6)(D)(iii) of this Code section.

(f) Nonbinding arbitration.

(1) As used in this subsection, the term 'certified appraisal' means an appraisal or appraisal report given, signed, and certified as such by a real property appraiser as classified by the Georgia Real Estate Commission and the Georgia Real Estate Appraisers Board.

(2) At the option of the taxpayer, an appeal shall be submitted to nonbinding arbitration in accordance with this subsection.

(3)(A) Following an election by the taxpayer to use the arbitration provisions of this subsection, an arbitration appeal shall be effected by the taxpayer by e-mailing, if the county board of tax assessors has adopted a written policy consenting to electronic service, or by filing a written notice of arbitration appeal with the county board of tax assessors. The notice of arbitration appeal shall specifically state the grounds for arbitration. The notice shall be filed within 45 days from the date of mailing the notice pursuant to Code Section 48-5-306. Within ten days of receipt of a taxpayer's notice of arbitration appeal, the board of tax assessors shall send to the taxpayer an acknowledgment of receipt of the appeal and a notice that the taxpayer shall, within 45 days of the date of transmittal of the acknowledgment of receipt of the appeal, provide to the county board of tax assessors for consideration a copy of a certified appraisal. Failure of the taxpayer to provide such certified appraisal within such 45 days shall terminate the appeal unless the taxpayer within such 45 day period elects to have the appeal immediately forwarded to the board of equalization. Prior to appointment of the arbitrator and within 45 days of the acknowledgment of

the receipt of the appeal, the taxpayer shall provide a copy of the certified appraisal as specified in this paragraph to the county board of tax assessors for consideration. Within 45 days of receiving the taxpayer's certified appraisal, the county board of tax assessors shall either accept the taxpayer's appraisal, in which case that value shall become final, or the county board of tax assessors shall reject the taxpayer's appraisal by sending within ten days of the date of such rejection a written notification by certified mail of such rejection to the taxpayer and the taxpayer's attorney of record in compliance with subsection (o) of this Code section, in which case the county board of tax assessors shall certify within 45 days the appeal to the appeal administrator of the county in which the property is located along with any other ~~papers~~ documentation specified by the person seeking arbitration under this subsection, including, but not limited to, the staff information from the file used by the county board of tax assessors. In the event the taxpayer is not notified of a rejection of the taxpayer's appraisal within such ten-day period, the taxpayer's appraisal value shall become final. In the event that the county board of tax assessors neither accepts nor rejects the value set out in the certified appraisal within 45 days after the receipt of the certified appraisal, then the certified appraisal shall become the final value. All papers and information certified to the appeal administrator shall become a part of the record on arbitration. At the time of certification of the appeal, the county board of tax assessors shall serve the taxpayer and the taxpayer's attorney of record in compliance with subsection (o) of this Code section, if any, or employee with a copy of the certification along with any other papers specified by the person seeking arbitration along with the civil action file number assigned to the appeal, if any. Within 15 days of filing the certification to the appeal administrator, the presiding or chief judge of the superior court of the circuit in which the property is located shall issue an order authorizing the arbitration.

(B) At any point, the county board of tax assessors and the taxpayer may execute a signed, written agreement establishing the fair market value without entering into or completing the arbitration process. The fair market value as set forth in such agreement shall become the final value.

(C) The arbitration shall be conducted pursuant to the following procedure:

(i) The county board of tax assessors shall, at the time the appeal is certified to the appeal administrator under subparagraph (A) of this paragraph, provide to the taxpayer a notice of a meeting time and place to decide upon an arbitrator, to occur within 60 days after the date of sending the rejection of the taxpayer's certified appraisal. Following the notification of the taxpayer of the date and time of the meeting, the taxpayer shall be authorized to exercise a one-time option of changing the date and time of the meeting to a date and time acceptable to the taxpayer and the county board of tax assessors. If the parties agree, the matter shall be submitted to a single arbitrator chosen by the parties. If the parties cannot agree on the single arbitrator, the arbitrator may be chosen by the presiding or chief judge of the superior court of the circuit in which the property is located

within 30 days after the filing of a petition by either party;

(ii) In order to be qualified to serve as an arbitrator, a person shall be classified as a state certified general real property appraiser or state certified residential real property appraiser pursuant to the rules and regulations of the Georgia Real Estate Commission and the Georgia Real Estate Appraisers Board and shall have experience or expertise in appraising the type of property that is the subject of the arbitration;

(iii) The arbitrator, within 30 days after his or her appointment, shall set a time and place to hear evidence and testimony from both parties. The arbitrator shall provide written notice to the parties personally or by registered or certified mail or statutory overnight delivery not less than ~~ten~~ 21 days before the hearing. Such written notice shall advise each party that he or she may request a list of witnesses, documents, or other written evidence to be presented at the hearing by a the other party. Such request must be made not less than ten days prior to the hearing date, and such information shall ~~must~~ be provided to the ~~other~~ requesting party not less than seven days prior to the time of the hearing. Any and that any failure to comply with this requirement, ~~unless waived by mutual written agreement of such parties,~~ shall be grounds for a an automatic continuance or for exclusion of such witnesses, documents, or other written evidence. The arbitrator, in consultation with the parties, may adjourn or postpone the hearing. Following notification of the taxpayer of the date and time of the hearing, the taxpayer shall be authorized to exercise a one-time option of changing the date and time of the hearing to a date and time acceptable to the taxpayer and the county board of tax assessors. The presiding or chief judge of the superior court of the circuit in which the property is located may direct the arbitrator to proceed promptly with the hearing and the determination of the appeal upon application of any party. The hearing shall occur in the county in which the property is located or such other place as may be agreed upon in writing by the parties;

(iv) At the hearing, the parties shall be entitled to be heard, to present documents, testimony, and other matters, and to cross-examine witnesses. The arbitrator may hear and determine the controversy upon the documents, testimony, and other matters produced notwithstanding the failure of a party duly notified to appear;

(v) The arbitrator shall maintain a record of all pleadings, documents, testimony, and other matters introduced at the hearing. The arbitrator or any party to the proceeding may have the proceedings transcribed by a court reporter;

(vi) The provisions of this paragraph may be waived at any time by written consent of the taxpayer and the board of tax assessors;

(vii) At the conclusion of the hearing, the arbitrator shall render a decision regarding the fair market value of the property subject to nonbinding arbitration;

(viii) In order to determine the fair market value, the arbitrator may consider the final value for the property submitted by the county board of tax assessors at the hearing and the final value submitted by the taxpayer at the hearing. The taxpayer shall be responsible for the cost of any appraisal by the taxpayer's appraiser;

(ix) The arbitrator shall consider the final value submitted by the county board of tax assessors, the final value submitted by the taxpayer, and evidence supporting the values submitted by the county board of tax assessors and the taxpayer. The arbitrator shall determine the fair market value of the property under appeal. The arbitrator shall notify both parties of the decision verbally and shall either send both parties the decision in writing or deliver the decision by hand to each party, with written receipt;

(x) If the taxpayer's value is closest to the fair market value determined by the arbitrator, the county shall be responsible for the fees and costs of such arbitrator. If the value of the board of tax assessors is closest to the fair market value determined by the arbitrator, the taxpayer shall be responsible for the fees and costs of such arbitrator; and

(xi) The board of tax assessors shall have the burden of proving its opinion of value and the validity of its proposed assessment by a preponderance of evidence.

(4) If the county's tax bills are issued before an arbitrator has rendered his or her decision on property which is on appeal, a temporary tax bill shall be issued in the same manner as otherwise required under division (e)(6)(D)(iii) of this Code section.

(5) Upon determination of the final value, the temporary tax bill shall be adjusted as required under division (e)(6)(D)(iii) of this Code section.

(g) Appeals to the superior court.

(1) The taxpayer or the county board of tax assessors may appeal decisions of the county board of equalization, hearing officer, or arbitrator, as applicable, to the superior court of the county in which the property lies. By mutual written agreement, the taxpayer and the county board of tax assessors may waive an appeal to the county board of equalization and initiate an appeal under this subsection. A county board of tax assessors shall not appeal a decision of the county board of equalization, arbitrator, or hearing officer, as applicable, changing an assessment by 20 percent or less unless the board of tax assessors gives the county governing authority a written notice of its intention to appeal, and, within ten days of receipt of the notice, the county governing authority by majority vote does not prohibit the appeal. In the case of a joint city-county board of tax assessors, such notice shall be given to the city and county governing authorities, either of which may prohibit the appeal by majority vote within the allowed period of time.

(2) An appeal by the taxpayer as provided in paragraph (1) of this subsection shall be effected by e-mailing, if the county board of tax assessors has adopted a written policy consenting to electronic service, or by mailing to or filing with the county board of tax assessors a written notice of appeal. An appeal by the county board of tax assessors shall be effected by giving notice to the taxpayer. The notice to the taxpayer shall be dated and shall contain the name and the last known address of the taxpayer. The notice of appeal shall specifically state the grounds for appeal. The notice shall be mailed or filed within 30 days from the date on which the decision of the county board of equalization, hearing officer, or arbitrator is delivered pursuant to subparagraph (e)(6)(D), paragraph (7) of subsection (e.1), or division (f)(3)(C)(ix) of

this Code section. Within 45 days of receipt of a taxpayer's notice of appeal and before certification of the appeal to the superior court, the county board of tax assessors shall send to the taxpayer notice that a settlement conference, in which the county board of tax assessors and the taxpayer shall confer in good faith, will be held at a specified date and time which shall be no later than 30 days from the notice of the settlement conference, and notice of the amount of the filing fee, if any, required by the clerk of the superior court. The taxpayer may exercise a one-time option to reschedule the settlement conference to a different date and time acceptable to the taxpayer, ~~but in no event later than 30 days from the date of the notice~~ during normal business hours. After a settlement conference has convened, the parties may agree to continue the settlement conference to a later date. If at the end of the 45 day review period the county board of tax assessors elects not to hold a settlement conference, then the appeal shall terminate and the taxpayer's stated value shall be entered in the records of the board of tax assessors as the fair market value for the year under appeal and the provisions of subsection (c) of Code Section 48-5-299 shall apply to such value. If the taxpayer chooses not to participate in the settlement conference, he or she may not seek and shall not be awarded fees and costs at such time when the appeal is settled in superior court. If at the conclusion of the settlement conference the parties reach an agreement, the settlement value shall be entered in the records of the county board of tax assessors as the fair market value for the tax year under appeal and the provisions of subsection (c) of Code Section 48-5-299 shall apply to such value. If at the conclusion of the settlement conference the parties cannot ~~agree on a fair market value~~ reach an agreement, then written notice shall be provided to the taxpayer that the filing fees must be paid by the taxpayer to the clerk of the superior court within ~~ten~~ 20 days of the date of the conference, with a copy of the check delivered to the county board of tax assessors. Notwithstanding any other provision of law to the contrary, the amount of the filing fee for an appeal under this subsection shall be \$25.00. An appeal under this subsection shall not be subject to any other fees or additional costs otherwise required under any provision of Title 15 or under any other provision of law. Immediately following payment of such \$25.00 filing fee by the taxpayer to the clerk of the superior court, the clerk shall remit the proceeds thereof to the governing authority of the county which shall deposit the proceeds into the general fund of the county. Within 30 days of receipt of proof of payment to the clerk of the superior court, the county board of tax assessors shall certify to the clerk of the superior court the notice of appeal and any other papers specified by the person appealing including, but not limited to, the staff information from the file used by the county board of tax assessors, the county board of equalization, the hearing officer, or the arbitrator. All papers and information certified to the clerk shall become a part of the record on appeal to the superior court. At the time of certification of the appeal, the county board of tax assessors shall serve the taxpayer and his or her attorney of record, if any, with a copy of the notice of appeal and with the civil action file number assigned to the appeal. Such service shall be effected in accordance with subsection (b) of Code Section 9-11-5. No discovery, motions, or other pleadings may be filed

by the county board of tax assessors in the appeal until such service has been made.

(3) The appeal shall constitute a de novo action. The board of tax assessors shall have the burden of proving its opinions of value and the validity of its proposed assessment by a preponderance of evidence. Upon a failure of the board of tax assessors to meet such burden of proof, the court may, upon motion or sua sponte, authorize the finding that the value asserted by the board of tax assessors is unreasonable and authorize the determination of the final value of the property.

(4)(A) The appeal shall be placed on the court's next available jury or bench trial calendar, at the taxpayer's election, following the filing of the appeal unless continued by the court. If only questions of law are presented in the appeal, the appeal shall be heard as soon as practicable before the court sitting without a jury. Each hearing before the court sitting without a jury at the taxpayer's election shall be held within 30 days following the date on which the appeal is filed with the clerk of the superior court.

(B)(i) The county board of tax assessors shall use the valuation of the county board of equalization, the hearing officer, or the arbitrator, as applicable, in compiling the tax digest for the county.

(ii)(I) If the final determination of value on appeal is less than the valuation thus used, the tax commissioner shall be authorized to adjust the taxpayer's tax bill to reflect the final value for the year in question.

(II) If the final determination of value on appeal causes a reduction in taxes and creates a refund that is owed to the taxpayer, it shall be paid by the tax commissioner to the taxpayer, entity, or transferee who paid the taxes with interest, as provided in subsection (m) of this Code section.

(III) If the final determination of value on appeal is 85 percent or less of the valuation set by the county board of equalization, hearing officer, or arbitrator as to any real property, the taxpayer, in addition to the interest provided for in subsection (m) of this Code section, shall recover costs of litigation and reasonable attorney's fees incurred in the action. Any appeal of an award of attorney's fees by the county shall be specifically approved by the governing authority of the county.

(iii) If the final determination of value on appeal is greater than the valuation set by the county board of equalization, hearing officer, or arbitrator, as applicable, causes an increase in taxes, and creates an additional billing, it shall be paid to the tax commissioner as any other tax due along with interest, as provided in subsection (m) of this Code section."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Stone
Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 0.

HB 374, having received the requisite constitutional majority, was passed by substitute.

Senator McKoon of the 29th was excused for business outside the Senate Chamber.

HB 314. By Representatives Shaw of the 176th, Powell of the 171st, England of the 116th, Trammell of the 132nd and Watson of the 172nd:

A BILL to be entitled an Act to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions regarding insurance, so as to establish qualified low-income community investment; to provide for a short title; to provide for definitions; to provide that certain entities may earn credit against the entity's state tax liability; to disallow refundability and sale on the open market of claimed credits; to provide for certification of qualified capital investments; to provide for recapture of credit claimed under certain circumstances; to provide for a request of determination for eligibility; to

provide for reporting; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Hufstetler of the 52nd.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 28, 2017

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 314 (LC 37 2317ER)

Dear Chairman Powell:

The bill would establish qualified low-income community rural investment funds and tax credits. The tax credit value is based on the amount of the taxpayer's investment that a qualifying rural fund has invested in an eligible business's equity or long-term debt. The credit amount is 15 percent of the eligible investment per year beginning in the third year after the investment is made and continuing through the sixth year, for a total credit equal to 60 percent of the eligible investment. The credit is nonrefundable but may be carried forward indefinitely. The amount of credits available is subject to a cumulative cap of \$100 million. The bill has an effective date of July 1, 2017 and would be applicable to all taxable years starting January 1, 2018.

Impact on State Revenue

Georgia State University's Fiscal Research Center (FRC) estimated that the bill would reduce state revenue by \$1.25 million to \$2.5 million in FY 2020 (Table 1). The revenue

reduction is estimated at \$6.25 million to \$12.5 million in FY 2022. The high and low scenarios differ in assumptions as to how quickly the cap is reached. Details of the analysis and assumptions are available in the attached appendix.

Table 1. Estimated State Revenue Effects of LC 37 2317ER

(\$ million)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
High Estimate	-	-	(\$2.50)	(\$7.50)	(\$12.50)
Low Estimate	-	-	(\$1.25)	(\$3.75)	(\$6.25)

The bill also requires rural fund applicants to pay a non-refundable application fee of \$5,000 to the Department of Community Affairs (DCA). Neither FRC nor DCA know the number of applicants that will be submitted, but DCA anticipates the number to be less than 10. Ten applications would result in additional one-time state funds of \$50,000.

Impact on State Agency Costs

The Departments of Community Affairs (DCA) and Revenue (DOR) both anticipate the need for additional funding to implement the provisions of the bill.

DCA anticipated the need for two additional personnel to review applications, transfer capital investment authority, ensure capital investment occurs, and recapture unused credits. These individuals are estimated to cost approximately \$150,000 annually (salaries and benefits), with associated costs (IT, communications, travel) of approximately \$25,000.

DOR estimated that the bill would result in approximately \$57,000 in one-time costs and \$133,000 in annual costs. One-time costs include approximately \$43,000 for IT system changes, \$7,400 for training, \$3,600 for updating forms and other documents, and \$2,300 for taxpayer outreach. The \$133,600 in annual costs would cover the cost of two additional personnel to review, verify, and apply credits.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

Analysis by the Fiscal Research Center

The Georgia Agribusiness and Rural Jobs Act establishes criteria for setting up rural investment funds and conditions for rural investors to qualify for the tax credit. The Department of Community Affairs (DCA) is tasked with verifying all the requirements

and administering the program. Conditions for qualifying as a rural fund or rural investor under the act, and for an investment to qualify for the credit include, but are not limited to, the following:

- The applicant or an affiliate of the applicant must be licensed either as a rural business investment company (RBIC) under 7 U.S.C. Section 2009cc or a small business investment company (SBIC) under 15 U.S.C. Section 681.
- The applicant or affiliates of the applicant must have invested at least \$100 million in nonpublic companies located in rural areas within the United States.
- The applicant must provide an estimate of the number of jobs to be created or retained in the state as a result of the investment, and a business plan that includes a revenue impact assessment projecting state and local tax revenue to be generated by the applicant's proposed eligible investments prepared by a nationally recognized, third-party, independent economic forecasting firm.
- The rural investor must have raised at least 10 percent of their capital investment from individuals including affiliates of the rural investor, including officers, directors, members, and employees of such affiliates.
- Credits are subject to recapture if, among other things, the rural fund fails to invest 100 percent of its capital investment authority in eligible businesses in Georgia within two years of the date of closing of investment by rural investors in the rural fund, with at least 10 percent of its initial capital investment authority invested in eligible businesses engaged in agribusiness in the state.

The total (cumulative) amount of investment eligible for the tax credit is capped at \$100 million.

To estimate how quickly the \$100 million-dollar cap on these investments would be reached, we relied on SBA loan guarantee data from rural counties as well as aggregate data on SBIC investments from the Small Business investor Alliance (SBIA). Note that data on the nature of individual investments made by RBICs and SBICs are not readily available. A rural county is defined as one with no more than 75,000 in population in the most recent decennial census, here 2010. By this definition, 129 counties in Georgia would qualify as rural counties.

SBICs are much more prevalent and have greater flexibility in their investment activities than RBICs. SBICs also can leverage funds they raise in private markets through SBA loan guarantees. This is not available to RBICs.

Data on the SBIC industry from the SBA for federal fiscal years 2013-15 showed roughly 300 licensed SBICs in each year. The average individual SBIC investment in small

businesses each year ranged from \$1.9 million to \$2.4 million. The number of financings increased from 1,846 in 2013 to 2,815 in 2015. Based on these data, the average SBIC total annual investment was roughly \$12 million, divided among roughly six firms in 2013. By 2015, the average SBIC investment increased to roughly \$20 million in total, invested across roughly 9 firms. Due to the information intensive and hands-on nature of SBIC equity and debt investing, these funds tend to invest regionally. Data from the SBIA indicates that there are roughly 44 licensed SBICs in Georgia and its border states.

Data on actual investments by SBICs and RBICS in Georgia are not readily available. However, information on SBA loan guarantees on loans to businesses in the Georgia counties considered rural under the proposed bill is available from USASpending.gov. We thus examined SBA loan guarantees to try to estimate the size of the potential investment market for SBICS and RBICs making investments in the state.

During federal fiscal years 2014-16, the SBA guaranteed roughly \$200-\$300 million in new loans per year in rural Georgia counties. For FY 2016, \$290.4 million of SBA loan guarantees were made in these counties in 371 transactions, for an average loan guarantee of about \$783,000. In the three years, the number of loan guarantees over \$1 million dollars ranged from about 50 to 60 per year.

The SBA loan guarantee data suggests that there is a market for either debt or equity investments that matches up with the typically larger amounts that SBICs tend to invest in portfolio businesses. There also seem to be sufficient numbers of SBICs in our near Georgia to take advantage of these investment opportunities.

While it is possible that the \$100 million cap could be reached more quickly, with SBICs and RBICs displacing a large portion of SBA-guaranteed loans currently made through other funding channels, it is assumed for the high case estimates that investment by SBICs and RBICs will reach the \$100 million cap under the law in three years. This level of annual investment, \$33.3 million per year, could be reached if 10-12 SBICs or RBICs invested \$2 million-\$3 million each in a small number of Georgia firms.

The low case estimates assume a slower pace of adoption, with the cap being reached in six years at \$16.7 million of investment per year. The amount of eligible investment and the value of state tax credits eligible for redemption by calendar or tax year through CY 2023 are shown in Table 2. The state revenue effects shown in Table 1 above are generated from these figures, adjusting to state fiscal years and assuming an impact on collections through a reduction in estimated tax payments throughout the tax year.

Because rural investors in the eligible rural funds are expected to be principles of the funds, institutional investors, or higher income and net worth individuals, it is assumed that the credits will be fully utilized against state tax liabilities for the years in which they are first eligible to be taken. The credit may be used by an entity to offset state tax liabilities for personal and corporate income taxes, and the insurance premium tax.

Table 2. Estimated Investment Activity and Tax Credits Available Due to LC 37 2317ER

(\$ million)	CY 2018	CY 2019	CY 2020	CY 2021	CY 2022	CY 2023
High Case:						
Investment	\$33.3	\$33.3	\$33.3	\$0.0	\$0.0	\$0.0
Credits Available	\$0.0	\$0.0	\$5.0	\$10.0	\$15.0	\$20.0
Low Case:						
Investment	\$16.7	\$16.7	\$16.7	\$16.7	\$16.7	\$16.7
Credits Available	\$0.0	\$0.0	\$2.5	\$5.0	\$7.5	\$10.0

The Senate Committee on Finance offered the following substitute to HB 314:

A BILL TO BE ENTITLED
AN ACT

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to establish standards for carriers and health care providers with regard to payment under a managed care plan in the provision of emergency medical care; to provide for applicability; to provide for definitions; to provide for certain patient or prospective patient disclosures; to provide for insurer disclosures; to provide for requirements regarding the provision of emergency medical care for covered persons under a managed care plan; to provide for requirements for managed care plan contracts between carriers and covered persons; to provide for payments to providers; to provide for penalties for violations; to provide for mediation; to provide for related matters; to provide for a short title; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Consumer Coverage and Protection for Out-of-Network Medical Care Act."

SECTION 2.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by adding a new chapter to read as follows:

"CHAPTER 20E

33-20E-1.

This chapter shall apply to all carriers providing a managed care plan that pays for the provision of medical care to covered persons.

33-20E-2.

As used in this chapter, the term:

(1) 'Balance bill' means the amount that a nonparticipating provider may charge a

covered person. Such amount charged shall equal the difference between the amount paid by the carrier and the amount of the nonparticipating provider's bill charge but shall not include any amount for coinsurance, copayments, or deductibles due from the covered person.

(2) 'Carrier' means an accident and sickness insurer, fraternal benefit society, hospital service corporation, medical service corporation, health care corporation, health maintenance organization, provider sponsored health care corporation, or any similar entity and any self-insured health benefit plan not subject to the exclusive jurisdiction of the federal Employee Retirement Income Security Act of 1974, 29 U.S.C. Section 1001, et seq., which entity provides for the financing or delivery of emergency medical care or through an emergency medical services system or through a health benefit plan, or the plan administrator of any health benefit plan established pursuant to Article 1 of Chapter 18 of Title 45.

(3) 'Covered person' means an individual who is covered under a managed care plan.

(4) 'Elective medical care' means medical services not defined as 'emergency medical care' under this chapter.

(5) 'Emergency condition' means any medical condition of a recent onset and severity, including but not limited to severe pain that would lead a prudent layperson, possessing an average knowledge of medicine and health, to believe that his or her condition, sickness, or injury is of such a nature that failure to obtain immediate medical care could result in:

(A) Placing the patient's health in serious jeopardy;

(B) Serious impairment to bodily functions; or

(C) Serious dysfunction of any bodily organ or part.

(6) 'Emergency medical care' means emergency services which originate in a hospital emergency department after the onset of a medical or traumatic condition manifesting itself by acute symptoms of sufficient severity, including severe pain, such that the absence of immediate medical or surgical attention could reasonably be expected to result in placing the patient's health in serious jeopardy, serious impairment to bodily functions, or serious dysfunction of any bodily organ or part, and services for the first 24 hours after the covered person's emergency condition has stabilized, whether or not the emergency services and services after stabilization occur in an emergency department. Such term shall include care for an emergency condition that continues once a patient is admitted to the hospital from the hospital emergency department and could include other specialists and providers.

(7) 'Emergency medical provider' means any physician licensed by the Georgia Composite Medical Board who provides emergency medical care and any other health care provider licensed in this state who renders emergency medical care.

(8) 'First dollar coverage' means payment by a carrier directly to a health care provider for services of the entire allowed amount for such services pursuant to Code Section 33-20E-3 without any reduction in payment for the managed care plan's required coinsurance, copayments, deductibles, or other patient financial responsibility. The carrier shall be responsible for collecting these amounts directly

from the covered person.

(9) 'Health care provider' means any physician or other person who is licensed or otherwise authorized in this state to furnish emergency medical care.

(10) 'Managed care plan' means a major medical, hospitalization, or dental plan that provides for the financing and delivery of health care services to persons enrolled in such plan through:

(A) Arrangements with selected providers to furnish health care services;

(B) Explicit standards for the selection of participating providers; and

(C) Cost savings for persons enrolled in the plan to use the participating providers and procedures provided for by the plan;

The term 'managed care plan' shall not apply to Chapter 9 of Title 34, relating to workers' compensation.

(11) 'Minimum benefit standard' or 'MBS' means the eightieth percentile of all charges for the particular health care service performed by a health care provider in the same or similar specialty and provided in the same geographical area as reported in a benchmarking data base maintained by a nonprofit organization specified by the Commissioner. The nonprofit organization shall not be affiliated, financially supported, or otherwise supported by a health insurance company.

(12) 'Nonparticipating provider' means a health care provider who has not entered into a direct contract with a carrier for the delivery of emergency medical care to covered persons under a managed care plan.

(13) 'Participating provider' means a health care provider who has entered into a direct contract with a carrier for the delivery of emergency medical care to covered persons under a managed care plan.

(14) 'Stabilized' means the effect of providing medical or surgical treatment for an emergency condition as may be necessary to assure, within reasonable medical probability, that no material deterioration of the condition is likely to result from or occur during the transfer of the patient from a facility, or that with respect to a pregnant woman who is having contractions, the woman has delivered the child and the placenta.

(15) 'Surprise bill' means a bill to a patient after elective medical care where an unanticipated event results in the provision of services by an out-of-network provider.

(16) 'Usual and customary cost' means the charges routinely billed by the provider for its professional services regardless of the payor involved and before any discounts that are applied pursuant to charity or indigent patient charge policies or insurance carrier contracting discounts.

33-20E-3.

(a) A health care provider who is a physician shall provide a patient or prospective patient with the name or practice name, mailing address, and telephone number of any health care provider that the office or surgery center utilizes for the provision of anesthesiology, laboratory, pathology, radiology, or assistant surgeon services in connection with care to be provided in the physician's office or an ambulatory surgery

center owned by the physician for the patient at least 48 hours prior to the provision of services where possible. Such information may be provided by publication on the provider's website.

(b) Where an unanticipated event causes a change in the providers of radiology, anesthesiology, pathology, or other services, the physician shall be held harmless for any resulting bills from such provider or providers.

(c) A hospital shall establish, update, and make public through posting on the hospital's website, to the extent required by federal guidelines, a list of the hospital's standard charges for items and services provided by the hospital, including for diagnosis related groups established under Section 1886(d)(4) of the federal Social Security Act.

(d) A hospital shall post on the hospital's website:

(1) The health benefit plans in which the hospital is a participating provider;

(2) A statement that physician services provided in the hospital are not included in the hospital's charges, that physicians who provide services in the hospital may or may not participate with the same health benefit plans as the hospital, and that the prospective patient should check with the physician arranging for the hospital services to determine the health benefit plans in which the physician participates; and

(3) As applicable, the name, mailing address, and telephone number of the physician groups with which the hospital has contracted to provide services, including anesthesiology, pathology, and radiology, and instructions on how to contact these groups to determine the health benefit plan participation of the physicians in such groups.

(e) In registration or admission materials provided in advance of nonemergency hospital services, a hospital shall:

(1) Advise the patient or prospective patient to check with the physician arranging the hospital services to determine:

(A) The name or practice name, mailing address, and telephone number of any other physician whose services will be arranged for by the physician; and

(B) Whether the services of physicians who are employed or contracted by the hospital to provide services, including anesthesiology, pathology, and radiology, are reasonably anticipated to be provided to the patient; and

(2) Provide patients or prospective patients with information on how to timely determine the health benefit plans in which the physicians participate who are reasonably anticipated to provide services to the patient at the hospital, as determined by the physician arranging the patient's hospital services, and who are employees of the hospital or contracted by the hospital to provide services, including anesthesiology, pathology, and radiology.

(f) Unknown or unanticipated services are not subject to the requirements of this Code section.

33-20E-4.

(a) An insurer shall provide to an enrollee:

(1) Information that an enrollee may obtain a referral to a health care provider outside

of the insurer's network or panel when the insurer does not have a health care provider who is geographically accessible to the enrollee and who has appropriate training and experience in the network or panel to meet the particular health care needs of the enrollee and the procedure by which the enrollee can obtain such referral;

(2) Notice that the enrollee shall have direct access to primary and preventive obstetric and gynecologic services, including annual examinations, care resulting from such annual examinations, and treatment of acute gynecologic conditions, or for any care related to a pregnancy, from a qualified provider of such services of her choice from within the plan;

(3) All appropriate mailing addresses and telephone numbers to be utilized by enrollees seeking information or authorization;

(4) A monthly updated listing by specialty, which may be in a separate document, of the name, address, and telephone number of all participating providers, including facilities, and in the case of physicians, the board certification, languages spoken, and any affiliations with participating hospitals. The listing shall also be posted on the insurer's website, and the insurer shall update the website within 15 days of the addition or termination of a provider from the insurer's network or a change in a physician's hospital affiliation;

(5) Where applicable, a description of the method by which an enrollee may submit a claim for health care services;

(6) With respect to out-of-network coverage:

(A) A clear description of the methodology used by the insurer to determine reimbursement for out-of-network health care services;

(B) The amount that the insurer will reimburse under the methodology for out-of-network health care services set forth as a percentage of the usual and customary cost for out-of-network health care services;

(C) Examples of anticipated out-of-pocket costs for frequently billed out-of-network health care services; and

(D) Notice that the patient may be responsible for the balance of the out-of-network provider's fee if the rate paid by the plan is below the provider's billed amount;

(7) Information in writing and through an Internet website that reasonably permits an enrollee or prospective enrollee to estimate the anticipated out-of-pocket costs for out-of-network health care services in a geographical area or ZIP Code based upon the difference between the amount that the insurer will reimburse for out-of-network health care services, the patient's MBS, and the usual and customary cost for out-of-network health care services;

(8) The written application procedures and minimum qualification requirements for health care providers to be considered by the insurer; and

(9) Other information as required by the Commissioner.

(b) An insurer shall furnish an explanation of benefits to an out-of-network provider within 30 days of receiving a bill from the insured or directly from the out-of-network provider. The explanation of benefits shall conspicuously indicate whether the health care plan coverage for the patient is subject to the requirements of this chapter, or

otherwise preempted under 29 U.S.C. Section 1144(a) as a self-funded employee welfare plan regulated under the federal Employee Retirement Income Security Act of 1974, 29 U.S.C. Section 1002(1).

(c) An insurer shall disclose whether a health care provider scheduled to provide a health care service is an in-network provider and, with respect to out-of-network coverage, disclose the approximate dollar amount that the insurer will pay for a specific out-of-network health care service. Insurers shall also inform an enrollee through such disclosure that such approximation shall not be binding on the insurer and that the approximate dollar amount that the insurer shall pay for a specific out-of-network health care service may change.

(d) Where services have been precertified or preauthorized by an insurer, the insurer shall guarantee coverage of such services at the usual and customary cost regardless of any changes of network status following the precertification or preauthorization.

(e) Where an insurer fails to adequately and correctly keep its directory pursuant to Code Section 33-20C-2 and such failure results in the unanticipated provision of out-network services, the insurer shall compensate the provider at the provider's usual and customary cost or MBS, whichever is less.

(f) Where a delay in the credentialing of a provider causes the service to be deemed out-of-network, the insurer shall compensate the provider at the provider's full rate at no expense to the patient.

33-20E-5.

(a) Notwithstanding any provision of law to the contrary, a carrier that provides any benefits to covered persons with respect to emergency medical care shall pay for such emergency medical care:

- (1) Without the need for any prior authorization determination and without any retrospective payment denial for services rendered; and
- (2) Regardless of whether the health care provider furnishing emergency medical care is a participating provider with respect to emergency medical care.

(b) In the event a covered person receives emergency medical care by a nonparticipating provider, the nonparticipating provider shall bill the carrier directly and the carrier shall directly pay, within 15 days for electronic claims and 30 days for paper claims, the nonparticipating provider as coded, with first dollar coverage, for the emergency medical care rendered to the covered person by the lesser of:

- (1) The nonparticipating provider's actual billed charges; or
- (2) The minimum benefit standard. The charges shall be tied to 2017 charges and may be adjusted for inflation according to the Consumer Price Index for medical care or another indicator as determined by the department. Such data base shall be accessible to providers without charge.

Payment shall be made without retrospective denials and without deductions for the plan's coinsurance, copayments, and deductibles. The carrier shall collect any required coinsurance, copayments, deductibles, or other patient financial responsibilities directly from the covered person pursuant to the provisions of the managed care plan contract.

Patient responsibility is limited to the in-network payment as required under the managed care plan contract.

(c) A managed care plan shall not deny benefits for emergency medical care previously rendered, based upon a covered person's failure to provide subsequent notification in accordance with plan provisions, where the covered person's medical condition prevented timely notification.

(d) In the event a covered person receives emergency medical care by a nonparticipating provider, once such covered person is stabilized, as required by the federal Emergency Medical Treatment and Active Labor Act, the carrier shall arrange for transfer of the covered person to a participating provider at the carrier's cost. If the carrier fails to transfer such covered person within 24 hours after the covered person is stabilized, the carrier shall pay the entirety of the nonparticipating provider's charges for the care of the covered person thereafter in accordance with the payment criteria provided in subsection (b) of this Code section.

(e) Carriers shall not communicate or include in written form false, misleading, or confusing information in their explanation of benefits to patients or guarantors regarding usual and customary costs, balance billing, or mediation disputes between physicians and carriers.

(f) For purposes of an enrollee's financial responsibilities, the health care plan shall treat the health care services the enrollee receives from an out-of-network provider pursuant to this Code section as if the services were provided by an in-network provider, including counting the enrollee's cost sharing for such services toward the enrollee's deductible and maximum out-of-pocket limit applicable to services obtained from in-network providers under the health care plan.

33-20E-6.

No managed care plan shall deny or restrict in-network covered benefits to a covered person solely because the covered person obtained treatment outside the network. Notice of such protection shall be provided in writing to the covered person by the carrier.

33-20E-7.

(a)(1) A managed care plan contract issued, amended, or renewed on or after July 1, 2018, shall provide that if a covered person receives emergency medical care from a nonparticipating provider at either an in-network facility or an out-of-network facility, such covered person shall not be required to pay more to the carrier than the same amount that the covered person would have to pay to the carrier for the same emergency medical care received from a similar participating provider at a similar in-network facility. Such amount shall be referred to as the 'in-network cost-sharing amount.'

(2) Neither a nonparticipating provider nor a participating provider shall bill or collect any amount from the covered person for emergency medical care subject to paragraph (1) of this subsection. Coinsurance, copayments, and deductibles shall be

collected by the carrier, and first dollar coverage shall be paid by the carrier directly to the provider in a timely manner, as coded and billed, and without retrospective denials.

(b) A managed care plan contract issued, amended, or renewed on or after July 1, 2018, shall provide that, if a covered person receives emergency medical care from a nonparticipating provider, any cost-sharing amount attributable to an out-of-network deductible shall be applied to such covered person's in-network deductible.

33-20E-8.

(a) A violation of this chapter by a carrier shall be considered an unfair trade practice under Article 1 of Chapter 6 of this title and shall be subject to penalties as determined by the department.

(b) This Code section shall not apply to any health care provider or emergency medical provider.

33-20E-9.

(a) Where a patient obtains elective medical care and an unexpected event arises resulting in a surprise bill to a patient, mediation shall be available from the department where the resulting bill to the patient is greater than \$1,000.00. Surprise bills under such threshold shall not qualify for mediation under this subsection, provided that:

(1) Participants in such a mediation shall include the patient or the patient's authorized representative, the insurer, and the provider of the care resulting in the bill to the patient;

(2) Patients shall submit accurate and complete health insurance information prior to receiving services;

(3) Where possible, mediation shall occur by teleconference;

(4) In determining appropriate payment, the Gould Standard shall be taken into account by the parties involved; and

(5) Costs not specific to any one party shall be shared evenly among all parties to the mediation.

(b) The department shall develop rules in accordance with the requirements of this Code section."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Unterman of the 45th offered the following amendment #1:

Amend HB 314 substitute (LC 34 5427S) by:

Striking on Line 79 "all" and insert "allowed"

Senator Unterman of the 45th asked unanimous consent that her amendment be withdrawn. The consent was granted, and the Unterman amendment #1 to the committee substitute was withdrawn.

Senator Martin of the 9th offered the following amendment #2:

Amend the Senate Committee on Finance substitute to HB 314 (LC 34 5427S) by inserting between lines 84 and 85 the following:

(11.1) 'Nonparticipating hospital' means a hospital that has not entered into a direct contract with a carrier for the delivery of emergency medical care to covered persons under a managed care plan.

By deleting lines 239 through 246 and inserting in lieu thereof the following:

(d) In the event a covered person receives emergency medical care by a nonparticipating provider or nonparticipating hospital, once such covered person is stabilized, as required by the federal Emergency Medical Treatment and Active Labor Act, the carrier shall arrange for transfer of the covered person to a participating provider or participating hospital at the carrier's expense only after receiving notification from the nonparticipating provider or nonparticipating hospital. If the carrier fails to transfer such covered person within 24 hours after receiving notification from the nonparticipating provider or nonparticipating hospital that the covered person is stabilized, the carrier shall pay the entirety of the nonparticipating provider's or nonparticipating hospital's charges for the care of the covered person thereafter in accordance with the payment criteria provided in subsection (b) of this Code section only if the nonparticipating provider or nonparticipating hospital complies with notifying the carrier.

Senator Martin of the 9th asked unanimous consent that his amendment be withdrawn. The consent was granted, and the Martin amendment #2 to the committee substitute was withdrawn.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer

Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 1.

HB 314, having received the requisite constitutional majority, was passed by substitute.

HB 410. By Representatives Powell of the 32nd, Clark of the 98th, Teasley of the 37th and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to regulation of specialized land transactions, so as to provide for limits on certain fees imposed on purchasers of condominiums and lots in a property owners' association; to provide for fees for statements of amounts owing to a property owners' association; to provide for the manner of providing such statements; to provide for expedited fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Ligon, Jr. of the 3rd.

The Senate Committee on Judiciary offered the following substitute to HB 410:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to regulation of specialized land transactions, so as to provide for fees for statements of amounts owing to a condominium association, property owners' association, and similar associations that are not subject to the "Georgia Condominium Act" or "Georgia Property Owners' Association Act"; to provide for information required in a statement of account;

to provide for the manner of providing such statements; to provide for fees for certain services; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to regulation of specialized land transactions, is amended by revising subsection (d) of Code Section 44-3-109, relating to lien for assessments, personal obligation of unit owner, notice and foreclosure, lapse, right to statement of assessments, and effect of failure to furnish statement, as follows:

~~"(d)(1) Any unit owner, mortgagee of a unit, person having executed a contract for the purchase of a condominium unit, or lender considering the loan of funds to be secured by a condominium unit shall be entitled upon request to a statement from the association or its management agent setting forth the amount of assessments past due and unpaid together with late charges and interest applicable thereto against that condominium unit. Such request shall be in writing, shall be delivered to the registered office of the association, and shall state an address to which the statement is to be directed. Failure on the part of the association to mail or otherwise furnish such statement regarding amounts due and payable at the expiration of such five day period with respect to the condominium unit involved to such address as may be specified in the written request therefor within five business days from the receipt of such request shall cause the lien for assessments created by this Code section to be extinguished and of no further force or effect as to the title or interest acquired by the purchaser or lender, if any, as the case may be, and their respective successors and assigns, in the transaction contemplated in connection with such request. The information specified in such statement shall be binding upon the association and upon every unit owner. Payment of a fee not exceeding \$10.00 may be required as a prerequisite to the issuance of such a statement if the condominium instruments so provided. Within ten business days after receiving a written or electronic request for a statement of account from a unit owner or the unit owner's designee, a mortgage lender, or a mortgagee of a unit or the designee of such mortgagee of a unit, the association shall issue a statement of account. Such request shall be considered received at the time it is sent if it is transmitted by electronic means or by hand delivery; within three days if transmitted by first-class mail; and upon delivery if transmitted by statutory overnight delivery. An association shall designate on its website or otherwise publish the name of a person or entity with a street or email address for receipt of a request for such statement of account. A statement of account shall be delivered by e-mail, electronic download, hand delivery, regular mail, or statutory overnight delivery to the requester on the date of the issuance of the statement of account.~~

~~(2) A statement of account shall be completed by an officer, authorized agent, or authorized representative of the association, including any authorized agent, authorized representative, or employee of a management company authorized to~~

complete such statement of account on behalf of the board or association. A statement of account shall contain all of the following information regarding the property for which the transaction is to occur:

(A) Date of issuance;

(B) Name of the unit owner or owners as reflected in the books and records of the association;

(C) Unit designation and address;

(D) Attorney's name and contact information if the account is delinquent and has been turned over to an attorney for collection;

(E) Fee for the preparation and delivery of the statement of account;

(F) Name of the requester;

(G) Assessment and other information including:

(i) The amount of the regular periodic assessment levied against the unit and the frequency of payment;

(ii) The date through which the regular periodic assessment has been paid;

(iii) The due date for the next installment of the regular periodic assessment and the amount due;

(iv) An itemized list of all assessments, special assessments, and other moneys owed to the association on the date of issuance by the unit owner for a specific unit; and

(v) An itemized list of any additional assessments, special assessments, and other moneys that are scheduled to become due for each day after the date of issuance for the effective period of the statement of account. In calculating the amount that is scheduled to become due, the association shall assume that any delinquent amount will remain delinquent during the effective period of the statement of account; and

(H) The signature of an officer or authorized agent of the association.

(3) Upon request, the following additional information shall be provided:

(A) Any open violation of any rule or regulation notice to the unit owner in the association's official records;

(B) A list of and contact information for all other associations of which the unit owner is a member by virtue of ownership of the unit;

(C) A copy of the current covenants and bylaws of the association and a copy of the rules and regulations adopted by the association;

(D) A copy of the association's certificate of insurance for any insurance provided by the association to the unit or the name, address, and telephone number of the association's insurance provider of any such insurance; and

(E) Assigned parking or garage space number, as reflected in the books and records of the association, as applicable.

(4) A statement of account that is hand delivered or sent by electronic means shall have a 30 day effective period. A statement of account that is sent by regular mail or statutory overnight delivery shall have a 35 day effective period. If additional information is needed or a mistake related to the statement of account becomes known

to the association or its agent within the effective period, an amended statement of account may be delivered and become effective provided that a sale or refinancing of the unit has not been completed during the effective period. An amended statement of account shall be delivered on the date of issuance and a new 30 day or 35 day effective period, as applicable, shall begin on such date.

(5) An association shall waive the right to collect any moneys owed in excess of the amount specified in the statement of account from any person who in good faith relies upon such statement of account and from the person's successors and assigns. Any person other than a unit owner who relies on a statement of account shall receive the benefits and protection thereof.

(6) The association or its agent's failure to:

(A) Furnish a statement of account as requested and in accordance with this subsection shall result in the association's forfeiture of its fee for the preparation and delivery of the statement of account; and

(B) Disclose the correct amount of an assessment, a special assessment, or other moneys owed to the association shall result in the loss of any obligation of a buyer to pay the undisclosed sum due and loss of the lien right for the incorrect reported assessment, special assessment, or other money owed to the association.

(7)(A) An association or its authorized agent may charge a reasonable fee for the preparation and delivery of a statement of account which shall not exceed \$100.00. When additional information is requested as provided in paragraph (3) of this subsection, the association or its authorized agent may charge an additional fee not to exceed \$50.00. If a statement of account is requested on an expedited basis and delivered within three business days after the request, the association or its agent may charge an additional fee of \$50.00. If an amended statement of account is requested, an association or its authorized agent may charge a fee of not more than \$25.00 for such amended statement of account.

(B) The fees specified in this paragraph shall be adjusted every five years by the total percentage of inflation or deflation during such five-year period, as determined by the Consumer Price Index for all urban consumers, U.S. city average, all items, as published by the Bureau of Labor Statistics of the United States Department of Labor, in increments to the nearest dollar."

SECTION 2.

Said chapter is further amended by revising subsection (d) of Code Section 44-3-232, relating to assessments against lot owners as constituting lien in favor of association, additional charges against lot owners, procedure for foreclosing lien, and obligation to provide statement of amounts due, as follows:

~~"(d)(1) Any lot owner, mortgagee of a lot, person having executed a contract for the purchase of a lot, or lender considering the loan of funds to be secured by a lot shall be entitled upon request to a statement from the association or its management agent setting forth the amount of assessments past due and unpaid together with late charges and interest applicable thereto against that lot. Such request shall be in writing, shall~~

~~be delivered to the registered office of the association, and shall state an address to which the statement is to be directed. Failure on the part of the association, within five business days from the receipt of such request, to mail or otherwise furnish such statement regarding amounts due and payable at the expiration of such five-day period with respect to the lot involved to such address as may be specified in the written request therefor shall cause the lien for assessments created by this Code section to be extinguished and of no further force or effect as to the title or interest acquired by the purchaser or lender, if any, as the case may be, and their respective successors and assigns, in the transaction contemplated in connection with such request. The information specified in such statement shall be binding upon the association and upon every lot owner. Payment of a fee not exceeding \$10.00 may be required as a prerequisite to the issuance of such a statement if the instrument so provides. Within ten business days after receiving a written or electronic request for a statement of account from a lot owner or the lot owner's designee, a mortgage lender, or a mortgagee of a lot or the designee of such mortgagee of a lot, the board shall issue a statement of account. Such request shall be considered received at the time it is sent if it is transmitted by electronic means or by hand delivery; within three days if transmitted by first-class mail; and upon delivery if transmitted by statutory overnight delivery. The board shall designate on its website or otherwise publish the name of a person or entity with a street or email address for receipt of a request for such statement of account. A statement of account shall be delivered by e-mail, electronic download, hand delivery, regular mail, or statutory overnight delivery to the requester on the date of the issuance of the statement of account.~~

(2) A statement of account shall be completed by an officer, authorized agent, or authorized representative of the board, including any authorized agent, authorized representative, or employee of a management company authorized to complete such statement of account on behalf of the board. A statement of account shall contain all of the following information regarding the property for which the transaction is to occur:

(A) Date of issuance;

(B) Name of the lot owner or owners as reflected in the books and records of the board;

(C) Lot designation and address;

(D) Attorney's name and contact information if the account is delinquent and has been turned over to an attorney for collection;

(E) Fee for the preparation and delivery of the statement of account;

(F) Name of the requester;

(G) Assessment and other information including:

(i) The amount of the regular periodic assessment levied against the lot and the frequency of payment;

(ii) The date through which the regular periodic assessment has been paid;

(iii) The due date for the next installment of the regular periodic assessment and the amount due;

- (iv) An itemized list of all assessments, special assessments, and other moneys owed to the board on the date of issuance by the lot owner for a specific lot; and
 - (v) An itemized list of any additional assessments, special assessments, and other moneys that are scheduled to become due for each day after the date of issuance for the effective period of the statement of account. In calculating the amount that is scheduled to become due, the board shall assume that any delinquent amount will remain delinquent during the effective period of the statement of account; and
 - (H) The signature of an officer or authorized agent of the board.
- (3) Upon request, the following additional information shall be provided:
- (A) Any open violation of any rule or regulation notice to the lot owner in the board's official records;
 - (B) A list of and contact information for all other associations of which the lot owner is a member by virtue of ownership of the lot;
 - (C) A copy of the current covenants and bylaws of the board and a copy of the rules and regulations adopted by the board;
 - (D) A copy of the board's certificate of insurance for any insurance provided by the board to the lot or the name, address, and telephone number of the board's insurance provided of any such insurance; and
 - (E) Assigned parking or garage space number, as reflected in the books and records of the board, as applicable.
- (4) A statement of account that is hand delivered or sent by electronic means shall have a 30 day effective period. A statement of account that is sent by regular mail or statutory overnight delivery shall have a 35 day effective period. If additional information is needed or a mistake related to the statement of account becomes known to the board or its agent within the effective period, an amended statement of account may be delivered and become effective provided that a sale or refinancing of the lot has not been completed during the effective period. An amended statement of account shall be delivered on the date of issuance and a new 30 day or 35 day effective period, as applicable, shall begin on such date.
- (5) A board shall waive the right to collect any moneys owed in excess of the amount specified in the statement of account from any person who in good faith relies upon such statement of account and from the person's successors and assigns. Any person other than a lot owner who relies on a statement of account shall receive the benefits and protection thereof.
- (6) The board or its agent's failure to:
- (A) Furnish a statement of account as requested and in accordance with this subsection shall result in the board's forfeiture of its fee for the preparation and delivery of the statement of account; and
 - (B) Disclose the correct amount of an assessment, a special assessment, or other moneys owed to the board shall result in the loss of any obligation of a buyer to pay the undisclosed sum due and loss of the lien right for the incorrect reported assessment, special assessment, or other money owed to the board.
- (7)(A) A board or its authorized agent may charge a reasonable fee for the

preparation and delivery of a statement of account which shall not exceed \$100.00. When additional information is requested as provided in paragraph (3) of this subsection, the board or its authorized agent may charge an additional fee not to exceed \$50.00. If a statement of account is requested on an expedited basis and delivered within three business days after the request, the board or its agent may charge an additional fee of \$50.00. If an amended statement of account is requested, a board or its authorized agent may charge a fee of not more than \$25.00 for such amended statement of account.

(B) The fees specified in this paragraph shall be adjusted every five years by the total percentage of inflation or deflation during such five-year period, as determined by the Consumer Price Index for all urban consumers, U.S. city average, all items, as published by the Bureau of Labor Statistics of the United States Department of Labor, in increments to the nearest dollar."

SECTION 3.

Said chapter is further amended by adding a new Code section to Article 7, relating to specialized land transactions, to read as follows:

"44-3-251.

(a)(1) As used in this Code Section, the term 'association' means a corporation or voluntary entity formed for the purpose of exercising the powers of a homeowners' association or property owners' association governing a common interest community that is not subject to Article 3 or 6 of this Chapter.

(2) This Code section shall apply to a common interest community subject to covenants restricting land to certain uses affecting planned subdivisions containing no fewer than 15 individual lots and requiring mandatory assessment payments to an association governing such subdivision, which subdivision is not subject to Article 3 or 6 of this chapter.

(b) Within ten business days after receiving a written or electronic request for a statement of account from a lot owner or the lot owner's designee, a mortgage lender, or a mortgagee of a lot or the designee of such mortgagee of a lot, the association shall issue a statement of account. Such request shall be considered received at the time it is sent if it is transmitted by electronic means or by hand delivery; within three days if transmitted by first-class mail; and upon delivery if transmitted by statutory overnight delivery. An association shall designate on its website or otherwise publish the name of a person or entity with a street or email address for receipt of a request for such statement of account. A statement of account shall be delivered by e-mail, electronic download, hand delivery, regular mail, or statutory overnight delivery to the requester on the date of the issuance of the statement of account.

(c) A statement of account shall be completed by an officer, authorized agent, or authorized representative of the association, including any authorized agent, authorized representative, or employee of a management company authorized to complete such statement of account on behalf of the board or association. A statement of account shall contain all of the following information regarding the property for which the transaction

is to occur:

- (1) Date of issuance;
 - (2) Name of the lot owner or owners as reflected in the books and records of the association;
 - (3) Lot designation or address;
 - (4) Attorney's name and contact information if the account is delinquent and has been turned over to an attorney for collection;
 - (5) Fee for the preparation and delivery of the statement of account;
 - (6) Name of the requester;
 - (7) Assessment and other information including:
 - (A) The amount of the regular periodic assessment levied against the lot and the frequency of payment;
 - (B) The date through which the regular periodic assessment has been paid;
 - (C) The due date for the next installment of the regular periodic assessment and the amount due;
 - (D) An itemized list of all assessments, special assessments, and other moneys owed to the association on the date of issuance by the lot owner for a specific lot; and
 - (E) An itemized list of any additional assessments, special assessments, and other moneys that are scheduled to become due for each day after the date of issuance for the effective period of the statement of account. In calculating the amount that is scheduled to become due, the association shall assume that any delinquent amount will remain delinquent during the effective period of the statement of account; and
 - (8) The signature of an officer or authorized agent of the association.
- (d) Upon request, the following additional information shall be provided:
- (1) Any open violation of any rule or regulation notice to the lot owner in the association's official records;
 - (2) A list of and contact information for all other associations of which the lot owner is a member by virtue of ownership of the lot;
 - (3) A copy of the current covenants and bylaws of the association and a copy of rules and regulations adopted by the association;
 - (4) A copy of the association's certificate of insurance for any insurance provided by the association to the lot or the name, address, and telephone number of the association's insurance provider of any such insurance; and
 - (5) Assigned parking or garage space number, as reflected in the books and records of the association, as applicable.
- (e) A statement of account that is hand delivered or sent by electronic means shall have a 30 day effective period. A statement of account that is sent by regular mail or statutory overnight delivery shall have a 35 day effective period. If additional information is needed or a mistake related to the statement of account becomes known to the association or its agent within the effective period, an amended statement of account may be delivered and become effective provided that a sale or refinancing of the lot has not been completed during the effective period. An amended statement of

account shall be delivered on the date of issuance and a new 30 day or 35 day effective period, as applicable, shall begin on such date.

(f) An association shall waive the right to collect any moneys owed in excess of the amount specified in the statement of account from any person who in good faith relies upon such statement of account and from the person's successors and assigns. Any person other than a lot owner who relies on a statement of account shall receive the benefits and protection thereof.

(g) The association or its agent's failure to:

(1) Furnish a statement of account as requested and in accordance with this subsection shall result in the association's forfeiture of its fee for the preparation and delivery of the statement of account; and

(2) Disclose the correct amount of an assessment, a special assessment, or other moneys owed to the association shall result in the loss of any obligation of a buyer to pay the undisclosed sum due and loss of the lien right for the incorrect reported assessment, special assessment, or other money owed to the association.

(h)(1) An association or its authorized agent may charge a reasonable fee for the preparation and delivery of a statement of account which shall not exceed \$100.00. When additional information is requested as provided in paragraph (3) of this subsection, the association or its authorized agent may charge an additional fee not to exceed \$50.00. If a statement of account is requested on an expedited basis and delivered within three business days after the request, the association or its agent may charge an additional fee of \$50.00. If an amended statement of account is requested, an association or its authorized agent may charge a fee of not more than \$25.00 for such amended statement of account.

(2) The fees specified in this paragraph shall be adjusted every five years by the total percentage of inflation or deflation during such five-year period, as determined by the Consumer Price Index for all urban consumers, U.S. city average, all items, as published by the Bureau of Labor Statistics of the United States Department of Labor, in increments to the nearest dollar."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senate Martin of the 9th offered the following amendment #1:

Amend the committee substitute to HB 410 (LC 29 8081ERS) by replacing lines 43 through 46 with the following:

(2) A statement of account shall be completed by any authorized agent, authorized representative, or employee of a management company authorized to complete such statement of account on behalf of the board or association. If the board or association does not employ a management company to complete such statement, this subsection shall not apply to such board or association. A statement of account shall

By replacing lines 151 through 154 with the following:

(2) A statement of account shall be completed by any authorized agent, authorized representative, or employee of a management company authorized to complete such statement of account on behalf of the board. If the board does not employ a management company to complete such statement, this subsection shall not apply to such board. A statement of account shall contain all of

By replacing lines 248 through 251 with the following:

(c) A statement of account shall be completed by any authorized agent, authorized representative, or employee of a management company authorized to complete such statement of account on behalf of the board or association. If the board or association does not employ a management company to complete such statement, this Code section shall not apply to such board or association. A statement of account shall

On the adoption of the amendment, the President asked unanimous consent.

Senator Ligon, Jr. of the 3rd objected.

On the adoption of the amendment, the yeas were 14, nays 21, and the Martin amendment #1 to the committee substitute was lost.

Senator Martin of the 9th offered the following amendment #2:

Amend the committee substitute to HB 410 (LC 29 8081ERS) by replacing "\$100.00" with "\$175.00" on lines 106, 212, and 311.

On the adoption of the amendment, the President asked unanimous consent.

Senator Ligon, Jr. of the 3rd objected.

On the adoption of the amendment, the yeas were 9, nays 32, and the Martin amendment #2 to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers
Y Anderson, L
Y Anderson, T

Y Hufstetler
N Jackson
Y James

Y Payne
Y Rhett
Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	E Tippins
Y Gooch	N Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 45, nays 5.

HB 410, having received the requisite constitutional majority, was passed by substitute.

The following resolution was read and adopted:

SR 1113. By Senators Miller of the 49th, Wilkinson of the 50th, Unterman of the 45th, Ginn of the 47th, Mullis of the 53rd and others:

A RESOLUTION recognizing and commending Debbie Ewing for her outstanding public service and congratulating her on the grand occasion of her retirement; and for other purposes.

The President recognized Assistant Secretary of the Senate Debbie Ewing who addressed the Senate briefly.

Senator Hill of the 4th was excused for business outside the Senate Chamber.

The Calendar was resumed.

HB 489. By Representatives McCall of the 33rd, Powell of the 32nd, Glanton of the 75th, Bentley of the 139th and Newton of the 123rd:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide that the Georgia Procurement Registry shall be used in addition to the official legal organ and

other media outlets for advertisement of certain bid opportunities for goods and services and public works construction contracts by a county, municipal corporation, or local board of education; to provide that advertisement via the Georgia Procurement Registry shall be at no cost to local government entities; to require advertisement of certain bid opportunities by local government entities via the Georgia Procurement Registry; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Brass of the 28th.

The Senate Committee on Economic Development and Tourism offered the following substitute to HB 489:

A BILL TO BE ENTITLED
AN ACT

To amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide that the Georgia Procurement Registry shall be used for the advertisement of certain bid or proposal opportunities for goods and services and public works construction contracts by a county, municipal corporation, or local board of education; to provide that advertisement via the Georgia Procurement Registry shall be at no cost to local government entities; to authorize the advertisement of such bid or proposal opportunities by local government entities in other media; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended in Chapter 80, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, by adding a new Code section to read as follows:

"36-80-26.

If a bid or proposal opportunity is extended by a county, municipal corporation, or local board of education for goods and services valued at \$10,000.00 or more or if a bid or proposal opportunity is extended for public works construction contracts subject to Chapter 91 of this title, such bid or proposal opportunity shall be advertised by such respective local governmental entity in the Georgia Procurement Registry, as established in subsection (b) of Code Section 50-5-69, at no cost to the local governmental entity. Such bid opportunity may also be advertised in the official legal organ of the county, municipal corporation, or local board of education in the same manner as required by Code Section 36-91-20 or other media normally utilized by the local governmental entity when advertising bid opportunities, including the Internet

website of the local governmental entity. Each advertisement shall include such details and specifications as will enable the public to know the extent and character of the bid opportunity."

SECTION 2.

Said title is further amended in Code Section 36-91-20, relating to contracting and bidding requirements for public works construction contracts, by revising paragraph (1) of subsection (b) as follows:

"(b)(1) Prior to entering into a public works construction contract other than those exempted by Code Section 36-91-22, a governmental entity shall publicly advertise the contract opportunity. Such notice shall be posted conspicuously in the governing authority's office and shall be advertised in the legal organ of the county or by electronic means on an Internet website of the governmental entity or ~~an~~ any appropriate Internet website ~~websites~~ identified by the governmental entity which ~~may~~ shall include the Georgia Procurement Registry as provided by Code Section 50-5-69, provided that such posting is at no cost to the governmental entity."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	N Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson

Y Harper
Y Heath
Y Henson
E Hill

Miller
Y Mullis
Y Orrock
Y Parent

Y Wilkinson
Y Williams, M
Y Williams, N

On the passage of the bill, the yeas were 46, nays 1.

HB 489, having received the requisite constitutional majority, was passed by substitute.

The following bill was taken up to consider House action thereto:

SB 402. By Senators Gooch of the 51st, Cowser of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 34, 36, 44, 46, and 50 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, labor and industrial relations, local governments, property, public utilities and public transportation, and state government, respectively, so as to provide for planning, deployment, and incentives of broadband services and other emerging communications technologies throughout the state; to provide for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband services and other emerging communications technologies; to provide for definitions; to require a comprehensive plan of a local government; to specifically authorize electric membership corporations and their affiliates to provide emerging communications technologies; to provide certain requirements and limitations on such authorization; to authorize certain partnerships; to

amend the "Rural Telephone Cooperative Act" so as to specifically authorize cooperatives to provide emerging communications technologies and revise provisions related to services which they may provide; to change the short title of the Act and the declaration of purpose; to change provisions relating to the powers, names, membership, and formation of cooperatives; to change certain provisions relating to foreign corporations, to construction standards, and to change interconnection of certain lines, facilities, or systems; to specify the jurisdiction of the Public Service Commission; to revise the definition of "employer" as it relates to cooperatives; to change certain provisions relating to certain donations; to provide for certain powers, duties, and responsibilities of certain state departments and authorities relative to the deployment of broadband services and other emerging communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to change certain provisions related to the board of directors of the OneGeorgia Authority; to provide for the certain policies and programs, including a grant program, for the deployment of broadband services and other emerging communications technologies throughout the state; to provide for the promulgation of certain rules and regulations; to require the development and publication of a map; to provide for legislative findings and declarations; to provide uniformity as to rates and nonexclusive access for certain communications services providers within certain public rights of way; to provide for certain audits and reports; to provide for applicability; to provide for short titles; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

This Act shall be known and may be cited as the "Achieving Connectivity Everywhere (ACE) Act."

PART II
SECTION 2-1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended in Code Section 32-2-2, relating to powers and duties of the Department of Transportation generally, by revising paragraphs (18) and (19) of subsection (a) and by adding a new paragraph to read as follows:

"(18)(A) Subject to general appropriations and any provisions of Chapter 5 of this title to the contrary notwithstanding, the department is authorized within the limitations provided in subparagraph (B) of this paragraph to provide to municipalities, counties, authorities, and state agencies financial support by contract for clearing, dredging, or maintaining free from obstructions and for the widening,

deepening, and improvement of the ports, seaports, or harbors of this state.

(B)(i) Municipalities, counties, authorities, or state agencies may, by formal resolution, apply to the department for financial assistance provided by this paragraph.

(ii) The department shall review the proposal and, if satisfied that the proposal is in accordance with the purposes of this paragraph, may enter into a contract for expenditure of funds.

(iii) The time of payment and any conditions concerning such funds shall be set forth in the contract.

(C) In addition to subparagraph (A) of this paragraph and subject to general appropriations for such purposes, the department with its own forces or by contract may clear, dredge, or maintain free from obstruction and may widen, deepen, and improve the ports, seaports, or harbors of this state; ~~and~~

(19) Code Sections 32-3-1 and 32-6-115 notwithstanding, the department may by contract grant to any rapid transit authority created by the General Assembly, under such terms and conditions as the department may deem appropriate, the right to occupy or traverse a portion of the right of way of any road on the state highway system by or with its mass transportation facilities. Furthermore, the department may by contract lease to the rapid transit authority, under such terms and conditions as the department may deem appropriate, the right to occupy, operate, maintain, or traverse by or with its mass transportation facilities any parking facility constructed by the department. Notwithstanding Code Section 48-2-17, all net revenue derived from the lease shall be utilized by the department to offset the cost of constructing any parking facility. Regardless of any financial expenditures by the rapid transit authority, no right of use or lease granted under this paragraph shall merge into or become a property interest of the rapid transit authority. Upon the transfer of the title of the mass transportation facilities to private ownership or upon the operation of the rapid transportation facilities for the financial gain of private persons, such rights granted by the department shall automatically terminate and all rapid transportation facilities shall be removed from the rights of way of the state highway system; and

(20) The department, in consultation with the Georgia Technology Authority, shall have the authority to plan for, establish, and implement a long-term policy with regard to the use of the rights of way of the interstate highways and state owned roads for the establishment, development, and maintenance of the deployment of broadband services and other emerging communications technologies throughout the state by public or private providers, or both. The department shall be authorized to promote and encourage the use of such rights of way of the interstate highways and state owned roads for such purposes to the extent feasible and prudent. All net revenues from the use, lease, or other activities in such rights of way in excess of any project costs, that are not subject to the jurisdiction of the Federal Highway Administration or that are not otherwise restricted by any federal laws, rules, or regulations, shall be paid into the general fund of the state treasury subject to any restrictions imposed by the Federal Highway Administration. It is the intention of the General Assembly,

subject to the appropriation process, that a portion of the amount so deposited into the general fund of the state treasury be appropriated each year to a state grant program to be administered by the Department of Community Affairs as provided in Article 5 of Chapter 39 of Title 50 to be used to promote and provide broadband services throughout the state."

PART III
SECTION 3-1.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by adding a new Code section to read as follows:

"36-70-6.

(a) As used in this Code section, the terms 'broadband services' and 'broadband services provider' shall have the same meaning as provided in Code Section 50-39-1.

(b) The governing bodies of municipalities and counties shall provide in any comprehensive plan for the promotion of the deployment of broadband services by broadband services providers."

SECTION 3-2.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended in Code Section 50-8-7.1, relating to general powers and duties of the Department of Community Affairs, by revising paragraph (1) of subsection (b) as follows:

"(1) As part of such minimum standards and procedures, the department shall establish minimum elements which shall be addressed and included in comprehensive plans of local governments which are prepared as part of the coordinated and comprehensive planning process, provided that such minimum elements shall include the promotion of the deployment of reasonable and cost-effective access to broadband services by broadband services providers. As used in this paragraph, the terms 'broadband services' and 'broadband services provider' shall have the same meaning as provided in Code Section 50-39-1;"

PART IIIA
SECTION 3A-1.

Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public transportation, is amended by revising Code Section 46-3-200, relating to purposes of electric membership corporations, as follows:

"46-3-200.

An electric membership corporation may serve any one or more of the following purposes:

- (1) To furnish electrical energy and service;
- (2) To assist its members in the efficient and economical use of energy;
- (3) To engage in research and to promote and develop energy conservation and

sources and methods of conserving, producing, converting, and delivering energy; ~~and~~
(4) To provide and operate emerging communications technologies as provided in Article 7 of Chapter 5 of this title; and
~~(4)(5)~~ To engage in any lawful act or activity necessary or convenient to effect the foregoing purposes."

SECTION 3A-2.

Said Title 46 is further amended by revising Code Section 46-5-221, relating to definitions, as follows:

"46-5-221.

As used in this article, the term:

(1) 'Affiliate' means another person which controls, is controlled by, or is under common control with such person.

(2) 'Attachment' means the connection or fastening of a wire or cable by a provider of emerging communications technologies to a utility pole.

(3) 'Assigned area' shall have the same meaning as provided in Code Section 46-3-3.

(1) 'Broadband ~~service~~ services' means a wired or wireless terrestrial service that consists of the capability to transmit at a rate not less than 200 kilobits per second in either the upstream or the downstream direction and in combination with such service ~~provide~~ provides either:

(A) Access to the Internet; or

(B) Computer processing, information storage, or protocol conversion.

For the purposes of this article, broadband ~~service~~ services shall not include any information content or service applications provided over such access ~~service~~ services nor any intrastate service that was subject to a tariff in effect as of September 1, 2005.

(1.1) 'Electric membership corporation' or 'EMC' means an electric membership corporation organized under this title or any prior electric membership corporation law of this state, or a corporation which elected, in accordance with the provisions thereof, to be governed by Ga. L. 1937, p. 644, the 'Electric Membership Corporation Act.'

(1.2) 'Emerging communications technologies' means broadband services, VoIP, IP enabled services, wireless services, and all facilities and equipment associated therewith.

(1.3) 'IP enabled services' means any service, capability, functionality, or application that enables an end user to send or receive a communication in existing Internet Protocol format, or any successor format, regardless of whether the communication is voice, data, or video.

(1.4) 'Utility pole' means a pole or similar structure that is used in whole or in part for electric distribution by an EMC or an affiliate thereof or by a local governing authority or an affiliate thereof.

(2) 'VoIP' means Voice over Internet Protocol services offering real-time multidirectional voice functionality utilizing any Internet protocol.

(3) 'Wireless ~~service~~ services' means:

- (A) Commercial ~~commercial~~ mobile radio service carried on between mobile stations or receivers and land stations and by mobile stations communicating among themselves; or
- (B) Commercial fixed radio service carried on between or among land stations or receivers."

SECTION 3A-3.

Said Title 46 is further amended by revising Code Section 46-5-222, relating to commission has no authority over setting of rates or terms and conditions for the offering of broadband service, voice over Internet protocol, or wireless service, and limitations, as follows:

"46-5-222.

- (a) The Public Service Commission shall not have any jurisdiction, right, power, authority, or duty to impose any requirement or regulation relating to the setting of rates or terms and conditions for the offering of broadband ~~service~~ services, VoIP, or wireless services.
- (b) This Code section shall not be construed to affect:
- (1) State laws of general applicability to all businesses, including, without limitation, consumer protection laws and laws relating to restraint of trade;
 - (2) Any authority of the Public Service Commission with regard to consumer complaints; or
 - (3) Any authority of the Public Service Commission to act in accordance with federal laws or regulations of the Federal Communications Commission, including, without limitation, jurisdiction granted to set rates, terms, and conditions for access to unbundled network elements and to arbitrate and enforce interconnection agreements.
- (c) Except as otherwise expressly provided in this Code section, nothing in this ~~Code section~~ article shall be construed to restrict or expand any other authority or jurisdiction of the Public Service Commission."

SECTION 3A-4.

Said Title 46 is further amended by adding three new Code sections to read as follows:

"46-5-223.

- (a)(1) Except as provided in paragraph (3) of this subsection, an EMC that obtains a certificate of authority issued pursuant to Code Section 46-5-163 shall be authorized to provide and operate emerging communications technologies within such EMC's assigned area and within a five-mile radius thereof.
- (2) Except as provided in paragraph (3) of this subsection, an EMC shall be authorized to create an affiliate that shall be authorized to provide and operate emerging communications technologies within such EMC's assigned area and within a five-mile radius thereof, provided that such affiliate obtains a certificate of authority issued pursuant to Code Section 46-5-163.
- (3) An EMC or an affiliate of such EMC shall not be authorized to provide or operate emerging communications technologies outside a five-mile radius outside of such

EMC's assigned area unless such provision or operation of emerging communications technologies is pursuant to a partnership agreement with another EMC pursuant to subsection (c) of this Code section.

(b) An EMC authorized under subsection (a) of this Code section to provide and operate emerging communications technologies shall be authorized to apply for, accept, repay, and utilize loans, grants, and other financing from the federal government, this state, or any department or agency thereof, or from any other public or private party, in order to provide funding to assist the EMC or an affiliate of such EMC in the planning, engineering, construction, extension, operation, repair, and maintenance of emerging communications technologies.

(c) An EMC shall be authorized to enter into a partnership with another EMC or with a provider of emerging communications technologies to provide and operate emerging communications technologies.

46-5-224.

No cross-subsidization shall be permitted between an EMC's natural gas activities, an EMC's electricity services, and the provision or operation of emerging communications technologies by such EMC or through an affiliate of such EMC. Any EMC that provides or operates emerging communications technologies shall:

(1) Ensure that cross-subsidizations do not occur between the electricity services of an EMC, the gas activities of its EMC gas affiliate, and the emerging communications technologies it or its affiliate provides;

(2) Fully allocate all electricity activities costs, gas activities costs, or emerging communications technologies activities costs, including costs for any shared services, between the EMC's electricity activities, the gas activities of its EMC gas affiliate, and the EMC's emerging communications technologies activities, in accordance with the applicable uniform system of accounts and generally accepted accounting principles that are applicable to EMCs under either federal or state laws, rules, or regulations;

(3) Not charge any costs of the EMC's electricity activities or any costs of the gas activities of its EMC gas affiliate to the emerging communications technologies customers of such EMC;

(4) Not charge any costs of the EMC's emerging communications technologies activities to the EMC's electricity activities or its EMC gas affiliate's activities; and

(5) Not, for the protection and privacy of customer information, release any proprietary customer information about any of such EMC's emerging communications technologies customers to its electricity division, affiliate, or subsidiary or its EMC gas affiliate without obtaining prior verifiable authorization from such customers.

46-5-225.

Nothing in this article shall authorize an EMC or any other provider of emerging communications technologies to provide cable television or video service without first obtaining a state or local cable or video franchise."

PART IIIB
SECTION 3B-1.

Said Title 46 is further amended by revising Code Section 46-5-60, relating to the short title of the Rural Telephone Cooperative Act, as follows:

"46-5-60.

This part shall be known and may be cited as the '~~Rural~~ Telephone Cooperative Act.'"

SECTION 3B-2.

Said Title 46 is further amended by revising Code Section 46-5-61, relating to declaration of purpose related to the Rural Telephone Cooperative Act, as follows:

"46-5-61.

Cooperative nonprofit corporations may be organized under this part for the purpose of furnishing telephone service ~~in rural areas~~ to the widest practicable number of users of ~~such service~~. Such cooperative nonprofit corporations may also furnish emerging communications technologies in addition to furnishing telephone service."

SECTION 3B-3.

Said Title 46 is further amended by revising Code Section 46-5-62, related to definitions, as follows:

"46-5-62.

As used in this part, the term:

(1) 'Cooperative' means any corporation organized under this part or which becomes subject to this part.

(2) 'Emerging communications technologies' shall have the same meaning as provided in Code Section 46-5-221.

(3) 'IP enabled services' shall have the same meaning as provided in Code Section 46-5-221.

~~(2)~~(4) 'Person' means any natural person, firm, association, corporation, business trust, or partnership.

~~(3)~~(5) 'Rural area' means any area within this state which ~~is located outside~~:

(A) ~~The~~ Is located outside the boundaries of an incorporated or unincorporated city, town, village, or borough having a population in excess of 1,500 inhabitants according to the last preceding federal census; ~~and~~

(B) ~~Any~~ Is located outside any suburban or populated area contiguous to the boundaries of any such city, town, village, or borough, which area has a common economic, social, or administrative interest with any such city, town, village, or borough;

(C) Has at any time on or after January 1, 1950:

(i) Been located outside the boundaries of an incorporated or unincorporated city, town, village, or borough having a population in excess of 1,500 inhabitants according to the last preceding federal census; or

(ii) Been located outside any suburban or populated area contiguous to the

boundaries of any such city, town, village, or borough, which area has a common economic, social, or administrative interest with any such city, town, village, or borough; or

(D) Is located inside any area that was being serviced by a cooperative on January 1, 2018.

~~(4)~~(6) 'Telephone company' means any natural person, firm, association, corporation, business trust, partnership, cooperative nonprofit membership corporation, or limited dividend or mutual association owning, leasing, or operating any line, facility, or system used in the furnishing of telephone service within this state.

~~(5)~~(7) 'Telephone service' means any communication service whereby voice communication through the use of electricity and wire connections between the transmitting and receiving apparatus is the principal intended use thereof. This term shall include all telephone lines, facilities, or systems used in the rendition of such service.

(8) 'VoIP' shall have the same meaning as provided in Code Section 46-5-221.

(9) 'Wireless services' shall have the same meaning as provided in Code Section 46-5-221."

SECTION 3B-4.

Said Title 46 is further amended by revising Code Section 46-5-63, relating to powers of cooperatives generally, as follows:

"46-5-63.

A cooperative shall have power:

- (1) To sue and be sued in its corporate name;
- (2) To have an initial existence for a term of 50 years with right of renewal for one or more like terms unless a shorter term is stated in the articles of incorporation;
- (3) To adopt a corporate seal and alter the same;
- (4) To furnish, improve, and expand telephone service in rural areas to its members, to governmental agencies and political subdivisions, and to other persons not in excess of 10 percent of the number of its members; provided, however, that, without regard to this 10 percent limitation, telephone service may be made available by a cooperative through interconnection of facilities to any number of subscribers of other telephone systems and through pay stations to any number of users; provided, further, that a cooperative which acquires existing telephone facilities in rural areas may continue service to persons, not in excess of 40 percent of the number of its members, who are already receiving service from such facilities without requiring such persons to become members; but such persons may become members upon such terms as may be prescribed in the bylaws; provided, further, that no cooperative shall furnish any telephone service in any area or territory professed to be served by any other telephone company unless such telephone company is unable or unwilling to furnish or extend reasonably adequate telephone service in such area or territory;

(4.1) To furnish, improve, and expand emerging communications technologies. Such emerging communications technologies may be furnished separately from telephone

service or in conjunction with telephone service and may be furnished in areas that are the same or in areas that are different from those to which the cooperative furnishes telephone service; provided, however, that none of the costs of providing emerging communications technologies shall be eligible for recovery from the Universal Access Fund provided for in Code Section 46-5-167;

(5) To construct, purchase, lease as lessee, or otherwise acquire; to improve, expand, install, equip, maintain, and operate; and to sell, assign, convey, lease as lessor, mortgage, pledge, or otherwise dispose of or encumber telephone communications lines, facilities, systems, lands, buildings, structures, plants, equipment, exchanges, and any other real or personal property, whether tangible or intangible, which shall be deemed necessary, convenient, or appropriate to accomplish the purpose for which the cooperative is organized, provided that no cooperative shall construct, purchase, lease as lessee, take, receive, or otherwise acquire, improve, expand, install, equip, maintain, or operate any telephone lines, facilities, systems, lands, buildings, structures, plants, equipment, exchanges, or any other real or personal property, whether tangible or intangible, within (A) The boundaries of any incorporated or unincorporated city, town, village, or borough within this state having a population in excess of 1,500 inhabitants according to the last preceding federal census, and (B) any suburban or populated area contiguous to the boundaries of any such city, town, village, or borough having a common economic, social, or administrative interest within any such city, town, village, or borough;

(6) To connect and interconnect its telephone ~~lines, facilities, or systems with other telephone such lines, facilities, or systems,~~ service or emerging communications technologies with other telephone services or emerging communications technologies, provided that any such connection or interconnection shall be as provided by and in accordance with applicable federal and state law and shall be in such manner and according to such specifications as will avoid interference with or hazards to such existing telephone lines, facilities, or systems telephone service or emerging communications technologies;

(7) To make its facilities available to persons furnishing telephone service or emerging communications technologies within or without this state;

(8) To purchase, lease as lessee, or otherwise acquire; to use and exercise; and to sell, assign, convey, mortgage, pledge, or otherwise dispose of or encumber franchises, rights, privileges, licenses, and easements;

(9) To issue membership certificates and nonvoting shares of stock as provided in this part;

(10) To borrow money and otherwise contract indebtedness; to issue or guarantee notes, bonds, and other evidences of indebtedness; and to secure the payment thereof by mortgage, pledge, deed of trust, security deed, or any other encumbrance upon any or all of its then-owned or after-acquired real or personal property, assets, franchises, or revenues;

(11) To construct, maintain, and operate telephone ~~lines~~ service or emerging communications technologies along, upon, under, and across publicly owned lands

and public thoroughfares, including all roads, highways, streets, alleys, bridges, and causeways, provided that the construction, maintenance, and operation of ~~telephone lines~~ telephone service or emerging communications technologies along, upon, under, and across publicly owned lands and public thoroughfares, including all roads, highways, streets, alleys, bridges, and causeways, shall be conditioned upon first having obtained the consent and permission of the governmental authority affected and shall be under such terms and conditions as may be promulgated by that governmental authority;

(12) To exercise the power of eminent domain in the manner provided by Title 22 for the exercise of such power by other corporations constructing or operating telephone ~~lines, facilities, or systems~~ service;

(13) To become a member of other cooperatives or corporations or to own stock therein;

(14) To conduct its business and exercise its powers within or without this state;

(15) To adopt, amend, and repeal bylaws;

(16) To make any and all contracts necessary, convenient, or appropriate for the full exercise of the powers granted by this part; and

(17) To do and perform any other acts and things and to have and exercise any other powers which may be necessary, convenient, or appropriate to accomplish the purpose for which the cooperative is organized."

SECTION 3B-5.

Said Title 46 is further amended by revising Code Section 46-5-65, relating to names of cooperatives, as follows:

"46-5-65.

(a) The name of the cooperative shall include the words 'Telephone' ~~and or~~ 'Communications,' or both, and shall include the word 'Cooperative,' and the abbreviation 'Inc.' unless:

(1) In an affidavit made by its president and vice-president and filed with the clerk of the superior court of the county in which the principal office of the cooperative is located and with the Secretary of State; or

(2) In an affidavit made by a person signing articles of incorporation, consolidation, merger, or conversion, which relate to such cooperative, and presented concurrently with the presentation for approval of any such articles to the superior court or a judge thereof and filed with the Secretary of State

it shall appear that the cooperative desires to do business in another state and is or would be precluded therefrom by reason of the inclusion of such words or either thereof in its name.

(b) The name of the cooperative may, in addition to the words 'Telephone' or 'Communications,' or both, and the word 'Cooperative,' and the abbreviation 'Inc.', include the words 'Emerging' or 'Technologies,' or both.

~~(b)(c)~~ This Subsection (a) of this Code section shall not apply to any corporation which becomes subject to this part by complying with Code Section 46-5-90 or which does

business in this state pursuant to Code Section 46-5-99 and which elects to retain a corporate name which does not comply with this Code section."

SECTION 3B-6.

Said Title 46 is further amended by revising Code Section 46-5-79, relating to qualifications for membership to cooperative, certificate of membership, share certificates, and payment for shares of stock, as follows:

"46-5-79.

(a) Each incorporator of a cooperative shall be a member thereof, but no other person may become a member thereof unless he or she agrees to use telephone service or emerging communications technologies furnished by the cooperative when it is made available through its facilities. Membership in a cooperative shall be evidenced by a certificate of membership, which shall not be transferable, except as provided in the bylaws. The bylaws may prescribe additional qualifications and limitations in respect of membership, provided that ownership of shares of stock, if any are authorized, shall not be a condition of membership in the cooperative.

(b) If the issuance of shares of stock is provided for in the articles of incorporation, ownership of such shares shall be evidenced by share certificates. No share of stock shall be issued except for cash, or for property at its fair value, in an amount equal to the par value of such share of stock.

(c) Membership and share certificates shall contain such provisions, consistent with this part and the articles of incorporation of the cooperative, as shall be prescribed by its bylaws."

SECTION 3B-7.

Said Title 46 is further amended by revising Code Section 46-5-90, relating to conversion of telephone corporation into a cooperative and consolidation of telephone corporation into a cooperative, as follows:

"46-5-90.

(a) Any corporation organized under the laws of this state and furnishing or having the corporate power to furnish telephone service may be converted into a cooperative, and shall thereupon become subject to this part, with the same effect as if originally organized under this part, by complying with the following requirements:

(1) The proposition for the conversion of such corporation into a cooperative, along with proposed articles of conversion to give effect thereto, shall be submitted to a meeting of the members or stockholders of such corporation or, in case of a corporation having no members or stockholders, to a meeting of the incorporators of such corporation, the notice of which shall have attached thereto a copy of the proposed articles of conversion;

(2) If the proposition for the conversion of such corporation into a cooperative and the proposed articles of conversion, with any amendments, are approved by the affirmative vote of not less than two-thirds of those members of such corporation voting thereon at such meeting, or, if such corporation is a stock corporation, by the

affirmative vote of the holders of not less than two-thirds of those shares of the capital stock of such corporation represented at such meeting and voting thereon, or, in the case of a corporation having no members and no shares of its capital stock outstanding, by the affirmative vote of not less than two-thirds of its incorporators, then articles of conversion in the form approved shall be executed and acknowledged on behalf of such corporation by its president or vice-president, and its seal shall be affixed thereto and attested by its secretary;

(3) The articles of conversion shall recite that they are executed pursuant to this part and shall state:

- (A) The name of the corporation and the address of its principal office prior to its conversion into a cooperative;
- (B) The statute or statutes under which it was organized;
- (C) That such corporation elects to become a nonprofit ~~telephone~~ cooperative subject to this part;
- (D) Its name as a cooperative;
- (E) The address of the principal office of the cooperative;
- (F) The names and addresses of the directors of the cooperative; and
- (G) The manner in which members, stockholders, or incorporators of such corporation may or shall become members of the cooperative.

In addition, the articles of conversion may contain any provisions, not inconsistent with this part, deemed necessary or advisable for the conduct of the business of the cooperative, including the provisions for the issuance of nonvoting shares of stock as provided for in Code Section 46-5-67. If the articles of conversion make provision for the issuance of such shares of stock, they shall also state the manner in which members, stockholders, or incorporators of such corporation may or shall become shareholders of the cooperative. The president or vice-president executing such articles of conversion shall make and annex thereto an affidavit stating that the provisions of this Code section were duly complied with in regard to such articles; and

(4) The articles of conversion shall be deemed to be the articles of incorporation of the cooperative, and an application for approval thereof, including such articles and the prescribed affidavit, signed and acknowledged by the president or vice-president of the corporation seeking to be converted into a cooperative, shall be presented to and approved by the superior court, or the judge thereof, filed with the clerk of the superior court of the county in which the principal office of the cooperative is to be located and with the Secretary of State, and published in the same manner as an application for original incorporation. The fee to be paid at the time of such filing shall be as described in Code Section 46-5-100. Upon such filing, the conversion shall be deemed to be effective.

(b) Any two or more corporations organized under the laws of this state and furnishing or having the corporate power to furnish telephone service may, if otherwise permitted to consolidate by the laws of this state, consolidate into a cooperative subject to this part, with the same effect as if originally organized under this part, by complying with

the following requirements:

(1) The proposition for the consolidation into a cooperative and the proposed articles of consolidation and conversion, with any amendments, shall be approved by each consolidating corporation in accordance with the statute or statutes under which it was organized and in accordance with the provisions of subsection (a) of this Code section; and

(2) The articles of consolidation and conversion in the form approved shall be executed, acknowledged, and sealed in the manner prescribed in subsection (a) of this Code section and in the statute or statutes under which the consolidating corporations were organized. The articles of consolidation and conversion shall state that they are executed pursuant to this part and such statute or statutes and that each consolidating corporation elects that the new corporation shall be a cooperative. In addition, the articles of consolidation and conversion shall contain all other information required by such statute or statutes and by paragraph (2) of subsection (a) of this Code section, and may contain any provisions not inconsistent with this part deemed necessary or advisable for the conduct of the business of the cooperative. The president or vice-president executing such articles of consolidation and conversion shall make and annex thereto an affidavit stating that the preceding provisions of this Code section and of the statute or statutes under which the consolidating corporations were organized were duly complied with in regard to such articles. The articles of consolidation and conversion shall be deemed to be the articles of incorporation of the cooperative, and an application for approval thereof, including such articles and the prescribed affidavits, signed and acknowledged by the president or vice-president of each consolidating corporation, shall be presented to and approved by the superior court, filed with the clerk of the superior court of the county in which the principal office of the cooperative is to be located and with the Secretary of State, and published in the same manner as an application for incorporation. The fees to be paid upon such filing shall be as prescribed in Code Section 46-5-100. Upon such filing, the consolidation and conversion shall be deemed to be effective."

SECTION 3B-8.

Said Title 46 is further amended by revising Code Section 46-5-96, relating to construction standards, as follows:

"46-5-96.

Construction of telephone ~~lines and facilities~~ service lines, facilities, and systems by a cooperative shall, as a minimum requirement, comply with the standards of the National Electrical Code in effect at the time of such construction and shall be in such manner and according to such specifications as will avoid interference with or hazards to existing telephone service lines, facilities, or systems."

SECTION 3B-9.

Said Title 46 is further amended by revising Code Section 46-5-99, relating to extension of telephone service into state by foreign nonprofit or cooperative corporations, Secretary

of State as agent for foreign corporations, and rights and powers of foreign corporations, as follows:

"46-5-99.

Any foreign nonprofit or cooperative corporation furnishing or authorized to furnish telephone service and owning or operating ~~telephone lines or facilities~~ telephone service lines, facilities, or systems in a state adjacent to this state may construct or acquire extensions of ~~such lines, extensions of facilities, or extensions of systems for providing telephone service or emerging communications technologies, or both,~~ in this state and operate ~~such extensions of such lines, extensions of such facilities, or extensions of such systems~~ without complying with any statute of this state pertaining to the qualification of foreign corporations for the doing of business in this state. Before constructing or operating ~~such extensions of such lines, extensions of such facilities, or extensions of such systems,~~ any such corporation shall designate the Secretary of State as its agent to accept service of process on its behalf, such designation to be effected by an instrument executed and acknowledged on its behalf by its president or ~~vice-president~~ vice-president under its seal attested by its secretary and filed with the Secretary of State. Thereafter, with respect to its operation in this state, such corporation shall have only the rights, powers, privileges, and immunities of a cooperative organized under this part. In the event any process is served upon the Secretary of State, he or she shall forthwith forward the same by registered or certified mail or statutory overnight delivery to such corporation at the address thereof specified in the instrument executed pursuant to this Code section."

SECTION 3B-10.

Said Title 46 is further amended by revising Code Section 46-5-102, relating to interconnection of lines, facilities, or systems of cooperatives and other telephone companies, as follows:

"46-5-102.

The telephone service lines, facilities, or systems of any cooperative or foreign corporation doing business in this state pursuant to this part and the telephone service lines, facilities, or systems of any other telephone company may, upon such terms and conditions as may be mutually agreeable to such cooperative or foreign corporation and such telephone company, be interconnected in order to provide continuous lines of communication for the subscribers of any such cooperative, foreign corporation, or telephone company. In the event any such cooperative or foreign corporation and any such telephone company shall be unable to agree upon the terms and conditions of such interconnection, including compensation therefor, the commission shall, upon the request of either party, establish terms and conditions with respect to such interconnection which shall be reasonable and nondiscriminatory."

SECTION 3B-11.

Said Title 46 is further amended by revising Code Section 46-5-103, relating to jurisdiction of the Public Service Commission, as follows:

"46-5-103.

Cooperatives and foreign corporations doing business in this state pursuant to this part shall be subject to the jurisdiction and supervision of the commission in the same manner and in every respect as any other telephone company owning, leasing, or operating a public telephone service ~~or telephone line~~ in this state; provided, however, that the commission shall not have any jurisdiction, right, power, authority, or duty to impose any requirement or regulation relating to the setting of rates or terms and conditions for the offering of emerging communications technologies by a cooperative pursuant to this part."

SECTION 3B-12.

Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, is amended by revising paragraph (3) of Code Section 34-9-1, relating to definitions relative to workers' compensation, as follows:

"(3) 'Employer' shall include the State of Georgia and all departments, instrumentalities, and authorities thereof; each county within the state, including its school district; each independent public school district; any municipal corporation within the state and any political division thereof; any individual, firm, association, or public or private corporation engaged in any business, except as otherwise provided in this chapter, and the receiver or trustee thereof; any electric membership corporation organized under Article 4 of Chapter 3 of Title 46 or other cooperative corporation engaged in rural electrification, including electric refrigeration cooperatives; any ~~telephone~~ cooperative organized under Part 3 of Article 2 of Chapter 5 of Title 46 or other cooperative or nonprofit corporation engaged in furnishing telephone service or having the corporate power to furnish telephone service; the legal representative of a deceased employer using the service of another for pay; and any person who, pursuant to a contract or agreement with an employer, provides workers' compensation benefits to an injured employee, notwithstanding the fact that no common-law master-servant relationship or contract of employment exists between the injured employee and the person providing the benefits. If the employer is insured, this term shall include his or her insurer as far as applicable."

SECTION 3B-13.

Title 44 of the Official Code of Georgia Annotated, relating to property, is amended by revising Code Section 44-12-236.1, relating to donation of abandoned dividends or capital credits by rural telephone cooperatives for certain purposes, as follows:

"44-12-236.1.

(a) As used in the Code section, the term:

- (1) 'Area' means any county in which a ~~telephone~~ cooperative provides telephone service or emerging communications technologies and any county adjacent thereto.
- (2) '~~Telephone cooperative~~ Cooperative' shall have the same meaning as provided ~~for~~ the term 'cooperative' in Code Section 46-5-62.
- (3) 'Emerging communications technologies' shall have the same meaning as

provided in Code Section 46-5-221.

~~(3)~~(4) 'Telephone service' shall have the same meaning as provided ~~for~~ in Code Section 46-5-62.

(b) All patronage dividends or capital credits held by a ~~telephone~~ cooperative that are presumed abandoned pursuant to this article in a given calendar year may, in lieu of payment of delivery to the commissioner pursuant to this article, be donated to a nonprofit organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code that supports education or economic development in the area if the ~~telephone~~ cooperative has:

(1) Maintained for at least six months on the ~~telephone~~ cooperative's website or on a public posting in the ~~telephone~~ cooperative's main office, a list of the names and last known addresses of all owners of property held by the ~~telephone~~ cooperative that have been presumed abandoned, together with instructions on how to claim such property; and

(2) Published in the legal organ in the county in which the ~~telephone~~ cooperative's main office is located notice of the last date to claim property that has been presumed abandoned. Such notice shall be published within three to six months prior to the last date to claim the property and shall state that the names of the owners may be found at the ~~telephone~~ cooperative's website or main office."

PART IV SECTION 4-1.

Said Title 50 is further amended in Code Section 50-7-8, relating to additional powers of the Board of Economic Development, by revising paragraphs (13) and (14) and by adding a new paragraph to read as follows:

"(13) To enter into contracts with the Georgia Music Hall of Fame Authority for any purpose necessary or incidental in assisting the Georgia Music Hall of Fame Authority in carrying out or performing its duties, responsibilities, and functions; provided, however, that all such assistance shall be performed on behalf of and pursuant to the lawful purposes of the Georgia Music Hall of Fame Authority and not on behalf of the department; and provided, further, that such assistance shall not include the authorization of the issuance of any bonds or other indebtedness of the authority. The department may undertake joint or complementary programs with the Georgia Music Hall of Fame Authority, including the provision for joint or complementary services, within the scope of their respective powers; ~~and~~

(14) To induce, by payment of state funds or other consideration, any agency or authority assigned to the department for administrative purposes to perform the ~~agency~~ agency's or authority's statutory functions; ~~and~~

(15) To promote the deployment of broadband services throughout the state, including but not limited to, the deployment of broadband services in any facilities and developments designated as a Georgia Broadband Ready Community Site. The board and the Department of Economic Development shall have such additional

powers and duties related to the promotion of the deployment of broadband services and other emerging communications technologies provided in Chapter 39 of this title."

SECTION 4-2.

Said Title 50 is further amended in Code Section 50-8-7.1, relating to general powers and duties of the Department of Community Affairs, by adding a new subsection to read as follows:

"(e) The department shall undertake such activities as may be necessary to carry out any additional authority, duties, and responsibilities as authorized and described in Chapter 39 of title."

SECTION 4-3.

Said Title 50 is further amended in Code Section 50-25-4, relating to general powers of the Georgia Technology Authority, by revising paragraphs (30) and (31) of subsection (a) and by adding a new paragraph to read as follows:

"(30) To exercise any power granted by the laws of this state to public or private corporations which is not in conflict with the public purpose of the authority; ~~and~~
(31) To coordinate the establishment and administration of one or more programs to increase economic, educational, and social opportunities for citizens and businesses through the promotion of the deployment of broadband services and other emerging communications technologies throughout the state and to exercise any power granted to the authority in Chapter 39 of this title; and
~~(31)~~(32) To do all things necessary or convenient to carry out the powers conferred by this chapter."

PART V SECTION 5-1.

Said Title 50 is further amended in Code Section 50-34-2, relating to definitions relative to the "OneGeorgia Authority Act," by revising subparagraph (B) of paragraph (4) and by revising paragraph (9) by deleting "and" at the end of subparagraph (F), by replacing the period with "; and" at the end of subparagraph (G), and by adding a new subparagraph to read as follows:

"(B) All costs of real property, fixtures, equipment, or personal property used in or in connection with or necessary or convenient for any project or any facility or facilities related thereto, including, but not limited to, cost of land, interests in land, options to purchase, estates for years, easements, rights, improvements, water rights, ~~and~~ connections for utility services, and infrastructure and connections for broadband services as such term is defined in Code Section 50-39-1; the cost of fees, franchises, permits, approvals, licenses, and certificates or the cost of securing any of the foregoing; the cost of preparation of any application therefor; and the cost of all fixtures, machinery, equipment, furniture, and other property used in

connection with or necessary or convenient for any project or facility;"

"(H) The acquisition, construction, improvement, or modification of any property, real or personal, used to provide or used in connection with the provision of broadband services which the authority has determined as necessary for the operation of the industries which such property, real or personal, is to serve and which is necessary for the public welfare, provided that, for the purposes of this subparagraph, the term 'broadband services' shall have the same meaning as provided in Code Section 50-39-1."

SECTION 5-2.

Said Title 50 is further amended by revising subsection (b) of Code Section 50-34-3, relating to creation, membership, power, and authority of OneGeorgia Authority, as follows:

"(b) The board of directors of the authority shall consist of the Governor, who shall serve as chair of the authority; the Lieutenant Governor, who shall serve as ~~vice~~ co-vice chair of the authority; the Speaker of the House of Representatives, who shall serve as co-vice chair of the authority; the director of the Office of Planning and Budget, who shall serve as secretary of the authority; the commissioner of community affairs; the commissioner of economic development; and the commissioner of revenue."

PART VI SECTION 6-1.

Said Title 50 is further amended by adding a new chapter to read as follows:

"CHAPTER 39 ARTICLE 1

50-39-1.

As used in this chapter, the term:

(1) 'Broadband network project' means any deployment of broadband services.

(2) 'Broadband services' means a wired or wireless terrestrial service that consists of the capability to transmit at a rate of not less than 25 megabits per second in the downstream direction and at least 3 megabits per second in the upstream direction to end users and in combination with such service provides:

(A) Access to the Internet; or

(B) Computer processing, information storage, or protocol conversion.

(3) 'Broadband services provider' means any provider of broadband services or a public utility or any other person or entity that builds or owns a broadband network project.

(4) 'Cooperative' shall have the same meaning as provided in Code Section 46-5-62.

(5) 'Emerging communications technologies' shall have the same meaning as provided in Code Section 46-5-221.

(6) 'IP enabled services' shall have the same meaning as provided in Code Section 46-5-221.

(7) 'Local authority' shall have the same meaning as provided in Code Section 36-82-220.

(8) 'Location' means any residence, dwelling, home, business, or building.

(8.1) 'Performance bond' means a bond with good and sufficient surety or sureties for the faithful performance of the contract and to indemnify the state for any damages occasioned by a failure to perform the same within the prescribed timeframe. Such bond shall be payable to, in favor of, and for the protection of the state.

(9) 'Political subdivision' means a county, municipal corporation, consolidated government, or local authority.

(10) 'Qualified broadband provider' means:

(A) A cooperative, association, company, firm, corporation, partnership, political subdivision of the state, or an electric membership corporation organized under Article 4 of Chapter 3 of Title 46 that:

(i) Has, directly or indirectly, been providing broadband services to at least 1,000 locations; and

(ii) Has been conducting business in the state for at least three years with a demonstrated financial, technical, and operational capability to operate a broadband services network; or

(B) An electric membership corporation organized under Article 4 of Chapter 3 of Title 46, a cooperative, or a political subdivision of the state that is able to demonstrate financial, technical, and operational capability to operate a broadband services network.

(11) 'Unserved area' means a census block in which broadband services are not available to 20 percent or more of the locations as determined by the Department of Community Affairs pursuant to Article 2 of this chapter.

(12) 'VoIP' shall have the same meaning as provided in Code Section 46-5-221.

(13) 'Wireless services' shall have the same meaning as provided in Code Section 46-5-221.

50-39-2.

(a) The Georgia Technology Authority is authorized and directed to establish and implement such policies and programs as are necessary to coordinate state-wide efforts to promote and facilitate deployment of broadband services and other emerging communications technologies throughout the state. Such policies and programs may include, but are not limited to, the following:

(1) A written state-wide broadband services deployment plan and the development of recommendations for the promotion and implementation of such a plan;

(2) Oversight and coordination of state efforts to apply for, utilize, and implement public and private grants, programs, designations, and other resources for the deployment of broadband services and other emerging communications technologies;

(3) Technical support and advisory assistance to state agencies, including, but not

limited to, the Department of Community Affairs and the OneGeorgia Authority, in developing grant programs, designation programs, and other programs to promote the deployment of broadband services and other emerging communications technologies;

(4) A periodic analysis performed in conjunction with the State Properties Commission of any state assets, including, but not limited to, real property and structures thereon, that may be leased or otherwise utilized for broadband services deployment; and

(5) Coordination between state agencies, local governments, industry representatives, community organizations, and other persons that control access to resources, such as facilities and rights of way, that may be used for the deployment of broadband services and other emerging communications technologies, that apply for or receive federal funds for the deployment of broadband services and other emerging communications technologies, and that promote economic and community development.

(b) The Georgia Technology Authority shall submit copies of an annual report to the Lieutenant Governor, the Speaker of the House of Representatives, and the Governor regarding the policies and programs established by the authority as provided in subsection (a) of this Code section. Such report shall specifically include information as to the status of attainment of state-wide deployment of broadband services and other emerging communications technologies and industry and technology trends in broadband services and other emerging communications technologies. The Georgia Technology Authority shall also provide such report to all members of the General Assembly; provided, however, that the authority shall not be required to distribute copies of the report to the members of the General Assembly but shall notify the members of the availability of such report in the manner which it deems to be most effective and efficient. Furthermore, such report may be a part of or submitted in conjunction with the report required to be submitted by the Department of Community Affairs pursuant to Code Section 50-39-83.

(c) All state agencies shall cooperate with the Georgia Technology Authority and its designated agents by providing requested information to assist in the development and administration of policies and programs and the annual report provided for in this Code section.

(d) The Georgia Technology Authority shall promulgate any reasonable and necessary rules and regulations to effectuate the provisions of this Code section.

50-39-3.

All information provided by a broadband services provider pursuant to this chapter shall be presumed to be confidential, proprietary, a trade secret, as such term is defined in Code Section 10-1-761, and subject to exemption from disclosure under state and federal law and shall not be subject to disclosure under Article 4 of Chapter 18 of this title, except in the form of a map where information that could be used to determine provider-specific information about the network of the broadband services provider is not disclosed. Except as otherwise provided in this chapter, such provider-specific

information shall not be released to any person other than to the submitting broadband services provider, the Department of Community Affairs or the Georgia Technology Authority, agents designated to assist in developing the map provided for in Article 2 of this chapter, employees of the Department of Community Affairs or the Georgia Technology Authority, and attorneys employed by or under contract with the Department of Community Affairs or the Georgia Technology Authority without express permission of the submitting broadband services provider. Such information shall be used solely for the purposes stated under this chapter.

ARTICLE 2

50-39-20.

The Department of Community Affairs shall determine those areas in the state that are unserved areas and shall publish such findings.

50-39-21.

(a) On or before January 1, 2019, the Department of Community Affairs shall publish on its website a map showing the unserved areas in the state.

(b) The Department of Community Affairs shall consult with the Federal Communications Commission in determining if a map showing the unserved areas, as determined by the Department of Community Affairs, exists. If on or before July 1, 2018, the Department of Community Affairs determines that such a map does not exist then such a map shall be created by the Department of Community Affairs or an agent designated by the Department of Community Affairs. Such agent may include the Georgia Technology Authority or other entities and individuals that are determined by the Department of Community Affairs to possess the necessary prerequisites to assist the department in creating such a map. Any map created by the Department of Community Affairs shall take into consideration any information received pursuant to subsections (c) and (d) of this Code Section and Code Section 50-39-22. If the Department of Community Affairs determines that such a map does exist that was not created by the Department of Community Affairs or an agent designated by the Department of Community Affairs, then its website may link to such existing map in lieu of republishing such map.

(c) All local governments shall cooperate with the Department of Community Affairs and any agent designated by the Department of Community Affairs by providing requested information as to addresses and locations of broadband services and other emerging communications technologies within their jurisdictions.

(d) The Department of Community Affairs and any agent designated by the Department of Community Affairs may request information from all broadband services providers in the state in developing a map or making the determination as to the percentage of locations to which broadband services are not available.

50-39-22.

A broadband services provider or a political subdivision may file a petition with the Department of Community Affairs along with data specifying locations which the petitioner alleges should be designated differently than as shown on the map published on the website of the Department of Community Affairs pursuant to Code Section 50-39-21. Upon receipt of such petition and data, the Department of Community Affairs shall provide notice of the petition on the Department of Community Affairs' website and shall notify all broadband services providers furnishing broadband services in any census block in which any such locations are positioned. Such broadband services providers shall have 45 days after the date such notice is sent to furnish information to the Department of Community Affairs showing that the locations that are the subject of the petition currently have broadband services available. The Department of Community Affairs shall determine whether the designation of such locations should be changed and shall issue such determination within 75 days of the date the notice is sent to the broadband services provider.

ARTICLE 350-39-40.

(a) A political subdivision that has a comprehensive plan that includes the promotion of the deployment of broadband services, as required pursuant to Code Sections 36-70-6 and 50-8-7.1, may apply to the Department of Community Affairs for certification as a broadband ready community. The department shall by rules and regulations prescribe the form and manner for making an application. The department shall prescribe by rules and regulations a process for public notice and comment on an application for a period of at least 30 days after such application is received, except that such process shall not apply to an application by a political subdivision that enacts a model ordinance developed by the department under Code Section 50-39-41.

(b) The department shall approve an application and certify a political subdivision as a broadband ready community if the department determines that such political subdivision has enacted an ordinance that complies with Code Section 50-39-41. If the process for public notice and comment applies to an application, the department shall, before approving such application, consider any public comments made regarding such application.

50-39-41.

(a) A political subdivision shall not be certified as a broadband ready community unless such political subdivision enacts an ordinance for reviewing applications and issuing permits related to broadband network projects that provides for all of the following:

- (1) Appointing a single point of contact for all matters related to a broadband network project;
- (2) Requiring such political subdivision to determine whether an application is

complete and notifying the applicant about such determination in writing within a certain time period after receiving such application; provided, however, that any delay in the processing of an application that is outside the control of such political subdivision and that is directly caused by or attributable to a natural disaster, a state of emergency, a mandated federal review or approval, the receipt of multiple applications by the same or different applicants within a relatively short period of time, another political subdivision's review or approval, or through fault of the applicant shall not count toward the days allotted within such time period;

(3) If the political subdivision receives an application that is incomplete, requiring the written notification provided for under paragraph (2) of this subsection to specify in detail the required information that is incomplete;

(4) If such political subdivision does not make the written notification required under paragraph (2) of this subsection, requiring such political subdivision to consider an application to be complete;

(5) Within a certain time period after receiving an application that is complete, requiring such political subdivision to approve or deny such application and provide the applicant notification in writing of such approval or denial;

(6) That any fee imposed by such political subdivision to review an application, issue a permit, or perform any other activity related to a broadband network project shall be reasonable, cost based, and nondiscriminatory to all applicants; and

(7) Any other information or specifications as may be required by the department by rules and regulations related to ensuring ready access to the public rights of way and infrastructure.

(b) The department, with input from broadband services providers and local governments, shall develop a model ordinance for the review of applications and the issuance of permits related to broadband network projects that complies with subsection (a) of this Code section that may be enacted by a political subdivision.

(c) If a political subdivision enacts an ordinance that differs from the model ordinance developed by the department, the political subdivision shall, when applying for certification under Code Section 50-39-40, provide the department with a written statement that describes the ordinance enacted by such political subdivision and how such ordinance differs from the model ordinance.

(d) After certification of a political subdivision as a broadband ready community, the department shall continue to monitor such political subdivision's compliance with the broadband ready community eligibility requirements provided in subsection (a) of this Code section to ensure that the ordinance is still in effect and that such political subdivision's actions are in conformance with such ordinance.

50-39-42.

A political subdivision that the department has certified as a broadband ready community under Code Section 50-39-41 may be decertified by the department if it:

(1) Imposes an unreasonable or noncost based fee to review an application or issue a permit for a broadband network project. Any application fee that exceeds \$100.00

shall be considered unreasonable unless such political subdivision can provide documentation justifying such fee based on a specific cost;

(2) Imposes a moratorium of any kind on the approval of applications or issuance of permits for broadband network projects or on construction related to broadband network projects;

(3) Discriminates among broadband services providers with respect to any action described in this article or otherwise related to a broadband network project, including granting access to public rights of way, infrastructure and poles, river and bridge crossings, or any other physical assets owned or controlled by such political subdivision; or

(4) As a condition for approving an application or issuing a permit for a broadband network project, requires the applicant to:

(A) Provide any service or make available any part of the broadband network project to such political subdivision; or

(B) Except for reasonable and cost based fees allowed, make any payment to or on behalf of such political subdivision.

50-39-43.

(a) Upon the request of a broadband services provider, the department may decertify a political subdivision as a broadband ready community if such political subdivision fails to act in accordance with the ordinance required for certification under Code Section 50-39-41, modifies such ordinance so that such ordinance no longer complies with subsection (a) of Code Section 50-39-41, or violates any provision of Code Section 50-39-42.

(b) Upon a complaint that an application fee under an ordinance required for certification under Code Section 50-39-41 is unreasonable, the department shall determine whether or not such fee is reasonable. In the proceeding for making such determination, the political subdivision shall have the burden of proving the reasonableness of any action undertaken by such political subdivision as part of the application process and the reasonableness of the costs of such actions.

50-39-44.

A broadband network project targeting industry development or construction of a new building for which a political subdivision that has been certified as a broadband ready community under Code Section 50-39-40 is seeking financing from the OneGeorgia Authority, as provided for in Chapter 34 of this title, shall be given priority by the OneGeorgia Authority.

50-39-45.

The department shall promulgate any reasonable and necessary rules and regulations to effectuate the provisions of this article.

ARTICLE 450-39-60.

As used in this article, the term 'broadband services' means the provision of access to the Internet or computer processing, information storage, or protocol conversion.

50-39-61.

In order to encourage economic development and attract technology enabled growth in Georgia, the Department of Community Affairs shall, with the assistance of the Department of Economic Development, create and administer the 'Georgia Broadband Ready Community Site Designation Program.' Such program shall designate facilities and developments that offer broadband services at a rate of not less than 1 gigabit per second in the downstream and the upstream direction to end users that can be accessed for business, education, health care, government, and other public purposes as a Georgia Broadband Ready Community Site.

50-39-62.

(a) The Department of Community Affairs or its designated agents shall evaluate the information submitted by applicants for designation as a Georgia Broadband Ready Community Site to confirm, based on the best available local, state, and federal broadband information, that at least 1 gigabit of broadband services is available within the facility or development.

(b) The Department of Economic Development shall promote the Georgia Broadband Ready Community Site Designation Program and shall promote the facilities and developments so designated as local community assets. Upon certification of a facility or development as a Georgia Broadband Ready Community Site, the Department of Community Affairs shall notify the Department of Economic Development so that the Department of Economic Development may provide standardized graphics and materials to the owner or owners of such facility or development and the county or municipal corporation in which such facility or development is located in order to promote the status of the site as a Georgia Broadband Ready Community Site.

50-39-63.

The Department of Community Affairs shall be authorized to adopt and promulgate such rules and regulations as may be reasonable and necessary to carry out the purposes of this article.

ARTICLE 550-39-80.

The General Assembly recognizes that access to broadband services in today's society is essential to everyday life. Access to broadband services is a necessary service as fundamental as electricity, gas, or phone service. There is a growing need for the

government of this state to provide the much needed infrastructure to the homes and businesses without access to broadband services due to their location in rural and other unserved areas. Furthermore, the General Assembly finds and declares that ensuring broadband services deployment will have a positive effect on education, health care, public safety, business and industry, government services, and leisure activities throughout the entire state. The General Assembly also finds and declares that guaranteeing an equitable deployment of broadband services throughout the state is a public necessity, one of the basic functions of government, and a benefit to the entire state. Moreover, the General Assembly finds and declares that it is in the best interest of the state and the persons who live and work in the state to spend state funds through the establishment of a grant program to ensure the creation of a state-wide foundation of broadband services infrastructure in unserved areas of the state.

50-39-81.

(a) On or before July 1, 2019, the Department of Community Affairs shall develop the 'Georgia Broadband Deployment Initiative' to provide funding to qualified broadband providers that request the least amount of money to offer broadband services in unserved areas of the state. The goal of such program shall be to provide broadband services coverage throughout the entire state. The grants awarded as a part of such program shall reflect the state's share of the cost of the deployment of broadband services to unserved areas as authorized by this article. Such grants shall be subject to the availability of appropriations for the Georgia Broadband Deployment Initiative as may be expressly provided by the General Assembly together with such other funds as may be available from any public or private sources including, but not limited to, funds through the 'OneGeorgia Authority Act' and the Georgia Environmental Finance Authority. The amount of any grant awarded shall be reasonably related to the qualified broadband provider's expenses of the deployment of broadband services. The grants awarded shall be used by the qualified broadband services provider only for capital expenses and expenses directly related to the purchase or lease of property or communications services or facilities, including without limitation backhaul and transport, to facilitate the provision of broadband services.

(b) The department may use a request for proposal process in soliciting proposals from qualified broadband providers and may also accept proposals from qualified broadband providers through an open proposal process pursuant to established criteria. Qualified broadband providers may submit solicited or unsolicited proposals, as may be applicable, for one or more contiguous unserved areas in which such qualified broadband providers are seeking to deploy broadband services; provided, however, that the department shall seek competing proposals for any unsolicited proposal received. Such proposals shall be evaluated and scored on the basis of criteria consistent with this article and other factors established by the department; provided, however, that the department shall not discriminate between different types of technology used to provide broadband services if such broadband services are each capable of transmitting data at the rates specified for each unserved area. The department shall consider the applicant's

prior performance under a grant, if applicable.

(c) The program shall consist of a minimum of five rounds of grants, one each year for five years. The department shall be authorized to extend the program for more than five years if unserved areas still exist in the state. The grants may be awarded for a project that includes more than one unserved area, provided that such unserved areas are contiguous.

(d) The first round of grants shall be awarded when moneys are appropriated or grants or other funds are received to fund such awarding of the grant program.

(e) Qualified broadband providers submitting proposals shall receive priority if such proposals to provide broadband services:

(1) Include a proposed system design that is scalable to higher broadband speeds in the future;

(2) Include elements of cooperation with or broadband services enhancement for businesses; industrial parks; education centers; hospitals and other health care facilities, such as telehealth facilities and emergency care facilities; government buildings; public safety departments; or other providers of public services;

(3) Expand broadband services in an unserved area with a lower nonmilitary population than other unserved areas in the state;

(4) Include an unserved area certified as a broadband ready community as provided in Article 3 of this chapter;

(5) Include a monetary investment in the unserved areas in the proposal that is equal to or greater than the amount of money requested in such proposal, whether or not such investment is made solely by such qualified broadband provider or by such qualified broadband provider in conjunction with one or more local governments, one or more commercial or industrial entities, or any combination thereof; or

(6) If the qualified broadband provider cooperates with the Department of Community Affairs in providing information requested by the department, pursuant to subsections (c) and (d) of Code Section 50-39-2, as applicable, in order to develop map or make the determination as to the percentage of locations to which broadband services are not available.

(f) As part of the proposal process any qualified broadband provider submitting a proposal shall be required to disclose whether such qualified broadband provider is required under any federal law, rule, or regulation to provide broadband services to any of the unserved areas for which such proposal is submitted and whether any grants or other funding from the federal government, the state, or a local government to provide broadband services to any portion of such unserved area have been received by such qualified broadband provider.

(g) The department shall not discriminate between different types of technology used to provide broadband services nor shall the department condition the award of any grant to specific requirements related to the qualified broadband provider's management of its broadband network project.

(h) The department shall establish the criteria for determining proposal eligibility and any grant terms and conditions that are reasonable and necessary to ensure that the

grant funds are utilized to provide broadband services to the unserved areas for which the grants are awarded; provided, however, that any qualified broadband provider receiving a grant under this article shall be required to agree:

- (1) Not to charge more for broadband services to customers in any unserved area for which it receives a grant than it does for the same or similar broadband services to customers in other areas of the state;
 - (2) To serve 96 percent of any locations requesting broadband services in any unserved area for which it receives a grant;
 - (3) To meet or exceed in any unserved area for which it receives a grant a minimum level of dependable service as established by the department;
 - (4) That its plan to provide broadband services shall be substantially completed within the time period specified in the grant proposal; and
 - (5) To provide a performance bond payable to, in favor of, and for the protection of the state that meets the performance bond qualifications established by the department.
- (i) In addition to the requirements and considerations provided in subsections (e), (f), and (g) of this Code section, the department shall evaluate proposals based on upstream and downstream speeds to end users, data cap limits, signal latency, reliability of the technology utilized, historic service issues in other areas served by the qualified broadband provider, and the length of time it will take to deploy the broadband services in the unserved area.
- (j) The department shall condition the release of any grant funds upon the substantial completion, as determined by the department, of the proposed broadband services deployment and upon confirmation of the level of service proposed in the grant proposal as demonstrated by operational testing. Once the grant funds have been released, the qualified broadband provider shall have ownership and control of the broadband network project built with such funds.

50-39-82.

The department shall ensure that the grant program complies with all applicable federal laws and rules and regulations of the Federal Communications Commission.

50-39-83.

- (a)(1) On June 30, 2019, and on each June 30 thereafter, the Department of Community Affairs shall submit a report to the Lieutenant Governor, the Speaker of the House of Representatives, and the Governor on the program's progress in achieving the purposes of this article, including, at a minimum the status of any funded grant proposals and the number, amounts, and recipients of grants awarded. Such report may be a part of or submitted in conjunction with the report required to be submitted by the Georgia Technology Authority pursuant to Code Section 50-39-2.
- (2) The report required under paragraph (1) of this subsection shall be published on the website of the Department of Community Affairs.
- (b) The state auditor, on a periodic basis, but no less often than once every three years,

shall conduct a performance audit of the grant program to examine and determine the program's economy, efficiency, and effectiveness and to provide an accounting of the funds of the grant program. The state auditor shall provide an audit report to the Lieutenant Governor, the Speaker of the House of Representatives, and the Governor by December 31 of the year in which the audit was conducted.

50-39-84.

The Department of Community Affairs shall promulgate and enforce any reasonable and necessary rules and regulations to effectuate the provisions of this article.

ARTICLE 6

50-39-100.

As used in this article, the term:

(1) 'Advanced broadband services' means broadband service that consists of the capability to transmit at a rate of not less than 25 megabits per second in the downstream direction and at least 3 megabits per second in the upstream direction to end users.

(2) 'Attachment' means the connection or fastening of a wire or cable by a communications services provider to a utility pole.

(3) 'Authority' means any local authority, any local governing authority, any political subdivision providing retail electric service, any electric membership corporation established under Article 4 of Chapter 3 of Title 46 and any subsidiary thereof, and any cooperative and any subsidiary thereof.

(4) 'Broadband services' means a wired or wireless terrestrial service that consists of the capability to transmit in either the upstream or the downstream direction to end users and in combination with such service provide:

(A) Access to the Internet; or

(B) Computer processing, information storage, or protocol conversion.

(5) 'Collocate' or 'collocation' means to install, mount, maintain, modify, operate, or replace one or more communications facilities on, under, or within an existing wireless support structure or utility pole. The term shall not include the installation of a new utility pole or a new wireless support structure in a public right of way.

(6) 'Communications facility' means that set of equipment and network components, including wires and cables, and associated facilities used by a communications services provider to facilitate communications services.

(7) 'Communications services' means cable service as defined in 47 U.S.C. Section 522(6), as it existed on January 1, 2018; telecommunications service as defined in 47 U.S.C. Section 153(53), as it existed on January 1, 2018; information service as defined in 47 U.S.C. Section 153(24), as it existed on January 1, 2018; video service as defined in Code Section 36-76-2; wireless services; and broadband services.

(8) 'Communications services provider' means a cable operator as defined in 47

U.S.C. Section 522(5), as it existed on January 1, 2018; a telecommunications carrier as defined in 47 U.S.C. Section 153(51), as it existed on January 1, 2018; a provider of information services as defined in 47 U.S.C. Section 153(24), as it existed on January 1, 2018; a video service provider; a wireless services provider; or a broadband services provider.

(9) 'FCC rate' means the annual recurring rates permitted under rules and regulations adopted pursuant to 47 U.S.C. 224(d) by the Federal Communications Commission, as such existed on January 1, 2018.

(10) 'Interstate highways' shall have the same meaning as provided in Code Section 32-1-3.

(11) 'Law' means any federal, state, or local law, statute, common law, code, rule, regulation, order, resolution, or ordinance.

(12) 'Local authority' shall have the same meaning as provided in Code Section 36-82-220.

(13) 'Limited-access road' shall have the same meaning as provided in Code Section 32-1-3.

(14) 'Local governing authority' means a county, municipal corporation, or consolidated government.

(15) 'Person' means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including an authority.

(16) 'Right of way' shall have the same meaning as provided in Code Section 32-1-3, except that the term shall not include interstate highways and shall not include limited-access roads.

(17) 'Served area' means a census block that is not designated by the Department of Community Affairs as an unserved area.

(18) 'Utility pole' means a pole or similar structure that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or a similar function, or for the collocation of communications facilities. The term shall not include wireless support structures or electric transmission structures.

(19) 'Video service provider' shall have the same meaning as provided in Code Section 36-76-2.

(20) 'Wireless services' shall have the same meaning as provided in Code Section 46-5-221.

(21) 'Wireless services provider' means a person that provides wireless services.

(22) 'Wireless support structure' means a freestanding structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting facilities that provide wireless services. Such term shall not include a utility pole or an electric transmission structure.

50-39-101.

(a) The provisions of this Code section shall only apply to activities of a

communications services provider within a right of way.

(b) An authority shall not enter into an exclusive arrangement with any person for use of a right of way for the construction, installation, maintenance, modification, operation, marketing, or replacement of communications facilities or the collocation of said communications facilities.

(c) An authority, in the exercise of its administration and regulation related to the management of a right of way, shall be competitively neutral with regard to other similarly situated users of the right of way, and terms governing such authority's right of way shall not be unreasonable or discriminatory, and shall not violate any applicable law.

(d) An authority may require a communications services provider to repair all damage to a right of way directly caused by the activities of such communications services provider, while occupying, installing, repairing, modifying, replacing, or maintaining communications facilities in the right of way, and to return such right of way to its functional equivalence before the damage pursuant to the competitively neutral, reasonable requirements and specifications of the authority. If the communications services provider fails to make such repairs required by the authority within 90 days after the receipt of written notice, the authority may effect those repairs and charge the applicable party the reasonable, documented cost of such repairs.

50-39-102.

(a)(1)(A)(i) The rates and fees charged by an authority in an unserved area for attachments and collocations to authority utility poles or authority wireless support structures by communications services providers to provide advanced broadband services shall be nondiscriminatory and shall not exceed the FCC rate. Such rates, terms, and conditions shall be effective for not less than ten years after such attachment or collocation.

(ii) This subparagraph shall not apply to any attachment or collocation installed on or before June 30, 2018, or to any modifications, renewals, repairs, or replacements of any attachment or collocation installed on or before June 30, 2018.

(B) For any attachments and collocations subject to the provisions of subparagraph (A) of this paragraph, all other terms and provisions of any authority agreement governing or affecting a communications services provider's attachments or collocations on such authority poles or such authority wireless support structures shall be fair, reasonable, and nondiscriminatory.

(2)(A)(i) The rates and fees charged by an authority in a served area for attachments and collocations to authority utility poles or authority wireless support structures by communications services providers to provide advanced broadband services in such served area shall be nondiscriminatory regardless of the services provided by the authority or the communications services provider and shall not exceed the FCC rate.

(ii) This subparagraph shall apply only:

(I) If the authority is providing emerging communications technologies in such served area and a communications services provider other than the authority is providing advanced broadband services in such served area; and

(II) To any attachment or collocation installed for communications services and to any modifications, renewals, repairs, or replacements of any such attachment or collocation in such served area; provided, however, that if the authority was providing any emerging communications technologies in such served area on or before January 1, 2018, such FCC rate shall only apply to such attachments and collocations or any modifications, renewals, repairs, or replacements of any such attachments or collocations installed on or after July 1, 2018.

(B) For any attachments and collocations subject to the provisions of subparagraph (A) of this paragraph, all other terms and provisions of any authority agreement governing or affecting a communications services provider's attachments or collocations on such authority poles or such authority wireless support structures shall be fair, reasonable, and nondiscriminatory.

(b) This Code section shall not constitute certification as provided in Section 224(c) of the Federal Communications Act of 1934, as amended, as it existed on January 1, 2018.

(c) This Code section shall not apply to any attachment or collocation that is to utility poles, wireless support structures, electric transmission structures, or equipment of any type owned or controlled by an investor owned electric utility.

50-39-103.

This article shall become effective on January 1, 2019.

PART VII SECTION 7-1.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 7-2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Gooch of the 51st asked unanimous consent that the Senate disagree to the House substitute to SB 402.

The consent was granted, and the Senate disagreed to the House substitute to SB 402.

The Calendar was resumed.

HB 571. By Representatives Watson of the 172nd, Maxwell of the 17th, Battles of the 15th, Greene of the 151st and Corbett of the 174th:

A BILL to be entitled an Act to amend Chapter 25 of Title 47 of the Official Code of Georgia Annotated, relating to the Magistrates Retirement Fund, so as

to provide that a member in arrears for dues payments for a period of 90 days shall be suspended from the fund and must apply for reinstatement; to provide for elections for designated survivor's benefits; to provide that certain retired members may become employed in a certain position and continue to receive benefits; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Black of the 8th.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

October 2, 2017

Honorable Paul Battles, Chairman
House Retirement Committee
State Capitol, Room 401-K
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
House Bill 571 (LC 43 0646)
Magistrates Retirement Fund of Georgia

Dear Chairman Battles:

This bill would amend provisions relating to retirement benefits under the Magistrates Retirement Fund. Specifically, this bill would suspend the membership of any member whose dues payments are in arrears for 90 days. Such member would only be authorized to apply for reinstatement in the Fund during the first 30 days of his or her next full term in office. Additionally, this bill would provide for the election of survivor's benefits, along with the revocation of such benefits in the event of death or divorce. Furthermore, this bill would authorize retired members to continue receiving benefits if they become employed as a full-time or part-time magistrate. Current provisions require the Board to suspend benefits during such time of employment.

This legislation would not result in any additional cost to the Magistrate Retirement Fund of Georgia since no assumptions are made regarding the suspension of members from participation in the Fund or the reemployment of retired members. Furthermore, benefits would be adjusted actuarially for members who elect survivor's benefits or revoke such benefits due to death or divorce. The estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost of this legislation. Any future costs would be paid through fees collected from civil matters or proceeds that are filed in a magistrate court. It should also be noted that this legislation may encourage active eligible members to retire earlier than they would otherwise and seek reemployment as a magistrate after they begin receiving benefits. If this legislation changes future retirement patterns, there could potentially be a cost impact on the Fund.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the House Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u>N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u>0</u>
(5)	The employer contribution rate currently in effect.	<u>Fees collected from civil matters and proceedings filed in a magistrate court</u>
(6)	The employer contribution rate recommended (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>Fees collected from civil matters and proceedings filed in a magistrate court</u>
(7)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u>0</u>

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
E Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 0.

HB 571, having received the requisite constitutional majority, was passed.

HB 696. By Representatives Kelley of the 16th, Coomer of the 14th, Watson of the 172nd, Shaw of the 176th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, so as to create an exemption for certain computer equipment sold or

leased to certain entities for use in high-technology data centers; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Gooch of the 51st.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 27, 2018

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 696 (LC 43 0923S)

Dear Chairman Powell:

The bill would create a sales tax exemption for high technology data center (HTDC) equipment. A qualified HTDC must result in an investment of at least \$250 million over ten years and meet other criteria as noted in the appendix. The provisions would be effective for expenditures between July 1, 2018 and June 30, 2028.

Any estimate of revenue impact is dependent on the number and size of eligible HTDCs that locate in Georgia. Georgia State University's Fiscal Research Center (FRC) estimated the fiscal impact for a range of new HTDC activity. In FY 2020, the first year of the bill's full effect, FRC estimated a \$15.2 million reduction in state revenue and \$11.4 million reduction in local revenue (Table 1). The high estimate assumes a "hyperscale" HTDC locates every year and smaller scale qualifying projects locate in FY

2021-2023. The lower estimate assumes a “hyperscale” project in FY 2019 and FY 2020 and smaller scale projects locating in subsequent years. Details of the analysis are in the attached appendix.

Table 1. Estimated State and Local Revenue Loss

(\$ millions)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
State Revenue Effects:					
High	\$7.6	\$15.2	\$19.1	\$15.6	\$17.1
Low	\$7.6	\$15.2	\$11.5	\$8.0	\$8.2
Local Revenue Effects:					
High	\$5.7	\$11.4	\$14.3	\$11.7	\$12.8
Low	\$5.7	\$11.4	\$8.6	\$6.0	\$6.2

Impact on Expenditures

The bill would not result in significant new expenditures by the Department of Revenue.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

Analysis by the Fiscal Research Center

The proposed substitute bill requires that the HTDC meet certain criteria to qualify for the exemption, including in particular a minimum investment threshold of \$250 million in aggregate expenditures in the state on HTDC equipment over the 10-year period that the exemption is available. An HTDC is defined to mean “a facility, campus of facilities, or array of interconnected facilities in the state that is developed to power, cool, secure, and connect its own equipment or the computer equipment of [HTDC] customers” and also meets the minimum investment threshold. Any otherwise qualified equipment that is or will be the subject of a property tax abatement would not be eligible for this exemption, and any equipment that qualifies for any other sales tax exemption – e.g. the computer equipment exemption under O.C.G.A. §48-8-3(68) – would not count toward the minimum investment threshold.

Various structural, infrastructure/systems, and other qualifying specifications included in previous versions of HB 696, such as roof wind rating and cooling system technology requirements, or the offering of denial of service mitigation services, are not included in this version. HTDC equipment is defined to include computer equipment as that term is defined in O.C.G.A. §48-8-3(68), and all “materials, components, machinery, hardware, software, or equipment” used to create, operate or protect the data center, or to generate

or deliver power, environmental conditioning, and telecommunications services in the data center. Thus, the exemption would apply to substantially all tangible personal property used to build, operate, or maintain the HTDC, provided it is not or will not be receiving a property tax abatement.

Note, however, that computer equipment sold to companies classified under certain technology-related NAICS codes is already exempt from sales tax under O.C.G.A. §48-8-3(68) without the proposed new exemption. Among those NAICS codes are ones that arguably encompass some or all HTDCs, e.g. 541513 Computer Facilities Management and 541513 Other Computer Related Services. NAICS codes are classifications of convenience for statistical purposes of government agencies and others, and larger enterprises, in particular, may operate under many NAICS classifications at the same time or over time. Thus it is assumed that any given HTDC qualifying for the proposed exemption would also qualify for the existing exemption for the computer equipment installed in the center. The effect of the proposed exemption would be to extend the exemption to materials and non-computer equipment used in the construction, operation, or maintenance of the HTDC. Unlike previous versions of the bill, as noted above, this version clarifies that equipment receiving another exemption from sales tax would not be counted toward meeting the \$250 million minimum investment threshold.

The language of the bill also provides the exemption to the customers of a HTDC, as well as to the owner or operator of the HTDC, for equipment to be installed or used at the HTDC. Thus, computers or other eligible equipment owned by lessees of HTDC space, including those that are not themselves high-technology businesses eligible for the existing computer equipment exemption, would be made eligible for exemption under the proposed bill, increasing the revenue impact. This equipment would apply toward the minimum investment threshold regardless of ownership. Unfortunately, it is not possible at this time to estimate the amount of such computer or other equipment that is otherwise not currently exempt, but would be made eligible by the proposed bill.

Finally, the bill also provides for a bonding requirement under which the posted bond (\$20 million face amount) is subject to forfeiture in the event the project does not reach the minimum investment threshold within the allowed time, the HTDC is subject to bankruptcy proceedings, or any tangible personal property that receives the proposed exemption also at any time receives a property tax abatement. It is not possible at this time to determine how this provision of the bill might impact the projected revenue losses or how much of the projected losses might later be recovered.

Data Center Industry Overview

The types of data centers likely to meet the investment threshold are large-scale centers such as those being built by or for firms offering colocation, cloud storage and hosting, and similar services including, for example, well-known names like AT&T, Apple Computer, Google, Microsoft, Amazon Web Services, and Oracle. A host of other data

center owners and operators are less well-known, but also actively expanding, including several that are structured as Real Estate Investment Trusts to develop, own, and lease data center space to service-providers like those listed above as well as to any other business enterprise in need of data center space. Among the largest of these are Digital Realty Trust, Equinix, Switch, CyrusOne, Stream Data Centers, T5 Data Centers, CloudHQ, and QTS Data Centers, which owns and operates in Atlanta the ninth largest US data center as of 2016, according to Site Selection Group. Finally, some of the firms listed above (e.g. Amazon and Google), as well as others, have a large digital presence in their core businesses and thus have been building networks of data centers to meet their own internal needs. Recently, a number of firms, including but not limited to three of those listed above, have announced plans to develop or expand data center campuses in Georgia.

There are currently an estimated 1,444 data centers operating in the US and 49 in Georgia, according to Wired Real Estate Group, though most of these are enterprise data centers or others that, if built today, would be unlikely to meet the investment threshold or other requirements for the HTDC exemption. According to Site Selection Group, the Atlanta metro area ranked as the tenth largest data center market in the US in 2015, while Cushman & Wakefield ranks it as the eighth fastest-growing US market in 2016.

New data centers or expansion projects most likely to qualify for the HTDC exemption are what the industry often refers to as “hyperscale” data centers, defined as such more by their architecture and scalability than by size, but tending to be very large in terms of space and energy-handling capacity. Industry news and research publisher Datacenter Dynamics estimates that there were 300 hyperscale data centers globally as of December 2016, up from 259 in 2015, with 135 of those facilities in the US, 45 percent of the total. Networking equipment company Cisco projects 485 hyperscale data centers globally by 2020, which would imply at least 59 new centers in the US alone over four years, or nearly 15 per year, if it maintains only a 40% percent share.

Some examples of hyperscale projects built in recent years or announced in recent months are provided below:

- Switch – Douglas County, GA
 - 1 million sq. ft.
 - \$2.5 billion
 - 100 percent powered by renewable energy sources
- CyrusOne – Chandler, AZ (Chandler I-V)
 - 641k sq. ft. in five phases starting 2011, last two to be completed 2017
 - Critical load capacity of 54MW
 - Total investment ~\$321 million for buildings and improvements* (Chandler V includes powered shell only)

- Dupont Fabros (now Digital Realty) – Ashburn, VA (Ashburn Corporate Center #4-7)
 - 1,415k sq. ft. in four phases built from 2007 through 2016
 - Critical load capacity of 41.6MW
 - Total investment ~\$1,388 million for buildings and improvements*
 - Two more centers (ACC9 & 10) under construction and two other parcels at same site (ACC8 & 11) held for future development
- Stream Data Centers – Chaska, MN (build-to-suit for US Bancorp)
 - 56k sq. ft., projected completion December 2017
 - Total cost \$250 million
 - Critical load capacity 2.4MW
- Facebook Inc. – Fort Worth, TX
 - 660k sq. ft. in three buildings, broke ground July 2015, first two operational 2016-2017, third begun 2017
 - Total investment ~\$767 million (estimated) for buildings and improvements*
 - Permit drawn for third building (220k sq. ft.) with estimated construction cost of \$267 million
- Apple Inc. – Waukee, IA
 - Announced August 2017, planned operational 2020
 - 400k sq. ft.
 - Total investment ~\$1,265 million
 - \$620 million for buildings and improvements*
 - \$45 million for non-computer equipment
 - \$600 million for computer equipment

* includes electrical and mechanical systems and equipment; excludes land

Key Assumptions and Fiscal Effects

Assumptions of the characteristics of hyperscale and minimum investment projects follow below, along with high and low case projection assumptions. Resulting projections of investment amounts for FY 2019-23 that would be exempted by the bill are provided in Table 2.

- Individual project initial investment total
 - Hyperscale Project: \$1.25 billion (assumes similar scale to Apple IA project, incl. computers)
 - Minimum Investment Project: \$250 million (assumes similar scale to Stream MN project, incl. computers)
- Building and improvements (B&I) portion (50 percent of total)
 - Hyperscale Project: \$625 million

- Minimum Investment Project: \$125 million
- Taxable portion of B&I (materials, fixtures, and equipment)
 - Approx. 53 percent based on Apple materials tax rebate of \$19.6 million on \$620 million cost at 6 percent Iowa state sales tax rate
 - Hyperscale Project: \$330 million
 - Minimum Investment Project: \$66 million
- Non-computer equipment (equipment not part of B&I)
 - Hyperscale Project: \$50 million
 - Minimum Investment Project: \$10 million
- Investment subsequent to initial phase (annual, roughly 5 percent of B&I)
 - Hyperscale Project: \$31 million
 - Minimum Investment Project: \$6 million
- Project Buildout Timing
 - Hyperscale Project: Initial investment over 2 years
 - Minimum Investment Project: Initial investment over 1 year
- Number of Projects Initiated
 - High Case:
 - New hyperscale project initiated every year beginning in FY 2019
 - Minimum investment project initiated in FY 2021 and each subsequent year
 - Low:
 - New hyperscale project initiated in FY 2019 and FY 2020
 - Minimum investment project initiated in FY 2021 and each subsequent year

Table 2. Taxable Investment Absent Proposed HTDC Exemption

<i>(\$ millions)</i>	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
High Case	\$190	\$380	\$477	\$390	\$427
Low Case	\$190	\$380	\$287	\$200	\$206

The Senate Committee on Finance offered the following substitute to HB 696:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, so as to create an exemption for certain equipment to be incorporated or used in high-technology data centers; to provide for conditions of exemption; to provide for limitations and prohibitions; to provide for reporting; to provide for definitions; to provide for rules and regulations; to provide for related matters; to provide for an effective date, applicability, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, is amended by adding a new paragraph to read as follows:

"(68.1)(A) For the period commencing on July 1, 2018, and ending on December 31, 2028, high-technology data center equipment to be incorporated or used in a high-technology data center that meets the high-technology data center minimum investment threshold and other conditions provided in this paragraph.

(B) Any person making a sale or lease of high-technology data center equipment shall collect the tax imposed on such sale by this article unless the purchaser furnishes such seller with a certificate issued by the commissioner certifying that such sale or lease is exempted pursuant to this paragraph.

(C)(i) The commissioner shall not issue a certificate of exemption from sales and use tax to a high-technology data center or high-technology data center customer as provided in this paragraph unless the commissioner makes a determination that the high-technology data center will more likely than not meet the high-technology data center minimum investment threshold.

(ii) The commissioner may require any information necessary to determine if such high-technology data center is in compliance with its investment budgeting plan to meet the high-technology data center minimum investment threshold.

(iii)(I) Within 60 days after the end of the seventh year following its exemption start date, a high-technology data center shall file a final report with the commissioner listing the expenditures incurred that count toward its minimum investment threshold, the number of new quality jobs created, and any other information that the commissioner may reasonably require to determine whether the high-technology data center has met the minimum investment threshold.

(II) If the commissioner determines that a high-technology data center failed to meet its high-technology data center minimum investment threshold, such high-technology data center shall be required to repay all taxes exempted or refunded pursuant to its certificate of exemption issued pursuant to this paragraph within 90 days after notification of such failure. Interest shall be due with such repayment at the rate specified in Code Section 48-2-40 computed from the date such taxes would have been due but for this exemption. Such repayment shall be calculated notwithstanding otherwise applicable periods of limitation for assessment of taxes under Code Section 48-2-49.

(iv)(I) As a condition precedent to the issuance of a certificate of exemption, the commissioner, at his or her discretion, may require a good and valid bond with a surety company authorized to do business in this state, in an amount fixed by the commissioner not to exceed \$20 million. The commissioner shall consider past performance and in-state investment when determining the value of the bond, if one is required.

(II) The bond that may be required by this division shall be forfeited and paid to

the general fund in an amount representing all taxes and interest required to be repaid pursuant to division (iii) of this subparagraph if the high-technology data center fails to meet the high-technology data center minimum investment threshold prior to the expiration of the seven-year period.

(v) The commissioner shall have the authority to revoke the certificate of exemption at any time he or she believes that the high-technology data center is not likely to meet its high-technology minimum investment threshold.

(vi) Each high-technology data center that has been issued a certificate of exemption pursuant to this paragraph shall provide a list of high-technology data center customers that are deploying high-technology data center equipment in its facility and shall notify the commissioner within 30 days of any change to the list.

(D)(i) The commissioner shall require annual reporting by the high-technology data center of the amount of taxes exempted under this paragraph, the number of new quality jobs, and the total payroll resulting from construction, maintenance, and operation in and on its facility during the preceding year.

(ii) The commissioner shall issue an annual report to the chairperson of the Senate Finance Committee and the chairperson of the House Committee on Ways and Means concerning the exemption allowed by this paragraph. Notwithstanding the confidentiality provisions of Code Section 48-2-15, such report shall include, for the prior calendar year for each high-technology data center issued a certificate of exemption pursuant to this paragraph, the amount of tax exempted and the number of new quality jobs created by each high-technology data center.

(E) The commissioner shall promulgate such rules and regulations as are necessary to implement the provisions of this paragraph.

(F) A high-technology data center shall not be entitled to claim any credit authorized under Code Sections 48-7-40 through 48-7-40.33 or Code Section 36-62-5.1 on its tax return if it has received a certificate of exemption from the commissioner pursuant to this paragraph. If a determination is made by the commissioner pursuant to division (iii) of subparagraph (C) of this paragraph that the high-technology data center must repay all taxes exempted or refunded pursuant to this paragraph, such high-technology data center may file amended income tax returns claiming any credit to which it would have been entitled under the foregoing Code sections but for having claimed the exemption under this paragraph.

(G) As used in this paragraph, the term:

(i) 'Exemption start date' means the date on or after July 1, 2018, chosen by the high-technology data center and indicated on its application filed on or after January 1, 2019, which begins the seven-year period during which the minimum investment threshold must be met. A refund claim must be filed for taxes paid on purchases qualifying for this exemption for any period on or after July 1, 2018, during which the high-technology data center has not yet applied for and received its certificate of exemption from the commissioner.

(ii) 'High-technology data center' means a facility, campus of facilities, or array of interconnected facilities in this state that is developed to power, cool, secure, and

connect its own equipment or the computer equipment of high-technology data center customers and that has an investment budget plan which meets the high-technology data center minimum investment threshold.

(iii) 'High-technology data center customer' means a client, tenant, licensee, or end user of a high-technology data center that signs at least a 36 month contract for service with the high-technology data center.

(iv) 'High-technology data center equipment' means computer equipment as defined in paragraph (68) of this Code section of a high-technology data center or such equipment of a high-technology data center customer to be used or deployed in the high-technology data center; and the materials, components, machinery, hardware, software, or equipment, including but not limited to, emergency backup generators, air handling units, cooling towers, energy storage or energy efficiency technology, switches, power distribution units, switching gear, peripheral computer devices, routers, batteries, wiring, cabling, or conduit, which equipment or materials are used to:

(I) Create, manage, facilitate, or maintain the physical and digital environments for computer equipment;

(II) Protect the high-technology data center equipment from physical, environmental, or digital threats; or

(III) Generate or provide constant delivery of power, environmental conditioning, air cooling, or telecommunications services for the high-technology data center.

Such term shall not include real property as defined in Code Section 48-8-3.2. A high-technology data center may not count high-technology data center equipment that it purchases or that is purchased by the high-technology data center customer and subsequently leased to another party more than once for purposes of satisfying the high-technology data center minimum investment threshold.

(v) 'High-technology data center minimum investment threshold' means the creation of 20 new quality jobs and:

(I) For high-technology data centers located in a county in this state having a population greater than 50,000 according to the United States decennial census of 2010 or any future such census, \$250 million in aggregate expenditures incurred over any consecutive seven-year period between July 1, 2018, and December 31, 2028, on the design and construction of the high-technology data center and high-technology data center equipment to be used or incorporated in the high-technology data center;

(II) For high-technology data centers located in a county in this state having a population greater than 30,000 and less than 50,001 according to the United States decennial census of 2010 or any future such census, \$150 million in aggregate expenditures incurred over any consecutive seven-year period between July 1, 2018, and December 31, 2028, on the design and construction of the high-technology data center and high-technology data center equipment to be used or incorporated in the high-technology data center; and

(III) For high-technology data centers located in a county in this state having a population less than 30,001 according to the United States decennial census of 2010 or any future such census, \$100 million in aggregate expenditures incurred over any consecutive seven-year period between July 1, 2018, and December 31, 2028, on the design and construction of the high-technology data center and high-technology data center equipment to be used or incorporated in the high-technology data center.

(vi) 'New quality jobs' shall have the same meaning as provided in paragraph (2) of subsection (a) of Code Section 48-7-40.17.

(H) This paragraph shall stand repealed by operation of law on January 1, 2029."

SECTION 2.

This Act shall become effective on January 1, 2019, and shall be applicable to transactions occurring on or after July 1, 2018.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	N Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson

N Heath
Y Henson
E Hill

Y Mullis
Y Orrock
Y Parent

N Williams, M
Y Williams, N

On the passage of the bill, the yeas were 42, nays 5.

HB 696, having received the requisite constitutional majority, was passed by substitute.

Senator Unterman of the 45th was excused for business outside the Senate Chamber.

The following Senators were excused as Conferees:

Hill of the 4th Miller of the 49th

HB 721. By Representatives Powell of the 32nd and Epps of the 144th:

A BILL to be entitled an Act to amend Code Section 40-5-27 of the Official Code of Georgia Annotated, relating to examination of applicants, so as to revise the criteria by which the Department of Driver Services shall authorize licensed driver training schools to administer the on-the-road driving skills testing; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Public Safety offered the following substitute to HB 721:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 40-5-27 of the Official Code of Georgia Annotated, relating to examination of applicants, so as to revise the criteria by which the Department of Driver Services shall authorize certain licensed driver training schools to administer the on-the-road driving skills testing; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 40-5-27 of the Official Code of Georgia Annotated, relating to examination of applicants, is amended by revising subsection (d) as follows:

"(d)(1) The department shall authorize licensed driver training schools to conduct knowledge tests, on-the-road driving skills tests, and other tests required for issuance

of a driver's license as provided in this subsection. The department shall, prior to approving a licensed driver training school to conduct tests as provided in this subsection, make a determination that the school has been licensed for a minimum of ~~two~~ five years and has conducted driver education courses on a full-time basis for such ~~two-year~~ five-year period and that such school meets all other standards which the department may establish as a condition for approval to conduct such tests; provided, however, that any licensed driver training school approved by the department to conduct knowledge tests, on-the-road driving skills tests, and other tests required for issuance of a driver's license as provided in this subsection prior to July 1, 2018, shall be authorized to continue to provide such tests and shall be exempt from such minimum five-year period. The department shall authorize a driver training school licensed pursuant to Chapter 13 of Title 43 and approved by the department to administer the on-the-road driving skills testing provided for in this Code section, provided that the applicant has successfully completed:

(A) A driver training course which includes a minimum of 30 class hours of instruction and six hours of private in-car training;

(B) An online driver education course licensed by the department and consisting of a minimum of 30 hours of instruction in addition to six hours of private in-car instruction provided by a driver training school licensed to provide such in-car training;

(C) An online driver education course licensed by the department and consisting of a minimum of 30 hours of instruction and the 40 hour parent taught in-car curriculum provided for and approved by the department; and

(D) A classroom driver education course licensed by the department and consisting of a minimum of 30 hours of instruction in addition to six hours of in-car instruction provided by the licensed driver training school administering the on-the-road driving skills test.

(2) The department may establish by rules and regulations the type of tests or demonstrations to be made by applicants for any Class P instruction permit, Class C driver's license, or Class D driver's license under this Code section.

~~(2)~~(3) The department may authorize public and private high schools to conduct knowledge tests required for issuance of a Class P instruction permit or Class D driver's license or both."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Albers of the 56th and Cowser of the 46th offered the following amendment #1:

Amend the Senate Committee on Public Safety substitute to HB 721 (LC 41 1514S) by replacing line 32 with the following:

provided for and approved by the department; or

On the adoption of the amendment, there were no objections, and the Albers, Cowsert amendment #1 to the committee substitute was adopted.

Senators Albers of the 56th and Cowsert of the 46th offered the following amendment #2:

Amend LC 41 1514S to HB 721 by striking the word "five" on line 14 and replace it with "two" and striking "five-year" on line 15 and replace with "two-year".

On the adoption of the amendment, there were no objections, and the Albers, Cowsert amendment #2 to the committee substitute was adopted.

Senators Albers of the 56th and Cowsert of the 46th offered the following amendment #3:

Amend LC 41 1514S to HB 721 by:

Striking on line 17 starting with the word "; provided" through line 21 ending with the word "period".

On the adoption of the amendment, there were no objections, and the Albers, Cowsert amendment #3 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison
 Y Harper
 Y Heath
 Y Henson
 C Hill

Y Millar
 C Miller
 Y Mullis
 Y Orrock
 Y Parent

Y Watson
 Y Wilkinson
 Y Williams, M
 Y Williams, N

On the passage of the bill, the yeas were 43, nays 1.

HB 721, having received the requisite constitutional majority, was passed by substitute.

Senator Cowser of the 46th was excused as a Conferee.

HB 760. By Representatives Lumsden of the 12th, Smith of the 134th, Maxwell of the 17th, Taylor of the 173rd and Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to revise certain definitions; to clarify renewal, nonrenewal, and reduction in coverage applicability of certain automobile policies and property insurance; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Thompson of the 14th.

The Senate Committee on Insurance & Labor offered the following substitute to HB 760:

**A BILL TO BE ENTITLED
 AN ACT**

To amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to revise certain definitions; to clarify renewal, nonrenewal, and reduction in coverage applicability of certain automobile policies and property insurance; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, is amended in Code Section 33-24-45, relating to cancellation or nonrenewal of automobile or motorcycle policies and procedure for review by the Commissioner, by revising paragraph (2) of and adding a new paragraph in subsection (b) and by revising subsection (f) as follows:

"(2) 'Renewal' means issuance and delivery by an insurer of a policy superseding at the end of the policy period a policy previously issued and delivered by the same

insurer ~~and providing no less than the coverage contained in the superseded policy~~ or issuance and delivery of a certificate or notice extending the term of a policy beyond its policy period or term or the extension of the term of a policy beyond its policy period or term pursuant to a provision for extending the policy by payment of a continuation premium; provided, however, that any policy with a policy period or term of less than six months shall, for the purpose of this Code section, be considered to have successive policy periods ending each six months following its original date of issue and, regardless of its wording, any interim termination by its terms or by refusal to accept premium shall be a cancellation subject to this Code section, except in case of termination under any of the circumstances specified in subsection (f) of this Code section; provided, further, that, for purposes of this Code section, any policy written for a term longer than one year or any policy with no fixed expiration date shall be considered as if written for successive policy periods or terms of one year and any termination by an insurer effective on an anniversary date of the policy shall be deemed a refusal to renew.

(3) 'Reduction in coverage' shall mean a change made by the insurer which results in a removal of coverage, diminution in scope or less coverage, or the addition of an exclusion. Reduction in coverage shall not include any change, reduction, or elimination of coverage made at the request of the insured. The correction of typographical or scrivener's errors or the application of mandated legislative changes shall not be considered a reduction in coverage.'

"(f) Subsection (e) of this Code section shall not apply in case of:

- (1) Nonpayment of premium for the expiring policy;
- (2) Failure of the insured to pay the premium as required by the insurer for renewal;
- ~~or~~
- (3) The insurer having manifested its willingness to renew by delivering a renewal policy, renewal certificate, or other evidence of renewal to the named insured or his or her representative or by offering to issue a renewal policy, certificate, or other evidence of renewal or having manifested such intention by any other means; or
- (4) A reduction in coverage where an insurer provides a written notice of a reduction in coverage to the named insured or his or her representative no less than 30 days prior to the effective date of the proposed reduction in coverage; provided that such notice shall be printed in all capital letters in a separate document entitled 'NOTICE OF REDUCTION IN COVERAGE.' Such notice shall be delivered as provided in subsection (d) of Code Section 33-24-14, in person, or by depositing the notice in the United States mail to be dispatched by at least first-class mail to the last address of record of the insured and receiving the receipt provided by the United States Postal Service or such other evidence of mailing as prescribed or accepted by the United States Postal Service.'

SECTION 2.

Said chapter is further amended in Code Section 33-24-46, relating to cancellation or nonrenewal of certain property insurance policies, by revising paragraphs (2) and (4) of

and adding a new paragraph in subsection (b) and by revising subsection (d) as follows:

"(2) 'Nonrenewal' or 'nonrenewed' means a refusal by an insurer or an affiliate of an insurer to renew. Failure of an insured to pay the premium as required of the insured for renewal, a change in policy terms, or a reduction in coverage after the insurer has manifested a willingness to renew by delivering a renewal policy, renewal certificate, or other evidence of renewal to the named insured or his or her representative or has offered to issue a renewal policy, certificate, or other evidence of renewal or has manifested such intention by any other means shall not be construed to be a nonrenewal."

"(4) 'Renewal' means issuance and delivery by an insurer or an affiliate of such insurer of a policy superseding at the end of the policy period a policy previously issued and delivered by the same insurer ~~and providing no less than the coverage contained in the superseded policy~~ or issuance and delivery of a certificate or notice extending the term of a policy beyond its policy period or term or the extension of the term of a policy beyond its policy period or term pursuant to a provision for extending the policy by payment of a continuation premium. Any policy with a policy period or term of less than six months shall, for the purposes of this Code section, be considered to have successive policy periods ending each six months following its original date of issue and, regardless of its wording, any interim termination by its terms or by refusal to accept premiums shall be a cancellation subject to this Code section. Any policy written for a term longer than one year or any policy with no fixed expiration date shall be considered as if written for successive policy periods or terms of one year and any termination by an insurer effective on an anniversary date of such policy shall be deemed a refusal to renew.

(5) 'Reduction in coverage' means a change made by the insurer which results in a removal of coverage, diminution in scope or less coverage, or the addition of an exclusion. Reduction in coverage shall not include any change, reduction, or elimination of coverage made at the request of the insured. The correction of typographical or scrivener's errors or the application of mandated legislative changes shall not be considered a reduction in coverage."

"(d)(1) No insurer shall refuse to renew a policy to which this Code section applies unless a written notice of nonrenewal is mailed or delivered in person to the named insured. Such notice stating the time when nonrenewal will be effective, which shall not be less than 30 days from the date of mailing or delivery of such notice of nonrenewal or such longer period as may be provided in the contract or by statute, shall be delivered as provided in subsection (d) of Code Section 33-24-14, in person, or by depositing the notice in the United States mail to be dispatched by at least first-class mail to the last address of record of the insured and of the lienholder, where applicable, and receiving the receipt provided by the United States Postal Service or such other evidence of mailing as prescribed or accepted by the United States Postal Service. The insurer shall provide the reason or reasons for nonrenewal as required by Chapter 39 of this title.

(2) An insurer shall provide a written notice of a reduction in coverage to the named

insured no less than 30 days prior to the effective date of the proposed reduction in coverage; provided that such notice shall be printed in all capital letters in a separate document entitled 'NOTICE OF REDUCTION IN COVERAGE.' Such notice shall be delivered as provided in subsection (d) of Code Section 33-24-14, in person, or by depositing the notice in the United States mail to be dispatched by at least first-class mail to the last address of record of the insured and receiving the receipt provided by the United States Postal Service or such other evidence of mailing as prescribed or accepted by the United States Postal Service."

SECTION 3.

Said chapter is further amended in Code Section 33-24-47, relating to notice required of termination or nonrenewal, increase in premium rates, or change restricting coverage and failure of insurer to comply, by revising subsection (b) and adding a new subsection to read as follows:

"(b) A notice of termination, including a notice of cancellation or nonrenewal, by the insurer; or a notice of an increase in premiums, other than an increase in premiums due to a change in risk or exposure, including a change in experience modification or resulting from an audit of auditable coverages, which exceeds 15 percent of the current policy's premium, ~~or a notice of change in any policy provision which limits or restricts coverage~~ shall be delivered to the insured as provided in subsection (d) of Code Section 33-24-14, in person, or by depositing the notice in the United States mail, to be dispatched by at least first-class mail to the last address of record of the insured, at least 45 days prior to the termination date of such policy; provided, however, that a notice of cancellation or nonrenewal of a policy of workers' compensation insurance shall be controlled by the provisions of subsection (f) of this Code section. In those instances where an increase in premium exceeds 15 percent, the notice to the insured shall indicate the dollar amount of the increase. The insurer may obtain a receipt provided by the United States Postal Service as evidence of mailing such notice or such other evidence of mailing as prescribed or accepted by the United States Postal Service."

"(g) An insurer shall provide a written notice of a reduction in coverage to the named insured no less than 45 days prior to the effective date of the proposed reduction in coverage; provided that such notice shall be printed in all capital letters in a separate document entitled 'NOTICE OF REDUCTION IN COVERAGE.' Such notice shall be delivered to the insured as provided in subsection (d) of Code Section 33-24-14, in person, or by depositing the notice in the United States mail, to be dispatched by at least first-class mail to the last address of record of the insured. A reduction in coverage shall mean a change made by the insurer which results in a removal of coverage, diminution in scope or less coverage, or the addition of an exclusion. Reduction in coverage shall not include any change, reduction, or elimination of coverage made at the request of the insured. The correction of typographical or scrivener's errors or the application of mandated legislative changes shall not be considered a reduction in coverage."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	E Strickland
N Butler	Y Kennedy	N Tate
C Cowsert	Y Kirk	E Thompson, B
N Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	E Tippins
Y Gooch	Y Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	C Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
C Hill	Y Parent	

On the passage of the bill, the yeas were 32, nays 14.

HB 760, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has adopted, by the requisite constitutional majority, the following Resolution of the Senate:

SR 537. By Senators Beach of the 21st, Shafer of the 48th, Cowsert of the 46th, Gooch of the 51st, Kennedy of the 18th and others:

A RESOLUTION providing for the closure of certain state property to unauthorized vehicular traffic; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 8. By Senators Unterman of the 45th, Kirk of the 13th, Parent of the 42nd, Butler of the 55th and Orrock of the 36th:

A BILL to be entitled an Act to amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to provide for consumer protections regarding health insurance; to provide for definitions; to provide for disclosure requirements of providers, hospitals, and insurers; to provide for billing and reimbursement of out-of-network services; to provide for procedures for dispute resolution for surprise bills for nonemergency services; to provide for payment of emergency services; to provide for an out-of-network reimbursement rate workgroup; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has disagreed to the Senate substitute to the following Bill of the House:

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

HB 763. By Representatives Nix of the 69th, Belton of the 112th, Chandler of the 105th, Coleman of the 97th and Stovall of the 74th:

A BILL to be entitled an Act to amend Subpart 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to expand the student attendance protocol committees to school climate; to provide for recommendations; to provide for periodic review of recommendations; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Brass of the 28th.

The Senate Committee on Education and Youth offered the following substitute to HB 763:

A BILL TO BE ENTITLED
AN ACT

To amend Subpart 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to expand the student attendance protocol committees to school climate; to provide for recommendations; to provide for periodic review of recommendations; to amend Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to loitering at or disrupting schools, so as to provide for coordination with local law enforcement agencies and the juvenile court system in school safety plans; to provide that school safety plans include minimum strategy areas; to revise provisions regarding funding assistance for security equipment; to amend Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure is not required under the open records laws, so as to provide an exemption for school safety plans; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Subpart 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, is amended by revising Code Section 20-2-690.2, relating to the establishment of student attendance protocol committees, membership and protocol, summary of penalties for failure to comply, and reporting, as follows:

"20-2-690.2.

(a) The chief judge of the superior court of each county shall establish a student attendance ~~protocol~~ and school climate committee for ~~its~~ such county. The purpose of the committee shall be to ensure coordination and cooperation among officials,

agencies, and programs involved in compulsory attendance issues, to reduce the number of unexcused absences from school, ~~and~~ to increase the percentage of students present to take tests which are required to be administered under the laws of this state, and to improve the school climate in each school. The chief judge is responsible for ensuring that all members of the committee are notified of their responsibility to the committee and shall call the first meeting of the committee in each county. The committee shall elect a chairperson and may elect other officers.

(b) Each local board of education shall participate in, consider, and make publicly available, including, but not limited to, posting in a conspicuous location, its decision regarding the recommendations of the committee as provided in this Code section. Independent school systems may participate in the committee in the county where the system is located. Independent school systems whose geographic area encompasses more than one county may select one of such counties in which to participate. An independent school system that elects not to participate in the committee of the county where it is located shall request that the chief judge of the superior court of a county encompassed by its geographic area ~~to~~ establish an independent student attendance ~~protect~~ and school climate committee in the same manner as established for the county school system.

(c) Each of the following agencies, officials, or programs shall designate a representative to serve on the committee:

- (1) The chief judge of the superior court;
- (2) The juvenile court judge or judges of the county;
- (3) The district attorney for the county;
- (4) The solicitor-general of state court, if the county has a state court;
- (5) The Department of Juvenile Justice, which may include representatives from area juvenile detention facilities as defined in Code Section 49-4A-1;
- (6) The superintendent, a certificated school employee, and a local school board member from each public school system in the county and a certificated school social worker from each public school system, if any are employed by the school system;
- (7) The sheriff of the county;
- (8) The chief of police of the county police department;
- (9) The chief of police of each municipal police department in the county;
- (10) The county department of family and children services;
- (11) The county board of health;
- (12) The county mental health organization;
- (13) The county Family Connection commission, board, or authority, or other county agency, board, authority, or commission having the duty and authority to study problems of families, children, and youth and provide services to families, children, and youth; and
- (14) The court approved community based risk reduction program established by the juvenile court in accordance with Code Section 15-11-38, if such a program has been established.

(d) The committee thus established may appoint such additional members as necessary

and proper to accomplish the purposes of the committee.

(e)(1) Each committee shall, by June 1, 2005, adopt a written student attendance protocol for its county school system and for each independent school system within its geographic boundaries which shall be filed with the Department of Education. The protocol shall outline in detail the procedures to be used in identifying, reporting, investigating, and prosecuting cases of alleged violations of Code Section 20-2-690.1, relating to mandatory school attendance. The protocol shall outline in detail methods for determining the causes of failing to comply with compulsory attendance and appropriately addressing the issue with children and their parents or guardians. The protocol shall also include recommendations for policies relating to tardiness. The Department of Education shall provide model school attendance protocols, if requested by the committee.

~~(f)(2)~~ A copy of the protocol shall be furnished to each agency, official, or program within the county that has any responsibility in assisting children and their parents or guardians in complying with Code Section 20-2-690.1.

~~(g)(3)~~ The committee shall write the summary of possible consequences and penalties for failing to comply with compulsory attendance under Code Section 20-2-690.1 for children and their parents, guardians, or other persons who have control or charge of children for distribution by schools in accordance with Code Section 20-2-690.1. The summary of possible consequences for children shall include possible dispositions for children in need of services and possible denial of a driver's license for a child in accordance with Code Section 40-5-22.

(f) The committee shall review and make recommendations for policies relating to school climate for the purpose of promoting positive gains in student achievement scores, student and teacher morale, community support, and student and teacher attendance, while decreasing student suspensions, expulsions, dropouts, and other negative aspects of the total school environment. Such review may include school climate ratings established pursuant to Code Section 20-14-33 for each school in the county school system and any independent school systems, if applicable. The committee may review, if available, nonidentifying data from student health surveys, data on environmental and behavioral indicators, data on student behavioral and school-based reactions, and teacher and parent survey instruments. The committee may recommend the use of positive behavioral interventions and supports and response to intervention, trauma informed care training, and the optimization of local resources through voluntary community, student, teacher, administrator, and other school personnel participation.

~~(h)(g) The committee shall continue in existence after writing the student attendance protocol. The chief judge of the superior court of each county shall ensure that the committee meets at least quarterly during the first year, and twice annually thereafter, to evaluate compliance with the protocol, effectiveness of the protocol, and appropriate modifications and to review and revise, if necessary, recommendations relating to school climate.~~

~~(i)(h)~~ Each local board of education shall report student attendance rates and

aggregated student discipline data to the committee and the State Board of Education at the end of each school year, according to a schedule established by the State Board of Education."

SECTION 2.

Article 27 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to loitering at or disrupting schools, is amended by revising Code Section 20-2-1185, relating to school safety plans, as follows:

"20-2-1185.

(a) Every public school shall prepare a school safety plan to help curb the growing incidence of violence in schools, to respond effectively to such incidents, and to provide a safe learning environment for Georgia's children, teachers, and other school personnel. Such plan shall also address preparedness for natural disasters, hazardous materials or radiological accidents, acts of violence, and acts of terrorism. School safety plans of public schools shall be prepared with input from students enrolled in that school, parents or legal guardians of such students, teachers in that school, community leaders, other school employees and school district employees, and local law enforcement, juvenile court, fire service, public safety, and emergency management agencies. As part of such plans, public schools shall provide for the coordination with local law enforcement agencies and the local juvenile court system. School safety plans shall include, at a minimum, the following strategy areas:

- (1) Training school administrators, teachers, and support staff, including, but not limited to, school resource officers, security officers, secretaries, custodians, and bus drivers, on school violence prevention, school security, school threat assessment, mental health awareness, and school emergency planning best practices;
- (2) Evaluating and refining school security measures;
- (3) Updating and exercising school emergency preparedness plans;
- (4) Strengthening partnerships with public safety officials; and
- (5) Creating enhanced crisis communications plans and social media strategies.

School safety plans of private schools may be prepared with input from students enrolled in that school, parents or legal guardians of such students, teachers in that school, other school employees, and local law enforcement, fire service, public safety, and emergency management agencies. Such plans shall be reviewed and, if necessary, updated annually. Such plans of public schools shall be submitted to the local emergency management agency and the local law enforcement agency for approval.

(b) A public school may request funding assistance from the state for facilities, technology, or other safety improvements or initiatives, such as the installation of safety equipment, including, but not limited to, video surveillance cameras, metal detectors, alarms, communications systems, building access controls, and other similar security devices. The Department of Education shall establish criteria that will be applied in reviewing funding requests pursuant to this subsection which shall take into consideration the physical security needs of the public school in evaluating how the school safety plan and funding request will support such physical security needs.

Funding may be provided to a public school in accordance with a school safety plan prepared by the school and approved by the local board of education, the local law enforcement agency, the Department of Education, and the Georgia Emergency Management and Homeland Security Agency; provided, however, that a public school shall be required to match the state funding with local funds unless the school can demonstrate a substantial hardship.

(c) School safety plans prepared by public schools shall address security issues in school safety zones as defined in Code Section 16-11-127.1. School safety plans should also address security issues involving the transportation of pupils to and from school and school functions when such transportation is furnished by the school or school system and school functions held during noninstructional hours.

(d) The Georgia Emergency Management and Homeland Security Agency shall provide training and technical assistance to public school systems, and may provide this same training and technical assistance to private school systems; and independent private schools throughout this state in the area of emergency management and safe school operations. This training and technical assistance shall include, but not be limited to, crisis response team development, site surveys and safety audits, crisis management planning, exercise design, safe school planning, emergency operations planning, search and seizure, bomb threat management, and model school safety plans."

SECTION 3.

Code Section 50-18-72 of the Official Code of Georgia Annotated, relating to when public disclosure is not required under the open records laws, is amended by adding a new paragraph to subsection (a) to read as follows:

"(25.1) School safety plans prepared pursuant to Code Section 20-2-1185, whether in the possession of a local school system, a local law enforcement agency, a local emergency management agency, the Department of Education, the Georgia Emergency Management and Homeland Security Agency, or any other public entity;"

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senators Ligon, Jr. of the 3rd, Millar of the 40th, Harbin of the 16th and McKoon of the 29th offered the following amendment # 1:

Amend the Senate Committee on Education and Youth substitute to HB 763 by

striking line 90 and inserting in lieu thereof the following:

decreasing student dropouts and other negative aspects of the

On the adoption of the amendment, the President asked unanimous consent.

Senator Brass of the 28th objected.

On the adoption of the amendment, the yeas were 12, nays 23, and the Ligon, et al. amendment #1 to the committee substitute was lost.

Senators Tate of the 38th, Henson of the 41st, Tippins of the 37th and Millar of the 40th offered the following amendment #2:

Amend the Senate Committee on Education and Youth substitute to HB 763 (LC 33 7448S) by striking the quotation mark at the end of line 165 and by inserting after line 165 the following:

(e) Every public school shall conduct drills with students, teachers, and other school personnel on the execution of school safety plans in such form and at such intervals based upon guidance from the Georgia Emergency Management and Homeland Security Agency."

On the adoption of the amendment, there were no objections, and the Tate, et al. amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath
Y Henson
Y Hill

Y Mullis
Y Orrock
Y Parent

Y Williams, M
Y Williams, N

On the passage of the bill, the yeas were 50, nays 0.

HB 763, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House insists on its position in substituting the following Bill of the Senate:

SB 402. By Senators Gooch of the 51st, Cowser of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

Senator Dugan of the 30th was excused for business outside the Senate Chamber.

The Calendar was resumed.

HB 782. By Representatives Rhodes of the 120th, Cooper of the 43rd, Rogers of the 10th, Hawkins of the 27th and Newton of the 123rd:

A BILL to be entitled an Act to amend Code Section 16-13-60 of the Official Code of Georgia Annotated, relating to privacy and confidentiality, use of data, and security program for the prescription drug monitoring program data base, so as to revise provisions relating to permissible users with access to the data

base; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Walker III of the 20th.

The Senate Committee on Health and Human Services offered the following substitute to HB 782:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 16-13-60 of the Official Code of Georgia Annotated, relating to privacy and confidentiality, use of data, and security program for the prescription drug monitoring program data base, so as to revise provisions relating to permissible users with access to the data base; to amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to health, so as to prohibit patient brokering; to provide for definitions; to provide for exceptions; to provide for penalties; to create an executive director of substance abuse, addiction, and related disorders; to provide for appointment; to provide for qualifications; to establish the Commission on Substance Abuse and Recovery; to provide for membership; to provide for duties; to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions relative to insurance, so as to provide for a fraudulent insurance act for the excessive, high-tech, or fraudulent drug testing of certain individuals; to provide for investigation by the Commissioner; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 16-13-60 of the Official Code of Georgia Annotated, relating to privacy and confidentiality, use of data, and security program for the prescription drug monitoring program data base, is amended by revising subsection (c) as follows:

"(c) The department shall be authorized to provide requested prescription information collected pursuant to this part only as follows:

- (1) To persons authorized to prescribe or dispense controlled substances for the sole purpose of providing medical or pharmaceutical care to a specific patient;
- (2) Upon the request of a patient, prescriber, or dispenser about whom the prescription information requested concerns or upon the request on his or her behalf of his or her attorney;
- (3) To local or state law enforcement or prosecutorial officials pursuant to the issuance of a search warrant from an appropriate court or official in the county in which the office of such law enforcement or prosecutorial officials are located ~~pursuant to Article 2 of Chapter 5 of Title 17~~ or to federal law enforcement or

prosecutorial officials pursuant to the issuance of a search warrant pursuant to 21 U.S.C. or a grand jury subpoena pursuant to 18 U.S.C.;

(4) To the agency, the Georgia Composite Medical Board or any other state regulatory board governing prescribers or dispensers in this state, or the Department of Community Health for purposes of the state Medicaid program, for health oversight purposes, or upon the issuance of a subpoena by such agency, board, or Department of Community Health pursuant to their existing subpoena power or to the federal Centers for Medicare and Medicaid Services upon the issuance of a subpoena by the federal government pursuant to its existing subpoena ~~powers~~ power;

(5)(A) To not more than two individuals who are members per shift or rotation of the prescriber's or dispenser's staff ~~or employed at the health care facility in which the prescriber is practicing, provided that such individuals:~~

~~(i) Are licensed under Chapter 11, 30, 34, or 35 of Title 43;~~

~~(ii) Are registered under Title 26;~~

~~(iii) Are licensed under Chapter 26 of Title 43 and submit to the annual registration process required by subsection (a) of Code Section 16-13-35, and for purposes of this Code section, such individuals shall not be deemed exempted from registration as set forth in subsection (g) of Code Section 16-13-35; or~~

~~(iv) Submit to the annual registration process required by subsection (a) of Code Section 16-13-35, and for purposes of this Code section, such individuals shall not be deemed exempted from registration as set forth in subsection (g) of Code Section 16-13-35;~~

(B) Such individuals may retrieve and review such information strictly for the purpose of:

(i) Providing medical or pharmaceutical care to a specific patient; or

(ii) Informing the prescriber or dispenser of a patient's potential use, misuse, abuse, or underutilization of prescribed medication;

(C) All information retrieved and reviewed by such individuals shall be maintained in a secure and confidential manner in accordance with the requirements of subsection (f) of this Code section; and

(D) The delegating prescriber or dispenser may be held civilly liable and criminally responsible for the misuse of the prescription information obtained by such individuals;

(6) To not more than two individuals, per shift or rotation, who are employed or contracted by the health care facility in which the prescriber is practicing so long as the medical director of such health care facility has authorized the particular individuals for such access; ~~and~~

(7) In any hospital which provides emergency services, each prescriber may designate two individuals, per shift or rotation, who are employed or contracted by such hospital so long as the medical director of such hospital has authorized the particular individuals for such access; and

(8) To a prescription drug monitoring program operated by a government entity in another state or an electronic medical records system operated by a prescriber or

health care facility, provided the program or system, as determined by the department, contains legal, administrative, technical, and physical safeguards that meet or exceed the security measures of the department for the operation of the PDMP pursuant to this part."

SECTION 2.

Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to health, is amended by adding a new Code section to read as follows:

"31-1-16.

(a) As used in this Code section, the term:

(1) 'Health care provider or health care facility' means:

(A) Any person licensed under Chapter 9, 10A, 11, 11A, 26, 28, 30, 33, 34, 35, 39, or 44 of Title 43 or any hospital, nursing home, home health agency, institution, or medical facility licensed or defined under Chapter 7 of this title. The term shall also include any corporation, professional corporation, partnership, limited liability company, limited liability partnership, authority, or other entity composed of such health care providers;

(B) Any state owned or state operated hospital, community mental health center, or other facility utilized for the diagnosis, care, treatment, or hospitalization of persons who are alcoholics, drug dependent individuals, or drug abusers and any other hospital or facility within the State of Georgia approved for such purposes by the Department of Behavioral Health and Developmental Disabilities;

(C) Community mental health center as defined in Code Section 37-7-1;

(D) Any Medicaid provider as defined in Code Section 49-4-146.1;

(E) A state or local health department;

(F) Any community service provider contracting with any state entity to furnish alcohol, drug abuse, or mental health services; and

(G) Any substance abuse service provider licensed under Chapter 5 of Title 26.

(2) 'Health care provider network entity' means a corporation, partnership, or limited liability company owned or operated by two or more health care providers or health care facilities and organized for the purpose of entering into agreements with health insurers, health care purchasing groups, or Medicaid or medicare.

(3) 'Health insurer' means an accident and sickness insurer, health care corporation, health maintenance organization, provider sponsored health care corporation, or any similar entity regulated by the Commissioner of Insurance.

(b) It shall be unlawful for any person, including any health care provider or health care facility, to knowingly and willfully:

(1) Offer to pay a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, to induce the referral of a patient or patronage to or from a health care provider or health care facility;

(2) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe,

directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, in return for the referral of a patient or patronage to or from a health care provider or health care facility;

(3) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, in return for the acceptance or acknowledgment of treatment from a health care provider or health care facility; or

(4) Aid, abet, advise, or otherwise participate in the conduct prohibited by this subsection.

(c) This Code section shall not apply to:

(1) Any health care provider or facility actively enrolled in the Medicare or Medicaid program or any fraternal benefit society providing health benefits to its members as authorized pursuant to Chapter 15 of Title 33;

(2) Any amount paid by an employer to an employee (who has a bona fide employment relationship with such employer) for employment or any payment, compensation, or financial arrangement within a group practice as defined in Code Section 43-1B-3, provided such payment, compensation, or arrangement is not to or from persons who are not members of the group practice;

(3) Payments to a health care provider or health care facility for professional consultation services;

(4) Commissions, fees, or other remuneration lawfully paid to insurance agents as provided under Title 33;

(5) Payments by a health insurer who reimburses, provides, offers to provide, or administers health, mental health, or substance abuse goods or services under a health benefit plan;

(6) Payments to or by a health care provider or health care facility or a health care provider network entity that has contracted with a health insurer, a health care purchasing group, or the Medicare or Medicaid program to provide health, mental health, or substance abuse goods or services under a health benefit plan when such payments are for goods or services under the plan. However, nothing in this Code section affects whether a health care provider network entity is an insurer required to be licensed under Title 33;

(7) Insurance advertising gifts lawfully permitted under Code Section 33-6-4; or

(8) Payments by a health care provider or health care facility to a health, mental health, or substance abuse information service that provides information upon request and without charge to consumers about providers of health care goods or services to enable consumers to select appropriate providers or facilities, provided that such information service:

(A) Does not attempt through its standard questions for solicitation of consumer criteria or through any other means to steer or lead a consumer to select or consider selection of a particular health care provider or health care facility;

(B) Does not provide or represent itself as providing diagnostic or counseling services or assessments of illness or injury and does not make any promises of cure

or guarantees of treatment;

(C) Does not provide or arrange for transportation of a consumer to or from the location of a health care provider or health care facility; and

(D) Charges and collects fees from a health care provider or health care facility participating in its services that are set in advance, are consistent with the fair market value for those information services, and are not based on the potential value of a patient or patients to a health care provider or health care facility or of the goods or services provided by the health care provider or health care facility.

(d)(1) Any person who violates any provision of this Code section, when the prohibited conduct involves less than ten patients, commits a felony and, upon conviction thereof, shall be punished by imprisonment for not more than five years and by a fine of \$50,000.00 per violation.

(2) Any person who violates any provision of this Code section, when the prohibited conduct involves ten or more patients but fewer than 20, commits a felony and, upon conviction thereof, shall be punished by imprisonment for not more than ten years and by a fine of not more than \$100,000.00 per violation.

(3) Any person who violates any provision of this Code section, when the prohibited conduct involves 20 or more patients, commits a felony and, upon conviction thereof, shall be punished by imprisonment for 20 years and by a fine of not more than \$500,000.00 per violation.

(e) Notwithstanding any other law to the contrary, the Attorney General or district attorney of the judicial circuit in which any part of the violation occurred may maintain an action for injunctive relief or other process to enforce the provisions of this Code section.

(f) The party bringing an action under this Code section may recover reasonable expenses in obtaining injunctive relief, including, but not limited to, investigative costs, court costs, reasonable attorney's fees, witness costs, and deposition expenses.

(g) The provisions of this Code section are in addition to any other civil, administrative, or criminal actions provided by law and may be imposed against both corporate and individual defendants."

SECTION 3.

Said article is further amended by adding a new Code section to read as follows:

"31-1-17.

(a) The Governor shall appoint an executive director of substance abuse, addiction, and related disorders who shall serve at the pleasure of the Governor. The executive director shall be an employee of the Governor's Office of Planning and Budget and shall report directly to the Governor.

(b) The executive director shall have a college degree and at least one of the following qualifications:

(1) Educational background or work experience involving vulnerable populations relative to substance abuse, addiction, and related disorders with the ability to assess the impact of untreated mental illness and substance abuse disorders on state budgets,

hospitals, emergency rooms, jails, prisons, law enforcement agencies, educational institutions, and related institutions and services;

(2) Work experience in a setting dealing with treatment and delivery of services for the safety or well-being of children and adults affected by substance abuse, addiction, and related disorders; or

(3) Experience working in or managing a complex, multidisciplinary business or government agency.

(c)(1) There is established the Commission on Substance Abuse and Recovery. The purpose of the commission is to create a coordinated and unified effort among state and local agencies to confront the state-wide addiction and substance abuse crisis.

(2) The executive director shall oversee the commission and be a voting member thereof.

(3) The commission shall consist of 15 members as follows:

(A) The commissioner of behavioral health and developmental disabilities;

(B) The commissioner of public health;

(C) The commissioner of community health;

(D) The commissioner of human services;

(E) The State School Superintendent;

(F) The commissioner of public safety;

(G) The Commissioner of Insurance;

(H) The Attorney General;

(I) The director of the Georgia Bureau of Investigation;

(J) The commissioner of community supervision;

(K) One representative of the judicial branch representing the accountability courts to be appointed by the Governor;

(L) Two representatives from the advocacy community to be appointed by the Governor;

(M) One member from the House of Representative to be appointed by the Speaker of the House of Representatives; and

(N) One member from the Senate to be appointed by the Lieutenant Governor.

(4) The executive director shall be the chairperson of the commission. The commission may elect such other officers and establish committees as it deems appropriate.

(5) Meetings of the commission shall be held quarterly, or more frequently, on the call of the chairperson. Meetings of the commission shall be held with not less than five days' public notice for regular meetings and with such notice as the bylaws may prescribe for special meetings. Each member shall be given written notice of all meetings. All meetings of the commission shall be subject to the provisions of Chapter 14 of Title 50. Minutes or transcripts shall be kept of all meetings of the commission and shall include a record of the votes of each member, specifying the yea or nay vote or the absence of each member, on all questions and matters coming before the commission. No member may abstain from a vote other than for reasons constituting disqualification to the satisfaction of a majority of a quorum of the

commission on a recorded vote. No member of the commission shall be represented by a delegate or agent.

(6) Members shall serve without compensation, although each member of the commission shall be reimbursed for actual expenses incurred in the performance of his or her duties from funds available to the commission; provided, however, that any legislative member shall receive the allowances authorized by law for legislative members of interim legislative committees and any members who are state employees shall be reimbursed for expenses incurred by them in the same manner as they are reimbursed for expenses in their capacities as state employees.

(d) The commission shall be vested with the following functions and authority:

(1) To coordinate overdose data and statistics between the prescription drug monitoring program data base, the Georgia Bureau of Investigation, the Federal Bureau of Investigation, and local governments;

(2) To consult on the implementation of the department's strategic plan on the opioid crisis;

(3) To consult with the Attorney General's task force on the opioid crisis;

(4) To work with advocacy groups to coordinate public education forums with the department and the Department of Behavioral Health and Developmental Disabilities;

(5) To consult with and provide recommendations to the Governor on a potential Medicaid waiver related to opioid abuse;

(6) To create a block grant program based on sliding scale needs that is strategically based on statistics and the needs of communities. The commission shall be responsible for accepting, reviewing, and making recommendations to the department on applicant awards;

(7) To consult with the Board of Education and the Department of Education to formulate strategies for a uniform state-wide network of education and substance abuse and addiction prevention pursuant to subsection (c) of Code Section 20-2-142;

(8) To develop a prevention education plan and to increase funding for local-level substance misuse prevention services in public schools, for law enforcement agencies, and for community organizations; and

(9) To expand access to appropriate prevention, treatment, and recovery support services."

SECTION 4.

Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions relative to insurance, is amended by adding a new Code section to read as follows:

"33-1-16.1.

(a) As used in this Code section, the term:

(1) 'High-tech drug testing' means when billing for drug tests is not limited and tests are ordered for a number of different substances whereby the health benefit plan is billed separately for each substance tested.

(2) 'Person' means an individual, any person who provides coverage under Code

Section 33-1-14, and any owner, manager, medical practitioner, employee, or any other party involved in the fraudulent act.

(b)(1) For purposes of this Code section, a person commits a 'fraudulent insurance act' if he or she knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented, to or by an insurer, broker, or any agent thereof, or directly or indirectly to an insured or uninsured patient a bill for excessive, high-tech, or fraudulent drug testing in the treatment of the elderly, the disabled, or any individual affected by pain, substance abuse, addiction, or any related disorder. Such person shall include, but shall not be limited to, any person who provides coverage in this state under subsection (a) of Code Section 33-1-14.

(2) Such drug testing shall include, but shall not be limited to:

(A) Upcoding that results in billing for more expensive services or procedures than were actually provided or performed;

(B) Unbundling of such billing whereby drug tests from a single blood sample that detect a variety of narcotics is separated into multiple tests and billed separately;

(C) Billing an individual for multiple co-pay amounts;

(D) Billing an individual for services that are covered by such individual's health benefit plan;

(E) Billing for drug testing that was not performed; or

(F) Billing for excessive numbers of drug tests that are found to be medically unnecessary for the treatment pursuant to this Code section.

(c) If, by his or her own inquiries or as a result of information received, the Commissioner has reason to believe that a person has engaged in or is engaging in a fraudulent insurance act under this Code section, the Commissioner shall have all the powers and duties pursuant to Code Section 33-1-16 to investigate such matter.

(d) A natural person convicted of a violation of this Code section shall be guilty of a felony and shall be punished by imprisonment for not less than ten years nor more than 20 years, or by a fine of not more than \$25,000.00 per violation, or both.

(e) This Code section shall not supersede any investigation audit which involves fraud, willful misrepresentation, or abuse under Article 7 of Chapter 4 of Title 49 or any other statutory provisions which authorize investigation relating to insurance."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senator Watson of the 1st offered the following amendment #1:

Amend the substitute to HB 782 (LC 37 2669-ECS) by striking "or" at the end of line 146, by replacing the period at the end of line 164 with "; or", and by adding between lines 164 and 165 the following:

(9) Payments by an intermediate care home, private home care provider, assisted living community, personal care home, or other long-term care facility or provider to a referral service that provides information, consultation, or referrals at no cost to

consumers to assist them in finding appropriate care or housing options for elderly persons or disabled adults who are not Medicaid recipients.

On the adoption of the amendment, the President asked unanimous consent.

Senator Martin of the 9th objected.

On the adoption of the amendment, the yeas were 18, nays 13, and the Watson amendment #1 to the committee substitute was adopted.

Senators Williams of the 27th and Orrock of the 36th offered the following amendment #2:

Amend the Senate substitute to HB 782 (LC 37 2669-ECS) by adding after "duties;" on line 9, the following:

to amend Code Section 31-2A-18 of the Official Code of Georgia Annotated, relating to establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards, semiannual reports, and waiver forms, so as to revise and provide for defined terms;

By inserting between lines 269 and 270, the following:

SECTION 3A

Code Section 31-2A-18 of the Official Code of Georgia Annotated, relating to establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards, semiannual reports, and waiver forms, is amended in subsection (a) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively, by adding a new paragraph (5), and by deleting "or" at the end of subparagraph (M) and replacing the period with a semicolon at the end of subparagraph (N) of, and by adding two new subparagraphs to, paragraph (3) as follows:

"(5) 'Intractable pain' means pain that has a cause that cannot be removed and for which, according to generally accepted medical practice, the full range of pain management modalities appropriate for the patient has been used for a period of at least six months without adequate results or with intolerable side effects."

"(O) Post-traumatic stress disorder resulting from direct exposure to or the witnessing of a trauma for a patient who is at least 18 years of age; or (P) Intractable pain."

On the adoption of the amendment, Senator Williams of the 27th called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers
N Anderson, L
Y Anderson, T

N Hufstetler
N Jackson
Y James

N Payne
Y Rhett
Y Seay

N Beach	N Jones, B	N Shafer
N Black	E Jones, E	Y Sims
Y Brass	Jones, H	N Stone
Y Burke	Y Jordan	E Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	E Thompson, B
Y Davenport	N Kirkpatrick	E Thompson, C
E Dugan	N Ligon	Y Tillery
Y Ginn	N Lucas	E Tippins
N Gooch	N Martin	N Unterman
N Harbin	N McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	Y Miller	N Wilkinson
N Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the amendment, the yeas were 21, nays 28, and the Williams of the 27th, Orrock amendment #2 to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson

Y Harper
Y Heath
Y Henson
Y Hill

Y Miller
Y Mullis
Y Orrock
Y Parent

Y Wilkinson
Y Williams, M
Y Williams, N

On the passage of the bill, the yeas were 49, nays 0.

HB 782, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/23/2018

I inadvertently voted “Yea” on Amendment 2 HB 782. Please reflect in the Journal that my intent was to vote “No”.

/s/ Dean Burke
District 11

The following bill was taken up to consider House action thereto:

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Beach of the 21st asked unanimous consent that the Senate insist on its substitute to HB 930.

The consent was granted, and the Senate insisted on its substitute to HB 930.

The following bill was taken up to consider House action thereto:

SB 402. By Senators Gooch of the 51st, Cowser of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

Senator Gooch of the 51st asked unanimous consent that the Senate adhere to its disagreement to the House substitute to SB 402 and that a Conference Committee be appointed.

The consent was granted, and the President appointed as a Conference Committee the following Senators: Gooch of the 51st, Kennedy of the 18th and Albers of the 56th.

The following resolution was read and adopted:

SR 1114. By Senators Miller of the 49th, Wilkinson of the 50th, Unterman of the 45th, Ginn of the 47th, Mullis of the 53rd and others:

A RESOLUTION commending John W. Long for his outstanding service to the Georgia State Senate and congratulating him on the occasion of his retirement as Sergeant at Arms; and for other purposes.

Senator Miller of the 49th recognized John Long who addressed the Senate briefly.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has disagreed to the Senate amendment to the following Bill of the House:

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstration of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public

records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House insists on its position in disagreeing to the Senate substitute, and has appointed a Committee of Conference to confer with a like committee on the part of the Senate on the following Bill of the House:

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Speaker has appointed on the part of the House, Representatives Tanner of the 9th, Jones of the 47th, and Smyre of the 135th.

The Calendar was resumed.

HB 790. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to the Office of State Administrative Hearings, so as to implement recommendations of the Court Reform Council to improve efficiencies and achieve best practices for the administration of justice; to provide administrative law judges with authority to issue final decisions; to provide for exceptions; to require agencies to forward a request for a hearing to the Office of State Administrative Hearings; to provide administrative law judges with the power to enforce subpoenas and sanction parties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Stone of the 23rd.

The Senate Committee on Judiciary offered the following substitute to HB 790:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to administrative procedure, so as to implement recommendations of the Court Reform Council to improve efficiencies and achieve best practices for the administration of justice; to revise a defined term; to provide administrative law judges with authority to issue final decisions; to provide for exceptions; to require agencies to forward a request for a hearing to the Office of State Administrative Hearings; to provide administrative law judges with the power to enforce subpoenas and sanction parties; to correct cross-references; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to administrative procedure, is amended by revising paragraph (1) of Code Section 50-13-2, relating to definitions, as follows:

"(1) 'Agency' means each state board, bureau, commission, department, activity, or officer authorized by law expressly to make rules and regulations or to determine contested cases, except the General Assembly; the judiciary; the Governor; the State Board of Pardons and Paroles; the State Financing and Investment Commission; the State Properties Commission; the Board of Bar Examiners; the Board of Corrections and its penal institutions; the State Board of Workers' Compensation; all public authorities except as otherwise expressly provided by law; the State Personnel Board; the Department of Administrative Services or commissioner of administrative services; the Board of Regents of the University System of Georgia; the Technical College System of Georgia; the Nonpublic Postsecondary Education Commission; the Department of Labor when conducting hearings related to unemployment benefits or overpayments of unemployment benefits; the Department of Revenue when conducting hearings relating to alcoholic beverages, tobacco, or bona fide coin operated amusement machines or any violations relating thereto; the Georgia Tobacco Community Development Board; the Georgia Higher Education Savings Plan; the Georgia ABLE Program Corporation; any school, college, hospital, or other such educational, eleemosynary, or charitable institution; or any agency when its action is concerned with the military or naval affairs of this state. ~~The~~ Such term '~~agency~~' shall include the State Board of Education and Department of Education, subject to the following qualifications:

(A) Subject to the limitations of subparagraph (B) of this paragraph, all otherwise valid rules adopted by the State Board of Education and Department of Education

prior to January 1, 1990, are ratified and validated and shall be effective until January 1, 1991, whether or not such rules were adopted in compliance with the requirements of this chapter; and

(B) Effective January 1, 1991, any rule of the State Board of Education or Department of Education which has not been proposed, submitted, and adopted in accordance with the requirements of this chapter shall be void and of no effect."

SECTION 2.

Said chapter is further amended by revising Code Section 50-13-20.1, relating to judicial review of final decision in contested case issued by an administrative law judge, as follows:

"50-13-20.1.

A petition for judicial review of a final decision in a contested case issued by an administrative law judge pursuant to subsection ~~(e)~~ (c) of Code Section 50-13-41 shall be subject to judicial review in the same manner as provided in Code Section 50-13-19 except that the procedure and standard of judicial review specifically provided for an agency shall be applied and shall not be affected, altered, or changed by Article 2 of this chapter."

SECTION 3.

Said chapter is further amended by revising Code Section 50-13-41, relating to hearing procedures, powers of administrative law judge, issuance of decision, and review, as follows:

"50-13-41.

(a)(1) Whenever a state agency authorized by law to determine contested cases initiates or receives a request for a hearing in a contested case which is not presided over by the agency head or board or body which is the ultimate decision maker, the hearing shall be conducted by the Office of State Administrative Hearings, and such hearings shall be conducted in accordance with the provisions of this chapter and the rules and regulations promulgated under this article. Whenever an agency under this paragraph receives a request for a hearing in a contested case, such agency shall forward such request for a hearing to the Office of State Administrative Hearings within a reasonable period of time not to exceed 30 days after receipt of such request, and if the agency fails to do so, the party requesting the hearing may petition the Office of State Administrative Hearings for an order permitting such party to file a request for a hearing directly with the Office of State Administrative Hearings.

(2) An administrative law judge shall have the power to do all things specified in paragraph (6) of subsection (a) of Code Section 50-13-13. An administrative law judge shall have the power to impose civil penalties pursuant to paragraph (3) of this subsection for failing to obey any lawful process or order of the administrative law judge or any rule or regulation promulgated under this article, for any indecorous or improper conduct committed in the presence of the administrative law judge, or for submitting pleadings or papers for an improper purpose or containing frivolous

arguments or arguments that have no evidentiary support. The superior court of the county in which the violation is committed shall, on application of the administrative law judge or any party, enforce by proper proceedings any lawful process or order for civil penalties of the administrative law judge.

(3) An administrative law judge may impose a civil penalty for any violation provided for in paragraph (2) of this subsection of not less than \$100.00 nor more than \$1,000.00 per violation. Any violator who is assessed a civil penalty may also be assessed the cost of collection. The administrative law judge shall have the power to issue writs of fieri facias to collect such penalties and costs assessed, which shall be enforced in the same manner as a similar writ issued by a superior court. All penalties and costs assessed shall be tendered and made payable to the Office of State Administrative Hearings and shall be deposited in the general fund of the state treasury.

(b) An administrative law judge shall have all the powers of the ~~referring~~ ultimate decision maker in the agency with respect to a contested case. Subpoenas issued by an administrative law judge shall be enforced in the manner set forth in paragraph (7) of subsection (a) of Code Section 50-13-13. Article 2 of Chapter 13 of Title 24 shall govern the issuance of subpoenas issued under this article, except that the administrative law judge shall carry out the functions of the court, and the clerk of the Office of State Administrative Hearings shall carry out the functions of the clerk of the court. Subpoenas shall be enforced pursuant to subsection (a) of this Code section. Nothing in this article shall affect, alter, or change the ability of the parties to reach informal disposition of a contested case in accordance with paragraph (4) of subsection (a) of Code Section 50-13-13.

(c) Within 30 days after the close of the record, an administrative law judge shall issue a decision to all parties in the case except when it is determined that the complexity of the issues and the length of the record require an extension of this period and an order is issued by an administrative law judge so providing. Every decision of an administrative law judge shall contain findings of fact, conclusions of law, and a ~~recommended~~ disposition of the case. Except as provided in subsection (d) of this Code section, every decision of an administrative law judge shall be a final decision as set forth in subsection (b) of Code Section 50-13-17. Code Section 50-13-20.1 shall govern judicial review of every final decision of an administrative law judge, except that any aggrieved party, including the agency, may seek judicial review.

(d)(1) As used in this subsection, the term 'reviewing agency' shall mean the ultimate decision maker in a contested case that is a constitutional board or commission; an elected constitutional officer in the executive branch of this state; or a board, bureau, commission, or other agency of the executive branch of this state created for the purpose of licensing or otherwise regulating or controlling any profession, business, or trade if members thereof are appointed by the Governor.

(2) Except as otherwise provided in this article, in all contested cases referred by a reviewing agency, every decision of an administrative law judge shall be treated as an initial decision as set forth in subsection (a) of Code Section 50-13-17, including, but

not limited to, the taking of additional testimony or remanding the case to the administrative law judge for such purpose. On review, the reviewing agency shall consider the whole record or such portions of it as may be cited by the parties. In reviewing initial decisions by the Office of State Administrative Hearings, the reviewing agency shall give due regard to the administrative law judge's opportunity to observe witnesses. If the reviewing agency rejects or modifies a proposed finding of fact or a proposed decision, it shall give reasons for doing so in writing in the form of findings of fact and conclusions of law.

~~(e)(1)(3)~~ A reviewing agency shall have a period of 30 days following the entry of the decision of the administrative law judge in which to reject or modify such decision. If a reviewing agency fails to reject or modify the decision of the administrative law judge within such 30 day period, then the decision of the administrative law judge shall stand affirmed by the reviewing agency by operation of law.

~~(2)(4)~~ A reviewing agency may prior to the expiration of the review period provided for in paragraph ~~(4)~~ (3) of this subsection extend such review period by order of the reviewing agency in any case wherein unusual and compelling circumstances render it impracticable for the reviewing agency to complete its review within such period. Any such order shall recite with particularity the circumstances which render it impracticable for the reviewing agency to complete its review within such review period. Any such extension by the reviewing agency shall ~~be for a period of time~~ not ~~to~~ exceed 30 days. Prior to the expiration of the extended review period, the review period may be further extended by further order of the reviewing agency for one additional period not to exceed 30 days if unusual and compelling circumstances render it impracticable to complete the review within the extended review period. Such further order further extending the review period shall likewise recite with particularity the circumstances which render it impracticable for the reviewing agency to complete its review within the review period as previously extended. If a reviewing agency fails to reject or modify the decision of the administrative law judge within the extended review period, then the decision of the administrative law judge shall stand affirmed by the reviewing agency by operation of law.

~~(3)(5)~~ An agency may provide by rule that proposed decisions in all or in specified classes of cases before the Office of State Administrative Hearings will become final without further agency action and without expiration of the 30 day review period otherwise provided for in this subsection."

SECTION 4.

Said chapter is further amended by revising subsection (b) of Code Section 50-13-42, relating to applicability of article, as follows:

"(b) This article shall apply to hearings conducted pursuant to Code Sections 45-20-8 and 45-20-9. The State Personnel Board may provide by rule that proposed decisions in all or in specified classes of cases before the Office of State Administrative Hearings will become final without further action by the board and without expiration of the 30

day review period otherwise provided for in subsection ~~(e)~~ (d) of Code Section 50-13-41."

SECTION 5.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

Senators Harbin of the 16th and Williams of the 27th offered the following amendment #1:

Amend the Senate Committee on Judiciary substitute to HB 790 (LC 29 8067-ECS) by replacing lines 1 through 2 with the following:

To amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to implement recommendations of the Court Reform Council

By replacing line 7 with the following:

enforce subpoenas and sanction parties; to correct cross-references; to provide for the preservation of religious freedom; to provide for related

By replacing lines 11 through 12 with the following:

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended by revising paragraph (1) of Code Section 50-13-2, relating to

By replacing "chapter" with "title" on lines 42, 51, and 148.

By inserting between line 155 and 156 the following:

Said title is further amended by adding a new chapter to read as follows:

"CHAPTER 15A

50-15A-1.

The provisions of 42 U.S.C. Chapter 21B as such existed on January 1, 2017, regarding government burdens on the free exercise of religion, shall in like manner apply to this state or any political subdivision thereof.

SECTION 6.

By redesignating Section 6 as Section 7.

Senator Jordan of the 6th requested a ruling of the Chair as to the germaneness of the amendment.

Senator Harbin of the 16th moved that his amendment be withdrawn.

Senator Williams of the 27th objected.

On the adoption of the motion, the yeas were 36, nays 3, and the Harbin, Williams of the 27th amendment #1 to the committee substitute was withdrawn.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	E Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	E Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
N Dugan	Y Ligon	Tillery
Y Ginn	Y Lucas	E Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 1.

HB 790, having received the requisite constitutional majority, was passed by substitute.

The following bill was taken up to consider House action thereto:

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Beach of the 21st asked unanimous consent that the Senate adhere to its substitute to HB 930 and that a Conference Committee be appointed.

The consent was granted, and the President appointed as a Conference Committee the following Senators: Beach of the 21st, Gooch of the 51st and Lucas of the 26th.

The following House legislation was read the first time and referred to committee:

HB 1061. By Representative Morris of the 156th:

A BILL to be entitled an Act to provide a new charter for the Town of Tarrytown; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for other matters relative to the foregoing; to repeal a specific Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1063. By Representatives Bruce of the 61st, Bazemore of the 63rd, Jackson of the 64th and Boddie of the 62nd:

A BILL to be entitled an Act to amend an Act to incorporate the City of South Fulton in Fulton County, Georgia, approved April 26, 2016 (Ga. L. 2016, p. 3726), as amended, so as to limit the authority of the mayor and city council

over personnel matters; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1064. By Representatives Martin of the 49th, Jones of the 47th, Raffensperger of the 50th, Price of the 48th and Silcox of the 52nd:

A BILL to be entitled an Act to provide for a new homestead exemption from Fulton County ad valorem taxes for county purposes in the amount of \$60,000.00 of the assessed value of the homestead for residents of that county who are older than 65 years of age; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1065. By Representative Benton of the 31st:

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in the City of Jefferson; or referendum shall be required; to provide the procedures connected with all of the foregoing; to provide for the termination of districts under certain conditions; to provide for severability; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1067. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption from City of Stonecrest ad valorem taxes for municipal purposes in an amount equal to the amount by which the current year assessed value of a homestead exceeds the base year assessed value of such homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1068. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption for disabled and senior citizen residents from City of Stonecrest ad valorem taxes for municipal purposes in the amount of \$14,000.00 of the assessed value of a homestead, provided that the resident's income does not exceed \$15,000.00 for the preceding year; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1069. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption from City of Stonecrest ad valorem taxes for municipal purposes in the amount that provides the dollar equivalent of a one mill reduction of the millage rate applicable to the homestead property; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1070. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption from City of Stonecrest ad valorem taxes for municipal purposes in the amount of \$10,000.00 of the assessed value of a homestead; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1071. By Representatives Jones of the 91st, Stephenson of the 90th, Williams of the 87th, Kendrick of the 93rd, Bennett of the 94th and others:

A BILL to be entitled an Act to provide for a homestead exemption for unmarried surviving spouses of military veterans from City of Stonecrest ad

valorem taxes for municipal purposes in the amount of the greater of \$32,500.00 or the maximum amount which may be granted to a disabled veteran under federal law; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

HB 1072. By Representatives Cauble of the 111th, Rutledge of the 109th, Welch of the 110th, Mathiak of the 73rd and Knight of the 130th:

A BILL to be entitled an Act to amend an Act to provide for a salary and expense allowance for the coroner of Henry County, approved March 23, 1977 (Ga. L. 1977, p. 4127), as amended, particularly by an Act approved April 4, 1991 (Ga. L. 1991, p. 4415), so as to provide for an annual salary for the coroner; to provide for a salary for the deputy coroner; to provide for related matters; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House adheres to its position in insisting on its substitute and has appointed a Committee of Conference to confer with a like committee on the part of the Senate on the following Bill of the Senate:

SB 402. By Senators Gooch of the 51st, Cowsert of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide

for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

The Speaker has appointed on the part of the House, Representatives Powell of the 171st, England of the 116th, and Watson of the 172nd.

The following resolution was read and adopted:

SR 1131. By Senators Miller of the 49th, Cowsert of the 46th, Henson of the 41st, Tate of the 38th, Wilkinson of the 50th and others:

A RESOLUTION honoring and remembering the life of the Honorable Zell Bryan Miller, former Lieutenant Governor, Governor, and United States Senator of this great state; and for other purposes.

Senator Cowsert of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Tuesday, March 27, 2018.

The motion prevailed, and the President announced the Senate adjourned at 4:48 p.m.

Senate Chamber, Atlanta, Georgia
Tuesday, March 27, 2018
Thirty-ninth Legislative Day

The Senate met pursuant to adjournment at 10:28 a.m. today and was called to order by Senator Butch Miller, President Pro Tempore.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

Senator Williams of the 27th objected to the Journal. He stated that amendment #1 on HB 790 from the previous legislative day incorrectly designated Senator Harbin of the 16th as the primary author of the amendment, and the Journal was therefore incorrect.

It was noted that the Senate had considered the issue at the appropriate time on the previous legislative day, and that Senator Harbin of the 16th's name was the first name on the signature line. As a result, Senator Harbin of the 16th was properly designated as the primary author.

The President stated that Senator Williams of the 27th's objection would be recorded in the Journal.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed by unanimous consent.

The following Senate legislation was introduced, read the first time and referred to committee:

SB 495. By Senator McKoon of the 29th:

A BILL to be entitled an Act to provide for the incorporation of the City of Greenhaven in DeKalb County, Georgia; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Referred to the Committee on State and Local Governmental Operations.

The following committee report was read by the Secretary:

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 709	Do Pass by substitute	HB 869	Do Pass
HB 1041	Do Pass	HB 1045	Do Pass
HB 1046	Do Pass	HB 1052	Do Pass
HB 1054	Do Pass	HB 1057	Do Pass
HB 1058	Do Pass	HB 1059	Do Pass
HB 1062	Do Pass		

Respectfully submitted,
 Senator Kirk of the 13th District, Chairman

Senator Martin of the 9th asked unanimous consent that Senator Jones of the 25th be excused. The consent was granted, and Senator Jones was excused.

Senator Anderson of the 24th asked unanimous consent that Senator Stone of the 23rd be excused. The consent was granted, and Senator Stone was excused.

Senator Millar of the 40th asked unanimous consent that Senator Kirk of the 13th be excused. The consent was granted, and Senator Kirk was excused.

Senator Harbison of the 15th asked unanimous consent that Senator Thompson of the 5th be excused. The consent was granted, and Senator Thompson was excused.

The roll was called and the following Senators answered to their names:

Albers	Hufstetler	Payne
Anderson, L	Jackson	Rhett
Anderson, T	James	Seay
Beach	Jones, E	Shafer
Black	Jones, H	Sims
Butler	Jordan	Strickland
Cowsert	Kennedy	Tate
Davenport	Kirkpatrick	Tillery
Dugan	Ligon	Tippins
Ginn	Lucas	Unterman
Harbin	Martin	Walker
Harbison	McKoon	Watson
Harper	Millar	Wilkinson
Heath	Mullis	Williams, M
Henson	Orrock	Williams, N
Hill	Parent	

Not answering were Senators:

Brass	Burke	Gooch
Jones, B. (Excused)	Kirk (Excused)	Miller (Presiding)
Stone (Excused)	Thompson, B.	Thompson, C. (Excused)

Senator Gooch of the 51st was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Black of the 8th introduced the chaplain of the day, Pastor Aaron W. Kight of Valdosta, Georgia, who offered scripture reading and prayer.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitute to the following Bill of the House:

HB 1036. By Representatives Martin of the 49th, Jones of the 47th, Thomas of the 56th, Bruce of the 61st, Raffensperger of the 50th and others:

A BILL to be entitled an Act to provide for the clerk of the Superior Court of Fulton County to require that tax parcel identification number information be included on documents recorded in the real property records of said clerk; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by the requisite constitutional majority, the following Bills of the Senate:

SB 487. By Senators Jones of the 10th, Butler of the 55th, Anderson of the 43rd, Henson of the 41st and Millar of the 40th:

A BILL to be entitled an Act to amend an Act revising, superseding, and consolidating the laws relating to the governing authority of DeKalb County and creating a chairman and board of commissioners of said county, approved March 8, 1956 (Ga. L. 1956, p. 3237), as amended, particularly by an Act approved May 12, 2015 (Ga. L. 2015, p. 3826), so as to provide for the filling of a vacancy on the audit oversight committee; to repeal conflicting laws; and for other purposes.

SB 489. By Senator Tippins of the 37th:

A BILL to be entitled an Act to amend an Act creating the Cobb-Marietta Coliseum and Exhibit Hall Authority, approved March 26, 1980 (Ga. L. 1980, p. 4091), as amended, so as to provide that revenue bonds shall only be issued in connection with projects owned or leased by the authority which are managed and operated by the authority for its own use; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Williams of the 27th introduced the doctor of the day, Dr. Patrick Kindregan.

The following resolutions were read and adopted:

SR 1112. By Senators Miller of the 49th, Gooch of the 51st, Ginn of the 47th, Unterman of the 45th and Wilkinson of the 50th:

A RESOLUTION commending Dr. Sandra A. Greniewicki on her service to the nursing profession and Brenau University; and for other purposes.

SR 1115. By Senator Wilkinson of the 50th:

A RESOLUTION urging the Congress of the United States, and in particular the Georgia Congressional delegation, to support commonsense reform of the federal sugar support program; and for other purposes.

SR 1116. By Senators Anderson of the 43rd, Jones II of the 22nd, Butler of the 55th, Davenport of the 44th, Seay of the 34th and others:

A RESOLUTION commending Larry Tinsley and recognizing Men and Women in Radio Day at the state capitol; and for other purposes.

SR 1117. By Senators Anderson of the 43rd, Jones II of the 22nd, Butler of the 55th, Davenport of the 44th, Seay of the 34th and others:

A RESOLUTION commending Derrick Boazman and recognizing Men and Women in Radio Day at the state capitol; and for other purposes.

SR 1118. By Senators Anderson of the 43rd, Jones II of the 22nd, Butler of the 55th, Davenport of the 44th, Seay of the 34th and others:

A RESOLUTION commending Darlene Jenise "McCoy" Johnson and recognizing Men and Women in Radio Day at the state capitol; and for other purposes.

SR 1119. By Senators Anderson of the 43rd, Jones II of the 22nd, Butler of the 55th, Davenport of the 44th, Seay of the 34th and others:

A RESOLUTION commending Kevin and Taylor, co-hosts of "Kevin and Taylor in the Morning," and recognizing Men and Women in Radio Day at the state capitol; and for other purposes.

SR 1120. By Senators Anderson of the 43rd, Jones II of the 22nd, Butler of the 55th, Davenport of the 44th, Seay of the 34th and others:

A RESOLUTION commending the Heritage High School girls basketball team for winning the 2018 Regional Championship; and for other purposes.

SR 1121. By Senators Anderson of the 43rd, Jones II of the 22nd, Butler of the 55th, Davenport of the 44th, Seay of the 34th and others:

A RESOLUTION commending the Newton Lady Rams basketball team for winning the 2018 GHSA Class 7A State Tournament's Final Four; and for other purposes.

SR 1122. By Senators Anderson of the 43rd, Jones II of the 22nd, Butler of the 55th, Davenport of the 44th, Seay of the 34th and others:

A RESOLUTION commending the Heritage High School boys basketball team on its GHSA Class 6A Region 3 Championship; and for other purposes.

SR 1123. By Senator Harbison of the 15th:

A RESOLUTION honoring the nine inductees of the Chattahoochee Valley Sports Hall of Fame for 2018; and for other purposes.

SR 1124. By Senator Harbison of the 15th:

A RESOLUTION recognizing and honoring the valiant service of the Special Forces soldiers who were sent to Afghanistan in the immediate aftermath of September 11; and for other purposes.

SR 1125. By Senator Butler of the 55th:

A RESOLUTION recognizing August 12, 2018, as International Youth Day at the state capitol; and for other purposes.

SR 1126. By Senator Butler of the 55th:

A RESOLUTION recognizing May 20, 2018, as Christian Ambassadors Day at the state capitol; and for other purposes.

SR 1127. By Senator Davenport of the 44th:

A RESOLUTION congratulating and commending Sylvia G. Harris for winning a Women's History Month Achievement award; and for other purposes.

SR 1128. By Senator Davenport of the 44th:

A RESOLUTION congratulating and commending Eliza F. Shillow upon receiving the Women's History Month Achievement award; and for other purposes.

SR 1129. By Senator Davenport of the 44th:

A RESOLUTION commending Gwendolyn "Gwen" Williams-Slade for winning a Women's History Month Achievement award; and for other purposes.

SR 1130. By Senator Davenport of the 44th:

A RESOLUTION commending Alicia Fluellen upon receiving a Women's History Month Achievement award; and for other purposes

SR 1132. By Senators Anderson of the 24th, Stone of the 23rd, Black of the 8th, Wilkinson of the 50th, Kennedy of the 18th and others:

A RESOLUTION commending and congratulating Rachel Norris Robertson; and for other purposes.

SR 1133. By Senators Ligon, Jr. of the 3rd, Dugan of the 30th and Unterman of the 45th:

A RESOLUTION commending and congratulating Robert "Bob" O'Brien; and for other purposes.

SR 1134. By Senators Miller of the 49th, Unterman of the 45th, Ginn of the 47th, Wilkinson of the 50th and Gooch of the 51st:

A RESOLUTION honoring the life and memory of Jake William "Billy" Martin; and for other purposes.

SR 1135. By Senator Parent of the 42nd:

A RESOLUTION recognizing the importance of universal screening and early intervention in the prevention of substance use disorders among Georgia youth; and for other purposes.

The following legislation, favorably reported by the committees, as listed on the Senate Consent Calendar for Study Committees, was put upon its adoption:

SENATE CONSENT CALENDAR FOR STUDY COMMITTEES
TUESDAY, MARCH 27, 2018
THIRTY-NINTH LEGISLATIVE DAY

- SR 467 Senate Study Committee on Service Animals for Physically or Mentally Impaired Persons; create (Substitute)(RULES-45th)
- SR 484 Senate Study Committee on Creating a Lottery Game to Benefit Veterans; create (Substitute)(RULES-15th)
- SR 489 Senate Study Committee on Prescribing Patterns for Antidepressants and Other Psychotropic Medications; create (Substitute)(RULES-3rd)
- SR 503 Senate African American History and Culture Study Committee; create (Substitute)(RULES-2nd)
- SR 506 Senate Study Committee on the Excessive and Duplicative Regulatory Oversight of Community Based Intellectual and Developmental Disability (IDD); create (Substitute)(RULES-30th)
- SR 761 Senate Study Committee on Dyslexia; create (H&HS-40th)
- SR 832 Senate Study Committee on Risks Associated with Kratom; create (RULES-53rd)
- SR 882 Senate Hartsfield-Jackson Atlanta International Airport Operations and Authority Creation Study Committee; create (TRANS-25th)
- SR 914 Senate Emergency Pursuits By Law Enforcement Officers Study Committee; create (PUB SAF-44th)
- SR 935 Senate School Safety Study Committee; create (RULES-56th)

- SR 977 Senate Study Committee on Historically Black Colleges and Universities; create (H ED-39th)
- SR 995 Senate Study Committee on Combat Sports; create (RULES-21st)
- SR 1019 Senate Advanced Communications Technologies and Use of State and Local Government Right of Way Policy Modernization Study Committee; create (Substitute)(RI&U-47th)
- SR 1049 Senate Cross Media Development Study Committee; create (RULES-35th)
- SR 1063 Senate Study Committee on Certificate of Need Reform; create (Substitute) (RULES-1st)
- SR 1064 Senate Study Committee on Continual Audit Exceptions on Local School Systems; create (RULES-12th)
- SR 1067 Senate Study Committee on the Financial Impact of Atlanta Annexation on Schools; create (Substitute)(RULES-10th)
- SR 1068 Senate Study Committee on Evaluating the School Year Calendar of Georgia Public Schools; create (RULES-51st)

The substitutes to the following resolutions were put upon their adoption:

*SR 467:

The Senate Committee on Rules offered the following substitute to SR 467:

A RESOLUTION

Creating the Senate Study Committee on Service Animals for Physically or Mentally Impaired Persons; and for other purposes.

WHEREAS, service animals can assist physically or mentally impaired persons with performing tasks and accomplishing major life activities, including ambulating, seeing, hearing, learning, working, and interacting with others; and

WHEREAS, physically or mentally impaired persons are authorized by federal law to have their service animal accompany them in places where the general public is invited; and

WHEREAS, some individuals take their pets with them to public accommodations and facilities claiming such pet is a service animal when, in actuality, such pet is a "fake service animal"; and

WHEREAS, there is no state or federal certification process to ensure that an animal accompanying a person is actually a service animal; and

WHEREAS, owners and operators of restaurants, hotels, and other places of public accommodation are put in the difficult position of trying to make such determination on the spot; and

WHEREAS, it would be beneficial to examine these issues, including whether there is a need for a uniform certification process or the issuance of information cards, whether there is a need to criminalize the use of a "fake service animal," or whether the rights of trainers of service animals should be clarified, and to determine if legislative action is needed on any of these issues.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

- (1) **Creation of Senate study committee.** There is created the Senate Study Committee on Service Animals for Physically or Mentally Impaired Persons.
- (2) **Members and officers.** The committee shall be composed of five members of the Senate to be appointed by the President of the Senate. The President shall designate a member of the committee as chairperson of the committee.
- (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.
- (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.
- (5) **Allowances and funding.** The legislative members of the committee shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated. The allowances authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.
- (6) **Report.**
 - (A) In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the chairperson shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.
 - (B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the chairperson shall file the report, subject to subparagraph

(C) of this paragraph.

(C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee. A report so approved shall be signed by the chairperson of the committee and filed with the Secretary of the Senate.

(D) In the absence of an approved report, the chairperson may file with the Secretary of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

(7) **Abolishment.** The committee shall stand abolished on December 1, 2018.

*SR 484:

The Senate Committee on Rules offered the following substitute to SR 484:

A RESOLUTION

Creating the Senate Study Committee on Creating a Lottery Game to Benefit Veterans; and for other purposes.

WHEREAS, some of Georgia's military veterans experience particular needs, such as post-traumatic stress, homelessness, health insurance costs, disabilities, long-term care, and employment training and other similar needs; and

WHEREAS, the Georgia Lottery has proven a robust instrument for financing the state's educational needs; and

WHEREAS, authorization for a new set of lottery games targeting veteran's issues could provide a new source of financing without adversely affecting the current recipients of funds from the Georgia Lottery; and

WHEREAS, it would be beneficial to study the possibility of authorizing the creation of one or more Georgia Lottery games for the benefit of Georgia's military veterans.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

(1) **Creation of Senate study committee.** There is created the Senate Study Committee on Creating a Lottery Game to Benefit Veterans.

(2) **Members and officers.** The committee shall be composed of five members of the Senate to be appointed by the President of the Senate. The President shall designate a member of the committee as chairperson of the committee.

(3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.

(4) **Meetings.** The chairperson shall call all meetings of the committee. The

committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.

(5) Allowances and funding.

(A) The legislative members of the committee shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

(B) The allowances authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.

(6) Report.

(A) In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the chairperson shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.

(B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the chairperson shall file the report, subject to subparagraph (C) of this paragraph.

(C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee. A report so approved shall be signed by the chairperson of the committee and filed with the Secretary of the Senate.

(D) In the absence of an approved report, the chairperson may file with the Secretary of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

(7) Abolishment. The committee shall stand abolished on December 1, 2018.

*SR 489:

The Senate Committee on Rules offered the following substitute to SR 489:

A RESOLUTION

Creating the Senate Study Committee on Prescribing Patterns for Antidepressants and Other Psychotropic Medications; and for other purposes.

WHEREAS, the National Center for Health Statistics (NCHS) released a report in October of 2011 stating that antidepressant use in the United States among people 12 years of age and older had increased nearly 400 percent from 1988-1994 through 2005-2008; and

WHEREAS, the NCHS further stated that antidepressants were the third most common prescription drug taken by Americans in the study period of 2005-2008 and the most frequent by people aged 18-44; and

WHEREAS, the Medical Expenditure Panel Survey has documented that between 1999 and 2013, psychiatric drug prescriptions (including sedatives, antidepressants, psychostimulants, and antipsychotics) increased from 197,247,557 to 427,837,506 while at the same time death rates from overdose of prescription psychiatric drugs climbed 240 percent; and

WHEREAS, the British Medical Journal released its finding in December of 2015 that antidepressant use, particularly those classes of drugs known as SSRIs and SNRIs, results in a doubling of both suicidality and aggression in children and adolescents, recommending that there should be minimal use of antidepressants for children, adolescents, and young adults; and

WHEREAS, despite the known risks and the FDA's strongest black box warning regarding the dangers of antidepressant use by those aged 24 or younger, psychiatric drugs are being prescribed at an ever-increasing rate, with more than 8 million American children under the age of 17 using at least one psychiatric drug in 2013; and

WHEREAS, the Journal of the American Medical Association Pediatrics (JAMA Pediatrics) published a study in 2015 which revealed that expectant mothers who took antidepressants were 87 percent more likely to have a baby born with autism; and

WHEREAS, according to a 2013 survey conducted by the Centers for Disease Control and Prevention, about one-half of U.S. adolescents using psychotropic drugs in the past month had seen a mental health professional in the past year (53.3 percent) and approximately 6 percent of U.S. adolescents aged 12-19 reported psychotropic drug use in the month preceding the survey. The use of antidepressants (3.2 percent) and attention deficit hyperactivity disorder (ADHD) drugs (3.2 percent) was highest, followed by antipsychotics (1.0 percent); anxiolytics, sedatives, and hypnotics (0.5 percent); and antimaniacs (0.2 percent); and

WHEREAS, a 2011 report by the U.S. General Accountability Office found that between 20 percent and 39 percent of foster children in five states (Florida, Massachusetts, Michigan, Oregon, and Texas) were prescribed psychotropic drugs compared with between 5 percent and 10 percent of children receiving Medicaid.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

- (1) **Creation of Senate study committee.** There is created the Senate Study Committee on Prescribing Patterns for Antidepressants and Other Psychotropic Medications.
- (2) **Members and officers.** The committee shall be composed of three members of the Senate to be appointed by the President of the Senate. The President shall also appoint an additional four nonlegislative members of the committee as follows: one Georgia board licensed practicing psychiatrist; one Georgia board licensed practicing

psychologist; one representative from a mental health advocacy group; and one registered pharmacist. The President shall designate a legislative member of the committee as chairperson of the committee.

(3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.

(4) **Meetings.** The chairperson shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.

(5) **Allowances, expenses, and funding.**

(A) The legislative members of the committee shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

(B) Members of the committee who are not legislators, state officials, or state employees shall receive a daily expense allowance in an amount the same as that specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia Annotated, as well as the mileage or transportation allowance authorized for state employees.

(C) The allowances authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.

(6) **Report.**

(A) In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the chairperson shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.

(B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the chairperson shall file the report, subject to subparagraph (C) of this paragraph.

(C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee. A report so approved shall be signed by the chairperson of the committee and filed with the Secretary of the Senate.

(D) In the absence of an approved report, the chairperson may file with the Secretary of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

(7) **Abolishment.** The committee shall stand abolished on December 1, 2018.

*SR 503:

The Senate Committee on Rules offered the following substitute to SR 503:

A RESOLUTION

Creating the Senate African American History and Culture Study Committee; and for other purposes.

WHEREAS, the contributions and cultural influences stemming from African Americans are prevalent in today's society and have a widespread, deep-rooted impact throughout this state; and

WHEREAS, it is important to honor and preserve the legacy of those Georgians of African American descent in their unique contributions to this state; and

WHEREAS, the best way of collecting, preserving, interpreting, documenting, and exhibiting the rich contributions of African American Georgians from this state's earliest history to the present and the future is a work deserving of study; and

WHEREAS, there may be a need for a state-wide museum to study ways to protect and interpret Georgia's African American history and culture to serve as the premier experience and best resource for information and inspiration about the lives of African American Georgians.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

(1) **Creation of Senate study committee.** There is created the Senate African American History and Culture Study Committee.

(2) **Members and officers.** The committee shall be composed of five members of the Senate to be appointed by the President of the Senate. The President shall designate a member of the committee as chairperson of the committee.

(3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.

(4) **Meetings.** The chairperson shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.

(5) **Allowances and funding.**

(A) The legislative members of the committee shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

(B) The allowances authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.

(6) **Report.**

(A) In the event the committee adopts any specific findings or recommendations

that include suggestions for proposed legislation, the chairperson shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.

(B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the chairperson shall file the report, subject to subparagraph (C) of this paragraph.

(C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee. A report so approved shall be signed by the chairperson of the committee and filed with the Secretary of the Senate.

(D) In the absence of an approved report, the chairperson may file with the Secretary of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

(7) **Abolishment.** The committee shall stand abolished on December 1, 2018.

*SR 506:

The Senate Committee on Rules offered the following substitute to SR 506:

A RESOLUTION

Creating the Senate Study Committee on the Excessive and Duplicative Regulatory Oversight of Community Based Intellectual and Developmental Disability (IDD) Services; and for other purposes.

WHEREAS, Georgia's citizens with intellectual and developmental disabilities (IDD) are some of the most vulnerable of its population and these citizens need access to seamless and efficient service systems which address individuals' varied and often complex needs; and

WHEREAS, the home and community based developmental disability service programs in Georgia have a waiting list of over 8,000 citizens; and

WHEREAS, the Georgia Department of Community Health, the Georgia Department of Behavioral Health and Developmental Disabilities, and multiple private contractors are responsible for the regulatory oversight of IDD providers; and

WHEREAS, community IDD services are regulated with multiple layers of costly administrative audits, compliance reviews, service monitoring, quality assessments, and other duplicative certifications, and it is timely and important to study these issues.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

(1) **Creation of Senate study committee.** There is created the Senate Study

Committee on the Excessive and Duplicative Regulatory Oversight of Community Based Intellectual and Developmental Disability (IDD) Services.

(2) **Members and officers.** The committee shall be composed of three members of the Senate to be appointed by the President of the Senate. The President shall also appoint an additional two nonlegislative members of the committee that are representatives of providers of IDD services in Georgia. The President shall designate a legislative member of the committee as chairperson of the committee.

(3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.

(4) **Meetings.** The chairperson shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.

(5) **Allowances, expenses, and funding.**

(A) The legislative members of the committee shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

(B) Members of the committee who are not legislators, state officials, or state employees shall receive a daily expense allowance in an amount the same as that specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia Annotated, as well as the mileage or transportation allowance authorized for state employees.

(C) The allowances authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.

(6) **Report.**

(A) In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the chairperson shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.

(B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the chairperson shall file the report, subject to subparagraph (C) of this paragraph.

(C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee. A report so approved shall be signed by the chairperson of the committee and filed with the Secretary of the Senate.

(D) In the absence of an approved report, the chairperson may file with the Secretary of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

(7) **Abolishment.** The committee shall stand abolished on December 1, 2018.

*SR 1019:

The Senate Committee on Regulated Industries and Utilities offered the following substitute to SR 1019:

A RESOLUTION

Creating the Senate Advanced Communications Technologies and Use of State and Local Government Right of Way Policy Modernization Study Committee; and for other purposes.

WHEREAS, consumer demand in the State of Georgia, driven by innovation in communications networks and new technologies, is exploding; and

WHEREAS, the disruption of the marketplace for all services, including broadband, video, and voice technologies, will only fully benefit Georgia consumers if the policies of this state do not artificially create disparities among the technologies; and

WHEREAS, the variety of services available to Georgia consumers, offered by a wide variety of companies, has never been greater and long-held assumptions woven into state law concerning use of state and local rights of way are outdated and treat various technology types differently when the same end product is offered; and

WHEREAS, a truly modernized policy regime treats functionally equivalent services equally rather than creating winners and losers in the marketplace; and

WHEREAS, it is important to ensure that companies that have already invested in the State of Georgia and that already serve Georgians, as well as new entrants with new products and services, are afforded the same accommodations and obligations into the future in their use of the right of way; and

WHEREAS, to accomplish these goals, the State of Georgia should pursue a comprehensive examination of its laws, regulations, and policies to determine what changes are necessary to achieve modernization, fairness, and technology neutrality regarding access to the rights of way and the taxation of services.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

(1) **Creation of Senate study committee.** There is created the Senate Advanced Communications Technologies and Use of State and Local Government Right of Way Policy Modernization Study Committee.

(2) **Members and officers.** The committee shall be composed of five members of the Senate to be appointed by the President of the Senate. The President shall also appoint an additional five members of the committee as follows:

(A) A mayor;

- (B) A county commissioner; and
 - (C) Three individuals who represent a broad range of views and expertise on communications deployment and taxation issues. The President shall designate a member of the committee as chairperson of the committee.
- (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.
- (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.
- (5) **Allowances and funding.**
- (A) Members of the committee who are members of the General Assembly shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.
 - (B) The allowances authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.
- (6) **Report.**
- (A) In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the chairperson shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.
 - (B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the chairperson shall file the report, subject to subparagraph (C) of this paragraph.
 - (C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee. A report so approved shall be signed by the chairperson of the committee and filed with the Secretary of the Senate.
 - (D) In the absence of an approved report, the chairperson may file with the Secretary of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.
- (7) **Abolishment.** The committee shall stand abolished on December 1, 2018.

*SR 1063:

The Senate Committee on Rules offered the following substitute to SR 1063:

A RESOLUTION

Creating the Senate Study Committee on Certificate of Need Reform; and for other purposes.

WHEREAS, Georgia's Certificate of Need laws have remained static despite significant changes in the delivery and cost of health care; and

WHEREAS, hospitals, doctors, and other providers must work together to meet the challenge of delivering services with better outcomes at a lower cost; and

WHEREAS, Georgia needs additional health care facilities to meet the needs of patients, particularly in mental health, surgery, and emergency settings; and

WHEREAS, rural hospitals face an ongoing financial crisis, and Certificate of Need policies should be aligned to support the survival and growth of rural hospitals; and

WHEREAS, reforms should preserve the ability of hospitals to continue to provide open access to all patients in a community; and

WHEREAS, legislation accomplishing these goals should be recommended by a study committee and considered by the Georgia State Senate in the 2019 legislative session.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

- (1) **Creation of Senate study committee.** There is created the Senate Study Committee on Certificate of Need Reform.
- (2) **Members and officers.** The committee shall be composed of 13 members to be appointed by the Lieutenant Governor as follows:
 - (A) Five members of the Senate of whom at least three members will have professional backgrounds in health care and at least two members shall be appointed from the minority party. The Lieutenant Governor shall designate a member of the committee as chairperson of the committee.
 - (B) A citizen representative who serves in an executive role in a nonprofit health system;
 - (C) A citizen representative who serves in an executive role in a for-profit health system;
 - (D) A citizen representative who serves in an executive role in a rural hospital;
 - (E) A citizen representative who practices medicine as a full-time employee of a health system;
 - (F) A citizen representative who practices medicine as an independent physician;
 - (G) A citizen representative who has expertise in health care costs and works in the insurance industry; and
 - (H) Two consumer representatives.
- (3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.
- (4) **Meetings.** The chairperson shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may

deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.

(5) Allowances and funding.

(A) The legislative members of the committee shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

(B) Members of the committee who are not legislators, state officials, or state employees shall receive a daily expense allowance in an amount the same as that specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia Annotated, as well as the mileage or transportation allowance authorized for state employees.

(C) The allowances authorized by this resolution shall not be received by any member of the committee for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.

(6) Report.

(A) In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the chairperson shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.

(B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the chairperson shall file the report, subject to subparagraph (C) of this paragraph.

(C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee. A report so approved shall be signed by the chairperson of the committee and filed with the Secretary of the Senate.

(D) In the absence of an approved report, the chairperson may file with the Secretary of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

(7) Abolishment. The committee shall stand abolished on December 1, 2018.

*SR 1067:

The Senate Committee on Rules offered the following substitute to SR 1067:

A RESOLUTION

Creating the Senate Study Committee on the Financial Impact of Atlanta Annexation on Schools; and for other purposes.

WHEREAS, the City of Atlanta recently annexed property into its corporate limits that includes Emory University and some surrounding areas; and

WHEREAS, the City of Atlanta has its own independent school system which expanded its coverage as a result of the annexation; and

WHEREAS, the expansion of the City of Atlanta schools into DeKalb County has had a significant impact on revenues for the DeKalb County school system; and

WHEREAS, there is a need for a study to better understand the economic impact of this annexation on the DeKalb County school system and the Atlanta Independent School System and to see if there are possible avenues to ameliorate such impact.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE:

(1) **Creation of Senate study committee.** There is created the Senate Study Committee on the Financial Impact of Atlanta Annexation on Schools.

(2) **Members and officers.** The committee shall be composed of the members of the Senate who represent, in whole or in part, the City of Atlanta or, in whole or in part, DeKalb County. The chairperson of the City of Atlanta delegation in the Senate and the chairperson of the DeKalb County delegation in the Senate shall serve as co-chairpersons of the committee.

(3) **Powers and duties.** The committee shall undertake a study of the conditions, needs, issues, and problems mentioned above or related thereto and recommend any action or legislation which the committee deems necessary or appropriate.

(4) **Meetings.** The co-chairpersons shall call all meetings of the committee. The committee may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this resolution.

(5) **Allowances and funding.**

(A) The legislative members of the committee shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

(B) The allowances authorized by this resolution shall not be received by any member of the committee for more than seven days unless additional days are authorized. Funds necessary to carry out the provisions of this resolution shall come from funds appropriated to the Senate.

(6) **Report.**

(A) In the event the committee adopts any specific findings or recommendations that include suggestions for proposed legislation, the co-chairpersons shall file a report of the same prior to the date of abolishment specified in this resolution, subject to subparagraph (C) of this paragraph.

(B) In the event the committee adopts a report that does not include suggestions for proposed legislation, the co-chairpersons shall file the report, subject to subparagraph (C) of this paragraph.

(C) No report shall be filed unless the same has been approved prior to the date of abolishment specified in this resolution by majority vote of a quorum of the committee. A report so approved shall be signed by the co-chairpersons of the

committee and filed with the Secretary of the Senate.

(D) In the absence of an approved report, the co-chairpersons may file with the Secretary of the Senate a copy of the minutes of the meetings of the committee in lieu thereof.

(7) **Abolishment.** The committee shall stand abolished on December 1, 2018.

On the adoption of the substitutes, there was no objection, and the committee substitutes were adopted.

The reports of the committees, which were favorable to the adoption of the legislation as reported, were agreed to.

On the adoption of the legislation on the Senate Consent Calendar for Study Committees, there was no objection and the resolutions were adopted.

The following legislation, favorably reported by the committees, as listed on the Consent Calendar Expressing the Will of the Senate, was put upon its adoption:

CONSENT CALENDAR EXPRESSING THE WILL OF THE SENATE
TUESDAY, MARCH 27, 2018
THIRTY-NINTH LEGISLATIVE DAY

- | | |
|--------|--|
| SR 351 | Grady Memorial Hospital; commend (RULES-48th) |
| SR 593 | U.S Congress; public facilities shall be required to provide adult changing stations; urged to establish a policy (Substitute)(RULES-34th) |
| SR 629 | People's Republic of China; recommend certain measures be taken regarding actions against Falun Gong practitioners (RULES-53rd) |
| SR 732 | Nation of Israel; commend (RULES-40th) |
| SR 752 | U.S. Congress; repeal the Johnson Amendment to the Internal Revenue Code; encourage (FIN-16th) |
| SR 778 | US Congress; National Park Service; reliable, predictable stream of resources to address deferred maintenance needs; create (NR&E-51st) |
| SR 865 | State of Georgia Council on Respiratory Health Promotion; support creation (H&HS-40th) |
| SR 940 | President of the United States; infrastructure plan; support (RULES-25th) |

SR 967 Wynn, Taos and Perfect Love Foundation; recognize; Unify Georgia Day; recognize March 8, 2018 (RULES-35th)

Senator Henson of the 41st objected to SR 752, which was on the Consent Calendar, and asked that it be voted on separately.

There was no objection, and SR 752 was removed from the Consent Calendar Expressing the Will of the Senate.

The substitute to the following resolution was put upon its adoption:

*SR 593:

The Senate Committee on Rules offered the following substitute to SR 593:

A RESOLUTION

Urging the United States Congress to establish a policy whereby public facilities shall be required to consider adult changing stations; and for other purposes.

WHEREAS, the federal Americans with Disabilities Act of 1990 and existing federal regulations and standards require that specified buildings, structures, and facilities be accessible to and usable by persons with disabilities; and

WHEREAS, existing laws, among others, require that certain public facilities provide seating or accommodations for physically disabled persons in a variety of locations within the facility; and

WHEREAS, it is not always possible for a disabled person or elderly person in need of a diaper change to leave a public facility, and the only recourse for such people and their caregivers is to utilize the floor of the facility's bathroom for such diaper changes; and

WHEREAS, airports across the nation have started assisting travelers by installing adult changing tables for the use of disabled individuals, the elderly, and their caregivers; and

WHEREAS, the Georgia State Senate supports the accommodation of adult changing stations for disabled and elderly individuals and their caregivers in public facilities as good policy.

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that this body urges the United States Congress to enact legislation in the 115th Congress establishing the requirement and regulations under the federal Americans with Disabilities Act of 1990 that public facilities should consider adult changing stations.

BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed to make an appropriate copy of this resolution available for distribution to each member of the Georgia congressional delegation.

On the adoption of the substitute, there was no objection, and the committee substitute was adopted.

The reports of the committees, which were favorable to the adoption of the legislation as reported, were agreed to.

On the adoption of the legislation on the Consent Calendar Expressing the Will of the Senate, there was no objection and the resolutions were adopted.

Senator Ginn of the 47th was excused for business outside the Senate Chamber.

The following legislation, having been removed from the Consent Calendar Expressing the Will of the Senate was continued upon its adoption:

SR 752. By Senators Harbin of the 16th, Ligon, Jr. of the 3rd, Stone of the 23rd, Williams of the 27th, Albers of the 56th and others:

A RESOLUTION encouraging the United States Congress to repeal the Johnson Amendment to the Internal Revenue Code; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Black	N Jones, E	N Sims
Y Brass	Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	N Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
E Ginn	N Lucas	N Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker

N Harbison	N Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the adoption of the resolution, the yeas were 31, nays 19.

SR 752, having received the requisite constitutional majority, was adopted.

The following communication was received by the Secretary:

3/27/2018

Due to business outside the Senate Chamber, I missed the vote on SR 752. Had I been present, I would have voted "No".

/s/ Gail Davenport
District 44

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Tuesday March 27, 2018
Thirty-ninth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 709 Anderson of the 43rd
 Strickland of the 17th
STATE COURT OF ROCKDALE COUNTY

A BILL to be entitled an Act to amend an Act creating the State Court of Rockdale County, approved April 2, 1987 (Ga. L. 1987, p. 5452), as amended, particularly by an Act approved May 18, 2007 (Ga. L. 2007, p. 3837), so as to provide an additional judge for said court; to provide for the election of such additional judge of said court; to revise inaccurate references; to provide effective dates; to repeal conflicting laws; and for other purposes.

SUBSTITUTE

HB 869

Jordan of the 6th
Beach of the 21st
Brass of the 28th
Kirkpatrick of the 32nd
James of the 35th
Orrock of the 36th
Tate of the 38th
Williams of the 39th
Millar of the 40th
Shafer of the 48th
Albers of the 56th
FULTON COUNTY

A BILL to be entitled an Act to repeal the amendment to the Constitution of Georgia creating within Fulton County the Fulton County Industrial District and prohibiting the governing authority of Fulton County from levying any tax for educational purposes within the boundaries of an independent school system; to provide for a referendum with respect to the effectiveness of the foregoing; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 1041

Strickland of the 17th
CITY OF MCDONOUGH

A BILL to be entitled an Act to amend an Act incorporating the City of McDonough, approved April 16, 1981 (Ga. L. 1981, p. 3387), as amended, particularly by an Act approved April 12, 2012 (Ga. L. 2012, p. 5452), so as to revise the corporate boundaries of the municipality; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1045

Jones of the 25th
PUTNAM COUNTY

A BILL to be entitled an Act to authorize Putnam County, Georgia, to exercise all redevelopment and other powers under Article IX, Section II, Paragraph VII(b) of the Georgia Constitution and Chapter 44 of Title 36 of the O.C.G.A., the "Redevelopment Powers Law," as amended; to provide for a referendum; to provide for effective dates; to provide for automatic repeal under certain circumstances; to repeal conflicting laws; and for other purposes.

HB 1046

Harper of the 7th
CITY OF FITZGERALD

A BILL to be entitled an Act to authorize the governing authority of the City of Fitzgerald to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1052

Payne of the 54th
WHITFIELD COUNTY

A BILL to be entitled an Act to amend an Act creating the board of commissioners of Whitfield County, approved February 21, 1964 (Ga. L. 1964, p. 2175), as amended, so as to provide for the election of certain members of the board of commissioners by district; to provide for related matters; to provide for a referendum; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 1054

Tippins of the 37th
CITY OF ACWORTH

A BILL to be entitled an Act to amend an Act entitled "An Act to reincorporate and provide a new charter for the City of Acworth," approved February 17, 1989 (Ga. L. 1989, p. 3512), as amended, so as to adopt by reference a certain map; to repeal conflicting laws; and for other purposes.

HB 1057

Burke of the 11th
CITY OF PELHAM

A BILL to be entitled an Act to authorize the governing authority of the City of Pelham to levy an excise tax pursuant to subsection (b) of Code Section 48-13-51 of the O.C.G.A.; to provide procedures, conditions, and limitations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1058

Burke of the 11th
BOARD OF EDUCATION OF MILLER COUNTY

A BILL to be entitled an Act to amend an Act changing the method of selecting the members of the Board of Education of Miller County, approved March 21, 1968 (Ga. L. 1968, p. 2529), as

amended, particularly by an Act approved March 20, 2000 (Ga. L. 2000, p. 3534), so as to revise the districts for the election of members of the board of education; to provide for definitions and inclusions; to provide for method of election; to provide for the continuation in office of current members; to repeal and reserve certain provisions; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

HB 1059 Payne of the 54th
MURRAY COUNTY

A BILL to be entitled an Act to abolish the office of elected county surveyor of Murray County; to provide for the appointment of a county surveyor by the governing authority of the county; to provide that the person currently serving as elected county surveyor shall serve out the remainder of his or her term; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1062 Harper of the 7th
CITY OF DOUGLAS

A BILL to be entitled an Act to amend an Act providing a new charter for the City of Douglas, approved March 10, 1993 (Ga. L. 1993, p. 4022), as amended, particularly by an Act approved March 27, 1998 (Ga. L. 1998, p. 3855), so as to stagger the terms of the members of the governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

The substitute to the following bill was put upon its adoption:

*HB 709:

The Senate Committee on State and Local Governmental Operations offered the following substitute to HB 709:

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating the State Court of Rockdale County, approved April 2, 1987 (Ga. L. 1987, p. 5452), as amended, particularly by an Act approved May 18, 2007 (Ga. L. 2007, p. 3837), so as to provide an additional judge for such court; to provide for the appointment of such additional judge of such court; to provide for the election of successors; to revise inaccurate references; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the State Court of Rockdale County, approved April 2, 1987 (Ga. L. 1987, p. 5452), as amended, particularly by an Act approved May 18, 2007 (Ga. L. 2007, p. 3837), is amended by revising subsections (b) and (c) of Section 3 as follows:

"(b) In all criminal cases, each judge of such court shall be the judge of both questions of fact and of law unless the person subject to be tried shall, before pleading to the charge against him or her, or the state shall demand a jury trial. There shall be no trial by jury in such court unless demanded by the person charged or by the state. Upon either such timely demand being made, such person shall be tried by a jury as is hereinafter provided.

(c) In all civil cases, each judge shall be the judge of all questions of fact and law unless either party to such proceeding shall, before the time expires for filing defensive pleadings, file a written demand for a jury trial. Upon such demand being timely filed, the case shall be tried by a jury as hereinafter provided unless such demand for trial by jury is withdrawn before the call of the case for trial. When a demand for trial by jury is filed, the same shall not be withdrawn without the consent of the opposite party."

SECTION 2.

Said Act is further amended by revising subsection (b) of Section 10 as follows:

"(b) For the trial of any case in the Superior Court of Rockdale County or the State Court of Rockdale County requiring the use of jurors, a jury pool is created. Jurors may be selected as prescribed by law by either the judges of the Superior Court of Rockdale County or the judges of the State Court of Rockdale County to appear to be sworn and serve as jurors before either court. When both the superior court and state court are in session on the same date, either court may use as jurors persons who are summoned to appear to serve as jurors by virtue of the authority of either court."

SECTION 3.

Said Act is further amended by revising Section 11 as follows:

Section 11. (a) There shall be a chief judge, who shall be the judge of the State Court of Rockdale County serving at the time of the effective date of this act and an additional associate judge of such court who each shall be elected by the qualified voters of Rockdale County, Georgia, as provided by Chapter 7 of Title 15 of the O.C.G.A.; provided, however, that the initial associate judge shall be appointed by the Governor for a term beginning January 1, 2019, and continuing through December 31, 2020, and until his or her successor is elected and qualified. The successor to such initial associate judge shall be elected in the manner provided by law for the election of judges of the state courts of this state at the nonpartisan judicial election in 2020, for a term of four years beginning on January 1, 2021, and until his or her successor is elected and qualified. The judge of such court in office on the effective date of this Act shall continue to serve the remainder of the term of office to which he or she was elected and

until his or her successor is elected and qualified. Future successors to such judges shall be elected at the nonpartisan general election conducted immediately prior to the expiration of the term of office. Such successors shall take office on the first day of January following their election and shall serve for a term of office of four years and until their respective successors are duly elected and qualified.

(b) Each judge of said court shall have such qualifications and shall be subject to such restrictions and discipline as provided in Chapter 7 of Title 15 of the O.C.G.A. Each judge of such court shall be vested with all the power and authority of judges of the superior courts as to all matters, except as are exclusively conferred upon the judges of the superior courts by the Constitution and laws of this state.

(c) The state court judges of Rockdale County shall each receive an annual salary equal to 92.5 percent of the annual salary of a superior court judge in Rockdale County. For purposes of this section, the annual salary of a superior court judge in Rockdale County shall be the annual sum of that salary paid from state funds and any local supplement paid by Rockdale County.

(1) The annual salary of each state court judge as calculated in accordance with this subsection shall be payable in equal monthly installments from the funds of Rockdale County.

(2) Each state court judge shall be authorized to participate in the Group Retirement Program, the Group Hospitalization Benefit Program, and any similar or related plan or program on the same basis as other officers and employees of Rockdale County if he or she meets the normal eligibility requirements of the plans or programs."

SECTION 4.

Said Act is further amended by revising Section 15 as follows:

"Section 15. Either judge of the State Court of Rockdale County may appoint an official stenographer for said court who shall report such cases as the court may require. Any such appointed stenographer shall receive the same fees as allowed for similar services in the superior court, which shall be taxed and enforced as in the superior court."

SECTION 5.

For the purpose of appointing the initial associate judge under this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval. For all other purposes, this Act shall become effective on January 1, 2019.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there was no objection, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bills as reported, was agreed to.

On the passage of the bills on the Local Consent Calendar, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
E Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local bills, the yeas were 48, nays 1.

The bills on the Local Consent Calendar, except HB 709, having received the requisite constitutional majority, were passed.

HB 709, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/27/2018

Due to business outside the Senate Chamber, I missed the vote on the Local Consent Calendar. Had I been present, I would have voted "Yes".

/s/ Gail Davenport
District 44

Senator Cowsert of the 46th moved to engross HR 238, HB 332, HB 697, HB 59, HB 327, HB 871, HB 973, HB 929, HB 658, and HB 357, which were on today's Senate Rules Calendar.

Senator Henson of the 41st objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 37, nays 15; the motion prevailed, and HR 238, HB 332, HB 697, HB 59, HB 327, HB 871, HB 973, HB 929, HB 658, and HB 357, were engrossed.

The following communication was received by the Secretary:

3/27/2018

Due to business outside the Senate Chamber, I missed the vote on the Engrossed Bills, Group 1. Had I been present, I would have voted "No".

/s/ Gail Davenport
District 44

Senator Cowsert of the 46th moved to engross HB 61, HB 811, HB 749, HB 723, HB 849, HB 664, HB 827, HB 195, HB 729, HB 999, and HB 657, which were on today's Senate Rules Calendar.

Senator Henson of the 41st objected.

On the motion a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
Y Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 34, nays 18; the motion prevailed, and HB 61, HB 811, HB 749, HB 723, HB 849, HB 664, HB 827, HB 195, HB 729, HB 999, and HB 657, were engrossed.

The following communication was received by the Secretary:

3/27/2018

Due to business outside the Senate Chamber, I missed the vote on the Engrossed Bills, Group 2. Had I been present, I would have voted "No".

/s/ Gail Davenport
District 44

SENATE RULES CALENDAR
TUESDAY, MARCH 27, 2018
THIRTY-NINTH LEGISLATIVE DAY

- HB 815 Special license plates; Georgia Masonic Charities; establish (PUB SAF-56th) Martin-49th
- HB 834 Landlord and tenant; termination of a rental or lease agreement under circumstances involving family violence; provide (Substitute) (Senate floor amendment 1)(JUDY-23rd) Ballinger-23rd
- HB 818 Insurance; health care provider shall choose the method of reimbursement by insurer; provide (I&L-53rd) Hawkins-27th
- HB 301 Income tax; certain physicians; delete deduction to create new credit; provisions (Substitute)(H&HS-45th) Lott-122nd
- HB 808 Courts; term of court in certain counties in the Waycross Circuit; change (JUDY-7th) Nimmer-178th
- HR 1103 Property; conveyance of certain state owned real property; authorize (Substitute)(SI&P-15th) Greene-151st
- HR 238 Sales and use tax; annual allocation of 75 percent of revenue from sale of outdoor recreation equipment for protection and preservation of conservation land; provide -CA (Substitute)(APPROP-51st) Watson-172nd
- HB 332 Georgia Outdoor Stewardship Act; enact (Substitute)(APPROP-51st) Watson-172nd
- HB 699 Firefighter certification; military firefighter training may be accepted as required basic training; provide (Substitute)(PUB SAF-30th) Belton-112th
- HB 697 Sales and use tax; sale or use of tangible personal property to certain nonprofit health centers; extend exemption for five additional years (FIN-8th) Taylor-173rd
- HB 190 Domestic relations; marriage articles and antenuptial agreements; change provisions (Substitute)(JUDY-19th) Hanson-80th
- HB 59 Revenue and taxation; tax credits for rehabilitation of historic structures; revise procedures, conditions, and limitations (Substitute)(FIN-40th) Stephens-164th

- HB 761 Motor vehicles; filing of certificates of title by dealers; provide (PUB SAF-53rd) Ridley-6th
- HB 714 Motor vehicles; reference date to federal regulations regarding the safe operation of motor carriers and commercial motor vehicles; update (PUB SAF-7th) Rogers-10th
- HB 703 Governor's Office of Public Safety Support; create (Substitute) (PUB SAF-56th) Hitchens-161st
- HB 809 Motor vehicles; Georgia State Patrol motor vehicles for traffic law enforcement may be a solid color; provide (PUB SAF-7th) Hitchens-161st
- HB 787 Education; certain provisions relative to charter schools; revise (Substitute) (ED&Y-40th) Hilton-95th
- HB 189 Contract Cancellation Act; enact (Substitute)(SLGO(G)-54th) Nelson-125th
- HB 992 Health; use of automated external defibrillators; eliminate certain requirements (Substitute)(PUB SAF-50th) Lott-122nd
- HB 327 Alternative ad valorem tax; motor vehicles; change manner for determining fair market value (Substitute)(FIN-56th) Blackmon-146th
- HR 993 Business court; state-wide jurisdiction; create -CA (Substitute) (JUDY-17th) Efstoration-104th
- HB 185 Probate court; associate judges; change provisions (Substitute)(JUDY-23rd) Coomer-14th
- HB 871 Sales and use tax; 50 percent of the sales price of manufactured homes; create exemption (Substitute)(FIN-28th) LaRiccia-169th
- HB 938 Insurance; limited credit insurance agency license; provide (I&L-25th) Taylor-173rd
- HB 973 Ethics in government; lobbyists shall acknowledge and agree to abide by sexual harassment policy of General Assembly; provisions (Substitute) (ETHICS-29th) Jones-47th
- HB 929 Water and sewer projects and costs tax (MOST); additional renewals of tax; allow (FIN-53rd) Efstoration-104th

- HB 357 Georgia Uniform Certificate of Title for Vessels Act; enact (Substitute) (FIN-56th) Stephens-164th
- HB 713 Postsecondary education; HOPE and Zell Miller eligibility requirements relative to students who graduated from an ineligible high school; provide (Substitute)(H ED-16th) Chandler-105th
- HR 444 Willie Thomas Murray Memorial Bridge; Lincoln County; dedicate (Substitute)(TRANS-21st) McCall-33rd
- HB 538 Fulton County; Board of Education; pension and retirement pay to teachers and employees; create system (RET-56th) Willard-51st
- HB 647 Community Health, Department of; pilot program to provide coverage for treatment and management of obesity; provide (Substitute)(H&HS-1st) Dempsey-13th
- HB 635 Disabled Adults and Elder Persons Protection Act; at-risk adult protection investigative/coordinating teams; provide establishment (H&HS-45th) Cooper-43rd
- HB 657 Firearms; providing to person on probation as a felony first offender; make unlawful (Substitute)(JUDY-1st) Petrea-166th
- HB 803 Crimes and offenses; trafficking a disabled adult, elder person, or resident; prohibit (H&HS-32nd) Willard-51st
- HB 757 Local government; regulatory powers of cities and counties with certificate of public necessity and convenience; provisions (Substitute)(RI&U-49th) Powell-32nd
- HB 887 Georgia Communications Services Tax Act; enact (Substitute)(RI&U-51st) Powell-171st
- HB 161 Drug related objects; employees of harm reduction organizations are not subject to certain offenses; provide (Substitute)(H&HS-45th) Price-48th
- HB 61 Sales and use tax; certain retailers to either collect and remit or notify purchaser and state; require (Substitute)(FIN-52nd) Powell-171st
- HB 811 Revenue, Department of; authorized to share tax information that assists in the identification of noncompliant taxpayers; provide (FIN-52nd) Powell-171st

- HB 717 Motor vehicles; applicability of certain consumer protection laws to autonomous vehicles; provide (TRANS-51st) Kelley-16th
- HB 749 Income tax; retirement income is applicable as a retirement benefit from noncivilian service in the United States armed forces; clarify an exemption (FIN-56th) Blackmon-146th
- HB 982 Courts; relative searches conducted by DFCS; change provisions (Substitute) (H&HS-19th) Nimmer-178th
- HB 673 Motor vehicles; prohibit actions which distract a driver while operating a motor vehicle; provisions (Substitute)(JUDY-9th) Carson-46th
- HB 999 Weapons; carry license; inpatient hospitalization; provisions (JUDY-17th) Coomer-14th
- HB 785 Solid waste management; certain definitions; modify and enact (Substitute) (NR&E-7th) Nix-69th
- HB 867 Georgia Peace Officer Standards and Training Council; quorum for transaction of business; revise (PUB SAF-7th) Hitchens-161st
- HB 795 Labor, Department of; authorize Commissioner of Labor to perform certain functions; provisions (I&L-9th) Gravley-67th
- HB 605 Hidden Predator Act of 2018; enact (Substitute)(JUDY-13th) Spencer-180th
- HB 890 Crimes and offenses; make it unlawful to use an emergency exit after having shoplifted (JUDY-23rd) Fleming-121st
- HB 723 Sales and use tax; certain veterinary diagnostic and disease monitoring services; create exemption (FIN-50th) Watson-172nd
- HB 849 Income tax; reporting of federal partnership adjustments; provisions (FIN-52nd) Peake-141st
- HB 791 State government; limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstance; provide (Substitute)(JUDY-17th) Efstoration-104th
- HB 214 Crimes and offenses; consistent punishment for the unlawful manufacture, sale or distribution of a proof of insurance document; provide (Substitute) (I&L-14th) Golick-40th

- HB 783 Administrative procedure; provisions creating inactive boards, panels, authorities and other such bodies; repeal (Substitute)(GvtO-56th) Caldwell-20th
- HB 743 Jeremy Nelson and Nick Blakely Sudden Cardiac Arrest Prevention Act; enact (ED&Y-21st) Clark-98th
- SR 539 Richards, Jon; recognize (RULES-45th)
- SR 1058 US Congress; halt the transfer of current and former military personnel's health care costs from federal government to the states; urge (I&L-43rd)
- HR 943 Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; create (RULES-49th) Morris-26th
- HB 636 Genetic Counselors Act; enact (RI&U-47th) Silcox-52nd
- HB 664 Income tax; deduction from income for contributions to savings trust accounts; revise (FIN-56th) Teasley-37th
- HB 840 Revenue and taxation; penalties and interest in the event of military service in a combat zone; provide exemption (VM&HS-32nd) Hitchens-161st
- HB 118 Fantasy Contests Act; enact (Substitute)(RI&U-45th) Kelley-16th
- HB 951 Education; establish Center for Rural Prosperity and Innovation; provisions (ED&T-19th) Shaw-176th
- HB 253 Special license plates; dog and cat reproductive sterilization support program; increase the proportion of moneys derived from the sale (PUB SAF-40th) Willard-51st
- HB 827 Income tax; increase value of rural hospital organization tax credit to 100 percent; provisions (Substitute)(FIN-56th) Kelley-16th
- HB 195 Taxation; certain for profit corporations to participate in the indirect ownership of a home for the mentally disabled for primarily financing purposes; allow (Substitute)(FIN-36th) Harrell-106th
- HB 624 Georgia Legislative Retirement System; define certain terms; change certain provisions (RET-8th) Battles-15th

- HB 789 Labor and industrial relations; marketplace contractors to be treated as independent contractors under state and local laws; provisions (Substitute) (I&L-14th) Fleming-121st
- HB 668 Guardian and ward; petitions for appointment of a guardian under certain circumstances; provisions (JUDY-29th) Price-48th
- HB 775 Professions and businesses; real estate management companies; provisions (RI&U-47th) Powell-32nd
- HB 853 Quality Basic Education Act; children placed in psychiatric residential treatment facilities may not be charged tuition; provide (Substitute) (ED&Y-28th) Dempsey-13th
- HB 879 Water resources; notice to local governing authorities prior to the dewatering of coal combustion residual surface impoundments; provide (NR&E-25th) Jones-167th
- HB 729 Ad valorem tax; property; repeal certain provisions (Substitute)(FIN-56th) Harrell-106th
- HB 978 Motor vehicles; automated traffic enforcement safety devices in school zones; provisions (Substitute)(PUB SAF-21st) Nimmer-178th
- HB 972 Human Services, Department of; Division of Family and Children Services to offer extended care youth services under certain circumstances; allow (Substitute)(H&HS-32nd) Willard-51st
- HB 64 Protection and Guarantee of Service for Health Insurance Consumers Act; enact (Substitute)(I&L-9th) Blackmon-146th
- HB 917 Crimes and offenses; restitution; update terminology and change provisions (JUDY-19th) Dollar-45th
- HB 956 Georgia Veterinary Practice Act; enact (Substitute)(AG&CA-8th) Pirkle-155th
- HR 898 Joint Study Committee on the Establishment of a State Accreditation Process; create (ED&Y-37th) Coleman-97th

Respectfully submitted,

/s/ Mullis of the 53rd, Chairman
Senate Rules Committee

The following legislation was read the third time and put upon its passage:

HB 815. By Representatives Martin of the 49th, Willard of the 51st, Coleman of the 97th, England of the 116th and Stephens of the 164th:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to benefit Georgia Masonic Charities; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 815, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3/27/2018

Due to business outside the Senate Chamber, I missed the vote on HB 815. Had I been present, I would have voted "yes".

/s/ Gail Davenport
District 44

HB 834. By Representatives Ballinger of the 23rd, Beskin of the 54th, Blackmon of the 146th, Hilton of the 95th, Corbett of the 174th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions concerning landlord and tenant, so as to provide for the termination of a rental or lease agreement for residential real estate under circumstances involving family violence; to provide for definitions; to provide for notice and terms of termination; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Stone of the 23rd.

The Senate Committee on Judiciary offered the following substitute to HB 834:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 19-13-3 and Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to filing of petition seeking relief from family violence, granting of temporary relief ex parte, hearing, dismissal of petition upon failure to hold hearing, and procedural advice for victims, and landlord and tenant, respectively, so as to clarify matters concerning the effect of a temporary ex parte order and the length of time it is effective; to provide for the termination of a residential rental agreement under circumstances involving family violence; to provide for definitions; to provide for notice and terms of termination; to provide for applicability; to revise the procedures between the landlord and tenant for the listing of damages before and after a tenancy; to clarify provisions relating to the return of a security deposit and actions related thereto; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 19-13-3 of the Official Code of Georgia Annotated, relating to filing of petition seeking relief from family violence, granting of temporary relief ex parte, hearing, dismissal of petition upon failure to hold hearing, and procedural advice for

victims, is amended by revising subsections (b) and (c) as follows:

"(b) Upon the filing of a verified petition in which the petitioner alleges with specific facts that probable cause exists to establish that family violence has occurred in the past and may occur in the future, the court may order such temporary relief ex parte as it deems necessary to protect the petitioner or a minor of the household from violence. If the court issues an ex parte order, a copy of the order shall be immediately furnished to the petitioner and such order shall remain in effect until the court issues an order dismissing such order or a hearing as set forth in subsection (c) of this Code section occurs, whichever occurs first.

(c) Within ten days of the filing of the petition under this article or as soon as practical thereafter, but ~~in no case~~ not later than ~~30~~ 45 days after the filing of the petition, a hearing shall be held at which the petitioner must prove the allegations of the petition by a preponderance of the evidence as in other civil cases. In the event a hearing cannot be scheduled within the county where the case is pending within the ~~30~~ 45 day period the same shall be scheduled and heard within any other county of that circuit. If a hearing is not held within ~~30~~ 45 days of the filing of the petition, the petition shall stand dismissed unless the parties otherwise agree."

SECTION 2.

Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to landlord and tenant, is amended in Article 1, relating to general provisions, by adding a new Code section to read as follows:

"44-7-23.

(a) As used in this Code section, the term:

(1) 'Civil family violence order' means:

(A) Any protective order issued pursuant to Article 1 of Chapter 13 of Title 19, provided that the respondent was present or had notice of the hearing that resulted in the issuance of such order; or

(B) Any ex parte temporary protective order issued pursuant to Article 1 of Chapter 13 of Title 19, provided that it is accompanied by a police report showing a basis for such order.

(2) 'Criminal family violence order' means:

(A) Any order of pretrial release issued as a result of an arrest for an act of family violence; or

(B) Any order for probation issued as a result of a conviction or plea of guilty, nolo contendere, or first offender to an act of family violence.

(3) 'Family violence' shall have the same meaning as set forth in Code Section 19-13-1.

(b) A tenant may terminate his or her residential rental or lease agreement for real estate effective 30 days after providing the landlord with a written notice of termination when a civil family violence order or criminal family violence order has been issued:

(1) Protecting such tenant or his or her minor child; or

(2) Protecting such tenant when he or she is a joint tenant, or his or her minor child,

even when such protected tenant had no obligation to pay rent to the landlord.

(c) The notice to the landlord pursuant to subsection (b) of this Code section shall be accompanied by a copy of the applicable civil family violence order or criminal family violence order and a copy of the police report if such order was an ex parte temporary protective order.

(d) Upon termination of a residential rental or lease agreement under this Code section, the tenant may occupy the real estate until the termination is effective. Such tenant shall be liable for the rent due under such agreement prorated to the effective date of the termination, payable at such time as would have otherwise been required by the terms of such agreement, and for any delinquent or unpaid rent or other sums owed to the landlord prior to the termination of such agreement. The tenant shall not be liable for any other fees, rent, or damages due to the early termination of the tenancy as provided for in this Code section. Notwithstanding any provision of law to the contrary, if a tenant terminates a residential rental or lease agreement pursuant to this Code section 14 or more days prior to occupancy, no damages or penalties of any kind will be assessable.

(e) This Code section shall apply to all residential real estate rental or lease agreements entered into on or after July 1, 2018, and to any renewals, modifications, or extensions of such agreements in effect on such date. This Code section shall not be waived or modified by the agreement of the parties under any circumstances."

SECTION 3.

Said chapter is further amended by revising Code Sections 44-7-33 through 44-7-35, relating to lists of existing defects and of damages during tenancy, right of tenant to inspect and dissent, action to recover security deposit, return of security deposit, grounds for retention of part, delivery of statement and sum due to tenant, unclaimed deposit, court determination of disposition of deposit, and remedies for landlord's noncompliance with article, respectively, as follows:

"44-7-33.

(a) Prior to tendering a security deposit, the tenant shall be presented with a comprehensive list of any existing damage to the premises, which ~~list~~ shall be for the tenant's permanent retention. The tenant shall have the right to inspect the premises to ascertain the accuracy of ~~the~~ such list prior to taking occupancy. The landlord and the tenant shall sign the list, and this shall be conclusive evidence of the accuracy of the list but shall not be conclusive as to latent defects. If the tenant refuses to sign the list, the tenant shall state specifically in writing the items on ~~the~~ such list to which he or she dissents and shall sign such statement of dissent.

(b)(1) Within three business days after the ~~date of the termination of occupancy termination of the residential lease and vacation of the premises or the surrender and acceptance of the premises, whichever occurs first~~, the landlord or his or her agent shall inspect the premises and compile a comprehensive list of any damage done to the premises which is the basis for any charge against the security deposit and the estimated dollar value of such damage. The tenant shall upon request have the right

to inspect the premises and such list within five business days after the termination of the ~~occupancy in order to ascertain the accuracy of the list.~~ residential lease and vacation of the premises or the surrender and acceptance of the premises and the inspection by the landlord or his or her agent. If the tenant is present with the landlord at the time of the inspection, ~~the~~ The landlord and the tenant shall sign the list, and this shall be conclusive evidence of the accuracy of the list. If the tenant refuses to sign the list, ~~he~~ or she shall state specifically in writing the items on the list to which he ~~or she~~ dissents and shall sign such statement of dissent. The landlord shall then comply with the provisions of Code Section 44-7-34.

(2) If the tenant ~~terminates occupancy vacates or surrenders the premises~~ without notifying the landlord, the landlord ~~may~~ shall inspect the premises and compile a comprehensive list of any damage done to the premises which is the basis for any charge against the security deposit and the estimated dollar value of such damage ~~make a final inspection~~ within a reasonable time after discovering the ~~termination of occupancy~~ premises has been surrendered by vacancy. The landlord shall sign the list and then comply with the provisions of Code Section 44-7-34.

(c) A tenant who disputes the accuracy of the final damage list ~~given~~ compiled pursuant to subsection (b) of this Code section and provided to the tenant pursuant to Code Section 44-7-34 may bring an action in any court of competent jurisdiction in this state to recover the portion of the security deposit which the tenant believes to be wrongfully withheld for damages to the premises. The tenant's claims shall be limited to those items to which the tenant specifically dissented in accordance with this Code section. If the tenant is present for the inspection of the premises after vacancy and signs the landlord's final damage list or fails to sign a list or to dissent specifically in accordance with this Code section, the tenant shall not be entitled to recover the security deposit or any other damages under Code Section 44-7-35, provided that the lists required under this Code section contain written notice of the tenant's duty to sign or to dissent to the list. A tenant who did not inspect the premises after vacancy or was not present for the landlord's inspection of the premises after vacancy and, in either case, did not request a copy of the landlord's final damage list shall have the right to dispute the damages assessed by the landlord.

44-7-34.

(a) ~~Except as otherwise provided in this article, within one month~~ Within 30 days after the ~~termination of the residential lease or the surrender and acceptance~~ obtaining possession of the premises as provided in subsection (b) of Code Section 44-7-33, whichever occurs last, a landlord shall return to the tenant the full security deposit which was deposited with the landlord by the tenant. No security deposit shall be retained to cover ordinary wear and tear which occurred as a result of the use of the premises for the purposes for which the premises were intended, provided that there was no negligence, carelessness, accident, or abuse of the premises by the tenant or members of his or her household or their invitees or guests. In the event that actual cause exists for retaining any portion of the security deposit, the landlord shall provide

the tenant with a written statement ~~listing~~ identifying the exact reasons for the retention thereof, which shall include the comprehensive list of damages prepared as required by Code Section 44-7-33, if ~~If~~ the reason for retention is based on damages to the premises, ~~such damages shall be listed as provided in Code Section 44-7-33.~~ When the such statement is delivered, it shall be accompanied by a payment of the difference between any sum deposited and the amount retained. The landlord shall be deemed to have complied with this Code section by mailing ~~the~~ such statement and any payment required to the last known address of the tenant via ~~first-class~~ first-class mail. If the letter containing the payment is returned to the landlord undelivered and if the landlord is unable to locate the tenant after reasonable effort, the payment shall become the property of the landlord 90 days after the date the payment was mailed. Nothing in this Code section shall preclude the landlord from retaining the security deposit for nonpayment of rent or of fees for late payment, for abandonment of the premises, for nonpayment of utility charges, for repair work or cleaning contracted for by the tenant with third parties, for unpaid pet fees, or for actual damages caused by the tenant's breach, provided that the landlord attempts to mitigate the actual damages.

(b) In any court action in which there is a determination that neither the landlord nor the tenant is entitled to all or a portion of a security deposit under this article, the judge or the jury, as the case may be, shall determine what would be an equitable disposition of the security deposit; and the judge shall order the security deposit paid in accordance with such disposition.

44-7-35.

(a) A landlord shall not be entitled to retain any portion of a security deposit if ~~the~~:

(1) The security deposit was not deposited in an escrow account in accordance with Code Section 44-7-31 or a surety bond was not posted in accordance with Code Section 44-7-32; and if the

(2) The initial and final damage lists list required by subsection (a) of Code Section 44-7-33 are was not made and provided presented to the tenant as required by such subsection; and

(3) The final damage list required by subsection (b) of Code Section 44-7-33 was not compiled and made available to the tenant as required by such subsection.

(b) The failure of a landlord to provide ~~each of the lists and~~ written statements within the time periods specified in Code ~~Sections 44-7-33 and Section~~ Section 44-7-34 shall work a forfeiture of all ~~his~~ the landlord's rights to withhold any portion of the security deposit or to bring an action against the tenant for damages to the premises.

(c) Any landlord who fails to return any part of a security deposit which is required to be returned to a tenant pursuant to this article shall be liable to the tenant in the amount of three times the sum improperly withheld plus reasonable attorney's fees; provided, however, that the landlord shall be liable only for the sum erroneously withheld if the landlord shows by the preponderance of the evidence that the withholding was not intentional and resulted from a bona fide error which occurred in spite of the existence of procedures reasonably designed to avoid such errors."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senators Tillery of 19th, Brass of the 28th, Parent of the 42nd, Jordan of the 6th, Ligon, Jr. of the 3rd and others offered the following amendment #1:

Amend LC 29 8046S to HB 834 by:

Striking "45" on lines 27, 30, and 32 and replacing it with "30" at the same places.

Adding after line 33:

"(d) If the Court finds a party is avoiding service to delay a hearing, the Court may delay dismissal of the petition for an additional 30 days."

On the adoption of the amendment, there were no objections, and the Tillery, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson

Y Heath
Y Henson
Y Hill

Y Mullis
Y Orrock
Y Parent

Y Williams, M
Y Williams, N

On the passage of the bill, the yeas were 54, nays 0.

HB 834, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 127. By Senators Kennedy of the 18th, Shafer of the 48th, Albers of the 56th, Black of the 8th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Code Section 17-17-15 of the Official Code of Georgia Annotated, relating to the failure to provide notice not rendering responsible person liable or comprising a basis for error, the chapter not conferring standing, existing rights not affected, and waiver of rights by victim, so as to allow a victim to file a motion in a criminal case to assert his or her rights; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 339. By Senators Ligon, Jr. of the 3rd, Shafer of the 48th, McKoon of the 29th, Tippins of the 37th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the board of regents and university system, so as to provide for the establishment of free speech policies for institutions of the university system; to provide for a cause of action and remedies; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted, by substitute, by the requisite constitutional majority the following Resolution of the Senate:

SR 146. By Senators Kennedy of the 18th, Mullis of the 53rd, Ligon, Jr. of the 3rd, Shafer of the 48th, Albers of the 56th and others:

A RESOLUTION proposing an amendment to the Constitution so as to provide for certain rights for victims who have suffered or been harmed due

to an act committed or attempted to be committed in violation of the criminal or juvenile delinquency laws of this state; to provide for the enforcement of such rights; to provide for related matters; to provide for submission of this amendment for ratification or rejection; and for other purposes.

The Calendar was resumed.

HB 818. By Representatives Hawkins of the 27th, Smith of the 134th, Newton of the 123rd, Cooper of the 43rd, Hugley of the 136th and others:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to provide that a health care provider shall choose the method by which such provider shall be reimbursed by an insurer for health care services performed; to provide for definitions; to provide disclosure requirements for insurers; to provide enforcement powers for violations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Mullis of the 53rd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

HB 818, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3-27-18

Due to business outside the Senate Chamber, I missed the vote on HB 818. Had I been present, I would have voted “yes”.

/s/ Renee Unterman
District 45

The following Senators were excused for business outside the Senate Chamber:

Martin of the 9th McKoon of the 29th

HB 301. By Representatives Lott of the 122nd, Powell of the 171st, Duncan of the 26th, Buckner of the 137th and LaRiccia of the 169th:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the O.C.G.A., relating to imposition, rate, computation, and exemptions from income taxes, so as to delete an income tax deduction for certain physicians serving as community based faculty physicians; to create a new income tax credit for taxpayers who are licensed physicians, advanced practice registered nurses, or physician assistants who provide uncompensated preceptorship training to medical students, advanced practice registered nurse students, or physician assistant students for certain periods of time; to provide for procedures, conditions, and limitations; to provide for definitions; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Unterman of the 45th.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 20, 2017

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 301 (LC 43 0555)

Dear Chairman Powell:

The bill would revise current tax exemptions for community-based faculty preceptors who offer preceptorship training. A preceptor may be a physician, advanced practice registered nurse, or a physician assistant, while preceptorship training is defined as uncompensated, community-based training of a medical student, advanced practice registered nurse student, or physician assistant student. The bill is effective July 1, 2017.

Impact on State Revenue

The University of Georgia's Carl Vinson Institute of Government (CVIOG) provided the following narrative on the revenue impact of the bill:

Section 1 of the proposed legislation would eliminate the tax deduction that physicians may take if they serve as an uncompensated, community-based faculty physician providing medical core clerkships, physician assistant core clerkships, or nurse practitioner core clerkships. The program is administered by the Area Health Education Centers (AHEC) Program Office at Augusta University. The original tax deduction was effective for taxable years beginning on or after January 1, 2014.

Section 2 of the proposed legislation would create a tax credit for preceptorship training. The proposed legislation would allow a community-based faculty preceptor an annual tax credit for each preceptorship rotation, up to ten in a single calendar year. Each preceptorship rotation must be 160 hours of training of one or more medical students, physician assistant students, or advance practice registered nurse students. The legislation defines a community-based faculty preceptor as a taxpayer who is a licensed physician, advanced practice registered nurse, or physician assistant in Georgia.

The legislation authorizes the credit to be accrued on a per preceptorship rotation basis. For supervising between one and three rotations, a physician may claim a credit

of \$500 per rotation. For additional rotations, up to 10, a physician may claim \$1,000 per rotation. For supervising between one and three rotations, an advanced practice registered nurse or a physician assistant may claim a credit of \$375 per rotation. For additional rotations up to 10, an advanced practice registered nurse or physician assistant may claim a \$750 credit per rotation. The bill provides that AHEC administer the program and certify preceptorship rotations. The preceptor must claim the credit on his or her tax form for the tax year in which he or she supervised the rotations and must submit supporting documentation to the State Revenue Commissioner. The legislation prohibits the tax credit from being applied to prior or succeeding years. To be eligible for the tax credit, the preceptor may not be compensated by any other training program.

AHEC provided information that it certified \$883,000 in eligible tax deductions for the second half of the 2014 calendar year; \$1,513,000 in 2015; and \$1,969,000 in 2016. (AHEC assumed a 1.5% growth rate in eligible rotations for the tax deduction over the ensuing years.) Using the highest marginal state income tax rate of 6% and applying tax credit years to fiscal years, the estimated additional revenue from elimination of the tax deduction is presented in Table 1.

For the implications of the new tax credit in the proposed legislation, AHEC assumes that for tax year 2017, there will be 1,633 eligible medical student rotations, 1,050 eligible physician assistant student rotations, and 2,100 advance practice registered nurse student rotations. AHEC assumes a 1.5% yearly growth rate in the number of eligible rotations for each category. Based on AHEC data on the number of physicians who supervised clerkships to qualify for the existing tax deduction, a similar split was assumed in the number of rotations each specialty would supervise for the medical preceptorship, thus earning the proposed tax credit.

The estimated lost income tax revenue from creation of the tax credit is presented in Table 2, and the net effect from elimination of the tax deduction and creation of the tax credit is presented in Table 3.

The effective date of the bill is July 1, 2017, therefore, the first impact to state revenue would be in FY2018.

Table 1: State Revenue Gained from Elimination of Tax Deduction

<u>FY2018</u>	<u>FY2019</u>	<u>FY2020</u>	<u>FY2021</u>	<u>FY2022</u>	<u>TOTAL</u>
\$121,711	\$123,536	\$125,389	\$127,270	\$129,179	\$627,086

Table 2: State Revenue Lost from Creation of Tax Credit

<u>FY2018</u>	<u>FY2019</u>	<u>FY2020</u>	<u>FY2021</u>	<u>FY2022</u>	<u>TOTAL</u>
(\$2,872,139)	(\$2,915,221)	(\$2,958,950)	(\$3,003,334)	(\$3,048,384)	(\$14,798,029)

Table 3: Net Reduction to State Revenue

<u>FY2018</u>	<u>FY2019</u>	<u>FY2020</u>	<u>FY2021</u>	<u>FY2022</u>	<u>TOTAL</u>
(\$2,750,429)	(\$2,791,685)	(\$2,833,560)	(\$2,876,064)	(\$2,919,205)	(\$14,170,942)

Impact to State Agency Costs

DOR estimated additional one-time costs of approximately \$51,000 to implement the changes required by the bill. The agency estimated \$40,000 to modify its IT systems and nearly \$11,000 for training and form updates.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

The Senate Committee on Health and Human Services offered the following substitute to HB 301:

**A BILL TO BE ENTITLED
AN ACT**

To amend Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, so as to transfer the Georgia Board of Nursing from the jurisdiction of the Secretary of State to the Department of Community Health for administrative purposes only; to provide for definitions; to provide for the powers and duties of the board; to authorize the board to appoint an executive director; to provide for the powers and duties of such executive director; to revise certain provisions related to the division director; to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from income taxes, so as to delete an income tax deduction for certain physicians serving as community based faculty physicians; to create a new income tax credit for taxpayers who are licensed physicians, advanced practice registered nurses, or physician assistants and who provide uncompensated preceptorship training to medical students, advanced practice registered nurse students, or physician assistant students for certain periods of time; to provide for procedures, conditions, and limitations; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**PART I
SECTION 1-1.**

Chapter 26 of Title 43 of the Official Code of Georgia Annotated, relating to nurses, is amended in Code Section 43-26-3, relating to definitions relative to the "Georgia

Registered Professional Nurse Practice Act," by adding a new paragraph to read as follows:

"(3.1) 'Executive director' means the executive director appointed by the board pursuant to Code Section 43-26-4.1."

SECTION 1-2.

Said chapter is further amended by adding a new Code section to read as follows:

"43-26-4.1.

(a) The board shall not be under the jurisdiction of the Secretary of State but shall be an independent state agency assigned to the Department of Community Health for administrative purposes only, as provided in Code Section 50-4-3, except that such department shall prepare and submit the budget for the board. The board shall have, with respect to all matters within the jurisdiction of the board as provided under this chapter, the powers, duties, and functions of professional licensing boards as provided in Chapter 1 of this title.

(b) The board shall appoint and fix the compensation of an executive director of such board who shall serve at the pleasure of the board. The executive director shall have those duties and powers prescribed by the board and any power, duty, and function granted to the division director with respect to professional licensing boards under Chapter 1 of this title but shall not be subject to any approval or other powers exercised by the Secretary of State.

(c) Meetings and hearings of the board shall be held at the site of the office of the board or at such other site as may be specified by the president of the board. A majority of the members of the board shall constitute a quorum for the transaction of business of the board.

(d) The board, through the executive director, may hire investigators for the purpose of conducting investigations. Any person so employed, if a P.O.S.T. certified peace officer under Chapter 8 of Title 35, shall be considered to be a peace officer and shall have all powers, duties, and status of a peace officer of this state; provided, however, that such investigators shall only be authorized, upon written approval of the executive director, notwithstanding Code Sections 16-11-126 and 16-11-129, to carry firearms in the performance of their duties and exercise the powers of arrest in the performance of their duties.

(e) The venue of any action involving members of the board shall be the county in which is found the primary office of the governmental entity of which the defendant is an officer. The executive director shall not be considered a member of the board in determining the venue of any such action, and no court shall have jurisdiction of any such action solely by virtue of the executive director residing in or maintaining a residence within its jurisdiction.

(f) The board shall give point credit to veterans in the same manner as required under Code Sections 43-1-9 through 43-1-13.

(g) Initial judicial review of a final decision of the board shall be held solely in the superior court of the county of domicile of the board.

(h) The executive director shall make a report no later than December 31 of each year covering the activities of the board for that calendar year, which shall be made available to any member of the General Assembly upon request.

(i) The executive director shall prepare and maintain a public roster containing the names and business addresses of all current licensees, registration holders, and permit holders for each of the various registrants regulated by the board. A copy of the roster shall be available to any person upon request at a fee prescribed by the board sufficient to cover the cost of printing and distribution. The following shall be treated as confidential, not subject to Article 4 of Chapter 18 of Title 50, relating to inspection of public records, and shall not be disclosed without the approval of the board:

(1) Applications and other personal information submitted by applicants, except to the applicant, the staff, and the board;

(2) Information, favorable or unfavorable, submitted by a reference source concerning an applicant, except to the staff and the board;

(3) Examination questions and other examination materials, except to the staff and the board; and

(4) The deliberations of the board with respect to an application, an examination, a complaint, an investigation, or a disciplinary proceeding, except as may be contained in official board minutes; provided, however, that such deliberations may be released to a law enforcement agency or prosecuting attorney of this state or to another state or federal enforcement agency or lawful licensing authority. Releasing the documents pursuant to this paragraph shall not subject any otherwise privileged documents to the provisions of Code Section 50-18-70.

(j) The executive director, with the approval of the board, notwithstanding any other provisions of law to the contrary, shall enter into such contracts as are deemed necessary to carry out this article to provide for all services required of the board.

(k) It shall be the duty of the executive director to keep minutes and a record of all acts of the board and such other books and records as may be necessary to show the acts of the board."

SECTION 1-3.

Said chapter is further amended by revising Code Section 43-26-5, relating to general powers and responsibilities of the board, as follows:

"43-26-5.

(a) The board shall:

(1) Be responsible for the enforcement of the provisions of this chapter and shall be specifically granted all of the necessary duties, powers, and authority to carry out this responsibility;

(2) Be authorized to draft, adopt, amend, repeal, and enforce such rules as it deems necessary for the administration and enforcement of this chapter in the protection of public health, safety, and welfare;

(3) Enforce qualifications for licensure under this article or Article 2 or Article 4 of this chapter;

- (4) Develop and enforce reasonable and uniform standards for nursing education and nursing practice;
- (5) Periodically evaluate nursing education programs and approve such programs as meet the board's requirements;
- (6) Deny or withdraw approval from noncompliant nursing education programs;
- (7) License duly qualified applicants under this article or Article 2 of this chapter by examination, endorsement, or reinstatement;
- (8) Be authorized to issue temporary permits;
- (9) Renew licenses of registered professional nurses, licensed undergraduate nurses, and licensed practical nurses in accordance with this article or Article 2 of this chapter;
- (10) Be authorized to set standards for competency of licensees under this article or Article 2 of this chapter continuing in or returning to practice;
- (11) Set standards for and regulate advanced nursing practice;
- (12) Be authorized to enact rules and regulations for registered professional nurses in their performing acts under a nurse protocol as authorized in Code Section 43-34-23 and enact rules and regulations for advanced practice registered nurses in performing acts as authorized in Code Section 43-34-25;
- (13) Implement the disciplinary process;
- (14) Be authorized to issue orders when a license under this article or Article 2 of this chapter is surrendered to the board while a complaint, investigation, or disciplinary action against such license is pending;
- (15) Issue a limited license to practice nursing or licensed practical nursing subject to such terms and conditions as the board may impose;
- (16) Provide consultation and conduct conferences, forums, studies, and research on nursing education and nursing practice;
- ~~(17) Approve the selection of a qualified person to serve as executive director;~~
- ~~(18)~~(17) Be authorized to appoint standing or ad hoc committees as necessary to inform and make recommendations to the board about issues and concerns and to facilitate communication amongst the board, licensees under this article or Article 2 of this chapter, and the community;
- ~~(19)~~(18) Maintain membership in the national organization which develops and regulates the nursing licensing examination and the practical nursing licensing examination;
- ~~(20)~~(19) Be authorized to collect data regarding existing nursing and licensed practical nursing resources in Georgia and coordinate planning for nursing education and nursing practice;
- ~~(21)~~(20) Determine fees;
- ~~(22)~~(21) Adopt a seal which shall be in the care of the executive director and shall be affixed only in such a manner as prescribed by the board;
- ~~(23)~~(22) Be authorized to enforce all investigative and disciplinary orders issued by the former Georgia Board of Examiners of Licensed Practical Nurses;
- ~~(24)~~(23) Issue and renew multistate licenses pursuant to Article 4 of this chapter; and

~~(25)~~(24) Take any action with respect to a multistate license issued by this state pursuant to Article 4 of this chapter and with respect to the privilege to practice in this state under a multistate license issued by another party state pursuant to the compact in Code Section 43-26-61 in the same manner as is authorized with respect to a license issued pursuant to this article or Article 2 of this chapter.

(b) The board shall be the sole professional licensing board for determining if a registered professional nurse, licensed practical nurse, or any other person has engaged illegally in the practice of nursing. If a registered professional nurse or licensed practical nurse is charged with the unauthorized practice of any other health profession by any other board, such board shall notify the Georgia Board of Nursing before conducting any hearing. Nothing contained in this chapter shall be construed to limit any powers of any other board.

~~(c) Chapter 1 of this title is expressly adopted and incorporated by reference into this chapter as if all the provisions of such chapter were included in this chapter."~~

SECTION 1-4.

Said chapter is further amended in Code Section 43-26-39, relating to renewal of license, continuing competency requirements, voluntary surrender, application for reinstatement, and temporary permit, by revising subsection (a) as follows:

"(a) Licenses issued under this article shall be renewed biennially prior to the expiration of the license according to schedules and fees decided by the board ~~and approved by the division director.~~"

SECTION 1-5.

Said chapter is further amended in Code Section 43-26-40, relating to refusal to grant license, revocation of license, and disciplining of licensees, by revising the introductory language of subsection (a) as follows:

"(a) In addition to the ~~authority granted~~ grounds included in Code Section 43-1-19, the board shall have the authority to refuse to grant a license to an applicant, to revoke the license of a licensee, or to discipline a licensee upon a finding by the board that the applicant or licensee has:"

PART II

SECTION 2-1.

Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from income taxes, is amended by deleting paragraph (13.2) of subsection (a) of Code Section 48-7-27, relating to computation of taxable net income.

SECTION 2-2.

Said article is further amended by adding a new Code section to read as follows:

"48-7-29.21.

(a) As used in this Code section, the term:

(1) 'Advanced practice registered nurse student' means an individual participating in a training program in this state that is approved by the Georgia Board of Nursing for the training of individuals to become advanced practice registered nurses as defined in paragraph (1.1) of Code Section 43-26-3.

(2) 'Community based faculty preceptor' means a taxpayer who is a physician as defined in paragraph (2) of Code Section 43-34-21, an advanced practice registered nurse as defined in paragraph (1.1) of Code Section 43-26-3, or a physician assistant as defined in paragraph (7) of Code Section 43-34-102.

(3) 'Medical student' means an individual participating in his or her third or fourth year of a program in this state that is approved by the Georgia Composite Medical Board for the training of doctors of medicine or doctors of osteopathic medicine.

(4) 'Physician assistant student' means an individual participating in a training program in this state that is approved by the Georgia Composite Medical Board for the training of individuals to become physician assistants as defined in paragraph (7) of Code Section 43-34-102.

(5) 'Preceptorship rotation' means a period of preceptorship training of one or more medical students, physician assistant students, or advanced practice registered nurse students that in aggregate totals 160 hours.

(6) 'Preceptorship training' means uncompensated community based training of a medical student, advanced practice registered nurse student, or physician assistant student in Georgia.

(b)(1) A community based faculty preceptor shall be allowed a credit against the tax imposed by Code Section 48-7-20 when he or she conducts a preceptorship rotation.

(2) Such credit shall be accrued on a per preceptorship rotation basis in the amount of \$500.00 for the first, second, or third preceptorship rotation and \$1,000.00 for the fourth, fifth, sixth, seventh, eighth, ninth, or tenth preceptorship rotation completed in one calendar year by a community based faculty preceptor who is a physician as defined in paragraph (2) of Code Section 43-34-21 and \$375.00 for the first, second, or third preceptorship rotation and \$750.00 for the fourth, fifth, sixth, seventh, eighth, ninth, or tenth preceptorship rotation completed in one calendar year by a community based faculty preceptor who is an advanced practice registered nurse as defined in paragraph (1.1) of Code Section 43-26-3 or a physician assistant as defined in paragraph (7) of Code Section 43-34-102.

(3) A person shall not accrue credit for more than ten preceptorship rotations in one calendar year.

(c) The state-wide Area Health Education Centers Program Office at Augusta University shall administer the program and certify preceptorship rotations for the department.

(d) To receive the credit allowed by this Code section, a community based faculty preceptor shall claim such credit on his or her return for the tax year in which he or she completed the preceptorship rotation and shall submit supporting documentation as prescribed by the commissioner.

(e) In no event shall the total amount of the tax credit under this Code section for a

taxable year exceed the taxpayer's income tax liability. No such tax credit shall be allowed the taxpayer against prior or succeeding years' tax liability.

(f) The commissioner shall be authorized to promulgate any rules and regulations necessary to implement and administer the provisions of this Code section."

PART III
SECTION 3-1.

This Act shall become effective on July 1, 2018, and Part II of this Act shall be applicable to all taxable years beginning on or after January 1, 2018.

SECTION 3-2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Hufstetler of the 52nd, Albers of the 56th and Cowsert of the 46th offered the following amendment #1:

Amend the Senate committee substitute to HB 301 (LC 37 2668S) by deleting line 14 and inserting in lieu thereof the following:

related matters; to provide for automatic repeal; to provide for an effective date and applicability; to repeal conflicting laws;

By deleting the quotation marks at the end of line 226 and inserting between lines 226 and 227 the following:

(g) This Code section shall be automatically repealed on December 31, 2023."

On the adoption of the amendment, there were no objections, and the Hufstetler, et al. amendment #1 to the committee substitute was adopted.

Senator Unterman of the 45th offered the following amendment #2:

Amend the Senate Committee on Health and Human Services substitute to HB 301 (LC 37 2668S) by deleting line 182 and inserting in lieu thereof the following:

training program in this state that is accredited by a nationally recognized accrediting body for advanced practice registered nursing programs

By inserting after "rotation" on line 220 the following:

; shall certify that he or she did not receive payment during such tax year from any source for the training of a medical student, advanced practice registered nurse student, or physician assistant student;

By inserting between lines 224 and 225 the following:

(f)(1) On August 1, 2019, and annually thereafter, the commissioner shall issue a

report to the Governor, the chairperson of the Senate Finance Committee, and the chairperson of the House Committee on Ways and Means concerning the tax credit created by this Code section.

(2) Such report shall include, for the prior calendar year, the:

(A) Number of community based faculty preceptors claiming a credit;

(B) Total number of preceptorship rotations completed;

(C) Number of medical students, advanced practice registered nurse students, and physician assistant students who participated in a preceptorship rotation; and

(D) Total amount of credits awarded pursuant to this Code section.

By replacing lines 225 and 226 with the following:

(g) The commissioner shall be authorized to promulgate any rules and regulations necessary to implement and administer the provisions of this Code section."

On the adoption of the amendment, there were no objections, and the Unterman amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 3.

HB 301, having received the requisite constitutional majority, was passed by substitute.

HB 808. By Representatives Nimmer of the 178th, Corbett of the 174th, LaRiccia of the 169th, Shaw of the 176th and Spencer of the 180th:

A BILL to be entitled an Act to amend Code Section 15-6-3 of the Official Code of Georgia Annotated, relating to the terms of superior courts, so as to change the term of court in Bacon, Brantley, Charlton, Coffee, Pierce, and Ware counties in the Waycross Circuit; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

Senate McKoon of the 29th offered the following amendment #1:

Amend HB 808 (LC 44 0653) by replacing lines 25 through 26 with the following:

Code Section 15-11-684 of the Official Code of Georgia Annotated, relating to the conduct of a hearing for the petition of an unemancipated minor seeking a waiver of the parental notification requirement for an abortion and appeal, is amended by revising subsection (c) as follows:

"(c) The requirements of subparagraph (a)(1)(A), (a)(1)(B), or (a)(1)(C) of Code Section 15-11-682 shall be waived if the court finds by clear and convincing evidence either:

- (1) That the unemancipated minor is mature enough and well enough informed to make the abortion decision in consultation with her physician, independently of the wishes of such minor's parent or guardian; or
- (2) That the notice to a parent or, if the unemancipated minor is subject to guardianship, the legal guardian pursuant to Code Section 15-11-682 would not be in the best interests of such minor."

Senator Thompson of the 5th requested a ruling of the Chair as to the germaneness of the amendment.

The President Pro Tempore ruled the amendment not germane.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 0.

HB 808, having received the requisite constitutional majority, was passed.

HR 1103. By Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Lumsden of the 12th and Ealum of the 153rd:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Baldwin County, Bryan County, Chatham County, Dougherty County, Fulton County, Hall County, and Putnam County; authorizing the ground lease of certain state owned real property located in Cherokee County, Fulton County, and Muscogee County; authorizing the conveyance of certain state owned real property located in Rabun County; authorizing the conveyance of certain state owned real property located in Rockdale County; authorizing the conveyance of certain state owned real property located in White County; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harbison of the 15th.

The Senate Committee on State Institutions and Property offered the following substitute to HR 1103:

A RESOLUTION

Authorizing the conveyance of certain state owned real property located in Baldwin County; authorizing the conveyance of certain state owned real property located in Bryan

County; authorizing the conveyance of certain state owned real property located in Chatham County; authorizing the ground lease of certain state owned real property located in Cherokee County; authorizing the conveyance of certain state owned real property located in Dougherty County; authorizing the conveyance of certain state owned real property located in Fulton County; authorizing the ground lease of certain state owned real property located in Fulton County; authorizing the conveyance of certain state owned real property located in Hall County; authorizing the conveyance of certain state owned real property located in Jackson County, Georgia; authorizing the ground lease of certain state owned real property located in Muscogee County; authorizing the conveyance of certain state owned real property located in Putnam County; authorizing the conveyance of certain state owned real property located in Rabun County; authorizing the conveyance of certain state owned real property located in Rockdale County; authorizing the conveyance of certain state owned real property located in White County; to provide an effective date; to repeal conflicting laws; and for other purposes.

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of real property located in Baldwin County; and
- (2) Said real property is a 0.468 of an acre portion of all of that improved parcel or tract being approximately 7.29 acres lying and being in Land Lot 264 of the 1st Land District of Baldwin County, Georgia, as shown on a plat of survey entitled Proposed Armory Site for Military Department of GA dated February 28, 1953 prepared by James D. Teague, Jr., Georgia Registered Land Surveyor #535, and on file in the offices of the State Properties Commission, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and
- (3) Said real property is under the custody of the Georgia Department of Defense and is a portion of property utilized as the Milledgeville Readiness Center; and
- (4) By letter dated May 22, 2017, the Georgia Department of Transportation requested acquiring the approximately 0.468 of an acre of said real property for the purpose of widening S.R. 49 for total consideration of a rounded \$63,500.00, of which the total consideration comprises \$35,219.00 allocated to the value of the property being acquired in fee, \$4,550.00 in paving and curbing site improvements, and \$23,537.00 allocated to cost to cure; and
- (5) By letter from the Adjutant General dated October 31, 2017, the Georgia Department of Defense requested to convey the approximately 0.468 of an acre of surplus real property to the Georgia Department of Transportation; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of improved real property located in Bryan County; and
- (2) Said real property is all of that improved parcel or tract being approximately 1 acre lying and being in the 19th G.M. District of Bryan County, and acquired on

October 1, 1957 for a consideration of \$1.00 from Bryan County and recorded at Deed Book 3-H, Pages 535-536 and Plat Book C, Page 137 of the Superior Court of Bryan County and in the State Properties Commission inventory as Real Property Record 000132, and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(3) Said real property is under the custody of the Georgia Forestry Commission and was used as its Bryan County Unit; and

(4) By Resolution dated December 12, 2017, the Georgia Forestry Commission resolved to surplus the approximately 1 acre of improved real property to its current and future needs; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of improved real property located in Chatham County; and

(2) Said real property is a 0.048 of an acre portion of all of that improved parcel or tract being approximately 10.32 acres lying and being in the 8th G.M. District of Chatham County, and acquired on June 23, 2009 for a consideration of \$10.00 from the Georgia Building Authority and recorded at Deed Book 354Q, Pages 720-724 and in the State Properties Commission inventory as Real Property Record 010652 and identified on a plat of survey entitled Plat of Lot 2C, Dogwood Tract, known as State Farmer's Market, Eighth G.M. District, Chatham County, Georgia, as prepared by Thomas & Hutton Engineering Company, more particularly by Wright C. Powers, Georgia Registered Land Surveyor No. 933, in the State Properties Commission inventory as Real Property Record 005501, and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(3) Said real property is under the custody of the Georgia Department of Agriculture and is used as the Savannah Farmer's Market; and

(4) By letter dated November 21, 2017, the Georgia Department of Transportation requested acquiring approximately 0.048 of an acre of said real property for the purpose of widening S.R. 25, S.R. 26 and S.R. 204 for total consideration of a rounded \$8,700, of which the total comprises \$8,160.00 allocated to the value of the property being acquired in fee and \$462.00 in paving site improvements; and

(5) By commissioner's letter dated January 23, 2018, the Georgia Department of Agriculture requested to convey the approximately 0.048 of an acre of surplus real property to the Georgia Department of Transportation; and

WHEREAS:

(1) The State of Georgia is the owner of real property located in Cherokee County; and

(2) Said real property is all of that parcel or tract of approximately 5 acres at 1260 Univeter Road located in Cherokee County in Land Lots 163 and 164 of the 15th

District, 2nd Section, described in that boundary survey for Cherokee County, prepared by Michael C. Martin, Georgia Registered Land Surveyor No. 2149, of Martin Land Surveying, P.C., dated January 3, 2018, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(3) Said property is in the custody of the Department of Human Services and is needed to accommodate the growing needs of the Division of Family and Children Services and Division of Child Support Services within Cherokee County; and

(4) Said property is expected to be the subject of a request for proposals to be advertised in Fiscal Year 2019 to design, construct and develop a building for use by the Division of Family and Children Services and the Division of Child Support Services;

(5) Said property is expected to be ground leased by the State, acting by and through its State Properties Commission, to the successful proposer for a term not to exceed 25 years; and

(6) Said property along with any constructed improvements will inure entirely to the State when the ground lease terminates; and

(7) The Department of Human Services resolved to support a ground lease of said property by the State of Georgia to the successful proposer; and

WHEREAS:

(1) The State of Georgia is the owner of improved real property located in Dougherty County; and

(2) Said real property is all of that improved parcel or tract being approximately 4.5 acres lying and being in Land Lot 331 of the 1st Land District of Dougherty County, which was acquired by various deeds from the City of Albany all each for consideration of \$1.00 and recorded at Deed Book 1480, Pages 287-290, Deed Book 1475, Pages 30-33, Deed Book 540, Pages 450-452, Deed Book 262, Page 7, Deed Book 264, Page 244, Deed Book 128, Page 448, Deed Book 72, Page 283, and Deed Book 169, Pages 590-591 of the Superior Court of Dougherty County and in the State Properties Commission inventory as Real Property Records 00479, 00480.01, 00480.02, 008730, 06059, 01556.01, 01556.02; and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(3) Said real property is under the custody of the Georgia Department of Defense as the Albany Armory; and

(4) By letter dated January 11, 2018, Dougherty County requested acquisition of said real property and agreed to retire any outstanding General Obligation bonds owing for this property; and

(5) By official action, the Georgia Department of Defense requested to surplus the approximately 4.5 acres of improved real property to its current and future needs; and

WHEREAS:

- (1) The State of Georgia is the owner of a certain parcel of improved real property located in Dougherty County; and
- (2) Said real property is a 0.64 of an acre portion of all of those parcels or tracts totaling approximately 24.5 acres lying and being in the City of Albany in the Land Lot 361 of the 1st Land District of Dougherty County, of which approximately 23.36 acres was acquired on February 6, 1990 for a consideration of \$1.00 from Dougherty County Board of Education and recorded at Deed Book 1040, Pages 106-107 and Plat Book I, Page B-90 of the Superior Court of Dougherty County and in the State Properties Commission inventory as Real Property Record 007914.01; and approximately 1.14 acres was acquired on November 14, 2013 for a consideration of \$1.00 from Albany Tech Foundation, Inc. and recorded at Deed Book 4081, Pages 264-266 and Plat Book 1D, Page 73 of the Superior Court of Dougherty County and in the State Properties Commission inventory as Real Property Record 011334; and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and
- (3) Said real property is under the custody of the Technical College System of Georgia and is used as a portion of the Albany Technical College campus; and
- (4) By Commissioner's letter dated December 13, 2017, and by Board Approval dated September 7, 2006, the Technical College System of Georgia requested to convey the approximately 0.64 of an acre said real property to the City of Albany in exchange for approximately 1.78 acres of real property; and

WHEREAS:

- (1) The State of Georgia is the owner of improved real property located in Fulton County; and
- (2) Said real property is an approximately 8-acre portion of that improved parcel or tract, being a portion of the Georgia World Congress Center campus, lying and being in Land Lot 83 of the 14th District of Fulton County, which was acquired by various deeds which are recorded in the Superior Court of Fulton County, and are recorded in the State Properties Commission inventory as Real Property Records 07639, 07664, 07673, 07674, 07680, 07681, 07682, 07683, 07685, 07687, 07688, 07697, 07741, 07746, 07756, 07757, 07776, 07844, 07894, 07895, 07922, 07923, 08039, and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and
- (3) The above-described real property comprises a portion of the Georgia World Congress Center campus which is in the custody of the Department of Economic Development and managed by the Geo. L. Smith II Georgia World Congress Center Authority ("the Authority") through that certain management agreement dated April 8, 1974, as subsequently amended; and
- (4) By official action, the Department of Economic Development desires the state to

convey the property to the Authority for consideration of \$10.00; and

WHEREAS:

- (1) The State of Georgia is the owner of improved real property located in Fulton County; and
- (2) Said real property is all of that parcel or tract of approximately 1.22 acres adjacent to 2490 Marietta Road, NW in the city of Atlanta, lying and being in the County of Fulton in Land Lot 243, 17th Land District and acquired as a portion of the Western and Atlantic Railroad, as described on that Western and Atlantic Railroad Valuation Map V221-1/V301-1 certified March 25, 1986, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and
- (3) Said property is in the custody of the State Properties Commission and is a non-railroad-operations portion of said Western and Atlantic Railroad; and
- (4) Said property has been ground leased since 1966 by Sonoco Products Company, and said ground lease was assigned to Metro Green Recycling; and
- (5) Said ground lease expires December 31, 2019; and
- (6) The State Properties Commission seeks authorization to ground lease said property to Metro Green, LLC, and John D. Stephens for 20 years commencing on January 1, 2020, for an initial annual rent of \$7,628.70, to be increased annually at a compounded rate of 2.5%; and

WHEREAS:

- (1) The State of Georgia is the owner of real property interests located in Fulton County; and
- (2) As depicted on a map on file with the State Properties Commission, said real property interests lie within that area that is bounded by (and including all areas up to and including) the northwesterly right of way of Centennial Olympic Park Drive (its outside boundary), the southwesterly right of way of Marietta Street (its inside boundary), the southeasterly right of way of Forsyth Street (its outside boundary), the southwesterly right of way of Alabama Street (its outside boundary), the southeasterly right of way of the Ted Turner Drive (its outside boundary), and the southwesterly right of way of Mitchell Street (its outside boundary) located in Fulton County; and
- (3) Said real property interests include approximately 15 acres of air rights and approximately 5 acres in fee simple; and
- (4) Said portions of real property interests are under the custody of the State Properties Commission and custody of the Department of Economic Development and managed by the Geo. L. Smith II Georgia World Congress Center Authority ("the Authority") through that certain management agreement dated April 8, 1974, as subsequently amended; and
- (5) The above described real property interests specifically exclude the State's fee simple ownership of any and all parcels associated with the Western and Atlantic Railroad measuring approximately 66 feet in width and 23 feet in height as improved

with railroad tracks, appurtenances, depots, sheds, buildings, bridges, sidings, spurs, and wye as described in the amended lease dated January 1, 1986 by and between the State of Georgia and CSXT, Inc. on file in the State Properties Commission and inventoried as Real Property Record 07352; and

(6) With regard to the above described real property interests, the State is desirous of declaring said property interests surplus to its current and future needs and is seeking authorization to convey said property interests for the consideration of fair market value and for such other considerations as determined by the State Properties Commission to be in the best interests of the State of Georgia; and

WHEREAS:

(1) The State of Georgia is the owner of improved real property located in Hall County; and

(2) Said real property is an approximate 13.36-acre portion of all of that improved parcel or tract being approximately 87.37 acres lying and being in the 411th G.M. district of Hall County, which was acquired for the consideration of \$6,552,750.00 from Gainesville Howard Road, LLC dated January 5, 2016 and is recorded in Deed Book 7650, pages 695-704, and Plat Book 871, Page 240 of the Superior Court of Hall County, and in the State Properties Commission inventory as Real Property Record 011792, and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(3) Said real property is under the custody of the Technical College System of Georgia and is a portion of the Hall County Campus of Lanier Technical College; and

(4) By Commissioner's letter dated January 4, 2018, the Technical College System of Georgia declared the approximately 13.36 acres of improved real property surplus to its current and future needs, and requested the authorization to convey the property to the City of Gainesville for the consideration of \$10.00 for a right-of-way dedication for use as a public road; and

WHEREAS:

(1) The State of Georgia is the owner of a certain parcel of improved real property located in Jackson County; and

(2) Said real property is all of that improved parcel or tract of approximately 13.806 acres described as the Department of Correction's I.W. Davis Probation Detention Center lying and being in 257th G.M.D., Jackson County and acquired on March 4, 1988 for a consideration of \$10.00 from the Jackson County, Georgia, which is recorded at Deed Book 10-C, Page 412-418 of the Superior Court of Jackson County and in the State Properties Commission inventory as Real Property Record #007530, and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(3) Said real property is under the custody of the Department of Corrections; and

(4) By official action, the Board of Corrections declared the approximately 13.806 acres of improved real property surplus to its current and future needs, and resolved to surplus the above-described property; and

WHEREAS:

(1) The State of Georgia is the owner of improved real property located in Muscogee County; and

(2) Said real property is a portion of all of that parcel or tract of approximately 2.664 acres lying and being in Land Lot 73, 9th District Columbus, Muscogee County, Georgia and more particularly described in that Quitclaim Deed from Columbus, Georgia to the State of Georgia of approximately 2.664 acres dated January 28, 1984 and inventoried in the State Properties Commission inventory as Real Property Record 07181, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(3) Said property is in the custody of the Georgia Department of Corrections and is more specifically known as Building 4 having a street address of 7149 Manor Road and is a part of Rutledge State Prison; and

(4) Whereas the Georgia Department of Corrections entered into a memorandum of understanding in 2010 with the Muscogee County sheriff for the use of Building 4 as an employee training facility; and

(5) On April 18, 2017, the Muscogee County sheriff requested a long term lease for its continued use of Building 4; and

(6) The Board of Corrections resolved to seek legislation for a five-year lease with one five-year renewal for the consideration of the sheriff's department being responsible for all utilities, maintenance and repair of the building and the Georgia Department of Corrections being responsible for capital maintenance and repairs; and

WHEREAS:

(1) The State of Georgia is the owner of improved real property located in Muscogee County; and

(2) Said real property is all of that parcel or tract of approximately 20,812 square feet lying and being in Land Lot 59, 9th District, Muscogee County and more particularly described in that Fee Deed Without Warranty from the Muscogee County School District to the State of Georgia of approximately 4.18 acres dated February 27, 1989, and inventoried in the State Properties Commission inventory as Real Property Record 007781, and may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(3) Said property is in the custody of the Technical College System of Georgia and is used as the QuickStart Building CTC Training Center at Columbus Technical College; and

(4) The State Board of the Technical College System of Georgia at its April 10, 2017,

meeting resolved to seek legislation for a three-year lease with one five-year renewal to United Technologies Corporation, Pratt & Whitney Division (Pratt & Whitney) for the consideration of Pratt & Whitney's investment of approximately \$2 million in improvements and equipment to the QuickStart facility which it will leave at the end of the lease term for the benefit of the school; and

WHEREAS:

- (1) The State of Georgia is the owner of real property located in Putnam County; and
- (2) Said real property is all of that improved parcel or tract being approximately 0.157 of an acre lying and being in the 311th G.M. District of Putnam County and acquired on October 6, 1980 for the consideration of \$1.00 from Jane Dunn, which is recorded at Deed Book 5-J, Pages 131-132, and Plat Book 10, Page 84, of the Superior Court of Putnam County and in the State Properties Commission inventory as Real Property Record 006804, and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and
- (3) Said real property is under the custody of the Georgia Forestry Commission and was operated as a portion of the Putnam County Unit; and
- (4) By Resolution dated December 12, 2017, the Georgia Forestry Commission resolved to surplus the approximately 0.157 of an acre of improved real property to its current and future needs; and

WHEREAS:

- (1) The State of Georgia is the owner of improved real property located in Rabun County; and
- (2) Said real property is all of that parcel or tract consisting of approximately 0.303 of an acre lying and being in Land Lot 184 of the 13th Land District of Rabun County, and acquired on January 20, 1994 for the consideration of \$80,000.00 from Katherine G. Williams, which is recorded at Deed Book U-14, Pages 515-517, and Plat Book 34, Page 154 of the Superior Court of Rabun County and in the State Properties Commission inventory as Real Property Record 008548, and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and
- (3) Said real property is under the custody of the Georgia Department of Natural Resources and was known as the Rock House property; and
- (4) By Resolution dated December 7, 2017, the Town of Tallulah Falls resolved to acquire said property for \$10.00 for use as a town visitors center, museum and other public purposes; and
- (5) By Commissioners letter dated January 4, 2018, the Georgia Department of Natural Resources declared that the approximately 0.303 of an acre of improved real property is surplus to its current and future needs and requested the authorization to convey the property to the Town of Tallulah Falls for the consideration of \$10.00 and

the requirement that the Town of Tallulah Falls use the property solely for public purposes in perpetuity; and

WHEREAS:

- (1) The State of Georgia is the owner of real property located in Rockdale County; and
- (2) Said real property is all of that parcel or tract of approximately 405.1 acres, being a portion of Black Shoals Park, located in Land Lots 281, 282, and 294 of the 4th Land District of Rockdale County; and
- (3) Said real property was acquired from J.J. Crawford via deeds dated August 26, 1975 which are recorded in Deed Book 152 Pages 29-35 for the consideration of \$10.00, and from James L. Cooper via indenture dated June 18, 1968 and recorded in Deed Book 74 pages 39-42, of the Superior Court of Rockdale County, and in the State Properties Commission inventory as Real Property Records 006120 and 003823, respectively; and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and
- (4) Said real property is under the custody of the Georgia Department of Natural Resources, but is leased to Rockdale County under a 50-year ground lease beginning on March 9, 1999 and which is in the State Properties Commission inventory as Real Property Record 009201; and
- (5) By Resolution dated October 10, 2017, Rockdale County resolved to acquire said property for \$10.00 for the continued operation of the property for recreational and other public purposes; and
- (6) By Resolution dated December 6, 2017, the Georgia Department of Natural Resources resolved that the approximately 405.1 acres of real property is surplus to its current and future needs and requested the authorization to convey the property to Rockdale County, Georgia for the consideration of \$10.00 and the requirement that Rockdale County use the property solely for public purposes in perpetuity; and

WHEREAS:

- (1) The State of Georgia is the owner of real property located in White County; and
- (2) Said real property is all of that parcel or tract of approximately 1,029 acres known as the Former Camp Wilderness/Outdoor Therapeutic Center located in Land Lots 129, 130, 157, 158, 159, 160, and 162 of the 3rd Land District of White County; and
- (3) Said real property was acquired via a deed dated June 13, 1968 from Capital Management Company which is recorded in Deed Book 3-E Pages 348-349 for the consideration of \$88,587.00; a deed dated June 28, 1968 from O. W. Turner and Clyde Turner which is recorded in Deed Book 3-E Pages 409-410 for the consideration of \$41,924.00; and a deed dated June 28, 1968 from Grady Young which is recorded in Deed Book 3-E Pages 406-408 for the consideration of \$10,981.00; said deeds being recorded in the Superior Court of White County, and in the State Properties Commission inventory as Real Property Records 003924, 003922,

and 003921, respectively; and said property may be more particularly described on a plat of survey prepared by a Georgia Registered Land Surveyor and presented to the State Properties Commission for approval; and

(4) Said real property is under the custody of the Georgia Department of Natural Resources; and

(5) Said real property is the subject of an intergovernmental agreement between the Georgia Department of Natural Resources and White County for use as county office space, storage, training, and a fire station until January 22, 2063; and

(6) By letter dated January 23, 2018, White County resolved to acquire said property for \$10.00 for the continued operation of the property for public purposes; and

(7) By Commissioners letter dated January 4, 2018, the Georgia Department of Natural Resources declared that the approximately 1,029 of an acre of improved real property is surplus to its current and future needs and requested the authorization to convey the property to White County for the consideration of \$10.00 and the requirement that White County use the property solely for public purposes in perpetuity; and

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I
SECTION 1.

The State of Georgia is the owner of the above-described property located in Baldwin County, containing approximately 0.468 of an acre, and that in all matters relating to the conveyance of said real property the State of Georgia is acting by and through its State Properties Commission.

SECTION 2.

That the State of Georgia, acting by and through the State Properties Commission, is authorized to convey to the Georgia Department of Transportation the above-described Property for a total consideration of a rounded \$63,500.00, to include \$35,219.00 allocated to the property being acquired, \$4,550.00 in paving and curbing site improvements, and \$23,537.00 allocated to cost to cure and for such further terms and conditions as determined by the State Properties Commission to be in the best interest of the State of Georgia.

SECTION 3.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 4.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 5.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of Baldwin County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 6.

That custody of the above-described real property shall remain in the custody of the Georgia Department of Defense until the property is conveyed.

ARTICLE II**SECTION 7.**

That the State of Georgia is the owner of the above-described real property located in Bryan County, containing approximately 1 acre, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 8.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, by competitive bid for fair market value; or to a local government or State entity for fair market value; or to a local government or state entity for a consideration of \$10.00 so long as the property is used for public purpose in perpetuity; and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 9.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 10.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 11.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of Bryan County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 12.

That custody of the above-described real property shall remain in the custody of the Georgia Forestry Commission until the property is conveyed.

ARTICLE III
SECTION 13.

That the State of Georgia is the owner of the above-described real property located in Chatham County, containing approximately 0.048 of an acre, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 14.

That the State of Georgia, acting by and through the State Properties Commission, is authorized to convey to the Georgia Department of Transportation the above-described Property for a total consideration of a rounded \$8,700.00, of which the total comprises \$8,160.00 allocated to the property being acquired and \$462.00 in paving site improvements and for such further terms and conditions as determined by the State Properties Commission to be in the best interest of the State of Georgia.

SECTION 15.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 16.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 17.

That the deed(s) and plat(s) shall be recorded by the grantee in the Superior Court of Chatham County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 18.

That custody of the above-described real property shall remain in the custody of the Georgia Department of Agriculture until the property is conveyed.

ARTICLE IV
SECTION 19.

That the State of Georgia is the owner of the above-described real property located in Cherokee County and that in all matters relating to the ground leasing of the property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 20.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to grant a ground lease for a term not to exceed 25 years to the successful proposer.

SECTION 21.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such ground lease, including the execution of all necessary documents.

SECTION 22.

That the ground lease shall be recorded by the lessee in the Superior Court of Cherokee County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 23.

That the authorization to ground lease and use the above-described property shall expire three years after the date this resolution becomes effective.

SECTION 24.

That custody of the above-described property shall remain in the custody of the Georgia Department of Human Services during the term of the ground lease.

ARTICLE V
SECTION 25.

That the State of Georgia is the owner of the above-described real property located in Dougherty County, containing approximately 4.5 acres, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 26.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to Dougherty County, or to a local government or state entity, for a consideration of \$10.00 so long as the property is used for public purpose in perpetuity and the payment of outstanding general obligation bonds and interest, or for fair market value, and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 27.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 28.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 29.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of Dougherty County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 30.

That custody of the above-described real property shall remain in the custody of the Georgia Department of Defense until the property is conveyed.

ARTICLE VI**SECTION 31.**

That the State of Georgia is the owner of the above-described real property located in Dougherty County, containing approximately 0.64 of an acre, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 32.

That the above-described real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, for the consideration of a 1.78-acre property from the City of Albany to the State of Georgia and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 33.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance and exchange.

SECTION 34.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 35.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of Dougherty County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 36.

That custody of the above-described real property shall remain in the custody of the Technical College System of Georgia until the property is conveyed.

ARTICLE VII
SECTION 37.

That the State of Georgia is the owner of the above-described real property located in Fulton County, containing approximately 8 acres, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 38.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the Geo. L. Smith II Georgia World Congress Center Authority for \$10.00 and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 39.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 40.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 41.

That the deed(s) or plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of Fulton County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 42.

That custody of the above-described real property shall remain in the custody of the Georgia Department of Economic Development until the property is conveyed.

ARTICLE VIII
SECTION 43.

That the State of Georgia is the owner of the above-described improved real property located in Fulton County and that in all matters relating to the ground leasing of the above-described real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 44.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to ground lease the property to Metro Green, LLC, and John D. Stephens for a

term of twenty (20) years commencing on January 1, 2020, for consideration of an initial annual rent of \$7,628.70, to be increased annually at a compounded rate of 2.5%.

SECTION 45.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such ground lease, including the execution of all necessary documents.

SECTION 46.

That the ground lease shall be recorded in the Superior Court of Fulton County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 47.

That the authorization to ground lease the property shall expire three years after the date this resolution becomes effective.

SECTION 48.

That custody of the above-described property shall remain in the custody of the State Properties Commission during the term of the ground lease.

ARTICLE IX

SECTION 49.

That the State of Georgia is the owner of the above described real property interests located in Fulton County, and that in all matters relating to the conveyance of the real property interests, the State of Georgia is acting by and through its State Properties Commission.

SECTION 50.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to convey the above-described real property interests by appropriate instrument by competitive bid for fair market value; and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 51.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 52.

That the authorization in this resolution to convey the above-described real property interests shall expire three years after the date this resolution becomes effective.

SECTION 53.

That the deed of conveyance shall be recorded by the Grantee in the Superior Court of Fulton County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 54.

That custody of the above-described real property interests shall remain in the State Properties Commission until the property is conveyed.

ARTICLE X**SECTION 55.**

That the State of Georgia is the owner of the above-described real property located in Hall County, containing approximately 13.36 acres, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 56.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the City of Gainesville or to a local government or State entity for a consideration of \$10.00 so long as the property is used for public purpose in perpetuity and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 57.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 58.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 59.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of Hall County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 60.

That custody of the above-described real property shall remain in the custody of the Technical College System of Georgia until the property is conveyed.

ARTICLE XI
SECTION 61.

That the State of Georgia is the owner of the above-described improved real property located in Muscogee County and that in all matters relating to the leasing of the above-described property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 62.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to lease the above-described property to either the Muscogee County sheriff or to Columbus, Georgia, the Consolidated Government of Columbus-Muscogee County, for a term of five years, with a five-year renewal option, for consideration of that sheriff's department being responsible for all utilities, maintenance and repair of the building and the Department of Corrections remaining responsible for capital maintenance and repairs.

SECTION 63.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease, including the execution of all necessary documents.

SECTION 64.

That the lease shall be recorded in the Superior Court of Muscogee County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 65.

That the authorization to lease the property shall expire three years after the date this resolution becomes effective.

SECTION 66.

That custody of the above-described property shall remain in the custody of the Department of Corrections during the term of the lease.

ARTICLE XII
SECTION 67.

That the State of Georgia is the owner of the above described real property located in Jackson County and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 68.

That the above-described real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to Jackson

County for the consideration of \$10.00 so long as the property is used for public purpose in perpetuity; or by competitive bid for fair market value; or to a local government or State entity for fair market value; or to a local government or State entity for a consideration of \$10.00 so long as the property is used for public purpose in perpetuity; and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 69.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 70.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 71.

That the deed of conveyance shall be recorded by the Grantee in the Superior Court of Jackson County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 72.

That custody of the above-described real property shall remain in the custody of the Department of Corrections until the property is conveyed.

ARTICLE XIII

SECTION 73.

That the State of Georgia is the owner of the above-described improved real property located in Muscogee County and that in all matters relating to the leasing of the above-described real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 74.

That the State of Georgia, acting by and through its State Properties Commission, is authorized to lease the above-described improved property for a term of three years, with a five-year renewal option, to Pratt & Whitney for the consideration Pratt & Whitney's investment of approximately \$2 million in improvements and equipment to the QuickStart facility which it will leave at the end of the lease term for the benefit of the school.

SECTION 75.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such lease, including the execution of all necessary documents.

SECTION 76.

That the lease shall be recorded in the Superior Court of Muscogee County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 77.

That the authorization to lease the property shall expire three years after the date this resolution becomes effective.

SECTION 78.

That custody of the above-described property shall remain in the custody of the Technical College System of Georgia during the term of the lease.

ARTICLE XIV**SECTION 79.**

That the State of Georgia is the owner of the above-described real property located in Putnam County, containing approximately 0.157 of an acre, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 80.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, by competitive bid for fair market value; or to a local government or state entity for fair market value; or to a local government or state entity for a consideration of \$10.00 so long as the property is used for public purpose in perpetuity; and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 81.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 82.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 83.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of the Putnam County, Georgia and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 84.

That custody of the above-described real property shall remain in the custody of the Georgia Forestry Commission until the property is conveyed.

ARTICLE XV**SECTION 85.**

That the State of Georgia is the owner of the above-described real property located in Rabun County, containing approximately 0.303 of an acre, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 86.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to the Town of Tallulah Falls or to a local government or state entity for a consideration of \$10.00 so long as the property is used for public purpose in perpetuity and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 87.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 88.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 89.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of Rabun County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 90.

That custody of the above-described real property shall remain in the custody of the Georgia Department of Natural Resources until the property is conveyed.

ARTICLE XVI**SECTION 91.**

That the State of Georgia is the owner of the above-described real property located in Rockdale County, containing approximately 405.1 acres, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 92.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to Rockdale County or to a local government or state entity for a consideration of \$10.00 so long as the property is used for public purpose in perpetuity and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 93.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 94.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of Rockdale County, Georgia and a recorded copy shall be forwarded to the State Properties Commission.

SECTION 95.

That the authorization to convey the above-described property shall expire three years after the date that this resolution becomes effective.

SECTION 96.

That custody of the above-described real property shall remain in the custody of the Georgia Department of Natural Resources until the property is conveyed.

ARTICLE XVII**SECTION 97.**

That the State of Georgia is the owner of the above-described real property located in White County, containing approximately 1,029 acres, and that in all matters relating to the conveyance of the real property, the State of Georgia is acting by and through its State Properties Commission.

SECTION 98.

That the above-described improved real property may be conveyed by appropriate instrument by the State of Georgia, acting by and through its State Properties Commission, to White County or to a local government or state entity for a consideration of \$10.00 so long as the property is used for public purpose in perpetuity and other consideration and provisions as the State Properties Commission shall in its discretion determine to be in the best interest of the State of Georgia.

SECTION 99.

That the State Properties Commission is authorized and empowered to do all acts and things necessary and proper to effect such conveyance.

SECTION 100.

That the deed(s) and plat(s) of the conveyance shall be recorded by the grantee in the Superior Court of the White County, Georgia and a recorded copy shall be promptly forwarded to the State Properties Commission.

SECTION 101.

That the authorization in this resolution to convey the above-described real property shall expire three years after the date this resolution becomes effective.

SECTION 102.

That custody of the above-described property shall remain in the custody of the Georgia Department of Natural Resources.

ARTICLE XVIII**SECTION 103.**

That this resolution shall become effective as law upon its approval by the Governor or upon its becoming law without such approval.

SECTION 104.

That all laws and parts of laws in conflict with this resolution are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the adoption of the resolution by substitute, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Tillery
Y Ginn	Y Lucas	N Tippins
Y Gooch	Y Martin	Y Unterman

Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 52, nays 1.

HR 1103, having received the requisite constitutional majority, was adopted by substitute.

At 12:56 p.m. Senator Butch Miller, President Pro Tempore, announced that the Senate would stand at ease until 2:15 p.m.

At 2:17 p.m. Senator Butch Miller, President Pro Tempore, called the Senate to order.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 338. By Senators Ligon, Jr. of the 3rd, Cowser of the 46th, McKoon of the 29th, Millar of the 40th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for administrative procedure, so as to modify requirements for agency rule making; to modify legislative objections to and staying of proposed agency rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 427. By Senators Kennedy of the 18th, Stone of the 23rd, Tillery of the 19th, Cowser of the 46th, Jones II of the 22nd and others:

A BILL to be entitled an Act to amend Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, so as to change provisions relating to the court's discretion in making a final determination of support;

to change provisions relating to reliable evidence of income, voluntary unemployment, and involuntary loss of income to account for a parent's incarceration; to change provisions relating to health insurance; to change provisions relating to specific and nonspecific deviations; to change provisions relating to work related child care costs; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 461. By Senator Stone of the 23rd:

A BILL to be entitled an Act to amend Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to barbers and cosmetologists, so as to change certain provisions relating to barbering and the occupation of a cosmetologist; to provide for and change certain definitions; to provide for licensing; to add hair relaxing and straightening to the scope of practice of certain occupations licensed by the State Board of Cosmetology and Barbers; to provide for regulation of shops, salons, and schools by local governments; to change certain provisions related to instruction to be provided to licensees; to revise certain provisions related to penalties and the unlicensed practice of occupations licensed by the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

The President assumed the Chair.

Senator Brass of the 28th asked unanimous consent that Senator McKoon of the 29th be excused. The consent was granted, and Senator McKoon was excused.

The Calendar was resumed.

HR 238. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A RESOLUTION

Proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for an annual allocation of up to 0.75 percent of the revenue derived from the state sales and use tax with respect to goods and services a trust fund to be used for the protection and preservation of conservation land; to provide for sunset provisions in authorized general laws; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article III, Section IX, Paragraph VI of the Constitution is amended by adding a new subparagraph to read as follows:

"(p) The General Assembly is authorized to provide by general law that up to 0.75 percent of all moneys received by the state from the state's portion of the levy of a tax on the sale and use of goods and services, as defined by general law, in the immediately preceding fiscal year will be paid into and dedicated to the Georgia Outdoor Stewardship Trust Fund for the purpose of protecting and preserving conservation land, as more specifically provided for by general law. Any general law adopted pursuant to this Paragraph shall provide for automatic repeal not more than ten years after its effective date, provided that such repeal date may be extended for a maximum of ten additional years. The revenues dedicated pursuant to this subparagraph shall not lapse, the provisions of Article III, Section IX, Paragraph IV(c) to the contrary notwithstanding, and such revenues shall not be subject to the limitations of subparagraph (a) of this Paragraph or Article VII, Section III, Paragraph II(a)."

SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

- "() YES Without increasing the current state sales tax rate, shall the Constitution of Georgia be amended so as to create the Georgia Outdoor Stewardship Trust Fund to conserve lands that protect drinking water sources and the water quality of rivers, lakes, and streams; to protect and conserve forests, fish, wildlife habitats, and state and local parks; and to provide opportunities for our children and families to play and enjoy the outdoors, by dedicating, subject to full public disclosure, up to 0.75 percent of the existing sales tax to such purposes without increasing the current state sales tax rate?"
- () NO

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes." All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 29, 2018

Honorable Jay Powell
 Chairman, House Ways and Means
 133 Capitol
 Atlanta, Georgia 30334

SUBJECT: Revised Fiscal Note
 House Resolution 238 (LC 40 1347)

Dear Chairman Powell:

The original fiscal note for LC 40 1347, dated January 23, 2018, has been revised and replaced. The fiscal note used the definition of “outdoor recreation equipment” found in House Bill 332. This revised fiscal note uses a newer version of the bill (LC 44 0683S), which did not include “special equipment” in the definition of “outdoor recreation equipment.”

The resolution proposes an amendment to the Georgia Constitution to provide for the annual allocation of 75% of the sales and use tax revenue derived from the sales of outdoor recreation equipment to a Georgia Outdoor Stewardship Trust Fund. The purpose of the trust fund would be the protection and preservation of conservation land. This fiscal note assumes that the voter referendum is held in November 2018 and the allocation of revenue to the trust fund would begin in January 2019.

Impact on State Revenue

Georgia State University’s Fiscal Research Center (FRC) estimated that the bill would direct \$36.5 million from the general fund to the trust fund in fiscal year 2020, the first full year of the allocation (Table 1). The amount would increase to \$40.9 million by fiscal year 2023.

Table 1. Estimated State Sales Tax Revenues from Outdoor Recreation Equipment and Amounts Dedicated to Georgia Outdoor Stewardship Trust Fund

(\$ millions)	FY 2019	FY 2020	FY 2021	FY 2022	FY2023
State Revenue from Equipment Sales	\$21.9	\$48.7	\$50.9	\$53.2	\$54.5
Portion Dedicated to Trust (75% of total)	\$16.4	\$36.5	\$38.2	\$39.9	\$40.9

FRC noted that the term “outdoor recreation equipment” is not defined in current Georgia law but is included in HB 332 (LC 44 0683S), introduced in the 2017 session. For the purpose of the analysis, FRC used the bill’s definition of “all hunting equipment, auxiliary hunting equipment, fishing equipment, auxiliary fishing equipment, wildlife-watching equipment, and auxiliary wildlife-watching equipment.”

The estimates of state sales of outdoor recreation equipment are based on the “2016 National Survey of Fishing, Hunting, and Wildlife-Associated Recreation,” published by the U.S. Fish and Wildlife Service (USFWS). This report provides national estimates of consumer spending in 2016 on equipment and auxiliary equipment for the three activity categories: hunting, fishing, and wildlife-watching. National spending was shared down to Georgia based on population. Growth from 2016 levels assumes 1.9 percent real growth, as projected by the U.S. Bureau of Labor Statistics for personal consumption expenditures through 2026, plus inflation at 2 percent per annum.

Impact on State Expenditures

The Department of Revenue (DOR) does not currently obtain a breakdown of sales tax collections by specific types of items. The sales tax return form would need to be altered to allow retailers to separately identify outdoor recreation equipment. DOR officials estimated one-time costs of \$430,000 to update its IT systems, modify forms and regulations, and conduct outreach and training. It also expected to hire one additional tax examiner at an annual costs of \$44,672 (salary and benefits) to review the added requirements on the sales tax return.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

The Senate Committee on Appropriations offered the following substitute to HR 238:

A RESOLUTION

Proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for an annual allocation of up to half of the revenue derived from the state sales and use tax with respect to goods and services collected by sporting goods stores a trust fund to be used for the protection and preservation of conservation land; to provide for sunset provisions in authorized general laws; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article III, Section IX, Paragraph VI of the Constitution is amended by adding a new subparagraph to read as follows:

"(p) The General Assembly is authorized to provide by general law that up to half of all moneys received by the state from the levy of a tax on the sale and use of goods and services, as defined by general law, collected by establishments classified under the 2007 North American Industry Classification Code 451110, sporting goods stores, in the immediately preceding fiscal year will be paid into and dedicated to the Georgia Outdoor Stewardship Trust Fund for the purpose of protecting and preserving conservation land, as more specifically provided for by general law. Any general law adopted pursuant to this Paragraph shall provide for automatic repeal not more than ten years after its effective date, provided that such repeal date may be extended for a maximum of ten additional years. The revenues dedicated pursuant to this subparagraph shall not lapse, the provisions of Article III, Section IX, Paragraph IV(c) to the contrary notwithstanding, and such revenues shall not be subject to the limitations of subparagraph (a) of this Paragraph or Article VII, Section III, Paragraph II(a)."

SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

- "() YES Without increasing the current state sales tax rate, shall the Constitution of Georgia be amended so as to create the Georgia Outdoor Stewardship Trust Fund to conserve lands that protect drinking water sources and the water quality of rivers, lakes, and streams; to protect and conserve forests, fish, wildlife habitats, and state and local parks; and to provide opportunities for our children and families to play and enjoy the outdoors, by dedicating, subject to full public disclosure, up to half of the existing sales tax collected by sporting goods stores to such purposes without increasing the current state sales tax rate?"
- () NO

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes." All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the adoption of the resolution by substitute, was agreed to.

On the adoption of the resolution proposing an amendment to the Constitution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 52, nays 0.

HR 238, having received the requisite two-thirds constitutional majority, was adopted by substitute.

The following communication was received by the Secretary:

3/27/2018

Due to business outside the Senate Chamber, I missed the vote on HR 238. Had I been present, I would have voted “yes”.

/s/ Gail Davenport
District 44

HB 332. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to repeal and reenact Chapter 6A, relating to land conservation; to provide for a short title; to create the Georgia Outdoor Stewardship Trust Fund; to create funding mechanisms for the protection and preservation of conservation land and

provide for their operation; to provide for legislative intent; to provide for definitions; to establish procedural requirements for approval of project proposals; to provide for related matters; to provide an effective date; to provide for contingent repeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Gooch of the 51st.

The Senate Committee on Appropriations offered the following substitute to HB 332:

A BILL TO BE ENTITLED
AN ACT

To amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to repeal and reenact Chapter 6A, relating to land conservation; to provide for a short title; to create the Georgia Outdoor Stewardship Trust Fund; to create funding mechanisms for the protection of conservation lands and to provide for their operation; to provide for legislative intent; to provide for definitions; to establish procedural requirements for approval of project proposals; to provide for reporting requirements; to establish a board of trustees for the trust fund, with terms of office, meeting requirements, and guidelines for prioritizing project applications; to provide for the promulgation of rules and regulations; to provide for annual grants for counties eligible through Outdoor Stewardship Trust Fund land acquisitions; to provide for limits and restrictions to grants; to provide for related matters; to provide for an effective date; to provide for contingent repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, is amended by repealing Chapter 6A, relating to land conservation, and enacting a new Chapter 6A to read as follows:

"CHAPTER 6A

12-6A-1.

This chapter shall be known and may be cited as the 'Georgia Outdoor Stewardship Act.'

12-6A-2.

This chapter is enacted pursuant to Article III, Section IX, Paragraph VI(p) of the Constitution, which authorizes up to half of all moneys received by the state from the sales and use tax collected by outdoor recreation equipment establishments classified

under the 2007 North American Industry Classification Code 451110, sporting goods stores in the immediately preceding fiscal year to be dedicated to the Georgia Outdoor Stewardship Trust Fund for the purpose of funding the protection of conservation land.

12-6A-3.

The intent of this chapter is to provide stewardship for state parks, state lands, and wildlife management areas; support local parks and trails; and protect critical conservation land.

12-6A-4.

As used in this chapter, the term:

(1) 'Conservation land' means land and water, or interests therein, that are in their undeveloped, natural states or that have been developed only to the extent consistent with, or are restored to be consistent with, at least one of the following environmental values or conservation benefits:

(A) Water quality protection for wetlands, rivers, streams, or lakes;

(B) Protection of wildlife habitat;

(C) Protection of cultural sites, heritage corridors, and archeological and historic resources;

(D) Protection of land around Georgia's military installations to ensure that missions are compatible with surrounding communities and that encroachment on military installations does not impair future missions;

(E) Support of economic development through conservation projects; or

(F) Provision for recreation in the form of boating, hiking, camping, fishing, hunting, running, jogging, biking, walking, or similar outdoor activities.

(2) 'Costs of acquisition' means all direct costs of activities which are required by applicable state laws and local ordinances or policies in order to convey a conservation easement, or to obtain fee simple or other lesser interests in real property, to a holder who will ensure the permanent protection of the property as conservation land; provided, however, that such costs shall not include any costs for services provided in violation of Chapter 40 of Title 43.

(3) 'Nongovernmental entity' means a nonprofit organization primarily concerned with the protection and conservation of land and natural resources, as evidenced by its organizational documents.

(4) 'Outdoor recreation equipment establishments' means places of business classified under the 2007 North American Industry Classification Code 451110, sporting goods stores.

(5) 'Permanently protected conservation areas' means those resources:

(A) Owned by the federal government and dedicated for recreation or conservation or as a natural resource;

(B) Owned by the State of Georgia and dedicated for recreation or conservation or as a natural resource;

(C) Owned by a state or local unit of government or authority and subject to:

- (i) A conservation easement ensuring that the property will be maintained in a manner consistent with conservation land;
- (ii) Contractual arrangements ensuring that, if the protected status is discontinued on a parcel, such property will be replaced by other conservation land which at the time of such replacement is of equal or greater monetary and resource protection value; or
- (iii) A permanent restrictive covenant as provided in subsection (c) of Code Section 44-5-60; or
- (D) Owned by any person or entity and subject to a conservation easement ensuring that the property will be maintained in a manner consistent with conservation land.
- (6) 'Project proposal' means any application seeking moneys from the Georgia Outdoor Stewardship Trust Fund.

12-6A-5.

- (a) There is established the Georgia Outdoor Stewardship Trust Fund as a separate fund in the state treasury. Except as provided in subsections (c) and (d) of this Code section, the state treasurer shall credit to the trust fund 25 percent of all moneys received by the state from the sales and use tax collected by establishments classified under the 2007 North American Industry Classification Code 451110, sporting goods stores, in the immediately preceding year.
- (b) Such funds shall not lapse to the general fund. Such funds shall be used to support the protection and conservation of land and shall be used to supplement, not supplant, department resources.
- (c)(1) In the event that, in any current year, the immediately preceding year's total moneys received from the levy of a sales and use tax fall at least 1 percent below the total moneys received from the levy of the tax in the year prior to the immediately preceding year, then the amount that the state treasurer shall credit to the trust fund during the current year shall be reduced by 20 percent of the trust fund credit, which amount shall instead be paid into the state general fund.
- (2) In the event that, in a year following the year of an initial trust fund credit reduction pursuant to paragraph (1) of this subsection, the immediately preceding year's total moneys received from the levy of a sales and use tax fall at least 1 percent below the total moneys received from the levy of the tax in the year prior to the immediately preceding year, then the amount that the state treasurer shall credit to the trust fund during the current year shall be reduced by 50 percent of the trust fund credit, which amount shall instead be paid into the state general fund.
- (d) In any current year following a year for which the amount paid to the trust fund is reduced in accordance with subsection (c) of this Code section, the same percentage shall be paid into the state general fund as in the immediately preceding year unless the total moneys received from the levy of the sales and use tax in the immediately preceding year equal or exceed the total moneys received from the levy of the sales and use tax in the most recent year in which no reduction in the amount paid to the trust fund occurred pursuant to subsection (c) or (d) of this Code section.

12-6A-6.

(a) From within the Georgia Outdoor Stewardship Trust Fund, moneys shall be made available in each fiscal year for grants to any city, county, department, agency, or nongovernmental entity of this state having a project proposal which has been approved by the department. As a condition of eligibility for any such grant, a project proposal shall have as its primary purpose one of the following conservation objectives:

(1) To support state parks and trails. Funds disbursed for the purposes of this paragraph shall be used to aid in the improvement and maintenance of currently owned state parks and trails;

(2) To support local parks and trails of state and regional significance. Funds disbursed for purposes of this paragraph shall be grants to local governments to acquire and improve parks and trails within the jurisdiction and under the control of such local governments;

(3) To provide stewardship of conservation land. Funds disbursed for purposes of this paragraph shall be used for maintenance or restoration projects of the department to enhance public access, use, or safe enjoyment of permanently protected conservation land; or

(4)(A) To acquire critical areas for the provision or protection of clean water, wildlife, hunting, or fishing, for military installation buffering, or for natural resource-based outdoor recreation. Real property shall only be acquired pursuant to this chapter under the following circumstances:

(i) Where such property is, at the time of acquisition, being leased by the state as a wildlife management areas;

(ii) Where such property adjoins state wildlife management areas, state parks, or would provide better public access to such areas;

(iii) Lands identified in any wildlife action plan developed by any agency of the state;

(iv) Riparian lands so as to protect any drinking water supply; or

(v) Lands surrounding any military base or military installation.

(B) Acquisitions of real property or any interests therein pursuant to this chapter shall not be made through condemnation.

(b) From within the Georgia Outdoor Stewardship Trust Fund, moneys may also be made available in each fiscal year for loans to any city, county, or nongovernmental entity to defray the costs of conservation land or of conservation easements placed upon property that ensure its permanent protection as conservation land. Any such loan shall bear interest at a rate established by the Georgia Environmental Finance Authority.

(c) From within the Georgia Outdoor Stewardship Trust Fund, moneys shall also be made available in each fiscal year for grants as authorized by Code Section 12-6A-12.

12-6A-7.

(a) The Board of Trustees of the Georgia Outdoor Stewardship Trust Fund shall accept applications from state agencies, local governments, nonprofit and for-profit entities, private land trusts, and individuals for project proposals eligible for funding. The board

shall evaluate the proposals received in accordance with this chapter and pursuant to priorities established by the board.

(b)(1) The board, at their first meeting of each calendar year and working in conjunction with the board of the Department of Natural Resources, shall prepare and approve a proposal containing approved conservation projects and shall revise said proposal at each subsequent quarterly meeting held during the year.

(2) The board shall not approve any proposal for which the total cost at the end of the year violates the estimated revenue available under this chapter.

(c) Upon approval of each quarterly proposal by the board, the board of the Department of Natural Resources shall review and approve the proposal of the Board of Trustees of the Georgia Outdoor Stewardship Trust Fund.

(d)(1) Upon approval of each quarterly proposal by the board of the Department of Natural Resources, the proposal of the Board of Trustees of the Georgia Outdoor Stewardship Trust Fund shall be transmitted for final review and approval to the chairpersons of the appropriations subcommittees of the House of Representatives and Senate maintaining oversight authority over the Department of Natural Resources and the Georgia Environmental Finance Authority.

(2) Each year's initial proposal shall be submitted by January 31 to the chairpersons of the appropriations subcommittees of the House of Representatives and Senate maintaining oversight authority over the Department of Natural Resources and the Georgia Environmental Finance Authority.

(3) Proposals submitted to such subcommittees outside of a session of the General Assembly shall be reviewed at a public meeting called at the discretion of the chairpersons of the appropriations subcommittees of the House of Representatives and Senate maintaining oversight authority over the Department of Natural Resources and the Georgia Environmental Finance Authority.

(4) Should projects included in a proposal be subject to time constraints for completion as determined by the Board of Trustees of the Georgia Outdoor Stewardship Trust Fund, such board shall immediately provide written notice of same to the chairpersons of the appropriations subcommittees of the House of Representatives and Senate maintaining oversight authority over the Department of Natural Resources and the Georgia Environmental Finance Authority.

(e) Upon approval of a proposal of the Board of Trustees of the Georgia Outdoor Stewardship Trust Fund by the appropriations subcommittees of the House of Representatives and Senate maintaining oversight authority over the Department of Natural Resources and the Georgia Environmental Finance Authority, the proposal and projects included therein shall be deemed approved.

(f) Such approved project shall become eligible for funding consistent with this chapter. The Georgia Environmental Finance Authority shall be responsible for the disbursement of funds following project approval.

12-6A-8.

The department may, by agreement with a city, county, or nongovernmental entity,

accept and administer property acquired by such city, county, or nongovernmental entity pursuant to this chapter or may make such other agreements for the ownership and operation of the property as are outlined in Code Sections 12-3-32 and 27-1-6.

12-6A-9.

Following the close of each state fiscal year, the department shall submit an annual report of its activities for the preceding year pursuant to this chapter to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the chairperson of the Ways and Means Committee of the House of Representatives, the chairperson of the Senate Finance Committee, the chairpersons of the Appropriations Committee of the House of Representatives and the Appropriations Committee of the Senate, and the chairpersons of the Natural Resources and Environment Committee of the House of Representatives and the Natural Resources and the Environment Committee of the Senate, and make such report available to the General Assembly.

12-6A-10.

(a) There is hereby established the Board of Trustees of the Georgia Outdoor Stewardship Trust Fund, which shall consist of 11 members as follows:

(1) The commissioner of the Georgia Department of Natural Resources, who shall also serve as chairperson of the board;

(2) The director of the State Forestry Commission;

(3) The director of the Environmental Protection Division of the Department of Natural Resources;

(4) The commissioner of Transportation;

(5) The director of the Coastal Resources Division of the Department of Natural Resources, as an ex officio, nonvoting member;

(6) The director of the Wildlife Resources Division of the Department of Natural Resources, as an ex officio, nonvoting member;

(7) The director of state parks of the Department of Natural Resources, as an ex officio, nonvoting member; and

(8)(A) Two members appointed by the Speaker of the House of Representatives; and

(B) Two members appointed by the President of the Senate.

The members appointed pursuant to this paragraph may be selected from any of the following private and public sectors: forestry, conservation, hunting, fishing, and local government. Such members shall serve four-year terms, provided that three of the initial appointees shall each serve an initial two-year term. Such members shall be and shall remain Georgia residents during their tenure on the board and shall possess a demonstrated knowledge of and commitment to land conservation and recreation.

(b) The board shall meet at least quarterly each year for the transaction of its business and to review the progress of the Georgia Outdoor Stewardship Trust Fund. Three-fifths of the members of the board present at any board meeting shall constitute a quorum in order to conduct business; provided, however, that in absence of a quorum, a

majority of the members present may adjourn the meeting from time to time until a quorum shall attend. Any board action or recommendation must be approved by a simple majority of the members of the entire board then in office, unless specified otherwise in this Code section.

(c) Beginning no later than July 1, 2019, and annually thereafter, the board shall accept applications from state agencies, local governments, nonprofit and for-profit organizations, private land trusts, and individuals for project proposals eligible for funding. The board shall evaluate the proposals received pursuant to priorities established by the board.

(d) In reviewing applications, the board shall give increased priority to projects:

(1) For which matching funds are available;

(2) That support and promote hunting, fishing, and wildlife viewing;

(3) That contribute to improving the quality and quantity of surface water and ground water;

(4) That contribute to improving the water quality and flow of springs; and

(5) For which the state's land conservation plans overlap with the United States military's need to protect lands, water, and habitats so as to ensure the sustainability of military missions including:

(A) Protecting habitats on nonmilitary land for any species found on United States military land that is designated as threatened or endangered, or is a candidate for such designation under the federal Endangered Species Act of 1973, as amended, 16 U.S.C. Section 1531, et seq. or state law;

(B) Protecting areas underlying low-level United States military air corridors or operating areas; and

(C) Protecting areas identified as clear zones, accident potential zones, and air installation compatible use buffer zones delineated by the United States military, and for which federal or other funding is available to assist with the project.

12-6A-11.

The department shall promulgate rules and regulations as necessary to implement the provisions of this chapter.

12-6A-12.

(a) Each county in which is located 20,000 acres or more of unimproved real property belonging to the state and under the custody or control of the department, in which such state-owned property exceeds 10 percent of the taxable real property in the county, and in which such property represents 10 percent or more of the assessed tax digest of the county may receive from the department an annual grant as provided in this Code section.

(b) For each county eligible to receive a grant pursuant to subsection (a) of this Code section, the department shall calculate the approximate value of public services which the county provides the department each year; provided, however, that such sum shall not exceed the amount the county would charge any other landowner for such services.

The department shall request funds in its annual operating budget each year to reimburse all eligible counties for the provision of such services. In the event the amount appropriated in any year is less than the amount requested, each eligible county shall receive a pro rata share based on the estimated value of services provided.

(c) The department is directed to make an annual calculation of the amount of unimproved state-owned real property under its custody or control and determine which counties are eligible for a grant pursuant to subsection (a) of this Code section. The first such determination shall be completed not later than December 31, 2020, and each subsequent determination shall be made not later than December 31 of each year. The department is further directed to calculate the approximate value of public services provided by each eligible county as provided in subsection (a) of this Code section.

(d) Only land acquired with Outdoor Stewardship Trust Fund moneys shall be used in the calculation of this grant.

(e) No more than 10 percent of Outdoor Stewardship Trust Fund moneys shall be allocated to grants to offset local taxes during any fiscal year.

(f) No county shall be authorized to receive a grant of funds pursuant to both this Code section and Code Section 48-14-1."

SECTION 2.

The Georgia Outdoor Stewardship Trust Fund established by this chapter shall be a successor to the former Georgia Land Conservation Trust Fund and the Georgia Land Conservation Revolving Loan Fund. On July 1, 2019, all funds in the Georgia Land Conservation Trust Fund and the Georgia Land Conservation Revolving Loan Fund shall be transferred into the Georgia Outdoor Stewardship Trust Fund.

SECTION 3.

This Act shall become effective on July 1, 2019, only if an amendment to the Constitution authorizing the General Assembly to provide by law for allocation of up to half of the revenue derived from the state sales and use tax collected by establishments classified under the 2007 North American Industry Classification Code 451110, sporting goods stores, to a trust fund to be used for the protection of conservation land is ratified by the voters at the November, 2018, state-wide general election. If such an amendment is not so ratified, then this Act shall not become effective and shall stand repealed on January 1, 2019.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 332, having received the requisite constitutional majority, was passed by substitute.

Senator Jones of the 25th was excused for business outside the Senate Chamber.

HB 699. By Representatives Belton of the 112th, Hitchens of the 161st, Blackmon of the 146th, Clark of the 98th, Corbett of the 174th and others:

A BILL to be entitled an Act to amend Code Section 25-4-9 of the Official Code of Georgia Annotated, relating to basic firefighter training courses and transfer of certification, so as to provide that military firefighter training may be accepted as required basic training; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Dugan of the 30th.

The Senate Committee on Public Safety offered the following substitute to HB 699:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 25-4-9 of the Official Code of Georgia Annotated, relating to basic firefighter training courses and transfer of certification, so as to provide that

military firefighter training may be accepted as required basic training; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 25-4-9 of the Official Code of Georgia Annotated, relating to basic firefighter training courses and transfer of certification, is amended by revising subsection (a) as follows:

"(a)(1) Full-time, Except as otherwise provided in paragraph (2) of this subsection, full-time, part-time, and volunteer firefighters, including airport firefighters, shall successfully complete a basic training course. The council shall determine the course content, number of hours, and all other matters relative to basic firefighter training, including airport rescue firefighter training. Upon satisfactory completion of such basic training, a firefighter shall be issued a certificate of completion evidencing the same. Each firefighter shall be required to successfully complete such basic training course within 12 months after being employed or appointed as a firefighter or, in the case of airport firefighters, within such time period as the council may prescribe by rule or regulation.

(2) Each firefighter who presents to the council satisfactory documentation, as determined by the council, of his or her training as a member of the United States armed forces, the Georgia National Guard, or the Georgia Air National Guard shall be issued a certificate of completion by the council."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Mullis of the 53rd, Dugan of the 30th, Albers of the 56th and Rhett of the 33rd offered the following amendment #1:

Amend the substitute to HB 699 (LC 41 1499S) by inserting after "To" on line 1 the following:

amend Code Section 25-4-8 of the Official Code of Georgia Annotated, relating to qualifications of firefighters generally, so as to authorize the waiver of certain educational requirements; to

By inserting between lines 6 and 7 the following:

Code Section 25-4-8 of the Official Code of Georgia Annotated, relating to qualifications of firefighters generally, is amended by revising paragraph (6) of subsection (a) as follows:

"(6) Possess or achieve within 12 months after employment a high school diploma or a general education development equivalency, provided that the council may by rule or regulation prescribe for the waiver of such requirement."

SECTION 2.

By redesignating Section 2 as Section 3 on line 24.

On the adoption of the amendment, there were no objections, and the Mullis, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	E Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 699, having received the requisite constitutional majority, was passed by substitute.

Senator Henson of the 41st was excused for business outside the Senate Chamber.

HB 697. By Representatives Taylor of the 173rd, Smith of the 134th, Cooper of the 43rd, Parrish of the 158th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use tax, so as to extend an exemption from state sales and use tax for five additional years regarding the sale or use of tangible personal property to certain nonprofit health centers; to extend an exemption for five additional years with respect to certain nonprofit volunteer health clinics; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Black of the 8th.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 31, 2018

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 697 (LC 33 7152)

Dear Chairman Powell:

The bill would extend the existing sales tax exemption for nonprofit health centers and volunteer health clinics for five additional years from the current expiration date of June 30, 2018.

Georgia State University's Fiscal Research Center estimated that an extension of the tax exemption would reduce state sales tax revenue by \$2.0 million to \$2.1 million in FY

2019 (Table 1). The amount would be \$2.4 million to \$2.7 million in FY 2023. Local sales tax revenue loss would be \$1.5 million to \$1.6 million in FY 2019 and \$1.8 million to \$2.0 million in FY 2023. Details of the analysis are in the attached appendix.

Table 1. Estimated State and Local Revenue Loss

(\$ millions)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
State Revenue Loss:					
High Estimate	\$2.1	\$2.3	\$2.4	\$2.5	\$2.7
Low Estimate	\$2.0	\$2.1	\$2.2	\$2.3	\$2.4
Local Revenue Loss:					
High Estimate	\$1.6	\$1.7	\$1.8	\$1.9	\$2.0
Low Estimate	\$1.5	\$1.6	\$1.6	\$1.7	\$1.8

Impact on Expenditures

The bill would not result in new expenditures by the Department of Revenue.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

Analysis by the Fiscal Research Center

Absent the existing exemptions, which under current law are set to expire on June 30, 2018, sales and use tax would be charged on tangible goods such as medical durables, medical nondurables and administrative supplies. Medical services, prescription drugs, and prescription eyeglasses and contact lenses are exempt under other provisions of Georgia law. Key data and assumptions applying to both exemptions covered by this bill are detailed below, followed by those applicable specifically to each exemption.

- Using health care spending statistics from the Bureau of Economic Analysis (BEA), the estimated high and low average taxable share of health care spending is between about 8.3 and 8.8 percent. These low and high estimates include spending on non-prescription pharmaceuticals and other medical supplies, therapeutic medical equipment, and an assumed 5 percent of total spending attributable to general or administrative supplies. The low and high shares represent the estimated taxable shares for the latest 15 and the latest five years of available data, respectively.
- Growth in taxable spending is assumed at a rate of between about 4.8 and 5.6 percent, base, the low and high again reflecting differences in recent and longer-term spending growth trends.

Section 1, paragraph (7.05)(A) of HB 697 extends the state sales and use tax exemption granted to nonprofit health centers established under the authority of United States Public Health Service Act, 42 U. S. C. Section 254b.

- The federal Health Resources & Services Administration (HRSA) websites reports 35 Federally Qualified Health Centers (FQHCs) in Georgia as of 2016.
- HRSA estimated that 457,644 patients were served at Georgia FQHCs in 2016 with an average cost of \$1,023 per patient, for base year (CY 2016) taxable spending of between approximately \$38.7 and \$41.1 million.

Table A1. State Sales Tax Revenue Loss from Section 1 (7.05)(A)

(\$ millions)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
High Estimate	\$1.88	\$1.98	\$2.09	\$2.21	\$2.33
Low Estimate	\$1.74	\$1.82	\$1.91	\$2.00	\$2.09

Section 1, paragraph (7.3) of HB 697 provides for an extension to the exemption from state sales and use taxes for all tangible personal property sold to nonprofit volunteer health clinics used exclusively for the provision of treatment. To qualify for the exemption a nonprofit volunteer health clinic must be a tax-exempt organization under the internal revenue code and receive a determination letter from the commissioner. The bill requires that volunteer health clinics primarily treat the indigent with incomes below 200 percent of the federal poverty level.

- The Georgia Charitable Clinic Network (GCCN), a member organization of volunteer clinics in Georgia, reported 95 volunteer clinics as members as of 2013 (GCCN currently reports “90+” clinics as members). It is assumed that the GCCN clinics are the same as the nonprofit volunteer health clinics (VHC) as described in the bill.
- A study by the University of Georgia’s Economic Evaluation Research Group estimated 200,830 patients were treated by GCCN volunteer clinics in 2013 at an average cost of \$285 per patient. Allowing for patient population growth of 1 percent annually and healthcare inflation at a rate of 3.6 percent per year, these figures imply base year (CY 2016) taxable spending of between \$5.4 and \$5.8 million.

Table A2. State Sales Tax Revenue Loss from Section 1 (7.3)(A)

(\$ thousands)	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
High Estimate	\$263	\$278	\$293	\$310	\$327
Low Estimate	\$243	\$255	\$267	\$280	\$293

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 697, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

27 Mar 18

Due to business outside the Senate Chamber, I missed the vote on HB 697. Had I been present, I would have voted "yes".

/s/ Mike Dugan
District 30

3/27/18

Due to business outside the Senate Chamber, I missed the vote on HB 697. Had I been present, I would have voted "yes".

/s/ Jeff Mullis
District 53

3/27/18

Tried to vote but machine malfunctioned. I missed the vote on HB 697. I would have voted "Yes".

/s/ Curt Thompson
District 5

HB 190. By Representatives Hanson of the 80th, Quick of the 117th, Willard of the 51st, Oliver of the 82nd and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, so as to change provisions relating to marriage articles; to provide for a definition; to clarify provisions relating to antenuptial agreements; to repeal provisions relating to recording certain documents; to modernize terminology and repeal arcane concepts; to amend Title 13 of the Official Code of Georgia Annotated, relating to contracts, so as to change provisions relating to agreements required to be in writing; to conform cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Tillery of the 19th.

The Senate Committee on Judiciary offered the following substitute to HB 190:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, so as to change provisions relating to marriage articles; to provide for a definition; to clarify provisions relating to antenuptial agreements; to repeal provisions relating to recording certain documents; to modernize terminology and repeal arcane concepts; to amend Title 13 of the Official Code of Georgia Annotated, relating to contracts, so as to change provisions relating to agreements required to be in writing; to conform cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I.
SECTION 1-1.

Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, is amended by revising Article 3, relating to marriage articles, contracts, and settlements, as follows:

"ARTICLE 3

19-3-60.

(a) As used in this article, the term 'antenuptial agreement' means a contract entered into prior to a marriage that determines property rights or contemplates a future settlement to one spouse as to a future resolution of issues, including, but not limited to, year's support, spousal support, and equitable division of property.

(b) Marriage is a valuable consideration; and a spouse stands, as to property of the other spouse settled upon a spouse by marriage contract, as do other purchasers for value, provided that by the contract a spouse shall not incapacitate himself or herself from paying his or her existing just debts.

19-3-61.

The minority of either party to ~~marriage articles, as defined in subsection (a) of Code Section 19-3-62,~~ an antenuptial agreement or to a marriage contract shall not invalidate it, so long as the party is of lawful age to contract marriage.

19-3-62.

An antenuptial agreement shall be in writing, signed by both parties who agree to be bound, and attested by at least two witnesses, one of whom shall be a notary public. Antenuptial agreements shall be liberally construed to carry into effect the intention of the parties, and no want of form or technical expression shall invalidate such agreements.

~~(a) As used in this article, the term 'marriage articles' means any antenuptial agreement between the parties to a marriage contemplating a future settlement upon one spouse. Marriage articles, whether by parol or in writing, may be executed and enforced by a court of equity at the instance of the spouse at any time during the life of the other spouse, so long as the rights of third persons, purchasers, or creditors, in good faith and without notice, are not affected thereby.~~

~~(b) An agreement perfect in itself which needs no future conveyance to effect its purposes is an executed contract and does not come under the definition of marriage articles.~~

19-3-63.

Every marriage contract in writing, made in contemplation of marriage, shall be liberally construed to carry into effect the intention of the parties, and no want of form or technical expression shall invalidate the same. Such marriage contract shall be in writing, signed by both parties who agree to be bound, and The contract must be attested by at least two witnesses, one of whom shall be a notary public.

19-3-64.

A spouse person may voluntarily execute an antenuptial agreement, ~~described in Code Section 19-3-62~~ or he or she may at any time during the marriage, either indirectly

through trustees or directly to his or her spouse, convey any property to which he or she has title, subject to the rights of prior purchasers or creditors without notice.

19-3-65.

The judge of the superior court of the county of a spouse's domicile may at any time, upon petition, exercise equitable powers in appointing, removing, or substituting trustees or in granting any order for the protection of the trust estate, exercising a wise discretion as to the terms on which the appointment shall be made or on which the order shall be granted. ~~The proceeding in each case shall be transmitted to the clerk of the superior court, to be recorded in the book of the minutes of the court.~~

19-3-66.

(a) Marriage contracts and postnuptial settlements shall be enforced at the instance of all persons in whose favor there are limitations of the estate. Marriage articles, as defined in subsection (a) of Code Section 19-3-62, shall be executed only at the instance of the parties to the contract and the

(b) Antenuptial agreements may be enforced by a court of equity at the instance of:

(1) The parties to the marriage; or

(2) The offspring of the marriage and their heirs at any time after the death of a spouse; but, when executed at their instance provided, however, that when enforced at the instance of such offspring and their heirs, the court may execute also enforce in favor of other persons and volunteers.

~~19-3-67.~~

~~(a) Every marriage contract and every voluntary settlement made by one spouse with the other, whether or not in execution of marriage articles, shall be recorded in the office of the clerk of the superior court of the county of the residence of the spouse making the settlement within three months after the execution thereof. If such a contract or settlement is made in another state and the parties subsequently move into this state, the same shall be recorded within three months from the move. If the settled property is in this state and the parties reside in another state, the record shall be made in the county where the property is located within the time specified above.~~

~~(b) A contract or settlement which is not recorded as provided in subsection (a) of this Code section shall be of no force or effect against one who, bona fide and without notice, becomes a purchaser, creditor, or surety before the actual recording of the same.~~

~~19-3-68.~~

~~(a) If the trustee or the spouse having possession of a marriage contract or settlement fails or refuses to have the same recorded, the other spouse or any person acting on behalf of the spouse may apply to the judge of the superior court at any time for an order compelling its recordation. The application of the spouse or other person, when entered on the minutes of the superior court, shall be a notice equivalent to the record of the marriage contract or trust deed.~~

~~(b) A trustee refusing after demand to record a marriage contract or settlement shall be personally liable to his beneficiary for all damages sustained by reason of his failure to record."~~

PART II
SECTION 2-1.

Title 13 of the Official Code of Georgia Annotated, relating to contracts, is amended by revising Code Section 13-4-82, relating to intermarriage of parties, as follows:

"13-4-82.

Intermarriage of the parties generally releases a debt created prior to marriage. However, intermarriage of the parties ~~does~~ shall not release a debt arising from an antenuptial ~~contract~~ agreement, as such term is defined in Code Section 19-3-60."

SECTION 2-2.

Said title is further amended by revising Code Section 13-5-30, relating to agreements required to be in writing, as follows:

"13-5-30.

To make the following obligations binding on the promisor, the promise must be in writing and signed by the party to be charged therewith or some person lawfully authorized by him or her:

- (1) A promise by an executor, administrator, guardian, or trustee to answer damages out of his or her own estate;
- (2) A promise to answer for the debt, default, or miscarriage of another;
- (3) Any agreement made upon consideration of marriage, ~~except marriage articles as provided in Article 3 of Chapter 3 of Title 19;~~
- (4) Any contract for sale of lands, or any interest in, or concerning lands;
- (5) Any agreement that is not to be performed within one year from the making thereof;
- (6) Any promise to revive a debt barred by a statute of limitation; and
- (7) Any commitment to lend money."

PART III
SECTION 3-1.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

HB 190, having received the requisite constitutional majority, was passed by substitute.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

HB 59. By Representatives Stephens of the 164th, Powell of the 171st, Williams of the 119th and Buckner of the 137th:

A BILL to be entitled an Act to amend Code Section 48-7-29.8 of the Official Code of Georgia Annotated, relating to tax credits for the rehabilitation of historic structures, so as to revise procedures, conditions, and limitations; to provide for related matters; to provide an effective date; to provide for applicability; to provide for a sunset date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Millar of the 40th.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 30, 2017

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 59 (LC 44 0200)

Dear Chairman Powell:

The bill would amend an income tax credit for the rehabilitation of qualifying income-producing historic properties. It would eliminate the current \$5 million and \$10 million annual caps per certified structure, the \$25 million aggregate cap for large projects, and the restriction on more than one approved application for a certified structure in a 10-year period. The bill also removes the restriction on a taxpayer's ability to see or assign rehabilitation tax credits more than once and extends the sunset date to December 31, 2027. The bill would be effective on January 1, 2018 and apply to certified rehabilitation projects completed on or after January 1, 2019.

The University of Georgia's Carl Vinson Institute of Government (CVIIOG) estimated that the bill would reduce state revenue by \$53.5 million in FY 2020 (Table 1), the first year impacted by the changes. The revenue reduction is estimated at \$55.9 million in FY 2022. CVIIOG's assumptions and analysis are included in the appendix.

Table 1: Estimated Reduction in State Income Tax Revenue

(\$ millions)	FY2018*	FY2019*	FY2020	FY2021	FY2022
Projected QRE	\$304.5	\$309.2	\$313.9	\$318.7	\$323.6
Tax Credit Under Current Law	\$25.0	\$25.0	\$25.0	\$25.0	\$25.0
Tax Credit Under LC 44 0200	\$25.0	\$25.0	\$78.5	\$79.7	\$80.9
Impact of Bill	\$0	\$0	\$53.5	\$54.7	\$55.9

*The cap would remain in place for calendar years 2017 and 2018 so FY2018 and FY2019 revenues are unaffected.

The Department of Revenue estimated that the tax exemption will result in approximately \$28,900 in additional agency costs. These include approximately \$25,000 to update IT systems and \$3,900 for form changes, regulation updates, and training.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

Analysis by the CVIOG

This legislation amends the income tax credit for rehabilitation of qualifying income-producing historic properties in O.C.G.A. §48-7-29.8. The current tax credit is equal to 25 percent of qualified rehabilitation expenses (QRE) approved by the Department of Natural Resources (DNR) and is capped at \$5 million for any single property. The aggregate tax credit for all properties that receive at least \$300,000 under the program is capped at \$25 million. This bill would eliminate the \$5 million cap per project and the \$25 million aggregate cap for large projects.

The bill also removes the restriction that no more than one application for any individual certified structure can be made in a 120 month (10 year) period. It allows an application for tax credits to be made by a taxpayer who is party to an executed written agreement for the purchase of real property for which the tax credit is to be claimed. It also removes the restriction on a taxpayer's ability to sell or assign rehabilitation tax credits more than once and extends the sunset date of the program from December 31, 2021 to December 31, 2027. The amendment would become effective on January 1, 2018 and apply to certified rehabilitation projects completed on or after January 1, 2019, thus affecting state income tax revenues beginning in FY2020.

The \$25 million aggregate cap for large projects is not removed by the proposed legislation until 2019, but data obtained from DNR indicates that the cap was reached in 2016 and will be reached again in 2017 and 2018. During 2016, DNR certified 12 applications for large projects. Those projects represented \$417 million in QRE which would have produced \$104 million in tax credits without the cap. DNR has approved 25 large projects for 2017 with an estimated \$192 million in QRE that would produce \$48 million without the cap. Year to date, seven projects are approved for 2018 with a total of \$172 million in QRE that would produce \$43 million in tax credits.

Several other states, including Missouri, Virginia, Wisconsin, and Massachusetts that have similar historic preservation tax credit programs with large caps, or no cap at all, were surveyed regarding the level of tax credits generated. Annual tax credits in these states typically range from 20 percent to 30 percent of QRE and result in \$50 million to \$100 million in tax credits annually. Some showed significant year-to-year variation depending on the number and size of rehabilitation projects completed in a given year. Massachusetts reported that their \$50 million cap is reached each year, and Virginia issues about \$100 million annually with no cap. Missouri, with an economy about 60 percent the size of Georgia's, typically exceeds \$50 million annually.

Based on the experience in these states and the figures reported for 2016 and 2017 by DNR, it is reasonable to expect that QRE in the future will continue at current levels. Averaging the reported QRE figures for 2016 and 2017, we project \$304.5 million in QRE for 2018 and apply a growth rate for subsequent years using the Producer Price Index for Maintenance and Repair of Non-Residential Buildings reported by the Federal Reserve Bank in St. Louis to project QRE through FY2022 (line 1 in Table 1).

Under current law, total credits for all projects earning more than \$300,000 each may not exceed \$25 million per calendar year. If the cap were to remain in place through 2021 it is projected that total tax credits would equal the cap in each year and reduce state revenue by that amount through FY2022 (line 2 in Table 1).

The proposed changes would become effective for projects completed on or after January 1, 2019 and would thus be included in tax filings beginning in tax year 2020. Thus, no change from the existing law would be realized during FY2018 and FY2019. For comparison purposes, Table 1 on page 1 shows tax credits based on projected QRE under the existing cap (line 2) and without a cap (line 3), along with the net change, for 2018 through 2022 (line 4).

The Senate Committee on Finance offered the following substitute to HB 59:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation and exemptions from state income taxes, so as to revise procedures, conditions, and limitations relating to tax credits for the rehabilitation of historic structures; to authorize promulgation of regulations; to provide for preapproval of additional tax credits for current recipients of tax credits; to provide for tax credits for manufacturers of zero emission motor vehicles; to provide for definitions; to provide for related matters; to provide for applicability; to provide for automatic repeals; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation and exemptions from state income taxes, is amended by revising Code Section 48-7-29.8, relating to tax credits for the rehabilitation of historic structures, as follows:

"48-7-29.8.

(a) As used in this Code section, the term:

(1) 'Certified rehabilitation' means repairs or alterations to a certified structure which are certified by the Department of Natural Resources as meeting the United States Secretary of the Interior's Standards for Rehabilitation or the Georgia Standards for Rehabilitation as provided by the Department of Natural Resources.

(2) 'Certified structure' means a historic building or structure that is located within a national historic district, individually listed on the National Register of Historic Places, individually listed in the Georgia Register of Historic Places, or is certified by the Department of Natural Resources as contributing to the historic significance of a Georgia Register Historic District.

(3) 'Historic home' means a certified structure which, or any portion of which is or will, within a reasonable period, be owned and used as the principal residence of the person claiming the tax credit allowed under this Code section. Historic home shall include any structure or group of structures that constitute a multifamily or multipurpose structure, including a cooperative or condominium. If only a portion of a building is used as such person's principal residence, only those qualified rehabilitation expenditures that are properly allocable to such portion shall be deemed to be made to a historic home.

(4) 'Qualified rehabilitation expenditure' means any qualified rehabilitation expenditure as defined by Section 47(c)(2) of the Internal Revenue Code of 1986 and any amount properly chargeable to a capital account expended in the substantial rehabilitation of a structure that by the end of the taxable year in which the certified rehabilitation is completed is a certified structure. This term does not include the cost of acquisition of the certified structure, the cost attributable to enlargement or additions to an existing building, site preparation, or personal property.

(5) 'Substantial rehabilitation' means rehabilitation of a certified structure for which the qualified rehabilitation expenditures, at least 5 percent of which ~~must~~ shall be allocable to the exterior during the 24 month period selected by the taxpayer ending with or within the taxable year, exceed:

(A) For a historic home, the lesser of \$25,000.00 or 50 percent of the adjusted basis of the property as defined in subparagraph (a)(1)(B) of Code Section 48-5-7.2; or, in the case of a historic home located in a target area, \$5,000.00; or

(B) For any other certified structure, the greater of \$5,000.00 or the adjusted basis of the property.

(6) 'Target area' means a qualified census tract under Section 42 of the Internal

Revenue Code of 1986, found in the United States Department of Housing and Urban Development document number N-94-3821; FR-3796-N-01.

(b) A taxpayer shall be allowed a tax credit against the tax imposed by this chapter ~~for the taxable year in which~~ at such time as the certified rehabilitation is completed:

(1) In the case of a historic home, equal to 25 percent of qualified rehabilitation expenditures, except that, in the case of a historic home located within a target area, an additional credit equal to 5 percent of qualified rehabilitation expenditures shall be allowed; and

(2) In the case of any other certified structure, equal to 25 percent of qualified rehabilitation expenditures.

Qualified rehabilitation expenditures may only be counted once in determining the amount of the tax credit available, and more than one entity may not claim a credit for the same qualified rehabilitation expenditures.

(c)(1) In no event shall credits for a historic home exceed \$100,000.00 in any 120 month period.

(2) The maximum credit for any other individual certified structure shall be \$5 million for any taxable year, except in the case that the project creates 200 or more full-time, permanent jobs or \$5 million in annual payroll within two years of the placed in service date, in which case the project is eligible for credits up to \$10 million for an individual certified structure. In no event shall more than one application for any individual certified structure under this paragraph be approved in any 120 month period.

(3) In no event shall credits issued under this Code section for projects earning more than \$300,000.00 in credits exceed in the aggregate ~~\$25 million~~ \$40 million per calendar year.

(d)(1) An applicant ~~A taxpayer~~ seeking to claim a tax credit under paragraph (2) of subsection (b) of this Code section shall submit an application to the commissioner for preapproval of such tax credit. An applicant shall, at the time of application, either own the real property for which said tax credit is to be claimed, or be a party to a written purchase contract, written option contract, written lease-purchase contract, or written lease having a term of more than 40 years. Such application shall include a precertification from the Department of Natural Resources certifying that the improvements to the certified structure are to be consistent with the Department of Natural Resources Standards for Rehabilitation. ~~The Department~~ department shall have the authority to require electronic submission of such application in the manner specified by the department. The commissioner shall preapprove the tax credits within 30 days based on the order in which properly completed applications were submitted. In the event that two or more applications were submitted on the same day and the amount of funds available will not be sufficient to fully fund the tax credits requested, the commissioner shall prorate the available funds between or among the applicants. For applications on projects over the annual ~~\$25 million limitation~~ \$40 million limitation, those applications shall be given priority the following year.

(2) In order to be eligible to receive the credit authorized under subsection (b) of this

Code section, a taxpayer ~~must~~ shall attach to ~~the~~ such taxpayer's state tax return a copy of the completed certification of the Department of Natural Resources verifying that the improvements to the certified structure are consistent with the Department of Natural Resources Standards for Rehabilitation.

(e)(1) If the credit allowed under paragraph (1) of subsection (b) of this Code section in any taxable year exceeds the total tax otherwise payable by the taxpayer for that taxable year, the taxpayer may apply the excess as a credit for succeeding years until the earlier of:

(A) The full amount of the excess is used; or

(B) The expiration of the tenth taxable year after the taxable year in which the certified rehabilitation has been completed.

~~(2) Any tax credits with respect to credits earned by a taxpayer under paragraph (2) of subsection (b) of this Code section and previously claimed but not used by such taxpayer against its income tax may be transferred or sold in whole or in part by such taxpayer to another Georgia taxpayer, subject to the following conditions:~~

~~(A) A taxpayer who makes qualified rehabilitation expenditures may sell or assign all or part of the tax credit that may be claimed for such costs and expenses to one or more entities, but no further sale or assignment of any credit previously sold or assigned pursuant to this subparagraph shall be allowed. All such transfers shall be subject to the maximum total limits provided by subsection (c) of this Code section;~~

~~(B) A taxpayer who sells or assigns a credit under this Code section and the entity to which the credit is sold or assigned shall jointly submit written notice of the sale or assignment to the department not later than 30 days after the date of the sale or assignment. The notice must include:~~

~~(i) The date of the sale or assignment;~~

~~(ii) The amount of the credit sold or assigned;~~

~~(iii) The names and federal tax identification numbers of the entity that sold or assigned the credit or part of the credit and the entity to which the credit or part of the credit was sold or assigned; and~~

~~(iv) The amount of the credit owned by the selling or assigning entity before the sale or assignment and the amount the selling or assigning entity retained, if any, after the sale or assignment;~~

~~(C) The sale or assignment of a credit in accordance with this Code section does not extend the period for which a credit may be carried forward and does not increase the total amount of the credit that may be claimed. After an entity claims a credit for eligible costs and expenses, another entity may not use the same costs and expenses as the basis for claiming a credit; and~~

~~(D) Notwithstanding the requirements of this subsection, a credit earned or purchased by, or assigned to, a partnership, limited liability company, Subchapter 'S' corporation, or other pass-through entity may be allocated to the partners, members, or shareholders of that entity and claimed under this Code section in accordance with the provisions of any agreement among the partners, members, or shareholders of that entity and without regard to the ownership interest of the partners, members,~~

~~or shareholders in the rehabilitated certified structure, provided that the entity or person that claims the credit must be subject to Georgia tax.~~

~~(E) Only a taxpayer who earned a credit, and no subsequent good faith transferee, shall be responsible in the event of a recapture, reduction, disallowance, or other failure related to such credit.~~

(2) If the credit allowed under paragraph (2) of subsection (b) of this Code section in any taxable year exceeds the total tax otherwise payable by the taxpayer for that taxable year, the taxpayer may apply the excess as a credit for succeeding years until the earlier of:

(A) The full amount of the excess is used; or

(B) The expiration of the tenth taxable year after the taxable year in which the certified rehabilitation has been completed.

(3) No such credit shall be allowed the taxpayer against prior years' tax liability.

(4) Tax credits claimed under this Code section shall not be refundable, transferable, or saleable.

(f) In the case of any rehabilitation which may reasonably be expected to be completed in phases set forth in architectural plans and specifications completed before the rehabilitation begins, a 60 month period may be substituted for the 24 month period provided for in paragraph (5) of subsection (a) of this Code section.

(g)(1) Except as otherwise provided in subsection (h) of this Code section, in the event a tax credit under this Code section has been claimed and allowed the taxpayer, upon the sale or transfer of the certified structure, the taxpayer shall be authorized to transfer the remaining unused amount of such credit to the purchaser of such certified structure. If a historic home for which a certified rehabilitation has been completed by a nonprofit corporation is sold or transferred, the full amount of the credit to which the nonprofit corporation would be entitled if taxable shall be transferred to the purchaser or transferee at the time of sale or transfer.

(2) Such purchaser shall be subject to the limitations of subsection (e) of this Code section. Such purchaser shall file with such purchaser's tax return a copy of the approval of the rehabilitation by the Department of Natural Resources as provided in subsection (d) and a copy of the form evidencing the transfer of the tax credit.

(3) Such purchaser shall be entitled to rely in good faith on the information contained in and used in connection with obtaining the approval of the credit including, without limitation, the amount of qualified rehabilitation expenditures.

(h)(1) If an owner other than a nonprofit corporation sells a historic home within three years of receiving the credit, the seller shall recapture the credit to the Department of Revenue as follows:

(A) If the property is sold within one year of receiving the credit, the recapture amount will equal the lesser of the credit or the net profit of the sale;

(B) If the property is sold within two years of receiving the credit, the recapture amount will equal the lesser of two-thirds of the credit or the net profit of the sale;

or

(C) If the property is sold within three years of receiving the credit, the recapture

amount will equal the lesser of one-third of the credit or the net profit of the sale.

(2) The recapture provisions of this subsection shall not apply to a sale resulting from the death of the owner.

(i)(1) In the event that a taxpayer claims the tax credit under paragraph (2) of subsection (b) of this Code section and leases such certified structure, the department shall aggregate all total sales tax receipts from the certified structure.

(2) Any taxpayer claiming credits under paragraph (2) of subsection (b) of this Code section shall report to the department the average full-time employees employed at the certified structure. A full-time employee for the purposes of this Code section shall mean a person who works a job that requires 30 or more hours per week. Such reports ~~must~~ shall be submitted to the department for five calendar years following the year in which the credit is claimed by the taxpayer.

(3) In the event that a taxpayer claims the tax credit under paragraph (2) of subsection (b) of this Code section and leases such certified structure, the department shall aggregate all total full-time employees at the certified structure.

(j) Notwithstanding Code Sections 48-2-15, 48-7-60, and 48-7-61, the department shall furnish a report to the chairperson of the House Committee on Ways and Means and the chairperson of the Senate Finance Committee by June 30 of each year. Such report shall contain the total sales tax collected in the prior calendar year and the average number of full-time employees at the certified structure and the total value of credits claimed for each taxpayer claiming credits under paragraph (2) of subsection (b) of this Code section

(k) The tax credit allowed under paragraph (1) of subsection (b) of this Code section, and any recaptured tax credit, shall be allocated among some or all of the partners, members, or shareholders of the entity ~~owning the project~~ claiming the credit in any manner agreed to by such persons, whether or not such persons are allocated or allowed any portion of any other tax credit with respect to the project.

(l) The Department of Natural Resources and the Department of Revenue shall prescribe such regulations as may be appropriate to carry out the purposes of this Code section.

~~(m) The Department of Natural Resources shall report, on an annual basis, on the overall economic activity, usage, and impact to the state from the rehabilitation of eligible properties for which credits provided by this Code section have been allowed. This Code section shall stand repealed by operation of law on July 1, 2023."~~

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"48-7-40.34.

(a) As used in this Code section, the term:

(1) 'Manufacturer' means any person who performs the major portion of the assembly of new motor vehicles whose principal place of business and sole manufacturing facility is located in this state as of July 1, 2018.

(2) 'Motor vehicles' means self-propelled vehicles intended primarily for use and

operation on the public highways, except construction equipment, recreational vehicles, and farm tractors and other machines and tools used in the production, harvesting, and care of farm products.

(3) 'Zero emission motor vehicles' means motor vehicles which have zero tailpipe and evaporative emissions as defined under rules and regulations of the Board of Natural Resources applicable to clean fueled vehicles, as amended, and shall include an electric vehicle whose drive train is powered solely by electricity, provided said electricity is not provided by any on-board combustion device.

(b) A tax credit is allowed against the tax imposed under this article to a manufacturer who assembles new zero emission motor vehicles exclusively and employs at least 50 full-time employees in this state. The amount of the income tax credit shall be \$2,500.00 per vehicle assembled in this state.

(c) Any credit claimed under this Code section but not used in any taxable year may be carried forward for five years from the close of the taxable year in which a new zero emissions motor vehicle was assembled.

(d) In no event shall the amount of any tax credit provided in this Code section exceed the taxpayer's income tax liability. The aggregate amount of tax credits allowed under this Code section shall not exceed \$5 million for each taxable year.

(e) The state revenue commissioner shall be authorized to adopt rules and regulations to provide for the administration of the tax credit provided by this Code section.

(f) This Code section shall stand repealed by operation of law on July 1, 2021."

SECTION 3.

(a) Section 1 of this Act shall be applicable to certified rehabilitations completed on or after July 1, 2018.

(b) An Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation and exemptions from state income taxes, approved May 12, 2015 (Ga. L. 2015, p. 1340), is amended by repealing and reserving Section 2 of said Act.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	N Tate
N Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
Y Ginn	Y Lucas	N Tippins
Y Gooch	E Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 7.

HB 59, having received the requisite constitutional majority, was passed by substitute.

HB 761. By Representatives Ridley of the 6th, Burns of the 159th, Powell of the 32nd, Meadows of the 5th, Harrell of the 106th and others:

A BILL to be entitled an Act to amend Code Section 40-3-33 of the Official Code of Georgia Annotated, relating to transfer of vehicle to or from a dealer, records to be kept by dealers, and electronic filing, so as to provide for the filing of certificates of title by dealers; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Mullis of the 53rd.

Senators Mullis of the 53rd, Jones of the 25th, Albers of the 56th, Kennedy of the 18th and Harper of the 7th offered the following amendment #1:

Amend HB 761 (LC 21 5909) by inserting on line 3, following "dealers;" the following:
to provide for the filing of a title application in the county in which a dealer is located;

By deleting line 9 and inserting in lieu thereof the following:
by revising subsection (d) and adding a new subsection (e) as follows:

By removing the quotation mark at the end of line 13 and adding immediately following line 13 the following:

(e) Any dealer which sells a motor vehicle to a person who is not a resident of the county in which the dealer is located may file an application for title for such motor vehicle with the county tag agent in the county in which the dealer is located."

On the adoption of the amendment, there were no objections, and the Mullis, et al. amendment #1 to the committee substitute was adopted.

Senators Miller of the 49th and Mullis of the 53rd offered the following amendment #2:

Amend HB 761 (LC 21 5909) by deleting lines 10 through 13 and inserting in lieu thereof the following:

"(d) ~~On and after January 1, 2018, all~~ All applications for a certificate of title by a motor vehicle dealer shall be submitted to the department electronically. Any motor vehicle dealer who sells no more than ten motor vehicles per month on average as certified by the commissioner may apply on a form prescribed by the commissioner for a waiver from mandatory electronic filing of title applications as required by this subsection. The department ~~may~~ shall adopt rules and regulations to administer this subsection."

On the adoption of the amendment, there were no objections, and the Miller, Mullis amendment #2 to the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson

Y Heath	Y Mullis	Y Williams, M
E Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 0.

HB 761, having received the requisite constitutional majority, was passed as amended.

HB 714. By Representatives Rogers of the 10th, Efstration of the 104th, Rhodes of the 120th, Powell of the 32nd, Epps of the 144th and others:

A BILL to be entitled an Act to amend Code Section 40-1-8 of the Official Code of Georgia Annotated, relating to safe operation of motor carriers and commercial motor vehicles, so as to update the reference date to federal regulations regarding the safe operation of motor carriers and commercial motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Millar	Y Watson
Y Harper	Y Miller	Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 714, having received the requisite constitutional majority, was passed.

HB 703. By Representatives Hitchens of the 161st, Lott of the 122nd, Powell of the 32nd, Frazier of the 126th and Welch of the 110th:

A BILL to be entitled an Act to amend Chapter 5 of Title 24 of the Official Code of Georgia Annotated, relating to privileges, so as to provide for privileged communications between public safety officers and peer counselors; to amend Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, so as to create the Governor's Office of Public Safety Support; to provide for a director; to provide for responsibilities of the office; to provide for office space, staff, supplies, and materials; to provide for definitions; to provide for related matters; to provide for a contingent effective date based on funding; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Public Safety offered the following substitute to HB 703:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 24 of the Official Code of Georgia Annotated, relating to privileges, so as to provide for privileged communications between public safety officers and peer counselors; to amend Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the Department of Public Safety, so as to establish the Office of Public Safety Officer Support within the Department of Public Safety; to provide for a director; to provide for responsibilities of the office; to provide for office space, staff, supplies, and materials; to provide for definitions; to provide for related matters; to provide for a contingent effective date based on funding; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 24 of the Official Code of Georgia Annotated, relating to privileges, is amended by revising Code Section 24-5-510, relating to privileged communications between law enforcement officers and peer counselors, as follows:

"24-5-510.

(a) As used in this Code section, the term:

(1) 'Client' means a public safety officer ~~law enforcement employee or a law~~

~~enforcement officer's immediate family.~~

~~(2) 'Immediate family' means the spouse, child, stepchild, parent, or stepparent.~~

~~(3) 'Peer counselor' means:~~

~~(A) An employee of the Office of Public Safety Officer Support within the Department of Public Safety; or~~

~~(B) An individual who is certified by the support coordinator of the Office of Public Safety Officer Support within the Department of Public Safety pursuant to subsection (b) of Code Section 35-2-163 who is an employee of a public entity that employs public safety officers and who is designated by the executive head of such public entity an employee of a law enforcement agency who has received training to provide emotional and moral support to a client and was designated by a sheriff, police chief, or other head of a law enforcement agency to counsel clients.~~

~~(3) 'Public entity' shall have the same meaning as provided for in Code Section 35-2-160.~~

~~(4) 'Public safety officer' means a peace officer, correctional officer, emergency health worker, firefighter, highway emergency response operator, jail officer, juvenile correctional officer probation officer, or emergency services dispatcher.~~

(b) Except as provided in subsection (c) of this Code section, communications between a client and a peer counselor shall be privileged. A peer counselor shall not disclose any such communications made to him or her and shall not be competent or compellable to testify with reference to any such communications in any court.

(c) The privilege created by subsection (b) of this Code section shall not apply when:

(1) The disclosure is authorized by the client, or if the client is deceased, by his or her executor or administrator, and if an executor or administrator is not appointed, by the client's next of kin;

(2) Compelled by court order;

(3) The peer counselor was an initial responding public safety officer, witness, or party to an act that is the subject of the counseling;

(4) The communication was made when the peer counselor was not performing official duties; or

(5) The client is charged with a crime.

(d) The privilege created by this Code section shall not be grounds to fail to comply with mandatory reporting requirements as set forth in Code Section 19-7-5 or Chapter 5 of Title 30, the 'Disabled Adults and Elder Persons Protection Act.'"

SECTION 2.

Chapter 2 of Title 35 of the Official Code of Georgia Annotated, relating to the Department of Public Safety, is amended by adding a new article to read as follows:

"ARTICLE 8

35-2-160.

As used in this article, the term:

(1) 'Critical incident support services' means interventions designed to provide compassionate or coping support in the event of involvement in, being a witness to, or being otherwise affected by a traumatic event, including, but not limited to, any series of events that render a traumatic effect.

(2) 'Peer counselor' shall have the same meaning as provided for in Code Section 24-5-510.

(3) 'Public entity' means any agency or department of this state or a political subdivision or municipality of this state or an authority of this state.

(4) 'Public safety officer' means a peace officer, correctional officer, emergency health worker, firefighter, highway emergency response operator, jail officer, juvenile correctional officer, probation officer, or emergency services dispatcher.

(5) 'Support coordinator' means the coordinator of the Office of Public Safety Officer Support within the Department of Public Safety.

35-2-161.

There is established the Office of Public Safety Officer Support within the Department of Public Safety.

35-2-162.

The support coordinator shall be appointed by and be under the direction of the commissioner. The support coordinator shall be an individual with experience as a public safety officer and who has received training and exhibited a demonstrated professional ability to provide emotional and moral support to public safety officers. The support coordinator may also otherwise serve as a public safety officer within the department. The support coordinator is charged and empowered to carry out the responsibilities provided for under this article.

35-2-163.

(a) The Office of Public Safety Officer Support within the Department of Public Safety may respond to and provide peer counselors and critical incident support services to any requesting public entities that employ public safety officers. The office may respond to and provide peer counselors and critical incident support services for the benefit of public safety officers experiencing post-traumatic stress disorder or other trauma associated with public safety. The office shall develop a course of training in critical incident stress management and in any other related subject matter for the benefit of public safety officers.

(b) The support coordinator shall certify individuals, who shall be peer counselors, as having received training and demonstrated ability to provide emotional and moral support to public safety officers consistent with the purposes of this article.

(c) The support coordinator, with approval of the commissioner, may employ or retain persons as he or she deems necessary to serve as peer counselors and staff consistent with the purposes of this article.

35-2-164.

The commissioner is authorized to provide and designate for the use of the support coordinator such space as shall be necessary to quarter the support coordinator and his or her staff. The support coordinator shall establish policies and procedures for the implementation of this article and is authorized to employ and secure the necessary staff, supplies, and materials to carry out this article, subject to the approval of the commissioner."

SECTION 3.

- (a) This Act shall become effective only if funds are specifically appropriated for the purposes of this Act in an appropriations Act enacted by the General Assembly.
- (b) If funds are so appropriated, then this Act shall become effective on the later of:
- (1) The date on which such appropriations Act becomes effective; or
 - (2) The beginning date of the fiscal year for which such appropriations are made.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senators Albers of the 56th and Strickland of the 17th offered the following amendment #1:

Amend the Senate Committee on Public Safety substitute to HB 703 (LC 41 1533S) by replacing line 32 with the following:
correctional officer, probation officer, or emergency services dispatcher.

On the adoption of the amendment, there were no objections, and the Albers, Strickland amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland

Y Butler	Y Kennedy	Y Tate
Y Cowsert	Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 703, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/27/2018

Due to business outside the Senate Chamber, I missed the vote on HB 703. Had I been present, I would have voted "Yes".

/s/ Greg Kirk
District 13

HB 809. By Representatives Hitchens of the 161st, Lumsden of the 12th, Epps of the 144th, Tanner of the 9th and Williams of the 145th:

A BILL to be entitled an Act to amend Code Section 40-8-91 of the Official Code of Georgia Annotated, relating to marking and equipment of law enforcement vehicles and motorist allowed to continue to safe location before stopping for law enforcement officer vehicles, so as to provide that a motor vehicle used by any employee of the Georgia State Patrol for the enforcement of traffic laws may be a solid color; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 1.

HB 809, having received the requisite constitutional majority, was passed.

Senator Tillery of the 19th was excused for business outside the Senate Chamber.

HB 787. By Representatives Hilton of the 95th, Jones of the 47th, Nix of the 69th, Dickey of the 140th and Stovall of the 74th:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise certain provisions relative to charter schools; to provide that state charter schools may receive services from regional educational service agencies; to revise provisions relating to a code of principles and standards for charter school authorizers; to revise funding for state chartered special schools and state charter schools; to provide for initial funding for charter schools with projected student growth exceeding 2 percent; to provide for initial funding for training and experience; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Millar of the 40th.

The Senate Committee on Education and Youth offered the following substitute to HB 787:

A BILL TO BE ENTITLED
AN ACT

To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise certain provisions relative to charter schools; to provide that state charter schools may receive services from regional educational service agencies; to revise funding for state chartered special schools and state charter schools; to provide for initial funding for charter schools with projected student growth exceeding 15 percent; to provide for initial funding for training and experience; to provide for grants for certain eligible students enrolled in an institution of the University System of Georgia; to define certain terms; to provide for application and administration; to provide for pro rata application; to provide for audits; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Code Section 20-2-270, relating to the establishment of a state-wide network of regional educational service agencies, as follows:

"20-2-270.

(a) The State Board of Education shall establish a state-wide network of regional educational service agencies for the purposes of: providing shared services designed to improve the effectiveness of educational programs and services to local school systems and state charter schools; providing instructional programs directly to selected public school students in the state; and providing Georgia Learning Resources System services. The regional educational service agencies established by the state board may legally be referred to as 'RESA' or 'RESA's.'

(b) The State Board of Education shall establish the service area of each regional educational service agency as a geographically defined area of the state. All local school systems, state charter schools, Technical College System of Georgia facilities and institutions, and University System of Georgia facilities and institutions that are located in the designated geographical area shall be members of that regional educational service agency.

(c) Every state supported postsecondary institution shall be an active member of a regional educational service agency.

(d) Each regional educational service agency and its employees shall be subject to or exempt from taxation in the same manner as are school systems and school system employees.

(e) All employees and volunteers of a regional educational service agency shall be immune from liability to the same extent as are employees and volunteers of a school

system.

(f) Regional educational service agencies are not state agencies but shall be considered local units of administration for purposes of this chapter."

SECTION 2.

Said title is further amended by revising Code Section 20-2-270.1, relating to services provided by regional educational service agencies, as follows:

"20-2-270.1.

(a) Each regional educational service agency shall provide the following shared services to member local school systems and state charter schools:

- (1) Identifying or conducting research related to educational improvements and in planning for the implementation of such improvements;
- (2) Developing and implementing staff development programs with an emphasis on improving student achievement and school accountability;
- (3) Developing and implementing curricula and instruction of the highest quality possible, including implementing the uniformly sequenced content standards adopted by the state board;
- (4) Developing and implementing academic assessment and evaluation programs;
- (5) Identifying and utilizing electronic technology, including computers, in an effort to improve the quality of classroom instruction as well as classroom, school, and school system management;
- (6) Developing programs, resource materials, and staff development services relating to instruction on alcohol and drug abuse; and
- (7) Assistance in the development and implementation of a state-wide mentoring program.

The shared services may also include assistance designed to address documented local needs pursuant to subsection (d) of Code Section 20-2-272.

(b) The state board shall make the service areas for the Georgia Learning Resources System congruous with the service areas for the RESA's. The RESA's are designated as the fiscal agents for the agency of the Georgia Learning Resources System or a local board of education as identified by the State Board of Education through an annual contract to serve as fiscal agent for the Georgia Learning Resources System. All member local school systems and state charter schools shall be provided the services of the Georgia Learning Resources System.

(c) The Psychoeducational Network for severely emotionally disturbed students shall be continued in effect. The service areas of units of the Psychoeducational Network for severely emotionally disturbed students in place on January 1, 1995, shall be continued in effect. The fiscal agent for each service area shall be as in effect on January 1, 1995, unless changed as provided in this subsection. Upon the request of a majority of the local school superintendents of the local school systems within a service area, representatives of each of the local school systems in the respective service area shall vote in the manner and at the time prescribed by the state board to determine if one of the local school systems or the regional educational service agency serving the

respective service area shall serve as the fiscal agent for the respective unit of the Psychoeducational Network for the ensuing fiscal year. In the event this vote results in a change in the fiscal agent for the respective unit, the new fiscal agent shall continue in this capacity for a minimum of three fiscal years. In the event a regional educational service agency is designated as the fiscal agent for a service area, all member local school systems shall be provided the services of the Psychoeducational Network.

(d) A regional educational service agency shall be authorized to sell or provide at reasonable costs goods to private schools located in this state."

SECTION 3.

Said title is further amended by revising Code Section 20-2-271, relating to development of regional improvement plan, introduction of core services, instructional care teams, and establishment of alternative methods of teacher certification, as follows:

"20-2-271.

(a) Each regional educational service agency shall annually develop and submit to the Department of Education for approval, with a copy to the Education Coordinating Council, a regional plan for improvement of educational efficiency and cost effectiveness of its member institutions. Each plan must include the purposes and description of the services the regional educational service agency will provide to schools identified as low-performing based on the indicators adopted under Code Section 20-14-33 and to other schools.

(b) ~~By July 1, 2002, each~~ Each regional educational service agency shall introduce and provide core services for member local school systems and schools and provide core services for purchase by local school systems and schools which are not members of that regional educational service agency. These core services shall include the following:

- (1) Training and assistance in teaching each subject area assessed under Code Section 20-2-281;
- (2) Assistance specifically designed for any school that is rated academically failing under Code Section 20-14-33;
- (3) Training and assistance to teachers, administrators, members of local boards of education, and members of local school councils on school-based decision making and control; and
- (4) Assistance in complying with applicable state laws and rules of the State Board of Education and the Education Coordinating Council.

Nothing in this Code section shall be construed to limit the freedom of a school system or school to purchase or refuse to purchase any core service from any regional educational service agency in this state.

(c) As part of the assistance provided by a regional educational service agency under this Code section, each regional educational service agency shall provide for the establishment of instructional care teams. Upon determining that a school under its management and control is consistently underperforming or is otherwise educationally deficient, a local board of education or state charter school may request through a

regional educational service agency the appointment of an instructional care team for that school. The instructional care team shall consist of such number of persons with such experience as a principal, teacher, or other education personnel so as to best address the needs of the school. Such instructional care team shall conduct an investigation into such aspects of instruction at the school as requested by the local board or state charter school, prepare a written evaluation of such aspects of the school, and make nonbinding recommendations to the local board or state charter school regarding improvements at the school. Such investigations, evaluations, and recommendations shall focus on, but not be limited to, instruction in mathematics, science, reading and other English courses, and social studies. Instructional care teams may also provide long-term and short-term follow-up assistance, such as but not limited to instruction, instructional assistance, and professional and staff development. Each regional educational service agency shall develop a registry or listing of potential instructional care team members, together with their areas of expertise, who may be available to member or nonmember local school systems and state charter schools for service on instructional care teams. Each regional educational service agency shall promulgate rules and regulations for the purchase of the services of an instructional care team, provided that nothing in this Code section shall prevent regional educational service agencies from entering into cooperative arrangements for the mutual exchange of such services. Subject to appropriation by the General Assembly, regional educational service agencies may be provided grants for the purpose of facilitating the development and implementation of instructional care teams.

(d) Each regional educational service agency may provide any additional service and any assistance to its member systems and state charter schools, as determined by the board of control. Each regional educational service agency may offer any service and form of assistance provided for in this Code section for purchase by any local school system or school in this state or state charter school.

(e) Pursuant to rules and regulations developed by the Professional Standards Commission, each regional educational service agency shall develop programs for nontraditional alternative routes to state teacher certification as an alternative to traditional educator preparation, with special consideration provided to critical field shortages in its regional teaching ~~work force~~ workforce.

(f) Each regional educational service agency may acquire, lease, purchase, lease purchase, or dispose of real or personal property and may incur debts for those purposes, subject to the approval of such agency's board of control. Such property shall be held in the name of the regional educational service agency."

SECTION 4.

Said title is further amended by revising Code Section 20-2-272, relating to agency board of control, membership, powers and duties, and planning boards, as follows:

"20-2-272.

(a) Each regional educational service agency shall be governed by a board of control. On and after July 1, 2000, the school superintendent of each member school system, the

president or highest administrator of each member postsecondary institution, and a local public or regional library director appointed by the director of the Office of Public Library Services of the Board of Regents of the University System of Georgia shall serve as the board of control.

(b) All laws and the policies and regulations of the State Board of Education applicable to local school systems and local boards of education shall be applicable, when appropriate, to the regional educational service agencies and their boards of control unless explicitly stated otherwise in this part. No board of control shall levy or collect any taxes. No board of control shall expend or contract to expend any funds beyond the amount of funds that the board of control is legally authorized to receive and will, in fact, receive, except as otherwise provided in this part. Each board of control shall submit an annual report and an annual budget to the state board, in the manner prescribed by the state board, for review and approval.

(c) The State Board of Education shall be responsible for assuring that the activities of each regional educational service agency and its board of control established under this part conform to both the Constitution and laws of Georgia, as well as the policies and regulations of the state board.

(d) Boards of control shall determine the assistance needed by local school systems and state charter schools in the area served by each regional educational service agency, establish priorities from those needs, and allocate resources accordingly. Boards of control shall annually review the effectiveness and efficiency of such agencies. Boards of control shall determine the procedures and activities by which each regional educational service agency achieves locally established objectives and shall establish job descriptions, personnel qualifications, and work schedules consistent with locally established priorities and objectives.

(e) In the event the State Board of Education adopts a policy to reorganize the service areas of regional educational service agencies pursuant to Code Section 20-2-270 effective July 1 of a fiscal year, members of boards of control during the preceding fiscal year shall constitute planning boards for the respective service areas to be established the ensuing July 1. Each planning board shall have the authority to establish the location or locations of the office or offices of its regional educational service agency effective the ensuing July 1, to issue contracts with a director and other agency staff to be employed effective the ensuing fiscal year, to assess the needs of all potential member local school systems and state charter schools, to prepare operational plans and budgets for the ensuing fiscal year, to establish the manner by which the local share of the budget will be assessed to potential member local school systems and state charter schools, and to make any other such decisions that the state board deems necessary for an orderly transition of service areas for regional educational service agencies. Such decisions shall be adopted by these planning boards prior to December 15 of the fiscal year preceding the effective date for reorganization of the service areas. Any such planning board shall be authorized to amend, prior to April 15 of that fiscal year, any such decisions which are necessary as the result of the actions of the General Assembly during its regular session during that fiscal year."

SECTION 5.

Said title is further amended by revising Code Section 20-2-274, relating to uniform state-wide needs program and documented local needs program grants, as follows:

"20-2-274.

(a) The state board shall be authorized to provide each regional educational service agency with a uniform state-wide needs program grant and a documented local needs program grant, subject to appropriation by the General Assembly. The uniform state-wide needs program grant shall consist of two components: the same fixed amount for each regional educational service agency; and an amount which reflects the number of local school systems, the number of schools, the number of students, and the number of square miles contained collectively within its member local school systems and state charter schools. Each regional educational service agency shall be required to match the uniform state-wide needs program grant with an amount of funds equal to one-fourth of this grant. The uniform state-wide needs grant and its matching local funds shall be used to finance the basic administrative overhead of the regional educational service agencies and to provide the areas of assistance specified in Code Sections 20-2-270.1 and 20-2-271. The amount of funds granted to each regional educational service agency for the documented local needs program grant shall depend upon the proportion that the number of local school systems, number of schools, number of students, and number of square miles contained collectively within its member local school systems and state charter schools are of these respective factors state wide, as well as the adopted operational plan and the budget designed to address documented needs for assistance to member local school systems and state charter schools. Each regional educational service agency shall be required to match the documented local needs program grant with an amount of funds equal to two-thirds of that grant. The state board shall provide grants to regional educational service agencies for Georgia Learning Resources Systems or to a local school system contracted to be a fiscal agent for a Georgia Learning Resources System. Each board of control shall be authorized to adopt the manner by which each member local school system and state charter school shall be assessed its share of the uniform state-wide needs program and the documented local needs program; provided, however, that member local school systems and state charter schools shall not be allowed to use funds received under the provisions of this article for this purpose. The state board shall grant the regional educational service agency the funds needed to provide services to all local school systems and state charter schools in the service area of the Georgia Learning Resources System designated as the fiscal agent or to any local school system contracted to serve as the fiscal agent for a Georgia Learning Resource System as well as the grants authorized previously by this subsection. All other financing will be based on contracts to supply service programs to member local school systems and state charter schools. The funds for these programs, upon a contract approval basis, may be derived from local, state, federal, or private sources.

(b) A regional educational service agency may not receive directly from the State Board of Education any state funds originally intended for or directed to a local school

system or state charter school by this article; provided, however, that, upon the official request of a local school system or state charter school, the state board may send directly to a regional educational service agency any funds allocated to a local school system or state charter school. All grants from the state along with the contributions from member local school systems or state charter schools and funds from other sources shall be budgeted by the board of control other than those designated to local school systems designated as fiscal agents for a Georgia Learning Resource System through contract with the State Board of Education."

SECTION 6.

Said title is further amended by revising subsection (d) and by adding a new subsection to Code Section 20-2-2068.1, relating to charter school funding, as follows:

"(d)(1) Effective July 1, 2012, except as otherwise provided in paragraph (2) of this subsection, the department shall pay to each state chartered special school through appropriation of state funds an amount equal to the sum of:

(A)(i) QBE formula earnings and QBE grants earned by the state chartered special school based on the school's enrollment, school profile, and student characteristics. For purposes of this subparagraph, the term 'QBE formula earnings' means funds earned for the Quality Basic Education Formula pursuant to Code Section 20-2-161, including the portion of such funds that are calculated in accordance with Code Section 20-2-164. QBE formula earnings shall include the salary portion of direct instructional costs, the adjustment for training and experience, the nonsalary portion of direct instructional costs, and earnings for psychologists and school social workers, school administration, facility maintenance and operation, media centers, additional days of instruction in accordance with Code Section 20-2-184.1, and staff development, as determined by the department; and

(ii) A proportional share of earned state categorical grants, non-QBE state grants, transportation grants, school nutrition grants, and all other state grants, except state equalization grants, as determined by the department;

(B)(i) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department; provided, however, that a state chartered special school that achieves a score on the College and Career Readiness Performance Index that is greater than or equal to the state-wide average shall instead receive the state-wide average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for all school systems or the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state chartered special school, whichever is less.

(ii) For a state chartered special school that is established on or after July 1, 2018,

in its first year of operation it shall initially receive the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department; provided, however, that if the state chartered special school achieves a score on the College and Career Readiness Performance Index that is greater than or equal to the state-wide average in its first year of operation, such school shall retroactively receive at the end of such first year the difference between:

(I) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department; and

(II) The state-wide average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for all school systems or the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state chartered special school, whichever is less;

thereafter, such school shall receive funds pursuant to division (i) of this subparagraph; and

(C) The state-wide average total capital revenue, excluding revenue bonds, per full-time equivalent, as determined by the department. In the event a state chartered special school terminates operations, all equipment and property purchased with funds received pursuant to this subparagraph shall revert to the ownership of the State Board of Education in accordance with a written agreement between the governing board of the state chartered special school and the State Board of Education entered into pursuant to paragraph (2) of subsection (f) of Code Section 20-2-2086.2.

(2) In the event that a state chartered special school offers virtual instruction:

(A) The amount of funds received pursuant to subparagraph (B) of paragraph (1) of this subsection shall be equal to two-thirds of such calculated amount; provided, however, that this two-thirds amount may be increased by any amount up to the originally calculated amount in the discretion of the department if relevant factors warrant such increase; and

(B) The department may reduce the amount of funds received pursuant to subparagraph (C) of paragraph (1) of this subsection in proportion to the amount of virtual instruction provided and based on factors that affect the cost of providing instruction.

(3) For purposes of this subsection, the terms:

(A) 'Assessed valuation' is defined as 40 percent of the equalized adjusted property tax digest reduced by the amount calculated pursuant to subsection (g) of Code Section 20-2-164.

(B) 'Assessed valuation per weighted full-time equivalent count' is defined as the

assessed valuation for the most recent year available divided by the weighted full-time equivalent count for the year of the digest.

(4) The department may withhold up to 3 percent of the amount determined pursuant to paragraphs (1) and (2) of this subsection for each state chartered special school for use in administering the duties required pursuant to this article with respect to state chartered special schools; provided, however, that any amount withheld pursuant to this subsection shall be spent solely on expenses incurred by the department in performing the duties required by this article with respect to state chartered special schools.

(5) No deduction shall be made to any state funding which a local school system is otherwise authorized to receive pursuant to this chapter as a direct result or consequence of the enrollment in a state chartered special school of a specific student or students who reside in the geographical area of the local school system.

(6) Funding for state chartered special schools pursuant to this subsection shall be subject to appropriations by the General Assembly and such schools shall be treated consistently with all other public schools in this state, pursuant to the respective statutory funding formulas and grants.

(7) The local board shall not be responsible for the fiscal management, accounting, or oversight of the state chartered special school. The state chartered special school shall report enrolled students in a manner consistent with Code Section 20-2-160. Any data required to be reported by the state chartered special school shall be submitted directly by the school to the appropriate state agency. Where feasible, the state board shall treat a state chartered special school no less favorably than other public schools within the state with respect to the provision of funds for transportation and building programs."

"(i) For purposes of funding students enrolled in a local charter school in the first year of such school's operation, in the first year that an existing local charter school offers a new grade level, or in an upcoming year in which student growth in the existing local charter school is projected to exceed 15 percent if authorized by the charter, and prior to the initial student count, the state board shall calculate and the Department of Education shall distribute the funding for the local charter school on the basis of its projected enrollment according to an enrollment counting procedure or projection method stipulated in the terms of the charter. Such initial funding shall include the adjustments in each program for training and experience. No later than July 1 of each year, the state board shall notify the Department of Education and the Office of Planning and Budget of the funding estimates calculated pursuant to this subsection for any new local charter schools, any new grade levels offered by existing local charter schools, or any existing local charter schools with projected student growth exceeding 15 percent. After the initial student count during the first year of such local charter school's operation, newly offered grade level, or projected student growth exceeding 15 percent and in all years of operation thereafter, each local charter school's student enrollment shall be based on the actual enrollment in the current school year according to the most recent student count. Nothing in this Code section shall be construed to require the Department of Education

to conduct more than two student counts per year."

SECTION 7.

Said title is further amended by revising Code Section 20-2-2089, relating to funding for state charter schools, as follows:

"20-2-2089.

(a)(1) The earnings for a student in a state charter school shall be equal to the earnings for any other student with similar student characteristics in a state charter school, regardless of the local school system in which the student resides or the school system in which the state charter school is located, and, except as otherwise provided in paragraph (2) of this subsection, the department shall pay to each state charter school through appropriation of state funds an amount equal to the sum of:

(A)(i) QBE formula earnings and QBE grants earned by the state charter school based on the school's enrollment, school profile, and student characteristics. For purposes of this subparagraph, the term 'QBE formula earnings' means funds earned for the Quality Basic Education Formula pursuant to Code Section 20-2-161, including the portion of such funds that are calculated in accordance with Code Section 20-2-164. QBE formula earnings shall include the salary portion of direct instructional costs, the adjustment for training and experience, the nonsalary portion of direct instructional costs, and earnings for psychologists and school social workers, school administration, facility maintenance and operation, media centers, additional days of instruction in accordance with Code Section 20-2-184.1, and staff development, as determined by the department.

(ii) A proportional share of earned state categorical grants, non-QBE state grants, transportation grants, school nutrition grants, and all other state grants, except state equalization grants, as determined by the department;

(B)(i) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department; provided, however, that a state charter school that achieves a score on the College and Career Readiness Performance Index that is greater than or equal to the state-wide average shall instead receive the state-wide average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for all school systems or the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state charter school, whichever is less.

(ii) For a state charter school that is established on or after July 1, 2018, in its first year of operation it shall initially receive the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department;

provided, however, that if the state charter school achieves a score on the College and Career Readiness Performance Index that is greater than or equal to the state-wide average in its first year of operation, such school shall retroactively receive at the end of such first year the difference between:

(I) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department; and

(II) The state-wide average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for all school systems or the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state charter school, whichever is less;

thereafter, such school shall receive funds pursuant to division (i) of this subparagraph; and

(C) The state-wide average total capital revenue, excluding revenue bonds, per full-time equivalent, as determined by the department. In the event a state charter school terminates operations, all equipment and property purchased with funds received pursuant to this subparagraph shall revert to the ownership of the State Charter School Commission in accordance with a written agreement between the governing board of the state charter school and the State Charter School Commission entered into pursuant to paragraph (3) of subsection (f) of Code Section 20-2-2086.2.

(2) In the event that a state charter school offers virtual instruction:

(A) The amount of funds received pursuant to subparagraph (B) of paragraph (1) of this subsection shall be equal to two-thirds of such calculated amount; provided, however, that this two-thirds amount may be increased by any amount up to the originally calculated amount in the discretion of the commission if relevant factors warrant such increase; and

(B) The commission may reduce the amount of funds received pursuant to subparagraph (C) of paragraph (1) of this subsection in proportion to the amount of virtual instruction provided and based on factors that affect the cost of providing instruction.

(3) For purposes of this subsection, the terms:

(A) 'Assessed valuation' is defined as 40 percent of the equalized adjusted property tax digest reduced by the amount calculated pursuant to subsection (g) of Code Section 20-2-164.

(B) 'Assessed valuation per weighted full-time equivalent count' is defined as the assessed valuation for the most recent year available divided by the weighted full-time equivalent count for the year of the digest.

(b) The department may withhold up to 3 percent of the amount determined pursuant to subsection (a) of this Code section for each state charter school for use in administering the duties required pursuant to Code Section 20-2-2083; provided, however, that any

amount withheld pursuant to this subsection shall be spent solely on expenses incurred by the commission in performing the duties required by this article.

(c) No deduction shall be made to any state funding which a local school system is otherwise authorized to receive pursuant to this chapter as a direct result or consequence of the enrollment in a state charter school of a specific student or students who reside in the geographical area of the local school system.

(d) For purposes of funding students enrolled in a state charter school in the first year of such school's operation, in ~~or for~~ the first year that an existing state charter school offers a new grade level, or in an upcoming year in which student growth in the existing state charter school is projected to exceed 15 percent if authorized by the charter, and prior to the initial student count, the commission shall calculate and the department shall distribute the funding for the state charter school on the basis of its projected enrollment according to an enrollment counting procedure or projection method stipulated in the terms of the charter. Such initial funding shall include the adjustments in each program for training and experience. No later than July 1 of each year, the commission shall notify the department and the Office of Planning and Budget of the funding estimates calculated pursuant to this subsection for any new state charter schools, ~~and for~~ any new grade levels offered by existing state charter schools, or any existing state charter schools with projected student growth exceeding 15 percent. After the initial student count during the first year of such state charter school's operation, ~~or~~ newly offered grade level, or projected student growth exceeding 15 percent and in all years of operation thereafter, each state charter school's student enrollment shall be based on the actual enrollment in the current school year according to the most recent student count. Nothing in this Code section shall be construed to require the department to conduct more than two student counts per year.

(e) Funding for state charter schools pursuant to this Code section shall be subject to appropriations by the General Assembly and such schools shall be treated consistently with all other public schools in this state, pursuant to the respective statutory funding formulas and grants."

SECTION 7A.

Said title is further amended in Part 3 of Article 7 of Chapter 3, relating to the Georgia Student Finance Authority, by adding a new subpart to read as follows:

"Subpart 2A

20-3-360.

As used in this subpart, the term:

(1) 'Eligible student' means a person whose family income does not exceed \$48,000.00 and who:

(A) Has been accepted for enrollment as a first year student in a qualified institution who has qualified for and is receiving a federal Pell Grant, is not qualified to receive a HOPE scholarship, achieved a high school grade point average

of 2.3 through 3.0, and meets at least one of the following requirements:

- (i) Has achieved an ACT composite scale score of 21 or higher;
- (ii) Has achieved an SAT score of 480 or higher on evidence based reading and writing and 530 on mathematics;
- (iii) Has achieved a score of 3 or higher on at least two advanced placement examinations;
- (iv) Has achieved a score of 4 or higher on at least two international baccalaureate examinations;
- (v) Has passed an end-of-pathway assessment under the Carl D. Perkins Vocational and Technical Education Act, 20 U.S.C. Section 2301, et seq.; or
- (vi) Has completed a work based learning experience in a field related to at least one course in the same pathway of study;

(B) Is an enrolled continuing first year student in a qualified institution who is making satisfactory progress in his or her degree program; or

(C) Is a continuing student in a qualified institution who has become ineligible for a HOPE scholarship and qualifies under one of the provisions of divisions (i) through (vi) of subparagraph (A) of this paragraph during his or her high school career.

(2) 'Income' means federal adjusted gross income determined pursuant to the Internal Revenue Code of 1986, as amended, from all sources, and income derived from municipal bonds which is not included in federal adjusted gross income for federal income tax purposes.

(3) 'Qualified institution' means an institution of the university system.

20-3-361.

There is awarded to each eligible student a grant in an amount not to exceed \$1,500.00 per academic semester, contingent upon appropriations by the General Assembly. In order to remain eligible to receive such grant, a student must be employed at least 15 hours per week during the semester and maintain at least a 2.3 grade point average; provided, however, that a student athlete shall be exempt from the employment requirement imposed by this Code section during the period beginning on the first day of the month preceding the month in which the first competition of the regular season occurs through the last day of the month in which the final competition of the regular season or postseason competition occurs.

20-3-362.

Each eligible student wishing to receive the grant provided for in this subpart shall submit to the qualifying institution an application for the grant payment at the time and in accordance with procedures prescribed by the authority. The authority is authorized to define such terms and prescribe such rules, regulations, and procedures as may be reasonable and necessary to carry out the purposes of this subpart. The authority shall not approve payment of any grant until it has received from an appropriate officer of the qualifying institution a certification that the student applying for the grant is an eligible student. Upon timely receipt of such certification, in proper form, the authority

is authorized to pay the grant to the qualifying institution on behalf of and to the credit of the student. In the event a student on whose behalf a grant is paid does not enroll as a full-time student for the academic semester for which the grant is paid, the qualifying institution shall make a refund to the authority in accordance with regulations of the authority.

20-3-363.

(a) In the event funds available to the authority are not sufficient to enable the authority to pay on behalf of eligible students the full grant prescribed by the General Assembly, grants payable for the remaining academic semesters shall be reduced by the authority on a pro rata basis.

(b) The authority shall use the following formula in calculating the budget for each qualifying institution: the combined amount of average annual tuition and mandatory fees minus the average annual Pell Grant award multiplied by the number of Pell Grant recipients from which has been subtracted the combined number of HOPE and Zell Miller scholarship recipients.

20-3-364.

Each qualified institution shall be subject to examination by the state auditor for the sole purpose of determining whether the institution has properly certified eligibility and enrollment of students and credited grants paid on behalf of such students; provided, however, that nothing in this subpart shall be construed to interfere with the authority of the institution to determine admissibility of students or to control its own curriculum, philosophy, purpose, or administration. In the event it is determined that a qualified institution knowingly or through error certified an ineligible student to be eligible for a grant under this subpart, the amount of the grant paid to such institution pursuant to such certification shall be refunded by such institution to the authority.

20-3-365.

Any person who knowingly makes or furnishes any false statement or misrepresentation or who accepts such statement or misrepresentation knowing it to be false for the purpose of enabling an ineligible student to obtain wrongfully a grant under this subpart shall be guilty of a misdemeanor."

SECTION 8.

All laws and parts of laws in conflict with this Act are repealed.

Senators Brass of the 28th and Millar of the 40th offered the following amendment #1:

Amend the Senate Committee on Education and Youth substitute to HB 787 (LC 33 7467S) by striking "15" on line 5 and inserting in lieu thereof "2".

By inserting after "experience;" on line 6 the following:

to provide for the establishment of a grant program to replicate high-performing charter schools; to provide for contingency on appropriations; to provide for criteria; to provide for rules and regulations;

By inserting "to provide for a hold harmless clause;" after "penalties;" on line 9.

By striking lines 271 through 320 and inserting in lieu thereof the following:

(B) The state-wide average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department all school systems or the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state chartered special school, whichever is less; and

(C)(i) For brick-and-mortar state chartered special schools, the state-wide average total capital revenue, excluding local revenue bonds, per full-time equivalent, as determined by the department or the capital revenue per full-time equivalent for the local school system where the brick-and-mortar state chartered special school is located, whichever is greater; and

(ii) For state chartered special schools that offer virtual instruction, an amount equal to 20 percent of the state-wide average total capital revenue per full-time equivalent if such school provides computer hardware, software, associated technical equipment, and ongoing maintenance required and necessary for its students to participate in such virtual instruction.

(2) In the event that a state chartered special school offers virtual instruction, the:

~~(A) The amount of funds received pursuant to subparagraph (B) of paragraph (1) of this subsection shall be equal to two-thirds of such calculated amount; provided, however, that this two-thirds amount may be increased by any amount up to the originally calculated amount in the discretion of the department if relevant factors warrant such increase; and~~

~~(B) The department may reduce the amount of funds received pursuant to subparagraph (C) of paragraph (1) of this subsection in proportion to the amount of virtual instruction provided and based on factors that affect the cost of providing instruction.~~

By striking "15" on lines 352, 361, and 363, and inserting in lieu thereof "2".

By inserting between lines 367 and 368 the following:

SECTION 6A.

Said title is further amended by adding a new Code section to read as follows:

"20-2-2075.

(a) The State Board of Education is authorized to establish a grant program for the purpose of replicating high-performing charter schools, including local charter schools,

state chartered special schools, and state charter schools. The grant program shall include funding, subject to appropriations by the General Assembly, for grants to charter applicants and existing charter schools to replicate high-performing charter schools or features or programs of high-performing charter schools that have been proven to be effective.

(b) Grants shall be provided primarily for charter schools in rural areas, charter schools that primarily serve students with special needs, and charter schools that serve educationally disadvantaged students.

(c) Grants shall be awarded based on criteria, terms, and conditions established by the State Board of Education, in consultation with the State Charter Schools Commission. The grant program criteria may take into account the likelihood of success in replicating a high-performing charter school or feature or program of a high-performing charter school, whether a particular model lends itself to replication, the reasonableness of the costs involved in replication, and such other criteria deemed appropriate.

(d) The State Board of Education, in consultation with the State Charter Schools Commission, is authorized to develop rules and regulations to implement the grant program established pursuant to this Code section."

By striking lines 392 through 440 and inserting in lieu thereof the following:

(B) The state-wide average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department all school systems or the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state charter school, whichever is less; and

(C)(i) For brick-and-mortar state charter schools, the state-wide average total capital revenue, excluding local revenue bonds, per full-time equivalent, as determined by the department or the capital revenue per full-time equivalent for the local school system where the brick-and-mortar state charter school is located, whichever is greater; and

(ii) For state charter schools that offer virtual instruction, an amount equal to 20 percent of the state-wide average total capital revenue per full-time equivalent if such school provides computer hardware, software, associated technical equipment, and ongoing maintenance required and necessary for its students to participate in such virtual instruction.

(2) In the event that a state charter school offers virtual instruction, the:

(A) The amount of funds received pursuant to subparagraph (B) of paragraph (1) of this subsection shall be equal to two-thirds of such calculated amount; provided, however, that this two-thirds amount may be increased by any amount up to the originally calculated amount in the discretion of the commission if relevant factors warrant such increase; and

(B) The commission may reduce the amount of funds received pursuant to

~~subparagraph (C) of paragraph (1) of this subsection in proportion to the amount of virtual instruction provided and based on factors that affect the cost of providing instruction.~~

By striking "15" on lines 460, 469, and 471, and inserting in lieu thereof "2".

By inserting between lines 559 and 560 the following:

SECTION 7B.

Each state chartered special school and each state charter school shall be held harmless and guaranteed to receive at least the level of funds in subsequent fiscal years that was received by such state chartered special school or state charter school in fiscal year 2018.

On the adoption of the amendment, the President asked unanimous consent.

Senator Tippins of the 37th objected.

On the adoption of the amendment, the yeas were 26, nays 20, and the Brass, Millar amendment #1 to the committee substitute was adopted.

Senators Brass of the 28th and Millar of the 40th offered the following amendment #2:

Amend the Senate Committee on Education and Youth substitute to HB 787 (LC 33 7467S) by inserting after "experience;" on line 6 the following:

to provide for annual reports by the Department of Audits and Accounts on state chartered special schools and state charter schools that offer virtual instruction; to provide for comprehensive reports of such charter schools that offer virtual instruction on the earlier of every four years or the year before such school's charter is eligible for renewal;

By inserting between lines 367 and 368 the following:

SECTION 7.

Said title is further amended by adding a new Code section to read as follows:

"20-2-2075.

(a)(1) The Department of Audits and Accounts shall develop an annual report on state chartered special schools that offer virtual instruction. The Department of Audits and Accounts may consult with the State Board of Education to develop and collect information for the report.

(2) The annual report shall include at a minimum: school enrollment; attendance rate and method of measurement; attrition rate; course segment completion rates; academic performance, including College and Career Ready Performance Index (CCRPI) scores, value-added analysis, and Beating the Odds analysis; other academic performance as it relates to the goals of the school's charter; governance and management; staffing and teacher qualification data; finances, including actual

income, expenditures, and profits for the prior fiscal year; operational performance; innovative practices and implementation; and future plans. The annual report shall also include information on the implementation of professional development plans for persons in administrative, supervisory, or instructional leadership roles who do not hold a valid administrative license; a copy of all charter school agreements for corporate management services, including the company's parent corporation; and agreements for other administrative, financial, and staffing services.

(3) The Department of Audits and Accounts shall submit the annual report on each state chartered special school that offers virtual instruction to the State Board of Education, the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor by December 1 of each year. The annual report shall also be posted on the state chartered special school's official website.

(b)(1) Every four years or the year before a charter for a state chartered special school that offers virtual instruction becomes eligible for renewal, whichever is earlier, the Department of Audits and Accounts shall compile the data included in the annual reports for such state chartered special school and identify any long-term trends regarding academic performance, financial data, and governance data. Such comprehensive report shall outline how the state chartered special school's actual performance compared to the goals outlined in its charter.

(2) The Department of Audits and Accounts shall submit the comprehensive report of each such state chartered special school to the State Board of Education, the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor by January 1 of the year in which the state chartered special school becomes eligible for renewal. The comprehensive report shall also be posted on the state chartered special school's official website."

By inserting between lines 478 and 479 the following:

SECTION 9.

Said title is further amended by adding a new Code section to read as follows:

"20-2-2093.

(a)(1) The Department of Audits and Accounts shall develop an annual report on state charter schools that offer virtual instruction. The Department of Audits and Accounts may consult with the commission to develop and collect information for the report.

(2) The annual report shall include at a minimum: school enrollment; attendance rate and method of measurement; attrition rate; course segment completion rates; academic performance, including College and Career Ready Performance Index (CCRPI) scores, value-added analysis, and Beating the Odds analysis; other academic performance as it relates to the goals of the school's charter; governance and management; staffing and teacher qualification data; finances, including actual income, expenditures, and profits for the prior fiscal year; operational performance; innovative practices and implementation; and future plans. The annual report shall also include information on the implementation of professional development plans for

persons in administrative, supervisory, or instructional leadership roles who do not hold a valid administrative license; a copy of all charter school agreements for corporate management services, including the company's parent corporation; and agreements for other administrative, financial, and staffing services.

(3) The Department of Audits and Accounts shall submit the annual report on each state charter school that offers virtual instruction to the commission, the State Board of Education, the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor by December 1 of each year. The annual report shall also be posted on the state charter school's official website.

(b)(1) Every four years or the year before a charter for a state charter school that offers virtual instruction becomes eligible for renewal, whichever is earlier, the Department of Audits and Accounts shall compile the data included in the annual reports for such state charter school and identify any long-term trends regarding academic performance, financial data, and governance data. Such comprehensive report shall outline how the state charter school's actual performance compared to the goals outlined in its charter.

(2) The Department of Audits and Accounts shall submit the comprehensive report of each such state charter school to the commission, the State Board of Education, the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor by January 1 of the year in which the state charter school becomes eligible for renewal. The comprehensive report shall also be posted on the state charter school's official website."

By redesignating Sections 7, 7A, and 8 as Sections 8, 10, and 11, respectively.

On the adoption of the amendment, the President asked unanimous consent.

Senator Tippins of the 37th objected.

On the adoption of the amendment, the yeas were 24, nays 19, and the Brass, Millar amendment #2 to the committee substitute was adopted.

Senator Williams of the 27th offered the following amendment #3:

Amend the Senate Committee on Education and Youth substitute to HB 787 (LC 33 7467S) by inserting after "penalties;" on line 9 the following:

to provide for freedom of religious expression by faculty and employees of public schools while fulfilling the duties of their jobs;

By inserting between lines 559 and 560 the following:

SECTION 7B.

Said title is further amended in Chapter 2, relating to elementary and secondary education, by revising Article 20, which is reserved, as follows:

"ARTICLE 20

20-2-1030.

(a) During contract time, faculty and employees at public elementary and secondary schools may:

(1) Engage in religious expression and discussions and share religious materials with other faculty and employees at the same times and in the same manner that faculty and employees are permitted to engage in nonreligious expression and discussions;

(2) Discuss religious topics and use religious materials in the classroom when presented in a neutral manner and when serving a valid, secular educational purpose;

(3) Serve as a sponsor of student religious clubs and assist students in planning meetings, activities, and events to the same extent that faculty sponsors of nonreligious clubs are permitted to do so;

(4) Permit and be present for student-initiated, student-led religious expression;

(5) Participate in voluntary student-initiated, student-led prayer, such as prayer before a sporting event, when invited to do so by the students, provided that the participation is in the faculty's or employee's personal capacity and not as a representative of the school;

(6) Wear religious clothing, symbols, or jewelry, provided that such items otherwise comply with any dress code implemented by the public elementary or secondary school; and

(7) Decorate their desk and other personal space in their office or classroom with items that reflect their religious beliefs to the same extent that other faculty and employees are permitted to decorate their desk and other personal space.

(b) During noncontract time, faculty and employees at public elementary and secondary schools may engage in religious expression and share religious materials to the same extent that other individuals are permitted to do so. Reserved."

Senator Millar of the 40th requested a ruling of the Chair as to the germaneness of the amendment.

The President ruled the amendment not germane.

Senator Henson of the 41st offered the following amendment #4:

Amend the Senate Committee on Education and Youth substitute to HB 787 (LC 33 7467S) by striking lines 515 through 521 and inserting in lieu thereof the following:

remain eligible to receive such grant, a student must maintain at least a 2.3 grade point average.

On the adoption of the amendment, the President asked unanimous consent.

Senator Millar of the 40th objected.

On the adoption of the amendment, the yeas were 21, nays 28, and the Henson amendment #4 to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowser	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	E Tillery
Y Ginn	N Lucas	N Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 44, nays 11.

HB 787, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has adopted, by the requisite constitutional majority, the following Resolution of the House:

HR 1198. By Representatives Spencer of the 180th, Ealum of the 153rd, Greene of the 151st, Clark of the 98th, Belton of the 112th and others:

A RESOLUTION urging the United States Congress to increase the per diem rate for nursing care in state veterans homes to 75 percent of the state private nursing rates; and for other purposes.

The House has passed, by the requisite constitutional majority, the following Bill of the Senate:

SB 369. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Anderson of the 43rd and others:

A BILL to be entitled an Act to amend Article 4 of Chapter 17 of Title 47 of the Official Code of Georgia Annotated, relating to revenues collected from fines and fees, so as to provide for payments to the Peace Officers' Annuity and Benefit Fund from fees collected in criminal and quasi-criminal cases prior to adjudication of guilt; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 445. By Senators Gooch of the 51st, Beach of the 21st, Miller of the 49th, Ginn of the 47th and Dugan of the 30th:

A BILL to be entitled an Act to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for standards for contracts entered into by the Department of Transportation; to provide for a contract bidding process and award procedure; to prohibit camping on portions of the state highway system or property owned by the department; to provide for a definition; to declare property used for camping purposes in violation of such prohibition as contraband; to provide for forfeiture of such property; to provide for applicability; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted, by substitute, by the requisite constitutional majority the following Resolution of the Senate:

SR 745. By Senators Millar of the 40th, Shafer of the 48th, Henson of the 41st and Unterman of the 45th:

A RESOLUTION recognizing Robert H. "Bob" Bell and dedicating interchanges in his honor; and for other purposes.

Senator Butch Miller, President Pro Tempore, assumed the Chair.

The following bill was taken up to consider the Conference Committee Report thereto:

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

The Conference Committee Report was as follows:

The Committee of Conference on HB 684 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 684 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Senator Cowsert of the 46th
/s/ Senator Hill of the 4th
/s/ Senator Miller of the 49th

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Representative Burns of the 159th
/s/ Representative England of the 116th
/s/ Representative Jones of the 47th

CONFERENCE COMMITTEE
A BILL TO BE ENTITLED
AN ACT

To make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the State government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**PART I**

The sums of money hereinafter provided are appropriated for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019, as prescribed hereinafter for such fiscal year:

Total Funds	\$51,032,179,073
Federal Funds and Grants	\$14,039,743,958
CCDF Mandatory & Matching Funds (CFDA 93.596)	\$97,618,088
Child Care & Development Block Grant (CFDA 93.575)	\$127,917,722
Community Mental Health Services Block Grant (CFDA 93.958)	\$14,163,709
Community Service Block Grant (CFDA 93.569)	\$16,844,514
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$1,528,196,404
Foster Care Title IV-E (CFDA 93.658)	\$102,896,212
Low-Income Home Energy Assistance (CFDA 93.568)	\$56,082,762
Maternal and Child Health Services Block Grant (CFDA 93.994)	\$16,884,236
Medical Assistance Program (CFDA 93.778)	\$7,415,064,935
Prevention and Treatment of Substance Abuse Block Grant (CFDA 93.959)	\$48,000,973
Preventive Health and Health Services Block Grant (CFDA 93.991)	\$2,206,829
Social Services Block Grant (CFDA 93.667)	\$52,605,059
State Children's Insurance Program (CFDA 93.767)	\$461,088,931
TANF Transfers to Social Services Block Grant (CFDA 93.558)	\$4,202,278
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$326,177,253
Federal Funds Not Specifically Identified	\$3,769,794,053
Federal Recovery Funds	\$36,134,183
Federal Recovery Funds Not Specifically Identified	\$36,134,183
Other Funds	\$6,562,704,363
Agency Funds	\$3,589,962,795
Indigent Care Trust Fund - Public Hospital Authorities	\$139,386,524
Other Funds - Not Specifically Identified	\$498,412,550
Records Center Storage Fee	\$618,902
Research Funds	\$2,334,323,592
State Funds	\$26,226,914,974
Brain & Spinal Injury Trust Fund	\$1,445,857
Hospital Provider Payment	\$326,188,448
Lottery Funds	\$1,201,496,219
Motor Fuel Funds	\$1,830,500,000
Nursing Home Provider Fees	\$157,326,418
State General Funds	\$22,559,798,054
Tobacco Settlement Funds	\$150,159,978
Intra-State Government Transfers	\$4,166,681,595

Health Insurance Payments	\$3,672,579,618
Medicaid Services Payments - Other Agencies	\$280,857,262
Other Intra-State Government Payments	\$64,086,982
Self Insurance Trust Fund Payments	\$149,157,733

Section 1: Georgia Senate

Total Funds	\$11,626,262
State Funds	\$11,626,262
State General Funds	\$11,626,262

1.1. Lieutenant Governor's Office

Total Funds	\$1,326,808
State Funds	\$1,326,808
State General Funds	\$1,326,808

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,330,208	\$1,330,208
Reduce and realign funds for risk premiums based on projected expenditures.	(\$3,400)	(\$3,400)
Amount appropriated in this Act	----- \$1,326,808	----- \$1,326,808

1.2. Secretary of the Senate's Office

Total Funds	\$1,211,630
State Funds	\$1,211,630
State General Funds	\$1,211,630

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,214,330	\$1,214,330
Reduce and realign funds for risk premiums based on projected expenditures.	(\$2,700)	(\$2,700)
Amount appropriated in this Act	----- \$1,211,630	----- \$1,211,630

1.3. Senate

Total Funds	\$7,945,280
State Funds	\$7,945,280
State General Funds	\$7,945,280

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$7,963,280	\$7,963,280
Reduce and realign for risk premiums based on	(\$18,000)	(\$18,000)

projected expenditures.		
Amount appropriated in this Act	-----	-----
	\$7,945,280	\$7,945,280

1.4. Senate Budget and Evaluation Office

Purpose: The purpose of this appropriation is to provide budget development and evaluation expertise to the State Senate.

Total Funds	\$1,142,544
State Funds	\$1,142,544
State General Funds	\$1,142,544

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,145,244	\$1,145,244
Reduce and realign funds for risk premiums based on projected expenditures.	(\$2,700)	(\$2,700)
Amount appropriated in this Act	-----	-----
	\$1,142,544	\$1,142,544

Section 2: Georgia House of Representatives

Total Funds	\$19,589,875
State Funds	\$19,589,875
State General Funds	\$19,589,875

2.1. House of Representatives

Total Funds	\$19,589,875
State Funds	\$19,589,875
State General Funds	\$19,589,875

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$19,627,875	\$19,627,875
Realign funds for risk premiums based on projected expenditures.	(\$38,000)	(\$38,000)
Amount appropriated in this Act	-----	-----
	\$19,589,875	\$19,589,875

Section 3: Georgia General Assembly Joint Offices

Total Funds	\$12,122,791
State Funds	\$12,122,791
State General Funds	\$12,122,791

3.1. Ancillary Activities

Purpose: The purpose of this appropriation is to provide services for the

legislative branch of government.

Total Funds	\$6,638,552
State Funds	\$6,638,552
State General Funds	\$6,638,552

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,038,968	\$6,038,968
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$7,694	\$7,694
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$14,134)	(\$14,134)
Reflect an adjustment in merit system assessments.	(\$980)	(\$980)
Adjust billings for unemployment insurance to reflect claims expenses.	\$11,221	\$11,221
Increase funds for operating expenses.	\$519,883	\$519,883
Realign funds for risk premiums based on projected expenditures.	\$75,900	\$75,900
Amount appropriated in this Act	----- \$6,638,552	----- \$6,638,552

3.2. Legislative Fiscal Office

Purpose: The purpose of this appropriation is to act as the bookkeeper-comptroller for the legislative branch of government and maintain an account of legislative expenditures and commitments.

Total Funds	\$1,427,935
State Funds	\$1,427,935
State General Funds	\$1,427,935

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,337,944	\$1,337,944
Reflect an adjustment in TeamWorks billings.	(\$7,709)	(\$7,709)
Increase funds for operating expenses.	\$100,000	\$100,000
Realign funds for risk premiums based on projected expenditures.	(\$2,300)	(\$2,300)
Amount appropriated in this Act	----- \$1,427,935	----- \$1,427,935

3.3. Office of Legislative Counsel

Purpose: The purpose of this appropriation is to provide bill-drafting services, advice and counsel for members of the General Assembly.

Total Funds	\$4,056,304
State Funds	\$4,056,304
State General Funds	\$4,056,304

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,065,104	\$4,065,104
Realign funds for risk premiums based on projected expenditures.	(\$8,800)	(\$8,800)
Amount appropriated in this Act	----- \$4,056,304	----- \$4,056,304

Section 4: Audits and Accounts, Department of

Total Funds	\$36,348,638
Other Funds	\$60,000
Other Funds - Not Specifically Identified	\$60,000
State Funds	\$36,198,638
State General Funds	\$36,198,638
Intra-State Government Transfers	\$90,000
Other Intra-State Government Payments	\$90,000

4.1. Audit and Assurance Services

Purpose: The purpose of this appropriation is to provide audit and assurance services for State Agencies, Authorities, Commissions, Bureaus, and higher education systems to facilitate Auditor's reports for the State of Georgia Comprehensive Annual Financial Report, the State of Georgia Single Audit Report, and the State of Georgia Budgetary Compliance Report; to conduct audits of public school systems in Georgia; to perform special examinations and investigations; to conduct performance audits and evaluations at the request of the General Assembly; to conduct reviews of audits reports conducted by other independent auditors of local governments and non-profit organizations contracting with the State; to audit Medicaid provider claims; and to provide state financial information online to promote transparency in government.

Total Funds	\$30,856,498
Other Funds	\$60,000
Other Funds - Not Specifically Identified	\$60,000
State Funds	\$30,706,498
State General Funds	\$30,706,498
Intra-State Government Transfers	\$90,000
Other Intra-State Government Payments	\$90,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$30,893,316	\$31,043,316
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81%	\$3,595	\$3,595

to 20.90%.		
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$5,038)	(\$5,038)
Reflect an adjustment in merit system assessments.	(\$1,894)	(\$1,894)
Reflect an adjustment in TeamWorks billings.	(\$13,481)	(\$13,481)
Transfer funds to the Departmental Administration, Legislative Services, and Statewide Equalized Adjusted Property Tax Digest programs to accurately reflect program expenditures.	(\$170,000)	(\$170,000)
Amount appropriated in this Act	----- \$30,706,498	----- \$30,856,498

4.2. Departmental Administration (DOAA)

Purpose: The purpose of this appropriation is to provide administrative support to all Department programs.

Total Funds	\$2,619,206
State Funds	\$2,619,206
State General Funds	\$2,619,206

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,515,699	\$2,515,699
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$285)	(\$285)
Reflect an adjustment in merit system assessments.	(\$107)	(\$107)
Reflect an adjustment in TeamWorks billings.	(\$764)	(\$764)
Adjust billings for unemployment insurance to reflect claims expenses.	\$4,663	\$4,663
Transfer funds from the Audit and Assurance Services program to accurately reflect program expenditures.	\$100,000	\$100,000
Amount appropriated in this Act	----- \$2,619,206	----- \$2,619,206

4.3. Immigration Enforcement Review Board

Purpose: The purpose of this appropriation is to reimburse members of the Immigration Enforcement Review Board for expenses incurred in connection with the investigation and review of complaints alleging failure of public agencies or employees to properly adhere to federal and state laws related to the federal work authorization program E-Verify.

Total Funds	\$20,000
State Funds	\$20,000
State General Funds	\$20,000

4.4. Legislative Services

Purpose: The purpose of this appropriation is to analyze proposed legislation affecting state retirement systems for fiscal impact and review actuarial

investigations and to prepare fiscal notes upon request on other legislation having a significant impact on state revenues and/or expenditures.

Total Funds	\$276,600
State Funds	\$276,600
State General Funds	\$276,600

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$256,600	\$256,600
Transfer funds from the Audit and Assurance Services program to accurately reflect program expenditures.	\$20,000	\$20,000
Amount appropriated in this Act	----- \$276,600	----- \$276,600

4.5. Statewide Equalized Adjusted Property Tax Digest

Purpose: The purpose of this appropriation is to establish an equalized adjusted property tax digest for each county and for the State as a whole for use in allocating state funds for public school systems and equalizing property tax digests for collection of the State 1/4 mill; to provide the Revenue Commissioner statistical data regarding county Tax Assessor compliance with requirements for both uniformity of assessment and level of assessment; and to establish the appropriate level of assessment for centrally assessed public utility companies.

Total Funds	\$2,576,334
State Funds	\$2,576,334
State General Funds	\$2,576,334

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,527,987	\$2,527,987
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$408)	(\$408)
Reflect an adjustment in merit system assessments.	(\$153)	(\$153)
Reflect an adjustment in TeamWorks billings.	(\$1,092)	(\$1,092)
Transfer funds from the Audit and Assurance Services program to accurately reflect program expenditures.	\$50,000	\$50,000
Amount appropriated in this Act	----- \$2,576,334	----- \$2,576,334

Section 5: Appeals, Court of

Total Funds	\$21,434,676
Other Funds	\$150,000
Other Funds - Not Specifically Identified	\$150,000
State Funds	\$21,284,676

State General Funds

\$21,284,676

5.1. Court of Appeals

Purpose: The purpose of this appropriation is for this court to review and exercise appellate and certiorari jurisdiction pursuant to the Constitution of the State of Georgia, Art. VI, Section V, Para. III, in all cases not reserved to the Supreme Court of Georgia or conferred on other courts by law.

Total Funds	\$21,434,676
Other Funds	\$150,000
Other Funds - Not Specifically Identified	\$150,000
State Funds	\$21,284,676
State General Funds	\$21,284,676

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$21,231,636	\$21,381,636
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,862)	(\$2,862)
Reflect an adjustment in merit system assessments.	(\$3,815)	(\$3,815)
Reflect an adjustment in TeamWorks billings.	(\$5,972)	(\$5,972)
Adjust billings for unemployment insurance to reflect claims expenses.	\$961	\$961
Increase funds to annualize increase in daily allowance days for judges who reside 50 miles or more from the Judicial Building in accordance with HB 5 (2017 Session).	\$20,760	\$20,760
Increase funds to annualize central staff attorney position effective January 1, 2018.	\$80,720	\$80,720
Increase funds for one full-time central staff attorney position effective July 1, 2018. (CC:No)	\$0	\$0
Increase funds for software maintenance for Laserfiche Workflow System.	\$11,928	\$11,928
Eliminate funds for one-time purchase of furniture and equipment for central staff positions.	(\$31,230)	(\$31,230)
Eliminate funds for one-time funding to scan and digitize existing fiscal records.	(\$55,000)	(\$55,000)
Increase funds for information technology expenses related to the new Judicial Building. (CC:No; Reflect in HB 683, 2018 Session.)	\$0	\$0
Increase funds to purchase 30 additional licenses for disaster recovery backup software.	\$35,000	\$35,000
Increase funds for one-year subscription for online cyber security training program.	\$2,550	\$2,550
The Court of Appeals shall collaborate with the Supreme Court to study the financial impact and operational efficiencies gained from the sharing of administrative services, including but not limited to human resources, information technology, procurement,	\$0	\$0

and accounts payable, and provide a report of their findings to the House and Senate Appropriations Committees by December 1, 2018. (CC:Yes)		
Amount appropriated in this Act	\$21,284,676	\$21,434,676

Section 6: Judicial Council

Total Funds	\$20,169,197
Federal Funds and Grants	\$1,627,367
Federal Funds Not Specifically Identified	\$1,627,367
Other Funds	\$2,696,311
Agency Funds	\$1,307,406
Other Funds - Not Specifically Identified	\$1,388,905
State Funds	\$15,845,519
State General Funds	\$15,845,519

6.1. Council of Accountability Court Judges

Purpose: The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

Total Funds	\$736,558
State Funds	\$736,558
State General Funds	\$736,558

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$659,516	\$659,516
Reflect an adjustment in merit system assessments.	(\$20)	(\$20)
Increase funds for one certification officer position.	\$77,062	\$77,062
Amount appropriated in this Act	\$736,558	\$736,558

6.2. Georgia Office of Dispute Resolution

Purpose: The purpose of this appropriation is to oversee the state's court-connected alternative dispute resolution (ADR) services by promoting the establishment of new ADR court programs, providing support to existing programs, establishing and enforcing qualifications and ethical standards, registering ADR professionals and volunteers, providing training, administering statewide grants, and collecting statistical data to monitor program effectiveness.

Total Funds	\$354,203
Other Funds	\$354,203

Agency Funds \$354,203

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$314,203
Increase funds for operating expenses.	\$0	\$40,000
Amount appropriated in this Act	\$0	\$354,203

6.3. Institute of Continuing Judicial Education

Purpose: The purpose of this appropriation is to provide basic training and continuing education for Superior Court Judges, Juvenile Court Judges, State Court Judges, Probate Court Judges, Magistrate Court Judges, Municipal Court Judges, Superior Court Clerks, Juvenile Court Clerks, Municipal Court Clerks, and other court personnel.

Total Funds	\$1,553,168
Other Funds	\$953,203
Agency Funds	\$953,203
State Funds	\$599,965
State General Funds	\$599,965

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$565,452	\$1,268,655
Reflect an adjustment in merit system assessments.	(\$58)	(\$58)
Increase funds for one electronic media curriculum project coordinator.	\$34,571	\$34,571
Increase funds for operating expenses.	\$0	\$250,000
Amount appropriated in this Act	\$599,965	\$1,553,168

6.4. Judicial Council

Purpose: The purpose of the appropriation is to support the Administrative Office of the Courts; to provide administrative support for the councils of the Magistrate Court Judges, the Municipal Court Judges, the Probate Court Judges, the State Court Judges, and the Georgia Council of Court Administrators; to operate the Child Support E-Filing system, the Child Support Guidelines Commission, and the Commission on Interpreters; and to support the Committee on Justice for Children.

Total Funds	\$15,905,424
Federal Funds and Grants	\$1,627,367
Federal Funds Not Specifically Identified	\$1,627,367
Other Funds	\$1,388,905
Other Funds - Not Specifically Identified	\$1,388,905
State Funds	\$12,889,152
State General Funds	\$12,889,152

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$12,742,081	\$15,258,353
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$16,027)	(\$16,027)
Reflect an adjustment in merit system assessments.	(\$469)	(\$469)
Adjust billings for unemployment insurance to reflect claims expenses.	\$278	\$278
Increase funds for the Court Process Reporting System (CPRS).	\$11,274	\$11,274
Increase funds for one information security officer position and associated operating funds.	\$152,015	\$152,015
Increase funds to reflect multi-agency partnerships and projects within the Administrative Office of the Courts.	\$0	\$500,000
Amount appropriated in this Act	----- \$12,889,152	----- \$15,905,424

6.5. Judicial Qualifications Commission

Purpose: The purpose of this appropriation is to investigate complaints filed against a judicial officer, impose and recommend disciplinary sanctions against any judicial officer, and when necessary, file formal charges against that officer and provide a formal trial or hearing. The purpose of this appropriation is also to produce formal and informal advisory opinions; provide training and guidance to judicial candidates regarding the Code of Judicial Conduct; and investigate allegations of unethical campaign practices.

Total Funds	\$819,844
State Funds	\$819,844
State General Funds	\$819,844

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$819,866	\$819,866
Reflect an adjustment in merit system assessments.	(\$22)	(\$22)
Reduce funds to reflect a temporary reduction in operating and personal expenses. (CC:No)	\$0	\$0
Amount appropriated in this Act	----- \$819,844	----- \$819,844

6.6. Resource Center

Purpose: The purpose of this appropriation is to provide direct representation to death penalty sentenced inmates and to recruit and assist private attorneys to represent plaintiffs in habeas corpus proceedings.

Total Funds	\$800,000
State Funds	\$800,000
State General Funds	\$800,000

Section 7: Juvenile Courts

Total Funds	\$8,750,769
Other Funds	\$67,486
Agency Funds	\$67,486
State Funds	\$8,683,283
State General Funds	\$8,683,283

7.1. Council of Juvenile Court Judges

Purpose: The purpose of this appropriation is for the Council of Juvenile Court Judges to represent all the juvenile judges in Georgia. Jurisdiction in cases involving children includes delinquencies, status offenses, and deprivation.

Total Funds	\$2,080,464
Other Funds	\$67,486
Agency Funds	\$67,486
State Funds	\$2,012,978
State General Funds	\$2,012,978

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,701,331	\$1,768,817
Reflect an adjustment in merit system assessments.	(\$53)	(\$53)
Provide funds for one Juvenile Detention Alternative Initiative (JDAI) statewide coordinator position. (CC:No)	\$0	\$0
Provide funds for a Children in Need of Services (CHINS) statewide coordinator position.	\$111,700	\$111,700
Provide funds for judicial assistance for the Family Treatment Court Initiative pursuant to SB 174 (2017 Session).	\$200,000	\$200,000
Amount appropriated in this Act	----- \$2,012,978	----- \$2,080,464

7.2. Grants to Counties for Juvenile Court Judges

Purpose: The purpose of this appropriation is for payment of state funds to circuits to pay for juvenile court judges salaries.

Total Funds	\$6,670,305
State Funds	\$6,670,305
State General Funds	\$6,670,305

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,541,254	\$6,541,254
Increase funds to reflect an adjustment in the employer share of the Judicial Retirement System from 7.17% to 7.83%.	\$104,051	\$104,051

Increase funds for the Northeastern Judicial Circuit to reflect the new superior court judgeship effective January 1, 2018.	\$25,000	\$25,000
Amount appropriated in this Act	----- \$6,670,305	----- \$6,670,305

Section 8: Prosecuting Attorneys

Total Funds	\$83,781,850
State Funds	\$81,760,210
State General Funds	\$81,760,210
Intra-State Government Transfers	\$2,021,640
Other Intra-State Government Payments	\$2,021,640

8.1. Council of Superior Court Clerks

Purpose: The purpose of this appropriation is to assist superior court clerks throughout the state in the execution of their duties and to promote and assist in the training of superior court clerks.

Total Funds	\$185,580
State Funds	\$185,580
State General Funds	\$185,580

8.2. District Attorneys

Purpose: The purpose of this appropriation is for the District Attorney to represent the State of Georgia in the trial and appeal of criminal cases in the Superior Court for the judicial circuit and delinquency cases in the juvenile courts per Ga. Const., Art. VI, Sec. VIII. Para I and OCGA 15-18.

Total Funds	\$76,442,432
State Funds	\$74,420,792
State General Funds	\$74,420,792
Intra-State Government Transfers	\$2,021,640
Other Intra-State Government Payments	\$2,021,640

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$73,126,870	\$75,148,510
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$2,016	\$2,016
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$88,013	\$88,013
Reflect an adjustment in merit system assessments.	(\$4,826)	(\$4,826)
Increase funds to reflect an adjustment in the employer share of the Judicial Retirement System from 7.17% to 7.83%.	\$40,772	\$40,772

Increase funds for 24 additional assistant district attorney positions to support juvenile courts across the state. (CC:Increase funds for 9 additional assistant district attorney positions to support juvenile courts across the state.)	\$898,757	\$898,757
Increase funds to support recruitment and retention efforts for state-paid assistant district attorneys. (CC:No)	\$0	\$0
Increase funds to implement revised pay scale for assistant district attorneys to enhance recruitment and retention efforts. (CC:No)	\$0	\$0
Increase funds to provide for recruitment and retention and provide for a law enforcement career ladder for post-certified district attorney state-paid investigators. (CC:No)	\$0	\$0
Increase funds to provide an accountability court supplement for district attorneys in newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits.	\$19,535	\$19,535
Increase funds for two additional assistant district attorneys to support accountability courts in the Lookout Mountain and Oconee Judicial Circuits.	\$199,724	\$199,724
Increase funds to annualize an additional assistant district attorney position to reflect the new judgeship in the Northeastern Judicial Circuit.	\$49,931	\$49,931
The Department of Administrative Services shall conduct a study for personnel to support recruitment and retention efforts for state-paid assistant district attorneys and public defenders and report to the House and Senate Appropriations Committees by December 1, 2018. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	\$74,420,792	\$76,442,432

8.3. Prosecuting Attorney's Council

Purpose: The purpose of this appropriation is to assist Georgia's District Attorneys and State Court Solicitors.

Total Funds	\$7,153,838
State Funds	\$7,153,838
State General Funds	\$7,153,838

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$7,116,427	\$7,116,427
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$6,548	\$6,548
Reflect an adjustment in TeamWorks billings.	(\$14,628)	(\$14,628)
Increase funds to reflect an adjustment in the employer share of the Judicial Retirement System from 7.17% to 7.83%.	\$87,390	\$87,390

Adjust billings for unemployment insurance to reflect claims expenses.	(\$41,899)	(\$41,899)
Amount appropriated in this Act	----- \$7,153,838	----- \$7,153,838

Section 9: Superior Courts

Total Funds	\$73,735,636
Other Funds	\$137,170
Other Funds - Not Specifically Identified	\$137,170
State Funds	\$73,598,466
State General Funds	\$73,598,466

9.1. Council of Superior Court Judges

Purpose: The purpose of this appropriation is for the operations of the Council of Superior Court Judges and is to further the improvement of the Superior Court in the administration of justice through leadership, training, policy development and budgetary and fiscal administration.

Total Funds	\$1,688,279
Other Funds	\$120,000
Other Funds - Not Specifically Identified	\$120,000
State Funds	\$1,568,279
State General Funds	\$1,568,279

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,552,750	\$1,672,750
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$15,529	\$15,529
Amount appropriated in this Act	----- \$1,568,279	----- \$1,688,279

9.2. Judicial Administrative Districts

Purpose: The purpose of this appropriation is to provide regional administrative support to the judges of the superior court. This support includes managing budgets, policy, procedure, and providing a liaison between local and state courts.

Total Funds	\$2,760,073
Other Funds	\$17,170
Other Funds - Not Specifically Identified	\$17,170
State Funds	\$2,742,903
State General Funds	\$2,742,903

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>

Amount from previous Appropriations Act (HB 44) as amended	\$2,724,847	\$2,742,017
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$18,056	\$18,056
Amount appropriated in this Act	----- \$2,742,903	----- \$2,760,073

9.3. Superior Court Judges

Purpose: The purpose of this appropriation is to enable Georgia's Superior Courts to be the general jurisdiction trial court and exercise exclusive, constitutional authority over felony cases, divorce, equity and cases regarding title to land, provided that law clerks over the fifty provided by law are to be allocated back to the circuits by caseload ranks.

Total Funds	\$69,287,284
State Funds	\$69,287,284
State General Funds	\$69,287,284

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$68,480,848	\$68,480,848
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$33,209	\$33,209
Reflect an adjustment in merit system assessments.	(\$3,780)	(\$3,780)
Reflect an adjustment in TeamWorks billings.	(\$14,547)	(\$14,547)
Increase funds to reflect an adjustment in the employer share of the Judicial Retirement System from 7.17% to 7.83%.	\$186,098	\$186,098
Adjust billings for unemployment insurance to reflect claims expenses.	(\$14,335)	(\$14,335)
Increase funds to annualize the cost of the new judgeship created in the Northeastern Circuit pursuant to HB 138 (2017 Session).	\$193,903	\$193,903
Provide funds for the creation of one additional judgeship in the Cobb Circuit effective July 1, 2018. (CC:No)	\$0	\$0
Provide funds for a salary increase for law clerk positions. (CC:No)	\$0	\$0
Provide funds for five law clerk positions.	\$342,746	\$342,746
Provide funds for the accountability court supplement in the Lookout Mountain and Oconee Judicial Circuits.	\$63,392	\$63,392
Increase funds for county reimbursement of Habeas Corpus court costs per HB 319 (2017 Session).	\$50,000	\$50,000
Eliminate one-time funds for equipment in the Clayton Circuit judgeship created in HB 804 (2016 Session).	(\$30,250)	(\$30,250)
Amount appropriated in this Act	----- \$69,287,284	----- \$69,287,284

Section 10: Supreme Court

Total Funds	\$16,378,658
Other Funds	\$1,859,823
Other Funds - Not Specifically Identified	\$1,859,823
State Funds	\$14,518,835
State General Funds	\$14,518,835

10.1. Supreme Court of Georgia

Purpose: The purpose of this appropriation is to support the Supreme Court of Georgia which exercises exclusive appellate jurisdiction in all cases involving: the construction of a treaty, the Constitution of the State of Georgia or of the United States, the constitutionality of a law, ordinance, or constitutional provision that has been drawn in question, and all cases of election contest per Ga. Const. Art. VI, Section VI, Para. II. The purpose of this appropriation is also to support the Supreme Court of Georgia in its exercise of jurisdiction in cases per Ga. Const. Art. VI, Section VI, Para. III and its administration of the Bar Exam and oversight of the Office of Reporter of Decisions.

Total Funds	\$16,378,658
Other Funds	\$1,859,823
Other Funds - Not Specifically Identified	\$1,859,823
State Funds	\$14,518,835
State General Funds	\$14,518,835

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$13,106,211	\$14,966,034
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,743)	(\$2,743)
Reflect an adjustment in merit system assessments.	\$554	\$554
Reflect an adjustment in TeamWorks billings.	(\$1,478)	(\$1,478)
Adjust billings for unemployment insurance to reflect claims expenses.	\$2,780	\$2,780
Increase funds for a salary adjustment for the Georgia State Patrol trooper assigned to the Supreme Court.	\$1,263	\$1,263
Increase funds to reflect increased daily allowance days for judges who reside 50 miles or more from the Judicial Building in accordance with HB 5 (2017 Session).	\$2,595	\$2,595
Increase funding for WestLaw online research expenses.	\$2,400	\$2,400
Increase funds for population-based membership dues in the National Center for State Courts.	\$14,030	\$14,030
Provide funds for one additional staff attorney for each justice. (CC:Increase funds for a judicial clerkship program.)	\$1,256,181	\$1,256,181
Provide funds for one procurement and facilities	\$76,879	\$76,879

coordinator position. (CC:Provide funds for one procurement and facilities coordinator position.)		
Provide funds for one intake clerk position.	\$60,163	\$60,163
Increase funds for information technology expenses related to the new Judicial Building. (CC:No; Reflect in HB 683, 2018 Session.)	\$0	\$0
The Supreme Court shall collaborate with the Court of Appeals to study the financial impact and operational efficiencies gained from the sharing of administrative services, including but not limited to human resources, information technology, procurement, and accounts payable, and provide a report of their findings to the House and Senate Appropriations Committees by December 1, 2018. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	\$14,518,835	\$16,378,658

Section 11: Accounting Office, State

Total Funds	\$29,408,233
Other Funds	\$817,936
Other Funds - Not Specifically Identified	\$817,936
State Funds	\$7,116,660
State General Funds	\$7,116,660
Intra-State Government Transfers	\$21,473,637
Other Intra-State Government Payments	\$21,473,637

11.1. Administration (SAO)

Purpose: The purpose of this appropriation is to provide administrative support to all department programs.

Total Funds	\$1,260,803
State Funds	\$341,666
State General Funds	\$341,666
Intra-State Government Transfers	\$919,137
Other Intra-State Government Payments	\$919,137

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$338,689	\$1,257,826
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$22)	(\$22)
Reflect an adjustment in merit system assessments.	\$36	\$36
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,114	\$2,114
Reflect an adjustment in TeamWorks billings.	(\$46)	(\$46)
Adjust billings for unemployment insurance to reflect claims expenses.	\$895	\$895

Amount appropriated in this Act	\$341,666	\$1,260,803
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11.2. Financial Systems

Purpose: The purpose of this appropriation is to operate, support, monitor, and improve the State's enterprise financial accounting, payroll, and human capital management systems.

Total Funds	\$19,318,002
State Funds	\$164,000
State General Funds	\$164,000
Intra-State Government Transfers	\$19,154,002
Other Intra-State Government Payments	\$19,154,002

11.3. Shared Services

Purpose: The purpose of this appropriation is to support client agencies in processing payroll and other financial transactions and to implement and support the Statewide Travel Consolidation Program.

Total Funds	\$2,943,045
Other Funds	\$817,936
Other Funds - Not Specifically Identified	\$817,936
State Funds	\$853,603
State General Funds	\$853,603
Intra-State Government Transfers	\$1,271,506
Other Intra-State Government Payments	\$1,271,506

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$853,712	\$2,943,154
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$76)	(\$76)
Reflect an adjustment in merit system assessments.	\$127	\$127
Reflect an adjustment in TeamWorks billings.	(\$160)	(\$160)
Amount appropriated in this Act	\$853,603	\$2,943,045

11.4. Statewide Accounting and Reporting

Purpose: The purpose of this appropriation is to provide financial reporting, accounting policy, business process improvement, and compliance with state and federal fiscal reporting requirements.

Total Funds	\$2,727,765
State Funds	\$2,598,773
State General Funds	\$2,598,773
Intra-State Government Transfers	\$128,992
Other Intra-State Government Payments	\$128,992

The above amounts include the following adjustments, additions, and deletions to the previous

<i>appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,599,133	\$2,728,125
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$254)	(\$254)
Reflect an adjustment in merit system assessments.	\$425	\$425
Reflect an adjustment in TeamWorks billings.	(\$531)	(\$531)
Amount appropriated in this Act	----- \$2,598,773	----- \$2,727,765

The following appropriations are for agencies attached for administrative purposes.

11.5. Georgia Government Transparency and Campaign Finance Commission

Purpose: The purpose of this appropriation is to protect the integrity of the democratic process and ensure compliance by candidates, public officials, non-candidate campaign committees, lobbyists and vendors with Georgia's Campaign and Financial Disclosure requirements.

Total Funds	\$2,351,227
State Funds	\$2,351,227
State General Funds	\$2,351,227

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,080,329	\$3,080,329
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$720,279)	(\$720,279)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,333	\$2,333
Reflect an adjustment in TeamWorks billings.	(\$390)	(\$390)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$10,766)	(\$10,766)
Amount appropriated in this Act	----- \$2,351,227	----- \$2,351,227

11.6. Georgia State Board of Accountancy

Purpose: The purpose of this appropriation is to protect public financial, fiscal, and economic interests by licensing certified public accountants and public accountancy firms; regulating public accountancy practices; and investigating complaints and taking appropriate legal and disciplinary actions when warranted.

Total Funds	\$807,391
State Funds	\$807,391
State General Funds	\$807,391

<i>The above amounts include the following adjustments, additions, and deletions to the previous</i>
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<i>appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$807,518	\$807,518
Reflect an adjustment in merit system assessments.	(\$24)	(\$24)
Reflect an adjustment in TeamWorks billings.	(\$103)	(\$103)
Amount appropriated in this Act	----- \$807,391	----- \$807,391

Section 12: Administrative Services, Department of

Total Funds	\$200,721,868
Other Funds	\$36,623,548
Agency Funds	\$24,629,481
Other Funds - Not Specifically Identified	\$11,994,067
State Funds	\$3,722,775
State General Funds	\$3,722,775
Intra-State Government Transfers	\$160,375,545
Other Intra-State Government Payments	\$11,217,812
Self Insurance Trust Fund Payments	\$149,157,733

The Department is authorized to assess state agencies the equivalent of .195% of salaries for the cost of departmental operations and may roll forward any unexpended prior years Merit System Assessment balance to be expended in the current fiscal year.

12.1. Certificate of Need Appeal Panel

Purpose: The purpose of this appropriation is to review decisions made by the Department of Community Health on Certificate of Need applications.

Total Funds	\$39,506
State Funds	\$39,506
State General Funds	\$39,506

12.2. Departmental Administration (DOAS)

Purpose: The purpose of this appropriation is to provide administrative support to all department programs.

Total Funds	\$6,620,524
Other Funds	\$6,620,524
Other Funds - Not Specifically Identified	\$6,620,524

12.3. Fleet Management

Purpose: The purpose of this appropriation is to provide and manage a fuel card program for state and local governments, to implement the Motor Vehicle Contract Maintenance program to provide repairs, roadside assistance, and maintenance for state and local government fleets, and to establish a motor pool for traveling state employees.

Total Funds	\$1,369,646
Other Funds	\$1,369,646
Other Funds - Not Specifically Identified	\$1,369,646

12.4. Human Resources Administration

Purpose: The purpose of this appropriation is to provide centralized services for statewide human resources in support of state agencies, the State Personnel Board, and employees; develop human resource policies, create job descriptions and classification, develop fair and consistent compensation practices, and administer the employee benefits program.

Total Funds	\$11,217,812
Intra-State Government Transfers	\$11,217,812
Other Intra-State Government Payments	\$11,217,812

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$11,712,232
Reduce other funds to recognize adjustment in merit system assessments.	\$0	(\$494,420)
The Department of Administrative Services shall conduct a study for personnel to support recruitment and retention efforts for state-paid assistant district attorneys and public defenders and report to the House and Senate Appropriations Committees by December 1, 2018. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$0	\$11,217,812

12.5. Risk Management

Purpose: The purpose of this appropriation is to administer a liability insurance program to protect state government and employees from work-related claims, to provide indemnification funds for public officers and public school personnel in case of disability or death, to identify and control risks and hazards to minimize loss, to insure state-owned buildings and property against damage or destruction, to partner with the Department of Labor in administering unemployment claims, and to administer the Workers Compensation Program.

Total Funds	\$151,411,485
Other Funds	\$1,823,752
Other Funds - Not Specifically Identified	\$1,823,752
State Funds	\$430,000
State General Funds	\$430,000
Intra-State Government Transfers	\$149,157,733
Self Insurance Trust Fund Payments	\$149,157,733

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$430,000	\$162,660,147
Reduce billings for unemployment insurance to reflect claims expenses.	\$0	(\$1,582,230)
Increase billings for workers' compensation premiums to reflect claims expenses.	\$0	\$3,000,000
Increase billings for liability insurance premiums to reflect claims expenses.	\$0	\$6,200,000
Reduce billings for cyber insurance premiums to reflect claims expenses.	\$0	(\$1,000,000)
Reduce billings for property insurance premiums to reflect claims expenses.	\$0	(\$17,866,432)
Implement new risk premium methodology using comprehensive loss control evaluation of agencies' risk. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$430,000	\$151,411,485

12.6. State Purchasing

Purpose: The purpose of this appropriation is to publicize government contract opportunities on the Georgia Procurement Registry; to maintain a comprehensive listing of all agency contracts; to manage bids, Requests For Proposals, and Requests For Quotes; to provide and oversee Purchasing Cards; to conduct reverse auctions for non-construction goods and services valued above \$100,000; to leverage the state's purchasing power in obtaining contracts; to train vendors seeking contract opportunities; and to certify small and/or minority business vendors.

Total Funds	\$14,559,366
Other Funds	\$14,559,366
Agency Funds	\$14,559,366

12.7. Surplus Property

Purpose: The purpose of this appropriation is to reduce cost through maximization of the useful life of state-owned equipment and redistribution of property to state and local governments, qualifying non-profits, and to the public through auction.

Total Funds	\$2,180,145
Other Funds	\$2,180,145
Other Funds - Not Specifically Identified	\$2,180,145

The following appropriations are for agencies attached for administrative purposes.

12.8. Office of State Administrative Hearings

Purpose: The purpose of this appropriation is to provide an independent forum for the impartial and timely resolution of disputes between the public and state

agencies, and to create and provide necessary funding for an independent trial court with concurrent jurisdiction with the Superior Courts of Georgia which will address tax disputes involving the Department of Revenue.

Total Funds	\$6,003,312
Other Funds	\$2,750,043
Agency Funds	\$2,750,043
State Funds	\$3,253,269
State General Funds	\$3,253,269

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,262,612	\$6,012,655
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$10,752)	(\$10,752)
Reflect an adjustment in merit system assessments.	(\$285)	(\$285)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,717	\$1,717
Adjust billings for unemployment insurance to reflect claims expenses.	(\$23)	(\$23)
Amount appropriated in this Act	----- \$3,253,269	----- \$6,003,312

12.9. Office of the State Treasurer

Purpose: The purpose of this appropriation is to set cash management policies for state agencies; assist agencies with bank services and accounts; monitor agency deposits and disbursement patterns; to invest funds for state and local entities; to track warrants, fund agency allotments, and pay state debt service; and to manage state revenue collections; and to manage the Path2College 529 Plan.

Total Funds	\$7,320,072
Other Funds	\$7,320,072
Agency Funds	\$7,320,072

12.10. Payments to Georgia Technology Authority

Purpose: The purpose of this appropriation is to set direction for the state's use of technology and promote efficient, secure, and cost-effective delivery of information technology services.

Total Funds	\$0
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<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$0
Increase funds for the 'Broadband Achieving Connectivity Everywhere Act' (SB 402, 2018 Session). <i>(CC:Yes; Utilize \$1,105,704 in existing funds for the</i>	\$0	\$0

<i>'Broadband Achieving Connectivity Everywhere Act'</i> (SB 402, 2018 Session).)		
Amount appropriated in this Act	-----	\$0
		\$0

Section 13: Agriculture, Department of

Total Funds	\$57,661,640
Federal Funds and Grants	\$5,768,157
Federal Funds Not Specifically Identified	\$5,768,157
Other Funds	\$2,472,101
Other Funds - Not Specifically Identified	\$2,472,101
State Funds	\$49,421,382
State General Funds	\$49,421,382

13.1. Athens and Tifton Veterinary Laboratories

Purpose: The purpose of this appropriation is to provide payment to the Board of Regents for diagnostic laboratory testing, for veterinary consultation and assistance, for disease surveillance, and for outreach to veterinarians, animal industries, and pet owners within the State of Georgia.

Total Funds	\$3,553,987
State Funds	\$3,553,987
State General Funds	\$3,553,987

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,464,688	\$3,464,688
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$89,299	\$89,299
Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees. (CC:No)	\$0	\$0
Amount appropriated in this Act	----- \$3,553,987	----- \$3,553,987

13.2. Consumer Protection

Purpose: The purpose of this appropriation is to provide for public health and safety by monitoring, inspecting, and regulating the cultivation, processing, and production of livestock, meat, poultry, and other food products; by inspecting establishments that sell food for offsite consumption, food warehouses, wholesale and mobile meat and seafood vendors, dairy farms, and food banks; by certifying organic products, shellfish, and bottled water; by monitoring, inspecting, and regulating the companion animal, bird, and equine industries (including reports of abuse by private owners); by monitoring, inspecting, and regulating the plant and apiary industries, including performing phytosanitary inspections; by monitoring, inspecting, and

regulating the pesticide and wood treatment industries; and by monitoring, inspecting, and regulating animal feed, pet food, and grains. The purpose of this appropriation is also to ensure accurate commercial transactions by monitoring, inspecting, and regulating weights and measures and fuel sales.

Total Funds	\$34,438,537
Federal Funds and Grants	\$5,708,844
Federal Funds Not Specifically Identified	\$5,708,844
Other Funds	\$1,830,000
Other Funds - Not Specifically Identified	\$1,830,000
State Funds	\$26,899,693
State General Funds	\$26,899,693

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$27,824,221	\$35,363,065
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,252	\$1,252
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$62,913)	(\$62,913)
Reflect an adjustment in merit system assessments.	(\$4,146)	(\$4,146)
Reflect an adjustment in TeamWorks billings.	(\$21,513)	(\$21,513)
Transfer funds for personal services (\$778,827) and associated operating expenses (\$207,793) for eight information technology positions to the Departmental Administration (DOA) program.	(\$986,620)	(\$986,620)
Increase funds for personal services to annualize 11 positions.	\$149,412	\$149,412
Amount appropriated in this Act	----- \$26,899,693	----- \$34,438,537

13.3. Departmental Administration (DOA)

Purpose: The purpose of this appropriation is to provide administrative support for all programs of the department.

Total Funds	\$5,874,152
State Funds	\$5,874,152
State General Funds	\$5,874,152

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,904,386	\$4,904,386
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$11,531)	(\$11,531)
Reflect an adjustment in merit system assessments.	(\$760)	(\$760)
Reflect an adjustment in cyber insurance premiums for	(\$3,541)	(\$3,541)

the Department of Administrative Services.		
Reflect an adjustment in TeamWorks billings.	(\$3,943)	(\$3,943)
Adjust billings for unemployment insurance to reflect claims expenses.	\$2,921	\$2,921
Transfer funds for personal services (\$778,827) and associated operating expenses (\$207,793) for eight information technology positions from the Consumer Protection program.	\$986,620	\$986,620
Amount appropriated in this Act	----- \$5,874,152	----- \$5,874,152

13.4. Marketing and Promotion

Purpose: The purpose of this appropriation is to manage the state's farmers markets, to promote Georgia's agricultural products domestically and internationally, to administer relevant certification marks, to provide poultry and livestock commodity data, to administer surety bonds, to provide information to the public, and to publish the Market Bulletin.

Total Funds	\$7,776,060
Other Funds	\$642,101
Other Funds - Not Specifically Identified	\$642,101
State Funds	\$7,133,959
State General Funds	\$7,133,959

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,043,246	\$6,685,347
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$8,657)	(\$8,657)
Reflect an adjustment in merit system assessments.	(\$570)	(\$570)
Reflect an adjustment in TeamWorks billings.	(\$2,960)	(\$2,960)
Provide funding for an international trade representative position and a domestic trade representative position to increase Georgia agriculture exports. (CC:No)	\$0	\$0
Provide funds for a business analyst position. (CC:No)	\$0	\$0
Provide funds to market Georgia agriculture products as recommended by the House Rural Development Council. (CC:No)	\$0	\$0
Provide funds for four positions for the Center for Agriculture Business Development. (CC:No)	\$0	\$0
Provide funds to strengthen domestic and international marketing activities for Georgia products, including four positions: expansion and growth director, domestic sales coordinator, international trade coordinator, and a business specialist.	\$1,102,900	\$1,102,900
Amount appropriated in this Act	----- \$7,133,959	----- \$7,776,060

13.5. Poultry Veterinary Diagnostic Labs

Purpose: The purpose of this appropriation is to pay for operation of the

Poultry Diagnostic Veterinary Labs, which conduct disease diagnoses and monitoring.

Total Funds	\$2,911,399
State Funds	\$2,911,399
State General Funds	\$2,911,399

The following appropriations are for agencies attached for administrative purposes.

13.11. Payments to Georgia Agricultural Exposition Authority

Purpose: The purpose of this appropriation is to reduce the rates charged by the Georgia Agricultural Exposition Authority for youth and livestock events.

Total Funds	\$1,000,061
State Funds	\$1,000,061
State General Funds	\$1,000,061

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,001,346	\$1,001,346
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,500)	(\$1,500)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$146	\$146
Adjust billings for unemployment insurance to reflect claims expenses.	\$69	\$69
Amount appropriated in this Act	----- \$1,000,061	----- \$1,000,061

13.12. State Soil and Water Conservation Commission

Purpose: The purpose of this appropriation is to protect, conserve, and improve the soil and water resources of the State of Georgia; conserve ground and surface water in Georgia by increasing the uniformity and efficiency of agricultural water irrigation systems, by installing meters on sites with permits for agricultural use to obtain data on agricultural water usage, and by administering the use of federal funds to construct and renovate agricultural water catchments; inspect, maintain, and provide assistance to owners of USDA flood control structures so that they comply with the state Safe Dams Act; and to provide funds for planning and research on water management, erosion, and sedimentation control.

Total Funds	\$2,107,444
Federal Funds and Grants	\$59,313
Federal Funds Not Specifically Identified	\$59,313
State Funds	\$2,048,131
State General Funds	\$2,048,131

The above amounts include the following adjustments, additions, and deletions to the previous

<i>appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,023,520	\$2,082,833
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$4,550)	(\$4,550)
Reflect an adjustment in merit system assessments.	\$413	\$413
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,490	\$2,490
Reflect an adjustment in TeamWorks billings.	(\$11,342)	(\$11,342)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$32)	(\$32)
Provide funds for information technology expenses to establish secure email addresses for state employees and district supervisors.	\$37,632	\$37,632
Amount appropriated in this Act	----- \$2,048,131	----- \$2,107,444

Section 14: Banking and Finance, Department of

Total Funds

\$13,293,071

State Funds

\$13,293,071

State General Funds

\$13,293,071

14.1. Departmental Administration (DBF)

Purpose: The purpose of this appropriation is to provide administrative support to all department programs.

Total Funds	\$2,836,701
State Funds	\$2,836,701
State General Funds	\$2,836,701

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,833,525	\$2,833,525
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,134)	(\$1,134)
Reflect an adjustment in merit system assessments.	(\$97)	(\$97)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$7,786	\$7,786
Reflect an adjustment in TeamWorks billings.	(\$6,702)	(\$6,702)
Adjust billings for unemployment insurance to reflect claims expenses.	\$3,323	\$3,323
Amount appropriated in this Act	----- \$2,836,701	----- \$2,836,701

14.2. Financial Institution Supervision

Purpose: The purpose of this appropriation is to examine and regulate

depository financial institutions, state-chartered banks, trust companies, credit unions, bank holding companies, and international banking organizations; to track performance of financial service providers operating in Georgia, to monitor industry trends, respond to negative trends, and establish operating guidelines; and to collaborate with law enforcement, federal regulators, and other regulatory agencies on examination findings.

Total Funds	\$8,128,429
State Funds	\$8,128,429
State General Funds	\$8,128,429

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$8,132,200	\$8,132,200
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$3,475)	(\$3,475)
Reflect an adjustment in merit system assessments.	(\$296)	(\$296)
Amount appropriated in this Act	\$8,128,429	\$8,128,429

14.3. Non-Depository Financial Institution Supervision

Purpose: The purpose of this appropriation is to protect consumers from unfair, deceptive, or fraudulent residential mortgage lending practices and money service businesses, protect consumers by licensing, regulating, and enforcing applicable laws and regulations, and provide efficient and flexible application, registration, and notification procedures for non-depository financial institutions.

Total Funds	\$2,327,941
State Funds	\$2,327,941
State General Funds	\$2,327,941

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,328,935	\$2,328,935
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$916)	(\$916)
Reflect an adjustment in merit system assessments.	(\$78)	(\$78)
Amount appropriated in this Act	\$2,327,941	\$2,327,941

Section 15: Behavioral Health and Developmental Disabilities,
Department of

Total Funds	\$1,328,812,728
Federal Funds and Grants	\$144,666,334
Community Mental Health Services Block Grant (CFDA 93.958)	\$14,163,709

Medical Assistance Program (CFDA 93.778)	\$25,361,291
Prevention and Treatment of Substance Abuse Block Grant (CFDA 93.959)	\$47,482,075
Social Services Block Grant (CFDA 93.667)	\$40,481,142
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$12,096,720
Federal Funds Not Specifically Identified	\$5,081,397
Other Funds	\$25,771,962
Agency Funds	\$23,202,036
Other Funds - Not Specifically Identified	\$2,569,926
State Funds	\$1,155,954,722
State General Funds	\$1,145,699,584
Tobacco Settlement Funds	\$10,255,138
Intra-State Government Transfers	\$2,419,710
Other Intra-State Government Payments	\$2,419,710

15.1. Adult Addictive Diseases Services

Purpose: The purpose of this appropriation is to provide a continuum of programs, services and supports for adults who abuse alcohol and other drugs, have a chemical dependency and who need assistance for compulsive gambling.

Total Funds	\$94,470,496
Federal Funds and Grants	\$44,254,231
Medical Assistance Program (CFDA 93.778)	\$50,000
Prevention and Treatment of Substance Abuse Block Grant (CFDA 93.959)	\$29,607,511
Social Services Block Grant (CFDA 93.667)	\$2,500,000
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$12,096,720
Other Funds	\$434,903
Agency Funds	\$434,903
State Funds	\$49,781,362
State General Funds	\$49,781,362

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$45,531,362	\$90,220,496
Increase funds to create a substance abuse and recovery block grant program. (CC: Increase funds to provide substance abuse recovery programs for evidence-based service delivery through community service boards and local partners.)	\$4,000,000	\$4,000,000
Increase funds to establish and launch a Neonatal Intensive Care Unit Peer Recovery Coaching Program.	\$250,000	\$250,000
Amount appropriated in this Act	----- \$49,781,362	----- \$94,470,496

15.2. Adult Developmental Disabilities Services

Purpose: The purpose of this appropriation is to promote independence of adults with significant developmental disabilities through institutional care, community support and respite, job readiness, training, and a crisis and access line.

Total Funds	\$409,007,743
Federal Funds and Grants	\$42,980,753
Medical Assistance Program (CFDA 93.778)	\$12,336,582
Social Services Block Grant (CFDA 93.667)	\$30,644,171
Other Funds	\$12,960,000
Agency Funds	\$12,960,000
State Funds	\$353,066,990
State General Funds	\$342,811,852
Tobacco Settlement Funds	\$10,255,138

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$340,426,629	\$396,367,382
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$153,024	\$153,024
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$334,146)	(\$334,146)
Reflect an adjustment in merit system assessments.	(\$80,210)	(\$80,210)
Adjust billings for unemployment insurance to reflect claims expenses.	\$79,980	\$79,980
Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.	\$3,409,527	\$3,409,527
Increase funds for 125 additional slots for the New Options Waiver (NOW) and the Comprehensive Supports Waiver Program (COMP) for the intellectually and developmentally disabled.	\$3,138,073	\$3,138,073
Annualize the cost of 250 New Options Waiver (NOW) and Comprehensive Supports Waiver Program (COMP) slots for the intellectually and developmentally disabled to meet the requirements of the Department of Justice (DOJ) Settlement Agreement.	\$6,054,113	\$6,054,113
Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees. (CC:No)	\$0	\$0
Reduce funds for the Georgia Options program. (CC:No)	\$0	\$0
Increase funds for the Albany Advocacy Resource Center.	\$220,000	\$220,000
Amount appropriated in this Act	----- \$353,066,990	----- \$409,007,743

15.3. Adult Forensic Services

Purpose: The purpose of this appropriation is to provide psychological evaluations of defendants, mental health screening and evaluations, inpatient mental health treatment, competency remediation, forensic evaluation services, and supportive housing for forensic consumers.

Total Funds	\$101,299,696
Other Funds	\$26,500
Other Funds - Not Specifically Identified	\$26,500
State Funds	\$101,273,196
State General Funds	\$101,273,196

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$98,625,855	\$98,652,355
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$3,635	\$3,635
Reflect an adjustment in merit system assessments.	(\$1,985)	(\$1,985)
Increase funds for the operation of the 40 bed forensic unit at Georgia Regional Hospital in Atlanta.	\$2,212,611	\$2,212,611
Increase funds for one community integration home.	\$433,080	\$433,080
Amount appropriated in this Act	\$101,273,196	\$101,299,696

15.4. Adult Mental Health Services

Purpose: The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to facilitate rehabilitation and recovery for adults with mental illnesses.

Total Funds	\$411,883,352
Federal Funds and Grants	\$11,858,953
Community Mental Health Services Block Grant (CFDA 93.958)	\$6,726,178
Medical Assistance Program (CFDA 93.778)	\$2,070,420
Federal Funds Not Specifically Identified	\$3,062,355
Other Funds	\$1,090,095
Other Funds - Not Specifically Identified	\$1,090,095
State Funds	\$398,934,304
State General Funds	\$398,934,304

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$385,793,209	\$398,742,257
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,773	\$1,773
Reflect an adjustment to agency premiums for	(\$117,289)	(\$117,289)

Department of Administrative Services administered self-insurance programs.		
Reflect an adjustment in merit system assessments.	(\$95,423)	(\$95,423)
Adjust billings for unemployment insurance to reflect claims expenses.	\$90,613	\$90,613
Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.	\$839,821	\$839,821
Increase funds for one Behavioral Health Crisis Center to begin operations January 2019. <i>(CC:Increase funds and prioritize funding for Behavioral Health Crisis Centers in areas with the greatest need.)</i>	\$6,000,000	\$6,000,000
Increase funds for mental health consumers in community settings to comply with the Department of Justice (DOJ) Settlement Agreement.	\$5,721,600	\$5,721,600
Increase funds for St. Joseph's Mercy Care Indigent Services.	\$700,000	\$700,000
Amount appropriated in this Act	----- \$398,934,304	----- \$411,883,352

15.5. Child and Adolescent Addictive Diseases Services

Purpose: The purpose of this appropriation is to provide services to children and adolescents for the safe withdrawal from abused substances and promote a transition to productive living.

Total Funds	\$12,026,804
Federal Funds and Grants	\$7,928,149
Medical Assistance Program (CFDA 93.778)	\$50,000
Prevention and Treatment of Substance Abuse Block Grant (CFDA 93.959)	\$7,878,149
State Funds	\$4,098,655
State General Funds	\$4,098,655

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,307,854	\$11,236,003
Increase funds to prevent opioid abuse as recommended by the Commission on Children's Mental Health.	\$790,801	\$790,801
Amount appropriated in this Act	----- \$4,098,655	----- \$12,026,804

15.6. Child and Adolescent Developmental Disabilities

Purpose: The purpose of this appropriation is to provide evaluation, residential, support, and education services to promote independence for children and adolescents with developmental disabilities.

Total Funds	\$18,773,433
Federal Funds and Grants	\$3,588,692
Medical Assistance Program (CFDA 93.778)	\$3,588,692
State Funds	\$15,184,741

State General Funds \$15,184,741

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$9,011,788	\$12,600,480
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$79	\$79
Reflect an adjustment in merit system assessments.	(\$43)	(\$43)
Provide funds for crisis services for children under 21 who are diagnosed as autistic.	\$5,922,917	\$5,922,917
Utilize \$266,119 in existing funds for telehealth services and three positions for behavioral health services for children under 21 who are diagnosed as autistic. (Total Funds: \$383,288) (CC:Yes)	\$0	\$0
Increase funds for the Matthew Reardon Center for Autism.	\$250,000	\$250,000
Amount appropriated in this Act	----- \$15,184,741	\$18,773,433

15.7. Child and Adolescent Forensic Services

Purpose: The purpose of this appropriation is to provide evaluation, treatment and residential services to children and adolescents clients referred by Georgia's criminal justice or corrections system.

Total Funds	\$6,510,580
State Funds	\$6,510,580
State General Funds	\$6,510,580

15.8. Child and Adolescent Mental Health Services

Purpose: The purpose of this appropriation is to provide evaluation, treatment, crisis stabilization, and residential services to children and adolescents with mental illness.

Total Funds	\$80,430,048
Federal Funds and Grants	\$10,324,515
Community Mental Health Services Block Grant (CFDA 93.958)	\$7,437,531
Medical Assistance Program (CFDA 93.778)	\$2,886,984
Other Funds	\$85,000
Agency Funds	\$85,000
State Funds	\$70,020,533
State General Funds	\$70,020,533

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$50,298,582	\$60,708,097
Reflect an adjustment to agency premiums for	\$215	\$215

Department of Administrative Services administered self-insurance programs.		
Reflect an adjustment in merit system assessments.	(\$118)	(\$118)
Provide one-time funds for crisis respite services as recommended by the Commission on Children's Mental Health.	\$84,000	\$84,000
Increase funds for crisis services as recommended by the Commission on Children's Mental Health.	\$10,316,198	\$10,316,198
Increase funds for the Georgia Apex Program (GAP) for an additional 13 grants as recommended by the Commission on Children's Mental Health.	\$4,290,000	\$4,290,000
Provide one-time funds for telemedicine services as recommended by the Commission on Children's Mental Health.	\$150,000	\$150,000
Provide funds for telemedicine services as recommended by the Commission on Children's Mental Health.	\$232,500	\$232,500
Increase funds for suicide prevention as recommended by the Commission on Children's Mental Health.	\$1,092,000	\$1,092,000
Increase funds for high fidelity wraparound services training as recommended by the Commission on Children's Mental Health.	\$610,545	\$610,545
Increase funds for supported employment and education assistance for an additional 500 young adults at the rate of \$6,120 per year as recommended by the Commission on Children's Mental Health. (CC:Increase funds to plan and implement supported employment and education assistance for an additional 500 young adults at the rate of \$6,120 per year effective January 1, 2019.)	\$1,530,000	\$1,530,000
Provide funds for the development and statewide availability of a mental health crisis services and suicide prevention mobile application in coordination with the Georgia Crisis and Access hotline.	\$1,416,611	\$1,416,611
Amount appropriated in this Act	\$70,020,533	\$80,430,048

15.9. Departmental Administration (DBHDD)

Purpose: The purpose of this appropriation is to provide administrative support for all mental health, developmental disabilities and addictive diseases programs of the department.

Total Funds	\$50,231,684
Federal Funds and Grants	\$11,715,584
Medical Assistance Program (CFDA 93.778)	\$4,378,613
Social Services Block Grant (CFDA 93.667)	\$7,336,971
Other Funds	\$22,133
Agency Funds	\$22,133
State Funds	\$38,493,967
State General Funds	\$38,493,967

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$38,659,933	\$50,397,650
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$1,270	\$1,270
Reflect an adjustment in merit system assessments.	(\$693)	(\$693)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$123,343)	(\$123,343)
Reflect an adjustment in TeamWorks billings.	(\$216,429)	(\$216,429)
Adjust billings for unemployment insurance to reflect claims expenses.	\$173,229	\$173,229
Amount appropriated in this Act	----- \$38,493,967	----- \$50,231,684

15.10. Direct Care Support Services

Purpose: The purpose of this appropriation is to operate five state-owned and operated hospitals.

Total Funds	\$130,554,483
Other Funds	\$11,153,331
Agency Funds	\$9,700,000
Other Funds - Not Specifically Identified	\$1,453,331
State Funds	\$116,981,442
State General Funds	\$116,981,442
Intra-State Government Transfers	\$2,419,710
Other Intra-State Government Payments	\$2,419,710

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$116,977,011	\$130,550,052
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$2,809	\$2,809
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$3,573	\$3,573
Reflect an adjustment in merit system assessments.	(\$1,951)	(\$1,951)
Amount appropriated in this Act	----- \$116,981,442	----- \$130,554,483

15.11. Substance Abuse Prevention

Purpose: The purpose of this appropriation is to promote the health and well-being of children, youth, families and communities through preventing the use and/or abuse of alcohol, tobacco and drugs.

Total Funds	\$10,232,894
Federal Funds and Grants	\$9,996,415
Prevention and Treatment of Substance Abuse Block Grant (CFDA 93.959)	\$9,996,415

State Funds	\$236,479
State General Funds	\$236,479

The following appropriations are for agencies attached for administrative purposes.

15.12. Georgia Council on Developmental Disabilities

Purpose: The purpose of this appropriation is to promote quality services and support for people with developmental disabilities and their families.

Total Funds	\$2,598,732
Federal Funds and Grants	\$2,019,042
Federal Funds Not Specifically Identified	\$2,019,042
State Funds	\$579,690
State General Funds	\$579,690

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$75,821	\$2,094,863
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$10,131)	(\$10,131)
Provide funding for an agricultural careers summer camp for youth with disabilities.	\$14,000	\$14,000
Transfer funds from the Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program to the Georgia Council on Developmental Disabilities to provide ongoing support and scholarships for the Inclusive Post-Secondary Education (IPSE) program.	\$500,000	\$500,000
Amount appropriated in this Act	----- \$579,690	----- \$2,598,732

15.13. Sexual Offender Review Board

Purpose: The purpose of this appropriation is to protect Georgia's children by identifying convicted sexual offenders that present the greatest risk of sexually reoffending.

Total Funds	\$792,783
State Funds	\$792,783
State General Funds	\$792,783

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$792,805	\$792,805
Reflect an adjustment in merit system assessments.	----- (\$22)	----- (\$22)
Amount appropriated in this Act	\$792,783	\$792,783

Section 16: Community Affairs, Department of

Total Funds	\$277,780,463
Federal Funds and Grants	\$183,720,001
Federal Funds Not Specifically Identified	\$183,720,001
Other Funds	\$17,206,183
Agency Funds	\$190,000
Other Funds - Not Specifically Identified	\$17,016,183
State Funds	\$76,854,279
State General Funds	\$76,854,279

16.1. Building Construction

Purpose: The purpose of this appropriation is to maintain up-to-date minimum building construction standards for all new structures built in the state; to inspect factory built (modular) buildings to ensure Georgia's minimum construction codes are met; to review proposed enhancements to local government construction codes; and to provide professional training to building inspectors and builders on Georgia's construction codes.

Total Funds	\$456,525
Other Funds	\$197,823
Other Funds - Not Specifically Identified	\$197,823
State Funds	\$258,702
State General Funds	\$258,702

16.2. Coordinated Planning

Purpose: The purpose of this appropriation is to ensure that county and city governments meet the requirements of the Georgia Planning Act of 1989 by establishing standards and procedures for comprehensive plans and reviewing plans submitted by local governments; to provide training and assistance to local governments in completing comprehensive plans for quality growth by offering mapping and Geographical Information System (GIS) services, online planning tools, and resource teams, and funding the regional planning efforts of Regional Commissions; and to provide annexation reports from Georgia cities to the U.S. Census Bureau.

Total Funds	\$4,117,283
Federal Funds and Grants	\$242,503
Federal Funds Not Specifically Identified	\$242,503
State Funds	\$3,874,780
State General Funds	\$3,874,780

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,024,780	\$4,267,283
Eliminate one-time funds for Coastal Regional	\$0	\$0

Commission of Georgia grants for coastal infrastructure. (CC:No)		
Reduce funds for the Atlanta Regional Commission. (CC:Reduce funds for the Atlanta Regional Commission and maintain funding for other regional commissions at current level.)	(\$150,000)	(\$150,000)
Amount appropriated in this Act	\$3,874,780	\$4,117,283

16.3. Departmental Administration (DCA)

Purpose: The purpose of this appropriation is to provide administrative support for all programs of the department.

Total Funds	\$8,154,567
Federal Funds and Grants	\$3,270,989
Federal Funds Not Specifically Identified	\$3,270,989
Other Funds	\$3,323,852
Other Funds - Not Specifically Identified	\$3,323,852
State Funds	\$1,559,726
State General Funds	\$1,559,726

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,460,957	\$8,055,798
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,973)	(\$1,973)
Reflect an adjustment in merit system assessments.	(\$1,294)	(\$1,294)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$268)	(\$268)
Reflect an adjustment in TeamWorks billings.	(\$4,147)	(\$4,147)
Adjust billings for unemployment insurance to reflect claims expenses.	\$1,451	\$1,451
Eliminate one-time funds for the Martin Luther King Jr. Advisory Council. (CC:Reduce funds for the Martin Luther King Jr. Advisory Council.)	(\$25,000)	(\$25,000)
Provide funds for one downtown development attorney as recommended by the House Rural Development Council.	\$130,000	\$130,000
Amount appropriated in this Act	\$1,559,726	\$8,154,567

16.4. Federal Community and Economic Development Programs

Purpose: The purpose of this appropriation is to administer federal grant and loan programs to promote volunteerism and community and economic development among local governments, development authorities, and private entities.

Total Funds	\$49,862,629
Federal Funds and Grants	\$47,920,748
Federal Funds Not Specifically Identified	\$47,920,748

Other Funds	\$269,629
Other Funds - Not Specifically Identified	\$269,629
State Funds	\$1,672,252
State General Funds	\$1,672,252

16.5. Homeownership Programs

Purpose: The purpose of this appropriation is to expand the supply of affordable housing through rehabilitation and construction financing, and to promote homeownership for low and moderate- income individuals by providing sustainable housing grants to local governments, administering mortgage and down payment assistance programs for low and moderate income homebuyers, and offering homeownership counseling and home buyer education programs through a partnership with private providers.

Total Funds	\$9,787,841
Federal Funds and Grants	\$3,839,989
Federal Funds Not Specifically Identified	\$3,839,989
Other Funds	\$5,947,852
Other Funds - Not Specifically Identified	\$5,947,852

16.6. Regional Services

Purpose: The purpose of this appropriation is to promote access to department services and assistance through a statewide network of regional representatives; to provide technical assistance and grants to local communities to achieve goals relating to housing and community and economic development projects and services that are in-line with the community's comprehensive plan; and to develop leadership infrastructure across local governments.

Total Funds	\$1,574,613
Federal Funds and Grants	\$200,000
Federal Funds Not Specifically Identified	\$200,000
Other Funds	\$269,052
Other Funds - Not Specifically Identified	\$269,052
State Funds	\$1,105,561
State General Funds	\$1,105,561

16.7. Rental Housing Programs

Purpose: The purpose of this appropriation is to provide affordable rental housing to very low, and moderate-income households by allocating federal and state housing tax credits on a competitive basis, administering low-interest loans for affordable rental housing, researching affordable housing issues, and providing tenant-based assistance to low-income individuals and families allowing them to rent safe, decent, and sanitary dwelling units in the private rental market.

Total Funds	\$131,026,320
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Federal Funds and Grants	\$125,867,471
Federal Funds Not Specifically Identified	\$125,867,471
Other Funds	\$5,158,849
Other Funds - Not Specifically Identified	\$5,158,849

16.8. Research and Surveys

Purpose: The purpose of this appropriation is to conduct surveys and collect financial and management data from local governments and authorities in accordance with Georgia law.

Total Funds	\$415,170
State Funds	\$415,170
State General Funds	\$415,170

16.9. Special Housing Initiatives

Purpose: The purpose of this appropriation is to fund the State Housing Trust Fund; to provide grants for providers of shelter and services to the homeless; to administer loans and grants for affordable housing; to offer local communities collaboration and technical assistance in the development and implementation of an affordable housing plan; and to provide for other special housing initiatives.

Total Funds	\$6,589,616
Federal Funds and Grants	\$2,378,301
Federal Funds Not Specifically Identified	\$2,378,301
Other Funds	\$1,048,423
Other Funds - Not Specifically Identified	\$1,048,423
State Funds	\$3,162,892
State General Funds	\$3,162,892

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,062,892	\$6,489,616
Provide funds for the Statewide Independent Living Council for home access modifications.	\$100,000	\$100,000
Amount appropriated in this Act	----- \$3,162,892	----- \$6,589,616

16.10. State Community Development Programs

Purpose: The purpose of this appropriation is to assist Georgia cities, small towns, and neighborhoods in the development of their core commercial areas, and to champion new development opportunities for rural Georgia.

Total Funds	\$1,628,715
Other Funds	\$197,650
Agency Funds	\$190,000
Other Funds - Not Specifically Identified	\$7,650

State Funds	\$1,431,065
State General Funds	\$1,431,065

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,021,165	\$1,218,815
Eliminate one-time funds for the Warrior to Citizen Resilience and Reintegration program for developing new curriculum and therapy programs.	(\$50,000)	(\$50,000)
Eliminate one-time funds for the Second Harvest of South Georgia. (CC:No)	\$0	\$0
Increase funds for the Broadband Achieving Connectivity Everywhere Act (SB 402, 2018 Session).	\$334,900	\$334,900
Provide funds for the Clayton County Food Pantry.	\$25,000	\$25,000
Provide funds for Compensation of Police and Sheriffs data analysis operations (SB 366, 2018 Session).	\$100,000	\$100,000
Provide funds for Compensation of Police and Sheriffs grants (SB 366, 2018 Session). (CC:No)	\$0	\$0
Amount appropriated in this Act	----- \$1,431,065	----- \$1,628,715

16.11. State Economic Development Programs

Purpose: The purpose of this appropriation is to provide grants and loans to local governments and businesses and to leverage private investment in order to attract and promote economic development and job creation.

Total Funds	\$26,748,883
Other Funds	\$647,532
Other Funds - Not Specifically Identified	\$647,532
State Funds	\$26,101,351
State General Funds	\$26,101,351

The following appropriations are for agencies attached for administrative purposes.

16.12. Payments to Georgia Environmental Finance Authority

Purpose: The purpose of this appropriation is to provide funds for water, wastewater, solid waste, energy, and land conservation projects.

Total Funds	\$788,495
State Funds	\$788,495
State General Funds	\$788,495

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$788,495	\$788,495
Eliminate funds for the Metropolitan North Georgia Water Planning District. (CC:No)	\$0	\$0

Amount appropriated in this Act	\$788,495	\$788,495
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16.13. Payments to Georgia Regional Transportation Authority

Purpose: The purpose of this appropriation is to improve Georgia's mobility, air quality, and land use practices by operating the Xpress bus service, conducting transportation improvement studies, producing an annual Air Quality Report, and reviewing Development of Regional Impact.

Total Funds	\$12,809,285
State Funds	\$12,809,285
State General Funds	\$12,809,285

16.14. Payments to OneGeorgia Authority

Purpose: The purpose of this appropriation is to provide funds for the OneGeorgia Authority.

Total Funds	\$23,820,521
Other Funds	\$145,521
Other Funds - Not Specifically Identified	\$145,521
State Funds	\$23,675,000
State General Funds	\$23,675,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$20,000,000	\$20,145,521
Increase funds for economic development projects.	\$3,675,000	\$3,675,000
Provide \$250,000 for the Defense Community Economic Development Fund per HB 470 (2017 Session). (CC:Yes)	\$0	\$0
Amount appropriated in this Act	\$23,675,000	\$23,820,521

Section 17: Community Health, Department of

Total Funds	\$15,334,734,004
Federal Funds and Grants	\$7,768,765,416
Medical Assistance Program (CFDA 93.778)	\$7,281,033,084
State Children's Insurance Program (CFDA 93.767)	\$461,088,931
Federal Funds Not Specifically Identified	\$26,643,401
Other Funds	\$222,272,597
Agency Funds	\$77,971,304
Indigent Care Trust Fund - Public Hospital Authorities	\$139,386,524
Other Funds - Not Specifically Identified	\$4,914,769
State Funds	\$3,390,259,111
Hospital Provider Payment	\$326,188,448
Nursing Home Provider Fees	\$157,326,418

State General Funds	\$2,780,991,048
Tobacco Settlement Funds	\$125,753,197
Intra-State Government Transfers	\$3,953,436,880
Health Insurance Payments	\$3,672,579,618
Medicaid Services Payments - Other Agencies	\$280,857,262

17.1. Departmental Administration (DCH)

Purpose: The purpose of this appropriation is to provide administrative support to all departmental programs.

Total Funds	\$438,112,183
Federal Funds and Grants	\$340,827,039
Medical Assistance Program (CFDA 93.778)	\$288,856,018
State Children's Insurance Program (CFDA 93.767)	\$34,192,075
Federal Funds Not Specifically Identified	\$17,778,946
Other Funds	\$4,614,769
Other Funds - Not Specifically Identified	\$4,614,769
State Funds	\$71,358,790
State General Funds	\$71,358,790
Intra-State Government Transfers	\$21,311,585
Health Insurance Payments	\$21,311,585

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$64,613,086	\$395,408,512
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$325	\$325
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,567)	(\$1,567)
Reflect an adjustment in merit system assessments.	(\$4,462)	(\$4,462)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$1,479)	(\$1,479)
Reflect an adjustment in TeamWorks billings.	(\$34,090)	(\$34,090)
Adjust billings for unemployment insurance to reflect claims expenses.	\$8,095	\$8,095
Provide funds for quality assurance and program monitoring staff.	\$1,121,715	\$2,243,430
Provide funds for the development, design, and implementation of an Enterprise Data Solution. <i>(CC: Provide funds for the development, design, and implementation of an Enterprise Data Solution and plan for future portals to support rural data analytics partners.)</i>	\$1,902,280	\$19,022,800
Provide funds for an electronic visit verification system for home and community-based services.	\$894,519	\$1,789,038
Transfer funds for Health Information Technology from	\$1,762,406	\$17,620,119

Healthcare Access and Improvement to Departmental Administration and Program Support.		
Provide funds to develop capacity for behavioral health services for children under 21 who are diagnosed as autistic.	\$847,962	\$1,561,462
Utilize \$111,500 in existing funds for Medicaid Information Technology Architecture. (Total Funds: \$623,000) (CC:Yes)	\$0	\$0
Utilize \$67,000 in existing funds for Right from the Start Medicaid caseworker retention. (Total Funds: \$268,000) (CC:Yes)	\$0	\$0
Utilize \$962,022 in existing funds to support increased background checks for owners and employees of long-term care facilities. (CC:Yes)	\$0	\$0
Utilize \$50,700 in existing funds for one program coordinator position for children under 21 who are diagnosed as autistic. (Total Funds: \$101,400) (CC:Yes)	\$0	\$0
The Department of Community Health shall include language in all managed care contracts and State Health Benefit Plan contracts requiring the plan sponsor to annually report the following to the department: all pharmacy claims; the amount paid to the pharmacy provider per claim, including but not limited to the cost of drug reimbursement; dispensing fees; copayments; and the amount charged to the plan sponsor for each claim by its pharmacy benefit manager. If there is a difference between these amounts, the plan sponsor shall report an itemization of all administrative fees, rebates, or processing charges associated with the claim. The department shall provide a report using aggregated data to the chairs of the House Appropriations and Senate Appropriations Committees on the implementation of this initiative and its impact on program expenditures by December 31 of each year. Nothing in the report shall contain confidential proprietary information. (CC:Yes; The Department of Community Health shall include language in all managed care contracts and State Health Benefit Plan contracts requiring the plan sponsor to annually report all external pharmacy claims. The plan sponsor shall report an itemization of all administrative fees, rebates, or processing charges associated with the claim. The department shall provide a report using aggregated data to the chairs of the House Appropriations and Senate Appropriations Committees on the implementation of this initiative and its impact on program expenditures by December 31 of each year. Nothing in the report shall contain confidential proprietary information.)	\$0	\$0
Utilize existing funds for the analysis of the Medicaid delivery system for the purposes of identifying efficiencies and service delivery improvement opportunities. (CC:Provide funds for the analysis of the Medicaid delivery system for the purposes of identifying efficiencies and service delivery improvement	\$250,000	\$500,000

<i>opportunities.)</i>		
The Department of Community Health, pursuant to O.C.G.A. 49-4-142.1, is hereby authorized to submit to the United States Department of Health and Human Services Centers for Medicare and Medicaid Services for a waiver pursuant to Section 1115 of the federal Social Security Act for the purpose of continuation of the existing Planning for Healthy Babies Waiver. (CC:Yes)	\$0	\$0
The Department of Community Health, pursuant to O.C.G.A. 49-4-142.1 et seq. and within the parameters of O.C.G.A. 49-4-142.2, is hereby authorized to submit a request to the United States Department of Health and Human Services Centers for Medicare and Medicaid Services for a waiver pursuant to Section 1115 of the federal Social Security Act. (CC:No)	\$0	\$0
Amount appropriated in this Act	\$71,358,790	\$438,112,183

17.2. Georgia Board of Dentistry

Purpose: The purpose of this appropriation is to protect public health by licensing qualified applicants as dentists and dental hygienists, regulating the practice of dentistry, investigating complaints, and taking appropriate disciplinary action when warranted.

Total Funds	\$832,961
State Funds	\$832,961
State General Funds	\$832,961

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$833,125	\$833,125
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$43)	(\$43)
Reflect an adjustment in merit system assessments.	(\$121)	(\$121)
Amount appropriated in this Act	\$832,961	\$832,961

17.3. Georgia State Board of Pharmacy

Purpose: The purpose of this appropriation is to protect public health by licensing qualified pharmacists and pharmacies, regulating the practice of pharmacy, investigating complaints, and taking appropriate disciplinary actions when warranted.

Total Funds	\$768,756
State Funds	\$768,756
State General Funds	\$768,756

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as	\$768,932	\$768,932

amended		
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$46)	(\$46)
Reflect an adjustment in merit system assessments.	(\$130)	(\$130)
Amount appropriated in this Act	\$768,756	\$768,756

17.4. Health Care Access and Improvement

Purpose: The purpose of this appropriation is to provide grants and other support services for programs that seek to improve health access and outcomes in rural and underserved areas of Georgia through the State Office of Rural Health, the various commissions of the Office of Health Improvement, and the Office of Health Information Technology and Transparency.

Total Funds	\$13,418,070
Federal Funds and Grants	\$588,838
Medical Assistance Program (CFDA 93.778)	\$416,250
Federal Funds Not Specifically Identified	\$172,588
State Funds	\$12,829,232
State General Funds	\$12,829,232

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$12,265,461	\$28,712,012
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$50)	(\$50)
Reflect an adjustment in merit system assessments.	(\$144)	(\$144)
Increase funds for the Healthcare for the Homeless grant program.	\$66,371	\$66,371
Transfer funds for Health Information Technology from Healthcare Access and Improvement to Departmental Administration and Program Support.	(\$1,762,406)	(\$17,620,119)
Eliminate one-time start-up funds for Federally Qualified Health Centers.	(\$1,000,000)	(\$1,000,000)
Provide funds for Federally Qualified Health Center start-up grants for a primary care center in Bryan County and a behavioral health center in Emanuel County. (CC:Increase funds for Federally Qualified Health Center start-up grants for a primary care center in Bryan County and behavioral health services in Early and Emanuel Counties.)	\$750,000	\$750,000
Provide funds to hire a full-time position to coordinate donated dental services.	\$85,000	\$85,000
Annualize funds to oversee the competitive bid process for the Rural Health Systems Innovation Center.	\$75,000	\$75,000
Provide funds for the start-up of the Rural Health Systems Innovation Center. (CC:Provide funds for the start-up of the Rural Health Systems Innovation Center. The Rural Health Systems Innovation Center site will	\$300,000	\$300,000

<i>be chosen through an RFP process with criteria that may include but not be limited to a school of medicine, a history of understanding rural assets and resources, a network of community-based preceptors statewide, and a demonstration of commitment to a long-term relationship with rural communities.)</i>		
Increase funds for the start-up of the Health Coordination and Innovation Council.	\$1,500,000	\$1,500,000
Increase funds to provide the grants to rural hospitals for Electronic Intensive Care Units (EICU) to improve patient outcomes and reduce the need for long distance travel away from local communities to obtain this level of care.	\$600,000	\$600,000
Increase funds to the Georgia Council on Lupus Education and Awareness (GCLEA) for lupus research and other lupus-related projects.	\$100,000	\$100,000
Reduce funds in the Patient Centered Medical Home grant program.	(\$150,000)	(\$150,000)
Amount appropriated in this Act	\$12,829,232	\$13,418,070

17.5. Healthcare Facility Regulation

Purpose: The purpose of this appropriation is to inspect and license long term care and health care facilities.

Total Funds	\$25,504,930
Federal Funds and Grants	\$11,948,252
Medical Assistance Program (CFDA 93.778)	\$6,043,599
Federal Funds Not Specifically Identified	\$5,904,653
Other Funds	\$100,000
Agency Funds	\$100,000
State Funds	\$13,456,678
State General Funds	\$13,456,678

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$13,215,132	\$25,263,384
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$721)	(\$721)
Reflect an adjustment in merit system assessments.	(\$2,050)	(\$2,050)
Increase funds to support the annual onsite inspection of narcotic treatment programs pursuant to the passage of HB 249 and SB 88 (2017 Session).	\$244,317	\$244,317
Amount appropriated in this Act	\$13,456,678	\$25,504,930

17.6. Indigent Care Trust Fund

Purpose: The purpose of this appropriation is to support rural and other healthcare providers, primarily hospitals that serve medically indigent Georgians.

Total Funds	\$399,662,493
Federal Funds and Grants	\$257,075,969
Medical Assistance Program (CFDA 93.778)	\$257,075,969
Other Funds	\$142,586,524
Agency Funds	\$3,200,000
Indigent Care Trust Fund - Public Hospital Authorities	\$139,386,524

17.7. Medicaid- Aged Blind and Disabled

Purpose: The purpose of this appropriation is to provide health care access primarily to elderly and disabled individuals. There is also hereby appropriated to the Department of Community Health a specific sum of money equal to all the provider fees paid to the Indigent Care Trust Fund created pursuant to Article 6A of chapter 8 of Title 31. The sum of money is appropriated for payments for nursing homes pursuant to Article 6A.

Total Funds	\$5,815,001,708
Federal Funds and Grants	\$3,679,313,937
Medical Assistance Program (CFDA 93.778)	\$3,676,526,723
Federal Funds Not Specifically Identified	\$2,787,214
Other Funds	\$62,342,988
Agency Funds	\$62,342,988
State Funds	\$1,806,056,151
Hospital Provider Payment	\$34,315,025
Nursing Home Provider Fees	\$157,326,418
State General Funds	\$1,608,222,902
Tobacco Settlement Funds	\$6,191,806
Intra-State Government Transfers	\$267,288,632
Medicaid Services Payments - Other Agencies	\$267,288,632

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,662,343,191	\$5,644,373,217
Increase funds for growth in Medicaid based on projected need.	\$37,369,367	\$116,198,280
Replace Tenet settlement funds with state general funds.	\$47,839,104	\$0
Increase funds for a 4.3 percent nursing home rate increase.	\$16,894,882	\$52,533,837
Increase funds for the first installment of a two-year plan to increase the personal needs allowance for nursing home residents by \$20 per month pursuant to the passage of HB 206 (2017 Session). (CC:Provide funds to increase the personal needs allowance for nursing home residents by \$15 per month pursuant to the passage of HB 206 (2017 Session).)	\$1,204,573	\$3,745,563
Increase funds for a \$12.62 increase in alternative living	\$3,378,112	\$10,504,080

service provider rates.		
Increase nursing home rates for liability insurance.	\$5,000,000	\$15,547,264
Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.	\$40,999,734	\$0
Reduce funds to reflect projected revenue from the nursing home provider fee.	(\$14,142,962)	(\$43,976,871)
Provide funds for Direct Graduate Medical Education (GME) Medicaid reimbursement for GME expansion programs.	\$1,700,360	\$5,287,189
Increase funds to reflect additional revenue from hospital provider payments.	\$1,608,988	\$5,003,072
Provide funds to increase the reimbursement rates for Adult Day Health Centers. (CC:Increase funds for a five percent increase in reimbursement rates for Adult Day Health Centers.)	\$399,670	\$1,242,755
Provide funds to increase the triage payment rate by \$10 for urban hospitals and \$20 for rural hospitals.	\$403,930	\$1,256,002
Increase funds for a 3 percent increase in nursing home mechanical ventilator reimbursement rates. (CC:No)	\$0	\$0
Increase funds for a 1 percent increase in reimbursement rates for select dental codes.	\$57,202	\$177,867
Increase funds for the Georgia Pediatric Program to increase reimbursement rates for Licensed Practical Nurses to \$37.25 per hour and to \$42.50 per hour for Registered Nurses. (CC:Increase funds for the Georgia Pediatric Program to increase hourly reimbursement rates for licensed practical nurses and registered nurses.)	\$1,000,000	\$3,109,453
Amount appropriated in this Act	\$1,806,056,151	\$5,815,001,708

17.8. Medicaid- Low-Income Medicaid

Purpose: The purpose of this appropriation is to provide healthcare access primarily to low-income individuals.

Total Funds	\$4,486,933,511
Federal Funds and Grants	\$3,052,114,525
Medical Assistance Program (CFDA 93.778)	\$3,052,114,525
Other Funds	\$12,328,316
Agency Funds	\$12,328,316
State Funds	\$1,409,073,823
Hospital Provider Payment	\$291,873,423
State General Funds	\$997,639,009
Tobacco Settlement Funds	\$119,561,391
Intra-State Government Transfers	\$13,416,847
Medicaid Services Payments - Other Agencies	\$13,416,847

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as	\$1,311,837,601	\$4,375,546,981

amended		
Increase funds for growth in Medicaid based on projected need. <i>(CC:Adjust funds for growth in Medicaid based on projected need.)</i>	(\$13,433,644)	(\$41,771,281)
Replace Tenet settlement funds with state general funds.	\$44,532,620	\$0
Increase funds for the Health Insurance Provider Fee.	\$32,220,521	\$100,188,187
Increase funds to reflect additional revenue from hospital provider payments.	\$13,685,573	\$42,554,642
Increase funds to reflect a decrease in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.	\$16,881,693	\$0
Replace \$13,650,907 in state general funds with tobacco settlement funds. <i>(CC:Yes)</i>	\$0	\$0
Provide funds to increase the triage payment rate by \$10 for urban hospitals and \$20 for rural hospitals.	\$1,388,211	\$4,316,576
Provide funds to increase the reimbursement rate for the Marcus Autism Center to cover the costs of treating children with autism with the most significant needs. <i>(CC:Provide funds to increase the reimbursement rate for autism codes including feeding, language and learning, and severe behavior.)</i>	\$681,493	\$2,119,070
Increase funds for a \$250 add-on payment for newborn delivery in rural counties (population less than 35,000).	\$335,188	\$1,042,250
Increase funds to establish criteria and implement reimbursement for Centering Pregnancy programs. <i>(CC:Increase funds to establish criteria and implement reimbursement for evidence-based group prenatal care programs.)</i>	\$500,000	\$1,554,726
Increase funds for a one percent increase in reimbursement rates for select dental codes.	\$444,567	\$1,382,360
Amount appropriated in this Act	\$1,409,073,823	\$4,486,933,511

17.9. PeachCare

Purpose: The purpose of this appropriation is to provide health insurance coverage for qualified low-income Georgia children.

Total Funds	\$427,048,639
Federal Funds and Grants	\$426,896,856
State Children's Insurance Program (CFDA 93.767)	\$426,896,856
Intra-State Government Transfers	\$151,783
Medicaid Services Payments - Other Agencies	\$151,783

17.10. State Health Benefit Plan

Purpose: The purpose of this appropriation is to provide a healthcare benefit for teachers and state employees that is competitive with other commercial benefit plans in quality of care and access to providers; and to provide for the efficient management of provider fees and utilization rates.

Total Funds	\$3,651,268,033
Intra-State Government Transfers	\$3,651,268,033

Health Insurance Payments \$3,651,268,033

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$3,440,009,141
Increase funds to reflect updated projections for membership, medical services utilization, and medical trend changes.	\$0	\$263,591,392
Increase funds to reflect enrollment growth to match Medicaid age requirement for the treatment of autism spectrum disorders (ASDs).	\$0	\$2,200,000
Reduce funds to reflect Plan Year 2018 Health Maintenance Organization (HMO) procurement savings.	\$0	(\$6,980,000)
Reduce funds to reflect savings attributable to Medicare Advantage rates in Plan Year 2018.	\$0	(\$61,555,000)
Reflect 3.7% average increase in employee premiums for non-Medicare Advantage plans, effective January 1, 2018.	\$0	\$12,100,000
Reflect \$20.57 premium increase for Medicare Advantage premium plan members, effective January 1, 2018.	\$0	\$5,499,500
Reduce funds to reflect savings associated with the procurement of a pharmacy benefit manager in Plan Year 2018.	\$0	(\$3,597,000)
Amount appropriated in this Act	----- \$0	----- \$3,651,268,033

The following appropriations are for agencies attached for administrative purposes.

17.11. Georgia Board for Physician Workforce: Board Administration

Purpose: The purpose of this appropriation is to provide administrative support to all agency programs.

Total Funds	\$1,192,069
State Funds	\$1,192,069
State General Funds	\$1,192,069

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,191,967	\$1,191,967
Reflect an adjustment in merit system assessments.	\$102	\$102
Amount appropriated in this Act	----- \$1,192,069	----- \$1,192,069

17.12. Georgia Board for Physician Workforce: Graduate Medical Education

Purpose: The purpose of this appropriation is to address the physician workforce needs of Georgia communities through the support and development of medical education programs.

Total Funds	\$17,215,201
State Funds	\$17,215,201
State General Funds	\$17,215,201

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$13,296,798	\$13,296,798
Increase funds for 122 new residency slots in primary care medicine. (CC:Provide funds for 99 new residency slots in primary care medicine.)	\$1,732,569	\$1,732,569
Provide funds to St. Joseph's/Candler Hospital for two rural surgical fellowships. (CC:Increase funds to St. Joseph's/Candler Hospital for two rural surgical fellowships and establish eligibility requirements for participation.)	\$300,000	\$300,000
Provide funds for new fellowship positions at Augusta University in Vision: Retinal and Glaucoma, Cancer: Gynecological Oncology, Neurology: Alzheimer's Disease and Stroke/Vascular, and Aging.	\$750,000	\$750,000
Provide funds for Gateway Behavioral Health for the second year of start-up for the new psychiatry residency program.	\$120,000	\$120,000
Transfer funds from the Georgia Board for Physician Workforce: Physicians for Rural Areas program for the Memorial Accelerated Track Program.	\$180,000	\$180,000
Provide funds for a statewide residency recruitment fair as recommended by the House Rural Development Council.	\$40,000	\$40,000
Increase funds for 20 slots in OB/GYN residency programs, with four slots each at Emory University School of Medicine, Medical College of Georgia, Memorial University Medical Center, Morehouse School of Medicine, and Navicent Health Care Macon.	\$306,600	\$306,600
Increase funds for 13 existing slots in psychiatry residency programs, including three slots at Emory University School of Medicine, three slots at Medical College of Georgia, five slots at Morehouse School of Medicine, and two slots at Navicent Health Care Macon.	\$188,500	\$188,500
Provide funds to increase capitation rates to \$14,500 for 10 existing Community and Preventive Medicine residency positions at Emory University School of Medicine and Morehouse School of Medicine.	\$64,270	\$64,270
Increase funds for medical residency capitation to help offset a reduction in the Federal Medical Assistance Percentage.	\$236,464	\$236,464
Amount appropriated in this Act	----- \$17,215,201	\$17,215,201

17.13. Georgia Board for Physician Workforce: Mercer School of Medicine Grant

Purpose: The purpose of this appropriation is to provide funding for the

Mercer University School of Medicine to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

Total Funds	\$24,039,911
State Funds	\$24,039,911
State General Funds	\$24,039,911

17.14. Georgia Board for Physician Workforce: Morehouse School of Medicine Grant

Purpose: The purpose of this appropriation is to provide funding for the Morehouse School of Medicine and affiliated hospitals to help ensure an adequate supply of primary and other needed physician specialists through a public/private partnership with the State of Georgia.

Total Funds	\$23,431,843
State Funds	\$23,431,843
State General Funds	\$23,431,843

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$23,360,975	\$23,360,975
Increase funds to support a community-centered collaborative for healthcare training and care in Columbus. (CC:Yes; Utilize existing funds up to \$300,000 to support a community-centered collaborative for healthcare training and care in Columbus.)	\$0	\$0
Increase funds to help offset a reduction in the Federal Medical Assistance Percentage.	\$70,868	\$70,868
Amount appropriated in this Act	----- \$23,431,843	----- \$23,431,843

17.15. Georgia Board for Physician Workforce: Physicians for Rural Areas

Purpose: The purpose of this appropriation is to ensure an adequate supply of physicians in rural areas of the state, and to provide a program of aid to promising medical students.

Total Funds	\$1,860,000
State Funds	\$1,860,000
State General Funds	\$1,860,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,910,000	\$1,910,000
Transfer funds to the Georgia Board for Physician Workforce: Graduate Medical Education program for the Memorial Accelerated Track Program.	(\$180,000)	(\$180,000)
Provide funds for insurance premium assistance for	\$130,000	\$130,000

physicians with a practice in underserved counties that currently have one or less physicians. (CC:Increase funds for malpractice insurance premium assistance for physicians with a practice in underserved counties that currently have one or less physicians.)		
Amount appropriated in this Act	-----	-----
	\$1,860,000	\$1,860,000

17.16. Georgia Board for Physician Workforce: Undergraduate Medical Education

Purpose: The purpose of this appropriation is to ensure an adequate supply of primary care and other needed physician specialists through a public/private partnership with medical schools in Georgia.

Total Funds	\$3,248,113
State Funds	\$3,248,113
State General Funds	\$3,248,113

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,048,113	\$3,048,113
Increase funds for the start-up of the Philadelphia College of Osteopathic Medicine South Georgia campus. (CC:Increase funds for the start-up of the Philadelphia College of Osteopathic Medicine South Georgia campus and develop a long-term plan for expansion in Georgia including financial request for State of Georgia in outlying years.)	\$200,000	\$200,000
Amount appropriated in this Act	-----	-----
	\$3,248,113	\$3,248,113

17.17. Georgia Composite Medical Board

Purpose: The purpose of this appropriation is to license qualified applicants as physicians, physician's assistants, respiratory care professionals, perfusionists, acupuncturists, orthotists, prosthetists, and auricular (ear) detoxification specialists. Also, investigate complaints and discipline those who violate the Medical Practice Act or other laws governing the professional behavior of the Board licensees.

Total Funds	\$2,781,691
Other Funds	\$300,000
Other Funds - Not Specifically Identified	\$300,000
State Funds	\$2,481,691
State General Funds	\$2,481,691

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,481,625	\$2,781,625
Reflect an adjustment in merit system assessments.	\$66	\$66
Amount appropriated in this Act	-----	-----
	\$2,481,691	\$2,781,691

17.18. Georgia Drugs and Narcotics Agency

Purpose: The purpose of this appropriation is to protect the health, safety, and welfare of the general public by providing an enforcement presence to oversee all laws and regulations pertaining to controlled substances and dangerous drugs.

Total Funds	\$2,413,892
State Funds	\$2,413,892
State General Funds	\$2,413,892

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,270,046	\$2,270,046
Reflect an adjustment in merit system assessments.	\$62	\$62
Provide funds for pay parity for Georgia Drugs and Narcotics agents responsible for preventing the overutilization and abuse of opioids and other prescription drugs. (CC:Increase funds for Georgia Drugs and Narcotics agents responsible for preventing the overutilization and abuse of opioids and other prescription drugs.)	\$143,784	\$143,784
Amount appropriated in this Act	----- \$2,413,892	----- \$2,413,892

Section 18: Community Supervision, Department of

Total Funds	\$182,546,767
Federal Funds and Grants	\$125,000
Federal Funds Not Specifically Identified	\$125,000
Other Funds	\$110,000
Other Funds - Not Specifically Identified	\$110,000
State Funds	\$182,301,767
State General Funds	\$182,301,767
Intra-State Government Transfers	\$10,000
Other Intra-State Government Payments	\$10,000

18.1. Departmental Administration (DCS)

Purpose: The purpose of this appropriation is to provide administrative support for the agency.

Total Funds	\$9,345,988
State Funds	\$9,345,988
State General Funds	\$9,345,988

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$9,406,532	\$9,406,532

Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$4,934)	(\$4,934)
Reflect an adjustment in merit system assessments.	\$514	\$514
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$54,970)	(\$54,970)
Reflect an adjustment in TeamWorks billings.	\$1,223	\$1,223
Adjust billings for unemployment insurance to reflect claims expenses.	(\$2,377)	(\$2,377)
Reduce funds to reflect savings from consolidating state supervision to the Department of Community Supervision. (CC:No)	\$0	\$0
Amount appropriated in this Act	----- \$9,345,988	----- \$9,345,988

18.2. Field Services

Purpose: The purpose of this appropriation is to protect and serve Georgia citizens through effective and efficient offender supervision in communities, while providing opportunities for successful outcomes.

Total Funds	\$166,355,290
State Funds	\$166,345,290
State General Funds	\$166,345,290
Intra-State Government Transfers	\$10,000
Other Intra-State Government Payments	\$10,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$166,664,371	\$166,674,371
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$3,117	\$3,117
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$91,243)	(\$91,243)
Reflect an adjustment in merit system assessments.	\$9,509	\$9,509
Reflect an adjustment in TeamWorks billings.	\$21,840	\$21,840
Eliminate one-time funds for the purchase of equipment for the Gwinnett Day Reporting Center.	(\$13,380)	(\$13,380)
Transfer two positions to the Misdemeanor Probation program.	(\$248,924)	(\$248,924)
Amount appropriated in this Act	----- \$166,345,290	----- \$166,355,290

18.3. Governor's Office of Transition Support and Reentry

Purpose: The purpose of this appropriation is to provide a collaboration of governmental and non-governmental stakeholders to develop and execute a systematic reentry plan for Georgia offenders and ensure the delivery of services to reduce recidivism and support the success of returning citizens.

Total Funds	\$5,186,624
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State Funds	\$5,186,624
State General Funds	\$5,186,624

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$5,186,691	\$5,186,691
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,798)	(\$1,798)
Reflect an adjustment in merit system assessments.	(\$857)	(\$857)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,128	\$2,128
Reflect an adjustment in TeamWorks billings.	\$496	\$496
Adjust billings for unemployment insurance to reflect claims expenses.	(\$36)	(\$36)
Amount appropriated in this Act	----- \$5,186,624	----- \$5,186,624

18.4. Misdemeanor Probation

Purpose: The purpose of this appropriation is to provide regulation of all governmental and private misdemeanor providers through inspection and investigation.

Total Funds	\$887,839
State Funds	\$887,839
State General Funds	\$887,839

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$639,159	\$639,159
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$372)	(\$372)
Reflect an adjustment in merit system assessments.	\$39	\$39
Reflect an adjustment in TeamWorks billings.	\$89	\$89
Transfer two positions from the Field Services program.	\$248,924	\$248,924
Amount appropriated in this Act	----- \$887,839	----- \$887,839

The following appropriations are for agencies attached for administrative purposes.

18.5. Georgia Commission on Family Violence

Purpose: The purpose of this appropriation is to provide for the study and evaluation of needs and services relating to family violence in Georgia, develop models for community task forces on family violence, provide training and continuing education on the dynamics of family violence, and develop standards to be used in the certification and regulation of Family Violence

Intervention Programs.

Total Funds	\$771,026
Federal Funds and Grants	\$125,000
Federal Funds Not Specifically Identified	\$125,000
Other Funds	\$110,000
Other Funds - Not Specifically Identified	\$110,000
State Funds	\$536,026
State General Funds	\$536,026

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$534,577	\$769,577
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$269)	(\$269)
Reflect an adjustment in merit system assessments.	(\$26)	(\$26)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,748	\$1,748
Adjust billings for unemployment insurance to reflect claims expenses.	(\$4)	(\$4)
Amount appropriated in this Act	----- \$536,026	----- \$771,026

Section 19: Corrections, Department of

Total Funds	\$1,202,705,438
Federal Funds and Grants	\$170,555
Federal Funds Not Specifically Identified	\$170,555
Other Funds	\$13,564,603
Other Funds - Not Specifically Identified	\$13,564,603
State Funds	\$1,188,970,280
State General Funds	\$1,188,970,280

19.1. County Jail Subsidy

Purpose: The purpose of this appropriation is to reimburse counties for the costs of incarcerating state prisoners in their local facilities after sentencing.

Total Funds	\$5,000
State Funds	\$5,000
State General Funds	\$5,000

19.2. Departmental Administration (DOC)

Purpose: The purpose of this appropriation is to protect and serve the citizens of Georgia by providing an effective and efficient department that administers a balanced correctional system.

Total Funds	\$37,440,690
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State Funds	\$37,440,690
State General Funds	\$37,440,690

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$37,548,448	\$37,548,448
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$5,967	\$5,967
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$46,385	\$46,385
Reflect an adjustment in merit system assessments.	(\$1,299)	(\$1,299)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$127,632)	(\$127,632)
Reflect an adjustment in TeamWorks billings.	(\$8,116)	(\$8,116)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$23,063)	(\$23,063)
Amount appropriated in this Act	----- \$37,440,690	\$37,440,690

19.3. Detention Centers

Purpose: The purpose of this appropriation is to provide housing, academic education, vocational training, work details, counseling, and substance abuse treatment for probationers who require more security or supervision than provided by regular community supervision.

Total Funds	\$50,450,237
Other Funds	\$2,453,500
Other Funds - Not Specifically Identified	\$2,453,500
State Funds	\$47,996,737
State General Funds	\$47,996,737

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$39,218,080	\$39,668,080
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$64,025	\$64,025
Reflect an adjustment in merit system assessments.	(\$1,794)	(\$1,794)
Reflect an adjustment in TeamWorks billings.	(\$11,203)	(\$11,203)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$31,834)	(\$31,834)
Transfer 138 positions and operating funds for one Residential Substance Abuse Treatment (RSAT) Center and two Integrated Treatment Facilities (ITF) from the State Prisons program.	\$8,955,463	\$10,958,963
Eliminate funds for one-time purchase of GED instructional materials and software installation.	(\$196,000)	(\$196,000)

Amount appropriated in this Act	\$47,996,737	\$50,450,237
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19.4. Food and Farm Operations

Purpose: The purpose of this appropriation is to manage timber, raise crops and livestock, and produce dairy items used in preparing meals for offenders.

Total Funds	\$27,608,741
State Funds	\$27,608,741
State General Funds	\$27,608,741

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$27,608,063	\$27,608,063
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$2,262	\$2,262
Reflect an adjustment in merit system assessments.	(\$63)	(\$63)
Reflect an adjustment in TeamWorks billings.	(\$396)	(\$396)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$1,125)	(\$1,125)
Amount appropriated in this Act	----- \$27,608,741	\$27,608,741

19.5. Health

Purpose: The purpose of this appropriation is to provide the required constitutional level of physical, dental, and mental health care to all inmates of the state correctional system.

Total Funds	\$238,833,976
Federal Funds and Grants	\$70,555
Federal Funds Not Specifically Identified	\$70,555
Other Funds	\$390,000
Other Funds - Not Specifically Identified	\$390,000
State Funds	\$238,373,421
State General Funds	\$238,373,421

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$237,745,725	\$238,206,280
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,917,283	\$1,917,283
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$16,087	\$16,087
Reflect an adjustment in merit system assessments.	(\$450)	(\$450)
Reflect an adjustment in TeamWorks billings.	(\$2,814)	(\$2,814)
Adjust billings for unemployment insurance to reflect	(\$7,998)	(\$7,998)

claims expenses.		
Redirect funds from the Electronic Health Records (EHR) contract to the State Prisons program for the Metro Re-entry Prison annualization.	(\$1,294,412)	(\$1,294,412)
Increase funds for the employer share of health insurance (\$200,848) and retiree health benefits (\$94,352). (CC:No)	\$0	\$0
Utilize existing funds to implement Phase III of the Electronic Health Records (EHR) contract. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	\$238,373,421	\$238,833,976

19.6. Offender Management

Purpose: The purpose of this appropriation is to coordinate and operate the following agency-wide support services to ensure public safety: canine units, the County Correctional Institutions program, Correctional Emergency Response Teams, inmate classification, inmate diagnostics, the jail coordination unit, the release and agreements unit, and tactical squads.

Total Funds	\$43,646,572
Other Funds	\$30,000
Other Funds - Not Specifically Identified	\$30,000
State Funds	\$43,616,572
State General Funds	\$43,616,572

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$43,614,610	\$43,644,610
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$6,543	\$6,543
Reflect an adjustment in merit system assessments.	(\$183)	(\$183)
Reflect an adjustment in TeamWorks billings.	(\$1,145)	(\$1,145)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$3,253)	(\$3,253)
Amount appropriated in this Act	\$43,616,572	\$43,646,572

19.7. Private Prisons

Purpose: The purpose of this appropriation is to contract with private companies to provide cost effective prison facilities that ensure public safety.

Total Funds	\$139,784,108
State Funds	\$139,784,108
State General Funds	\$139,784,108

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$135,395,608	\$135,395,608
Increase funds for current private prison correctional	\$4,388,500	\$4,388,500

officer pay adjustments. (CC:Provide for an increase in the operations rate for private prisons.)		
Amount appropriated in this Act	-----	-----
	\$139,784,108	\$139,784,108

19.8. State Prisons

Purpose: The purpose of this appropriation is to provide housing, academic education, religious support, vocational training, counseling, and substance abuse treatment for violent and/or repeat offenders, or nonviolent offenders who have exhausted all other forms of punishment in a secure, well-supervised setting; to assist in the reentry of these offenders back into society; and to provide fire services and work details to the Department, state agencies, and local communities.

Total Funds	\$632,437,135
Federal Funds and Grants	\$100,000
Federal Funds Not Specifically Identified	\$100,000
Other Funds	\$10,691,103
Other Funds - Not Specifically Identified	\$10,691,103
State Funds	\$621,646,032
State General Funds	\$621,646,032

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$624,472,456	\$637,267,059
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$84,938	\$84,938
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$933,569	\$933,569
Reflect an adjustment in merit system assessments.	(\$26,139)	(\$26,139)
Reflect an adjustment in TeamWorks billings.	(\$163,344)	(\$163,344)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$464,175)	(\$464,175)
Transfer 138 positions and operating funds for one Residential Substance Abuse Treatment (RSAT) Center and two Integrated Treatment Facilities (ITF) to the Detention Centers program.	(\$8,955,463)	(\$10,958,963)
Increase funds to annualize operating expenses for Metro Re-entry Prison.	\$5,008,101	\$5,008,101
Redirect funds to the Metro Re-entry Prison annualization from the Health program's Electronic Health Records (EHR) contract.	\$1,294,412	\$1,294,412
Eliminate funds for one-time purchase of literacy and math instructional software.	(\$459,323)	(\$459,323)
Eliminate one-time funds for vocational education classes.	(\$79,000)	(\$79,000)
Amount appropriated in this Act	-----	-----
	\$621,646,032	\$632,437,135

19.9. Transition Centers

Purpose: The purpose of this appropriation is to provide "work release," allowing inmates to obtain and maintain a paying job in the community, while still receiving housing, academic education, counseling, and substance abuse treatment in a structured center.

Total Funds	\$32,498,979
State Funds	\$32,498,979
State General Funds	\$32,498,979

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$32,484,389	\$32,484,389
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$48,658	\$48,658
Reflect an adjustment in merit system assessments.	(\$1,362)	(\$1,362)
Reflect an adjustment in TeamWorks billings.	(\$8,513)	(\$8,513)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$24,193)	(\$24,193)
Amount appropriated in this Act	----- \$32,498,979	----- \$32,498,979

Section 20: Defense, Department of

Total Funds	\$68,169,971
Federal Funds and Grants	\$52,904,273
Federal Funds Not Specifically Identified	\$52,904,273
Other Funds	\$3,262,875
Agency Funds	\$1,375,447
Other Funds - Not Specifically Identified	\$1,887,428
State Funds	\$12,002,823
State General Funds	\$12,002,823

20.1. Departmental Administration (DOD)

Purpose: The purpose of this appropriation is to provide administration to the organized militia in the State of Georgia.

Total Funds	\$1,919,728
Federal Funds and Grants	\$723,528
Federal Funds Not Specifically Identified	\$723,528
State Funds	\$1,196,200
State General Funds	\$1,196,200

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as	\$1,199,217	\$1,922,745

amended		
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$674)	(\$674)
Reflect an adjustment in merit system assessments.	\$167	\$167
Reflect an adjustment in TeamWorks billings.	(\$578)	(\$578)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$1,932)	(\$1,932)
Amount appropriated in this Act	----- \$1,196,200	----- \$1,919,728

20.2. Military Readiness

Purpose: The purpose of this appropriation is to provide and maintain facilities for the training of Army National Guard, Air National Guard, and State Defense Force personnel, and to provide an organized militia that can be activated and deployed at the direction of the President or Governor for a man-made crisis or natural disaster.

Total Funds	\$43,200,280
Federal Funds and Grants	\$34,639,522
Federal Funds Not Specifically Identified	\$34,639,522
Other Funds	\$3,258,997
Agency Funds	\$1,375,447
Other Funds - Not Specifically Identified	\$1,883,550
State Funds	\$5,301,761
State General Funds	\$5,301,761

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$5,253,863	\$43,152,382
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,138)	(\$1,138)
Reflect an adjustment in merit system assessments.	\$390	\$390
Reflect an adjustment in TeamWorks billings.	(\$1,354)	(\$1,354)
Increase funds for the State Defense Force.	\$50,000	\$50,000
Amount appropriated in this Act	----- \$5,301,761	----- \$43,200,280

20.3. Youth Educational Services

Purpose: The purpose of this appropriation is to provide educational and vocational opportunities to at-risk youth through Youth Challenge Academies and Starbase programs.

Total Funds	\$23,049,963
Federal Funds and Grants	\$17,541,223
Federal Funds Not Specifically Identified	\$17,541,223
Other Funds	\$3,878
Other Funds - Not Specifically Identified	\$3,878

State Funds	\$5,504,862
State General Funds	\$5,504,862

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$5,606,954	\$23,452,055
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$665	\$665
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,569)	(\$1,569)
Reflect an adjustment in merit system assessments.	\$482	\$482
Reflect an adjustment in TeamWorks billings.	(\$1,670)	(\$1,670)
Reduce state funds match for the Milledgeville Youth Challenge Academy.	(\$100,000)	(\$400,000)
Amount appropriated in this Act	----- \$5,504,862	----- \$23,049,963

Section 21: Driver Services, Department of

Total Funds	\$72,021,623
Other Funds	\$2,844,121
Agency Funds	\$2,844,121
State Funds	\$69,177,502
State General Funds	\$69,177,502

21.1. Departmental Administration (DDS)

Purpose: The purpose of this appropriation is for administration of license issuance, motor vehicle registration, and commercial truck compliance.

Total Funds	\$10,282,339
Other Funds	\$500,857
Agency Funds	\$500,857
State Funds	\$9,781,482
State General Funds	\$9,781,482

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$9,804,165	\$10,305,022
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$4,339	\$4,339
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$15,527	\$15,527
Reflect an adjustment in merit system assessments.	(\$247)	(\$247)

Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,510	\$1,510
Reflect an adjustment in TeamWorks billings.	(\$37,693)	(\$37,693)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$6,119)	(\$6,119)
Amount appropriated in this Act	----- \$9,781,482	----- \$10,282,339

21.2. License Issuance

Purpose: The purpose of this appropriation is to issue and renew drivers' licenses, maintain driver records, operate Customer Service Centers, provide online access to services, provide motorcycle safety instruction, produce driver manuals, and investigate driver's license fraud.

Total Funds	\$60,272,695
Other Funds	\$1,827,835
Agency Funds	\$1,827,835
State Funds	\$58,444,860
State General Funds	\$58,444,860

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$58,350,846	\$60,178,681
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$95,536	\$95,536
Reflect an adjustment in merit system assessments.	(\$1,522)	(\$1,522)
Reflect an adjustment in TeamWorks billings. (CC:No)	\$0	\$0
Reflect an adjustment in TeamWorks billings. (CC:No)	\$0	\$0
Utilize existing funds for five full-time commercial driver examiner positions. (CC:Yes)	\$0	\$0
Utilize existing funds for a new lease for the Athens Customer Service Center. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$58,444,860	----- \$60,272,695

21.3. Regulatory Compliance

Purpose: The purpose of this appropriation is to regulate driver safety and education programs for both novice and problem drivers by approving driver education curricula and auditing third-party driver education providers for compliance with state laws and regulations; and to certify ignition interlock device providers.

Total Funds	\$1,466,589
Other Funds	\$515,429
Agency Funds	\$515,429
State Funds	\$951,160
State General Funds	\$951,160

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$949,164	\$1,464,593
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$2,028	\$2,028
Reflect an adjustment in merit system assessments.	(\$32)	(\$32)
Reflect an adjustment in TeamWorks billings. (CC:No)	\$0	\$0
Amount appropriated in this Act	\$951,160	\$1,466,589

Section 22: Early Care and Learning, Bright from the Start: Department of

Total Funds	\$820,532,970
Federal Funds and Grants	\$375,878,099
CCDF Mandatory & Matching Funds (CFDA 93.596)	\$97,618,088
Child Care & Development Block Grant (CFDA 93.575)	\$125,696,047
Federal Funds Not Specifically Identified	\$152,563,964
Federal Recovery Funds	\$13,695,660
Federal Recovery Funds Not Specifically Identified	\$13,695,660
Other Funds	\$2,160,000
Agency Funds	\$3,000
Other Funds - Not Specifically Identified	\$2,157,000
State Funds	\$428,799,211
Lottery Funds	\$367,284,433
State General Funds	\$61,514,778

22.1. Child Care Services

Purpose: The purpose of this appropriation is to regulate, license, and train child care providers; to support the infant and toddler and afterschool networks; and to provide inclusion services for children with disabilities.

Total Funds	\$265,560,762
Federal Funds and Grants	\$204,020,984
CCDF Mandatory & Matching Funds (CFDA 93.596)	\$97,618,088
Child Care & Development Block Grant (CFDA 93.575)	\$102,013,932
Federal Funds Not Specifically Identified	\$4,388,964
Other Funds	\$25,000
Agency Funds	\$3,000
Other Funds - Not Specifically Identified	\$22,000
State Funds	\$61,514,778
State General Funds	\$61,514,778

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
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Amount from previous Appropriations Act (HB 44) as amended	\$61,514,847	\$265,560,831
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$851	\$851
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$23	\$23
Reflect an adjustment in merit system assessments.	(\$135)	(\$135)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$239	\$239
Reflect an adjustment in TeamWorks billings.	(\$2,382)	(\$2,382)
Adjust billings for unemployment insurance to reflect claims expenses.	\$1,335	\$1,335
Utilize increased grant funds available in the Governor's Office of Student Achievement for birth-to-five literacy/numeracy in rural Georgia. (CC:Yes; Utilize increased grant funds available in the Governor's Office of Student Achievement for birth-to-five literacy/numeracy in rural centers located in the lowest performing K-12 school districts.)	\$0	\$0
Amount appropriated in this Act	\$61,514,778	\$265,560,762

22.2. Nutrition Services

Purpose: The purpose of this appropriation is to ensure that USDA-compliant meals are served to eligible children and adults in day care settings and to eligible youth during the summer.

Total Funds	\$148,000,000
Federal Funds and Grants	\$148,000,000
Federal Funds Not Specifically Identified	\$148,000,000

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$148,000,000
Reflect a change in the program name from Nutrition to Nutrition Services. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	\$0	\$148,000,000

22.3. Pre-Kindergarten Program

Purpose: The purpose of this appropriation is to provide funding, training, technical assistance, and oversight of Pre-Kindergarten programs operated by public and private providers throughout the state and to improve the quality of early learning and increase school readiness for Georgia's four-year-olds.

Total Funds	\$367,459,433
Federal Funds and Grants	\$175,000
Federal Funds Not Specifically Identified	\$175,000
State Funds	\$367,284,433

Lottery Funds \$367,284,433

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$364,845,613	\$365,020,613
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$2,438,820	\$2,438,820
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$0	\$0
Reflect an adjustment in merit system assessments.	\$0	\$0
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$0	\$0
Reflect an adjustment in TeamWorks billings.	\$0	\$0
Amount appropriated in this Act	\$367,284,433	\$367,459,433

22.4. Quality Initiatives

Purpose: The purpose of this appropriation is to implement innovative strategies and programs that focus on improving the quality of and access to early education, child care, and nutrition for Georgia's children and families.

Total Funds	\$39,512,775
Federal Funds and Grants	\$23,682,115
Child Care & Development Block Grant (CFDA 93.575)	\$23,682,115
Federal Recovery Funds	\$13,695,660
Federal Recovery Funds Not Specifically Identified	\$13,695,660
Other Funds	\$2,135,000
Other Funds - Not Specifically Identified	\$2,135,000

Section 23: Economic Development, Department of

Total Funds	\$35,366,134
Federal Funds and Grants	\$659,400
Federal Funds Not Specifically Identified	\$659,400
State Funds	\$34,706,734
State General Funds	\$34,706,734

23.1. Departmental Administration (DEcD)

Purpose: The purpose of this appropriation is to influence, affect, and enhance economic development in Georgia and provide information to people and companies to promote the state.

Total Funds	\$5,042,314
State Funds	\$5,042,314
State General Funds	\$5,042,314

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,683,930	\$4,683,930
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,274)	(\$1,274)
Reflect an adjustment in merit system assessments.	(\$932)	(\$932)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$7,375	\$7,375
Reflect an adjustment in TeamWorks billings.	(\$20,535)	(\$20,535)
Adjust billings for unemployment insurance to reflect claims expenses.	\$3,750	\$3,750
Provide funds for program operating expenses.	\$370,000	\$370,000
Amount appropriated in this Act	----- \$5,042,314	----- \$5,042,314

23.2. Film Video and Music

Purpose: The purpose of this appropriation is to increase industry awareness of Georgia business opportunities, financial incentives, infrastructure resources, and natural resources in order to attract film, video, music, and electronic gaming industry projects and businesses to the state.

Total Funds	\$1,131,701
State Funds	\$1,131,701
State General Funds	\$1,131,701

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,131,962	\$1,131,962
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$261)	(\$261)
Amount appropriated in this Act	----- \$1,131,701	----- \$1,131,701

23.3. Georgia Council for the Arts

Purpose: The purpose of this appropriation is to provide for Council operations and maintain the Georgia State Art Collection and Capitol Galleries.

Total Funds	\$534,954
State Funds	\$534,954
State General Funds	\$534,954

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$535,145	\$535,145
Reflect an adjustment to agency premiums for	(\$191)	(\$191)

Department of Administrative Services administered self-insurance programs.		
Amount appropriated in this Act	-----	-----
	\$534,954	\$534,954

23.4. Georgia Council for the Arts - Special Project

Purpose: The purpose of this appropriation is to increase arts participation and support throughout the state with grants for non-profit arts and cultural organizations through Partner Grants, Project Grants, Education Grants and the 'Grassroots' arts program.

Total Funds	\$1,335,756
Federal Funds and Grants	\$659,400
Federal Funds Not Specifically Identified	\$659,400
State Funds	\$676,356
State General Funds	\$676,356

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$576,356	\$1,235,756
Provide funds for grants.	\$100,000	\$100,000
Amount appropriated in this Act	-----	-----
	\$676,356	\$1,335,756

23.5. Global Commerce

Purpose: The purpose of this appropriation is to promote Georgia as a state that is appealing to businesses along with being competitive in the international trade market; recruit, retain, and expand businesses in Georgia through a network of statewide and regional project managers, foreign and domestic marketing, and participation in Georgia Allies; and help develop international markets for Georgia products and attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing international technical and educational assistance to businesses.

Total Funds	\$10,877,015
State Funds	\$10,877,015
State General Funds	\$10,877,015

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$10,671,979	\$10,671,979
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$4,298	\$4,298
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,657)	(\$2,657)
Increase funds to meet projected expenditures.	\$203,395	\$203,395

Amount appropriated in this Act	\$10,877,015	\$10,877,015
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23.6. Governor's Office of Workforce Development

Purpose: The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.

Total Funds \$0

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$73,361,918
Transfer the Governor's Office of Workforce Development to the Technical College System of Georgia to leverage workforce development initiatives and educational resources to meet industry workforce training demands.	\$0	(\$73,361,918)
Amount appropriated in this Act	----- \$0	----- \$0

23.7. International Relations and Trade

Purpose: The purpose of this appropriation is to develop international markets for Georgia products and to attract international companies to the state through business and trade missions, foreign advertising, a network of overseas offices and representatives, and by providing technical and educational assistance to businesses.

Total Funds	\$2,842,845
State Funds	\$2,842,845
State General Funds	\$2,842,845

23.8. Rural Development

Purpose: The purpose of this appropriation is to promote rural economic development opportunities and to recruit, retain and expand businesses in rural communities.

Total Funds	\$376,974
State Funds	\$376,974
State General Funds	\$376,974

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$0
Reflect a new program and purpose statement. (CC:Yes)	\$0	\$0
Provide funds for one deputy commissioner position.	\$255,871	\$255,871
Provide funds for one project manager position.	\$92,957	\$92,957
Provide funds for program operating expenses.	\$20,000	\$20,000
Increase funds to meet projected expenditures.	\$8,146	\$8,146
Amount appropriated in this Act	----- \$376,974	----- \$376,974

23.9. Small and Minority Business Development

Purpose: The purpose of this appropriation is to assist entrepreneurs and small and minority businesses by providing technical assistance on planning, advocacy, business needs, and identifying potential markets and suppliers; and to provide assistance to local communities in growing small businesses.

Total Funds	\$990,688
State Funds	\$990,688
State General Funds	\$990,688

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$990,990	\$990,990
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$302)	(\$302)
Amount appropriated in this Act	----- \$990,688	----- \$990,688

23.10. Tourism

Purpose: The purpose of this appropriation is to provide information to visitors about tourism opportunities throughout the state, operate and maintain state welcome centers, fund the Georgia Historical Society and Georgia Humanities Council, and work with communities to develop and market tourism products in order to attract more tourism to the state.

Total Funds	\$12,233,887
State Funds	\$12,233,887
State General Funds	\$12,233,887

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$11,860,652	\$11,860,652
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,765)	(\$1,765)
Utilize existing funds (\$100,000) and increase funds for the Martin Luther King Jr. Center for Nonviolent Social Change.	\$150,000	\$150,000
Eliminate one-time funds for the Georgia Historical Society. (CC:No)	\$0	\$0
Provide funds for marketing for the music industry in Georgia. (CC:Provide funds for marketing for the music and film industry in Georgia.)	\$200,000	\$200,000
Provide one-time funds for Georgia Civil War Heritage Trails for marketing materials.	\$25,000	\$25,000
Amount appropriated in this Act	----- \$12,233,887	----- \$12,233,887

Section 24: Education, Department of

Total Funds	\$11,901,526,461
Federal Funds and Grants	\$1,917,274,955
Maternal and Child Health Services Block Grant (CFDA 93.994)	\$19,630
Federal Funds Not Specifically Identified	\$1,917,255,325
Federal Recovery Funds	\$2,333,773
Federal Recovery Funds Not Specifically Identified	\$2,333,773
Other Funds	\$44,479,264
Agency Funds	\$150,000
Other Funds - Not Specifically Identified	\$44,329,264
State Funds	\$9,937,438,469
State General Funds	\$9,937,438,469

The formula calculation for Quality Basic Education funding assumes a base unit cost of \$2,620.77. In addition, all local school system allotments for Quality Basic Education shall be made in accordance with funds appropriated by this Act.

24.1. Agricultural Education

Purpose: The purpose of this appropriation is to assist local school systems with developing and funding agricultural education programs, and to provide afterschool and summer educational and leadership opportunities for students.

Total Funds	\$12,344,708
Federal Funds and Grants	\$360,289
Federal Funds Not Specifically Identified	\$360,289
Other Funds	\$1,566,000
Other Funds - Not Specifically Identified	\$1,566,000
State Funds	\$10,418,419
State General Funds	\$10,418,419

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$9,894,334	\$11,820,623
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$200,282	\$200,282
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$220)	(\$220)
Reflect an adjustment in merit system assessments.	(\$17)	(\$17)
Reflect an adjustment in TeamWorks billings.	(\$960)	(\$960)
Increase funds for the Young Farmer programs in Polk County and Pataula Charter Academy. <i>(CC:Increase funds for the Young Farmer programs in Polk County, Wilcox County, and Pataula Charter Academy which is intended to serve the five counties in the Pataula</i>	\$225,000	\$225,000

<i>attendance zone: Baker, Calhoun, Clay, Early, and Randolph counties.)</i>		
Provide partial funds for a Young Farmer Executive Director position. (CC:Provide funds for a Young Farmer executive director position.)	\$100,000	\$100,000
Increase funds for one-time funding for an outdoor learning lab in Walker County and an agricultural education center in Catoosa County. (CC:No)	\$0	\$0
Amount appropriated in this Act	\$10,418,419	\$12,344,708

24.2. Audio-Video Technology and Film Grants

Purpose: The purpose of this appropriation is to provide funds for grants for film and audio-video equipment to local school systems.

Total Funds	\$2,500,000
State Funds	\$2,500,000
State General Funds	\$2,500,000

24.3. Business and Finance Administration

Purpose: The purpose of this appropriation is to provide administrative support for business, finance, facilities, and pupil transportation.

Total Funds	\$28,603,015
Federal Funds and Grants	\$779,512
Federal Funds Not Specifically Identified	\$779,512
Other Funds	\$20,000,000
Other Funds - Not Specifically Identified	\$20,000,000
State Funds	\$7,823,503
State General Funds	\$7,823,503

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$7,832,150	\$28,611,662
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$14,321	\$14,321
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$4,224)	(\$4,224)
Reflect an adjustment in merit system assessments.	(\$317)	(\$317)
Reflect an adjustment in TeamWorks billings.	(\$18,427)	(\$18,427)
Amount appropriated in this Act	\$7,823,503	\$28,603,015

24.4. Central Office

Purpose: The purpose of this appropriation is to provide administrative support to the State Board of Education, Departmental programs, and local school systems.

Total Funds	\$21,982,047
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Federal Funds and Grants	\$17,074,592
Federal Funds Not Specifically Identified	\$17,074,592
Other Funds	\$382,929
Other Funds - Not Specifically Identified	\$382,929
State Funds	\$4,524,526
State General Funds	\$4,524,526

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$5,482,592	\$22,940,113
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$29,347	\$29,347
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,836)	(\$1,836)
Reflect an adjustment in merit system assessments.	(\$138)	(\$138)
Reflect an adjustment in TeamWorks billings.	(\$8,003)	(\$8,003)
Adjust billings for unemployment insurance to reflect claims expenses.	\$7,564	\$7,564
Transfer funding for the chief turnaround officer from the Central Office program to the Chief Turnaround Officer program.	(\$1,000,000)	(\$1,000,000)
Increase funds for the Association of Adapted Sports Program.	\$15,000	\$15,000
Amount appropriated in this Act	----- \$4,524,526	----- \$21,982,047

24.5. Charter Schools

Purpose: The purpose of this appropriation is to authorize charter schools and charter systems and to provide funds for competitive grants for planning, implementation, facilities, and operations of those entities.

Total Funds	\$2,596,386
Federal Funds and Grants	\$426,125
Federal Funds Not Specifically Identified	\$426,125
State Funds	\$2,170,261
State General Funds	\$2,170,261

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,172,010	\$2,598,135
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$322)	(\$322)
Reflect an adjustment in merit system assessments.	(\$24)	(\$24)
Reflect an adjustment in TeamWorks billings.	(\$1,403)	(\$1,403)
Utilize \$1,500,535 in existing funds for charter facility	\$0	\$0

grants pursuant to HB 430 (2017 Session). (CC:Yes; Utilize \$1,500,535 in existing funds for competitive charter facility grants pursuant to HB 430 (2017 Session).)		
Amount appropriated in this Act	----- \$2,170,261	\$2,596,386

24.6. Chief Turnaround Officer

Purpose: The purpose of this appropriation is to work in partnership with schools, districts, parents, and community stakeholders to provide a system of supports for Georgia schools identified as being most in need of assistance through the Chief Turnaround Officer.

Total Funds	\$2,193,941
State Funds	\$2,193,941
State General Funds	\$2,193,941

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$0
Reflect a new program and purpose statement. (CC:Yes)	\$0	\$0
Transfer funding for the chief turnaround officer from the Central Office program to the Chief Turnaround Officer program.	\$1,000,000	\$1,000,000
Provide funds for the Turnaround Schools Rural Character Education Grant for soft skills training and character education development for the lowest performing schools in rural Georgia. (CC:Increase funds for the Turnaround Schools Character Education Grant for soft skills training and character education development for schools under the supervision of the Chief Turnaround Officer with priority given to rural school districts.)	\$227,570	\$227,570
Increase funds for personnel and operations for two transformation specialists.	\$266,371	\$266,371
Transfer funds from the School Improvement program for five district effectiveness specialists.	\$700,000	\$700,000
Amount appropriated in this Act	----- \$2,193,941	\$2,193,941

24.7. Communities in Schools

Purpose: The purpose of this appropriation is to support Performance Learning Centers and maintain a network of local affiliate organizations across the state, and to partner with other state and national organizations to support student success in school and beyond.

Total Funds	\$1,228,100
State Funds	\$1,228,100
State General Funds	\$1,228,100

24.8. Curriculum Development

Purpose: The purpose of this appropriation is to develop a statewide, standards-based curriculum to guide instruction and assessment, and to provide training and instructional resources to teachers for implementing this curriculum.

Total Funds	\$6,840,677
Federal Funds and Grants	\$2,955,489
Federal Funds Not Specifically Identified	\$2,955,489
Other Funds	\$38,036
Other Funds - Not Specifically Identified	\$38,036
State Funds	\$3,847,152
State General Funds	\$3,847,152

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,815,117	\$6,808,642
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$41,333	\$41,333
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,710)	(\$1,710)
Reflect an adjustment in merit system assessments.	(\$129)	(\$129)
Reflect an adjustment in TeamWorks billings.	(\$7,459)	(\$7,459)
Amount appropriated in this Act	----- \$3,847,152	----- \$6,840,677

24.9. Federal Programs

Purpose: The purpose of this appropriation is to coordinate federally funded programs and allocate federal funds to school systems.

Total Funds	\$993,010,318
Federal Funds and Grants	\$993,010,318
Federal Funds Not Specifically Identified	\$993,010,318

24.10. Georgia Network for Educational and Therapeutic Support (GNETS)

Purpose: The purpose of this appropriation is to fund the Georgia Network for Educational and Therapeutic Support (GNETS), which provides services, education, and resources for students ages three to twenty-one with autism or severe emotional behavioral problems and their families.

Total Funds	\$72,081,380
Federal Funds and Grants	\$8,260,042
Federal Funds Not Specifically Identified	\$8,260,042
State Funds	\$63,821,338
State General Funds	\$63,821,338

<i>The above amounts include the following adjustments, additions, and deletions to the previous</i>
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<i>appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$66,142,788	\$74,402,830
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,872,359	\$1,872,359
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$106)	(\$106)
Reflect an adjustment in merit system assessments.	(\$8)	(\$8)
Reflect an adjustment in TeamWorks billings.	(\$463)	(\$463)
Reduce funds for declining enrollment and training and experience.	(\$4,193,232)	(\$4,193,232)
Amount appropriated in this Act	----- \$63,821,338	----- \$72,081,380

24.11. Georgia Virtual School

Purpose: The purpose of this appropriation is to expand the accessibility and breadth of course offerings so that Georgia students can recover credits, access supplementary resources, enhance their studies, or earn additional credits in a manner not involving on-site interaction with a teacher.

Total Funds	\$10,247,065
Other Funds	\$7,259,476
Agency Funds	\$150,000
Other Funds - Not Specifically Identified	\$7,109,476
State Funds	\$2,987,589
State General Funds	\$2,987,589

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,072,052	\$10,181,528
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$76,004	\$76,004
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,925)	(\$1,925)
Reflect an adjustment in merit system assessments.	(\$145)	(\$145)
Reflect an adjustment in TeamWorks billings.	(\$8,397)	(\$8,397)
Replace funds.	(\$150,000)	\$0
Amount appropriated in this Act	----- \$2,987,589	----- \$10,247,065

24.12. Information Technology Services

Purpose: The purpose of this appropriation is to manage enterprise technology for the department, provide internet access to local school systems, support data collection and reporting needs, and support technology programs that assist local school systems.

Total Funds	\$22,439,828
Federal Funds and Grants	\$106,825
Federal Funds Not Specifically Identified	\$106,825
Other Funds	\$558,172
Other Funds - Not Specifically Identified	\$558,172
State Funds	\$21,774,831
State General Funds	\$21,774,831

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$21,776,586	\$22,441,583
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$34,793	\$34,793
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$6,722)	(\$6,722)
Reflect an adjustment in merit system assessments.	(\$505)	(\$505)
Reflect an adjustment in TeamWorks billings.	(\$29,321)	(\$29,321)
Amount appropriated in this Act	----- \$21,774,831	----- \$22,439,828

24.13. Non Quality Basic Education Formula Grants

Purpose: The purpose of this appropriation is to fund specific initiatives including: children in residential education facilities and sparsity grants.

Total Funds	\$11,733,752
State Funds	\$11,733,752
State General Funds	\$11,733,752

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$11,744,265	\$11,744,265
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$377,255	\$377,255
Adjust funds for Residential Treatment Facilities based on attendance.	(\$271,948)	(\$271,948)
Reduce funds for Sparsity Grants based on enrollment growth.	(\$259,193)	(\$259,193)
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Increase funds for Residential Treatment Facilities to recognize 20 additional students.	\$143,373	\$143,373
Amount appropriated in this Act	----- \$11,733,752	----- \$11,733,752

24.14. Nutrition

Purpose: The purpose of this appropriation is to provide leadership, training,

technical assistance, and resources, so local program personnel can deliver meals that support nutritional well-being and performance at school and comply with federal standards.

Total Funds	\$854,374,123
Federal Funds and Grants	\$830,187,832
Federal Funds Not Specifically Identified	\$830,187,832
Other Funds	\$108,824
Other Funds - Not Specifically Identified	\$108,824
State Funds	\$24,077,467
State General Funds	\$24,077,467

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$24,073,489	\$854,370,145
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$5,170	\$5,170
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$219)	(\$219)
Reflect an adjustment in merit system assessments.	(\$16)	(\$16)
Reflect an adjustment in TeamWorks billings.	(\$957)	(\$957)
Amount appropriated in this Act	----- \$24,077,467	----- \$854,374,123

24.15. Preschool Disabilities Services

Purpose: The purpose of this appropriation is to provide early educational services to three- and four-year-old students with disabilities so that they enter school better prepared to succeed.

Total Funds	\$37,355,426
State Funds	\$37,355,426
State General Funds	\$37,355,426

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$35,563,132	\$35,563,132
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,056,333	\$1,056,333
Increase funds for enrollment growth and training and experience.	\$735,961	\$735,961
Amount appropriated in this Act	----- \$37,355,426	----- \$37,355,426

24.16. Pupil Transportation

Purpose: The purpose of this appropriation is to assist local school systems in their efforts to provide safe and efficient transportation for students to and

from school and school related activities.

Total Funds	\$132,884,118
State Funds	\$132,884,118
State General Funds	\$132,884,118

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$0
Reflect a new program and purpose statement. (CC:Yes)	\$0	\$0
Transfer funds for pupil transportation from the Quality Basic Education program to the recreated Pupil Transportation program to provide for greater transparency.	\$131,980,741	\$131,980,741
Increase funds in the pupil transportation formula to reflect a per student increase for new FTE enrollment.	\$903,377	\$903,377
Provide funds for an annual allotment for school bus replacement. (CC:Provide \$15,000,000 in bond funds.)	\$0	\$0
Utilize bond funds to encourage the use of alternative fuel buses where practical. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$132,884,118	----- \$132,884,118

24.17. Quality Basic Education Equalization

Purpose: The purpose of this appropriation is to provide additional financial assistance to local school systems ranking below the statewide average of per pupil tax wealth as outlined in O.C.G.A. 20-2-165.

Total Funds	\$615,316,420
State Funds	\$615,316,420
State General Funds	\$615,316,420

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$584,562,416	\$584,562,416
Increase funds for Equalization grants.	\$30,754,004	\$30,754,004
Amount appropriated in this Act	----- \$615,316,420	----- \$615,316,420

24.18. Quality Basic Education Local Five Mill Share

Purpose: The purpose of this program is to recognize the required local portion of the Quality Basic Education program as outlined in O.C.G.A. 20-2-164.

Total Funds	(\$1,872,395,263)
State Funds	(\$1,872,395,263)
State General Funds	(\$1,872,395,263)

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	(\$1,777,164,321)	(\$1,777,164,321)
Adjust funds for the Local Five Mill Share.	(\$95,230,942)	(\$95,230,942)
Amount appropriated in this Act	(\$1,872,395,263)	(\$1,872,395,263)

24.19. Quality Basic Education Program

Purpose: The purpose of this appropriation is to provide formula funds to school systems based on full time equivalent students for the instruction of students in grades K-12 as outlined in O.C.G.A. 20-2-161.

Total Funds	\$10,769,680,035
State Funds	\$10,769,680,035
State General Funds	\$10,769,680,035

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$10,330,098,597	\$10,330,098,597
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$289,903,398	\$289,903,398
Increase funds for a 0.38% enrollment growth and training and experience. (CC:Increase funds for a 0.38% enrollment growth and training and experience and reflect an adjustment due to State Charter School Commission school and grade closures.)	\$112,320,693	\$112,320,693
Reduce funds for differentiated pay for newly certified math and science teachers.	(\$1,247,818)	(\$1,247,818)
Reduce funds for school nurses. (CC:Increase funds for school nurses.)	\$51,233	\$51,233
Increase funds for the State Commission Charter School supplement. (CC:Increase funds for the State Commission Charter School supplement and reflect an adjustment due to school and grade closures.)	\$4,758,023	\$4,758,023
Increase funds for charter system grants.	\$46,644	\$46,644
Reduce funds to reflect projected Teachers Retirement System invoices for non-certificated personnel.	(\$1,039,840)	(\$1,039,840)
Direct the Department of Education to provide a report on the number of counselors and nurses per school and school system to the General Assembly by September 1, 2018. (CC:Yes)	\$0	\$0
Forward fund 20 additional students in Residential Treatment Facilities. (CC:Yes)	\$0	\$0
Transfer funds for pupil transportation from the Quality Basic Education program to the recreated Pupil Transportation program to provide for greater transparency.	(\$131,980,741)	(\$131,980,741)
Increase funds to fully fund the Quality Basic Education (QBE) program.	\$166,769,846	\$166,769,846
Amount appropriated in this Act	\$10,769,680,035	\$10,769,680,035

24.20. Regional Education Service Agencies (RESAs)

Purpose: The purpose of this appropriation is to provide Georgia's sixteen Regional Education Service Agencies with funds to assist local school systems with improving the effectiveness of their educational programs by providing curriculum consultation, skill enhancement, professional development, technology training, and other shared services.

Total Funds	\$13,968,093
State Funds	\$13,968,093
State General Funds	\$13,968,093

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$12,233,109	\$12,233,109
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$134,984	\$134,984
Reflect a change in the program name from Regional Education Service Agencies to Regional Education Service Agencies (RESAs). (CC:Yes)	\$0	\$0
Provide funds for student mental health awareness training.	\$1,600,000	\$1,600,000
Promote student awareness of the crisis access line mobile application, funded in the Department of Behavioral Health and Developmental Disabilities, through the Positive Behavioral Interventions and Supports program and mental health awareness training. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$13,968,093	----- \$13,968,093

24.21. School Improvement

Purpose: The purpose of this appropriation is to provide research, technical assistance, resources, teacher professional learning, and leadership training for low-performing schools and local educational agencies to help them design and implement school improvement strategies to improve graduation rates and overall student achievement.

Total Funds	\$15,821,670
Federal Funds and Grants	\$6,869,144
Federal Funds Not Specifically Identified	\$6,869,144
Other Funds	\$16,050
Other Funds - Not Specifically Identified	\$16,050
State Funds	\$8,936,476
State General Funds	\$8,936,476

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$9,584,743	\$16,469,937

Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$79,549	\$79,549
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$5,116)	(\$5,116)
Reflect an adjustment in merit system assessments.	(\$384)	(\$384)
Reflect an adjustment in TeamWorks billings.	(\$22,316)	(\$22,316)
Transfer funds to the Chief Turnaround Officer program for five district effectiveness specialists.	(\$700,000)	(\$700,000)
Amount appropriated in this Act	\$8,936,476	\$15,821,670

24.22. State Charter School Commission Administration

Purpose: The purpose of this appropriation is to focus on the development and support of state charter schools in order to better meet the growing and diverse needs of students in this state and to further ensure that state charter schools of the highest academic quality are approved and supported throughout the state in an efficient manner.

Total Funds	\$4,156,309
Other Funds	\$4,156,309
Other Funds - Not Specifically Identified	\$4,156,309

24.23. State Schools

Purpose: The purpose of this appropriation is to prepare sensory-impaired and multi-disabled students to become productive citizens by providing a learning environment addressing their academic, vocational, and social development.

Total Funds	\$31,144,703
Federal Funds and Grants	\$939,499
Maternal and Child Health Services Block Grant (CFDA 93.994)	\$19,630
Federal Funds Not Specifically Identified	\$919,869
Other Funds	\$714,444
Other Funds - Not Specifically Identified	\$714,444
State Funds	\$29,490,760
State General Funds	\$29,490,760

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$28,391,944	\$30,045,887
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$236,489	\$236,489
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$13,780)	(\$13,780)
Reflect an adjustment in merit system assessments.	(\$1,036)	(\$1,036)

Reflect an adjustment in TeamWorks billings.	(\$60,111)	(\$60,111)
Increase funds for training and experience.	\$501,254	\$501,254
Provide funds to purchase and staff a mobile audiology clinic to provide audiological care to children in rural Georgia.	\$436,000	\$436,000
Amount appropriated in this Act	----- \$29,490,760	----- \$31,144,703

24.24. Technology/Career Education

Purpose: The purpose of this appropriation is to equip students with academic, vocational, technical, and leadership skills and to extend learning opportunities beyond the traditional school day and year.

Total Funds	\$68,628,403
Federal Funds and Grants	\$40,668,080
Federal Funds Not Specifically Identified	\$40,668,080
Other Funds	\$9,679,024
Other Funds - Not Specifically Identified	\$9,679,024
State Funds	\$18,281,299
State General Funds	\$18,281,299

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$17,990,799	\$68,337,903
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$335,506	\$335,506
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,038)	(\$1,038)
Reflect an adjustment in merit system assessments.	(\$78)	(\$78)
Reflect an adjustment in TeamWorks billings.	(\$4,528)	(\$4,528)
Increase funds for one-time funding for a counselor study conducted by the Carl Vinson Institute per SB 401 (2018 Session).	\$65,000	\$65,000
Reduce funds for one-time funding of CTAE economic development initiatives in FY 2018.	(\$104,362)	(\$104,362)
Amount appropriated in this Act	----- \$18,281,299	----- \$68,628,403

24.25. Testing

Purpose: The purpose of this appropriation is to administer the statewide student assessment program and provide related testing instruments and training to local schools.

Total Funds	\$41,239,261
Federal Funds and Grants	\$15,637,208
Federal Funds Not Specifically Identified	\$15,637,208
Federal Recovery Funds	\$2,333,773
Federal Recovery Funds Not Specifically Identified	\$2,333,773

State Funds	\$23,268,280
State General Funds	\$23,268,280

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$24,812,520	\$42,783,501
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$39,069	\$39,069
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,528)	(\$1,528)
Reflect an adjustment in merit system assessments.	(\$115)	(\$115)
Reflect an adjustment in TeamWorks billings.	(\$6,666)	(\$6,666)
Annualize savings to reflect projected expenditures.	(\$1,750,000)	(\$1,750,000)
Increase funds for the implementation of the Innovative Assessment Pilot Program described in SB 362 (2018 Session).	\$175,000	\$175,000
Amount appropriated in this Act	----- \$23,268,280	\$41,239,261

24.26. Tuition for Multiple Disability Students

Purpose: The purpose of this appropriation is to partially reimburse school systems for private residential placements when the school system is unable to provide an appropriate program for a multi-disabled student.

Total Funds	\$1,551,946
State Funds	\$1,551,946
State General Funds	\$1,551,946

Section 25: Employees' Retirement System of Georgia

Total Funds	\$60,669,972
Other Funds	\$26,776,388
Other Funds - Not Specifically Identified	\$26,776,388
State Funds	\$33,893,584
State General Funds	\$33,893,584

It is the intent of the General Assembly that the employer contribution rate for the Employees' Retirement System shall not exceed 24.90% for New Plan employees and 20.15% for Old Plan employees. For the GSEPS employees, the employer contribution rate shall not exceed 21.90% for the pension portion of the benefit and 3.0% in employer match contributions for the 401(k) portion of the benefit. It is the intent of the General Assembly that the employer contribution for Public School Employees' Retirement System shall not exceed \$777.04 per member for State Fiscal Year 2019.

25.1. Deferred Compensation

Purpose: The purpose of this appropriation is to provide excellent service to participants in the deferred compensation program for all employees of the state, giving them an effective supplement for their retirement planning.

Total Funds	\$4,847,288
Other Funds	\$4,847,288
Other Funds - Not Specifically Identified	\$4,847,288

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$4,592,288
Increase other funds for contractual services (\$250,000) and regular operating expenses (\$5,000).	\$0	\$255,000
Amount appropriated in this Act	\$0	\$4,847,288

25.2. Georgia Military Pension Fund

Purpose: The purpose of this appropriation is to provide retirement allowances and other benefits for members of the Georgia National Guard.

Total Funds	\$2,537,272
State Funds	\$2,537,272
State General Funds	\$2,537,272

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,377,312	\$2,377,312
Increase funds for the actuarially determined employer contribution in accordance with the most recent actuarial report.	\$159,960	\$159,960
Amount appropriated in this Act	\$2,537,272	\$2,537,272

25.3. Public School Employees Retirement System

Purpose: The purpose of this appropriation is to account for the receipt of retirement contributions, ensure sound investing of system funds, and provide timely and accurate payment of retirement benefits.

Total Funds	\$30,263,000
State Funds	\$30,263,000
State General Funds	\$30,263,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$29,276,000	\$29,276,000
Reduce funds for the actuarially determined employer contribution in accordance with the most recent actuarial report.	(\$613,000)	(\$613,000)

Provide for an increase in the PSERS multiplier from \$15.00 per year of service to \$15.25 per year of service.	\$1,600,000	\$1,600,000
Amount appropriated in this Act	\$30,263,000	\$30,263,000

25.4. System Administration (ERS)

Purpose: The purpose of this appropriation is to collect employee and employer contributions, invest the accumulated funds, and disburse retirement benefits to members and beneficiaries.

Total Funds	\$23,022,412
Other Funds	\$21,929,100
Other Funds - Not Specifically Identified	\$21,929,100
State Funds	\$1,093,312
State General Funds	\$1,093,312

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$10,400	\$21,950,100
Reduce other funds for contractual services (\$10,000) and regular operating expenses (\$600).	\$0	(\$10,600)
Provide a one-time benefit adjustment to retired state employees. (CC:Yes; Urge the board to consider a benefit adjustment for retired state employees in accordance with sound actuarial principles.)	\$0	\$0
Provide funds for HB 624 (2018 Session) as required by the actuary.	\$1,082,912	\$1,082,912
Amount appropriated in this Act	\$1,093,312	\$23,022,412

Section 26: Forestry Commission, State

Total Funds	\$50,249,058
Federal Funds and Grants	\$6,074,349
Federal Funds Not Specifically Identified	\$6,074,349
Other Funds	\$7,102,187
Agency Funds	\$428,645
Other Funds - Not Specifically Identified	\$6,673,542
State Funds	\$37,022,522
State General Funds	\$37,022,522
Intra-State Government Transfers	\$50,000
Other Intra-State Government Payments	\$50,000

26.1. Commission Administration (SFC)

Purpose: The purpose of this appropriation is to administer workforce needs, handle purchasing, accounts receivable and payable, meet information technology needs, and provide oversight that emphasizes customer values and process innovation.

Total Funds	\$4,249,610
Federal Funds and Grants	\$48,800
Federal Funds Not Specifically Identified	\$48,800
Other Funds	\$182,780
Other Funds - Not Specifically Identified	\$182,780
State Funds	\$4,018,030
State General Funds	\$4,018,030

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,793,828	\$4,025,408
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$6,810)	(\$6,810)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$3,918)	(\$3,918)
Reflect an adjustment in TeamWorks billings.	(\$37,100)	(\$37,100)
Adjust billings for unemployment insurance to reflect claims expenses.	\$3,209	\$3,209
Provide funds for one deputy director position.	\$179,205	\$179,205
Increase funds to meet projected expenditures.	\$89,616	\$89,616
Amount appropriated in this Act	----- \$4,018,030	----- \$4,249,610

26.2. Forest Management

Purpose: The purpose of this appropriation is to ensure the stewardship of forest lands; to collect and analyze state forestry inventory data; to administer federal forestry cost share assistance programs; to study forest health and invasive species control issues; to manage state-owned forests; to educate private forest landowners and timber harvesters about best management practices; to assist communities with management of forested greenspace; to promote and obtain conservation easements; to manage Georgia's Carbon Registry; to promote retention, investment, and/or expansion of new emerging and existing forest and forest biomass industries, and, during extreme fire danger, to provide logistical, overhead, and direct fire suppression assistance to the Forest Protection program.

Total Funds	\$7,679,231
Federal Funds and Grants	\$3,645,151
Federal Funds Not Specifically Identified	\$3,645,151
Other Funds	\$1,089,732
Agency Funds	\$428,645
Other Funds - Not Specifically Identified	\$661,087
State Funds	\$2,894,348
State General Funds	\$2,894,348
Intra-State Government Transfers	\$50,000
Other Intra-State Government Payments	\$50,000

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,901,933	\$7,686,816
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$7,585)	(\$7,585)
Amount appropriated in this Act	----- \$2,894,348	----- \$7,679,231

26.3. Forest Protection

Purpose: The purpose of this appropriation is to ensure an aggressive and efficient response and suppression of forest fires in the unincorporated areas of the State; to mitigate hazardous forest fuels; to issue burn permits, to provide statewide education in the prevention of wildfires; to perform wildfire arson investigations; to promote community wildland fire planning and protection through cooperative agreements with fire departments; to train and certify firefighters in wildland firefighting; to provide assistance and support to rural fire departments including selling wildland fire engines and tankers; and to support the Forest Management program during periods of low fire danger.

Total Funds	\$37,113,137
Federal Funds and Grants	\$2,246,681
Federal Funds Not Specifically Identified	\$2,246,681
Other Funds	\$4,756,312
Other Funds - Not Specifically Identified	\$4,756,312
State Funds	\$30,110,144
State General Funds	\$30,110,144

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$30,179,471	\$37,182,464
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$69,597)	(\$69,597)
Reflect an adjustment in merit system assessments.	\$270	\$270
Amount appropriated in this Act	----- \$30,110,144	----- \$37,113,137

26.4. Tree Seedling Nursery

Purpose: The purpose of this appropriation is to produce an adequate quantity of high quality forest tree seedlings for sale at reasonable cost to Georgia landowners.

Total Funds	\$1,207,080
Federal Funds and Grants	\$133,717
Federal Funds Not Specifically Identified	\$133,717
Other Funds	\$1,073,363

Other Funds - Not Specifically Identified \$1,073,363

Section 27: Governor, Office of the

Total Funds	\$95,708,807
Federal Funds and Grants	\$30,430,112
Federal Funds Not Specifically Identified	\$30,430,112
Other Funds	\$807,856
Other Funds - Not Specifically Identified	\$807,856
State Funds	\$64,470,839
State General Funds	\$64,470,839

The Mansion allowance shall be \$40,000.

27.1. Governor's Emergency Fund

Purpose: The purpose of this appropriation is to provide emergency funds to draw on when disasters create extraordinary demands on government.

Total Funds	\$11,062,041
State Funds	\$11,062,041
State General Funds	\$11,062,041

27.2. Governor's Office

Purpose: The purpose of this appropriation is to provide numerous duties including, but not limited to: granting commissions, appointments and vacancies, maintaining order, and temporary transfer of institutions between departments or agencies. The Mansion allowance per O.C.G.A. 45-7-4 shall be \$40,000.

Total Funds	\$6,757,580
State Funds	\$6,757,580
State General Funds	\$6,757,580

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,760,258	\$6,760,258
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$4,373)	(\$4,373)
Reflect an adjustment in merit system assessments.	(\$577)	(\$577)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,343	\$2,343
Adjust billings for unemployment insurance to reflect claims expenses.	(\$71)	(\$71)
Amount appropriated in this Act	----- \$6,757,580	----- \$6,757,580

27.3. Governor's Office of Planning and Budget

Purpose: The purpose of this appropriation is to improve state government operations and services by leading and assisting in the evaluation, development, and implementation of budgets, plans, programs, and policies.

Total Funds	\$8,818,925
State Funds	\$8,818,925
State General Funds	\$8,818,925

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$8,842,879	\$8,842,879
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$15,230)	(\$15,230)
Reflect an adjustment in merit system assessments.	(\$793)	(\$793)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$3,054	\$3,054
Reflect an adjustment in TeamWorks billings.	(\$22,493)	(\$22,493)
Adjust billings for unemployment insurance to reflect claims expenses.	\$11,508	\$11,508
Amount appropriated in this Act	----- \$8,818,925	----- \$8,818,925

The following appropriations are for agencies attached for administrative purposes.

27.4. Georgia Commission on Equal Opportunity

Purpose: The purpose of this appropriation is to enforce the Georgia Fair Employment Practices Act of 1978, as amended, and the Fair Housing Act, which makes it unlawful to discriminate against any individual.

Total Funds	\$704,689
State Funds	\$704,689
State General Funds	\$704,689

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$701,501	\$701,501
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$81	\$81
Reflect an adjustment in merit system assessments.	\$34	\$34
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$3,079	\$3,079
Adjust billings for unemployment insurance to reflect claims expenses.	(\$6)	(\$6)
Amount appropriated in this Act	----- \$704,689	----- \$704,689

27.5. Georgia Emergency Management and Homeland Security Agency

Purpose: The purpose of this appropriation is to provide a disaster, mitigation, preparedness, response, and recovery program by coordinating federal, state, and other resources and supporting local governments to respond to major disasters and emergency events, and to coordinate state resources for the preparation and prevention of threats and acts of terrorism and to serve as the State's point of contact for the federal Department of Homeland Security.

Total Funds	\$33,551,079
Federal Funds and Grants	\$29,703,182
Federal Funds Not Specifically Identified	\$29,703,182
Other Funds	\$807,856
Other Funds - Not Specifically Identified	\$807,856
State Funds	\$3,040,041
State General Funds	\$3,040,041

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,963,269	\$33,474,307
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$5,129)	(\$5,129)
Reflect an adjustment in merit system assessments.	(\$1,317)	(\$1,317)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,627	\$1,627
Adjust billings for unemployment insurance to reflect claims expenses.	(\$65)	(\$65)
Increase funds for Local Government 9-1-1 Authority established by Executive Order 05.30.17.01.	\$138,476	\$138,476
Eliminate funds associated with one-time equipment purchases for two intelligence analyst positions.	(\$56,820)	(\$56,820)
Amount appropriated in this Act	----- \$3,040,041	----- \$33,551,079

27.6. Georgia Professional Standards Commission

Purpose: The purpose of this appropriation is to direct the preparation of, certify, recognize, and recruit Georgia educators, and to enforce standards regarding educator professional preparation, performance, and ethics.

Total Funds	\$7,708,811
Federal Funds and Grants	\$411,930
Federal Funds Not Specifically Identified	\$411,930
State Funds	\$7,296,881
State General Funds	\$7,296,881

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$7,288,063	\$7,699,993

Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$7,578	\$7,578
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$114)	(\$114)
Reflect an adjustment in merit system assessments.	(\$517)	(\$517)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,929	\$1,929
Adjust billings for unemployment insurance to reflect claims expenses.	(\$58)	(\$58)
Amount appropriated in this Act	\$7,296,881	\$7,708,811

27.7. Office of Student Achievement

Purpose: The purpose of this appropriation is to support educational accountability, evaluation, and reporting efforts, establishment of standards on state assessments, the preparation and release of the state's education report card and scoreboard, and education research to inform policy and budget efforts.

Total Funds	\$25,080,813
Federal Funds and Grants	\$315,000
Federal Funds Not Specifically Identified	\$315,000
State Funds	\$24,765,813
State General Funds	\$24,765,813

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$21,930,685	\$21,930,685
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$40,980	\$40,980
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$585	\$585
Reflect an adjustment in merit system assessments.	(\$298)	(\$298)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$4,474	\$4,474
Adjust billings for unemployment insurance to reflect claims expenses.	(\$29)	(\$29)
Provide funds to establish a statewide leadership academy for principals per HB 338 (2017 Session).	\$1,557,628	\$1,557,628
Increase funds for one non-STEM AP exam fee for low-income students.	\$750,000	\$750,000
Increase existing grant funds for birth-to-five literacy/numeracy in rural Georgia. (CC:Yes; Increase existing grant funds for birth-to-five literacy/numeracy in rural centers located in the lowest performing K-12 school districts.)	\$0	\$0

Increase funds for a proven AmeriCorps program to be established at the Commodore Conyers College and Career Academy in conjunction with Dougherty County Schools and Albany State University to serve Dougherty County Schools to provide direct math assistance to 4th to 8th grade students at low performing schools identified by Georgia's Chief Turnaround Officer. <i>(CC:Increase funds for a proven AmeriCorps program to be established at the Commodore Conyers College and Career Academy in conjunction with Dougherty County Schools and Albany State University to serve Dougherty County Schools to provide direct math assistance to 4th to 8th grade students at low performing schools identified by Georgia's Chief Turnaround Officer and report at the end of the 2018-2019 and 2019-2020 school years to the House and Senate Appropriations Committees, House Education Committee, and Senate Education and Youth Committee showing student improvement results with possible recommendations for expansion to other systems.)</i>	\$481,788	\$796,788
Amount appropriated in this Act	----- \$24,765,813	----- \$25,080,813

27.8. Office of the Child Advocate

Purpose: The purpose of this appropriation is to provide independent oversight of persons, organizations, and agencies responsible for the protection and well-being of children.

Total Funds	\$1,022,523
State Funds	\$1,022,523
State General Funds	\$1,022,523

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,019,322	\$1,019,322
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$23	\$23
Reflect an adjustment in merit system assessments.	\$40	\$40
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$3,145	\$3,145
Adjust billings for unemployment insurance to reflect claims expenses.	(\$7)	(\$7)
Amount appropriated in this Act	----- \$1,022,523	----- \$1,022,523

27.9. Office of the State Inspector General

Purpose: The purpose of this appropriation is to foster and promote accountability and integrity in state government by investigating and preventing fraud, waste, and abuse.

Total Funds	\$1,002,346
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State Funds	\$1,002,346
State General Funds	\$1,002,346

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$701,154	\$701,154
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$80	\$80
Reflect an adjustment in merit system assessments.	(\$31)	(\$31)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$10,051	\$10,051
Adjust billings for unemployment insurance to reflect claims expenses.	(\$5)	(\$5)
Increase funds to provide for a workload adjustment to meet caseload needs.	\$291,097	\$291,097
Amount appropriated in this Act	----- \$1,002,346	----- \$1,002,346

Section 28: Human Services, Department of

Total Funds	\$1,941,204,692
Federal Funds and Grants	\$1,114,280,016
Community Service Block Grant (CFDA 93.569)	\$16,844,514
Foster Care Title IV-E (CFDA 93.658)	\$101,401,034
Low-Income Home Energy Assistance (CFDA 93.568)	\$56,082,762
Medical Assistance Program (CFDA 93.778)	\$108,670,560
Social Services Block Grant (CFDA 93.667)	\$12,123,917
TANF Transfers to Social Services Block Grant (CFDA 93.558)	\$4,202,278
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$303,463,788
Federal Funds Not Specifically Identified	\$511,491,163
Other Funds	\$29,352,223
Agency Funds	\$9,787,255
Other Funds - Not Specifically Identified	\$19,564,968
State Funds	\$796,941,220
State General Funds	\$796,941,220
Intra-State Government Transfers	\$631,233
Other Intra-State Government Payments	\$631,233

All Temporary Assistance for Needy Families benefit payments are calculated utilizing a factor of 66.0% of the standards of need; such payments shall be made from the date of certification and not from the date of application; and the following maximum benefits and maximum standards of need shall apply:

For an assistance group of one, the standard of need is \$235, and the maximum monthly amount is \$155.

For an assistance group of two, the standard of need is \$356, and the maximum monthly amount is \$235.

For an assistance group of three, the standard of need is \$424, and the maximum monthly amount is \$280.

For an assistance group of four, the standard of need is \$500, and the maximum monthly amount is \$330.

For an assistance group of five, the standard of need is \$573, and the maximum monthly amount is \$378.

For an assistance group of six, the standard of need is \$621, and the maximum monthly amount is \$410.

For an assistance group of seven, the standard of need is \$672, and the maximum monthly amount is \$444.

For an assistance group of eight, the standard of need is \$713, and the maximum monthly amount is \$470.

For an assistance group of nine, the standard of need is \$751, and the maximum monthly amount is \$496.

For an assistance group of ten, the standard of need is \$804, and the maximum monthly amount is \$530.

For an assistance group of eleven, the standard of need is \$860, and the maximum monthly amount is \$568.

Provided, the Department of Human Services is authorized to make supplemental payments on these maximum monthly amounts up to the amount that is equal to the minimum hourly wage for clients who are enrolled in subsidized work experience and subsidized employment.

28.1. Adoptions Services

Purpose: The purpose of this appropriation is to support and facilitate the safe permanent placement of children by prescreening families and providing support and financial services after adoption.

Total Funds	\$95,204,068
Federal Funds and Grants	\$58,880,258
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$13,699,480
Federal Funds Not Specifically Identified	\$45,180,778
State Funds	\$36,323,810
State General Funds	\$36,323,810

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$33,305,979	\$95,207,497
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$3,259)	(\$3,259)
Reflect an adjustment in merit system assessments.	(\$170)	(\$170)
Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.	\$320,740	\$0
Replace Temporary Assistance for Needy Families	\$2,700,520	\$0

Block Grant (TANF) funds with state general funds to reflect projected expenditures.		
Amount appropriated in this Act	-----	-----
	\$36,323,810	\$95,204,068

28.2. After School Care

Purpose: The purpose of this appropriation is to expand the provision of after school care services and draw down TANF maintenance of effort funds.

Total Funds	\$15,500,000
Federal Funds and Grants	\$15,500,000
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$15,500,000

28.3. Child Abuse and Neglect Prevention

Purpose: The purpose of this appropriation is to promote child abuse and neglect prevention programs and support child victims of abuse.

Total Funds	\$8,877,378
Federal Funds and Grants	\$6,563,416
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$3,072,670
Federal Funds Not Specifically Identified	\$3,490,746
State Funds	\$2,313,962
State General Funds	\$2,313,962

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,334,765	\$7,898,181
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$763)	(\$763)
Reflect an adjustment in merit system assessments.	(\$40)	(\$40)
Increase funds for child advocacy centers to provide an increase in equipment and therapeutic, medical, and outreach services.	\$980,000	\$980,000
Amount appropriated in this Act	-----	-----
	\$2,313,962	\$8,877,378

28.4. Child Care Assistance

Purpose: The purpose of this appropriation is to permit low-income families to be self-reliant while protecting the safety and well-being of their children by ensuring access to child care.

Total Funds	\$9,777,346
Federal Funds and Grants	\$9,777,346
Federal Funds Not Specifically Identified	\$9,777,346

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as	\$0	\$9,777,346

amended		
Change the name of the Child Care Services program to the Child Care Assistance program. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$0	----- \$9,777,346

28.5. Child Support Services

Purpose: The purpose of this appropriation is to encourage and enforce the parental responsibility of paying financial support.

Total Funds	\$109,195,624
Federal Funds and Grants	\$76,285,754
Federal Funds Not Specifically Identified	\$76,285,754
Other Funds	\$2,841,500
Agency Funds	\$2,841,500
State Funds	\$29,672,610
State General Funds	\$29,672,610
Intra-State Government Transfers	\$395,760
Other Intra-State Government Payments	\$395,760

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$29,694,795	\$109,217,809
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$21,087)	(\$21,087)
Reflect an adjustment in merit system assessments.	----- (\$1,098)	----- (\$1,098)
Amount appropriated in this Act	\$29,672,610	\$109,195,624

28.6. Child Welfare Services

Purpose: The purpose of this appropriation is to investigate allegations of child abuse, abandonment, and neglect, and to provide services to protect the child and strengthen the family.

Total Funds	\$396,091,037
Federal Funds and Grants	\$204,192,314
Foster Care Title IV-E (CFDA 93.658)	\$40,121,238
Medical Assistance Program (CFDA 93.778)	\$264,879
Social Services Block Grant (CFDA 93.667)	\$2,871,034
TANF Transfers to Social Services Block Grant (CFDA 93.558)	\$4,202,278
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$127,802,119
Federal Funds Not Specifically Identified	\$28,930,766
State Funds	\$191,763,793
State General Funds	\$191,763,793
Intra-State Government Transfers	\$134,930

Other Intra-State Government Payments \$134,930

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$193,338,758	\$394,755,962
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$3,387)	(\$3,387)
Reflect an adjustment in merit system assessments.	\$28,835	\$28,835
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$122,422)	(\$122,422)
Reflect an adjustment in TeamWorks billings.	\$18,176	\$18,176
Adjust billings for unemployment insurance to reflect claims expenses.	(\$18,055)	(\$18,055)
Provide funds for care coordinator positions to improve mental health outcomes for children in foster care as recommended by the Commission on Children's Mental Health.	\$2,255,408	\$2,464,928
Replace state general funds with Temporary Assistance for Needy Families Block Grant (TANF) funds to reflect projected expenditures.	(\$2,700,520)	\$0
Reduce one-time funds for mobile technologies.	(\$1,033,000)	(\$1,033,000)
Amount appropriated in this Act	\$191,763,793	\$396,091,037

28.7. Community Services

Purpose: The purpose of this appropriation is to provide services and activities through local agencies to assist low-income Georgians with employment, education, nutrition, and housing services.

Total Funds	\$16,110,137
Federal Funds and Grants	\$16,110,137
Community Service Block Grant (CFDA 93.569)	\$16,110,137

28.8. Departmental Administration (DHS)

Purpose: The purpose of this appropriation is to provide administration and support for the Divisions and Operating Office in meeting the needs of the people of Georgia.

Total Funds	\$150,042,264
Federal Funds and Grants	\$80,633,308
Community Service Block Grant (CFDA 93.569)	\$474,379
Foster Care Title IV-E (CFDA 93.658)	\$6,195,093
Low-Income Home Energy Assistance (CFDA 93.568)	\$346,481
Medical Assistance Program (CFDA 93.778)	\$37,419,688
Social Services Block Grant (CFDA 93.667)	\$23,001
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$7,736,972
Federal Funds Not Specifically Identified	\$28,437,694

Other Funds	\$12,824,744
Other Funds - Not Specifically Identified	\$12,824,744
State Funds	\$56,483,669
State General Funds	\$56,483,669
Intra-State Government Transfers	\$100,543
Other Intra-State Government Payments	\$100,543

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$54,731,421	\$148,290,016
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$3,720	\$3,720
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$70,833)	(\$70,833)
Reflect an adjustment in merit system assessments.	(\$3,688)	(\$3,688)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$15,848)	(\$15,848)
Reflect an adjustment in TeamWorks billings.	\$1,156,304	\$1,156,304
Adjust billings for unemployment insurance to reflect claims expenses.	\$170,553	\$170,553
Increase funds for the first installment of a two-year plan to increase the personal needs allowance for nursing home residents by \$20 per month pursuant to the passage of HB 206 (2017 Session). <i>(CC: Yes; Provide funds to increase the personal needs allowance for nursing home residents by \$15 per month pursuant to the passage of HB 206 (2017 Session).)</i>	\$431,973	\$431,973
Restore one-time matching funds from the Elder Community Living Services program for the Alzheimer's Disease Supportive Service Program (ADSSP) grant.	\$80,067	\$80,067
Amount appropriated in this Act	----- \$56,483,669	----- \$150,042,264

28.9. Elder Abuse Investigations and Prevention

Purpose: The purpose of this appropriation is to prevent disabled adults and elder persons from abuse, exploitation and neglect, and investigate situations where it might have occurred.

Total Funds	\$24,398,761
Federal Funds and Grants	\$3,868,926
Social Services Block Grant (CFDA 93.667)	\$2,279,539
Federal Funds Not Specifically Identified	\$1,589,387
State Funds	\$20,529,835
State General Funds	\$20,529,835

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$20,556,335	\$24,425,261
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$25,188)	(\$25,188)
Reflect an adjustment in merit system assessments.	(\$1,312)	(\$1,312)
Amount appropriated in this Act	----- \$20,529,835	----- \$24,398,761

28.10. Elder Community Living Services

Purpose: The purpose of this appropriation is to provide Georgians who need nursing home level of care the option of remaining in their own communities.

Total Funds	\$56,788,159
Federal Funds and Grants	\$30,929,341
Social Services Block Grant (CFDA 93.667)	\$6,200,343
Federal Funds Not Specifically Identified	\$24,728,998
State Funds	\$25,858,818
State General Funds	\$25,858,818

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$25,939,397	\$56,868,738
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$487)	(\$487)
Reflect an adjustment in merit system assessments.	(\$25)	(\$25)
Restore one-time matching funds to the Departmental Administration program for the Alzheimer's Disease Supportive Service Program (ADSSP) grant.	(\$80,067)	(\$80,067)
Amount appropriated in this Act	----- \$25,858,818	----- \$56,788,159

28.11. Elder Support Services

Purpose: The purpose of this appropriation is to assist older Georgians, so that they may live in their homes and communities, by providing health, employment, nutrition, and other support and education services.

Total Funds	\$10,880,335
Federal Funds and Grants	\$6,737,729
Social Services Block Grant (CFDA 93.667)	\$750,000
Federal Funds Not Specifically Identified	\$5,987,729
State Funds	\$4,142,606
State General Funds	\$4,142,606

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,143,424	\$10,881,153

Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$777)	(\$777)
Reflect an adjustment in merit system assessments.	(\$41)	(\$41)
Utilize existing funds for the Area Agencies on Aging (AAA) to determine the unmet need for non-Medicaid senior transportation in each of the 12 AAA regions and report back to the Georgia General Assembly by December 1, 2018. (CC:Yes; Utilize existing funds for the Area Agencies on Aging (AAA) to determine the unmet need for non-Medicaid senior transportation in each of the 12 AAA regions and report back to the House and Senate Appropriations Committees by December 1, 2018.)	\$0	\$0
Amount appropriated in this Act	----- \$4,142,606	----- \$10,880,335

28.12. Energy Assistance

Purpose: The purpose of this appropriation is to assist low-income households in meeting their immediate home energy needs.

Total Funds	\$55,320,027
Federal Funds and Grants	\$55,320,027
Low-Income Home Energy Assistance (CFDA 93.568)	\$55,320,027

28.13. Federal Eligibility Benefit Services

Purpose: The purpose of this appropriation is to verify eligibility and provide support services for Medicaid, Food Stamp, and Temporary Assistance for Needy Families (TANF).

Total Funds	\$316,273,865
Federal Funds and Grants	\$196,903,657
Community Service Block Grant (CFDA 93.569)	\$259,998
Foster Care Title IV-E (CFDA 93.658)	\$5,282,954
Low-Income Home Energy Assistance (CFDA 93.568)	\$416,254
Medical Assistance Program (CFDA 93.778)	\$69,813,174
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$26,016,213
Federal Funds Not Specifically Identified	\$95,115,064
State Funds	\$119,370,208
State General Funds	\$119,370,208

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$119,357,699	\$316,261,356
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$2,119	\$2,119
Reflect an adjustment to agency premiums for Department of Administrative Services administered	(\$1,383)	(\$1,383)

self-insurance programs.		
Reflect an adjustment in merit system assessments.	\$11,773	\$11,773
Amount appropriated in this Act	\$119,370,208	\$316,273,865

28.14. Out-of-Home Care

Purpose: The purpose of this appropriation is to provide safe and appropriate temporary homes for children removed from their families due to neglect, abuse, or abandonment.

Total Funds	\$374,834,033
Federal Funds and Grants	\$98,272,582
Foster Care Title IV-E (CFDA 93.658)	\$49,182,486
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$48,850,460
Federal Funds Not Specifically Identified	\$239,636
State Funds	\$276,561,451
State General Funds	\$276,561,451

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$239,298,714	\$334,263,996
Increase funds for growth in Out-of-Home Care utilization.	\$15,104,050	\$17,362,915
Reflect a \$2.50 per day increase for relative foster care rates. (CC: Complete the \$10 per day increase for relative foster care by fully funding Phase II to meet the southeastern average cost for raising a child.)	\$14,924,850	\$14,924,850
Reflect a \$2.50 increase for child placement agency (CPA) foster parent per diem rates. (CC: Complete the \$10 per day increase for child placement agency (CPA) foster parents by fully funding Phase II to meet the southeastern average cost for raising a child.)	\$5,346,928	\$6,146,600
Increase funds for child caring institution (CCI) per diem rates by 2.5 percent. (CC: Increase funds for child caring institution (CCI) per diem rates by 2.5 percent.)	\$2,426,667	\$2,789,593
Increase funds to reflect a reduction in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.	\$289,288	\$0
Increase funds for child placement agency (CPA) administrative costs by 2.5 percent. (CC: Increase funds for child placement agency (CPA) administrative costs by 2.5 percent.)	\$1,170,954	\$1,346,079
Reduce funds for the Families First COACHES program.	(\$2,000,000)	(\$2,000,000)
Amount appropriated in this Act	\$276,561,451	\$374,834,033

28.15. Refugee Assistance

Purpose: The purpose of this appropriation is to provide employment, health screening, medical, cash, and social services assistance to refugees.

Total Funds	\$11,388,225
Federal Funds and Grants	\$11,388,225
Federal Funds Not Specifically Identified	\$11,388,225

28.16. Residential Child Care Licensing

Purpose: The purpose of this appropriation is to protect the health and safety of children who receive full-time care outside of their homes by licensing, monitoring, and inspecting residential care providers.

Total Funds	\$2,300,173
Federal Funds and Grants	\$619,263
Foster Care Title IV-E (CFDA 93.658)	\$619,263
State Funds	\$1,680,910
State General Funds	\$1,680,910

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,684,640	\$2,303,903
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$3,545)	(\$3,545)
Reflect an adjustment in merit system assessments.	(\$185)	(\$185)
Amount appropriated in this Act	\$1,680,910	\$2,300,173

28.17. Support for Needy Families - Basic Assistance

Purpose: The purpose of this appropriation is to provide cash assistance to needy families in compliance with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

Total Funds	\$43,553,008
Federal Funds and Grants	\$43,453,008
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$43,453,008
State Funds	\$100,000
State General Funds	\$100,000

28.18. Support for Needy Families - Work Assistance

Purpose: The purpose of this appropriation is to assist needy Georgian families in achieving self-sufficiency by obtaining and keeping employment as well as complying with Georgia's state plan for the federal Temporary Assistance for Needy Families program.

Total Funds	\$25,667,755
Federal Funds and Grants	\$25,567,755
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$17,332,866
Federal Funds Not Specifically Identified	\$8,234,889

State Funds	\$100,000
State General Funds	\$100,000

The following appropriations are for agencies attached for administrative purposes.

28.19. Council On Aging

Purpose: The purpose of this appropriation is to assist older individuals, at-risk adults, persons with disabilities, their families and caregivers in achieving safe, healthy, independent and self-reliant lives.

Total Funds	\$252,070
State Funds	\$252,070
State General Funds	\$252,070

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$252,157	\$252,157
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$110)	(\$110)
Reflect an adjustment in merit system assessments.	\$23	\$23
Amount appropriated in this Act	----- \$252,070	----- \$252,070

28.20. Family Connection

Purpose: The purpose of this appropriation is to provide a statewide network of county collaboratives that work to improve conditions for children and families.

Total Funds	\$10,522,967
Federal Funds and Grants	\$1,172,819
Medical Assistance Program (CFDA 93.778)	\$1,172,819
State Funds	\$9,350,148
State General Funds	\$9,350,148

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$9,061,648	\$10,234,467
Provide funds to increase each county's allocation to \$50,000.	\$238,500	\$238,500
Increase funds to support Georgia Family Connection Partnership technical assistance to the counties.	\$50,000	\$50,000
Amount appropriated in this Act	----- \$9,350,148	----- \$10,522,967

28.21. Georgia Vocational Rehabilitation Agency: Business Enterprise Program

Purpose: The purpose of this appropriation is to assist people who are blind in becoming successful contributors to the state's economy.

Total Funds	\$2,727,082
Federal Funds and Grants	\$2,436,357
Federal Funds Not Specifically Identified	\$2,436,357
State Funds	\$290,725
State General Funds	\$290,725

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$290,866	\$2,727,223
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$71)	(\$71)
Reflect an adjustment in merit system assessments.	(\$70)	(\$70)
Amount appropriated in this Act	----- \$290,725	----- \$2,727,082

28.22. Georgia Vocational Rehabilitation Agency: Departmental Administration

Purpose: The purpose of this appropriation is to help people with disabilities to become fully productive members of society by achieving independence and meaningful employment.

Total Funds	\$12,588,380
Federal Funds and Grants	\$11,078,328
Federal Funds Not Specifically Identified	\$11,078,328
Other Funds	\$100,000
Agency Funds	\$100,000
State Funds	\$1,410,052
State General Funds	\$1,410,052

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,413,785	\$12,592,113
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$3,042	\$3,042
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,459)	(\$2,459)
Reflect an adjustment in merit system assessments.	(\$2,448)	(\$2,448)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$1,434)	(\$1,434)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$434)	(\$434)
Amount appropriated in this Act	----- \$1,410,052	----- \$12,588,380

28.23. Georgia Vocational Rehabilitation Agency: Disability Adjudication Services

Purpose: The purpose of this appropriation is to efficiently process applications for federal disability programs so that eligible Georgia citizens can obtain support.

Total Funds	\$75,429,922
Federal Funds and Grants	\$75,429,922
Federal Funds Not Specifically Identified	\$75,429,922

28.24. Georgia Vocational Rehabilitation Agency: Georgia Industries for the Blind

Purpose: The purpose of this appropriation is to employ people who are blind in manufacturing and packaging facilities in Bainbridge and Griffin.

Total Funds	\$6,845,755
Other Funds	\$6,845,755
Agency Funds	\$6,845,755

28.25. Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program

Purpose: The purpose of this appropriation is to assist people with disabilities so that they may go to work.

Total Funds	\$110,636,321
Federal Funds and Grants	\$83,159,544
Federal Funds Not Specifically Identified	\$83,159,544
Other Funds	\$6,740,224
Other Funds - Not Specifically Identified	\$6,740,224
State Funds	\$20,736,553
State General Funds	\$20,736,553

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$21,121,103	\$111,020,871
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,587	\$1,587
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$3,076)	(\$3,076)
Reflect an adjustment in merit system assessments.	(\$3,061)	(\$3,061)
Utilize \$500,000 in existing state funds to provide ongoing support and scholarships for the Inclusive Post-Secondary Education (IPSE) program. (CC:Transfer funds from the Georgia Vocational Rehabilitation Agency: Vocational Rehabilitation Program to the Georgia Council on Developmental Disabilities to provide ongoing support and scholarships for the	(\$500,000)	(\$500,000)

<i>Inclusive Post-Secondary Education (IPSE) program.)</i>		
Eliminate funds for the Warrior Alliance.	(\$100,000)	(\$100,000)
Provide funding for a state hub geographically located to provide outreach and services to support independent living for disabled citizens in southwest Georgia.	\$200,000	\$200,000
Increase funds for Friends of Disabled Adults and Children (FODAC) equipment.	\$20,000	\$20,000
Amount appropriated in this Act	----- \$20,736,553	----- \$110,636,321

28.26. Georgia Vocational Rehabilitation Agency: Roosevelt Warm Springs Medical Hospital

Purpose: The purpose of this appropriation is to provide rehabilitative and medical care for individuals to return to the most independent lifestyle possible.

Total Funds \$0

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,600,000	\$1,600,000
Transfer funds to the Board of Regents of the University System of Georgia's Medical College of Georgia Hospitals and Clinics program to reflect projected expenditures.	(\$1,600,000)	(\$1,600,000)
Amount appropriated in this Act	----- \$0	----- \$0

Section 29: Insurance, Office of the Commissioner of

Total Funds	\$21,105,076
Federal Funds and Grants	\$425,368
Federal Funds Not Specifically Identified	\$425,368
Other Funds	\$339,026
Agency Funds	\$339,026
State Funds	\$20,340,682
State General Funds	\$20,340,682

29.1. Departmental Administration (COI)

Purpose: The purpose of this appropriation is to be responsible for protecting the rights of Georgia citizens in insurance and industrial loan transactions and maintain a fire-safe environment.

Total Funds	\$2,181,033
State Funds	\$2,181,033
State General Funds	\$2,181,033

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>

Amount from previous Appropriations Act (HB 44) as amended	\$1,969,256	\$1,969,256
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,144)	(\$1,144)
Reflect an adjustment in merit system assessments.	(\$347)	(\$347)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$588	\$588
Reflect an adjustment in TeamWorks billings.	(\$13,096)	(\$13,096)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$42)	(\$42)
Transfer funds from the Insurance Regulation program to the Departmental Administration program to align budget with program expenditures. (CC:Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program to align budget with program expenditures.)	\$255,949	\$255,949
Reduce funds for personal services.	(\$30,131)	(\$30,131)
Amount appropriated in this Act	\$2,181,033	\$2,181,033

29.2. Enforcement

Purpose: The purpose of this appropriation is to provide legal advice and to initiate legal proceedings with regard to enforcement of specific provisions of state law relating to insurance, industrial loan, fire safety, and fraud.

Total Funds	\$823,467
State Funds	\$823,467
State General Funds	\$823,467

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$823,783	\$823,783
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$243)	(\$243)
Reflect an adjustment in merit system assessments.	(\$73)	(\$73)
Amount appropriated in this Act	\$823,467	\$823,467

29.3. Fire Safety

Purpose: The purpose of this appropriation is to promote fire safety awareness through education and training, and to protect the public from fire and limit the loss of life and property by setting the minimum fire safety standards in the state, enforcing and regulating fire safety rules for public buildings and manufactured housing, and regulating the storage, transportation, and handling of hazardous materials.

Total Funds	\$8,212,049
Federal Funds and Grants	\$425,368
Federal Funds Not Specifically Identified	\$425,368

Other Funds	\$339,026
Agency Funds	\$339,026
State Funds	\$7,447,655
State General Funds	\$7,447,655

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$7,198,381	\$7,962,775
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,202)	(\$2,202)
Reflect an adjustment in merit system assessments.	(\$667)	(\$667)
Transfer funds from the Departmental Administration program to align budget with program expenditures. (CC: Transfer funds from the Insurance Regulation program to the Fire Safety program to align budget with program expenditures.)	\$252,143	\$252,143
Amount appropriated in this Act	----- \$7,447,655	----- \$8,212,049

29.4. Industrial Loan

Purpose: The purpose of this appropriation is to protect consumers by licensing, regulating, and examining finance companies that provide consumer loans of \$3,000 or less.

Total Funds	\$697,013
State Funds	\$697,013
State General Funds	\$697,013

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$697,288	\$697,288
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$211)	(\$211)
Reflect an adjustment in merit system assessments.	(\$64)	(\$64)
Amount appropriated in this Act	----- \$697,013	----- \$697,013

29.5. Insurance Regulation

Purpose: The purpose of this appropriation is to ensure that licensed insurance entities maintain solvency and conform to state law by conducting financial and market examinations, investigating policyholder complaints, monitoring for compliance with state laws and regulations, reviewing and approving premium rates, and disseminating information to the public and the insurance industry about the state's insurance laws and regulations.

Total Funds	\$9,191,514
State Funds	\$9,191,514

State General Funds \$9,191,514

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$10,118,232	\$10,118,232
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,313)	(\$2,313)
Reflect an adjustment in merit system assessments.	(\$701)	(\$701)
Transfer funds from the Insurance Regulation program to the Departmental Administration program to align budget with program expenditures. <i>(CC:Transfer funds from the Insurance Regulation program to the Departmental Administration (COI) program and the Fire Safety program to align budget with program expenditures.)</i>	(\$508,362)	(\$508,362)
Utilize existing funds to collect Special Insurance Fraud Fund assessments quarterly per O.C.G.A. 33-1-17(c)(2). <i>(CC:Yes)</i>	\$0	\$0
Prepare, on an annual basis, a separate budget request to the Georgia General Assembly per O.C.G.A. 33-1-17(c)(1) which sets forth the anticipated cost and expense of funding the investigation and prosecution of insurance fraud in this state for the ensuing 12 months which shall set forth the annual cost and expense of the investigation and prosecution of insurance fraud in Georgia for the preceding 12 months. <i>(CC:Yes)</i>	\$0	\$0
Reduce funds to reflect the level of special fraud investigation activities.	(\$415,342)	(\$415,342)
Amount appropriated in this Act	----- \$9,191,514	----- \$9,191,514

Section 30: Investigation, Georgia Bureau of

Total Funds	\$248,505,604
Federal Funds and Grants	\$62,177,241
Temporary Assistance for Needy Families Block Grant <i>(CFDA 93.558)</i>	\$212,216
Federal Funds Not Specifically Identified	\$61,965,025
Other Funds	\$31,855,738
Other Funds - Not Specifically Identified	\$31,855,738
State Funds	\$154,472,625
State General Funds	\$154,472,625

30.1. Bureau Administration

Purpose: The purpose of this appropriation is to provide the highest quality investigative, scientific, information services, and resources for the purpose of maintaining law and order and protecting life and property.

Total Funds \$8,421,140

Federal Funds and Grants	\$12,600
Federal Funds Not Specifically Identified	\$12,600
Other Funds	\$165,594
Other Funds - Not Specifically Identified	\$165,594
State Funds	\$8,242,946
State General Funds	\$8,242,946

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$8,302,577	\$8,480,771
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,602)	(\$2,602)
Reflect an adjustment in merit system assessments.	\$19	\$19
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$3,024	\$3,024
Reflect an adjustment in TeamWorks billings.	(\$60,210)	(\$60,210)
Adjust billings for unemployment insurance to reflect claims expenses.	\$138	\$138
Amount appropriated in this Act	----- \$8,242,946	----- \$8,421,140

30.2. Criminal Justice Information Services

Purpose: The purpose of this appropriation is to provide the State of Georgia with essential information and identification services through the operation of the Automated Fingerprint Identification System, Criminal History System, Criminal Justice Information Services network, Protective Order Registry, Sexual Violent Offender Registry, and the Uniform Crime Reporting Program.

Total Funds	\$10,994,481
Other Funds	\$6,308,894
Other Funds - Not Specifically Identified	\$6,308,894
State Funds	\$4,685,587
State General Funds	\$4,685,587

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,684,496	\$10,993,390
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$3,315	\$3,315
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,239)	(\$2,239)
Reflect an adjustment in merit system assessments.	\$15	\$15
Reflect an adjustment in TeamWorks billings.	\$0	\$0
Amount appropriated in this Act	----- \$4,685,587	----- \$10,994,481

30.3. Forensic Scientific Services

Purpose: The purpose of this appropriation is to provide forensic analysis and testimony in the areas of chemistry (drug identification), firearms, digital imaging, forensic biology (serology/DNA), latent prints, pathology, questioned documents, photography, toxicology, implied consent, and trace evidence in support of the criminal justice system; to provide medical examiner (autopsy) services; and to analyze and enter samples into national databases such as AFIS, CODIS, and NIBIN.

Total Funds	\$40,609,696
Federal Funds and Grants	\$1,766,684
Federal Funds Not Specifically Identified	\$1,766,684
Other Funds	\$157,865
Other Funds - Not Specifically Identified	\$157,865
State Funds	\$38,685,147
State General Funds	\$38,685,147

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$38,217,548	\$40,142,097
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$18,105)	(\$18,105)
Reflect an adjustment in merit system assessments.	\$125	\$125
Reflect an adjustment in TeamWorks billings.	\$0	\$0
Annualize funds for four scientists and two lab technicians to address the sexual assault kit backlog per SB 304 (2016 Session).	\$244,335	\$244,335
Utilize \$48,000 of existing funds for janitorial and utility expenses for the morgue. (CC: Increase operating expenses to reflect additional utility and janitorial expenses as a result of the morgue expansion.)	\$130,973	\$130,973
Increase funds for personnel for one scientist position to assist with the statewide drug task forces and combat the opioid epidemic in Georgia.	\$110,271	\$110,271
Amount appropriated in this Act	----- \$38,685,147	----- \$40,609,696

30.4. Regional Investigative Services

Purpose: The purpose of this appropriation is to identify, collect, preserve, and process evidence located during crime scene investigations, and to assist in the investigation, identification, arrest and prosecution of individuals. The purpose of this appropriation is also to coordinate and operate the following specialized units: bingo unit, anti-terrorist team, forensic art, bomb disposal unit, high technology investigations unit, communications center, regional drug enforcement, and polygraph examinations.

Total Funds	\$52,579,332
Federal Funds and Grants	\$1,515,073

Federal Funds Not Specifically Identified	\$1,515,073
Other Funds	\$1,724,650
Other Funds - Not Specifically Identified	\$1,724,650
State Funds	\$49,339,609
State General Funds	\$49,339,609

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$45,621,793	\$48,861,516
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$22,901)	(\$22,901)
Reflect an adjustment in merit system assessments.	\$158	\$158
Reflect an adjustment in TeamWorks billings.	\$0	\$0
Provide funds for eight positions and operating expenses for the prevention and investigation of cyber-criminal activities, a first line defense against cyber crimes. <i>(CC:Provide funds for eight positions and operating expenses for the prevention and investigation of cyber-criminal activities.)</i>	\$1,398,967	\$1,398,967
Increase funds to implement drug task forces statewide to combat the opioid epidemic in Georgia. <i>(CC:Increase funds to expand drug enforcement task forces statewide to combat the opioid epidemic in Georgia.)</i>	\$2,341,592	\$2,341,592
Amount appropriated in this Act	----- \$49,339,609	----- \$52,579,332

The following appropriations are for agencies attached for administrative purposes.

30.5. Criminal Justice Coordinating Council

Purpose: The purpose of this appropriation is to improve and coordinate criminal justice efforts throughout Georgia, help create safe and secure communities, and award grants.

Total Funds	\$122,565,688
Federal Funds and Grants	\$58,882,884
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$212,216
Federal Funds Not Specifically Identified	\$58,670,668
Other Funds	\$23,498,735
Other Funds - Not Specifically Identified	\$23,498,735
State Funds	\$40,184,069
State General Funds	\$40,184,069

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as	\$35,184,102	\$117,565,721

amended		
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$6)	(\$6)
Reflect an adjustment in merit system assessments.	(\$27)	(\$27)
Increase funds for the Accountability Courts Grants program to expand 53 existing courts and to create three new adult felony drug courts.	\$2,124,227	\$2,124,227
Increase funds for the Accountability Courts Grants program to expand 28 existing courts and to create three new mental health courts.	\$1,057,375	\$1,057,375
Increase funds for the Accountability Courts Grants program to expand 18 existing courts and to create three new family dependency treatment courts.	\$741,498	\$741,498
Increase funds for the Accountability Courts Grants program to expand 15 existing courts and to create two new veterans' courts.	\$514,124	\$514,124
Increase funds for the Accountability courts Grants program to expand 21 existing courts and to create two new DUI accountability courts.	\$475,109	\$475,109
Increase funds for the Accountability Courts Grants program to expand 14 existing juvenile accountability courts.	\$87,667	\$87,667
Amount appropriated in this Act	----- \$40,184,069	----- \$122,565,688

30.6. Criminal Justice Coordinating Council: Council of Accountability Court Judges

Purpose: The purpose of this appropriation is to support adult felony drug courts, DUI courts, juvenile drug courts, family dependency treatment courts, mental health courts, and veteran's courts, as well as the Council of Accountability Court Judges. No state funds shall be provided to any accountability court where such court is delinquent in the required reporting and remittance of all fines and fees collected by such court.

Total Funds	\$489,344
State Funds	\$489,344
State General Funds	\$489,344

30.7. Criminal Justice Coordinating Council: Family Violence

Purpose: The purpose of this appropriation is to provide certified domestic violence shelters and sexual assault centers with funds so as to provide the necessary services to primary and secondary victims of domestic violence and sexual assault statewide.

Total Funds	\$12,845,923
State Funds	\$12,845,923
State General Funds	\$12,845,923

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>

Amount from previous Appropriations Act (HB 44) as amended	\$12,680,923	\$12,680,923
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Increase funds for grants to 22 Sexual Assault Centers.	\$165,000	\$165,000
Amount appropriated in this Act	\$12,845,923	\$12,845,923

Section 31: Juvenile Justice, Department of

Total Funds	\$351,351,224
Federal Funds and Grants	\$7,804,205
Foster Care Title IV-E (CFDA 93.658)	\$1,495,178
Federal Funds Not Specifically Identified	\$6,309,027
Other Funds	\$340,307
Other Funds - Not Specifically Identified	\$340,307
State Funds	\$343,206,712
State General Funds	\$343,206,712

31.1. Community Services

Purpose: The purpose of this appropriation is to protect the public, hold youth accountable for their actions, assist youth in becoming law-abiding citizens and transition youth from secure detention, and provide the following alternative detention options: non-secure detention shelters, housebound detention, emergency shelters, a short-term stay in a residential placement, tracking services, wraparound services, electronic monitoring, or detention in an alternative program. Additionally, Community Supervision supervises youth directly in the community according to their risk and need levels, provides transitional and treatment services to those youth either directly or by brokering or making appropriate referrals for services, and provides agency-wide services, including intake, court services, and case management.

Total Funds	\$99,172,705
Federal Funds and Grants	\$1,541,798
Foster Care Title IV-E (CFDA 93.658)	\$1,495,178
Federal Funds Not Specifically Identified	\$46,620
Other Funds	\$299,805
Other Funds - Not Specifically Identified	\$299,805
State Funds	\$97,331,102
State General Funds	\$97,331,102

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$95,391,548	\$97,233,151
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81%	\$7,672	\$7,672

to 20.90%.		
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$36,198)	(\$36,198)
Reflect an adjustment in merit system assessments.	(\$3,763)	(\$3,763)
Reflect an adjustment in TeamWorks billings.	(\$41,320)	(\$41,320)
Increase funds to provide for youth who pose a public safety risk during determination of competency as provided in SB 175 (2017 Session).	\$1,481,353	\$1,481,353
Increase funds for child caring institutions (CCI) per diem rates by 2.5 percent. (CC:Increase funds for child caring institutions (CCI) per diem rates by 2.5 percent.)	\$531,810	\$531,810
Amount appropriated in this Act	\$97,331,102	\$99,172,705

31.2. Departmental Administration (DJJ)

Purpose: The purpose of this appropriation is to protect and serve the citizens of Georgia by holding youthful offenders accountable for their actions through the delivery of effective services in appropriate settings.

Total Funds	\$24,698,013
Other Funds	\$18,130
Other Funds - Not Specifically Identified	\$18,130
State Funds	\$24,679,883
State General Funds	\$24,679,883

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$24,819,289	\$24,837,419
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,985	\$1,985
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$10,865)	(\$10,865)
Reflect an adjustment in merit system assessments.	(\$1,130)	(\$1,130)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$28,340)	(\$28,340)
Reflect an adjustment in TeamWorks billings.	(\$12,402)	(\$12,402)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$88,654)	(\$88,654)
Amount appropriated in this Act	\$24,679,883	\$24,698,013

31.3. Secure Commitment (YDCs)

Purpose: The purpose of this appropriation is to protect the public and hold youth accountable for their actions, and provide secure care and supervision of youth including academic, recreational, vocational, medical, mental health, counseling, and religious services for those youth committed to the Department's custody, or convicted of an offense under Senate Bill 440.

Total Funds	\$98,646,212
Federal Funds and Grants	\$4,554,231
Federal Funds Not Specifically Identified	\$4,554,231
Other Funds	\$8,949
Other Funds - Not Specifically Identified	\$8,949
State Funds	\$94,083,032
State General Funds	\$94,083,032

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$94,034,131	\$98,597,311
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$141,943	\$141,943
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$47,204)	(\$47,204)
Reflect an adjustment in merit system assessments.	(\$4,907)	(\$4,907)
Reflect an adjustment in TeamWorks billings.	(\$53,884)	(\$53,884)
Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees. (CC:No)	\$0	\$0
Provide funds for differentiated pay for newly certified math and science teachers.	\$12,953	\$12,953
Utilize existing funds for the culinary vocational program at Macon YDC. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$94,083,032	----- \$98,646,212

31.4. Secure Detention (RYDCs)

Purpose: The purpose of this appropriation is to protect the public and hold youth accountable for their actions and, provide temporary, secure care, and supervision of youth who are charged with crimes or who have been found guilty of crimes and are awaiting disposition of their cases by juvenile courts or awaiting placement in one of the Department's treatment programs or facilities, or sentenced to the Short Term Program.

Total Funds	\$128,834,294
Federal Funds and Grants	\$1,708,176
Federal Funds Not Specifically Identified	\$1,708,176
Other Funds	\$13,423
Other Funds - Not Specifically Identified	\$13,423
State Funds	\$127,112,695
State General Funds	\$127,112,695

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as	\$122,909,419	\$124,631,018

amended		
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$199,336	\$199,336
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$66,591)	(\$66,591)
Reflect an adjustment in merit system assessments.	(\$6,926)	(\$6,926)
Reflect an adjustment in TeamWorks billings.	(\$76,015)	(\$76,015)
Provide additional funds to annualize expenditures of the Wilkes RYDC facility.	\$650,000	\$650,000
Increase funds for security management, education, and medical services at the 56 bed Cadwell Regional Youth Detention Center effective September 1, 2018.	\$3,503,472	\$3,503,472
Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees. (CC:No)	\$0	\$0
Amount appropriated in this Act	----- \$127,112,695	----- \$128,834,294

Section 32: Labor, Department of

Total Funds	\$128,165,884
Federal Funds and Grants	\$104,179,469
Federal Funds Not Specifically Identified	\$104,179,469
Other Funds	\$10,235,400
Other Funds - Not Specifically Identified	\$10,235,400
State Funds	\$13,751,015
State General Funds	\$13,751,015

32.1. Departmental Administration (DOL)

Purpose: The purpose of this appropriation is to work with public and private partners in building a world-class workforce system that contributes to Georgia's economic prosperity.

Total Funds	\$30,423,933
Federal Funds and Grants	\$25,411,990
Federal Funds Not Specifically Identified	\$25,411,990
Other Funds	\$3,292,182
Other Funds - Not Specifically Identified	\$3,292,182
State Funds	\$1,719,761
State General Funds	\$1,719,761

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,731,339	\$30,435,511
Reflect an adjustment to agency premiums for Department of Administrative Services administered	(\$5,908)	(\$5,908)

self-insurance programs.		
Reflect an adjustment in merit system assessments.	(\$1,808)	(\$1,808)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$5,580)	(\$5,580)
Reflect an adjustment in TeamWorks billings.	\$1,949	\$1,949
Adjust billings for unemployment insurance to reflect claims expenses.	(\$231)	(\$231)
Amount appropriated in this Act	\$1,719,761	\$30,423,933

32.2. Labor Market Information

Purpose: The purpose of this appropriation is to collect, analyze, and publish a wide array of information about the state's labor market.

Total Funds	\$2,532,139
Federal Funds and Grants	\$2,532,139
Federal Funds Not Specifically Identified	\$2,532,139

32.3. Unemployment Insurance

Purpose: The purpose of this appropriation is to enhance Georgia's economic strength by collecting unemployment insurance taxes from Georgia's employers and distributing unemployment benefits to eligible claimants.

Total Funds	\$36,181,297
Federal Funds and Grants	\$31,646,176
Federal Funds Not Specifically Identified	\$31,646,176
Other Funds	\$150,000
Other Funds - Not Specifically Identified	\$150,000
State Funds	\$4,385,121
State General Funds	\$4,385,121

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,385,121	\$36,181,297
Utilize existing state funds for the collection of administrative assessments. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	\$4,385,121	\$36,181,297

32.4. Workforce Solutions

Purpose: The purpose of this appropriation is to assist employers and job seekers with job matching services and to promote economic growth and development.

Total Funds	\$59,028,515
Federal Funds and Grants	\$44,589,164
Federal Funds Not Specifically Identified	\$44,589,164
Other Funds	\$6,793,218
Other Funds - Not Specifically Identified	\$6,793,218

State Funds \$7,646,133
 State General Funds \$7,646,133

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$7,399,734	\$58,782,116
Transfer funds for the customized recruitment initiative to the Governor's Office of Workforce Development in the Technical College System of Georgia to support workforce needs throughout the state. <i>(CC:Transfer funds for the customized recruitment initiative to the Economic Development and Customized Services program in the Technical College System of Georgia to support workforce needs throughout the state.)</i>	(\$253,601)	(\$253,601)
Encourage the collaboration with other state agencies, including public libraries and technical colleges, to maintain a physical presence where career centers have closed, and to continue the expansion of online services. <i>(CC:Yes)</i>	\$0	\$0
Provide funds for local career centers to replace federal funds. <i>(CC:Provide funds for local career centers to replace federal funds and scale back department employees due to reduced demand for services due to improved economy and near full employment figures. Reallocate personnel as needed to maintain offices in locations slated for closure to continue meeting the needs of citizens, business and industry and utilize Administrative Assessment fees sufficient to support these facilities.)</i>	\$500,000	\$500,000
Amount appropriated in this Act	----- \$7,646,133	----- \$59,028,515

Section 33: Law, Department of

Total Funds	\$72,964,413
Federal Funds and Grants	\$3,597,990
Federal Funds Not Specifically Identified	\$3,597,990
Other Funds	\$37,256,814
Other Funds - Not Specifically Identified	\$37,256,814
State Funds	\$32,109,609
State General Funds	\$32,109,609

There is hereby appropriated to the Department of Law the sum of \$500,000 of the moneys collected in accordance with O.C.G.A. Title 10, Chapter 1, Article 28. The sum of money is appropriated for use by the Department of Law for consumer protection for all the purposes for which such moneys may be appropriated pursuant to Article 28.

33.1. Department of Law

Purpose: The purpose of this appropriation is to serve as the attorney and

legal advisor for all state agencies, departments, authorities, and the Governor; to provide binding opinions on legal questions concerning the state of Georgia and its agencies; and to prepare all contracts and agreements regarding any matter in which the State of Georgia is involved.

Total Funds	\$68,001,939
Other Funds	\$37,254,703
Other Funds - Not Specifically Identified	\$37,254,703
State Funds	\$30,747,236
State General Funds	\$30,747,236

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$30,638,648	\$67,893,351
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$2,679	\$2,679
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$47,436)	(\$47,436)
Reflect an adjustment in merit system assessments.	(\$14,093)	(\$14,093)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$59)	(\$59)
Reflect an adjustment in TeamWorks billings.	(\$35,476)	(\$35,476)
Adjust billings for unemployment insurance to reflect claims expenses.	\$1,670	\$1,670
Increase funds for one paralegal. (CC:Increase funds for three paralegals.)	\$201,303	\$201,303
Amount appropriated in this Act	----- \$30,747,236	\$68,001,939

33.2. Medicaid Fraud Control Unit

Purpose: The purpose of this appropriation is to serve as the center for the identification, arrest, and prosecution of providers of health services and patients who defraud the Medicaid Program.

Total Funds	\$4,962,474
Federal Funds and Grants	\$3,597,990
Federal Funds Not Specifically Identified	\$3,597,990
Other Funds	\$2,111
Other Funds - Not Specifically Identified	\$2,111
State Funds	\$1,362,373
State General Funds	\$1,362,373

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,362,414	\$4,962,515
Reflect an adjustment in merit system assessments.	(\$41)	(\$41)

Amount appropriated in this Act	\$1,362,373	\$4,962,474
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Section 34: Natural Resources, Department of

Total Funds	\$279,951,773
Federal Funds and Grants	\$64,264,463
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$1,911,463
Federal Funds Not Specifically Identified	\$62,353,000
Other Funds	\$96,909,071
Agency Funds	\$23,957,835
Other Funds - Not Specifically Identified	\$72,951,236
State Funds	\$118,778,239
State General Funds	\$118,778,239

Provided, that to the extent State Parks and Historic Sites receipts are realized in excess of the amount of such funds contemplated in this Act, the Office of Planning and Budget is authorized to use up to 50 percent of the excess receipts to supplant State funds and the balance may be amended into the budget of the Parks, Recreation and Historic Sites Division for the most critical needs of the Division. This provision shall not apply to revenues collected from a state park's parking pass implemented by the Department.

34.1. Coastal Resources

Purpose: The purpose of this appropriation is to preserve the natural, environmental, historic, archaeological, and recreational resources of the state's coastal zone by balancing economic development with resource preservation and improvement by assessing and restoring coastal wetlands, by regulating development within the coastal zone, by promulgating and enforcing rules and regulations to protect the coastal wetlands, by monitoring the population status of commercially and recreationally fished species and developing fishery management plans, by providing fishing education, and by constructing and maintaining artificial reefs.

Total Funds	\$8,099,828
Federal Funds and Grants	\$5,054,621
Federal Funds Not Specifically Identified	\$5,054,621
Other Funds	\$107,925
Other Funds - Not Specifically Identified	\$107,925
State Funds	\$2,937,282
State General Funds	\$2,937,282

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,221,884	\$7,384,430
Reflect an adjustment to agency premiums for	(\$4,815)	(\$4,815)

Department of Administrative Services administered self-insurance programs.		
Reflect an adjustment in merit system assessments.	\$213	\$213
Utilize increased revenues per HB 208 (2017 Session) for public access and offshore fishery habitat maintenance.	\$720,000	\$720,000
Provide one-time funds to clear hurricane debris and remove sunken vessels along the Georgia coastline. (CC:Yes; Utilize existing funds to clear hurricane debris and remove sunken vessels along the Georgia coastline.)	\$0	\$0
Amount appropriated in this Act	\$2,937,282	\$8,099,828

34.2. Departmental Administration (DNR)

Purpose: The purpose of this appropriation is to provide administrative support for all programs of the department.

Total Funds	\$14,919,761
Other Funds	\$39,065
Other Funds - Not Specifically Identified	\$39,065
State Funds	\$14,880,696
State General Funds	\$14,880,696

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$12,269,341	\$12,308,406
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$16,853)	(\$16,853)
Reflect an adjustment in merit system assessments.	\$746	\$746
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$27,352)	(\$27,352)
Reflect an adjustment in TeamWorks billings.	(\$42,104)	(\$42,104)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$2,172)	(\$2,172)
Transfer funds and 13 positions from the Parks, Recreation, and Historic Sites program to streamline agency-wide engineering and construction activities.	\$1,962,790	\$1,962,790
Transfer funds and three positions from the Wildlife Resources program to consolidate agency-wide real estate and land acquisition activities.	\$308,474	\$308,474
Utilize increased revenues per HB 208 (2017 Session) for additional reporting and processing.	\$240,000	\$240,000
Increase funds for the grant to McIntosh County per O.C.G.A. 48-14-4.	\$187,826	\$187,826
Amount appropriated in this Act	\$14,880,696	\$14,919,761

34.3. Environmental Protection

Purpose: The purpose of this appropriation is to protect the quality of

Georgia's air by controlling, monitoring and regulating pollution from large, small, mobile, and area sources (including pollution from motor vehicle emissions) by performing ambient air monitoring, and by participating in the Clean Air Campaign; to protect Georgia's land by permitting, managing, and planning for solid waste facilities, by implementing waste reduction strategies, by administering the Solid Waste Trust Fund and the Underground Storage Tank program, by cleaning up scrap tire piles, and by permitting and regulating surface mining operations; to protect Georgia and its citizens from hazardous materials by investigating and remediating hazardous sites, and by utilizing the Hazardous Waste Trust Fund to manage the state's hazardous sites inventory, to oversee site cleanup and brownfield remediation, to remediate abandoned sites, to respond to environmental emergencies, and to monitor and regulate the hazardous materials industry in Georgia. The purpose of this appropriation is also to ensure the quality and quantity of Georgia's water supplies by managing floodplains, by ensuring the safety of dams, by monitoring, regulating, and certifying water quality, and by regulating the amount of water used.

Total Funds	\$118,435,553
Federal Funds and Grants	\$31,869,796
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$1,899,856
Federal Funds Not Specifically Identified	\$29,969,940
Other Funds	\$55,793,855
Agency Funds	\$23,957,835
Other Funds - Not Specifically Identified	\$31,836,020
State Funds	\$30,771,902
State General Funds	\$30,771,902

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$30,819,868	\$118,483,519
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$900	\$900
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$51,128)	(\$51,128)
Reflect an adjustment in merit system assessments.	\$2,262	\$2,262
Utilize existing funds for one asbestos remediation position. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$30,771,902	----- \$118,435,553

34.4. Hazardous Waste Trust Fund

Purpose: The purpose of this appropriation is to fund investigations and cleanup of abandoned landfills and other hazardous sites, to meet cost-sharing requirements for Superfund sites identified by the US Environmental

Protection Agency, to fund related operations and oversight positions within the Environmental Protection Division, and to reimburse local governments for landfill remediation.

Total Funds	\$4,027,423
State Funds	\$4,027,423
State General Funds	\$4,027,423

34.5. Historic Preservation

Purpose: The purpose of this appropriation is to identify, protect, and preserve Georgia's historical sites by administering historic preservation grants, by cataloging all historic resources statewide, by providing research and planning required to list a site on the state and national historic registries, by working with building owners to ensure that renovation plans comply with historic preservation standards, and by executing and sponsoring archaeological research.

Total Funds	\$2,848,368
Federal Funds and Grants	\$1,020,787
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$11,607
Federal Funds Not Specifically Identified	\$1,009,180
State Funds	\$1,827,581
State General Funds	\$1,827,581

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,830,590	\$2,851,377
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$3,148)	(\$3,148)
Reflect an adjustment in merit system assessments.	\$139	\$139
Amount appropriated in this Act	\$1,827,581	\$2,848,368

34.6. Law Enforcement

Purpose: The purpose of this appropriation is to enforce all state and federal laws and departmental regulations relative to protecting Georgia's wildlife, natural, archeological, and cultural resources, DNR properties, boating safety, and litter and waste laws; to teach hunter and boater education classes; and to assist other law enforcement agencies upon request in providing public safety for the citizens and visitors of Georgia.

Total Funds	\$28,553,076
Federal Funds and Grants	\$3,001,293
Federal Funds Not Specifically Identified	\$3,001,293
Other Funds	\$3,657
Other Funds - Not Specifically Identified	\$3,657

State Funds	\$25,548,126
State General Funds	\$25,548,126

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$22,873,096	\$25,878,046
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$47,052)	(\$47,052)
Reflect an adjustment in merit system assessments.	\$2,082	\$2,082
Utilize increased revenues per HB 208 (2017 Session) for additional law enforcement rangers to address high-demand areas of the state.	\$2,720,000	\$2,720,000
Amount appropriated in this Act	----- \$25,548,126	----- \$28,553,076

34.7. Parks Recreation and Historic Sites

Purpose: The purpose of this appropriation is to manage, operate, market, and maintain the state's golf courses, parks, lodges, conference centers, and historic sites.

Total Funds	\$49,022,060
Federal Funds and Grants	\$3,204,029
Federal Funds Not Specifically Identified	\$3,204,029
Other Funds	\$32,391,791
Other Funds - Not Specifically Identified	\$32,391,791
State Funds	\$13,426,240
State General Funds	\$13,426,240

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$15,171,556	\$50,767,376
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$601	\$601
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$34,661)	(\$34,661)
Reflect an adjustment in merit system assessments.	\$1,534	\$1,534
Transfer funds and 13 positions to the Departmental Administration (DNR) program.	(\$1,962,790)	(\$1,962,790)
Provide funds for park facility improvements.	\$250,000	\$250,000
Amount appropriated in this Act	----- \$13,426,240	----- \$49,022,060

34.8. Solid Waste Trust Fund

Purpose: The purpose of this appropriation is to fund the administration of the scrap tire management activity; to enable emergency, preventative, and corrective actions at solid waste disposal facilities; to assist local governments

with the development of solid waste management plans; and to promote statewide recycling and waste reduction programs.

Total Funds	\$2,790,775
State Funds	\$2,790,775
State General Funds	\$2,790,775

34.9. Wildlife Resources

Purpose: The purpose of this appropriation is to regulate hunting, fishing, and the operation of watercraft in Georgia; to provide hunter and boating education; to protect non-game and endangered wildlife; to promulgate statewide hunting, fishing, trapping, and coastal commercial fishing regulations; to operate the state's archery and shooting ranges; to license hunters and anglers; and to register boats.

Total Funds	\$51,254,929
Federal Funds and Grants	\$20,113,937
Federal Funds Not Specifically Identified	\$20,113,937
Other Funds	\$8,572,778
Other Funds - Not Specifically Identified	\$8,572,778
State Funds	\$22,568,214
State General Funds	\$22,568,214

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$18,588,546	\$47,275,261
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,586	\$1,586
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$34,992)	(\$34,992)
Reflect an adjustment in merit system assessments.	\$1,548	\$1,548
Utilize increased revenues per HB 208 (2017 Session) for additional public access and land management activities.	\$4,320,000	\$4,320,000
Transfer funds and three positions to the Departmental Administration (DNR) program.	(\$308,474)	(\$308,474)
Amount appropriated in this Act	----- \$22,568,214	----- \$51,254,929

Section 35: Pardons and Paroles, State Board of

Total Funds	\$17,617,070
State Funds	\$17,617,070
State General Funds	\$17,617,070

35.1. Board Administration (SBPP)

Purpose: The purpose of this appropriation is to provide administrative support for the agency.

Total Funds	\$1,122,859
State Funds	\$1,122,859
State General Funds	\$1,122,859

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,121,049	\$1,121,049
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$1,849	\$1,849
Reflect an adjustment in merit system assessments.	(\$28)	(\$28)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$1,695)	(\$1,695)
Reflect an adjustment in TeamWorks billings.	(\$1,345)	(\$1,345)
Adjust billings for unemployment insurance to reflect claims expenses.	\$3,029	\$3,029
Amount appropriated in this Act	----- \$1,122,859	----- \$1,122,859

35.2. Clemency Decisions

Purpose: The purpose of this appropriation is to support the Board in exercising its constitutional authority over executive clemency. This includes setting tentative parole dates for offenders in the correctional system and all aspects of parole status of offenders in the community including warrants, violations, commutations, and revocations. The Board coordinates all interstate compact release matters regarding the acceptance and placement of parolees into and from the State of Georgia and administers the pardon process by reviewing all applications and granting or denying these applications based on specific criteria.

Total Funds	\$15,989,202
State Funds	\$15,989,202
State General Funds	\$15,989,202

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$15,978,980	\$15,978,980
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$39,677	\$39,677
Reflect an adjustment in merit system assessments.	(\$599)	(\$599)
Reflect an adjustment in TeamWorks billings.	(\$28,856)	(\$28,856)
Amount appropriated in this Act	----- \$15,989,202	----- \$15,989,202

35.3. Victim Services

Purpose: The purpose of this appropriation is to provide notification to victims of changes in offender status or placement, conduct outreach and information gathering from victims during clemency proceedings, host victims visitors' days, and act as a liaison for victims to the state corrections, community supervision, and pardons and paroles systems.

Total Funds	\$505,009
State Funds	\$505,009
State General Funds	\$505,009

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$504,695	\$504,695
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$1,216	\$1,216
Reflect an adjustment in merit system assessments.	(\$18)	(\$18)
Reflect an adjustment in TeamWorks billings.	(\$884)	(\$884)
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$505,009	----- \$505,009

Section 36: State Properties Commission

Total Funds	\$2,100,000
Other Funds	\$2,100,000
Other Funds - Not Specifically Identified	\$2,100,000

36.1. State Properties Commission

Purpose: The purpose of this appropriation is to maintain long-term plans for state buildings and land; to compile an accessible database of state-owned and leased real property with information about utilization, demand management, and space standards; and to negotiate better rates in the leasing market and property acquisitions and dispositions.

Total Funds	\$2,100,000
Other Funds	\$2,100,000
Other Funds - Not Specifically Identified	\$2,100,000

Section 37: Public Defender Council, Georgia

Total Funds	\$92,418,129
Federal Funds and Grants	\$68,300
Federal Funds Not Specifically Identified	\$68,300
Other Funds	\$33,340,000

Other Funds - Not Specifically Identified	\$33,340,000
State Funds	\$59,009,829
State General Funds	\$59,009,829

37.1. Public Defender Council

Purpose: The purpose of this appropriation is to fund the Office of the Georgia Capital Defender, Office of the Mental Health Advocate, Central Office, and the administration of the Conflict Division.

Total Funds	\$10,011,767
Federal Funds and Grants	\$68,300
Federal Funds Not Specifically Identified	\$68,300
Other Funds	\$1,840,000
Other Funds - Not Specifically Identified	\$1,840,000
State Funds	\$8,103,467
State General Funds	\$8,103,467

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$8,111,445	\$10,019,745
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$1,550	\$1,550
Reflect an adjustment in merit system assessments.	(\$681)	(\$681)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$5,899)	(\$5,899)
Reflect an adjustment in TeamWorks billings.	(\$2,465)	(\$2,465)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$483)	(\$483)
Amount appropriated in this Act	----- \$8,103,467	----- \$10,011,767

37.2. Public Defenders

Purpose: The purpose of this appropriation is to assure that adequate and effective legal representation is provided, independently of political considerations or private interests, to indigent persons who are entitled to representation under this chapter; provided that staffing for circuits are based on O.C.G.A. 17-12; including providing representation to clients in cases where the Capital Defender or a circuit public defender has a conflict of interest.

Total Funds	\$82,406,362
Other Funds	\$31,500,000
Other Funds - Not Specifically Identified	\$31,500,000
State Funds	\$50,906,362
State General Funds	\$50,906,362

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$50,155,095	\$81,655,095
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$9,033	\$9,033
Reflect an adjustment in merit system assessments.	(\$3,969)	(\$3,969)
Reflect an adjustment in TeamWorks billings.	(\$14,360)	(\$14,360)
Increase funds to annualize an additional assistant public defender position to reflect a new judgeship in the Northeastern Judicial Circuit.	\$40,318	\$40,318
Increase funds to reflect an accountability court supplement for circuit public defenders for two newly established accountability courts in the Lookout Mountain and Oconee Judicial Circuits.	\$19,172	\$19,172
Increase funds to align the salary scale for public defenders with prosecuting attorneys. (CC:No)	\$0	\$0
Increase funds for 9 additional juvenile public defenders.	\$701,073	\$701,073
The Department of Administrative Services shall conduct a study for personnel to support recruitment and retention efforts for state-paid assistant district attorneys and public defenders and report to the House and Senate Appropriations Committees by December 1, 2018. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$50,906,362	----- \$82,406,362

Section 38: Public Health, Department of

Total Funds	\$688,430,422
Federal Funds and Grants	\$395,951,809
Maternal and Child Health Services Block Grant (CFDA 93.994)	\$16,864,606
Preventive Health and Health Services Block Grant (CFDA 93.991)	\$2,206,829
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$10,404,529
Federal Funds Not Specifically Identified	\$366,475,845
Other Funds	\$10,157,812
Agency Funds	\$561,134
Other Funds - Not Specifically Identified	\$9,596,678
State Funds	\$282,320,801
Brain & Spinal Injury Trust Fund	\$1,445,857
State General Funds	\$267,157,084
Tobacco Settlement Funds	\$13,717,860

38.1. Adolescent and Adult Health Promotion

Purpose: The purpose of this appropriation is to provide education and services to promote the health and well-being of Georgians. Activities include preventing teenage pregnancies, tobacco use prevention, cancer screening and

prevention, and family planning services.

Total Funds	\$38,390,309
Federal Funds and Grants	\$19,467,781
Maternal and Child Health Services Block Grant (CFDA 93.994)	\$516,828
Preventive Health and Health Services Block Grant (CFDA 93.991)	\$149,000
Temporary Assistance for Needy Families Block Grant (CFDA 93.558)	\$10,404,529
Federal Funds Not Specifically Identified	\$8,397,424
Other Funds	\$745,000
Other Funds - Not Specifically Identified	\$745,000
State Funds	\$18,177,528
State General Funds	\$11,320,349
Tobacco Settlement Funds	\$6,857,179

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$14,812,115	\$35,024,896
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,459)	(\$2,459)
Reflect an adjustment in merit system assessments.	(\$34)	(\$34)
Increase funds for the Office of Cardiac Care pursuant to the passage of SB 102 (2017 Session).	\$355,406	\$355,406
Eliminate one-time funds for the evaluation of maternal mortality.	(\$100,000)	(\$100,000)
Provide funds to address maternal mortality in Georgia.	\$2,000,000	\$2,000,000
Provide funds for the Sickle Cell Foundation of Georgia for sickle cell outreach offices to improve access to care and reduce unnecessary emergency room costs.	\$150,000	\$150,000
Provide funds for the Georgia Cancer Control Consortium to fund the Georgia Center for Oncology Research and Education (CORE) and the five regional cancer coalitions.	\$887,500	\$887,500
Provide funds to implement the Diabetes Prevention Program in the five counties with the highest need.	\$75,000	\$75,000
Amount appropriated in this Act	----- \$18,177,528	----- \$38,390,309

38.2. Adult Essential Health Treatment Services

Purpose: The purpose of this appropriation is to provide treatment and services to low-income Georgians with cancer, and Georgians at risk of stroke or heart attacks.

Total Funds	\$6,913,249
Federal Funds and Grants	\$300,000
Preventive Health and Health Services Block Grant (CFDA 93.991)	\$300,000

State Funds	\$6,613,249
Tobacco Settlement Funds	\$6,613,249

38.3. Departmental Administration (DPH)

Purpose: The purpose of this appropriation is to provide administrative support to all departmental programs.

Total Funds	\$35,378,689
Federal Funds and Grants	\$8,312,856
Preventive Health and Health Services Block Grant (CFDA 93.991)	\$1,266,938
Federal Funds Not Specifically Identified	\$7,045,918
Other Funds	\$3,945,000
Other Funds - Not Specifically Identified	\$3,945,000
State Funds	\$23,120,833
State General Funds	\$22,989,038
Tobacco Settlement Funds	\$131,795

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$23,247,220	\$35,505,076
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$69,707)	(\$69,707)
Reflect an adjustment in merit system assessments.	(\$964)	(\$964)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$96,515)	(\$96,515)
Reflect an adjustment in TeamWorks billings.	(\$110,538)	(\$110,538)
Adjust billings for unemployment insurance to reflect claims expenses.	\$101,337	\$101,337
Provide funds for the Georgia Commission on Women as authorized under O.C.G.A 50-12-80 for operations.	\$50,000	\$50,000
Amount appropriated in this Act	----- \$23,120,833	----- \$35,378,689

38.4. Emergency Preparedness/Trauma System Improvement

Purpose: The purpose of this appropriation is to prepare for natural disasters, bioterrorism, and other emergencies, as well as improving the capacity of the state's trauma system.

Total Funds	\$27,603,317
Federal Funds and Grants	\$23,675,473
Maternal and Child Health Services Block Grant (CFDA 93.994)	\$350,000
Preventive Health and Health Services Block Grant (CFDA 93.991)	\$200,000
Federal Funds Not Specifically Identified	\$23,125,473
Other Funds	\$171,976

Other Funds - Not Specifically Identified	\$171,976
State Funds	\$3,755,868
State General Funds	\$3,755,868

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,782,367	\$26,629,816
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$6,007)	(\$6,007)
Reflect an adjustment in merit system assessments.	(\$83)	(\$83)
Contract with the Georgia Trauma Care Network Commission to reinstate funding for the 10 regional Emergency Medical Services training positions. <i>(CC:Provide funds to reinstate 10 regional Emergency Medical Services training positions.)</i>	\$979,591	\$979,591
Amount appropriated in this Act	----- \$3,755,868	----- \$27,603,317

38.5. Epidemiology

Purpose: The purpose of this appropriation is to monitor, investigate, and respond to disease, injury, and other events of public health concern.

Total Funds	\$11,952,836
Federal Funds and Grants	\$6,552,593
Federal Funds Not Specifically Identified	\$6,552,593
State Funds	\$5,400,243
State General Funds	\$5,284,606
Tobacco Settlement Funds	\$115,637

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,777,155	\$11,329,748
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,266	\$1,266
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$4,659)	(\$4,659)
Reflect an adjustment in merit system assessments.	(\$64)	(\$64)
Increase funds for the prescription drug monitoring program pursuant to the passage of HB 249 (2017 Session).	\$626,545	\$626,545
Amount appropriated in this Act	----- \$5,400,243	----- \$11,952,836

38.6. Immunization

Purpose: The purpose of this appropriation is to provide immunization, consultation, training, assessment, vaccines, and technical assistance.

Total Funds	\$9,263,970
Federal Funds and Grants	\$2,061,486
Federal Funds Not Specifically Identified	\$2,061,486
Other Funds	\$4,649,702
Other Funds - Not Specifically Identified	\$4,649,702
State Funds	\$2,552,782
State General Funds	\$2,552,782

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,553,457	\$9,264,645
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$666)	(\$666)
Reflect an adjustment in merit system assessments.	(\$9)	(\$9)
Amount appropriated in this Act	\$2,552,782	\$9,263,970

38.7. Infant and Child Essential Health Treatment Services

Purpose: The purpose of this appropriation is to avoid unnecessary health problems in later life by providing comprehensive health services to infants and children.

Total Funds	\$48,122,620
Federal Funds and Grants	\$22,992,820
Maternal and Child Health Services Block Grant (CFDA 93.994)	\$8,605,171
Preventive Health and Health Services Block Grant (CFDA 93.991)	\$132,509
Federal Funds Not Specifically Identified	\$14,255,140
Other Funds	\$85,000
Other Funds - Not Specifically Identified	\$85,000
State Funds	\$25,044,800
State General Funds	\$25,044,800

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$23,116,794	\$46,194,614
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$3,640)	(\$3,640)
Reflect an adjustment in merit system assessments.	(\$50)	(\$50)
Provide funds to develop capacity for children under 21 who are diagnosed as autistic.	\$100,000	\$100,000
Utilize \$50,700 in existing funds for one program support coordinator position for children under 21 who are diagnosed as autistic. (Total Funds: \$101,400)	\$0	\$0
<i>(CC:Yes)</i>		

Transfer funds from the Office of Children and Families program for the Emory autism contract.	\$399,005	\$399,005
Provide funds to increase the occupational and physical therapy rates in the Babies Can't Wait program. (CC:Provide funds to increase the occupational, speech, and physical therapy rates in the Babies Can't Wait program.)	\$1,103,716	\$1,103,716
Increase funds to reflect a decrease in the Federal Medical Assistance Percentage (FMAP) from 68.50% to 67.62%.	\$328,975	\$328,975
Amount appropriated in this Act	\$25,044,800	\$48,122,620

38.8. Infant and Child Health Promotion

Purpose: The purpose of this appropriation is to provide education and services to promote health and nutrition for infants and children.

Total Funds	\$276,564,622
Federal Funds and Grants	\$263,619,396
Maternal and Child Health Services Block Grant (CFDA 93.994)	\$7,392,607
Federal Funds Not Specifically Identified	\$256,226,789
State Funds	\$12,945,226
State General Funds	\$12,945,226

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$12,953,909	\$276,573,305
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$8,563)	(\$8,563)
Reflect an adjustment in merit system assessments.	(\$120)	(\$120)
Amount appropriated in this Act	\$12,945,226	\$276,564,622

38.9. Infectious Disease Control

Purpose: The purpose of this appropriation is to ensure quality prevention and treatment of HIV/AIDS, sexually transmitted diseases, tuberculosis, and other infectious diseases.

Total Funds	\$80,293,065
Federal Funds and Grants	\$47,927,661
Federal Funds Not Specifically Identified	\$47,927,661
State Funds	\$32,365,404
State General Funds	\$32,365,404

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$32,129,971	\$80,057,632
Reflect an adjustment to agency premiums for	(\$29,854)	(\$29,854)

Department of Administrative Services administered self-insurance programs.		
Reflect an adjustment in merit system assessments.	(\$413)	(\$413)
Provide funds for the Grady Infectious Disease Program to support retention in care efforts for patients with HIV/AIDS.	\$50,000	\$50,000
Provide funds to improve perinatal hepatitis C surveillance, linkage to care, and testing to address the statewide increase of the hepatitis C virus due to the opioid epidemic.	\$215,700	\$215,700
Amount appropriated in this Act	\$32,365,404	\$80,293,065

38.10. Inspections and Environmental Hazard Control

Purpose: The purpose of this appropriation is to detect and prevent environmental hazards, as well as providing inspection and enforcement of health regulations for food service establishments, sewage management facilities, and swimming pools.

Total Funds	\$7,219,666
Federal Funds and Grants	\$511,063
Preventive Health and Health Services Block Grant (CFDA 93.991)	\$158,382
Federal Funds Not Specifically Identified	\$352,681
Other Funds	\$561,134
Agency Funds	\$561,134
State Funds	\$6,147,469
State General Funds	\$6,147,469

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,155,573	\$7,227,770
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$7,993)	(\$7,993)
Reflect an adjustment in merit system assessments.	(\$111)	(\$111)
Amount appropriated in this Act	\$6,147,469	\$7,219,666

38.11. Office for Children and Families

Purpose: The purpose of this appropriation is to enhance coordination and communication among providers and stakeholders of services to families.

Total Funds	\$428,423
State Funds	\$428,423
State General Funds	\$428,423

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$827,428	\$827,428

Transfer funds to the Infant and Child Essential Health Treatment Services program for the Emory autism contract.	(\$399,005)	(\$399,005)
Amount appropriated in this Act	----- \$428,423	----- \$428,423

38.12. Public Health Formula Grants to Counties

Purpose: The purpose of this appropriation is to provide general grant-in-aid to county boards of health delivering local public health services.

Total Funds	\$123,185,657
State Funds	\$123,185,657
State General Funds	\$123,185,657

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$123,188,442	\$123,188,442
Reflect an adjustment in merit system assessments.	(\$24)	(\$24)
Reflect an adjustment in TeamWorks billings.	(\$2,761)	(\$2,761)
Amount appropriated in this Act	----- \$123,185,657	----- \$123,185,657

38.13. Vital Records

Purpose: The purpose of this appropriation is to register, enter, archive and provide to the public in a timely manner vital records and associated documents.

Total Funds	\$4,924,063
Federal Funds and Grants	\$530,680
Federal Funds Not Specifically Identified	\$530,680
State Funds	\$4,393,383
State General Funds	\$4,393,383

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,401,465	\$4,932,145
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,992	\$1,992
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$9,937)	(\$9,937)
Reflect an adjustment in merit system assessments.	(\$137)	(\$137)
Amount appropriated in this Act	----- \$4,393,383	----- \$4,924,063

The following appropriations are for agencies attached for administrative purposes.

38.14. Brain and Spinal Injury Trust Fund

Purpose: The purpose of this appropriation is to provide disbursements from the Trust Fund to offset the costs of care and rehabilitative services to citizens of the state who have survived brain or spinal cord injuries.

Total Funds	\$1,445,857
State Funds	\$1,445,857
Brain & Spinal Injury Trust Fund	\$1,445,857

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,325,935	\$1,325,935
Increase funds to reflect 2017 collections.	\$119,922	\$119,922
Amount appropriated in this Act	\$1,445,857	\$1,445,857

38.15. Georgia Trauma Care Network Commission

Purpose: The purpose of this appropriation is to establish, maintain, and administer a trauma center network, to coordinate the best use of existing trauma facilities and to direct patients to the best available facility for treatment of traumatic injury and participate in the accountability mechanism for the entire Georgia trauma system, primarily overseeing the flow of funds for system improvement.

Total Funds	\$16,744,079
State Funds	\$16,744,079
State General Funds	\$16,744,079

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$16,390,251	\$16,390,251
Reflect an adjustment in merit system assessments.	\$138	\$138
Provide funds to reflect fireworks excise tax collections pursuant to the passage of SR 558 and SB 350 (2016 Session).	\$353,690	\$353,690
Utilize existing funds (\$979,591) to contract with the Department of Public Health's Office of Emergency Preparedness and Trauma System Improvement to reinstate 10 regional Emergency Medical Services training positions. (CC:Yes; Fund in the Emergency Preparedness/Trauma System Improvement program.)	\$0	\$0
Amount appropriated in this Act	\$16,744,079	\$16,744,079

Section 39: Public Safety, Department of

Total Funds	\$248,076,777
Federal Funds and Grants	\$27,054,358
Federal Funds Not Specifically Identified	\$27,054,358

Other Funds	\$15,551,019
Other Funds - Not Specifically Identified	\$15,551,019
State Funds	\$183,471,821
State General Funds	\$183,471,821
Intra-State Government Transfers	\$21,999,579
Other Intra-State Government Payments	\$21,999,579

39.1. Aviation

Purpose: The purpose of this appropriation is to provide aerial support for search and rescue missions and search and apprehension missions in criminal pursuits within the State of Georgia; to provide transport flights to conduct state business, for emergency medical transport, and to support local and federal agencies in public safety efforts with aerial surveillance and observation.

Total Funds	\$4,584,439
Federal Funds and Grants	\$10,034
Federal Funds Not Specifically Identified	\$10,034
Other Funds	\$100,000
Other Funds - Not Specifically Identified	\$100,000
State Funds	\$4,474,405
State General Funds	\$4,474,405

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,478,155	\$4,588,189
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,678)	(\$2,678)
Reflect an adjustment in merit system assessments.	\$116	\$116
Reflect an adjustment in TeamWorks billings.	(\$1,188)	(\$1,188)
Amount appropriated in this Act	\$4,474,405	\$4,584,439

39.2. Capitol Police Services

Purpose: The purpose of this appropriation is to protect life and property in the Capitol Square area, enforce traffic regulations around the Capitol, monitor entrances of state buildings, screen packages and personal items of individuals entering state facilities, and provide general security for elected officials, government employees, and visitors to the Capitol.

Total Funds	\$8,143,321
Intra-State Government Transfers	\$8,143,321
Other Intra-State Government Payments	\$8,143,321

39.3. Departmental Administration (DPS)

Purpose: The purpose of this appropriation is to provide administrative

support for all programs of the department and administratively attached agencies.

Total Funds	\$9,474,434
Federal Funds and Grants	\$5,571
Federal Funds Not Specifically Identified	\$5,571
Other Funds	\$3,510
Other Funds - Not Specifically Identified	\$3,510
State Funds	\$9,465,353
State General Funds	\$9,465,353

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$9,509,912	\$9,518,993
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$7,645)	(\$7,645)
Reflect an adjustment in merit system assessments.	\$330	\$330
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$7,472)	(\$7,472)
Reflect an adjustment in TeamWorks billings.	(\$3,391)	(\$3,391)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$26,381)	(\$26,381)
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$9,465,353	----- \$9,474,434

39.4. Field Offices and Services

Purpose: The purpose of this appropriation is to provide enforcement for traffic and criminal laws through the Department of Public Safety's Uniform Division, and support a variety of specialized teams and offices, which include the Motorcycle Unit, Criminal Interdiction Unit, the Crisis Negotiations Team, the Special Projects Adjutant Office, Headquarters Adjutant Office, Special Investigations Office, the Special Weapons and Tactics (SWAT) Unit, and the Training Unit.

Total Funds	\$140,312,366
Federal Funds and Grants	\$1,888,148
Federal Funds Not Specifically Identified	\$1,888,148
Other Funds	\$1,563,900
Other Funds - Not Specifically Identified	\$1,563,900
State Funds	\$129,821,610
State General Funds	\$129,821,610
Intra-State Government Transfers	\$7,038,708
Other Intra-State Government Payments	\$7,038,708

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$125,545,315	\$136,036,071
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$101,891)	(\$101,891)
Reflect an adjustment in merit system assessments.	\$4,399	\$4,399
Reflect an adjustment in TeamWorks billings.	(\$45,196)	(\$45,196)
Provide funds for the second phase of the Department's transfer of network management services to the Georgia Technology Authority.	\$1,171,713	\$1,171,713
Increase funds for personal services associated with one 75-person trooper school.	\$3,247,270	\$3,247,270
Amount appropriated in this Act	----- \$129,821,610	----- \$140,312,366

39.5. Motor Carrier Compliance

Purpose: The purpose of this appropriation is to provide inspection, regulation, and enforcement for size, weight, and safety standards as well as traffic and criminal laws for commercial motor carriers, limousines, non-consensual tow trucks, household goods movers, all buses, and large passenger vehicles as well as providing High Occupancy Vehicle and High Occupancy Toll lane use restriction enforcement.

Total Funds	\$30,123,490
Federal Funds and Grants	\$3,880,764
Federal Funds Not Specifically Identified	\$3,880,764
Other Funds	\$10,531,144
Other Funds - Not Specifically Identified	\$10,531,144
State Funds	\$14,497,182
State General Funds	\$14,497,182
Intra-State Government Transfers	\$1,214,400
Other Intra-State Government Payments	\$1,214,400

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$15,008,523	\$30,134,831
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$3,275	\$3,275
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$10,437)	(\$10,437)
Reflect an adjustment in merit system assessments.	\$450	\$450
Reflect an adjustment in TeamWorks billings.	(\$4,629)	(\$4,629)
Recognize additional Unified Carrier Registration receipts.	(\$500,000)	\$0
Amount appropriated in this Act	----- \$14,497,182	----- \$30,123,490

The following appropriations are for agencies attached for administrative purposes.

39.6. Georgia Firefighter Standards and Training Council

Purpose: The purpose of this appropriation is to provide professionally trained, competent, and ethical firefighters with the proper equipment and facilities to ensure a fire-safe environment for Georgia citizens, and establish professional standards for fire service training including consulting, testing, and certification of Georgia firefighters.

Total Funds	\$1,207,821
State Funds	\$1,207,821
State General Funds	\$1,207,821

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,008,460	\$1,008,460
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$292)	(\$292)
Reflect an adjustment in merit system assessments.	\$64	\$64
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,905	\$2,905
Adjust billings for unemployment insurance to reflect claims expenses.	(\$10)	(\$10)
Provide funds to reflect fireworks excise tax collections pursuant to the passage of SR 558 and SB 350 (2016 Session).	\$257,230	\$257,230
Eliminate funds for one-time purchase of two vehicles and equipment for compliance manager positions.	(\$60,536)	(\$60,536)
Increase funds for temporary personnel to reinstate the compensation for proctors, monitors, and evaluators for course and test validation processes. (CC:No)	\$0	\$0
Amount appropriated in this Act	----- \$1,207,821	----- \$1,207,821

39.7. Georgia Peace Officer Standards and Training Council

Purpose: The purpose of this appropriation is to set standards for the law enforcement community; ensure adequate training at the highest level for all of Georgia's law enforcement officers and public safety professionals; and, certify individuals when all requirements are met. Investigate officers and public safety professionals when an allegation of unethical and/or illegal conduct is made, and sanction these individuals by disciplining officers and public safety professionals when necessary.

Total Funds	\$4,156,959
State Funds	\$4,156,959
State General Funds	\$4,156,959

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,574,821	\$3,574,821
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$8,031	\$8,031
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,974)	(\$1,974)
Reflect an adjustment in merit system assessments.	\$55	\$55
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,620	\$2,620
Adjust billings for unemployment insurance to reflect claims expenses.	(\$3)	(\$3)
Eliminate funds for one-time purchase of equipment for two criminal investigator positions.	(\$5,900)	(\$5,900)
Provide additional funds for Georgia Association of Chiefs of Police sponsored training.	\$216,054	\$216,054
Increase funds for training for the first cohort of certified jail officers with priority given to officers in Tier 1 counties.	\$363,255	\$363,255
Amount appropriated in this Act	----- \$4,156,959	----- \$4,156,959

39.8. Georgia Public Safety Training Center

Purpose: The purpose of this appropriation is to develop, deliver, and facilitate training that results in professional and competent public safety services for the people of Georgia.

Total Funds	\$26,206,739
Federal Funds and Grants	\$1,580,663
Federal Funds Not Specifically Identified	\$1,580,663
Other Funds	\$3,007,863
Other Funds - Not Specifically Identified	\$3,007,863
State Funds	\$16,323,373
State General Funds	\$16,323,373
Intra-State Government Transfers	\$5,294,840
Other Intra-State Government Payments	\$5,294,840

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$15,904,175	\$25,787,541
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$56,970)	(\$56,970)
Reflect an adjustment in merit system assessments.	\$221	\$221
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$6,896	\$6,896
Adjust billings for unemployment insurance to reflect claims expenses.	(\$357)	(\$357)

Increase funds for personal services and operating expenses for five Crisis Intervention Training (CIT) instructors.	\$514,291	\$514,291
Eliminate funds for one-time purchase of computer equipment associated with online public safety training courses.	(\$20,286)	(\$20,286)
Eliminate funds for one-time purchase of laptops and projectors for 12 Crisis Intervention Training (CIT) positions.	(\$24,597)	(\$24,597)
Increase funds for one driving simulator for Advanced/Specialized Training. (CC:No)	\$0	\$0
Amount appropriated in this Act	\$16,323,373	\$26,206,739

39.9. Office of Highway Safety

Purpose: The purpose of this appropriation is to educate the public on highway safety issues, and facilitate the implementation of programs to reduce crashes, injuries, and fatalities on Georgia roadways.

Total Funds	\$23,867,208
Federal Funds and Grants	\$19,689,178
Federal Funds Not Specifically Identified	\$19,689,178
Other Funds	\$344,602
Other Funds - Not Specifically Identified	\$344,602
State Funds	\$3,525,118
State General Funds	\$3,525,118
Intra-State Government Transfers	\$308,310
Other Intra-State Government Payments	\$308,310

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,524,883	\$23,866,973
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$882)	(\$882)
Reflect an adjustment in merit system assessments.	(\$150)	(\$150)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,276	\$1,276
Adjust billings for unemployment insurance to reflect claims expenses.	(\$9)	(\$9)
Amount appropriated in this Act	\$3,525,118	\$23,867,208

Section 40: Public Service Commission

Total Funds	\$11,010,471
Federal Funds and Grants	\$1,343,100
Federal Funds Not Specifically Identified	\$1,343,100
State Funds	\$9,667,371

State General Funds

\$9,667,371

40.1. Commission Administration (PSC)

Purpose: The purpose of this appropriation is to assist the Commissioners and staff in achieving the agency's goals.

Total Funds	\$1,639,665
Federal Funds and Grants	\$83,500
Federal Funds Not Specifically Identified	\$83,500
State Funds	\$1,556,165
State General Funds	\$1,556,165

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,554,632	\$1,638,132
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,085)	(\$1,085)
Reflect an adjustment in merit system assessments.	(\$571)	(\$571)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$3,098	\$3,098
Reflect an adjustment in TeamWorks billings.	(\$221)	(\$221)
Adjust billings for unemployment insurance to reflect claims expenses.	\$312	\$312
Provide funds for one attorney position and one engineer position. (CC:Reflect in the Utilities Regulation program.)	\$0	\$0
Amount appropriated in this Act	----- \$1,556,165	----- \$1,639,665

40.2. Facility Protection

Purpose: The purpose of this appropriation is to enforce state and federal regulations pertaining to buried utility facility infrastructure and to promote safety through training and inspections.

Total Funds	\$2,349,052
Federal Funds and Grants	\$1,231,100
Federal Funds Not Specifically Identified	\$1,231,100
State Funds	\$1,117,952
State General Funds	\$1,117,952

40.3. Utilities Regulation

Purpose: The purpose of this appropriation is to monitor the rates and service standards of electric, natural gas, and telecommunications companies, approve supply plans for electric and natural gas companies, monitor utility system and telecommunications network planning, arbitrate complaints among competitors, provide consumer protection and education, and certify competitive natural gas and telecommunications providers.

Total Funds	\$7,021,754
Federal Funds and Grants	\$28,500
Federal Funds Not Specifically Identified	\$28,500
State Funds	\$6,993,254
State General Funds	\$6,993,254

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,761,602	\$6,790,102
Provide funds for one engineer position. (CC:Provide funds for one attorney and one engineer position.)	\$231,652	\$231,652
Amount appropriated in this Act	----- \$6,993,254	----- \$7,021,754

Section 41: Regents, University System of Georgia Board of

Total Funds	\$7,818,298,952
Other Funds	\$5,390,053,720
Agency Funds	\$3,054,451,434
Other Funds - Not Specifically Identified	\$659,792
Records Center Storage Fee	\$618,902
Research Funds	\$2,334,323,592
State Funds	\$2,428,245,232
State General Funds	\$2,428,245,232

41.1. Agricultural Experiment Station

Purpose: The purpose of this appropriation is to improve production, processing, new product development, food safety, storage, and marketing to increase profitability and global competitiveness of Georgia's agribusiness.

Total Funds	\$84,228,117
Other Funds	\$37,552,919
Agency Funds	\$15,552,919
Research Funds	\$22,000,000
State Funds	\$46,675,198
State General Funds	\$46,675,198

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$45,107,031	\$82,659,950
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$770,204	\$770,204
Provide one-time funds for whitefly management research.	\$223,823	\$223,823
Provide funds for a pasture weeds and forage specialist	\$402,740	\$402,740

in crop and soil sciences, a distinguished investigator and professor in peanut genetics and genomics, a soil nutritionist in crop and soil sciences, and a postharvest physiologist in horticulture.		
Provide funds for a turfgrass pathologist to develop disease-resistant grass and forage cultivars.	\$171,400	\$171,400
Amount appropriated in this Act	----- \$46,675,198	----- \$84,228,117

41.2. Athens and Tifton Veterinary Laboratories Contract

Purpose: The purpose of this appropriation is to provide diagnostic services, educational outreach, and consultation for veterinarians and animal owners to ensure the safety of Georgia's food supply and the health of Georgia's production, equine, and companion animals.

Total Funds	\$6,609,688
Other Funds	\$6,609,688
Agency Funds	\$6,234,688
Research Funds	\$375,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$6,609,688
Reflect a change in the program name from Athens and Tifton Veterinary Laboratories to Athens & Tifton Veterinary Laboratories. (CC:Yes; Reflect a change in the program name from Athens and Tifton Veterinary Laboratories to Athens and Tifton Veterinary Laboratories Contract.)	\$0	\$0
Amount appropriated in this Act	----- \$0	----- \$6,609,688

41.3. Cooperative Extension Service

Purpose: The purpose of this appropriation is to provide training, educational programs, and outreach to Georgians in agricultural, horticultural, food, and family and consumer sciences, and to manage the 4-H youth program for the state.

Total Funds	\$72,952,672
Other Funds	\$31,333,929
Agency Funds	\$21,333,929
Research Funds	\$10,000,000
State Funds	\$41,618,743
State General Funds	\$41,618,743

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$39,842,725	\$71,176,654
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81%	\$1,126,358	\$1,126,358

to 20.90%.		
Provide funds for six educator positions to support Agricultural and Natural Resources, 4-H Youth Development, and the Family and Consumer Sciences educational program.	\$324,000	\$324,000
Provide funds for a pasture weeds and forage specialist in crop and soil sciences, a soil nutritionist in crop and soil sciences, and a postharvest physiologist in horticulture.	\$325,660	\$325,660
Amount appropriated in this Act	\$41,618,743	\$72,952,672

41.4. Enterprise Innovation Institute

Purpose: The purpose of this appropriation is to advise Georgia manufacturers, entrepreneurs, and government officials on best business practices and technology-driven economic development, and to provide the state share to federal incentive and assistance programs for entrepreneurs and innovative businesses.

Total Funds	\$30,476,909
Other Funds	\$10,900,000
Agency Funds	\$10,900,000
State Funds	\$19,576,909
State General Funds	\$19,576,909

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$19,510,493	\$30,410,493
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$66,416	\$66,416
Amount appropriated in this Act	\$19,576,909	\$30,476,909

41.5. Forestry Cooperative Extension

Purpose: The purpose of this appropriation is to provide funding for faculty to support instruction and outreach about conservation and sustainable management of forests and other natural resources.

Total Funds	\$1,791,116
Other Funds	\$575,988
Agency Funds	\$100,000
Research Funds	\$475,988
State Funds	\$1,215,128
State General Funds	\$1,215,128

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$983,248	\$1,559,236

Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$11,880	\$11,880
Provide one-time funds for building maintenance at Whitehall Forest in Athens.	\$170,000	\$170,000
Provide one-time funds for the demolition of surplus buildings at B.F. Grant Memorial Forest and Whitehall Forest.	\$50,000	\$50,000
Amount appropriated in this Act	\$1,215,128	\$1,791,116

41.6. Forestry Research

Purpose: The purpose of this appropriation is to conduct research about economically and environmentally sound forest resources management and to assist non-industrial forest landowners and natural resources professionals in complying with state and federal regulations.

Total Funds	\$13,210,276
Other Funds	\$10,250,426
Agency Funds	\$590,634
Other Funds - Not Specifically Identified	\$659,792
Research Funds	\$9,000,000
State Funds	\$2,959,850
State General Funds	\$2,959,850

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,908,323	\$13,158,749
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$51,527	\$51,527
Amount appropriated in this Act	\$2,959,850	\$13,210,276

41.7. Georgia Archives

Purpose: The purpose of this appropriation is to maintain the state's archives; document and interpret the history of the Georgia State Capitol building; and assist State Agencies with adequately documenting their activities, administering their records management programs, scheduling their records, and transferring their non-current records to the State Records Center.

Total Funds	\$5,635,020
Other Funds	\$883,030
Agency Funds	\$264,128
Records Center Storage Fee	\$618,902
State Funds	\$4,751,990
State General Funds	\$4,751,990

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,720,507	\$5,603,537
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$31,483	\$31,483
Amount appropriated in this Act	----- \$4,751,990	----- \$5,635,020

41.8. Georgia Cyber Innovation and Training Center

Purpose: The purpose of this appropriation is to enhance cybersecurity technology for private and public industries through unique education, training, research, and practical applications.

Total Funds	\$4,407,753
State Funds	\$4,407,753
State General Funds	\$4,407,753

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$0
Provide funds for 19 positions and operating expenses to facilitate economic development through collaboration between technology industry leaders, startup companies, and government to recruit, train, and retain cybersecurity technology experts.	\$4,407,753	\$4,407,753
Amount appropriated in this Act	----- \$4,407,753	----- \$4,407,753

41.9. Georgia Radiation Therapy Center

Purpose: The purpose of this appropriation is to provide care and treatment for cancer patients and to administer baccalaureate programs in Medical Dosimetry and Radiation Therapy.

Total Funds	\$0
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The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$4,236,754
Eliminate other funds.	\$0	(\$4,236,754)
Amount appropriated in this Act	----- \$0	----- \$0

41.10. Georgia Research Alliance

Purpose: The purpose of this appropriation is to expand research and commercialization capacity in public and private universities in Georgia to launch new companies and create jobs.

Total Funds	\$5,117,588
State Funds	\$5,117,588
State General Funds	\$5,117,588

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$5,105,243	\$5,105,243
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$12,345	\$12,345
Amount appropriated in this Act	----- \$5,117,588	----- \$5,117,588

41.11. Georgia Tech Research Institute

Purpose: The purpose of this appropriation is to provide funding to laboratories and research centers affiliated with the Georgia Institute of Technology whose scientific, engineering, industrial, or policy research promotes economic development, health, and safety in Georgia.

Total Funds	\$412,320,491
Other Funds	\$406,225,535
Research Funds	\$406,225,535
State Funds	\$6,094,956
State General Funds	\$6,094,956

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,072,039	\$412,297,574
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$22,917	\$22,917
Amount appropriated in this Act	----- \$6,094,956	----- \$412,320,491

41.12. Marine Institute

Purpose: The purpose of this appropriation is to support research on coastal processes involving the unique ecosystems of the Georgia coastline and to provide access and facilities for graduate and undergraduate classes to conduct field research on the Georgia coast.

Total Funds	\$1,499,519
Other Funds	\$486,281
Agency Funds	\$118,633
Research Funds	\$367,648
State Funds	\$1,013,238
State General Funds	\$1,013,238

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$993,619	\$1,479,900
Increase funds to reflect an adjustment in the employer	\$19,619	\$19,619

share of the Teachers Retirement System from 16.81% to 20.90%.		
Amount appropriated in this Act	-----	-----
	\$1,013,238	\$1,499,519

41.13. Marine Resources Extension Center

Purpose: The purpose of this appropriation is to fund outreach, education, and research to enhance coastal environmental and economic sustainability.

Total Funds	\$2,900,458
Other Funds	\$1,345,529
Agency Funds	\$745,529
Research Funds	\$600,000
State Funds	\$1,554,929
State General Funds	\$1,554,929

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,522,189	\$2,867,718
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$32,740	\$32,740
Amount appropriated in this Act	-----	-----
	\$1,554,929	\$2,900,458

41.14. Medical College of Georgia Hospital and Clinics

Purpose: The purpose of this appropriation is to provide medical education and patient care, including ambulatory, trauma, cancer, neonatal intensive, and emergency and express care.

Total Funds	\$31,992,211
State Funds	\$31,992,211
State General Funds	\$31,992,211

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$30,392,211	\$30,392,211
Transfer funds to offset the operating deficit for medical education and patient care from the Georgia Vocational Rehabilitation Agency: Roosevelt Warm Springs Medical Hospital.	\$1,600,000	\$1,600,000
Amount appropriated in this Act	-----	-----
	\$31,992,211	\$31,992,211

41.15. Public Libraries

Purpose: The purpose of this appropriation is to award grants from the Public Library Fund, promote literacy, and provide library services that facilitate access to information for all Georgians regardless of geographic location or special needs.

Total Funds	\$42,998,676
Other Funds	\$4,287,961
Agency Funds	\$4,287,961
State Funds	\$38,710,715
State General Funds	\$38,710,715

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$37,205,936	\$41,493,897
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$797,365	\$797,365
Increase funds for the New Directions formula based on an increase in the state population.	\$169,108	\$169,108
Increase funds for the New Directions formula to provide for a \$0.30 per capita funding for materials grants.	\$538,306	\$538,306
Amount appropriated in this Act	----- \$38,710,715	----- \$42,998,676

41.16. Public Service/Special Funding Initiatives

Purpose: The purpose of this appropriation is to fund leadership, service, and education initiatives that require funding beyond what is provided by formula.

Total Funds	\$28,540,259
State Funds	\$28,540,259
State General Funds	\$28,540,259

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$24,997,015	\$24,997,015
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$164,344	\$164,344
Increase funds for Georgia Youth Science and Technology Centers.	\$125,000	\$125,000
Provide funds for the Center for Rural Prosperity and Innovations as recommended by the House Rural Development Council.	\$1,717,100	\$1,717,100
Increase funds for the planning, operations, and Phase I implementation of the Agricultural History Georgia Capitol Museum.	\$166,800	\$166,800
Increase funds to establish an Adrenal Center Adrenal Disease program at the Medical College of Georgia at Augusta University	\$1,370,000	\$1,370,000
Amount appropriated in this Act	----- \$28,540,259	----- \$28,540,259

41.17. Regents Central Office

Purpose: The purpose of this appropriation is to provide administrative

support to institutions of the University System of Georgia and to fund membership in the Southern Regional Education Board.

Total Funds	\$12,327,579
State Funds	\$12,327,579
State General Funds	\$12,327,579

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$12,250,625	\$12,250,625
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$65,954	\$65,954
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$17,398	\$17,398
Adjust billings for unemployment insurance to reflect claims expenses.	(\$6,398)	(\$6,398)
Utilize existing funds for the Southern Regional Education Board to reflect FY 2019 dues and contracts amounts (\$20,036). (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$12,327,579	----- \$12,327,579

41.18. Skidaway Institute of Oceanography

Purpose: The purpose of this appropriation is to fund research and educational programs regarding marine and ocean science and aquatic environments.

Total Funds	\$5,425,465
Other Funds	\$3,900,620
Agency Funds	\$1,150,000
Research Funds	\$2,750,620
State Funds	\$1,524,845
State General Funds	\$1,524,845

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,388,024	\$5,288,644
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$22,421	\$22,421
Provide funds for research activities and experiential learning on Research Vessel Savannah.	\$114,400	\$114,400
Amount appropriated in this Act	----- \$1,524,845	----- \$5,425,465

41.19. Teaching

Purpose: The purpose of this appropriation is to provide funds to the Board of Regents for annual allocations to University System of Georgia institutions for

student instruction and to establish and operate other initiatives that promote, support, or extend student learning.

Total Funds	\$7,011,218,216
Other Funds	\$4,857,951,814
Agency Funds	\$2,975,423,013
Research Funds	\$1,882,528,801
State Funds	\$2,153,266,402
State General Funds	\$2,153,266,402

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,047,001,762	\$6,904,953,576
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$56,894,999	\$56,894,999
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$2,629,803)	(\$2,629,803)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$83,311)	(\$83,311)
Increase funds to reflect the change in enrollment (\$51,060,786) and square footage (\$3,216,434) at University System of Georgia institutions. <i>(CC: Increase funds to reflect the change in enrollment (\$51,060,786) and square footage (\$3,216,434) at University System of Georgia institutions.)</i>	\$54,277,220	\$54,277,220
Reduce funds for Georgia Gwinnett College (GGC) to reflect year five of the seven year plan to eliminate the GGC Special Funding Initiative.	(\$1,375,000)	(\$1,375,000)
Adjust the debt service payback amount for a project at the University of Georgia.	\$830,125	\$830,125
Transfer funds for the Bainbridge State College campus to the Technical Education program in the Technical College System of Georgia.	(\$1,143,795)	(\$1,143,795)
Utilize existing system funds for the University of Georgia to provide new experiential learning opportunities through the School of Public and International Affairs that promote careers in public service and provide an annual report on outcomes to the university's president. <i>(CC: Yes)</i>	\$0	\$0
Reduce funds to recognize savings from consolidation and report on system-wide savings to the House and Senate Appropriations Committee as well as the House and Senate Higher Education Committees by December 1, 2018.	(\$505,795)	(\$505,795)
Amount appropriated in this Act	----- \$2,153,266,402	----- \$7,011,218,216

41.20. Veterinary Medicine Experiment Station

Purpose: The purpose of this appropriation is to coordinate and conduct

research at the University of Georgia on animal disease problems of present and potential concern to Georgia's livestock and poultry industries and to provide training and education in disease research, surveillance, and intervention.

Total Funds	\$4,641,590
State Funds	\$4,641,590
State General Funds	\$4,641,590

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,209,528	\$3,209,528
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$53,812	\$53,812
Increase funds for personal services to annualize the lab supervisor and lab technician positions at the Poultry Diagnostic Research Center and two field services clinical veterinarian positions dedicated to food animal practice.	\$108,750	\$108,750
Provide funds for a poultry clinical services veterinarian to address avian influenza.	\$160,000	\$160,000
Increase funds for maintenance and operations.	\$157,500	\$157,500
Provide one-time funds for a Food Animal Medicine Haul-In Facility in Tifton.	\$900,000	\$900,000
Provide funds for a technician to support applied research at Tifton Veterinary Diagnostic and Investigational Laboratory.	\$52,000	\$52,000
Amount appropriated in this Act	----- \$4,641,590	----- \$4,641,590

41.21. Veterinary Medicine Teaching Hospital

Purpose: The purpose of this appropriation is to provide clinical instruction for veterinary medicine students, support research that enhances the health and welfare of production and companion animals in Georgia, and address the shortage of veterinarians in Georgia and the nation.

Total Funds	\$18,229,119
Other Funds	\$17,750,000
Agency Funds	\$17,750,000
State Funds	\$479,119
State General Funds	\$479,119

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$465,826	\$18,215,826
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$13,293	\$13,293

Amount appropriated in this Act	\$479,119	\$18,229,119
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The following appropriations are for agencies attached for administrative purposes.

41.22. Payments to Georgia Military College

Purpose: The purpose of this appropriation is to provide quality basic education funding for grades six through twelve at Georgia Military College's Junior Military College and preparatory school.

Total Funds	\$6,580,422
State Funds	\$6,580,422
State General Funds	\$6,580,422

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,162,608	\$6,162,608
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$450,000	\$450,000
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$42,227)	(\$42,227)
Adjust billings for unemployment insurance to reflect claims expenses.	\$13,429	\$13,429
Adjust funds for enrollment decline and training and experience at the Georgia Military College Preparatory School.	(\$3,388)	(\$3,388)
Amount appropriated in this Act	----- \$6,580,422	----- \$6,580,422

41.23. Payments to Georgia Public Telecommunications Commission

Purpose: The purpose of this appropriation is to create, produce, and distribute high quality programs and services that educate, inform, and entertain audiences, and enrich the quality of their lives.

Total Funds	\$15,195,808
State Funds	\$15,195,808
State General Funds	\$15,195,808

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$15,247,024	\$15,247,024
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$6,853	\$6,853
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$51,488)	(\$51,488)

Reflect an adjustment in merit system assessments.	(\$194)	(\$194)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$3,433	\$3,433
Reflect an adjustment in TeamWorks billings.	(\$15,492)	(\$15,492)
Adjust billings for unemployment insurance to reflect claims expenses.	\$5,672	\$5,672
Amount appropriated in this Act	----- \$15,195,808	----- \$15,195,808

Section 42: Revenue, Department of

Total Funds	\$194,678,681
Federal Funds and Grants	\$2,113,684
Prevention and Treatment of Substance Abuse Block Grant (CFDA 93.959)	\$518,898
Federal Funds Not Specifically Identified	\$1,594,786
Other Funds	\$2,149,632
Other Funds - Not Specifically Identified	\$2,149,632
State Funds	\$190,415,365
State General Funds	\$189,981,582
Tobacco Settlement Funds	\$433,783

42.1. Departmental Administration (DOR)

Purpose: The purpose of this appropriation is to administer and enforce the tax laws of the State of Georgia and provide general support services to the operating programs of the Department of Revenue.

Total Funds	\$14,326,164
State Funds	\$14,326,164
State General Funds	\$14,326,164

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$14,328,477	\$14,328,477
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$3,695	\$3,695
Reflect an adjustment in merit system assessments.	(\$322)	(\$322)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	(\$2,934)	(\$2,934)
Reflect an adjustment in TeamWorks billings.	(\$8,634)	(\$8,634)
Adjust billings for unemployment insurance to reflect claims expenses.	\$5,882	\$5,882
Amount appropriated in this Act	----- \$14,326,164	----- \$14,326,164

42.2. Forestland Protection Grants

Purpose: The purpose of this appropriation is to provide reimbursement for preferential assessment of qualifying conservation use forestland to counties,

municipalities, and school districts pursuant to O.C.G.A. 48-5A-2, the Forestland Protection Act, created by HB 1211 and HB 1276 during the 2008 legislative session.

Total Funds	\$14,072,351
State Funds	\$14,072,351
State General Funds	\$14,072,351

42.3. Industry Regulation

Purpose: The purpose of this appropriation is to provide regulation of the distribution, sale, and consumption of alcoholic beverages, tobacco products; and conduct checkpoints in areas where reports indicate the use of dyed fuels in on-road vehicles.

Total Funds	\$9,494,855
Federal Funds and Grants	\$1,280,859
Prevention and Treatment of Substance Abuse Block Grant (CFDA 93.959)	\$518,898
Federal Funds Not Specifically Identified	\$761,961
Other Funds	\$591,911
Other Funds - Not Specifically Identified	\$591,911
State Funds	\$7,622,085
State General Funds	\$7,188,302
Tobacco Settlement Funds	\$433,783

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$7,624,064	\$9,496,834
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$1,390	\$1,390
Reflect an adjustment in merit system assessments.	(\$121)	(\$121)
Reflect an adjustment in TeamWorks billings.	(\$3,248)	(\$3,248)
Amount appropriated in this Act	\$7,622,085	\$9,494,855

42.4. Local Government Services

Purpose: The purpose of this appropriation is to assist local tax officials with the administration of state tax laws and administer the unclaimed property unit.

Total Funds	\$5,136,317
Other Funds	\$200,000
Other Funds - Not Specifically Identified	\$200,000
State Funds	\$4,936,317
State General Funds	\$4,936,317

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,937,881	\$5,137,881
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$1,098	\$1,098
Reflect an adjustment in merit system assessments.	(\$96)	(\$96)
Reflect an adjustment in TeamWorks billings.	(\$2,566)	(\$2,566)
Amount appropriated in this Act	----- \$4,936,317	----- \$5,136,317

42.5. Local Tax Officials Retirement and FICA

Purpose: The purpose of this appropriation is to provide state retirement benefits and employer share of FICA to local tax officials.

Total Funds	\$10,877,034
State Funds	\$10,877,034
State General Funds	\$10,877,034

42.6. Motor Vehicle Registration and Titling

Purpose: The purpose of this appropriation is to establish motor vehicle ownership by maintaining title and registration records and validate rebuilt vehicles for road-worthiness for new title issuance.

Total Funds	\$42,108,543
State Funds	\$42,108,543
State General Funds	\$42,108,543

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$37,964,300	\$37,964,300
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$5,063	\$5,063
Reflect an adjustment in merit system assessments.	(\$442)	(\$442)
Reflect an adjustment in TeamWorks billings.	(\$11,832)	(\$11,832)
Increase funds for telecommunications expenses.	\$726,177	\$726,177
Increase funds for one customer service representative and one odometer fraud investigator.	\$99,378	\$99,378
Utilize existing funds to conduct a feasibility study on internet connectivity associated with the implementation of DRIVES. (CC: Transfer funds from the Revenue Processing program for DRIVES connectivity.)	\$2,100,000	\$2,100,000
Transfer funds from the Revenue Processing program to allow for more efficient delivery of services.	\$1,225,899	\$1,225,899
Amount appropriated in this Act	----- \$42,108,543	----- \$42,108,543

42.7. Office of Special Investigations

Purpose: The purpose of this appropriation is to investigate fraudulent

taxpayer and criminal activities involving department efforts.

Total Funds	\$6,369,708
Federal Funds and Grants	\$58,879
Federal Funds Not Specifically Identified	\$58,879
Other Funds	\$93,278
Other Funds - Not Specifically Identified	\$93,278
State Funds	\$6,217,551
State General Funds	\$6,217,551

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,219,141	\$6,371,298
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$1,117	\$1,117
Reflect an adjustment in merit system assessments.	(\$97)	(\$97)
Reflect an adjustment in TeamWorks billings.	(\$2,610)	(\$2,610)
Amount appropriated in this Act	\$6,217,551	\$6,369,708

42.8. Revenue Processing

Purpose: The purpose of this appropriation is to ensure that all tax payments are received, credited, and deposited according to sound business practices and the law, and to ensure that all tax returns are reviewed and recorded to accurately update taxpayer information.

Total Funds \$0

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$14,124,112	\$14,124,112
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs. (CC:No)	\$0	\$0
Reflect an adjustment in merit system assessments. (CC:No)	\$0	\$0
Reflect an adjustment in TeamWorks billings. (CC:No)	\$0	\$0
Transfer funds from the Revenue Processing program to the Motor Vehicle Registration and Titling and Taxpayer Services programs to allow for more efficient delivery of services.	(\$14,124,112)	(\$14,124,112)
Amount appropriated in this Act	\$0	\$0

42.9. Tax Compliance

Purpose: The purpose of this appropriation is to audit tax accounts, ensure compliance, and collect on delinquent accounts.

Total Funds \$61,795,378

Federal Funds and Grants	\$398,439
Federal Funds Not Specifically Identified	\$398,439
Other Funds	\$1,264,443
Other Funds - Not Specifically Identified	\$1,264,443
State Funds	\$60,132,496
State General Funds	\$60,132,496

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$60,148,170	\$61,811,052
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,513	\$1,513
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$12,068	\$12,068
Reflect an adjustment in merit system assessments.	(\$1,052)	(\$1,052)
Reflect an adjustment in TeamWorks billings.	(\$28,203)	(\$28,203)
Amount appropriated in this Act	----- \$60,132,496	----- \$61,795,378

42.10. Tax Policy

Purpose: The purpose of this appropriation is to conduct all administrative appeals of tax assessments; draft regulations for taxes collected by the department; support the State Board of Equalization; and draft letter rulings and provide research and analysis related to all tax law and policy inquiries.

Total Funds	\$4,324,143
State Funds	\$4,324,143
State General Funds	\$4,324,143

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$4,324,227	\$4,324,227
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$1,571	\$1,571
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$1,162	\$1,162
Reflect an adjustment in merit system assessments.	(\$101)	(\$101)
Reflect an adjustment in TeamWorks billings.	(\$2,716)	(\$2,716)
Amount appropriated in this Act	----- \$4,324,143	----- \$4,324,143

42.11. Taxpayer Services

Purpose: The purpose of this appropriation is to provide assistance to customer inquiries about the administration of individual income tax, sales and use tax, withholding tax, corporate tax, motor fuel and motor carrier taxes,

and all registration functions.

Total Funds	\$26,174,188
Federal Funds and Grants	\$375,507
Federal Funds Not Specifically Identified	\$375,507
State Funds	\$25,798,681
State General Funds	\$25,798,681

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$14,880,676	\$15,256,183
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$2,475	\$2,475
Reflect an adjustment in merit system assessments.	(\$216)	(\$216)
Reflect an adjustment in TeamWorks billings.	(\$5,785)	(\$5,785)
Increase funds for two tax examiner positions to address increased workload associated with processing business tax credits.	\$123,318	\$123,318
Transfer funds from the Revenue Processing program to allow for more efficient delivery of services.	\$10,798,213	\$10,798,213
Amount appropriated in this Act	----- \$25,798,681	----- \$26,174,188

Section 43: Secretary of State

Total Funds	\$29,775,724
Federal Funds and Grants	\$325,000
Federal Funds Not Specifically Identified	\$325,000
Other Funds	\$4,425,596
Other Funds - Not Specifically Identified	\$4,425,596
State Funds	\$25,025,128
State General Funds	\$25,025,128

43.1. Corporations

Purpose: The purpose of this appropriation is to accept and review filings made pursuant to statutes; to issue certifications of records on file; and to provide general information to the public on all filed entities.

Total Funds	\$4,217,644
Other Funds	\$3,775,096
Other Funds - Not Specifically Identified	\$3,775,096
State Funds	\$442,548
State General Funds	\$442,548

43.2. Elections

Purpose: The purpose of this appropriation is to administer all duties imposed

upon the Secretary of State by providing all required filing and public information services, performing all certification and commissioning duties required by law, and assisting candidates, local governments, and citizens in interpreting and complying with all election, voter registration, and financial disclosure laws.

Total Funds	\$5,854,126
Federal Funds and Grants	\$325,000
Federal Funds Not Specifically Identified	\$325,000
Other Funds	\$50,000
Other Funds - Not Specifically Identified	\$50,000
State Funds	\$5,479,126
State General Funds	\$5,479,126

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$5,487,702	\$5,862,702
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$5,239)	(\$5,239)
Reflect an adjustment in merit system assessments.	(\$480)	(\$480)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,534	\$1,534
Reflect an adjustment in TeamWorks billings.	(\$4,391)	(\$4,391)
Amount appropriated in this Act	----- \$5,479,126	----- \$5,854,126

43.3. Investigations

Purpose: The purpose of this appropriation is to enforce the laws and regulations related to professional licenses, elections, and securities; to investigate complaints; and to conduct inspections of applicants and existing license holders.

Total Funds	\$3,111,039
State Funds	\$3,111,039
State General Funds	\$3,111,039

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,121,038	\$3,121,038
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$6,108)	(\$6,108)
Reflect an adjustment in merit system assessments.	(\$559)	(\$559)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,789	\$1,789
Reflect an adjustment in TeamWorks billings.	(\$5,121)	(\$5,121)
Amount appropriated in this Act	----- \$3,111,039	----- \$3,111,039

43.4. Office Administration (SOS)

Purpose: The purpose of this appropriation is to provide administrative support to the Office of Secretary of State and its attached agencies.

Total Funds	\$3,418,604
Other Funds	\$5,500
Other Funds - Not Specifically Identified	\$5,500
State Funds	\$3,413,104
State General Funds	\$3,413,104

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,389,703	\$3,395,203
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$5,850)	(\$5,850)
Reflect an adjustment in merit system assessments.	(\$536)	(\$536)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,713	\$1,713
Reflect an adjustment in TeamWorks billings.	(\$4,905)	(\$4,905)
Adjust billings for unemployment insurance to reflect claims expenses.	\$32,979	\$32,979
Amount appropriated in this Act	----- \$3,413,104	----- \$3,418,604

43.5. Professional Licensing Boards

Purpose: The purpose of this appropriation is to protect the public health and welfare by supporting all operations of Boards which license professions.

Total Funds	\$8,854,071
Other Funds	\$400,000
Other Funds - Not Specifically Identified	\$400,000
State Funds	\$8,454,071
State General Funds	\$8,454,071

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$8,479,759	\$8,879,759
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$15,690)	(\$15,690)
Reflect an adjustment in merit system assessments.	(\$1,437)	(\$1,437)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$4,592	\$4,592
Reflect an adjustment in TeamWorks billings.	(\$13,153)	(\$13,153)
Amount appropriated in this Act	----- \$8,454,071	----- \$8,854,071

43.6. Securities

Purpose: The purpose of this appropriation is to provide for the administration and enforcement of the Georgia Securities Act, the Georgia Charitable Solicitations Act, and the Georgia Cemetery Act. Functions under each act include registration, examination, investigation, and administrative enforcement actions.

Total Funds	\$722,990
Other Funds	\$25,000
Other Funds - Not Specifically Identified	\$25,000
State Funds	\$697,990
State General Funds	\$697,990

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$699,859	\$724,859
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,141)	(\$1,141)
Reflect an adjustment in merit system assessments.	(\$105)	(\$105)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$334	\$334
Reflect an adjustment in TeamWorks billings.	(\$957)	(\$957)
Amount appropriated in this Act	----- \$697,990	----- \$722,990

The following appropriations are for agencies attached for administrative purposes.

43.7. Georgia Commission on the Holocaust

Purpose: The purpose of this appropriation is to teach the lessons of the Holocaust to present and future generations of Georgians in order to create an awareness of the enormity of the crimes of prejudice and inhumanity.

Total Funds	\$345,992
Other Funds	\$20,000
Other Funds - Not Specifically Identified	\$20,000
State Funds	\$325,992
State General Funds	\$325,992

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$279,627	\$299,627
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$720)	(\$720)
Reflect an adjustment in merit system assessments.	(\$17)	(\$17)
Reflect an adjustment in cyber insurance premiums for	\$2,564	\$2,564

the Department of Administrative Services.		
Reflect an adjustment in TeamWorks billings.	(\$462)	(\$462)
Increase funds for operations.	\$45,000	\$45,000
Amount appropriated in this Act	----- \$325,992	----- \$345,992

43.8. Real Estate Commission

Purpose: The purpose of this appropriation is to administer the license law for real estate brokers and salespersons, and provide administrative support to the Georgia Real Estate Appraisers Board in their administration of the Real Estate Appraisal.

Total Funds	\$3,251,258
Other Funds	\$150,000
Other Funds - Not Specifically Identified	\$150,000
State Funds	\$3,101,258
State General Funds	\$3,101,258

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$3,107,053	\$3,257,053
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$4,286)	(\$4,286)
Reflect an adjustment in merit system assessments.	(\$14)	(\$14)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,805	\$2,805
Reflect an adjustment in TeamWorks billings.	(\$4,300)	(\$4,300)
Amount appropriated in this Act	----- \$3,101,258	----- \$3,251,258

Section 44: Student Finance Commission, Georgia

Total Funds	\$986,471,735
Federal Funds and Grants	\$38,650
Federal Funds Not Specifically Identified	\$38,650
Other Funds	\$9,278,261
Other Funds - Not Specifically Identified	\$9,278,261
State Funds	\$976,554,824
Lottery Funds	\$834,211,786
State General Funds	\$142,343,038
Intra-State Government Transfers	\$600,000
Other Intra-State Government Payments	\$600,000

44.1. Dual Enrollment

Purpose: The purpose of this appropriation is to allow students to pursue postsecondary study at approved public and private postsecondary institutions,

while receiving dual high school and college credit for courses successfully completed.

Total Funds	\$105,028,623
State Funds	\$105,028,623
State General Funds	\$105,028,623

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$78,839,337	\$78,839,337
Reflect a change in the program name from Move on When Ready to Dual Enrollment. (CC:Yes)	\$0	\$0
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Increase funds to meet the projected need. (CC:Increase funds to meet the projected need.)	\$26,689,286	\$26,689,286
Eliminate the transportation grant and reflect funds in the Department of Education Pupil Transportation program for school bus replacement. (CC:Eliminate the transportation grant and reflect in bonds.)	(\$500,000)	(\$500,000)
Implement a 15-credit hour per student per semester cap; require ongoing professional development for adjunct faculty teaching dual enrollment courses to the same degree that is required for full-time faculty; and implement admission standards for dual enrollment students at private postsecondary institutions to be in parity with that of the University System of Georgia for degree-level transferable courses and with the Technical College System of Georgia for courses leading to a diploma or certificate effective July 1, 2018. (CC:Yes)	\$0	\$0
Direct the Georgia Student Finance Commission to develop a list of approved dual enrollment courses that prioritizes courses leading to a degree or in-demand certificate or diploma and report findings to the House and Senate Appropriations Committees by December 1, 2018 to be implemented in FY 2020. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$105,028,623	----- \$105,028,623

44.2. Engineer Scholarship

Purpose: The purpose of this appropriation is to provide forgivable loans to Georgia residents who are engineering students at Mercer University (Macon campus) and retain those students as engineers in the State.

Total Funds	\$1,060,500
State Funds	\$1,060,500
State General Funds	\$1,060,500

44.3. Georgia Military College Scholarship

Purpose: The purpose of this appropriation is to provide outstanding students

with a full scholarship to attend Georgia Military College, thereby strengthening Georgia's National Guard with their membership.

Total Funds	\$1,203,240
State Funds	\$1,203,240
State General Funds	\$1,203,240

44.4. HERO Scholarship

Purpose: The purpose of this appropriation is to provide educational grant assistance to members of the Georgia National Guard and U.S. Military Reservists who served in combat zones and the spouses and children of such members.

Total Funds	\$700,000
State Funds	\$700,000
State General Funds	\$700,000

44.5. HOPE Administration

Purpose: The purpose of this appropriation is to provide scholarships that reward students with financial assistance in degree, diploma, and certificate programs at eligible Georgia public and private colleges and universities, and public technical colleges.

Total Funds	\$9,504,516
Federal Funds and Grants	\$38,650
Federal Funds Not Specifically Identified	\$38,650
State Funds	\$8,865,866
Lottery Funds	\$8,865,866
Intra-State Government Transfers	\$600,000
Other Intra-State Government Payments	\$600,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$8,867,180	\$9,505,830
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$13,146	\$13,146
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$25,285)	(\$25,285)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$11,056	\$11,056
Reflect an adjustment in TeamWorks billings.	(\$231)	(\$231)
Amount appropriated in this Act	\$8,865,866	\$9,504,516

44.6. HOPE GED

Purpose: The purpose of this program is to encourage Georgia's General

Educational Development (GED) recipients to pursue education beyond the high school level at an eligible postsecondary institution located in Georgia.

Total Funds	\$1,930,296
State Funds	\$1,930,296
Lottery Funds	\$1,930,296

44.7. HOPE Grant

Purpose: The purpose of this appropriation is to provide grants to students seeking a diploma or certificate at a public postsecondary institution.

Total Funds	\$109,059,989
State Funds	\$109,059,989
Lottery Funds	\$109,059,989

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$109,059,989	\$109,059,989
Utilize existing funds to increase the HOPE Grant award amount by 3% (\$1,224,748). (CC:Yes)	\$0	\$0
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$109,059,989	----- \$109,059,989

44.8. HOPE Scholarships - Private Schools

Purpose: The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible private postsecondary institution.

Total Funds	\$51,176,241
State Funds	\$51,176,241
Lottery Funds	\$51,176,241

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$48,431,771	\$48,431,771
Increase the award amount for HOPE Scholarships - Private Schools by 3% (\$1,200,040) and increase funds to meet the projected need (\$1,452,979). (CC:Increase the award amount for HOPE Scholarships - Private Schools and Zell Miller Scholarship - Private Schools by 3% (\$1,200,040) and increase funds to meet the projected need (\$1,452,979).)	\$2,653,019	\$2,653,019
Increase funds to meet the projected need for Zell Miller Scholarship students attending private postsecondary institutions.	\$91,451	\$91,451
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$51,176,241	----- \$51,176,241

44.9. HOPE Scholarships - Public Schools

Purpose: The purpose of this appropriation is to provide merit scholarships to students seeking an associate or baccalaureate degree at an eligible public postsecondary institution.

Total Funds	\$637,179,394
State Funds	\$637,179,394
Lottery Funds	\$637,179,394

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$571,830,302	\$571,830,302
Increase the award amount for HOPE Scholarships - Public Schools by 3% (\$11,811,928) and increase funds to meet the projected need (\$23,879,358).	\$35,691,286	\$35,691,286
Increase funds to meet the projected need for Zell Miller Scholarship students attending public postsecondary institutions.	\$29,657,806	\$29,657,806
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$637,179,394	----- \$637,179,394

44.10. Low Interest Loans

Purpose: The purpose of this appropriation is to implement a low-interest loan program to assist with the affordability of a college or technical college education, encourage timely persistence to the achievement of postsecondary credentials, and to incentivize loan recipients to work in public service. The loans are forgivable for recipients who work in certain critical need occupations. The purpose of this appropriation is also to provide loans for students eligible under O.C.G.A. 20-3-400.2(e.1).

Total Funds	\$34,000,000
Other Funds	\$8,000,000
Other Funds - Not Specifically Identified	\$8,000,000
State Funds	\$26,000,000
Lottery Funds	\$26,000,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$26,000,000	\$27,000,000
Recognize and reinvest loan principal repayments and interest revenue to provide additional loans.	\$0	\$7,000,000
Amount appropriated in this Act	----- \$26,000,000	----- \$34,000,000

44.11. North Georgia Military Scholarship Grants

Purpose: The purpose of this appropriation is to provide outstanding students

with a full scholarship to attend the University of North Georgia, thereby strengthening Georgia's Army National Guard with their membership.

Total Funds	\$3,037,740
State Funds	\$3,037,740
State General Funds	\$3,037,740

44.12. North Georgia ROTC Grants

Purpose: The purpose of this appropriation is to provide Georgia residents with non-repayable financial assistance to attend the University of North Georgia and to participate in the Reserve Officers Training Corps program.

Total Funds	\$1,237,500
State Funds	\$1,237,500
State General Funds	\$1,237,500

44.13. Public Safety Memorial Grant

Purpose: The purpose of this appropriation is to provide educational grant assistance to the children of Georgia law enforcement officers, fire fighters, EMTs, correctional officers, and prison guards who were permanently disabled or killed in the line of duty, to attend a public or private postsecondary institution in the State of Georgia.

Total Funds	\$600,000
State Funds	\$600,000
State General Funds	\$600,000

44.14. REACH Georgia Scholarship

Purpose: The purpose of this appropriation is to provide needs-based scholarships to selected students participating in the REACH Georgia mentorship and scholarship program, which encourages and supports academically promising middle and high school students in their educational pursuits.

Total Funds	\$4,588,000
State Funds	\$4,588,000
State General Funds	\$4,588,000

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$2,750,000	\$2,750,000
Increase funds to provide 226 additional scholarships statewide and expand into 44 new school systems.	\$1,838,000	\$1,838,000
Amount appropriated in this Act	\$4,588,000	\$4,588,000

44.15. Service Cancelable Loans

Purpose: The purpose of this appropriation is to provide service cancelable

loans as authorized in statute including programs for large animal veterinarians and Georgia National Guard members.

Total Funds	\$1,050,000
State Funds	\$1,050,000
State General Funds	\$1,050,000

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$300,000	\$300,000
Increase funds for the Georgia National Guard service cancelable loan to provide additional awards and expand program eligibility to include graduate degree programs. (CC:Increase funds for the Georgia National Guard service cancelable loan to provide additional awards and expand program eligibility to include graduate degree programs.)	\$750,000	\$750,000
Amount appropriated in this Act	----- \$1,050,000	----- \$1,050,000

44.16. Tuition Equalization Grants

Purpose: The purpose of this appropriation is to promote the private segment of higher education in Georgia by providing non-repayable grant aid to Georgia residents who attend eligible private postsecondary institutions.

Total Funds	\$24,119,446
Other Funds	\$1,278,261
Other Funds - Not Specifically Identified	\$1,278,261
State Funds	\$22,841,185
State General Funds	\$22,841,185

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$22,841,185	\$22,841,185
Utilize deferred revenue to meet projected need.	\$0	\$1,278,261
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$22,841,185	----- \$24,119,446

The following appropriations are for agencies attached for administrative purposes.

44.17. Nonpublic Postsecondary Education Commission

Purpose: The purpose of this appropriation is to authorize private postsecondary schools in Georgia; provide transcripts for students who attended schools that closed; and resolve complaints.

Total Funds	\$996,250
State Funds	\$996,250

State General Funds \$996,250

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$996,250	\$996,250
Reflect a change in the program purpose statement. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$996,250	----- \$996,250

Section 45: Teachers Retirement System

Total Funds	\$39,717,997
Other Funds	\$39,477,997
Other Funds - Not Specifically Identified	\$39,477,997
State Funds	\$240,000
State General Funds	\$240,000

It is the intent of the General Assembly that the employer contribution rate for the Teachers' Retirement System shall not exceed 20.90% for State Fiscal Year 2019.

45.1. Local/Floor COLA

Purpose: The purpose of this appropriation is to provide retirees from local retirement systems a minimum allowance upon retirement (Floor) and a post-retirement benefit adjustment (COLA) whenever such adjustment is granted to teachers who retired under TRS.

Total Funds	\$240,000
State Funds	\$240,000
State General Funds	\$240,000

45.2. System Administration (TRS)

Purpose: The purpose of this appropriation is to administer the Teachers Retirement System of Georgia, including paying retiree benefits, investing retirement funds, accounting for the status and contributions of active and inactive members, counseling members, and processing refunds.

Total Funds	\$39,477,997
Other Funds	\$39,477,997
Other Funds - Not Specifically Identified	\$39,477,997

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$39,982,647
Reduce other funds for equipment (\$436,000), contractual services (\$77,300), telecommunications (\$32,700), and regular operating expenses (\$1,650).	\$0	(\$547,650)

Increase other funds for computer charges.	\$0	\$43,000
Amount appropriated in this Act	\$0	\$39,477,997

Section 46: Technical College System of Georgia

Total Funds	\$877,985,154
Federal Funds and Grants	\$160,175,417
Child Care & Development Block Grant (CFDA 93.575)	\$2,221,675
Federal Funds Not Specifically Identified	\$157,953,742
Other Funds	\$346,351,569
Agency Funds	\$345,869,854
Other Funds - Not Specifically Identified	\$481,715
State Funds	\$368,645,030
State General Funds	\$368,645,030
Intra-State Government Transfers	\$2,813,138
Other Intra-State Government Payments	\$2,813,138

46.1. Adult Education

Purpose: The purpose of this appropriation is to develop Georgia's workforce by providing adult learners in Georgia with basic reading, writing, computation, speaking, listening, and technology skills; to provide secondary instruction to adults without a high school diploma; and to provide oversight of GED preparation, testing, and the processing of diplomas and transcripts.

Total Funds	\$43,035,573
Federal Funds and Grants	\$22,013,369
Federal Funds Not Specifically Identified	\$22,013,369
Other Funds	\$4,283,915
Agency Funds	\$4,283,915
State Funds	\$16,738,289
State General Funds	\$16,738,289

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$16,445,050	\$42,742,334
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$186,148	\$186,148
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,305)	(\$1,305)
Reflect an adjustment in merit system assessments.	(\$1,506)	(\$1,506)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$2,936	\$2,936
Reflect an adjustment in TeamWorks billings.	(\$18,034)	(\$18,034)
Provide funds for the personal services and operations	\$125,000	\$125,000

related to the transition of Cedartown Career Center to an adult education and workforce development facility.		
Amount appropriated in this Act	\$16,738,289	\$43,035,573

46.2. Economic Development and Customized Services

Purpose: The purpose of this appropriation is to provide customized services for existing businesses in the state.

Total Funds	\$3,391,799
State Funds	\$3,391,799
State General Funds	\$3,391,799

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$0
Reflect a new program and purpose statement. (CC:Yes)	\$0	\$0
Transfer funds for two positions and operating expenses from the Departmental Administration (TCSG) program to the Economic Development and Customized Services program.	\$795,186	\$795,186
Transfer funds for two positions and operating expenses from the Quick Start program to the Economic Development and Customized Services program.	\$2,343,012	\$2,343,012
Transfer funds for the customized recruitment initiative from the Workforce Solutions program in the Department of Labor to support workforce needs throughout the state.	\$253,601	\$253,601
Amount appropriated in this Act	\$3,391,799	\$3,391,799

46.3. Departmental Administration (TCSG)

Purpose: The purpose of this appropriation is to provide statewide administrative services to support the state workforce development efforts undertaken by the department through its associated programs and institutions.

Total Funds	\$11,668,312
Other Funds	\$134,945
Other Funds - Not Specifically Identified	\$134,945
State Funds	\$11,533,367
State General Funds	\$11,533,367

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$9,301,188	\$9,436,133
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$49,351	\$49,351

Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$14,572)	(\$14,572)
Reflect an adjustment in merit system assessments.	(\$839)	(\$839)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,635	\$1,635
Reflect an adjustment in TeamWorks billings.	(\$10,043)	(\$10,043)
Adjust billings for unemployment insurance to reflect claims expenses.	\$1,833	\$1,833
Increase funds for marketing to promote the educational opportunities available at the state's technical colleges and develop a skilled workforce.	\$3,000,000	\$3,000,000
Transfer funds for two positions and operating expenses from the Departmental Administration program to the Economic Development and Customized Services program.	(\$795,186)	(\$795,186)
Amount appropriated in this Act	----- \$11,533,367	\$11,668,312

46.4. Governor's Office of Workforce Development

Purpose: The purpose of this appropriation is to improve the job training and marketability of Georgia's workforce.

Total Funds	\$82,641,035
Federal Funds and Grants	\$82,391,035
Federal Funds Not Specifically Identified	\$82,391,035
Other Funds	\$250,000
Other Funds - Not Specifically Identified	\$250,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$0	\$0
Transfer funds for the customized recruitment initiative from the Workforce Solutions program in the Department of Labor to support workforce needs throughout the state. (CC:No; Reflect in the new Economic Development and Customized Services program.)	\$0	\$0
Transfer the Governor's Office of Workforce Development from the Department of Economic Development to leverage workforce development initiatives and educational resources to meet industry workforce training demands. (CC:Transfer and recognize the full federal award for the Governor's Office of Workforce Development from the Department of Economic Development to leverage workforce development initiatives and educational resources to meet industry workforce training demands.)	\$0	\$82,391,035
Utilize \$2,000,000 in existing funds to support the Governor's Defense Initiative. (CC:Yes)	\$0	\$0
Recognize and utilize existing funds (\$250,000) for the Georgia Consortium for Advanced Technical Training	\$0	\$250,000

(GA CATT) apprenticeships program to provide mentor training and apprenticeship testing.	-----
Amount appropriated in this Act	\$0 \$82,641,035

46.5. Quick Start

Purpose: The purpose of this appropriation is to promote job creation and retention by developing and delivering customized workforce training for Georgia businesses during start-up, expansion, or when they make capital investments in new technology, processes, or product lines in order to remain competitive in the global marketplace.

Total Funds	\$23,031,348
Federal Funds and Grants	\$154,594
Federal Funds Not Specifically Identified	\$154,594
Other Funds	\$11,589,612
Agency Funds	\$11,589,612
State Funds	\$11,236,142
State General Funds	\$11,236,142
Intra-State Government Transfers	\$51,000
Other Intra-State Government Payments	\$51,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$13,499,537	\$25,294,743
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$104,303	\$104,303
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$15,101)	(\$15,101)
Reflect an adjustment in merit system assessments.	(\$870)	(\$870)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$1,695	\$1,695
Reflect an adjustment in TeamWorks billings.	(\$10,410)	(\$10,410)
Reflect a change in the program name from Quick Start and Customized Services to Quick Start. (CC:Yes)	\$0	\$0
Transfer funds for two positions and operating expenses from the Quick Start program to the Economic Development and Customized Services program.	(\$2,343,012)	(\$2,343,012)
Amount appropriated in this Act	----- \$11,236,142	----- \$23,031,348

46.6. Technical Education

Purpose: The purpose of this appropriation is to provide for workforce development through certificate, diploma, and degree programs in technical education and continuing education programs for adult learners, and to encourage both youth and adult learners to acquire postsecondary education or training to increase their competitiveness in the workplace.

Total Funds	\$714,217,087
Federal Funds and Grants	\$55,616,419
Child Care & Development Block Grant (CFDA 93.575)	\$2,221,675
Federal Funds Not Specifically Identified	\$53,394,744
Other Funds	\$330,093,097
Agency Funds	\$329,996,327
Other Funds - Not Specifically Identified	\$96,770
State Funds	\$325,745,433
State General Funds	\$325,745,433
Intra-State Government Transfers	\$2,762,138
Other Intra-State Government Payments	\$2,762,138

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$321,771,376	\$710,243,030
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$4,103,086	\$4,103,086
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,298,715)	(\$1,298,715)
Reflect an adjustment in merit system assessments.	(\$31,919)	(\$31,919)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$62,219	\$62,219
Reflect an adjustment in TeamWorks billings.	(\$382,146)	(\$382,146)
Adjust billings for unemployment insurance to reflect claims expenses.	\$101,937	\$101,937
Transfer funds for the Bainbridge State College campus from the Teaching program in the Board of Regents of the University System of Georgia and increase funds for formula growth based on a 3% increase in square footage.	\$1,419,595	\$1,419,595
Amount appropriated in this Act	----- \$325,745,433	\$714,217,087

Section 47: Transportation, Department of

Total Funds	\$3,598,793,053
Federal Funds and Grants	\$1,593,146,310
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$1,526,284,941
Federal Funds Not Specifically Identified	\$66,861,369
Other Funds	\$88,806,470
Agency Funds	\$20,444,599
Other Funds - Not Specifically Identified	\$68,361,871
State Funds	\$1,916,080,040
Motor Fuel Funds	\$1,830,500,000

State General Funds	\$85,580,040
Intra-State Government Transfers	\$760,233
Other Intra-State Government Payments	\$760,233

It is the intent of this General Assembly that the following provisions apply:

- a.) In order to meet the requirements for projects on the Interstate System, the Office of Planning and Budget is hereby authorized and directed to give advanced budgetary authorization for letting and execution of Interstate Highway Contracts not to exceed the amount of Motor Fuel Tax Revenues actually paid into the Office of the State Treasurer, attached agency of the Department of Administrative Services.
- b.) Programs financed by Motor Fuel Tax Funds may be adjusted for additional appropriation or balances brought forward from previous years with prior approval by the Office of Planning and Budget.
- c.) The Fiscal Officers of the State are hereby directed as of July 1st of each fiscal year to determine the collection of Motor Fuel Tax in the immediately preceding year less refunds, rebates and collection costs and enter this amount as being the appropriation payable in lieu of the Motor Fuel Tax Funds appropriated in this Bill, in the event such collections, less refunds, rebates and collection costs, exceed such Motor Fuel Tax Appropriation.
- d.) Functions financed with General Fund appropriations shall be accounted for separately and shall be in addition to appropriations of Motor Fuel Tax revenues required under Article III, Section IX, Paragraph VI, Subsection (b) of the State Constitution.
- e.) Bus rental income may be retained to operate, maintain and upgrade department-owned buses.

47.1. Capital Construction Projects

Purpose: The purpose of this appropriation is to provide funding for Capital Outlay road construction and enhancement projects on local and state road systems.

Total Funds	\$1,765,750,821
Federal Funds and Grants	\$875,452,699
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$875,452,699
Other Funds	\$55,300,430
Other Funds - Not Specifically Identified	\$55,300,430
State Funds	\$834,997,692
Motor Fuel Funds	\$834,997,692

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$783,993,059	\$1,714,746,188
Transfer funds from the Routine Maintenance program for additional capital projects.	\$38,834,750	\$38,834,750
Increase funds based on projected revenues per HB 170	\$12,169,883	\$12,169,883

(2015 Session).		
Amount appropriated in this Act	-----	
	\$834,997,692	\$1,765,750,821

47.2. Capital Maintenance Projects

Purpose: The purpose of this appropriation is to provide funding for Capital Outlay for maintenance projects.

Total Funds	\$430,881,862
Federal Funds and Grants	\$281,600,000
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$281,600,000
Other Funds	\$350,574
Other Funds - Not Specifically Identified	\$350,574
State Funds	\$148,931,288
Motor Fuel Funds	\$148,931,288

47.3. Construction Administration

Purpose: The purpose of this appropriation is to improve and expand the state's transportation infrastructure by planning for and selecting road and bridge projects, acquiring rights-of-way, completing engineering and project impact analyses, procuring and monitoring construction contracts, and certifying completed projects.

Total Funds	\$155,799,165
Federal Funds and Grants	\$53,642,990
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$53,642,990
Other Funds	\$798,619
Other Funds - Not Specifically Identified	\$798,619
State Funds	\$101,192,556
Motor Fuel Funds	\$101,192,556
Intra-State Government Transfers	\$165,000
Other Intra-State Government Payments	\$165,000

47.4. Data Collection Compliance and Reporting

Purpose: The purpose of this appropriation is to collect and disseminate crash, accident, road, and traffic data in accordance with state and federal law in order to provide current and accurate information for planning and public awareness needs.

Total Funds	\$10,784,201
Federal Funds and Grants	\$7,770,257
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$7,770,257
Other Funds	\$62,257
Agency Funds	\$62,257

State Funds	\$2,951,687
Motor Fuel Funds	\$2,951,687

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,851,687	\$9,684,201
Increase funds based on projected revenues per HB 170 (2015 Session).	\$1,100,000	\$1,100,000
Amount appropriated in this Act	----- \$2,951,687	----- \$10,784,201

47.5. Departmental Administration (DOT)

Purpose: The purpose of this appropriation is to plan, construct, maintain, and improve the state's roads and bridges and to provide planning and financial support for other modes of transportation such as mass transit, airports, railroads and waterways.

Total Funds	\$81,062,970
Federal Funds and Grants	\$10,839,823
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$10,839,823
Other Funds	\$898,970
Agency Funds	\$898,970
State Funds	\$69,324,177
Motor Fuel Funds	\$69,324,177

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$69,327,455	\$81,066,248
Transfer funds for cyber insurance premiums to the Intermodal program.	(\$3,278)	(\$3,278)
Amount appropriated in this Act	----- \$69,324,177	----- \$81,062,970

47.6. Intermodal

Purpose: The purpose of this appropriation is to support the planning, development and maintenance of Georgia's Airports, Rail, Transit and Ports and Waterways to facilitate a complete and seamless statewide transportation system.

Total Funds	\$86,090,384
Federal Funds and Grants	\$66,861,369
Federal Funds Not Specifically Identified	\$66,861,369
Other Funds	\$782,232
Agency Funds	\$94,239
Other Funds - Not Specifically Identified	\$687,993
State Funds	\$18,446,783

State General Funds \$18,446,783

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$18,593,377	\$86,236,978
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$353	\$353
Reflect an adjustment in merit system assessments.	(\$278)	(\$278)
Reflect an adjustment in TeamWorks billings.	\$53	\$53
Eliminate one-time funds for a feasibility study on strategies to mitigate man-made shipping channel impacts to shelf and shoreline erosion.	(\$150,000)	(\$150,000)
Transfer funds for cyber insurance premiums from the Departmental Administration (DOT) program.	\$3,278	\$3,278
Transfer state general funds from the Payments to State Road and Tollway Authority program (\$4,400,000) to offset a projected decrease in jet fuel tax exemption revenue ((\$4,400,000)). (CC:Yes; Transfer state general funds from the Payments to State Road and Tollway Authority program (\$4,400,000) to offset a projected decrease of (\$4,400,000) in jet fuel tax exemption revenue.)	\$0	\$0
Utilize existing funds for airport aid excluding projects in Dawson County. (CC:No)	\$0	\$0
Amount appropriated in this Act	----- \$18,446,783	----- \$86,090,384

47.7. Local Maintenance and Improvement Grants

Purpose: The purpose of this appropriation is to provide funding for Capital Outlay grants to local governments for road and bridge resurfacing projects through the State Funded Construction - Local Road Assistance Program.

Total Funds	\$183,050,000
State Funds	\$183,050,000
Motor Fuel Funds	\$183,050,000

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$179,885,000	\$179,885,000
Increase funds based on projected revenues per HB 170 (2015 Session).	\$3,165,000	\$3,165,000
Amount appropriated in this Act	----- \$183,050,000	----- \$183,050,000

47.8. Local Road Assistance Administration

Purpose: The purpose of this appropriation is to provide technical and financial assistance to local governments for construction, maintenance, and resurfacing of local roads and bridges.

Total Funds	\$56,597,611
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Federal Funds and Grants	\$51,655,917
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$51,655,917
State Funds	\$4,346,461
Motor Fuel Funds	\$4,346,461
Intra-State Government Transfers	\$595,233
Other Intra-State Government Payments	\$595,233

47.9. Planning

Purpose: The purpose of this appropriation is to develop the state transportation improvement program and the state-wide strategic transportation plan, and coordinate transportation policies, planning, and programs related to design, construction, maintenance, operations, and financing of transportation.

Total Funds	\$25,059,893
Federal Funds and Grants	\$22,772,795
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$22,772,795
State Funds	\$2,287,098
Motor Fuel Funds	\$2,287,098

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,787,098	\$24,559,893
Increase funds based on projected revenues per HB 170 (2015 Session).	\$500,000	\$500,000
Amount appropriated in this Act	----- \$2,287,098	----- \$25,059,893

47.10. Routine Maintenance

Purpose: The purpose of this appropriation is to ensure a safe and adequately maintained state transportation system by inspecting roads and bridges, cataloguing road and bridge conditions and maintenance needs, and providing routine maintenance for state road and bridges. The purpose of this appropriation is also to maintain landscaping on road easements and rights-of-way through planting, litter control, vegetation removal, and grants to local governments, to provide for emergency operations on state routes, and to maintain state rest areas and welcome centers.

Total Funds	\$418,058,057
Federal Funds and Grants	\$3,886,452
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$3,886,452
Other Funds	\$5,078,904
Agency Funds	\$642,602
Other Funds - Not Specifically Identified	\$4,436,302

State Funds	\$409,092,701
Motor Fuel Funds	\$409,092,701

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$447,927,451	\$456,892,807
Transfer funds to the Capital Construction Projects program to align budget to projected expenditures.	(\$38,834,750)	(\$38,834,750)
Amount appropriated in this Act	----- \$409,092,701	----- \$418,058,057

47.11. Traffic Management and Control

Purpose: The purpose of this appropriation is to ensure a safe and efficient transportation system statewide by conducting traffic engineering studies for traffic safety planning, permitting for activity on or adjacent to state roads, providing motorist assistance and traffic information through the Highway Emergency Response Operators (HERO) program and Intelligent Transportation System, and conducting inspections, repairs, and installations of traffic signals.

Total Funds	\$131,707,637
Federal Funds and Grants	\$68,110,542
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$68,110,542
Other Funds	\$25,534,484
Agency Funds	\$18,746,531
Other Funds - Not Specifically Identified	\$6,787,953
State Funds	\$38,062,611
Motor Fuel Funds	\$38,062,611

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$31,062,611	\$124,707,637
Transfer funds from the Payments to State Road Tollway Authority program for managed lanes operations and HERO service expansion.	\$4,600,000	\$4,600,000
Increase funds based on projected revenues per HB 170 (2015 Session).	\$2,400,000	\$2,400,000
Amount appropriated in this Act	----- \$38,062,611	----- \$131,707,637

The following appropriations are for agencies attached for administrative purposes.

47.12. Payments to State Road and Tollway Authority

Purpose: The purpose of this appropriation is to fund debt service payments and other finance instruments and for operations.

Total Funds	\$253,950,452
Federal Funds and Grants	\$150,553,466
Federal Highway Administration Highway Planning & Construction (CFDA 20.205)	\$150,553,466
State Funds	\$103,396,986
Motor Fuel Funds	\$36,263,729
State General Funds	\$67,133,257

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$111,688,786	\$262,242,252
Transfer motor fuel funds to Traffic Management and Control due to lower match requirements for GARVEE debt service.	(\$4,600,000)	(\$4,600,000)
Reduce state general funds for debt service due to lower projected revenue from transportation fees.	(\$3,691,800)	(\$3,691,800)
Transfer state general funds to the debt sinking fund.	(\$7,915,117)	(\$7,915,117)
Increase motor fuel funds based on projected revenues per HB 170 (2015 Session).	\$12,315,117	\$12,315,117
Transfer state general funds to the Intermodal program.	(\$4,400,000)	(\$4,400,000)
Utilize existing funds for year two of a ten year plan for operations of the Northwest Corridor and I-75 South new managed lanes and I-85 lane extension. (CC:Yes)	\$0	\$0
Amount appropriated in this Act	----- \$103,396,986	----- \$253,950,452

Section 48: Veterans Service, Department of

Total Funds	\$40,882,769
Federal Funds and Grants	\$14,734,560
Federal Funds Not Specifically Identified	\$14,734,560
Other Funds	\$3,107,465
Agency Funds	\$2,382,732
Other Funds - Not Specifically Identified	\$724,733
State Funds	\$23,040,744
State General Funds	\$23,040,744

48.1. Departmental Administration (DVS)

Purpose: The purpose of this appropriation is to coordinate, manage, and supervise all aspects of department operations to include financial, public information, personnel, accounting, purchasing, supply, mail, records management, and information technology.

Total Funds	\$1,890,182
State Funds	\$1,890,182
State General Funds	\$1,890,182

The above amounts include the following adjustments, additions, and deletions to the previous

<i>appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,896,474	\$1,896,474
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$3,176)	(\$3,176)
Reflect an adjustment in merit system assessments.	(\$69)	(\$69)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$6,806	\$6,806
Reflect an adjustment in TeamWorks billings.	(\$10,300)	(\$10,300)
Adjust billings for unemployment insurance to reflect claims expenses.	\$447	\$447
Amount appropriated in this Act	----- \$1,890,182	----- \$1,890,182

48.2. Georgia Veterans Memorial Cemetery

Purpose: The purpose of this appropriation is to provide for the interment of eligible Georgia Veterans who served faithfully and honorably in the military service of our country.

Total Funds	\$1,626,987
Federal Funds and Grants	\$928,004
Federal Funds Not Specifically Identified	\$928,004
State Funds	\$698,983
State General Funds	\$698,983

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$700,361	\$1,628,365
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$1,349)	(\$1,349)
Reflect an adjustment in merit system assessments.	(\$29)	(\$29)
Amount appropriated in this Act	----- \$698,983	----- \$1,626,987

48.3. Georgia War Veterans Nursing Homes

Purpose: The purpose of this appropriation is to provide skilled nursing care to aged and infirmed Georgia war veterans.

Total Funds	\$29,090,154
Federal Funds and Grants	\$13,179,116
Federal Funds Not Specifically Identified	\$13,179,116
Other Funds	\$3,107,465
Agency Funds	\$2,382,732
Other Funds - Not Specifically Identified	\$724,733
State Funds	\$12,803,573
State General Funds	\$12,803,573

The above amounts include the following adjustments, additions, and deletions to the previous

<i>appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$12,566,609	\$28,853,190
Increase funds to reflect an adjustment in the employer share of the Teachers Retirement System from 16.81% to 20.90%.	\$236,964	\$236,964
Increase funds for the employer share of health insurance for Board of Regents of the University System of Georgia contracted employees. (CC:No)	\$0	\$0
Amount appropriated in this Act	----- \$12,803,573	----- \$29,090,154

48.4. Veterans Benefits

Purpose: The purpose of this appropriation is to serve Georgia's veterans, their dependents, and survivors in all matters pertaining to veterans' benefits by informing the veterans and their families about veterans' benefits, and directly assisting and advising them in securing the benefits to which they are entitled.

Total Funds	\$8,275,446
Federal Funds and Grants	\$627,440
Federal Funds Not Specifically Identified	\$627,440
State Funds	\$7,648,006
State General Funds	\$7,648,006

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$7,314,465	\$7,941,905
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	(\$11,676)	(\$11,676)
Reflect an adjustment in merit system assessments.	(\$251)	(\$251)
Increase funds to establish a veterans field service office in Columbia County and to expand existing veterans field service offices in Fulton and Columbus-Muscogee Counties.	\$278,468	\$278,468
Reduce funds for one-time funding for office outfitting.	(\$8,000)	(\$8,000)
Increase funds to support regular operating activities in order to maximize income tax-free benefits received by the veterans of Georgia.	\$75,000	\$75,000
Amount appropriated in this Act	----- \$7,648,006	----- \$8,275,446

Section 49: Workers' Compensation, State Board of

Total Funds	\$19,328,555
Other Funds	\$373,832
Other Funds - Not Specifically Identified	\$373,832
State Funds	\$18,954,723

State General Funds

\$18,954,723

49.1. Administer the Workers' Compensation Laws

Purpose: The purpose of this appropriation is to provide exclusive remedy for resolution of disputes in the Georgia Workers' Compensation law.

Total Funds	\$13,208,979
Other Funds	\$308,353
Other Funds - Not Specifically Identified	\$308,353
State Funds	\$12,900,626
State General Funds	\$12,900,626

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$12,898,822	\$13,207,175
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$2,841	\$2,841
Reflect an adjustment in merit system assessments.	(\$1,037)	(\$1,037)
Amount appropriated in this Act	\$12,900,626	\$13,208,979

49.2. Board Administration (SBWC)

Purpose: The purpose of this appropriation is to provide superior access to the Georgia Workers' Compensation program for injured workers and employers in a manner that is sensitive, responsive, and effective.

Total Funds	\$6,119,576
Other Funds	\$65,479
Other Funds - Not Specifically Identified	\$65,479
State Funds	\$6,054,097
State General Funds	\$6,054,097

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$6,052,720	\$6,118,199
Reflect an adjustment to agency premiums for Department of Administrative Services administered self-insurance programs.	\$488	\$488
Reflect an adjustment in merit system assessments.	(\$178)	(\$178)
Reflect an adjustment in cyber insurance premiums for the Department of Administrative Services.	\$8,978	\$8,978
Reflect an adjustment in TeamWorks billings.	(\$7,847)	(\$7,847)
Adjust billings for unemployment insurance to reflect claims expenses.	(\$64)	(\$64)
Amount appropriated in this Act	\$6,054,097	\$6,119,576

Section 50: Georgia General Obligation Debt Sinking Fund

Total Funds	\$1,287,497,358
Federal Recovery Funds	\$20,104,750
Federal Recovery Funds Not Specifically Identified	\$20,104,750
State Funds	\$1,267,392,608
State General Funds	\$1,267,392,608

50.1. GO Bonds Issued

Total Funds	\$1,166,106,956
Federal Recovery Funds	\$20,104,750
Federal Recovery Funds Not Specifically Identified	\$20,104,750
State Funds	\$1,146,002,206
State General Funds	\$1,146,002,206

The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):

	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$1,091,170,677	\$1,111,275,427
Transfer funds from the GO Bonds New program to reflect the issuance of new bonds.	\$119,627,792	\$119,627,792
Reduce funds for debt service to reflect savings associated with refunding and favorable rates received in recent bond sales.	(\$72,711,380)	(\$72,711,380)
Increase funds for debt service. (CC:No)	\$0	\$0
Increase state general funds for debt service on road and bridge projects to meet projected need.	\$7,915,117	\$7,915,117
Redirect \$3,600,000 in 20-year unissued bonds from FY 2014 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program – Low Wealth (HB 106, Bond 362.303) to be used for the FY 2019 Capital Outlay Program – Regular for local school construction, statewide. (CC:Yes)	\$0	\$0
Redirect \$620,000 in 20-year unissued bonds from FY 2014 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program – Regular Advance (HB 106, Bond 362.302) to be used for the FY 2019 Capital Outlay Program – Regular for local school construction, statewide. (CC:Yes)	\$0	\$0
Redirect \$655,000 in 20-year unissued bonds from FY 2015 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program – Regular (HB 744, Bond #1) to be used for the FY 2019 Capital Outlay Program – Regular for local school construction, statewide. (CC:Yes)	\$0	\$0
Redirect \$875,000 in 20-year unissued bonds from FY	\$0	\$0

2016 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program – Regular (HB 76, Bond 355.101) to be used for the FY 2019 Capital Outlay Program – Regular for local school construction, statewide. <i>(CC:Yes)</i>		
Redirect \$2,855,000 in 20-year unissued bonds from FY 2017 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through the Capital Outlay Program – Regular (HB 751, Bond #1) to be used for the FY 2019 Capital Outlay Program – Regular for local school construction, statewide. <i>(CC:Yes)</i>	\$0	\$0
Redirect \$350,560 in 5-year issued bonds from FY 2014 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through technology infrastructure upgrades, local school districts, statewide (HB 106, Bond 362.306) to be used to purchase vocational equipment, statewide. <i>(CC:Yes; Redirect \$318,387 in 5-year issued bonds from FY 2014 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through technology infrastructure upgrades, local school districts, statewide (HB 106, Bond 362.306) to be used to purchase vocational equipment, statewide.)</i>	\$0	\$0
Redirect \$2,492,696 in 5-year issued bonds from FY 2015 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through technology infrastructure upgrades, local school districts, statewide (HB 744, Bond #8) to be used to purchase vocational equipment, statewide. <i>(CC:Yes; Redirect \$2,481,335 in 5-year issued bonds from FY 2015 for the State Board of Education for the purpose of financing educational facilities for county and independent school systems through technology infrastructure upgrades, local school districts, statewide (HB 744, Bond #8) to be used to purchase vocational equipment, statewide.)</i>	\$0	\$0
Redirect \$1,860,000 in 5-year unissued bonds from FY2017 for the Georgia Bureau of Investigation for the purpose to fund design of a new investigative Division Building to house the Georgia Information Sharing and Analysis Center (HB751, Bond #91) to be used for the FY 2019 purchase of equipment for new Coastal Regional Crime Lab, Pooler, Chatham County. <i>(CC:Yes)</i>	\$0	\$0
Amount appropriated in this Act	\$1,146,002,206	\$1,166,106,956

50.2. GO Bonds New

Total Funds	\$121,390,402
State Funds	\$121,390,402

State General Funds \$121,390,402

<i>The above amounts include the following adjustments, additions, and deletions to the previous appropriations act (as amended):</i>		
	<u>State Funds</u>	<u>Total Funds</u>
Amount from previous Appropriations Act (HB 44) as amended	\$119,627,792	\$119,627,792
Transfer funds to the GO Bonds Issued program to reflect the issuance of new bonds.	(\$119,627,792)	(\$119,627,792)
Increase funds for debt service.	\$121,390,402	\$121,390,402
Amount appropriated in this Act	\$121,390,402	\$121,390,402

Bond Financing Appropriated:

[Bond # 1] From State General Funds, \$17,735,892 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$207,195,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 2] From State General Funds, \$1,033,620 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$12,075,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 3] From State General Funds, \$2,706,672 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$31,620,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 4] From State General Funds, \$741,296 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$8,660,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 5] From State General Funds, \$98,440 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,150,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 6] From State General Funds, \$124,850 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension,

enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,375,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 7] From State General Funds, \$690,729 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,985,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 8] From State General Funds, \$1,485,588 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$6,420,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 9] From State General Funds, \$3,702,400 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$16,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 10] From State General Funds, \$166,000 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$1,250,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of one hundred and twenty months.

[Bond # 11] From State General Funds, \$89,089 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$385,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 12] From State General Funds, \$72,640 is specifically appropriated for the purpose of financing projects and facilities for the Department of Education by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful

in connection therewith, through the issuance of not more than \$800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 13] From State General Funds, \$1,992,000 is specifically appropriated for the State Board of Education (Department of Education) for the purpose of financing educational facilities for county and independent school systems, through the issuance of not more than \$15,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of one hundred and twenty months.

[Bond # 14] From State General Funds, \$5,136,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$60,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 15] From State General Funds, \$624,780 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 16] From State General Funds, \$208,260 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 17] From State General Funds, \$323,960 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 18] From State General Funds, \$196,880 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters,

property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 19] From State General Funds, \$4,228,640 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$49,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 20] From State General Funds, \$2,619,360 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$30,600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 21] From State General Funds, \$4,530,920 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$49,900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 22] From State General Funds, \$3,159,840 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$34,800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 23] From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and

personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 24] From State General Funds, \$1,788,760 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$19,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 25] From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 26] From State General Funds, \$430,404 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,860,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 27] From State General Funds, \$439,660 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing projects and facilities for the Board of Trustees of the Georgia Military College by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 28] From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 29] From State General Funds, \$208,260 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of

the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 30] From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 31] From State General Funds, \$350,960 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 32] From State General Funds, \$196,880 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 33] From State General Funds, \$376,640 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 34] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters,

property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 35] From State General Funds, \$470,800 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 36] From State General Funds, \$316,720 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 37] From State General Funds, \$30,082 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$130,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 38] From State General Funds, \$453,680 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 39] From State General Funds, \$1,515,120 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of

not more than \$17,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 40] From State General Funds, \$410,880 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,800,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 41] From State General Funds, \$393,380 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 42] From State General Funds, \$171,200 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 43] From State General Funds, \$77,040 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$900,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 44] From State General Funds, \$171,200 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 45] From State General Funds, \$140,384 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,640,000 in principal amount of

General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 46] From State General Funds, \$317,018 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,370,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 47] From State General Funds, \$161,784 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$1,890,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 48] From State General Funds, \$342,400 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing projects and facilities for the Board of Trustees of the Georgia Military College by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 49] From State General Funds, \$393,380 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 50] From State General Funds, \$291,040 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,400,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 51] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters,

property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 52] From State General Funds, \$265,360 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 53] From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 54] From State General Funds, \$171,200 is specifically appropriated for the Board of Regents of the University System of Georgia for the purpose of financing public library facilities for counties, municipalities, and boards of trustees of public libraries or boards of trustees of public library systems, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 55] From State General Funds, \$426,760 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,700,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 56] From State General Funds, \$908,000 is specifically appropriated for the purpose of financing projects and facilities for the Board of Regents of the University System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$10,000,000 in principal amount of General Obligation Debt, the

instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 57] From State General Funds, \$2,270,000 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$25,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 58] From State General Funds, \$940,641 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,065,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 59] From State General Funds, \$387,595 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,675,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 60] From State General Funds, \$1,615,786 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$17,795,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 61] From State General Funds, \$2,136,070 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$23,525,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 62] From State General Funds, \$363,200 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways,

buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 63] From State General Funds, \$808,574 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$8,905,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 64] From State General Funds, \$361,384 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,980,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 65] From State General Funds, \$430,392 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,740,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 66] From State General Funds, \$1,089,600 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$12,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 67] From State General Funds, \$18,160 is specifically appropriated for the purpose of financing projects and facilities for the Technical College System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$200,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 68] From State General Funds, \$744,560 is specifically appropriated for the purpose of financing projects and facilities for the Technical College

System of Georgia by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$8,200,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 69] From State General Funds, \$694,200 is specifically appropriated for the purpose of financing projects and facilities for the Department of Behavioral Health and Developmental Disabilities by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 70] From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Department of Behavioral Health and Developmental Disabilities by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 71] From State General Funds, \$93,524 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Vocational Rehabilitation Agency by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,030,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 72] From State General Funds, \$98,440 is specifically appropriated for the purpose of financing projects and facilities for the Department of Human Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,150,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 73] From State General Funds, \$85,600 is specifically appropriated for the purpose of financing projects and facilities for the Department of Human Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in

principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 74] From State General Funds, \$18,404 is specifically appropriated for the purpose of financing projects and facilities for the Department of Veterans Service by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$215,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 75] From State General Funds, \$43,656 is specifically appropriated for the purpose of financing projects and facilities for the Department of Community Supervision by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$510,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 76] From State General Funds, \$22,684 is specifically appropriated for the purpose of financing projects and facilities for the Department of Community Supervision by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$265,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 77] From State General Funds, \$214,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Corrections by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 78] From State General Funds, \$115,700 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 79] From State General Funds, \$83,460 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense

by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$975,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 80] From State General Funds, \$256,800 is specifically appropriated for the purpose of financing projects and facilities for the Department of Defense by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 81] From State General Funds, \$1,837,316 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$7,940,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 82] From State General Funds, \$29,960 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$350,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 83] From State General Funds, \$179,760 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 84] From State General Funds, \$115,700 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Bureau of Investigation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 85] From State General Funds, \$462,800 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 86] From State General Funds, \$428,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Juvenile Justice by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 87] From State General Funds, \$775,190 is specifically appropriated for the purpose of financing projects and facilities for the Department of Public Safety by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,350,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 88] From State General Funds, \$150,656 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,760,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 89] From State General Funds, \$54,784 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$640,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 90] From State General Funds, \$121,552 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or

improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,420,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 91] From State General Funds, \$96,728 is specifically appropriated for the Department of Public Safety for the purpose of financing projects and facilities for the Georgia Public Safety Training Center by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,130,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 92] From State General Funds, \$303,880 is specifically appropriated for the purpose of financing projects and facilities for the Department of Driver Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$3,550,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 93] From State General Funds, \$64,200 is specifically appropriated for the purpose of financing projects and facilities for the Department of Driver Services by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$750,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 94] From State General Funds, \$85,600 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Building Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 95] From State General Funds, \$57,850 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Senate by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$250,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 96] From State General Funds, \$101,864 is specifically appropriated for the purpose of financing projects and facilities for the Department of Labor by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,190,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 97] From State General Funds, \$173,768 is specifically appropriated for the purpose of financing projects and facilities for the State Forestry Commission by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,030,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 98] From State General Funds, \$138,840 is specifically appropriated for the purpose of financing projects and facilities for the Department of Agriculture by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 99] From State General Funds, \$115,700 is specifically appropriated for the purpose of financing projects and facilities for the Department of Agriculture by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 100] From State General Funds, \$1,362,000 is specifically appropriated for the Department of Economic Development for the purpose of financing projects and facilities for the Georgia World Congress Center Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$15,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 101] From State General Funds, \$572,040 is specifically appropriated for the Department of Economic Development for the purpose of financing projects and facilities for the Georgia World Congress Center Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures,

equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$6,300,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 102] From State General Funds, \$684,800 is specifically appropriated for the Georgia Environmental Finance Authority for the purpose of financing loans to counties, municipal corporations, political subdivisions, local authorities, and other local government entities for water or sewerage facilities or systems or for regional or multijurisdictional solid waste recycling or solid waste facilities or systems, through the issuance of not more than \$8,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 103] From State General Funds, \$684,800 is specifically appropriated for the Georgia Environmental Finance Authority for the purpose of financing loans to counties, municipal corporations, political subdivisions, local authorities, and other local government entities for water or sewerage facilities or systems or for regional or multijurisdictional solid waste recycling or solid waste facilities or systems, through the issuance of not more than \$8,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 104] From State General Funds, \$1,416,480 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$15,600,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 105] From State General Funds, \$350,960 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,100,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 106] From State General Funds, \$231,400 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 107] From State General Funds, \$275,366 is specifically appropriated

for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,190,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 108] From State General Funds, \$181,600 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 109] From State General Funds, \$1,157,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Natural Resources by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of sixty months.

[Bond # 110] From State General Funds, \$408,600 is specifically appropriated for the Department of Natural Resources for the purpose of financing projects and facilities for the Lake Lanier Islands Development Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$4,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 111] From State General Funds, \$2,996,000 is specifically appropriated for the purpose of financing projects and facilities for the Georgia Ports Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$35,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 112] From State General Funds, \$13,600,000 is specifically appropriated for the purpose of financing projects and facilities for the State Road and Tollway Authority by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of

not more than \$100,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of one hundred and twenty months.

[Bond # 113] From State General Funds, \$470,800 is specifically appropriated for the purpose of financing projects and facilities for the Soil and Water Conservation Commission by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$5,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 114] From State General Funds, \$1,135,000 is specifically appropriated for the purpose of financing projects and facilities for the Stone Mountain Memorial Association by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$12,500,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 115] From State General Funds, \$8,560,000 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$100,000,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 116] From State General Funds, \$108,960 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,200,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 117] From State General Funds, \$236,534 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$2,605,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 118] From State General Funds, \$664,656 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$7,320,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

[Bond # 119] From State General Funds, \$122,580 is specifically appropriated for the purpose of financing projects and facilities for the Department of Transportation by means of the acquisition, construction, development, extension, enlargement, or improvement of land, waters, property, highways, buildings, structures, equipment or facilities, both real and personal, necessary or useful in connection therewith, through the issuance of not more than \$1,350,000 in principal amount of General Obligation Debt, the instruments of which shall have maturities not in excess of two hundred and forty months.

Section 51: General Obligation Bonds Repealed, Revised, or Reinstated

Reserved.

Section 52: Refunds

In addition to all other appropriations, there is hereby appropriated, as needed, a specific sum of money equal to each refund authorized by law, which is required to make refunds of taxes and other monies collected in error, farmer gasoline tax refunds, and any other refunds specifically authorized by law.

Section 53: Leases

In accordance with the requirements of Article IX, Section III, Paragraph I(a) of the Constitution of the State of Georgia, as amended, there is hereby appropriated payable to each department, agency, or institution of the State sums sufficient to satisfy the payments required to be made in each year under existing lease contracts between any department, agency, or institution of the State and any authority created and activated at the time of the effective date of the aforesaid constitutional provision, as amended, or appropriated for the State Fiscal Year addressed within this Act. If for any reason any of the sums herein provided under any other provision of this Act are insufficient to make the required payments in full, then there shall be taken from other funds appropriated to the department, agency, or institution involved an amount sufficient to satisfy such deficiency in full, and the lease payment shall constitute a first charge on all such appropriations.

Section 54: Budgetary Control and Interpretation

The appropriations of State Funds in this Act shall consist of the amount stated for each line at the most specific level of detail associated with the statement of Program Name and Program Purpose. The appropriations of Federal Funds and of Other Funds in this Act shall consist of the amount stated at the broadest or summary level of detail associated with the statement of Program Name and Program Purpose, and the more specific levels of detail shall be for information only. In the preceding sentence, "Federal Funds" means any federal funding source, whether specifically identified or not specifically identified; "Other Funds" means all other fund sources except State Funds and Federal Funds, including in Other Funds without limitation all Intra-State Government Transfers. Regardless of placement on the page, both the broadest or summary level of detail and the more specific detail of appropriations of Intra-State Government Transfers shall be deemed more specific levels of detail of Other Funds, and the broadest or summary amount shall be deemed added to the broadest or summary amount of the appropriation of Other Funds for the program.

Within this Act, Program Names appear as underlined captions, and Program Purpose appears immediately below as italicized text. Text within a box is not an appropriation but rather is for information only. The most specific level of detail for authorizations for general obligation debt in Section 50 shall be the authorizing paragraphs.

Section 55: Flex

Notwithstanding any other statement of purpose, the purpose of each appropriation of federal funds or other funds shall be the stated purpose or any other lawful purpose consistent with the fund source and the general law powers of the budget unit.

In the preceding sentence, "Federal Funds" means any federal funding source, whether specifically identified or not specifically identified; "Other Funds" means all other fund sources except State Funds or Federal Funds, including without limitation Intra-State Government Transfers. This paragraph shall not permit an agency to include within its flex the appropriations for an agency attached to it for administrative purposes.

For purposes of the appropriations for the "Medicaid: Low-Income Medicaid," "Medicaid: Aged, Blind, and Disabled," and "PeachCare" programs of the Department of Community Health, the appropriation of a particular State fund source for each program shall be the amount stated, and each such program shall also be authorized up to an additional amount of 10 percent (10%) of the amount stated. However, if the additional authority is used, the appropriation of the same State fund source for the other programs to that agency shall be

reduced in the same amount, such that the stated total in program appropriations from that State fund source for the three programs shall not be exceeded. However, the additional amount shall be from a State fund source which is lawfully available for the program to which it is added.

For purposes of the appropriations for the "Capital Construction Projects," "Capital Maintenance Projects," and "Local Road Assistance Administration" programs of the Department of Transportation, the appropriation of a particular State fund source for each program shall be the amount stated, and each such program shall also be authorized up to an additional amount of 10 percent (10%) of the amount stated. However, if the additional authority is used, the appropriation of the same State fund source for the other programs to that agency shall be reduced in the same amount, such that the stated total in program appropriations from that State fund source for the three programs shall not be exceeded. However, the additional amount shall be from a State fund source which is lawfully available for the program to which it is added.

PART II

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

PART III

All laws and parts of laws in conflict with this Act are repealed.

Senator Albers of the 56th moved the previous question.

Senator Williams of the 27th objected.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker

N Harbison	Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 38, nays 14; motion prevailed, and the previous question was ordered.

Senator Hill of the 4th moved that the Senate adopt the Conference Committee Report on HB 684.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 54, nays 1; the motion prevailed, and the Senate adopted the Conference Committee Report on HB 684.

The following bill was taken up to consider House action thereto:

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstration of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public

records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Kennedy of the 18th asked unanimous consent that the Senate insist on its amendment to HB 906.

The consent was granted, and the Senate insisted on its amendment to HB 906.

The Calendar was resumed.

HB 189. By Representatives Nelson of the 125th, Prince of the 127th and Scott of the 76th:

A BILL to be entitled an Act to amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, so as to provide that any service contract such entities enter into shall contain a termination clause; to provide that poor performance or cost overrun shall constitute cause for termination of the contract; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Payne of the 54th.

Senator Hufstetler of the 52nd moved that HB 189 be placed on the Table.

Senator Payne of the 54th objected.

On the motion the yeas were 24, nays 19; the motion prevailed, and HB 189 was placed on the Table.

HB 992. By Representatives Lott of the 122nd, Mathiak of the 73rd, Newton of the 123rd, Martin of the 49th and Dollar of the 45th:

A BILL to be entitled an Act to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to eliminate certain requirements relating to the use of automated external defibrillators; to eliminate obsolete language relating to base station facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Wilkinson of the 50th.

The Senate Committee on Public Safety offered the following substitute to HB 992:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, so as to recommend that health clubs and rehabilitation facilities have at least one functional automated external defibrillator on site at all times for use during emergencies; to provide for definitions; to provide for recommendations; to provide for study and reconsiderations; to amend Code Section 51-1-29.3 of the Official Code of Georgia Annotated, relating to immunity for operators of external defibrillators, so as to provide tort immunity for individuals using a defibrillator at a health club; to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to eliminate certain requirements relating to the use of automated external defibrillators; to eliminate obsolete language relating to base station facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions regarding health, is amended by adding a new Code section to read as follows:

"31-1-16.

(a) As used in this Code section, the term:

(1) 'Automated external defibrillator' shall have the same meaning as provided for in Code Section in 31-11-53.1.

(2)(A) 'Health club' means any commercial enterprise with 500 or more clients that provides, as its primary purpose, services or facilities for the preservation, maintenance, encouragement, or development of physical fitness or well-being.

(B) 'Rehabilitation facility' shall have the same meaning as provided for in subsection (b) of Code Section 31-7-51.

(C) The terms health club and rehabilitation facility shall not include a hospital, health care facility, or hotel or motel, unless the hotel or motel allows membership by individuals who are not guests of the hotel or motel, or an apartment, condominium, or town home or similar neighborhood facility.

(b) It is recommended that by no later than July 1, 2019, each health club and rehabilitation facility operated in this state have at least one functional automated external defibrillator on site at such facility at all times which is easily accessible during business hours, for use during emergencies.

(c) Each health club and rehabilitation facility shall consider the following

recommendations when procuring and implementing the usage of the automated external defibrillator:

(1) Ensure that persons employed and authorized by the health club and rehabilitation facility to use the automated external defibrillator complete training in cardiopulmonary resuscitation and automated external defibrillator use from a nationally recognized course;

(2) Ensure that the automated external defibrillator is maintained and tested according to the manufacturer's operational guidelines; and

(3) Ensure that designated personnel activate the emergency medical services system as soon as reasonably possible after any person renders emergency care or treatment to a person in cardiac arrest by using an automated external defibrillator.

(d)(1) The Department of Public Health is authorized and empowered to study and look into the need for health clubs, rehabilitation facilities, and other underutilized locations that should be recommended for the placement of automated external defibrillators.

(2) The General Assembly shall reconsider any recommendations for legislative action after December 31, 2019, to encourage and require the placement of automated external defibrillators in health clubs and rehabilitation facilities."

SECTION 1-2.

Code Section 51-1-29.3 of the Official Code of Georgia Annotated, relating to immunity for operators of external defibrillators, is amended by revising subsection (a) as follows:

"(a) The persons described in this Code section shall be immune from civil liability for any act or omission to act related to the provision of emergency care or treatment by the use of or provision of an automated external defibrillator, as described in Code Sections 31-1-16, 31-11-53.1, and 31-11-53.2, except that such immunity shall not apply to an act of willful or wanton misconduct and shall not apply to a person acting within the scope of a licensed profession if such person acts with gross negligence. The immunity provided for in this Code section shall extend to:

(1) Any person who gratuitously and in good faith renders emergency care or treatment by the use of or provision of an automated external defibrillator without objection of the person to whom care or treatment is rendered;

(2) The owner or operator of any premises or conveyance who installs or provides automated external defibrillator equipment in or on such premises or conveyance;

(3) Any physician or other medical professional who authorizes, directs, or supervises the installation or provision of automated external defibrillator equipment in or on any premises or conveyance other than any medical facility as defined in paragraph (5) of Code Section 31-7-1; and

(4) Any person who provides training in the use of automated external defibrillator equipment as required by subparagraph (b)(1)(A) of Code Section 31-11-53.2, whether compensated or not. This Code section is not applicable to any training or instructions provided by the manufacturer of the automated external defibrillator or to any claim for failure to warn on the part of the manufacturer."

PART II
SECTION 2-1.

Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, is amended by revising Code Section 31-11-53.1, relating to automated external defibrillator program, as follows:

"31-11-53.1.

(a) As used in this Code section, the term:

(1) 'Automated external defibrillator' means a defibrillator which:

(A) Is capable of cardiac rhythm analysis;

(B) Will charge and be capable of being activated to deliver a countershock after electrically detecting the presence of certain cardiac dysrhythmias; and

(C) Is capable of continuous recording of the cardiac dysrhythmia at the scene with a mechanism for transfer and storage or for printing for review subsequent to use.

(2) 'Defibrillation' means to terminate ventricular fibrillation.

(3) 'First responder' means any person or agency who provides on-site care until the arrival of a duly licensed ambulance service. This shall include, but not be limited to, persons who routinely respond to calls for assistance through an affiliation with law enforcement agencies, fire suppression agencies, rescue agencies, and others.

(b) It is the intent of the General Assembly that an automated external defibrillator may be used by any person for the purpose of saving the life of another person in cardiac arrest. ~~In order to ensure public health and safety:~~

~~(1) It is recommended that all persons who have access to or use an automated external defibrillator obtain appropriate training as set forth in the rules and regulations of the Department of Public Health. It is further recommended that such training include at a minimum the successful completion of:~~

~~(A) A nationally recognized health care provider/professional rescuer level cardiopulmonary resuscitation course; and~~

~~(B) A department established or approved course which includes demonstrated proficiency in the use of an automated external defibrillator;~~

~~(2) All persons and agencies possessing and maintaining an automated external defibrillator shall notify the appropriate emergency medical services system of the existence and location of the automated external defibrillator prior to said defibrillator being placed in use;~~

~~(3) All~~ It is further the intent of the General Assembly that all persons who use an automated external defibrillator shall activate the emergency medical services system as soon as reasonably possible by calling 9-1-1 or the appropriate emergency telephone number upon use of the automated external defibrillator; ~~and~~

~~(4) Within a reasonable period of time, all persons who use an automated external defibrillator shall make available a printed or electronically stored report to the licensed emergency medical services provider which transports the patient.~~

~~(c) All persons who provide instruction to others in the use of the automated external defibrillator shall have completed an instructor course established or approved by the~~

department.

~~(d) The department shall establish an automated external defibrillator program for use by emergency medical technicians. Such program shall be subject to the direct supervision of a medical adviser approved under Code Section 31-11-50. No emergency medical technician shall be authorized to use an automated external defibrillator to defibrillate a person unless that defibrillator is a properly maintained automated external defibrillator and that emergency medical technician:~~

~~(1) Submits to and has approved by the department an application for such use, and in considering that application the department may obtain and use the recommendation of the local coordinating entity for the health district in which the applicant will use such defibrillator;~~

~~(2) Successfully completes an automated external defibrillator training program established or approved by the department;~~

~~(3) Is subject to protocols requiring that both the emergency physician who receives a patient defibrillated by that emergency medical technician and the medical adviser for the defibrillator program review the department required prehospital care report and any other documentation of the defibrillation of any person by that emergency medical technician and send a written report of such review to the district EMS medical director of the health district in which the defibrillation occurred; and~~

~~(4) Obtains a passing score on an annual automated external defibrillator proficiency exam given in connection with that program.~~

~~(e) It shall not be necessary for a licensed emergency medical service, licensed neonatal transport service, or other services licensed by the department which provide care administered by cardiac technicians or paramedics to obtain department approval for the use of an automated external defibrillator on licensed vehicles.~~

~~(f) Any emergency medical technician who violates the provisions of this Code section shall be subject to having revoked by the department that person's authority to use an automated external defibrillator. Such a violation shall also be grounds for any entity which issues a license or certificate authorizing such emergency medical technician to perform emergency medical services to take disciplinary action against such person, including but not limited to suspension or revocation of that license or certificate. Such a violation shall also be grounds for the employer of such emergency medical technician to impose any sanction available thereto, including but not limited to dismissal.~~

~~(g)~~(c) Any first responder who gratuitously and in good faith renders emergency care or treatment by the use of or provision of an automated external defibrillator, without objection of the injured victim or victims thereof, shall not be held liable for any civil damages as a result of such care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment where the person acts without gross negligence or intent to harm or as an ordinary reasonably prudent person would have acted under the same or similar circumstances, even if such individual does so without benefit of the appropriate training. This provision includes paid persons who extend care or treatment without expectation of remuneration from the patient or victim for

receiving the defibrillation care or treatment."

SECTION 2-2.

Said chapter is further amended by revising Code Section 31-11-60.1, relating to program for physician control over emergency medical services to nonhospital patients, as follows:

"31-11-60.1.

(a) As used in this Code section, the term:

(1) 'Ambulance service medical director' means a physician licensed to practice in this state and subject to the approval of the local coordinating entity and the department who has agreed, in writing, to provide medical direction to a specific ambulance service.

~~(2) 'Base station facility' means any facility responsible for providing direct physician control of emergency medical services.~~

~~(3)~~(2) 'District emergency medical services medical director' means a person who is:

(A) A physician licensed to practice medicine in this state;

(B) Familiar with the design and operation of prehospital emergency services systems;

(C) Experienced in the prehospital emergency care of acutely ill or injured patients; and

(D) Experienced in the administrative processes affecting regional and state prehospital emergency medical services systems.

~~(4)~~(3) 'Emergency medical services personnel' means any emergency medical technician, paramedic, cardiac technician, or designated first responder who is certified under this article.

(b) The department and the district emergency medical services medical directors shall develop and implement a program to ensure appropriate physician control over the rendering of emergency medical services by emergency medical services personnel to patients who are not in a hospital, which program shall include but not be limited to the following:

(1) Medical protocols regarding permissible and appropriate emergency medical services which may be rendered by emergency medical services personnel to a patient not in a hospital;

(2) Communication protocols regarding which medical situations require direct voice communication between emergency medical services personnel and a physician or a nurse or a paramedic or a physician assistant in direct communication with a physician prior to those emergency medical services personnel's rendering specified emergency medical services to a patient not in a hospital; and

(3) Record-keeping and accountability requirements for emergency medical services personnel ~~and base station facility personnel~~ in order to monitor compliance with this subsection; ~~and~~

~~(4) Base station facility standards.~~

(c) The ambulance service medical director shall serve as the medical authority for the

ambulance service, performing liaison activities with the medical community, medical facilities, and governmental agencies. The ambulance service medical director shall be responsible for the provision of medical direction and training for the emergency medical services personnel within the ambulance service for which he or she is responsible in conformance with acceptable emergency medical practices and procedures. These responsibilities shall include the duties set forth in the department's rules and regulations for ambulance services.

(d) The district emergency medical services medical director shall not override those policies or protocols of the ambulance service medical director if that ambulance service medical director is documenting compliance with the department's rules and regulations for ambulance services.

~~(e) Every base station facility shall comply with the policies, protocols, requirements, and standards provided for in subsection (b) of this Code section.~~

~~(f)~~(e) All emergency medical services personnel shall comply with appropriate policies, protocols, requirements, and standards of the ambulance service medical director for that service or the policies, protocols, requirements, and standards provided for in subsection (b) of this Code section.

~~(g)~~(f) Conduct which would otherwise constitute a violation of subsection ~~(f)~~(e) of this Code section shall not be such a violation if such conduct was carried out by any emergency medical services personnel pursuant to an order from a physician, the ambulance service medical director for such person, or the protocol of that ambulance service as approved by the ambulance service medical director for such person.

~~(h) Violation by any base station facility of subsection (e) of this Code section may be grounds for the removal of that base station facility's designation by the department.~~

~~(i) Enforcement of subsections (g) and (h) of this Code section shall commence no earlier than 12 months after July 1, 1989."~~

PART III SECTION 3-1.

All laws and parts of laws in conflict with this Act are repealed.

Senator McKoon of the 29th offered the following amendment #1:

Amend the Senate Committee on Public Safety substitute to HB 992 (LC 41 1536S) by replacing line 11 with the following:

relating to base station facilities; to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide that at least two members of the board shall also be members of the state health benefit plan; to provide that two members shall be members of certain retirement systems; to provide for duties of the Board of Community Health; to create the State Health Benefit Plan Customer Advisory Council; to provide for membership; to provide for duties of the commissioner of community health; to provide for duties of the council; to provide for an effective date; to provide for related matters; to repeal conflicting laws;

By inserting between lines 228 and 229 the following:

Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, is amended in Code Section 31-2-3, relating to the Board of Community Health, by revising subsections (a) and (b) as follows:

"(a) ~~There is reconstituted the~~ The Board of Community Health, as of July 1, 2009, ~~which~~ shall establish the general policy to be followed by the Department of Community Health. ~~The powers, functions, and duties of the Board of Community Health as they existed on June 30, 2009, are transferred to the reconstituted Board of Community Health effective July 1, 2009.~~ The board shall consist of nine members appointed by the Governor and confirmed by the Senate; provided, however, that at least two members of the board shall be active participants in the state health benefit plan, at least one of whom shall be a member of the Employees' Retirement System of Georgia and one of whom shall be a member of the Teachers Retirement System of Georgia; and provided, further, that of those two members, one shall be a retired member and one shall be an active member of the respective retirement system. For purposes of this subsection, the term 'state health benefit plan' shall have the same meaning provided by Code Section 31-2-2.

(b) ~~Board members in office on June 30, 2009, shall serve out the remainder of their respective terms and successors to these board seats shall be appointed in accordance with this Code section. Thereafter, all succeeding appointments~~ All appointments to the board shall be for three-year terms from the expiration of the previous term."

SECTION 3-2.

Said chapter is further amended in Code Section 31-2-4, relating to the department's powers, duties, functions, and responsibilities, divisions, directors, and contracts for health benefits, by revising paragraph (1) of subsection (d) as follows:

"(1) Shall be the lead agency in coordinating and purchasing health care benefit plans for state and public employees, dependents, and retirees and may also coordinate with the board of regents for the purchase and administration of such health care benefit plans for its members, employees, dependents, and retirees and shall seek the counsel of the State Health Benefit Plan Customer Advisory Council created by Code Section 31-2-15 in performing the duties imposed by this paragraph;"

SECTION 3-3.

Said chapter is further amended by adding a new Code section to read as follows:

"31-2-15.

(a) There is created the State Health Benefit Plan Customer Advisory Council to advise the commissioner on components, provisions, elements, strategies, marketing, and customer satisfaction of the state health benefit plan.

(b) The council shall be composed of 12 members, all of whom are participants in the state health benefit plan and each of whom is an active or retired member of the Employees' Retirement System of Georgia or the Teachers Retirement System of

Georgia. At least three members shall be retired members of the Teachers Retirement System of Georgia, and at least two members shall be retired members of the Employees' Retirement System of Georgia. Each member of the council shall be appointed by the commissioner from nominations provided by nonprofit associations and state department human resource units which represent at least 1,000 members of the state health benefit plan. The members shall serve without compensation or reimbursement of expenses.

(c) The commissioner shall select a chairperson and a vice chairperson. The council shall meet at least three times per year at the call of the commissioner or upon the call of the chairperson. The council may accept the assistance of the commissioner in administrative functions of the council.

(d) The commissioner shall meet with the council to solicit input and consult with its members in the development of changes to the state health benefit plan prior to presenting such changes to the board for approval.

(e) The commissioner shall present implementation strategies and logistics to the council for advice prior to the adoption and implementation of such strategies and logistics.

(f) The commissioner may solicit councilmembers' organizations in informing and educating active and retired state health benefit plan participants of changes in such plans or other issues prior to the adoption of such changes by the board.

(g) The commissioner shall provide the council with all departmental state health benefit plan recommendations to be made to the board and shall provide the council chairperson the opportunity on behalf of the council to make comments to the board prior to the board taking action on such recommendations."

PART IV SECTION 4-1.

This Act shall become effective on July 1, 2018; provided, however, that nothing in this Act shall affect the term of office of any member of the Board of Community Health in office on July 1, 2018, who shall serve out the remainder of his or her respective term.

SECTION 4-2.

On the adoption of the amendment, there were no objections, and the McKoon amendment #1 to the committee substitute was adopted.

Senator Williams of the 27th offered the following amendment #2:

Amend Committee Substitute to HB 992 by inserting between lines 226 and 227 the following:

SECTION 2-3.

"Code Section 31-2A-18 of the Official Code of Georgia Annotated is revised as following:

(O) Post-Traumatic Stress Disorder resulting from direct exposure to or the witnessing of a trauma for a patient who is at least 18 years of age."

Redesignating subsequent sections accordingly.

Senator Wilkinson of the 50th requested a ruling of the Chair as to the germaneness of the amendment.

The President Pro Tempore ruled the amendment not germane.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 992, having received the requisite constitutional majority, was passed by substitute.

HB 327. By Representatives Blackmon of the 146th, Powell of the 171st, Harrell of the 106th, Corbett of the 174th, Kelley of the 16th and others:

A BILL to be entitled an Act to amend Chapter 5C of Title 48 of the Official Code of Georgia Annotated, relating to alternative ad valorem tax on motor vehicles, so as to change the manner for determining fair market value of motor vehicles subject to the tax; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for an expiration period for temporary license plates; to require that applications be submitted to the county where the vehicle will be registered; to provide for extensions of the registration period under certain circumstances; to provide for conditional titles for certain motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

Senator Albers of the 56th asked unanimous consent that HB 327 be placed on the Table. The consent was granted, and HB 327 was placed on the Table.

HR 993. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A RESOLUTION proposing an amendment to the Constitution so as to create a business court with state-wide jurisdiction; to provide for venue and uniformity of jurisdiction and powers; to provide for selection, terms, and qualifications of business court judges; to provide for the submission of this amendment for ratification or rejection; to provide for related matters; and for other purposes.

Senate Sponsor: Senator Strickland of the 17th.

Senator Strickland of the 17th asked unanimous consent that HR 993 be placed on the Table. The consent was granted, and HR 993 was placed on the Table.

HB 185. By Representatives Coomer of the 14th, Willard of the 51st, Hitchens of the 161st, Golick of the 40th and Belton of the 112th:

A BILL to be entitled an Act to amend Code Section 15-9-2.1 of the Official Code of Georgia Annotated, relating to appointment, compensation, term, authority, qualifications, training, and other limitations of associate probate

court judges, so as to change provisions relating to the practice of law outside of serving as an associate probate court judge; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Stone of the 23rd.

Senator Strickland of the 17th asked unanimous consent that HB 185 be placed on the Table. The consent was granted, and HB 185 was placed on the Table.

HB 871. By Representatives LaRiccia of the 169th, Parrish of the 158th, Powell of the 171st, Burns of the 159th, Pirkle of the 155th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to create an exemption from state sales and use tax for 50 percent of the sales price of manufactured homes to be converted into real property in this state; to require proof of a qualifying purchase; to provide for recapture for unproven exemptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Brass of the 28th.

The Senate Committee on Finance offered the following substitute to HB 871:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to create an exemption from state sales and use tax for 50 percent of the sales price of manufactured homes to be converted into real property in this state; to require proof of a qualifying purchase to be completed by the seller; to provide for recapture of and a penalty for unproven exemptions; to provide for recapture of exempted amounts if the manufactured home is converted to tangible personal property; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, is amended in Code Section 48-8-3, relating to exemptions from state sales and use taxes, by deleting "or" at the end of subparagraph (E) of paragraph (99), by replacing the period with "; or" at the end of subparagraph (C) of paragraph (100), and by adding a new

paragraph to read as follows:

"(101)(A) Fifty percent of the sales price of a manufactured home if such manufactured home is installed pursuant to Code Section 8-2-160 and will be converted to real property pursuant to Code Section 8-2-183.1 within 30 days of the retail sale.

(B) As used in this paragraph, the term 'manufactured home' means a structure built on a permanent chassis that:

(i) Is designed to be used as a dwelling;

(ii) Is transportable in one or more sections;

(iii) Contains plumbing, heating, air-conditioning, and electrical systems; and

(iv) Is designed to have an angled roof and a width of at least 16 feet and 1 inch.

(C) Within 30 days of a sale exempted as provided for in subparagraph (A) of this paragraph, the seller shall complete the requirements of Code Section 8-2-183.1 and properly file a copy of the Certificate of Permanent Location with the clerk of superior court, or the commissioner shall recover from the seller 1.5 times the amount of tax exempted by this paragraph.

(D) A manufactured home that is exempted as provided in subparagraph (A) of this paragraph shall not be eligible for a Certificate of Removal from Permanent Location provided in Part 4 of Article 2 of Chapter 2 of Title 8, or any other manner of a return to tangible personal property unless the amount exempted pursuant to subparagraph (A) of this paragraph is paid to the commissioner.

(E) The exemption provided for in subparagraph (A) of this paragraph shall not apply to any sales and use tax levied or imposed in an area consisting of less than the entire state, however authorized, including, but not limited to, such taxes authorized by or pursuant to:

(i) Constitutional amendment;

(ii) Section 25 of an Act approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965'; or

(iii) Article 2, 2A, 3, 4, 5, or 5A of this chapter."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers

Y Anderson, L

Y Anderson, T

Y Hufstetler

Y Jackson

Y James

Y Payne

Y Rhett

Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 2.

HB 871, having received the requisite constitutional majority, was passed by substitute.

HB 938. By Representatives Taylor of the 173rd, Smith of the 134th, Lumsden of the 12th, Shaw of the 176th and Hugley of the 136th:

A BILL to be entitled an Act to amend Code Section 33-23-12 of the Official Code of Georgia Annotated, relating to limited licenses, so as to provide for a limited credit insurance agency license; to provide for requirements; to provide for application to the Commissioner; to provide for penalties; to provide for a decision appeal; to provide for license renewal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Jones of the 25th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims

Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 1.

HB 938, having received the requisite constitutional majority, was passed.

The following Senators were excused for business outside the Senate Chamber:

Beach of the 21st Ligon, Jr. of the 3rd

HB 973. By Representatives Jones of the 47th, Burns of the 159th, England of the 116th, Trammell of the 132nd and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to provide that lobbyists shall acknowledge receiving, reading, and agreeing to abide by the sexual harassment policy of the General Assembly as a condition to lobbyist registration; to provide that violation of the sexual harassment policy by a lobbyist shall be grounds for sanctioning such lobbyist; to provide that complaints regarding violation of the sexual harassment policy of the General Assembly by any lobbyist may be reported to the Georgia Government Transparency and Campaign Finance Commission by the General Assembly with recommendations for sanctions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator McKoon of the 29th.

The Senate Committee on Ethics offered the following substitute to HB 973:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to provide that lobbyists shall acknowledge receiving, reading, and agreeing to abide by the sexual harassment policy of the General Assembly as a condition to lobbyist registration; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, is amended by revising subsections (b) and (d) of Code Section 21-5-71, relating to registration required, application for registration, supplemental registration, expiration, docket, fees, identification cards, public rosters, and exemptions, as follows:

"(b) Each lobbyist who is required to register under this article shall file an application for registration with the commission. The application shall be verified by the applicant and shall contain:

- (1) The applicant's name, address, and telephone number;
- (2) The name, address, and telephone number of the person or agency that employs, appoints, or authorizes the applicant to lobby on its behalf;
- (3) A statement of the general business or purpose of each person, firm, corporation, association, or agency the applicant represents;
- (4) If the applicant represents a membership group other than an agency or corporation, the general purpose and approximate number of members of the organization;
- (5) A statement signed by the person or agency employing, appointing, or authorizing the applicant to lobby on its behalf;
- (6) If the applicant is a lobbyist attempting to influence rule making or purchasing by a state agency or agencies, the name of the state agency or agencies before which the applicant engages in lobbying;
- (7) A statement disclosing each individual or entity on whose behalf the applicant is registering if such individual or entity has agreed to pay him or her an amount exceeding \$10,000.00 in a calendar year for lobbying activities; ~~and~~
- (8) A statement verifying that the applicant has not been convicted of a felony involving moral turpitude in the courts of this state or an offense that, had it occurred in this state, would constitute a felony involving moral turpitude under the laws of this state or, if the applicant has been so convicted, a statement identifying such conviction, the date thereof, a copy of the person's sentence, and a statement that more than ten years have elapsed since the completion of his or her sentence; and
- (9) A statement by the applicant verifying that the applicant has received the Georgia General Assembly Employee Sexual Harassment Policy as set forth in the Georgia

General Assembly Handbook, has read and understands the policy, and agrees to abide by the policy.

The commission shall retain on file the statement required pursuant to paragraph (9) of this subsection and any renewal statements under subsection (d) of this Code section for the duration of the lobbyist's registration period. A copy of such statement shall be sent to the Legislative Fiscal Office."

"(d) Each registration under this Code section shall expire on December 31 of each year. The commission may establish renewal procedures for those applicants desiring continuous registrations. Previously filed information may be incorporated by reference; provided, however, that the statement regarding the sexual harassment policy required under paragraph (9) of subsection (b) of this Code section shall be signed and filed each year as a part of the renewal process."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
E Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 973, having received the requisite constitutional majority, was passed by substitute.

The following Senators were excused for business outside the Senate Chamber:

Dugan of the 30th

Gooch of the 51st

Shafer of the 48th

HB 929. By Representatives Efration of the 104th, Powell of the 171st and Burns of the 159th:

A BILL to be entitled an Act to amend Article 4 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to the water and sewer projects and costs tax (MOST), so as to allow for additional renewals of the tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Mullis of the 53rd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
E Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowser	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	E Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 43, nays 4.

HB 929, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

March 27, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 929. Had I been present, I would have voted "YES".

/s/ Tonya Anderson
District 43

HB 658. By Representatives Ehrhart of the 36th, Carson of the 46th and Anulewicz of the 42nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to excise tax on rooms, lodgings, and accommodations, so as to remove the sunset date for the time during which a certain excise tax on rooms, lodgings, and accommodations may be collected; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Tippins of the 37th.

The Senate Committee on Finance offered the following substitute to HB 658:

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to excise tax on rooms, lodgings, and accommodations, so as to remove the sunset date for the time during which a certain excise tax on rooms, lodgings, and accommodations may be collected; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to excise tax on rooms, lodgings, and accommodations, is amended by revising paragraph (5.1) of subsection (a) of Code Section 48-13-51, relating to county and municipal levies

on public accommodations charges for promotion of tourism, conventions, and trade shows, as follows:

"(5.1) Notwithstanding any other provision of this subsection, a county (within the territorial limits of the special district located within the county) and the municipalities within a county in which a coliseum and exhibit hall authority has been created by local Act of the General Assembly for a county and one or more municipalities therein, and which local coliseum and exhibit hall authority is in existence on or before January 1, 1991, and which local coliseum and exhibit hall authority has not constructed or operated any facility before January 1, 1991, may levy a tax under this Code section at a rate of 8 percent. A county or municipality levying a tax pursuant to this paragraph shall expend (in each fiscal year during which the tax is collected under this paragraph) an amount equal to at least 62 1/2 percent of the total taxes collected at the rate of 8 percent for the purpose of:

(A) Promoting tourism, conventions, and trade shows;

(B) Funding, supporting, acquiring, constructing, renovating, improving, and equipping buildings, structures, and facilities, including, but not limited to, a coliseum, exhibit hall, conference center, performing arts center, or any combination thereof, for convention, trade show, athletic, musical, theatrical, cultural, civic, and performing arts purposes and other events and activities for similar and related purposes, acquiring the necessary property therefor, both real and personal, and funding all expenses incident thereto, and supporting, maintaining, and promoting such facilities owned, operated, or leased by or to the local coliseum and exhibit hall authority or a downtown development authority; or

(C) For some combination of such purposes;

provided, however, that at least 50 percent of the total taxes collected at the rate of 8 percent shall be expended for the purposes specified in subparagraph (B) of this paragraph. Amounts so expended shall be expended only through a contract or contracts with the state, a department of state government, a state authority, a convention and visitors bureau authority created by local Act of the General Assembly for a municipality, a local coliseum and exhibit hall authority, a downtown development authority, or a private sector nonprofit organization, or through a contract or contracts with some combination of such entities. The aggregate amount of all excise taxes imposed under this paragraph and all sales and use taxes, and other taxes imposed by a county or municipality, or both, shall not exceed 13 percent; provided, however, that any sales tax for educational purposes which is imposed pursuant to Article VIII, Section VI, Paragraph IV of the Constitution shall not be included in calculating such limitation. Any tax levied pursuant to this paragraph shall terminate not later than December 31, ~~2028~~ 2053, provided that during any period during which there remains outstanding any obligation issued to fund a facility as contemplated by this paragraph, secured in whole or in part by a pledge of a tax authorized under this Code section, the powers of the counties and municipalities to impose and distribute the tax imposed by this paragraph shall not be diminished or impaired by the state and no county or municipality levying the tax imposed by this

paragraph shall cease to levy the tax in any manner that will impair the interests and rights of the holder of any such obligation. This proviso shall be for the benefit of the holder of any such obligation and, upon the issuance of any such obligation by a local coliseum and exhibit hall authority or a downtown development authority, shall constitute a contract with the holder of such obligation. Notwithstanding any other provision of this Code section to the contrary, as used in this paragraph, the term 'fund' or 'funding' shall include the cost and expense of all things deemed necessary by a local coliseum and exhibit hall authority or a downtown development authority for the construction and operation of a facility or facilities, including, but not limited to, the study, operation, marketing, acquisition, construction, financing, including the payment of principal and interest on any obligation of the local coliseum and exhibit hall authority or the downtown development authority and any obligation of the local coliseum and exhibit hall authority or the downtown development authority to refund any prior obligation of the local coliseum and exhibit hall authority or the downtown development authority, development, extension, enlargement, or improvement of land, waters, property, streets, highways, buildings, structures, equipment, or facilities and the repayment of any obligation incurred by an authority in connection therewith; 'obligation' shall include bonds, notes, or any instrument creating an obligation to pay or reserve moneys and having an initial term of not more than 37 years; 'facility' or 'facilities' ~~shall mean~~ means any of the buildings, structures, and facilities described in subparagraph (B) of this paragraph and any associated parking areas or improvements originally owned or operated incident to the ownership or operation of such facility used for any purpose or purposes specified in subparagraph (B) of this paragraph by a local coliseum and exhibit hall authority or a downtown development authority; and 'downtown development authority' ~~shall mean~~ means a downtown development authority created by local Act of the General Assembly for a municipality pursuant to a local constitutional amendment."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
E Beach	Jones, B	E Shafer

Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 43, nays 5.

HB 658, having received the requisite constitutional majority, was passed by substitute.

HB 357. By Representative Stephens of the 164th:

A BILL to be entitled an Act to amend Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to registration, operation, and sale of watercraft, so as to provide for the titling of certain vessels; to provide for procedures with regard to titling such vessels; to provide for legislative intent and findings; to provide a short title; to amend Part 1 of Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding sales and use taxes, so as to provide for a cap on the sales and use tax on the purchase or lease of a vessel; to provide definitions; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Finance offered the following substitute to HB 357:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to registration, operation, and sale of watercraft, so as to provide for the titling of certain vessels; to provide for procedures with regard to titling such vessels; to provide for

legislative intent and findings; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Georgia Uniform Certificate of Title for Vessels Act."

SECTION 2.

The General Assembly finds that:

- (1) Titles for vessels in this state would deter and impede theft;
- (2) Titles for vessels in this state would facilitate the ownership, transfer, and financing of such vessels; and
- (3) Titling of vessels would create equity and fairness for the selling of vessels by dealers, brokers, agents, private parties, and manufacturers.

SECTION 3.

Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to registration, operation, and sale of watercraft, is amended by revising Code Section 52-7-4, relating to requirement as to numbering of vessels, as follows:

"52-7-4.

(a) Every vessel using the waters of this state shall be numbered, except those vessels exempted by Code Section 52-7-6 and those vessels documented by the United States Coast Guard and licensed pursuant to Code Section 27-2-8. No person shall operate or give permission for the operation of any such vessel on the waters of this state unless the vessel is numbered in accordance with this article or in accordance with applicable federal law or in accordance with a federally approved numbering system of another state and unless:

- (1) The certificate of number issued to the vessel is on board and in full force and effect; and
- (2) The identifying number set forth in the certificate of number is properly displayed on each side of the forward half of the vessel; provided, however, that this requirement shall not apply to numbered vessels which are documented by the United States Coast Guard.

(b) Every vessel using the waters of this state shall be titled unless it is exempt from the numbering requirements of paragraph (a) of this Code section or exempt under Code Section 52-7-7. No person shall operate or give permission for the operation of any such vessel on the waters of this state unless the vessel is titled in accordance with this article. Every outboard motor greater than 25 horsepower used to propel a titled vessel shall be included on the vessel title.

(c) Except as provided in subsection (e) of this Code section, at or before the time the owner of record transfers an ownership interest in a hull damaged vessel that is covered

by a certificate of number created by the department, if the damage occurred while such person was an owner of the vessel and the person has notice of the damage at the time of the transfer, the owner shall:

(1) Deliver to the department an application for a new certificate of number and includes the title brand designation 'Hull Damaged'; or

(2) Indicate on the certificate of title or on the bill of sale or other transfer document in the place designated for such purpose that the vessel is hull damaged and deliver the certificate or other transfer document to the transferee.

(d) Not later than 20 days after delivery to the department of the application under paragraph (1) of subsection (c) of this Code section or the delivery to the transferee of the certificate of title or bill of sale under paragraph (2) of subsection (c) of this Code section, the department shall create a new record that indicates that the vessel is branded 'Hull Damaged.'

(e) Before an insurer transfers an ownership interest in a hull damaged vessel that is covered by a certificate of number created by the department, the insurer shall deliver to the department an application for a new certificate and includes the title brand designation 'Hull Damaged.' Not later than 20 days after delivery of the application to the department, the department shall create a new record that indicates that the vessel is branded 'Hull Damaged.'

(f) An owner of record that fails to comply with subsection (c) of this Code section, a person that solicits or colludes in a failure by an owner of record to comply with subsection (c) of this Code section, or an insurer that fails to comply with subsection (e) of this Code section is subject to a civil penalty of \$1,000.00.

(g) For the purposes of this Code section, 'hull damaged' means compromised with respect to the integrity of a vessel's hull by a collision, allision, lightning strike, fire, explosion, running aground, or similar occurrence or the sinking of a vessel in a manner that creates a significant risk to the integrity of the vessel's hull."

SECTION 4.

Said chapter is further amended by revising Code Section 52-7-5, relating to numbering of vessels, requirements, and fees, as follows:

"52-7-5.

(a) The owner of each vessel required to be numbered or titled by this article shall file an application for number or title with the department on forms containing such information required by the department. Upon receipt of the completed application and any other required information and documents, the department shall enter the application upon its records and issue to the applicant a certificate of number stating the number assigned to the vessel, the name and address of the owner, and such additional information as may be prescribed by the department. The department shall maintain electronic records of title and furnish a physical certificate of title to the owner or lienholder upon request.

(b)(1) The identification number assigned to all registered vessels, except those documented by the United States Coast Guard, shall be permanently painted or

attached to each side of the forward half of the vessel, and no other number may be displayed thereon. Numbers shall read from left to right, be in block characters, be of a color contrasting with the background, and be not less than three inches in height nor more than one inch apart. There shall be a hyphen or space between the prefix letters and numerals and between the numerals and the suffix letters. The hyphen or space shall be equal to the width of any letter except I.

(2) On vessels so configured that a number on the hull or superstructure would not be easily visible, the number shall be painted on or attached to a backing plate that is attached to the forward half of the vessel so that the number will be clearly visible under normal operating conditions.

(3) The numbers shall be maintained in a legible condition.

(4) Vessels owned by manufacturers or dealers and being used as demonstrators or for testing on state waters may use the dealer's tag supplied with his or her registration in lieu of a permanently attached number. Such vessels owned by manufacturers and dealers and only used as demonstrators or for testing using a dealer's tag shall not be required to be titled.

(c) Expiration decals shall be assigned by the department to all registered vessels. Such decals shall be displayed one on each side of the bow preceding the prefix letters and maintained in legible condition. There shall be a hyphen or space separating each decal and the prefix letters which shall be equal to the width of any letter except I.

(d) Applications shall be signed by the owner or owners of the vessel and shall be accompanied by the proper fee. Fees for numbering vessels for a registration period of three years shall be as follows:

(1) Vessels up to 16 feet in length	\$ 25.00
(2) Vessels 16 to 26 feet in length	60.00
(3) Vessels 26 to 40 feet in length	130.00
(4) Vessels 40 feet in length or longer	200.00

(e)(1) Registration for vessels shall expire on the last day of the month of the owner's birth in the last year of the registration period and shall thereafter be of no force or effect unless renewed pursuant to this article; provided, however, that the registration for vessels not owned by individuals shall expire on December 31 of the last year of the registration period. Certificates of number may be renewed by the owner in the same manner provided for in the initial securing of such certificates.

(2) Registrations may be renewed any time after October 1 prior to the year of expiration. If the certificate of number is allowed to expire, a renewal application may still be filed with the department so long as the applicant pays the registration fee prescribed in subsection (d) of this Code section along with a \$10.00 late fee.

(3) Any application for registration or title which, due to failure of the applicant to provide additional information required by the department, remains incomplete 60 days after initial receipt of such application shall expire, and a new application and

registration or title fee shall be required.

(f) Should the ownership of a numbered or titled vessel change while a valid registration or title is in effect, the new owner shall file with the department a new application and pay the prescribed fee for a new registration or title. The number assigned upon transfer of ownership shall be identical to the previous number unless such number has been reassigned by the department during any expired registration or title period.

(g) In the event that an agency of the United States government shall have in force an overall system of identification (numbering) for vessels within the United States, the numbering system employed pursuant to this article by the department shall be in conformity therewith. The provisions for titling employed pursuant to this article by the department shall be in conformity for approval by the United States Coast Guard under the provisions of 46 U.S.C. Section 31322(d)(1).

(h) The department may issue any certificate of number, expiration decal, marine toilet certification, title, or other permit or accept applications for registration or titling provided for in this chapter directly or may authorize any person to act as agent for the issuing or collection and maintenance of information thereof. In the event that a person accepts such authorization to issue certificates of title or number, he or she may be allotted a block of numbers and certificates or provided direction and instruction therefor which, upon assignment and issue in conformity with this article and with any rules and regulations of the department, shall be valid as if assigned and issued directly by the department. Any person acting as agent for the department may charge a fee for his or her services in an amount approved by the department not to exceed \$10.00 per transaction.

(i) All records of the department made or kept pursuant to this Code section shall be public records.

(j) The owner shall furnish the department notice of the transfer of all or of any part of his or her interest, other than the creation of a security interest, in a vessel numbered or titled in this state pursuant to this Code section, the theft or recovery of the vessel, or the destruction or abandonment of the vessel within 15 days thereof, in a manner specified by the department.

(k) Any holder of a certificate of number or title shall notify the department in writing within 15 days if his or her address no longer conforms to the address appearing on the certificate or title and shall, as a part of such notification, furnish the department with his or her new address.

(l) No number other than the number validly assigned to a vessel shall be painted, attached, or otherwise displayed on either side of the forward half of the vessel.

(m)(1) A certificate of number or title once issued pursuant to this Code section shall be considered void upon the happening of any one of the following events:

- (A) The owner transfers all his or her interest in said vessel to another person or involuntarily loses his or her interest through legal process;
- (B) The vessel is destroyed or abandoned;
- (C) It is discovered by the department that the application submitted by the owner

contains false or fraudulent information;

(D) The fees for issuance are not paid by the applicant; or

(E) The state of principal use is changed.

(2) A void certificate or title shall be surrendered to the department within 15 days from the date that it becomes or is declared to be void.

(n) The number placed on the forward half of the vessel by the owner shall be removed by the owner if:

(1) The vessel is documented under the laws of the United States;

(2) The certificate ~~or~~ of number or title becomes invalid because it is determined that a false or fraudulent statement was made in the application or the fees have not been paid; or

(3) The vessel is no longer used in this state.

(o) The board shall be authorized to establish, by rule or regulation, a procedure to refund fees collected pursuant to this chapter which were collected in error or overpayment or to which the department or state is otherwise not entitled."

SECTION 5.

This Act shall become effective on January 1, 2019.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
E Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman

Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 3.

HB 357, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the Senate:

SB 364. By Senators Hufstetler of the 52nd, Unterman of the 45th, Kirkpatrick of the 32nd, Orrock of the 36th and Burke of the 11th:

A BILL to be entitled an Act to amend Code Section 43-34-103 of the Official Code of Georgia Annotated, relating to delegation of authority to physician assistants, so as to authorize a higher supervisory ratio for physician assistants who have completed a board approved anesthesiologist assistant program; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 315. By Senators Thompson of the 14th, Albers of the 56th, Cowsert of the 46th, Miller of the 49th, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, so as to create the new crime of unauthorized computer access; to provide for penalties; to change provisions relating to venue for computer crimes; to provide for forfeiture; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 325. By Senators Kirkpatrick of the 32nd, Hufstetler of the 52nd, Burke of the 11th, Watson of the 1st, Tillery of the 19th and others:

A BILL to be entitled an Act to amend Chapter 34 of Title 43 of the O.C.G.A., relating to physicians, assistants, and others, so as to enter into an interstate compact known as the "Interstate Medical Licensure Compact Act"; to authorize the Georgia Composite Medical Board to administer the compact in this state; to provide for the purpose of the compact; to provide definitions; to provide for eligibility; to provide for application of an expedited license; to provide for a coordinated information system; to provide for joint investigations and discipline; to provide for a commission to administer the compact among the member states; to provide for dispute resolution; to provide for withdrawal from the compact; to provide for construction; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 432. By Senators Albers of the 56th, Hufstetler of the 52nd, Dugan of the 30th, Hill of the 4th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the O.C.G.A., relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain tax credits; to amend Code Section 48-8-3 of the O.C.G.A., relating to exemptions from state sales and use taxes, so as to repeal and reserve certain exemptions from state sales and use taxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

HB 713. By Representatives Chandler of the 105th, Raffensperger of the 50th, Mathiak of the 73rd, Dreyer of the 59th and Barr of the 103rd:

A BILL to be entitled an Act to amend Code Section 20-3-519 of the Official Code of Georgia Annotated, relating to definitions relative to HOPE scholarships and grants, by providing for eligibility requirements to receive the HOPE scholarship as a Zell Miller Scholarship Scholar relative to students who graduated from an ineligible high school or a home study program; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harbin of the 16th.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 7, 2018

Honorable Rick Jasperse
Chairman, Higher Education
401-H Capitol
Atlanta, Georgia 30334

SUBJECT: Revised Fiscal Note
House Bill 713 (LC 39 1740)

Dear Chairman Jasperse:

The original fiscal note for LC 39 1740, dated January 30, 2018, has been revised and replaced. The fiscal note did not account for the fact that the newly eligible students under the bill may already become eligible for the Zell Miller Scholarship at the end of 30 semester hours. The eligibility is retroactive, with the state paying the full Zell Miller amount for those first 30 hours. In those cases, the state would not incur an additional cost under this bill for those students. Only the timing of the state costs would be moved.

The bill would amend O.C.G.A. 20-3-519 relating to Zell Miller Scholarship eligibility requirements for students that have completed a home study program or graduated from an ineligible high school. The bill would decrease the required ACT and SAT score for these incoming freshmen from the ninety-third percentile to the ninety-first percentile. Section 1 of the bill would become effective July 1, 2018 and Section 2 would become effective on July 1, 2020.

Analysis of FY 2017 data shows that nearly 100 home school and ineligible high school students currently qualify for the HOPE Scholarship but are ineligible for the Zell Miller Scholarship due to ACT or SAT scores below the ninety-third percentile. Lowering the required ACT or SAT score to the ninety-first percentile would allow 15 of these students to become immediately eligible for the Zell Miller Scholarship. Currently, these students may become eligible for the Zell Miller Scholarship if they have a 3.3 GPA at the end of 30 semester hours.

For those students who become eligible for the Zell Miller Scholarship at 30 semester hours, the bill would result in no additional costs. This is because the eligibility is retroactive, meaning the state pays the full tuition amount for the first 30 semester hours. The bill would simply shift the timing of the award payments. If any of the 15 students do not have a 3.3 GPA at the end of 30 hours, the state would incur an additional cost of approximately \$3,808. This is the difference between the HOPE award they receive under current law and the Zell Miller Scholarship award they would receive under the bill.

It should be noted that the additional costs could be impacted by tuition increases that could result in a larger difference between the HOPE Scholarship awards and Zell Miller Scholarship awards.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

¹ This is the average difference between the two awards across multiple schools.

The Senate Committee on Higher Education offered the following substitute to HB 713:

A BILL TO BE ENTITLED
AN ACT

To amend Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to scholarships, loans, and grants, so as to provide for grants for certain eligible students enrolled in an institution of the University System of Georgia; to define certain terms; to provide for application and administration; to provide for pro rata application; to provide for audits; to provide for penalties; to provide for eligibility requirements to receive the HOPE scholarship as a Zell Miller Scholarship Scholar relative to students who graduated from an ineligible high school or a home study program; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 7 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to scholarships, loans, and grants, is amended by adding a new subpart to read as follows:

"Subpart 2A20-3-360.

As used in this subpart, the term:

(1) 'Eligible student' means a person whose family income does not exceed \$48,000.00 and who:

(A) Has been accepted for enrollment as a first year student in a qualified institution who has qualified for and is receiving a federal Pell Grant, is not qualified to receive a HOPE scholarship, achieved a high school grade point average of 2.3 through 3.0, and meets at least one of the following requirements:

(i) Has achieved an ACT composite scale score of 21 or higher;

(ii) Has achieved an SAT score of 480 or higher on evidence based reading and writing and 530 on mathematics;

(iii) Has achieved a score of 3 or higher on at least two advanced placement examinations;

(iv) Has achieved a score of 4 or higher on at least two international baccalaureate examinations;

(v) Has passed an end-of-pathway assessment under the Carl D. Perkins Vocational and Technical Education Act, 20 U.S.C. Section 2301, et seq.; or

(vi) Has completed a work based learning experience in a field related to at least one course in the same pathway of study;

(B) Is an enrolled continuing first year student in a qualified institution who is making satisfactory progress in his or her degree program; or

(C) Is a continuing student in a qualified institution who has become ineligible for a HOPE scholarship and qualifies under one of the provisions of divisions (i) through (vi) of subparagraph (A) of this paragraph during his or her high school career.

(2) 'Income' means federal adjusted gross income determined pursuant to the Internal Revenue Code of 1986, as amended, from all sources, and income derived from municipal bonds which is not included in federal adjusted gross income for federal income tax purposes.

(3) 'Qualified institution' means an institution of the university system.

20-3-361.

There is awarded to each eligible student a grant in an amount not to exceed \$1,500.00 per academic semester, contingent upon appropriations by the General Assembly. In order to remain eligible to receive such grant, a student must be employed at least 15 hours per week during the semester and maintain at least a 2.3 grade point average; provided, however, that a student athlete shall be exempt from the employment requirement imposed by this Code section during the period beginning on the first day of the month preceding the month in which the first competition of the regular season occurs through the last day of the month in which the final competition of the regular season or postseason competition occurs.

20-3-362.

Each eligible student wishing to receive the grant provided for in this subpart shall submit to the qualifying institution an application for the grant payment at the time and in accordance with procedures prescribed by the authority. The authority is authorized to define such terms and prescribe such rules, regulations, and procedures as may be reasonable and necessary to carry out the purposes of this subpart. The authority shall not approve payment of any grant until it has received from an appropriate officer of the qualifying institution a certification that the student applying for the grant is an eligible student. Upon timely receipt of such certification, in proper form, the authority is authorized to pay the grant to the qualifying institution on behalf of and to the credit of the student. In the event a student on whose behalf a grant is paid does not enroll as a full-time student for the academic semester for which the grant is paid, the qualifying institution shall make a refund to the authority in accordance with regulations of the authority.

20-3-363.

(a) In the event funds available to the authority are not sufficient to enable the authority to pay on behalf of eligible students the full grant prescribed by the General Assembly, grants payable for the remaining academic semesters shall be reduced by the authority on a pro rata basis.

(b) The authority shall use the following formula in calculating the budget for each qualifying institution: the combined amount of average annual tuition and mandatory fees minus the average annual Pell Grant award multiplied by the number of Pell Grant recipients from which has been subtracted the combined number of HOPE and Zell Miller scholarship recipients.

20-3-364.

Each qualified institution shall be subject to examination by the state auditor for the sole purpose of determining whether the institution has properly certified eligibility and enrollment of students and credited grants paid on behalf of such students; provided, however, that nothing in this subpart shall be construed to interfere with the authority of the institution to determine admissibility of students or to control its own curriculum, philosophy, purpose, or administration. In the event it is determined that a qualified institution knowingly or through error certified an ineligible student to be eligible for a grant under this subpart, the amount of the grant paid to such institution pursuant to such certification shall be refunded by such institution to the authority.

20-3-365.

Any person who knowingly makes or furnishes any false statement or misrepresentation or who accepts such statement or misrepresentation knowing it to be false for the purpose of enabling an ineligible student to obtain wrongfully a grant under this subpart shall be guilty of a misdemeanor."

SECTION 2.

Said article is further amended in Code Section 20-3-519, relating to definitions relative to HOPE scholarships and grants, by revising division (27)(A)(iii) as follows:

"(iii) Having completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 or having graduated from a high school which is not an eligible high school, having received a score in the ~~ninety-third~~ ninety-second percentile or higher on the ACT, on the combined critical reading and math portions on a single administration of the SAT administered prior to March 1, 2016, or on the total score on a single administration of the SAT administered on or after March 1, 2016; or"

SECTION 3.

Said article is further amended in Code Section 20-3-519, relating to definitions relative to HOPE scholarships and grants, by revising division (27)(A)(iii) as follows:

"(iii) Having completed a home study program meeting the requirements of subsection (c) of Code Section 20-2-690 or having graduated from a high school which is not an eligible high school, having received a score in the ~~ninety-third~~ ninety-second percentile or higher on the ACT, on the combined critical reading and math portions on a single administration of the SAT administered prior to March 1, 2016, or on the total score on a single administration of the SAT administered on or after March 1, 2016; or"

SECTION 4.

This Act shall become effective on July 1, 2018; except that Section 3 of this Act shall become effective on July 1, 2020.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senators Jones of the 25th, Martin of the 9th, Tillery of the 19th, Mullis of the 53rd Millar of the 40th and others offered the following amendment #1:

Amend the Senate Committee on Higher Education substitute to HB 713 (LC 21 5992S) by inserting after "program;" on line 7 the following:

to amend Code Section 20-2-161.3 of the Official Code of Georgia Annotated, relating to the "Move on When Ready Act" and dual credit courses, so as to allow funding for students taking dual credit courses at certain eligible postsecondary institutions which utilize nonstandard term systems to be eligible for payment for up to five nonstandard terms per academic year; to provide for automatic repeal;

By inserting between lines 110 and 111 the following:

SECTION 3A.

Code Section 20-2-161.3 of the Official Code of Georgia Annotated, relating to the

"Move on When Ready Act" and dual credit courses, is amended by revising subsection (k) as follows:

"(k) The funding provided to the commission for the program shall be subject to annual appropriations enacted by the General Assembly beginning in Fiscal Year 2016. The commission shall set criteria for funding for tuition, mandatory and noncourse related fees, course books, and transportation; provided, however, that beginning with the first summer school term in 2019, any eligible postsecondary institution that is a public authority and a body corporate and politic which utilizes a nonstandard term system composed of five terms in an academic year shall be allowed by the commission to receive payments for five terms annually for eligible high school students enrolled in dual credit courses at such institution. The amount of such funds to be paid shall be determined by the commission. The commission shall create a grant program, subject to the availability of funds, pursuant to which participating public eligible high schools may apply for transportation grants. Such grants shall be awarded based on criteria, terms, and conditions determined by the commission in consultation with the department."

By adding to the end of line 113 the following:

The amendment to subsection (k) of Code Section 20-2-161.3 as made by Section 3A of this Act shall stand repealed on June 30, 2020.

On the adoption of the amendment, there were no objections, and the Jones of the 25th, et al. amendment #1 to the committee substitute was adopted.

Senators Cowsert of the 46th and Millar of the 40th offered the following amendment #2:

Amend the Senate Committee on Higher Education substitute to HB 713 (LC 21 5992S) by deleting lines 1 and 2 and inserting in lieu thereof the following:

To amend Titles 20 and 50 of the Official Code of Georgia Annotated, relating to education and state government, respectively, so as to provide for certain grants and other funds for education; to provide for grants for certain

By inserting after "program;" on line 7 the following:

to establish the percentage of the lottery proceeds for each fiscal year which must equal the net proceeds to be transferred to the state treasury for credit to the Lottery for Education Account; to provide for exceptions; to provide for verification of certain information by the Department of Audits and Accounts;

By deleting lines 11 and 12 and inserting in lieu thereof the following:

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Article 7 of Chapter 3, relating to scholarships, loans, and grants, by adding a new subpart to read as follows:

By replacing "article" with "title" on lines 92 and 102 and by inserting between lines 110 and 111 the following:

SECTION 3A.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended in Code Section 50-27-13, relating to disposition of lottery proceeds, budget report by Governor, appropriations by General Assembly, and shortfall reserve subaccount, by revising subsection (a) as follows:

"(a)(1) All lottery proceeds shall be the property of the corporation.

(2) From its lottery proceeds the corporation shall pay the operating expenses of the corporation. As nearly as practical, at least 45 percent of the amount of money from the actual sale of lottery tickets or shares shall be made available as prize money; provided, however, that this paragraph shall be deemed not to create any lien, entitlement, cause of action, or other private right, and any rights of holders of tickets or shares shall be determined by the corporation in setting the terms of its lottery or lotteries.

(3)(A) For fiscal year 2018, net proceeds shall equal at least 26.5 percent of the lottery proceeds. For fiscal year 2019, net proceeds shall equal at least 27.5 percent of the lottery proceeds. Beginning with fiscal year 2020 and As nearly as practical, for each fiscal year thereafter, net proceeds shall equal at least 35 28.5 percent of the lottery proceeds. However, for the first two full fiscal years and any partial first fiscal year of the corporation, net proceeds need only equal 30 percent of the proceeds as nearly as practical.

(B) If for fiscal year 2018 the net sales revenue of tickets is 5 percent less than the net sales revenue of tickets for fiscal year 2017 as verified by the Department of Audits and Accounts as provided in subparagraph (C) of this paragraph, then the increase of the net proceeds to at least 27.5 percent of the lottery proceeds for fiscal year 2019, as provided in subparagraph (A) of this paragraph, shall not be required and instead the net proceeds shall remain equal to at least 26.5 percent of the lottery proceeds for each fiscal year thereafter. If for fiscal year 2019 the net sales revenue of tickets is 5 percent less than the net sales revenue of tickets for fiscal year 2018 as verified by the Department of Audits and Accounts as provided in subparagraph (C) of this paragraph, then the increase of the net proceeds to at least 28.5 percent of the lottery proceeds for fiscal year 2020, as provided in subparagraph (A) of this paragraph, shall not be required and instead the net proceeds shall remain equal to at least 27.5 percent of the lottery proceeds for each fiscal year thereafter. For purposes of this subparagraph, the term 'net sales revenue' means the total amount of revenue derived from ticket sales minus the value of any tickets that are provided as prizes.

(C) The contingencies provided in subparagraph (B) of this paragraph shall not be applicable unless and until the Department of Audits and Accounts or a third party designated by the Department of Audits and Accounts shall verify that there has been a decrease in the net sales revenue of tickets of at least 5 percent and that such decrease was caused by the increased percentage of net proceeds the corporation

was required to transfer to the general fund of the state treasury as provided for in subparagraph (A) of this paragraph."

On the adoption of the amendment, there were no objections, and the Cowser, Millar amendment #2 to the committee substitute was adopted.

Senator Henson of the 41st offered the following amendment #3

Amend the Senate Committee on Higher Education substitute to HB 713 (LC 21 5992S) by deleting lines 46 through 52 and inserting in lieu thereof the following:
remain eligible to receive such grant, a student must maintain at least a 2.3 grade point average.

On the adoption of the amendment, the President asked unanimous consent.

Senator Millar of the 40th objected.

On the adoption of the amendment, Senator Williams of the 27th called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers	N Hufstetler	N Payne
N Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
E Beach	Y Jones, B	N Shafer
N Black	Y Jones, E	Sims
N Brass	Y Jones, H	N Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowser	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
E Dugan	N Ligon	N Tillery
N Ginn	Lucas	N Tippins
E Gooch	N Martin	N Unterman
N Harbin	N McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	Miller (PRS)	N Wilkinson
N Heath	N Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the adoption of the amendment, the yeas were 18, nays 32, and the Henson amendment #3 to the committee substitute was lost.

Senator Williams of the 27th offered the following amendment #4:

Amend Committee Substitute to HB 713 by inserting between lines 110 and 111 the following:

SECTION 4.

Said article is further amended in Code Section 20-3-69, which is reserved, as follows:

"20-3-69.

No institution within the University System of Georgia shall increase the cost of tuition for any student seeking an associate or baccalaureate degree at such institution beyond the cost established for such student as an entering freshman; provided, however, that this Code section shall cease to apply if such student has disenrolled from such institution or attempted a total of 190 quarter hours or 127 semester hours.

SECTION 5.

By redesignating Section 4 as Section 5

On the adoption of the amendment, the President asked unanimous consent.

Senator Millar of the 40th objected.

On the adoption of the amendment, the yeas were 7, nays 27, and the Williams of the 27th amendment #4 to the committee substitute was lost.

Senator Williams of the 27th offered the following amendment #5

Amend the Senate Committee on Higher Education substitute to HB 713 (LC 21 5992S) by inserting after "program;" on line 7 the following:

to provide for freedom of religious expression by faculty and employees of public schools while fulfilling the duties of their jobs;

By inserting between lines 110 and 111 the following:

SECTION 3A.

Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to elementary and secondary education, is amended by revising Article 20, which is reserved, as follows:

"ARTICLE 20

20-2-1030.

(a) During contract time, faculty and employees at public elementary and secondary

schools may:

- (1) Engage in religious expression and discussions and share religious materials with other faculty and employees at the same times and in the same manner that faculty and employees are permitted to engage in nonreligious expression and discussions;
 - (2) Discuss religious topics and use religious materials in the classroom when presented in a neutral manner and when serving a valid, secular educational purpose;
 - (3) Serve as a sponsor of student religious clubs and assist students in planning meetings, activities, and events to the same extent that faculty sponsors of nonreligious clubs are permitted to do so;
 - (4) Permit and be present for student-initiated, student-led religious expression;
 - (5) Participate in voluntary student-initiated, student-led prayer, such as prayer before a sporting event, when invited to do so by the students, provided that the participation is in the faculty's or employee's personal capacity and not as a representative of the school;
 - (6) Wear religious clothing, symbols, or jewelry, provided that such items otherwise comply with any dress code implemented by the public elementary or secondary school; and
 - (7) Decorate their desk and other personal space in their office or classroom with items that reflect their religious beliefs to the same extent that other faculty and employees are permitted to decorate their desk and other personal space.
- (b) During noncontract time, faculty and employees at public elementary and secondary schools may engage in religious expression and share religious materials to the same extent that other individuals are permitted to do so. ~~Reserved.~~"

Senator Millar of the 40th requested a ruling of the Chair as to the germaneness of the amendment.

The President Pro Tempore ruled the amendment not germane.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
E Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone

Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	N Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 44, nays 7.

HB 713, having received the requisite constitutional majority, was passed by substitute.

HR 444. By Representative McCall of the 33rd:

A RESOLUTION honoring the life of Mr. Willie Thomas Murray and dedicating a bridge in his memory; and for other purposes.

Senate Sponsor: Senator Beach of the 21st.

The Senate Committee on Transportation offered the following substitute to HR 444:

A RESOLUTION

Dedicating certain portions of the state highway system; repealing a portion of a resolution dedicating portions of the state highway system approved on May 3, 2016 (Ga. L. 2016, p. 698); repealing a portion of a resolution dedicating certain portions of the state highway system as approved on May 9, 2017 (Ga. L. 2017, p. 825); and for other purposes.

PART I

WHEREAS, Mr. Willie Thomas Murray has long been recognized for the vital role he played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, Mr. Murray served as a guardian of this nation's freedom and liberty with the United States military during World War II; and

WHEREAS, he was a leader in Lincoln County, where he served as a charter member and president of Twilight Improvement Association, a clearing-house for the presentation, review, and study of problems facing county citizens; and

WHEREAS, during his years of service, the association received federal funds for emergency food and medical services for county residents, and he was instrumental in establishing a county-wide transportation program for senior citizens; and

WHEREAS, a man of deep and abiding faith, Mr. Murray served as chairman of the board of trustees of Thankful Baptist Church and was a member of the Beulah Volunteer Fire Department; and

WHEREAS, he provided scholarships for six Lincoln County college students and conducted several voter registration drives and voter forums; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his honor.

PART II

WHEREAS, Lieutenant Hugh L. Moore was born on August 17, 1918, the beloved son of Mr. and Mrs. L.B. Moore; and

WHEREAS, a native of Nashville, Georgia, Lt. Moore graduated from the University of Georgia in 1938 and served as a guardian of this nation's freedom and liberty as a pilot with the United States Armed Forces during World War II; and

WHEREAS, he flew at least eight missions over Germany, participated in the Battle of Midway as a pilot of a Flying Fortress bomber, and went missing in action over enemy territory in Europe on July 28, 1942; and

WHEREAS, Lt. Moore's bravery and courage were recognized with an Air Medal with Oak Leaf Cluster and a Purple Heart; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his memory.

PART III

WHEREAS, a native of Atlanta, Georgia, Mr. James Harold Shepherd is a pioneer in the road construction industry as a founding member of the Shepherd Construction Company; and

WHEREAS, Mr. Shepherd began his illustrious career in road construction at the age of 14, after his father sent to him to drive alone to Louisiana to build a levee for the WC Shepherd Company; and

WHEREAS, over the last six decades, Mr. Shepherd and his family have been responsible for constructing hundreds of miles of interstate highways in Georgia and several surrounding states, as well as thousands of miles of city and county streets; and

WHEREAS, at one time, Mr. Shepherd managed 15 asphalt plants across Georgia, North Carolina, and South Carolina and holds the patent on the "rumble roller" which marks the pavement edge on roads; and

WHEREAS, his leadership and vision were instrumental as president of the Georgia Asphalt Paving Association and the Georgia Highway Contractors Association; and

WHEREAS, a man of great philanthropy and generosity, Mr. Shepherd is a co-founder and founding board member of the Shepherd Center, a private, not for profit hospital that is internationally renowned for specialized treatment, research, and rehabilitation for spinal cord and brain injuries, multiple sclerosis, spine and chronic pain, and other neuromuscular conditions; and

WHEREAS, he has been recognized with numerous honors and accolades, including a Lifetime Achievement Award from the Georgia Highway Contractors Association, the AAPM&R Distinguished Public Service Award, the *Atlanta Business Chronicle's* Health-Care Heroes Award, and the 2016 Christopher Reeve Spirit of Courage Award from the Dana and Christopher Reeve Foundation; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART IV

WHEREAS, Mr. Horace L. Dunahoo came from a family with deep roots in the field of land surveying; and

WHEREAS, Mr. Dunahoo's passion for land surveying began as a young boy and was said to have been inspired by his uncle, Lucious House, who served as a county surveyor in Barrow County, Georgia, in the early 1900s; and

WHEREAS, Mr. Dunahoo was appointed by Governor Ellis Arnold to survey the county line dividing Gwinnett and DeKalb counties; and

WHEREAS, a well-respected surveyor in both Georgia and South Carolina, Mr. Dunahoo surveyed the 32 mile line known as the Old Hightower Indian Trail and prepared maps that defined the line for future generations; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his memory.

PART V

WHEREAS, the State of Georgia lost one of its finest citizens and most dedicated law enforcement officers with the tragic passing of Sergeant David P. Land on March 26, 2003; and

WHEREAS, Sergeant Land began his career in law enforcement in 1990 as an Atlanta police officer and later went on to join the Stone Mountain Police Department where he worked until 1997 when he was hired by the Forsyth County Sheriff's Office; and

WHEREAS, this dedicated law enforcement officer's life was cut short from injuries he received in a motorcycle crash en route to a call for service, just two days after he was promoted to the rank of sergeant; and

WHEREAS, Sergeant Land exhibited extraordinary devotion to duty, outstanding loyalty, fine leadership, and meticulous attention to detail in all of his duties.

PART VI

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, current and former members of the United States military have demonstrated a deep personal commitment to protecting democracy and a willingness to sacrifice their own personal safety and comfort to ensure the well-being of their fellow man; and

WHEREAS, the Purple Heart is awarded to members of the armed forces who are wounded by an instrument of war in the hands of the enemy and posthumously to the next of kin in the name of those who are killed in action or die of wounds received in action; and

WHEREAS, these brave men and women serve as guardians of this nation's freedom and liberty and have diligently and conscientiously undergone intensive and rigorous training in order to serve their country with honor and distinction during times of war and peace; and

WHEREAS, it is important that Purple Heart recipients are thanked for their selfless service to this nation and honored for their unyielding commitment to protecting the people and ideals of the United States; and

WHEREAS, these individuals embody the spirit of service, willing to find meaning in something greater than themselves, and it is abundantly fitting and proper that the outstanding accomplishments and sacrifices of these remarkable and distinguished Americans be honored appropriately.

PART VII

WHEREAS, Mr. Jesse C. Long has long been recognized by the citizens of this state for the vital role that he has played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, a native of Tennessee, Mr. Long attended David Lipscomb College in Nashville to study to become a minister; and

WHEREAS, in 1957, Mr. Long moved to Atlanta to serve as minister of the Northwest Church of Christ, where he also ministered to students attending the Georgia Institute of Technology; and

WHEREAS, Mr. Long was named president of Greater Atlanta Christian School after his instrumental role that led to the purchase of 170 acres on Indian Trail Road in Lilburn for the school's campus; and

WHEREAS, his leadership and guidance were instrumental as chairman of the education committee to the Gwinnett Chamber of Commerce and he was honored as the organization's Citizen of the Year in 1981; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments of this distinguished Georgian be appropriately recognized by dedicating an interchange in his honor.

PART VIII

WHEREAS, on January 18, 2018, the State of Georgia lost one of its most distinguished citizens with the passing of Mr. Carey Ellerbee; and

WHEREAS, Mr. Ellerbee was a member of the Department of Transportation's District 3 maintenance program and worked diligently to minimize disruptions in Middle Georgia travel and provide safe roadways for travel to the public; and

WHEREAS, Mr. Ellerbee's life was tragically cut short as he was fatally injured in the line of duty while clearing roads of snow and ice; and

WHEREAS, he was a dedicated husband, loving father and grandfather, and devoted employee whose presence and love continue to be missed by all who had the great fortune of knowing him; and

WHEREAS, he was a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness and, by the example he made of his life, he made this world a better place in which to live; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his memory.

PART IX

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, United States military veterans have demonstrated a deep personal commitment to protecting democracy and a willingness to sacrifice their own personal safety and comfort to ensure the well-being of their fellow man; and

WHEREAS, they have served as guardians of this nation's freedom and liberty and have diligently and conscientiously undergone intensive and rigorous training in order to serve their country with honor and distinction during times of war and peace; and

WHEREAS, it is important that veterans are thanked for their selfless service to this nation and honored for their unyielding commitment to protecting the people and ideals of the United States; and

WHEREAS, veterans embody the spirit of service, willing to find meaning in something greater than themselves, and it is abundantly fitting and proper that the outstanding accomplishments and sacrifices of these remarkable and distinguished Americans be honored appropriately.

PART X

WHEREAS, the State of Georgia mourns the loss of one of its most distinguished citizens with the passing of Mr. Jasper W. "JW" Dodd, Jr., on April 8, 2017; and

WHEREAS, a 1945 graduate of Rossville High School, Mr. Dodd served as a guardian of this nation's freedom and liberty with the United States Army, valiantly and courageously protecting his fellow Americans as a rifleman and electrician during World War II and serving during the Korean War; and

WHEREAS, Mr. Dodd attended the University of Chattanooga, where he met his wife of 62 years, Virginia Bridges Dodd; and

WHEREAS, he opened Dodd Brothers Gulf Full Service Gas Station and Garage in the Fairview Community in 1950, which grew to serve as a pillar of the community for 68 years; and

WHEREAS, Mr. Dodd embodied the spirit of service, willing to find meaning in something greater than himself, and it is abundantly fitting and proper that this remarkable and distinguished American be recognized appropriately by dedicating an intersection in his memory.

PART XI

WHEREAS, the State of Georgia mourns the loss of one of its most distinguished citizens with the passing of Mr. Ben Napier; and

WHEREAS, Mr. Napier served as a guardian of this nation's freedom and liberty with the United States Army, valiantly and courageously protecting his fellow Americans as a Combat Infantryman from 1953 to 1957; and

WHEREAS, a native of Rossville, Georgia, Mr. Napier was an active with the volunteer fire department, where he helped establish the Stocking Full of Love program and was honored with a Jefferson Award for his hours of volunteer service; and

WHEREAS, he was united in love and marriage for 58 wonderful years to his wife, Darline, and was blessed with an amazing daughter, Kim; and

WHEREAS, Mr. Napier embodied the spirit of service, willing to find meaning in something greater than himself, and it is abundantly fitting and proper that this remarkable and distinguished American be recognized appropriately by dedicating an intersection in his memory.

PART XII

WHEREAS, the State of Georgia mourns the loss of one of its most distinguished citizens with the passing of Mr. William Calvert "Coach" Sandberg; and

WHEREAS, Mr. Sandberg served as a guardian of this nation's freedom and liberty with the United States Army, valiantly and courageously protecting his fellow Americans during the Vietnam War; and

WHEREAS, a man of deep and abiding faith, Mr. Sandberg was an active member of Lookout Baptist Church; and

WHEREAS, his leadership was instrumental to numerous organizations, including the Vietnam Veterans of America Chapter 203, Daylight Thompkin's Masonic Lodge F&AM #764, Rossville Masonic Lodge F&AM #397, Alhambra Shrine Temple in Chattanooga, VFW Post 3679, and the American Legion Post 214; and

WHEREAS, he held numerous leadership positions with the VFW state organization, including chief of staff for Commander Pledge Cannon, VFW District 1 Commander, State Judge Advocate, State Jr. Vice Commander, State Sr. Vice Commander, and State Commander; and

WHEREAS, Mr. Sandberg embodied the spirit of service, willing to find meaning in something greater than himself, and it is abundantly fitting and proper that this remarkable and distinguished American be recognized appropriately by dedicating an intersection in his memory.

PART XIII

WHEREAS, Mrs. Annie Lois Freeman Souder was born in Jonesboro, Georgia, on June 23, 1912, a beloved daughter to Eddie Robert and Viola Freeman; and

WHEREAS, Mrs. Souder attended Clayton County schools and graduated from Booker T. Washington High School; and

WHEREAS, she earned a bachelor's degree in elementary education from Fort Valley State College and dedicated 44 years to challenging and uplifting the future leaders of this state as an educator with the Clayton County School System; and

WHEREAS, a woman of deep and abiding faith, Mrs. Souder was a devoted member of Shiloh Baptist Church and later joined Andrews Chapel United Methodist Church, where she served as a Sunday school teacher, senior choir member, and vacation Bible school teacher and was active with the United Methodist Women, Prison Ministry, and Children's Ministries; and

WHEREAS, her leadership and guidance were invaluable to numerous organizations, including the Busy Bee Senior Citizens Club, Senior Citizens of Clayton County, Clayton County Education Association, Georgia Teachers Education Association, Georgia Association of Educators, and National Education Association; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in her honor.

PART XIV

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, Mr. David M. Anthony served as a guardian of this nation's freedom and liberty with the United States military; and

WHEREAS, he was mortally wounded by enemy fire on February 28, 1967, while performing reconnaissance of the jungles near Soui Da in the Republic of Vietnam; and

WHEREAS, his bravery and courage were posthumously recognized with a Silver Star for gallantry in action against hostile forces; and

WHEREAS, Mr. Anthony embodied the spirit of service, willing to find meaning in something greater than himself, and it is abundantly fitting and proper that the outstanding accomplishments and sacrifices of this remarkable and distinguished American be recognized appropriately by dedicating a bridge in his memory.

PART XV

WHEREAS, Mr. Carl Genius Souder was born in Fayette County, Georgia, on February 29, 1902, a beloved son to William and Lula Souder; and

WHEREAS, Mr. Souder attended Clayton County schools and he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his superlative service as a city councilmember for the City of Jonesboro; and

WHEREAS, a man of deep and abiding faith, Mr. Souder was an active member of Andrews Chapel United Methodist Church, where he served as steward, trustee, a Sunday school teacher, choir member, member of the administrative board, and president of the Busy Bee Senior Citizens Club; and

WHEREAS, his leadership and guidance were invaluable to numerous organizations, including as District Steward in the Georgia Methodist Conference and president of the Clayton County PTA for many years; and

WHEREAS, Mr. Souder contributed to his community through his service with the Clayton County Improvement League, Jonesboro Elementary School PTA, Clayton County PTA, and Clayton County Senior Citizens; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his memory.

PART XVI

WHEREAS, Jackson and Queen Mary Dixon have long been recognized by the citizens of this state for the vital role they played in leadership and their deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, Mr. Dixon was born on December 4, 1831, while Mrs. Dixon was born on February 12, 1835; and

WHEREAS, Mr. Dixon was a farmer, landowner, community leader, and father, while Mrs. Dixon was the family caretaker and homemaker; and

WHEREAS, known for their generosity and kindness, Mr. and Mrs. Dixon made the world a better place in which to live, with many incredible contributions to their family, community, and state; and

WHEREAS, the Dixons donated land to be used for a schoolhouse for black children in the community, which housed grades one through six and was called the Dixon Grove School and later became known as the Mt. Zion Colored School; and

WHEREAS, thanks to the selfless actions of the Dixons, many children in their community were able to get a quality education in a safe and nurturing environment; and

WHEREAS, it is abundantly fitting and proper that the members of this body honor the lives and careers of these distinguished Georgians by dedicating a road in their memory.

PART XVII

WHEREAS, Samuel L. and LaTanya Jackson have long been recognized for their talent on stage and ability to bring joy and delight to audiences; and

WHEREAS, a native of Atlanta, Georgia, LaTanya Richardson Jackson was a student at Spelman College when she met her husband, Samuel, while he was attending Morehouse College; and

WHEREAS, Samuel has appeared in more than 100 films and is one of Hollywood's most respected actors, with an incredible career spanning five decades; and

WHEREAS, he is cool like Fonzie, starring as Jules, the philosopher hit man, in the cult classic *Pulp Fiction* and appearing in numerous other Quentin Tarantino films, including *The Hateful Eight*, *Kill Bill*, and *Django Unchained*; and

WHEREAS, his depth as an actor can be further demonstrated by his wide-ranging roles in movies such as *Jackie Brown*, *Jurassic Park*, *The Long Kiss Goodnight*, *A Time to Kill*, *The Incredibles*, *Do the Right Thing*, *Snakes on a Plane*, and the *Avengers* and *Star Wars* series; and

WHEREAS, a standout actress in her own right, LaTanya starred in the 2003 musical *The Fighting Temptations* and was nominated for a Tony Award for Best Lead Actress in a Play for her role in the 2013 performance of *A Raisin in the Sun*; and

WHEREAS, they are blessed with one remarkable daughter, Zoe Jackson, who is a freelance film and television producer; and

WHEREAS, it is abundantly fitting and proper that the members of this body recognize the lives and careers of these distinguished individuals by dedicating a road in their honor.

PART XVIII

WHEREAS, Mr. Fred James Taylor was recognized by the citizens of this state for the vital role he played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, Mr. Taylor grew up on a farm, played on a state champion high school basketball team, and served as student body president of his class at South Georgia College; and

WHEREAS, he served as a guardian of this nation's freedom and liberty with the United States Air Force, valiantly and courageously protecting his fellow Americans during the Korean War as a sergeant; and

WHEREAS, a fearless entrepreneur, Mr. Taylor started his first business with \$95 in Ocilla, Georgia, and went on to found Georgia Mack Sales, now Transpower, Inc., and Interstate Warehouse Services of Albany and Thomasville and served as owner of Chokey Plantation in Lee County; and

WHEREAS, his leadership and vision were instrumental to numerous organizations, including the Albany Chamber of Commerce, City of Albany Aviation Commission, Georgia Chamber of Commerce, Board of Directors for SunTrust Bank of Southeast Georgia, and Georgia Motor Trucking Association; and

WHEREAS, Mr. Taylor served as chief of staff to Governor George Busbee from 1974 to 1982 and was instrumental in the passage of Constitutional Amendment #2 which allowed Governor Busbee to be the first Georgia governor to seek and win a second consecutive term of office; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his memory.

PART XIX

WHEREAS, James Herbert "Herb" Butler was long recognized by the citizens of this state for the vital role he played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he was united in love and marriage to his wife, Carolyn, and blessed with three wonderful children, Sheridan, Meridith, and Jim; ten incredible grandchildren, Shauna, Austin, Candace, Caroline, Daniel, Jackie, Shannon, Kim, Jamie, and Aly; and six extraordinary great-grandchildren, Judah, Sadie, Charlie, Jake, Etta, and Aubrey; and

WHEREAS, he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his superlative service with the United Auto Workers Union; and

WHEREAS, Herb helped to reshape relationships between labor and management; assisted local union-management negotiations; dealt with appeal level grievances; and acted as a middleman between union headquarters in Detroit and the Southern unions which his office represented; and

WHEREAS, this distinguished gentleman gave inspiration to many through his high ideals, morals, and deep concern for his fellow citizens, and he possessed the vast wisdom which only comes through experience and the strength of character which is achieved through overcoming the many challenges of life; and

WHEREAS, Herb served with honor and distinction on the Advisory Council for the Department of Labor for over 35 years; on the Georgia Board of Natural Resources as secretary, vice chairman, and chairman; and as the Georgia Area Director of the United Auto Workers Union; and

WHEREAS, he served on the Governor's Employment and Training Council and as a delegate to the state convention several times; received numerous awards and accolades, including the Histadrut Labor Award; and was instrumental in the establishment of the Labor Studies Program and the Labor Archives at Georgia State University; and

WHEREAS, Herb retired at the end of June, 1990, and his vision and unyielding commitment to the State of Georgia set the standard for public service and are sorely missed today; and

WHEREAS, it is abundantly fitting and proper that the outstanding accomplishments of this remarkable and distinguished Georgian continue to be appropriately recognized.

PART XX

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA that the bridge over New Ford Creek on Highway 79 in Lincoln County is dedicated as the Willie Thomas Murray Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on Nashville Tifton Highway/State Route 125 between the Virgil T. Barber Bridge and the City of Nashville in Berrien County is dedicated as the Lieutenant Hugh L. Moore Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 9 between Peachtree Battle Avenue and the Amtrak Peachtree Station in Fulton County is dedicated as the J. Harold Shepherd Parkway.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 11 at the Barrow/Walton County line is dedicated as the Horace L. Dunahoo Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 20 from Haw Creek Parkway/Nuckolls Road to Samples Road in Forsyth County is dedicated as the Sergeant David P. Land Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that U.S. Highway 27 through Stewart, Randolph, Clay, and Early counties is dedicated as the Purple Heart Highway.

BE IT FURTHER RESOLVED AND ENACTED that the interchange at Interstate 85 and Indian Trail Road in Gwinnett County is dedicated as the Jesse C. Long Interchange.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 36 over the Flint River in Upson County is dedicated as the Carey Ellerbee Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that this body hereby joins in honoring United States military veterans and dedicates the interchange at Interstate 20 and Exit 78/Sigman Road in Rockdale County as the Walk of Heroes/Veterans Interchange.

BE IT FURTHER RESOLVED AND ENACTED that the intersection of McFarland Road and Jenkins Road in Walker County is dedicated as the Jasper W. "JW" Dodd, Jr., Memorial Intersection.

BE IT FURTHER RESOLVED AND ENACTED that the intersection of Happy Valley Road and Battlefield Parkway in Walker County is dedicated as the Ben Napier Memorial Intersection.

BE IT FURTHER RESOLVED AND ENACTED that the intersection of Highway 193 and Happy Valley Road in Walker County is dedicated as the William Calvert "Coach" Sandberg Memorial Intersection.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on McDonough Road at the Norfolk Southern Railroad in Clayton County is dedicated as the Annie Lois Freeman Souder Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 41 at the Marion/Talbot County line is dedicated as the David M. Anthony Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on McDonough Road at Hurricane Creek in Clayton County is dedicated as the Carl Genius Souder Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 138 from Mount Zion Road to the Clayton/Henry County line is dedicated as the Jackson and Queen Mary Dixon Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of SR 154 from Haynes Street to Trinity Avenue/Central Avenue in Fulton County is dedicated as the Samuel L. and LaTanya Jackson Highway.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 32 over the Flint River in Lee County is dedicated as the Fred James Taylor Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on Interstate 285 over Buford Highway in DeKalb County is dedicated as the Herb Butler Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the portion of South Fulton Parkway located in Fulton County is dedicated as the Georgia Aerotropolis Corridor.

BE IT FURTHER RESOLVED AND ENACTED that a resolution dedicating certain portions of the state highway system as approved on May 3, 2016 (Ga. L. 2016, p. 698), is amended by repealing the second undesignated paragraph of Part XXXVII relating to the dedication of the Sergeant David Paul "Bubba" Land Memorial Intersection.

BE IT FURTHER RESOLVED AND ENACTED that a resolution dedicating certain portions of the state highway system as approved on May 9, 2017 (Ga. L. 2017, p. 825), is amended by repealing the third undesignated paragraph of Part XIX relating to the dedication of the Samuel L. and LaTanya Jackson Highway.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized and directed to erect and maintain appropriate signs dedicating the road facilities named in this resolution.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized to correct any errors in the spelling of names included in this resolution without further action from the General Assembly.

BE IT FURTHER RESOLVED that the Clerk of the House of Representatives is authorized and directed to make appropriate copies of this resolution available for distribution to the Department of Transportation; to Mr. James Harold Shepherd, Mr. Jesse C. Long, and Samuel L. and LaTanya Richardson Jackson; and to the families of Mr. Willie Thomas Murray; Lieutenant Hugh L. Moore; Mr. Horace L. Dunahoo; Sergeant David P. Land; Mr. Carey Ellerbee; Mr. Jasper W. "JW" Dodd, Jr.; Mr. Ben Napier; Mr. William Calvert "Coach" Sandberg; Mrs. Annie Lois Freeman Souder; Mr. David M. Anthony; Mr. Carl Genius Souder; Jackson and Queen Mary Dixon; Mr. Fred James Taylor; and Mr. Herb Butler.

Senators Mullis of the 53rd, Sims of the 12th and Beach of the 21st offered the following amendment #1:

Amend the Senate Transportation Committee substitute to HR 444 (LC 39 1934S) by striking "James" on lines 304, 406, and 432.

On the adoption of the amendment, there were no objections, and the Mullis, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HR 444, having received the requisite constitutional majority, was passed by substitute.

HB 538. By Representatives Willard of the 51st, Silcox of the 52nd, Golick of the 40th, Jones of the 25th, Cantrell of the 22nd and others:

A BILL to be entitled an Act to amend an Act providing in Fulton County a system for pension and retirement pay to teachers and employees of the Board of Education of Fulton County, approved February 2, 1945 (Ga. L. 1945, p. 528), as amended, particularly by an Act approved May 11, 2009 (Ga. L. 2009, p. 4004), an Act approved April 11, 2012 (Ga. L. 2012, p. 4982), an Act approved May 6, 2013 (Ga. L. 2013, p. 4026), and an Act approved April 21, 2014 (Ga. L. 2014, p. 4276) so as to authorize the Board of Education of Fulton County to create a system for pension and retirement pay to teachers and employees; to provide for related matters; to provide conditions for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The following Fiscal Notes were read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 23, 2017

The Honorable Wendell Willard
State Representative
State Capitol, Room 132
Atlanta, Georgia 30334

SUBJECT: State Auditor's Certification
House Bill 538 (LC 43 0594 ER)

Dear Representative Willard:

This bill would amend provisions relating to retirement systems for teachers and employees of the Board of Education of Fulton County. The Fulton County Board of Education retirement system was created in 1945 by an Act of the General Assembly. As a result, any and all proposed changes to the retirement system are handled through the General Assembly.

This bill would authorize the Fulton County Board of Education to create a new retirement system for its teachers and employees. All covered employees, beneficiaries, assets, liabilities, duties, responsibilities, and terms of the current retirement system would be transferred to the new system. Once the new system has been created and the plan adopted, the current plan would be repealed. If this legislation is enacted, the new retirement system would become a local system. This would authorize the Board to amend the plan, provided the proposed changes do not affect the system of appointment of members of the governing body. It should be noted that this bill would still require the Board to notify the chairperson of the Fulton County delegation of the General Assembly of any amendments to the plan. Such notice must occur by January 10 of the year in which the amendment is intended to take effect, and no amendment shall become effective absent such notice.

This is to certify that this bill is a fiscal retirement bill as defined in the Public Retirement Systems Standards Law.

Respectfully,

/s/ Greg S. Griffin
State Auditor



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

October 4, 2017

Honorable Paul Battles, Chairman
House Retirement Committee
State Capitol, Room 401-K
Atlanta, Georgia 30334

SUBJECT: Actuarial Investigation
House Bill 538 (LC 43 0594 ER)
Fulton County Schools Employees' Pension Fund

Dear Chairman Battles:

This bill would amend provisions relating to retirement systems for teachers and employees of the Board of Education of Fulton County. The Fulton County Board of Education retirement system was created in 1945 by an Act of the General Assembly. As a result, the General Assembly is required to approve all proposed changes to the retirement system.

This bill would authorize the Fulton County Board of Education to create a new retirement system for its teachers and employees. All covered employees, beneficiaries, assets, liabilities, duties, responsibilities, and terms of the current retirement system would be transferred to the new system. Once the new system has been created and the plan adopted, the current plan would be repealed. If this legislation is enacted, the new

retirement system would become a local system. This would authorize the Board to amend the plan, provided the proposed changes do not affect the system of appointment of members of the governing body. It should be noted that this bill would still require the Board to notify the chairperson of the Fulton County delegation of the General Assembly of any amendments to the plan. Such notice must occur by January 10 of the year in which the amendment is to take effect, and no amendment shall become effective absent such notice.

This legislation would not result in any additional cost to the System. The assets from the existing Fund would be transferred to the newly created Fund. Furthermore, there would be no change in the Plan provisions or benefits. This legislation would not result in any increase in the unfunded actuarial accrued liability or the employer contribution rate. This cost estimate is based on current member data, actuarial assumptions, and actuarial methods. It should be noted that changes in any of these variables could affect the cost estimate for this legislation. Any future costs would be paid revenues provided to the Fulton County Board of Education.

The following is a summary of the relevant findings of the actuarial investigation for this bill pursuant to a request by the House Retirement Committee. The investigation was to be conducted according to O.C.G.A. §47-20-36, which outlines the factors to be considered in an actuarial investigation. The figures are based on employee data and the most recent actuarial assumptions and methods.

(1)	The amount of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(2)	The amount of the annual amortization of the unfunded actuarial accrued liability which will result from the bill.	\$ <u>0</u>
(3)	The number of years that the unfunded actuarial accrued liability created by this bill would be amortized.	<u>N/A</u>
(4)	The amount of the annual normal cost which will result from the bill.	\$ <u>0</u>
(5)	The employer contribution rate currently in effect.	<u>39.5%</u>
(6)	The employer contribution rate recommended (in conformity with minimum funding standards specified in Code Section §47-20-10).	<u>39.5%</u>
(7)	The total dollar amount of the increase in the annual employer contribution which is necessary to maintain the retirement system in an actuarially sound condition.	\$ <u>0</u>

It should be noted that any subsequent changes in the retirement bill will invalidate the actuarial investigation and the findings included therein.

Respectfully,

/s/ Greg S. Griffin
State Auditor

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 538, having received the requisite constitutional majority, was passed.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

HB 647. By Representatives Dempsey of the 13th, Hatchett of the 150th, Newton of the 123rd and Cooper of the 43rd:

A BILL to be entitled an Act to amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide for a pilot program to provide coverage for the treatment and management of obesity and related conditions, including medications and

counseling; to provide a definition; to provide for eligibility; to provide for requirements; to provide for a review of results and outcomes; to provide for an evaluation report on such program; to provide for automatic repeal; to provide for related matters; to provide for contingent effectiveness; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Watson of the 1st.

The Senate Committee on Health and Human Services offered the following substitute to HB 647:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, so as to provide for a pilot program to provide coverage for the treatment and management of obesity and related conditions, including medications and counseling; to provide a definition; to provide for eligibility; to provide for requirements; to provide for a review of results and outcomes; to provide for an evaluation report on such program; to provide for termination of the pilot program; to provide for automatic repeal; to provide for related matters; to provide for contingent effectiveness; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, is amended by adding a new Code section to read as follows:

"31-2-15.

(a) As used in this Code section, the term 'state health insurance plan' means:

(1) The state employees' health insurance plan established pursuant to Article 1 of Chapter 18 of Title 45;

(2) The health insurance plan for public school teachers established pursuant to Subpart 2 of Part 6 of Article 17 of Chapter 2 of Title 20; and

(3) The health insurance plan for public school employees established pursuant to Subpart 3 of Part 6 of Article 17 of Chapter 2 of Title 20.

(b) Beginning six months after the effective date of this Code section, the department shall conduct a two-year pilot program to provide coverage for the treatment and management of obesity and related conditions under a state health insurance plan. The department shall be authorized to enter into an agreement with a postsecondary institution in this state for pilot program management, data collection, patient engagement, and other activities related to the pilot program. The pilot program will

provide coverage of all federal Food and Drug Administration approved medications for chronic weight management for eligible participants in conjunction with obesity prevention, screening, and counseling benefits.

(c) Participation in the pilot program shall be limited to no more than 500 individuals per year, to be selected in a manner determined by the department.

(d) Any person who has elected coverage under a state health insurance plan shall be eligible to be selected to participate in the pilot program in accordance with criteria established by the department which shall include, but not be limited to:

(1) Completion of a health risk assessment through a state health insurance plan;

(2) A body mass index:

(A) Greater than or equal to 27 with comorbidities related to obesity; or

(B) Greater than or equal to 30 without such comorbidities.

(3) Consent to provide personal and medical information to a state health insurance plan; and

(4) An agreement to enroll in a department approved wellness program during the plan year.

(e) Eligible individuals must apply to participate in the pilot program. The individual and his or her physician shall complete and submit an obesity treatment program application to the department no later than February 1 for each year of the pilot program. The department's contracted health insurance carrier shall review the applications and based on the criteria contained in subsection (d) of this Code section, shall determine qualified applicants for the pilot program.

(f) All health care services provided pursuant to the pilot program shall be subject to the health insurance carrier's plan of benefits and policy provisions. Participants shall be responsible for all applicable copayments, coinsurance, deductibles, and out-of-pocket expenses exceeding maximum limits.

(g) Participants must agree to comply with any and all terms and conditions of the pilot program including, but not limited to, participation and reporting requirements. Participants must also agree to comply with any and all requests by the department for medical and productivity information, and such agreement shall survive his or her participation in a state health insurance plan.

(h) The department shall review the results and outcomes of the pilot program beginning six months after program initiation, and shall conduct subsequent reviews every six months for the remainder of the pilot program. The department shall provide a final report by December 15 of the last year of the pilot program to the chairpersons of the House Committee on Health and Human Services, the Senate Health and Human Services Committee, the House Committee on Appropriations, and the Senate Appropriations Committee. The report shall include, at a minimum:

(1) Whether patients in the pilot program experienced a reduction in body mass index, and if so, the average amount of reduction;

(2) Whether patients in the pilot program experienced reduction or elimination of comorbidities, and if so, which comorbidities were reduced or eliminated;

(3) The total number of individuals who applied to participate in the pilot program;

- (4) The total number of participants who enrolled in the pilot program;
(5) The average cost to the state health insurance plan on a per-member per-month basis;
(6) The total cost of each participant's annual health care costs prior to entering the pilot program; and
(7) Recommendations on how to reduce, manage, and treat obesity in the population under a state health insurance plan.
(i) In the event that sufficient funds become available as determined by the department to provide coverage for the treatment and management of obesity and related conditions, including coverage of all federal Food and Drug Administration approved medication for chronic weight management in conjunction with obesity prevention, screening, and counseling benefits, the department shall provide such coverage to any eligible individuals who have elected coverage under a state health insurance plan and the pilot program shall be terminated by the department.
(j) This Code section shall stand repealed 42 months after the effective date of this Code section."

SECTION 2.

This Act shall become effective only upon the effective date of a specific appropriation of funds for purposes of this Act, as expressed in a line item making specific reference to such Act in a General Appropriations Act enacted by the General Assembly.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Williams of the 27th offered the following amendment #1:

Amend Committee Substitute HB 647 by:

Inserting between lines 83 and 84 the following:

Section 2

Article 1 of Chapter 9B of Title 31 of the Official Code of Georgia Annotated is revised as following:

"(b) When a pregnancy is diagnosed, no abortion shall be performed or attempted after the presence of a heartbeat is detected in the unborn child."

renumber (b) to (c)

Section 3

By redesignating Section 2 as Section 3

Senator Watson of the 1st requested a ruling of the Chair as to the germaneness of the amendment.

The President Pro Tempore ruled the amendment not germane.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	E Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 1.

HB 647, having received the requisite constitutional majority, was passed by substitute.

HB 635. By Representatives Cooper of the 43rd, Benton of the 31st, Jones of the 53rd, Broadrick of the 4th and Reeves of the 34th:

A BILL to be entitled an Act to amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to the "Disabled Adults and Elder Persons Protection Act," so as to provide for the establishment of at-risk adult

protective investigative/coordinating teams to coordinate the investigation of and responses to suspected instances of abuse, neglect, or exploitation of disabled adults or elder persons; to provide for a definition; to provide for immunity; to provide for coordination with the director of the Division of Aging Services; to provide for the composition, duties, and responsibilities of the at-risk adult protective investigative/coordinating teams; to provide for memoranda of understanding; to provide for confidentiality of records; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Unterman of the 45th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 635, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3-27-18

Due to business outside the Senate Chamber, I missed the vote on HB 635. Had I been present, I would have voted "yes".

/s/ Burt Jones
District 25

HB 657. By Representatives Petrea of the 166th, Gilliard of the 162nd, Stephens of the 164th, Clark of the 147th, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions regarding dangerous instrumentalities and practices, so as to make unlawful the knowing and intentional provision of any firearm for the purpose of providing such firearm to any person known to be on probation as a felony first offender or to have been convicted of a felony; to provide for criminal penalties; to clarify that affirmative confirmation by firearm provider is not required; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Watson of the 1st.

The Senate Committee on Judiciary offered the following substitute to HB 657:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions regarding dangerous instrumentalities and practices, so as to make unlawful the knowing and intentional provision of any firearm for the purpose of providing such firearm to any person known to be on probation as a felony first offender or to have been convicted of a felony; to provide for criminal penalties; to provide for an affirmative defense; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions regarding dangerous instrumentalities and practices, is amended by revising Code Section 16-11-113, relating to offense of transferring firearm to individual other than actual buyer, as follows:

"16-11-113.

(a) Any person who attempts to solicit, persuade, encourage, or entice any dealer to

transfer or otherwise convey a firearm other than to the actual buyer, as well as any other person who willfully and intentionally aids or abets such person, shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one year nor more than five years.

(b)(1) Any person who knowingly and intentionally provides a firearm to any other person who is on probation as a felony first offender pursuant to Article 3 of Chapter 8 of Title 42 or to any person who has been convicted of a felony by a court of this state or any other state shall be guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for not less than one year nor more than five years; provided, however, that upon a second or subsequent conviction, such person shall be punished by imprisonment for not less than five nor more than ten years.

(2) Nothing in this subsection shall be construed as requiring a provider of a firearm to affirmatively confirm that a person to whom a firearm is provided is not a felony first offender or a person who has been convicted of a felony.

(c) This Code section shall not apply to a federal law enforcement officer or a peace officer, as defined in Code Section 16-1-3, in the performance of his or her official duties or other person under such officer's direct supervision."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
E Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison	Y Millar	Y Watson
N Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	N Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 6.

HB 657, having received the requisite constitutional majority, was passed by substitute.

HB 803. By Representatives Willard of the 51st, Cooper of the 43rd, Cox of the 108th, Lumsden of the 12th, Rynders of the 152nd and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 5 of Title 16 of the Official Code of Georgia Annotated, relating to protection of elder persons, so as to prohibit trafficking a disabled adult, elder person, or resident; to provide for definitions; to provide for elements of the crime; to provide for penalties, mandatory sentences, and exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirkpatrick of the 32nd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
E Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson

Y Heath
Y Henson
Hill

Y Mullis
Y Orrock
Y Parent

Y Williams, M
Y Williams, N

On the passage of the bill, the yeas were 49, nays 0.

HB 803, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

3-27-18

Due to business outside the Senate Chamber, I missed the vote on HB 803. Had I been present, I would have voted “yes”.

/s/ Brandon Beach
District 21

3/27

Due to business outside the Senate Chamber, I missed the vote on HB 803. Had I been present, I would have voted “Yes”.

/s/ Fran Millar
District 40

3-27-18

Due to business outside the Senate Chamber, I missed the vote on HB 803. Had I been present, I would have voted “yes”.

/s/ Renee Unterman
District 45

At 6:30 p.m. Senator Butch Miller, President Pro Tempore, announced that the Senate would stand at ease until 7:15 p.m.

At 7:15 p.m. Senator Butch Miller, President Pro Tempore, called the Senate to order.

The Calendar was resumed.

HB 757. By Representatives Powell of the 32nd, Collins of the 68th, Taylor of the 173rd, Harrell of the 106th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties and municipal corporations, so as to provide for the regulatory powers of cities and counties with certificate of public necessity and convenience or medallion programs; to provide that operation of a taxicab in such jurisdictions without a certificate of public necessity and convenience or medallion is illegal; to provide for identification of taxicab operators; to amend Part 4 of Article 3 of Chapter 1 of Title 40 of the Official Code of Georgia Annotated, relating to ride share network services and transportation referral services, so as to provide definitions; to provide for the regulation of the age of motor vehicles used as taxicabs by certain jurisdictions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Miller of the 49th.

Senator Ligon, Jr. of the 3rd asked unanimous consent that HB 757 be placed on the Table. The consent was granted, and HB 757 was placed on the Table.

Senator Gooch of the 51st recognized Julie Knowles Brown and Georgia Foreign Trade Zone #26, commended by SR 1065, adopted previously. Julie Knowles Brown addressed the Senate briefly.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by the requisite constitutional majority, the following Bill of the Senate:

SB 324. By Senators Albers of the 56th, Beach of the 21st and Thompson of the 14th:

A BILL to be entitled an Act to amend Code Section 32-4-112 of the Official Code of Georgia Annotated, relating to contracts with state agencies and adjoining counties, so as to provide that municipalities may contract with abutting counties for the construction and maintenance of bridges within the limits of such municipalities and counties; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 407. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to provide for comprehensive reform for offenders; to amend Title 15 and Chapter 6A of Title 35 of the O.C.G.A., relating to courts and the Criminal Justice Coordinating Council; to amend Title 17, Code Section 24-4-609, Chapter 5 of Title 40, Title 42, and Code Section 43-1-19 of the O.C.G.A., relating to criminal procedure, impeachment by evidence of conviction of a crime, drivers' licenses, penal institutions, and grounds for refusing to grant or revoking professional licenses; to amend Chapter 2 of Title 31 and Chapter 4 of Title 49 of the O.C.G.A., relating to the Department of Community Health and public assistance; to amend Title 16 of the O.C.G.A., relating to crimes and offenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Calendar was resumed.

HB 887. By Representatives Powell of the 171st, England of the 116th, Watson of the 172nd, Parsons of the 44th, Jackson of the 128th and others:

A BILL to be entitled an Act to amend Titles 36, 38, 46, 48, and 50 of the O.C.G.A., relating to local government, military, emergency management, and veteran affairs, public utilities and public transportation, revenue and taxation, and state government respectively, so as to facilitate and incentivize adequate and expanded broadband and other communications services throughout the state; to provide for legislative findings and intent; to provide short titles; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Gooch of the 51st.

The Senate Committee on Regulated Industries and Utilities offered the following substitute to HB 887:

A BILL TO BE ENTITLED
AN ACT

To amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to streamline the deployment of wireless broadband in the public rights

of way; to limit the ability of local governing authorities to prohibit, regulate, or charge for use of public rights of way under certain circumstances; to provide for definitions; to specify that a local governing authority may require permit fees only under certain circumstances; to require a local governing authority to receive and process applications for and issue permits subject to specified requirements; to provide that approval of and charges by a local governing authority are not required for certain activities related to certain wireless facilities; to specify limitations for processing applications to deploy certain structures and wireless facilities in the rights of way; to require a local governing authority to approve the collocation of small wireless facilities on certain utility poles and wireless support structures, subject to certain requirements; to provide requirements for rates, fees, and other terms related to utility poles; to prohibit a local governing authority from adopting or enforcing any regulations on the placement or operation of certain facilities and from regulating any communications services or imposing or collecting any taxes, fees, or charges not specifically authorized under state law; to provide for determination of disputes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by adding a new chapter to read as follows:

"CHAPTER 66C

36-66C-1.

As used in this chapter, the term:

(1) 'Antenna' means:

(A) Communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services; or

(B) Similar equipment used for the transmission or reception of surface waves.

(2) 'Applicable codes' means:

(A) The Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq.; and

(B) The state minimum standard codes identified in Code Section 8-2-20.

(3) 'Applicant' means any wireless provider that submits an application to an authority pursuant to this chapter.

(4) 'Application' means a request submitted by an applicant to an authority:

(A) For a permit to collocate small wireless facilities; or

(B) To secure approval for the construction, installation, maintenance, modification, operation, or replacement of a utility pole or a wireless support structure.

(5) 'Authority' means any local governing authority, including without limitation any entity through which a municipality furnishes retail electric service.

(6) 'Authority pole' means a utility pole owned or operated by an authority in a right of way.

(7) 'Base station' means wireless facilities or a wireless support structure or utility pole that currently supports wireless facilities. The term shall not include a tower or any equipment associated with a tower.

(8) 'Cable operator' shall have the same meaning as provided in 47 U.S.C. Section 522(5), as it existed on January 1, 2018.

(9) 'Collocate' or 'collocation' means to install, mount, maintain, modify, operate, or replace one or more wireless facilities on, under, within, or adjacent to a wireless support structure or utility pole.

(10) 'Communications facility' means that set of equipment and network components, including wires and cables and associated facilities, used by a communications services provider to provide communications services.

(11) 'Communications services' means cable service as defined in 47 U.S.C. Section 522(6), as it existed on January 1, 2018, telecommunications service as defined in 47 U.S.C. Section 153(53), as it existed on January 1, 2018, information service as defined in 47 U.S.C. Section 153(24), as it existed on January 1, 2018, or wireless services.

(12) 'Communications services provider' means a cable operator as defined in 47 U.S.C. Section 522(5), as it existed on January 1, 2018, a telecommunications carrier as defined in 47 U.S.C. Section 153(51), as it existed on January 1, 2018, a provider of information service as defined in 47 U.S.C. Section 153(24), as it existed on January 1, 2018, or a wireless provider.

(13) 'Decorative pole' means a pole owned by an authority that is specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than light fixtures, a small wireless facility, specially designed informational or directional signage, or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory resolutions, ordinances, or codes of such authority.

(14) 'Electric membership corporation' shall have the same meaning provided in Code Section 46-3-171.

(15) 'Fee' means a one-time charge.

(16) 'Historic district' means an area designated as an historic district under Article 2 of Chapter 10 of Title 44, the 'Georgia Historic Preservation Act,' or a group of buildings, properties, or sites that are either listed in the National Register of Historic Places or formally determined eligible for listing by the Keeper of the National Register, the individual who has been delegated the authority by the federal agency to list properties and determine their eligibility for the National Register, in accordance with Section VI.D.1.a.i-v of the Nationwide Programmatic Agreement codified at 47 C.F.R. Part 1, Appendix C.

(17) 'Information service' shall have the same meaning as provided in 47 U.S.C. Section 153(24), as it existed on January 1, 2018.

(18) 'Interstate highways' shall have the same meaning as provided in Code Section

32-1-3.

(19) 'Law' means any federal, state, or local law, statute, common law, code, rule, regulation, order, or ordinance.

(20) 'Local governing authority' means a municipality or county that has adopted land use or zoning regulations for all or the majority of land use within its jurisdiction or has adopted separate regulations pertaining to the location, construction, collocation, modification, or operation of wireless facilities.

(21) 'Micro wireless facility' means a small wireless facility not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.

(22) 'Permit' means a written authorization required by an authority to perform an action or initiate, continue, or complete a project.

(23) 'Person' means an individual, corporation, limited liability company, partnership, association, trust, or other entity or organization, including an authority.

(24) 'Rate' means a recurring charge.

(25) 'Right of way' shall have the same meaning as provided in Code Section 32-1-3; provided, however, that such term shall not include property or any interest therein acquired for or devoted to an interstate highway and shall apply only to property or an interest therein that is under the control of an authority.

(26) 'Small wireless facility' means a wireless facility that meets both of the following qualifications:

(A) Each wireless provider's antenna could fit within an enclosure of no more than six cubic feet in volume; and

(B) All other wireless equipment associated with the facility is cumulatively no more than 25 cubic feet in volume. The following types of associated ancillary equipment shall not be included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, grounding equipment, power transfer switches, cut-off switches, and vertical cable runs for the connection of power and other services.

(27) 'Substantial modification' means a proposed modification to an existing wireless support structure or base station which will change the physical dimensions of the wireless support structure or base station by installing new equipment cabinets for the technology involved resulting in more than four cabinets total, by installing new equipment cabinets on the ground if there are no preexisting ground cabinets associated with the structure, or by installing ground cabinets that are more than 10 percent larger in height or overall volume than any other ground cabinets associated with the structure.

(28) 'Telecommunications carrier' shall have the same meaning as provided in 47 U.S.C. Section 153(51), as it existed on January 1, 2018.

(29) 'Utility pole' means a pole or similar structure that is or may be used in whole or in part by or for wireline communications, electric distribution, lighting, traffic control, signage, or a similar function, or for the collocation of small wireless facilities.

(30) 'Wireless facility' means equipment at a fixed location that enables wireless communications or surface wave communications between user equipment or nodes of a communications network, or both, including:

(A) Equipment associated with wireless communications or surface wave communications; and

(B) Radio transceivers, surface wave couplers, antennas, coaxial or fiber optic cables, regular and backup power supplies, and comparable equipment, regardless of technological configuration.

The term shall include small wireless facilities. Such term shall not include the structure or improvements on, under, or within which the equipment is collocated nor shall it include wireline backhaul facilities or coaxial or fiber optic cable that is between wireless structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

(31) 'Wireless infrastructure provider' means any person, including a person authorized to provide communications services in this state, that builds or installs wireless or surface wave communication transmission equipment, wireless facilities, or wireless support structures but that is not a wireless services provider.

(32) 'Wireless provider' means a wireless infrastructure provider or a wireless services provider.

(33) 'Wireless services' means any services provided using a licensed or unlicensed spectrum including, but not limited to the use of Wi-Fi, whether at a fixed location or mobile, using wireless facilities.

(34) 'Wireless services provider' means a person that provides wireless services.

(35) 'Wireless support structure' means a structure, such as a monopole; tower, either guyed or self-supporting; billboard; or other existing or proposed structure designed to support or capable of supporting wireless facilities. Such term shall not include a utility pole.

(36) 'Wireline backhaul facility' means an above-ground or underground facility used to transport communications data from a wireless facility to a network.

36-66C-2.

(a) The provisions of this Code section shall only apply to the collocation of small wireless facilities on utility poles and wireless support structures, and the deployment of utility poles to support small wireless facilities, by a wireless provider within a right of way.

(b)(1) Subject to the provisions of this Code section and approval of an application pursuant to Code Section 36-66C-3, if required, a wireless provider shall have the right to collocate small wireless facilities and construct, install, maintain, modify, operate, and replace utility poles along, across, upon, and under a right of way.

(2) The utility poles and small wireless facilities provided for in paragraph (1) of this subsection shall be so constructed and maintained as not to obstruct or hinder the usual travel or public safety on such right of way or obstruct the legal use of such right of way by other utilities. Each new or modified utility pole installed in such

right of way shall not exceed fifty feet above ground level. New small wireless facilities in a right of way may not extend more than ten feet above the utility pole or wireless support structure on which it is collocated.

(3) A wireless provider may collocate small wireless facilities that exceed the height limits in paragraph (2) of this subsection and construct, install, maintain, modify, operate, and replace utility poles that exceed the height limits in paragraph (2) of this subsection along, across, upon, and under a right of way if the authority approves an application for such activities under Code Section 36-66C-4. A wireless provider may collocate wireless facilities that are not small wireless facilities and construct, install, maintain, modify, operate, and replace wireless support structures along, across, upon, and under a right of way if such wireless provider has an arrangement with the authority allowing such activities and if the authority approves an application for the deployment under Code Section 36-66C-4.

(4) A wireless provider shall comply with reasonable and nondiscriminatory requirements that prohibit communications services providers from installing utility poles in a right of way in an area designated solely for underground or buried cable and utility facilities where the authority:

(A) Has required all cable and utility facilities other than authority poles and attachments to be placed underground by a date certain that is three months prior to the submission of the application;

(B) Does not prohibit the replacement of authority poles or the collocation of small wireless facilities in the designated area; and

(C) Permits wireless providers to seek a waiver of the underground requirements for the placement of a new utility pole to support small wireless facilities, which waivers shall be addressed in a nondiscriminatory manner.

(c) The authority, in the exercise of its administration and regulation related to the management of a right of way, shall be competitively neutral with regard to other users of such right of way, and terms shall not be unreasonable or discriminatory and shall not violate any applicable law. The authority shall not enter into an exclusive arrangement with any person for use of the right of way for the collocation of small wireless facilities or the installation, operation, marketing, maintenance, modification, or replacement of utility poles or wireless support structures.

(d) If the authority determines that a wireless provider's activity in a right of way pursuant to this Code section creates an imminent risk to public safety, the authority may provide written notice to the wireless provider and demand that such provider address such risk. If the wireless provider fails to reasonably address the risk within 24 hours of the written notice, the authority may take or cause to be taken actions to reasonably address such risk and charge such wireless provider the reasonable documented cost of such actions.

(e) The authority may require a wireless provider to repair all damage to a right of way directly caused by the activities of such wireless provider, while occupying, installing, repairing, or maintaining wireless facilities, wireless support structures, or utility poles in such right of way, and to return such right of way to its functional equivalence before

the damage pursuant to the competitively neutral, reasonable requirements and specifications of the authority. If the wireless provider fails to make the repairs required by the authority within 30 days after written notice, the authority may effect those repairs and charge the applicable party the reasonable documented cost of such repairs.

(f) Nothing in this chapter precludes an authority from adopting reasonable and nondiscriminatory requirements with respect to the removal of abandoned small wireless facilities. A small wireless facility that is not operated for a continuous period of 12 months shall be considered abandoned and the owner of such wireless facility must remove such small wireless facility within 90 days after receipt of written notice from the authority notifying such owner of such small wireless facility of the abandonment. The authority shall send the notice by certified or registered mail, return receipt requested, to such owner at the last known address of such owner of the small wireless facility. If the owner neither provides written notice that the small wireless facility has not been out of operation for a continuous period of 12 months nor removes such small wireless facility within the 90 day period, the authority may remove or cause the removal of such small wireless facility pursuant to the terms of its wireless support structure or utility pole attachment agreement for authority poles or through whatever actions are provided for abatement of nuisances or by other law for removal and cost recovery.

(g) If, in the reasonable exercise of its police powers, the Department of Transportation or a local governing authority requires the widening, repair, reconstruction, or relocation of a public road or highway, a wireless provider shall relocate utility poles or wireless support structures it has installed in the right of way for the collocation of wireless facilities pursuant to this Code section at no cost to the Department of Transportation or local governing authority should such poles be found by the Department of Transportation or local governing authority to be unreasonably interfering with the widening, repair, reconstruction, or relocation project. If widening, repair, reconstruction, or relocation is required as a condition or result of a project by an entity other than the Department of Transportation or a local governing authority, the other entity shall bear the cost of relocating such wireless support structures or utility poles. The wireless provider shall relocate the wireless support structures or utility poles after it receives notice from the Department of Transportation or local governing authority and within the time reasonably provided for the relocation of other similarly situated structures.

(h) An authority shall not assess a rate for occupancy of the right of way pursuant to paragraph (1) of subsection (b) of this Code section that exceeds, in total, an amount equal to \$25.00 per year per small wireless facility.

(i) Subject to Code Section 36-66C-3, and except for facilities excluded from evaluation for effects on historic properties under 47 C.F.R. Section 1.1307(a)(4), as such existed on January 1, 2018, an authority may require reasonable, nondiscriminatory, and technologically neutral design or concealment measures in a historic district. Any such design or concealment measures shall not be considered a

part of the small wireless facility for purposes of the size restrictions provided in paragraph (26) of Code Section 36-66C-1.

(j) An authority may adopt written guidelines establishing reasonable and objective stealth or concealment criteria for small wireless facilities in designated downtown or residential areas, reasonable and objective design criteria for small wireless facilities to be collocated on decorative poles, and reasonable and objective design criteria for utility poles deployed in areas with decorative poles. Such guidelines may be adopted only if they apply on a nondiscriminatory basis to all other occupants of the right of way, including the authority itself. A wireless provider that seeks to collocate small wireless facilities on a decorative pole shall comply with Code Section 36-66C-3. A wireless provider that is required to replace a decorative pole in compliance with Code Section 36-66C-5 shall conform the new decorative pole to the design aesthetics and material look of the decorative pole being replaced.

36-66C-3.

(a) The provisions of this Code section shall apply to the collocation of small wireless facilities that comply with the height requirements of paragraph (2) of subsection (b) of Code Section 36-66C-2 by a wireless provider inside a right of way and to the permitting of the construction, installation, maintenance, modification, operation, and replacement of utility poles that comply with paragraph (2) of subsection (b) of Code Section 36-66C-2 by a wireless provider inside such right of way.

(b) A wireless provider shall not apply to install a utility pole unless such wireless provider has determined after diligent investigation that it cannot meet the service objectives of the permit by collocating on an existing utility pole or wireless support structure that meets the criteria set forth in paragraphs (1) and (2) of this subsection. The authority may require a wireless provider to certify that such wireless provider has made such a determination in good faith, based on the assessment of a licensed engineer, and to provide a documented summary of the basis for such determination. The wireless provider's determination shall be based on whether such wireless provider can meet the service objectives of the permit by collocating small wireless facilities on an existing structure on which:

(1) Such wireless provider has the right to collocate on the utility pole or wireless support structure, subject to reasonable terms and conditions; and

(2) Such collocation would not impose technical limitations or significant additional costs.

(c) An authority may require an applicant to obtain one or more permits to collocate a small wireless facility or to construct, install, maintain, modify, operate, or replace a utility pole, provided that such permits are of general applicability and do not apply exclusively to small wireless facilities. An authority shall receive applications for, process, and issue such permits subject to the following requirements:

(1) An authority may not directly or indirectly require an applicant to perform services unrelated to the collocation for which approval is sought, such as in-kind contributions to the authority, including reserving fiber, conduit, or space on a utility

pole or a wireless support structure for the authority, and such authority may not require an applicant to transfer small wireless facilities or wireless support structures to the authority, provided that the authority may require transfer of an authority pole replaced by the applicant to accommodate its collocation;

(2) An applicant shall not be required to provide more information to obtain a permit than communications services providers that are not wireless providers; provided, however, that an applicant shall be required to include construction and engineering drawings and information demonstrating compliance with the criteria in paragraph (6) of this subsection; provided, further that if the application includes a request to install a utility pole, such applicant shall be required to provide the certification and documentation required by subsection (b) of this Code section;

(3) If within 30 days of receiving an application the authority does not notify the applicant that such application is incomplete, then such application shall be deemed complete. If an application is incomplete, the authority shall specifically identify the missing information and the applicant may cure the deficiencies identified by the authority and resubmit the application within 20 days of the notice without paying an additional application fee. The processing deadline in paragraph (5) of this subsection shall be tolled from the time the authority sends the notice of incompleteness to the time the applicant provides the missing information, and such processing deadline also may be tolled by agreement of the applicant and the authority;

(4) The authority may require an applicant to include an attestation that the small wireless facilities will be operational for use by a wireless services provider within nine months after the permit issuance date, unless the authority and the applicant agree to extend such period or delay occurs due to lack of power to the wireless support structure or utility pole or lack of communications transport facilities to the wireless support structure or utility pole;

(5) An application shall be processed on a nondiscriminatory basis and deemed approved if the authority fails to approve or deny the application within 75 days. An applicant shall inform the authority in writing when it intends to act upon an application that has been deemed approved pursuant to this subsection;

(6) An authority shall approve an application unless it:

(A) Materially interferes with the operation of traffic control equipment;

(B) Materially interferes with sight lines or clear zones for transportation or pedestrians;

(C) Fails to comply with the Americans with Disabilities Act, 42 U.S.C. Section 12101, et seq., or similar federal or state standards regarding pedestrian access or movement;

(D) Fails to comply with reasonable and nondiscriminatory spacing requirements of general application adopted by ordinance concerning the location of ground mounted equipment or new utility poles. Such spacing requirements shall not prevent a wireless provider from serving any location;

(E) Fails to comply with applicable codes; or

(F) Fails to comply with paragraph (2) of subsection (b) or subsections (i) or (j) of

Code Section 36-66C-2.

(7) The authority shall document the basis for a denial, including the specific provisions of law on which the denial was based, and send the documentation to the applicant on or before the day the authority denies an application. The applicant may cure the deficiencies identified by the authority and resubmit the application within 30 days of the denial without paying an additional application fee. The authority shall approve or deny the revised application within 30 days. Any subsequent review shall be limited to the deficiencies cited in the denial;

(8) An applicant seeking to collocate small wireless facilities within the jurisdiction of a single authority shall be allowed at the applicant's discretion to file a consolidated application for the collocation of up to 15 small wireless facilities and receive a single permit for the collocation of multiple small wireless facilities; provided, however, that the denial of one or more small wireless facilities in a consolidated application shall not delay processing of any other small wireless facilities in the same application. An authority may prohibit an applicant from submitting an additional application when such applicant has at least eight pending consolidated applications. For purposes of this paragraph, a request to install a utility pole with a collocated small wireless facility shall constitute a single request;

(9) Collocation for which a permit is granted shall be operational for use by a wireless services provider within nine months after the permit issuance date unless the authority and the applicant agree to extend this period or a delay occurs due to lack of power to the wireless support structure or utility pole or lack of communications facilities to the wireless support structure or utility pole. If the wireless services provider fails within such nine-month period to collocate small wireless facilities that are operational for use by a wireless services provider, the permit shall be void and such wireless services provider shall be subject to a fine of not more than \$500.00, unless such time period is extended or the failure is due to delay provided for in this paragraph. Approval of an application authorizes the applicant to:

(A) Undertake the installation or collocation; and

(B) Subject to applicable relocation requirements and the applicant's right to terminate at any time, operate and maintain the small wireless facilities and any associated utility poles covered by the permit for a period of not less than ten years, which shall be renewed for equivalent durations so long as they are in compliance with the criteria set forth in paragraph (6) of this subsection; and

(10) An authority may not institute, either expressly or de facto, a moratorium on:

(A) Filing, receiving, or processing applications; or

(B) Issuing permits or other approvals, if any, for the collocation of small wireless facilities.

(d) Application fees shall be subject to the following requirements:

(1) An authority may charge an application fee only if such fee is required for similar types of commercial development within the authority's jurisdiction;

(2) An authority shall only charge fees for the actual, direct, and reasonable costs incurred by the authority relating to the granting or processing of an application.

Such fees shall be reasonably related in time to the incurring of such costs. Where such costs are already recovered by existing fees, rates, or taxes paid by a wireless provider, no application fee shall be assessed to recover such costs;

(3) A fee may not include:

(A) Travel expenses incurred by a third party in its review of an application; or

(B) Direct payment or reimbursement of third-party rates or fees charged on a contingency basis or a result based arrangement;

(4) In any controversy concerning the appropriateness of a fee, the authority shall have the burden of proving that the fee is reasonably related to the actual, direct, and reasonable costs incurred by the authority;

(5) Except as provided in paragraph (6) of this subsection, total application fees, where permitted, shall not exceed the lesser of the amount charged by the authority for:

(A) A building permit for any similar commercial construction, activity, or land use development; or

(B) One hundred dollars each for up to five small wireless facilities addressed in an application and \$50.00 for each additional small wireless facility addressed in the application; and

(6) For the collocation of small cell wireless facilities on authority poles that are not owned or operated by an entity through which a municipality furnishes retail electric service, total application fees shall not exceed the lesser of the amount charged by the authority for:

(A) A building permit for any similar commercial construction, activity, or land use development; or

(B) Two hundred dollars each for up to five small wireless facilities addressed in an application and \$100.00 for each additional small wireless facility addressed in the application.

(e)(1) An authority shall not require an application for:

(A) Routine maintenance; or

(B) The replacement of wireless facilities with wireless facilities that are substantially similar in nature or the same size or smaller.

(2) An authority may, however, require a permit to work within a right of way for such activities, if applicable. Any such permits shall not be subject to the requirements provided in subsections (c) and (d) of this Code section.

(f) An authority shall not require a permit or any other approval or require fees or rates for the installation, placement, maintenance, operation, or replacement of micro wireless facilities that are suspended on cables or power lines that are strung between utility poles or wireless support structures in compliance with applicable codes. Nothing in this subsection shall be construed to allow the installation, placement, maintenance, operation, or replacement of micro wireless facilities on such cables or power lines without the agreement, authorization, or permission of the person owning, managing, or controlling such cables or power lines.

(g) If multiple applications are received by the authority to install two or more utility

poles that would violate applicable spacing requirements under subparagraph (c)(6)(D) of this Code section, or to collocate two or more small wireless facilities on the same wireless support structure or utility pole, the authority shall resolve conflicting requests in an appropriate, reasonable, and nondiscriminatory manner.

36-66C-4.

(a) The provisions of this Code section shall apply to reviews of applications for the construction, installation, maintenance, modification, operation, or replacement of wireless facilities, wireless support structures, and utility poles and for substantial modifications inside a right of way. The provisions of this Code section shall not apply to the collocation of small wireless facilities or the permitting of the construction, installation, maintenance, modification, operation, and replacement of utility poles to which Code Section 36-66C-3 applies.

(b) Authorities shall process applications within the following time frames:

(1) If within 30 days of receiving an application the authority does not notify the applicant that such application is incomplete, then such application shall be deemed complete. If an application is incomplete, the authority shall specifically identify the missing application information in the notice;

(2) An application under this Code section shall be processed on a nondiscriminatory basis and deemed approved if the authority fails to approve or deny the application within 150 calendar days of receipt of an application for installation of a new wireless support structure or within 90 calendar days of receipt of an application described in subsection (a) of this Code section or for a substantial modification. The time period for approval may be tolled to accommodate timely requests for information required to complete the application or may be extended by mutual agreement between the applicant and the authority; and

(3) A decision to deny an application pursuant to this Code section shall be in writing and supported by substantial evidence contained in a written record and publicly released contemporaneously. If an authority denies an application, there must be a reasonable basis for the denial. An authority shall not deny an application if such denial is discriminatory against the applicant with respect to the placement of the facilities of other wireless providers.

(c) Application fees shall be subject to the same requirements as in paragraphs (1) through (4) of subsection (d) of Code Section 36-66C-3 and the total application fees, where permitted, shall not exceed the lesser of the amount charged by the authority for:

(1) A building permit for any similar commercial construction, activity, or land use development; or

(2) One thousand dollars for a new wireless support structure or a substantial modification of a wireless support structure.

(d) An authority shall receive and process applications under this Code section subject to the following requirements:

(1) An authority shall not require an applicant to submit information about an applicant's business decisions with respect to the need for the wireless facilities,

wireless support structure, or utility pole;

(2) An authority shall not require an applicant to submit information about or evaluate an applicant's business decisions with respect to its service, customer demand for service, or quality of service;

(3) Any requirements regarding the appearance of facilities, including those relating to materials used for arranging, screening, or landscaping, must be reasonable;

(4) Any setback or fall zone requirements must be substantially similar to such a requirement that is imposed on other types of commercial structures of a similar height;

(5) An approval term of an application shall be without expiration, except that construction of the approved structure or facilities shall commence within one year of final approval, and be diligently pursued to completion; and

(6) An authority may not institute, either expressly or de facto, a moratorium on:

(A) Filing, receiving, or processing applications; or

(B) Issuing approvals for substantial modifications or installations that are subject to this Code section.

36-66C-5.

(a) An authority shall not enter into an exclusive arrangement with any person for the right to attach to authority poles. A person who purchases or otherwise acquires an authority pole is subject to the requirements of this Code section unless such requirements are contrary to federal law.

(b) Except as set forth in subsection (c) of this Code section, the rates and fees for collocations on authority poles shall be nondiscriminatory regardless of the services provided by the collocating wireless provider and shall not exceed \$40.00 per year per authority pole.

(c) To the extent that a written agreement between a wireless provider and an authority providing rates and fees for collocations on poles owned or operated by any entity through which a municipality furnishes retail electric service becomes effective between June 1, 2018, and May 31, 2019, such rates and fees shall apply as set forth in such agreement.

(d) In any controversy concerning the appropriateness of a rate for an authority pole, the authority shall have the burden of proving that the rates are reasonably related to the actual, direct, and reasonable costs incurred for use of space on the pole for such period. This subsection shall not apply to rates and fees for collocations on authority poles set forth in a written agreement described in subsection (c) of this Code section.

(e) Should an authority have an existing authority pole attachment rate, fee, or other term that does not comply with the requirements of this Code section, it shall reform such rate, fee, or term in compliance with this Code section by January 1, 2019.

(f) Authorities shall offer rates, fees, and other terms that comply with subsections (b) through (e) of this Code section. On and after January 1, 2019, an authority shall make available the rates, fees, and terms for the collocation of small wireless facilities on authority poles that comply with the following:

(1) The rates, fees, and terms shall be nondiscriminatory, competitively neutral, and commercially reasonable and shall comply with this chapter. Such rates, fees, and terms shall be made publicly available so that a wireless provider may accept them without negotiation. Documents reflecting the rates, fees, and terms entered into with each wireless provider shall be made publicly available;

(2) For make-ready work required for authority poles that support aerial cables used for the provision of services by communications services providers or for electric service, the parties shall comply with all applicable federal laws and rules and regulations promulgated thereunder as such existed on January 1, 2018, including, but not limited to 47 U.S.C. Section 224. The good faith estimate of the person owning or controlling the authority pole for any make-ready work necessary to enable the authority pole to support the requested collocation shall include authority pole replacement if necessary;

(3) For authority poles that do not support aerial cables used for video services, communications services, or electric service, the authority shall provide a good faith estimate for any make-ready work necessary to enable the authority pole to support the requested collocation, including authority pole replacement if necessary, within 60 days after receipt of a complete application. Make-ready work including any authority pole replacement shall be completed within 60 days of written acceptance of the good faith estimate by the applicant; and

(4) An authority shall not require more make-ready work than required to meet applicable codes or the authority's generally applicable safety, reliability, or engineering standards that reasonably accommodate the collocation of small wireless facilities. Fees for make-ready work shall not include costs related to preexisting or prior damage or noncompliance. Fees for make-ready work including any authority pole replacement shall not exceed actual costs or the amount charged to other communications services providers for similar work and shall not include any consultants' fees or expenses.

36-66C-6.

Nothing in this chapter shall authorize this state or any political subdivision thereof, including, but not limited to, an authority, to require wireless facility deployment or to regulate wireless services.

36-66C-7.

A court of competent jurisdiction shall have jurisdiction to determine all disputes arising under this chapter.

36-66C-8.

(a) An authority shall not require a communications services provider to indemnify and hold the authority and its officers and employees harmless against any claims, lawsuits, judgments, costs, liens, losses, expenses, or fees, except when a court of competent jurisdiction has found that the negligence of the communications services provider

while installing, repairing, or maintaining caused the harm that created such claims, lawsuits, judgments, costs, liens, losses, expenses, or fees, or to require a communications services provider to obtain insurance naming the authority or its officers and employees an additional insured against any of the foregoing.

(b) In no event shall any authority or any officer, employee, or agent affiliated therewith be liable for any claim related to the siting or location of wireless equipment, facilities, poles, or infrastructure, including, but not limited to, any claim for destruction, damage, business interruption, or signal interference with other communications services providers wherein such siting or location and associated installation and permitting was undertaken in substantial compliance with this chapter. This subsection shall not apply to gross negligence or willful misconduct.

36-66C-9.

A wireless provider that installs utility poles designed to support its own small wireless facilities in the rights of way in this state shall allow another wireless provider to collocate small wireless facilities on such utility poles, subject to technical feasibility and commercially reasonable rates, terms, and conditions, if the other wireless provider agrees in writing to make available similar utility poles in the rights of way in this state for collocation subject to the same rates, terms, and conditions. The wireless provider seeking collocation shall be entitled to collocate on the same number of utility poles designed to support small wireless facilities as such wireless provider makes available in this state to the wireless provider that installed the poles upon which it seeks to collocate. A wireless provider that installs a utility pole designed to support the small wireless facilities of other wireless providers shall allow more than one wireless provider to collocate on the pole, subject to technical feasibility and commercially reasonable rates, terms and conditions.

36-66C-10.

(a) To the extent an authority does not adopt any ordinances or resolutions or enter into agreements that implement the provisions of this chapter or to the extent such ordinances, resolutions, or agreements are determined not to comply with this chapter or are otherwise determined to be invalid, wireless providers may collocate small wireless facilities and construct, install, maintain, modify, operate, and replace utility poles in the right of way pursuant to the requirements set forth in this chapter.

(b) Except as provided in this chapter or otherwise specifically authorized by state law, an authority shall not adopt or enforce any ordinances, regulations, or requirements as to the placement or operation of communications facilities in a right of way by a communications services provider authorized by state or local law to operate in a right of way, regulate any communications services, or impose or collect any tax, fee, or charge for the provision of communications services over the communications services provider's communications facilities in a right of way.

36-66C-11.

The approval of the installation, placement, maintenance, or operation of a small wireless facility pursuant to this chapter shall not authorize the provision of any communications services or the installation, placement, maintenance, or operation of any communications facility, including a wireline backhaul facility, other than a small wireless facility, in a right of way.

36-66C-12.

Nothing in this chapter shall be construed to impose or otherwise affect any tariff, contractual obligation or right, or federal or state law addressing utility poles, wireless support structures, or electric transmission structures or equipment of any type owned or controlled by an investor owned electric utility or an electric membership corporation.

36-66C-13.

In the event of any conflict between the provisions of this chapter and the provisions of Chapter 66B of this title, this chapter shall control as to the collocation of wireless facilities and the construction installation, maintenance, modification, operation, and replacement of utility poles and wireless support structures by wireless providers in the right of way."

SECTION 2.

This Act shall become effective on July 1, 2018.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senators Watson of the 1st and Gooch of the 51st offered the following amendment #1:

Amend the Senate Committee on Regulated Industries and Utilities substitute to HB 887 (LC 36 3670S) by deleting lines 72 and 73 and inserting in lieu thereof the following:

(16) 'Historic district' means an area designated as a historic district under Article 2 of Chapter 10 of Title 44, the 'Georgia Historic Preservation Act;' any area designated as a historic district by a local code, administrative rule, or regulation adopted by a local governing authority through an ordinance prior to January 1, 2018; or a group of buildings,

By deleting lines 242 through 247 and inserting in lieu thereof the following:

(i) Subject to Code Section 36-66C-3, an authority may require written reasonable and objective design or concealment measures in a historic district that do not discriminate between wireless providers. Any such design or concealment measures shall not be considered a part of the small wireless facility for purposes of the size restrictions provided in paragraph (26) of Code Section 36-66C-1. An authority may deny an

application to install a utility pole at a location in a historic district that such authority determines would detract from the historic character of the surrounding area. An authority may waive any ordinances or other requirements that are subject to this subsection.

On the adoption of the amendment, there were no objections, and the Watson, Gooch amendment #1 to the committee substitute was adopted.

Senators Gooch of the 51st, Ginn of the 47th, Jones of the 25th, Stone of the 23rd and Brass of the 28th offered the following amendment #2:

Amend the Senate Committee on Regulated Industries and Utilities substitute to HB 887 (LC 36 3670S) by deleting lines 38 and 39 and inserting in lieu thereof the following:

(5) 'Authority' means any local governing authority, but shall not include any local governing entity to the extent that it is acting in the capacity of a provider of retail electric service or as an entity through which a municipality furnishes retail electric service.

By deleting lines 122 and 123 and inserting in lieu thereof the following:

part by or for wireline communications, electric distribution, lighting, traffic control, signage, or a similar function, or for the collocation of small wireless facilities. Such term shall not include electric transmission facilities.

By deleting line 477 and inserting in lieu thereof the following:

(b) The rates and fees for

By deleting lines 481 through 484.

By deleting "(d)", "(e)", and "(f)" on lines 485, 490, and 493 and inserting in lieu thereof respectively "(c)", "(d)", "(e)".

By deleting lines 487 through 489 and inserting in lieu thereof the following:

direct, and reasonable costs incurred for the use of space on the pole for such period.

By deleting "(e)" on lines 494 and inserting in lieu thereof "(d)".

By deleting lines 582 and 583 and inserting in lieu thereof the following:

support structures, or electric structures or equipment of any type owned or controlled by a municipal or other government electric provider, an investor owned electric utility, or an electric membership corporation.

On the adoption of the amendment, there were no objections, and the Gooch, et al. amendment #2 to the committee substitute was adopted.

Senator Unterman of the 45th offered the following amendment #3:

Amend the Senate Committee on Regulated Industries and Utilities substitute to HB 887 (LC 36 3670S) by deleting lines 328 through 330 and inserting in lieu thereof the following:

(E) Fails to comply with applicable codes;

(F) Fails to comply with paragraph (2) of subsection (b) or subsection (i) or (j) of Code Section 36-66C-2; or

(G) Fails to comply with local ordinances governing the location of wireless facilities, including, but not limited to standards for location, aesthetics, and compatibility with existing wireless support structures and wireless facilities, decorative poles, and utility poles.

On the adoption of the amendment, the President asked unanimous consent.

Senator Gooch of the 51st objected.

On the adoption of the amendment, Senator Unterman of the 45th called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers	Hufstetler	N Payne
Y Anderson, L	N Jackson	Rhett
Y Anderson, T	James	N Seay
N Beach	N Jones, B	E Shafer
Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
N Burke	Y Jordan	N Strickland
N Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
N Dugan	N Ligon	N Tillery
Y Ginn	N Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	N Watson
N Harper	Miller (PRS)	N Wilkinson
N Heath	N Mullis	Y Williams, M
N Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the adoption of the amendment, the yeas were 22, nays 28, and the Unterman amendment #3 to the committee substitute was lost.

Senators Ginn of the 47th and Unterman of the 45th offered the following amendment #4:

Amend the Senate Committee on Regulated Industries and Utilities substitute to HB 887 (LC 36 3670S) by deleting "\$25.00" on line 241 and inserting in lieu thereof of "\$125.00".

On the adoption of the amendment, the President asked unanimous consent.

Senator Gooch of the 51st objected.

On the adoption of the amendment, Senator Ginn of the 47th called for the yeas and nays; the call was sustained, and the vote was as follows:

N Albers	Y Hufstetler	N Payne
Y Anderson, L	N Jackson	Rhett
Y Anderson, T	Y James	N Seay
N Beach	N Jones, B	E Shafer
N Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
N Dugan	N Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	N Millar	N Watson
N Harper	Miller (PRS)	N Wilkinson
N Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the adoption of the amendment, the yeas were 26, nays 26, and the Ginn, Unterman amendment #4 to the committee substitute was lost.

Senator Ginn of the 47th moved that the Senate reconsider its action in defeating the Ginn, Unterman amendment #4.

On the motion, a roll call was taken, and the vote was as follows:

N Albers	Y Hufstetler	N Payne
Y Anderson, L	N Jackson	Rhett
Y Anderson, T	Y James	N Seay

N Beach	N Jones, B	E Shafer
N Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
N Dugan	N Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	N Millar	N Watson
N Harper	Miller (PRS)	N Wilkinson
N Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the motion, the yeas were 28, nays 25; the motion prevailed, and the Ginn, Unterman amendment #4 was reconsidered.

On the adoption of the amendment, the President ordered a roll call, and the vote was as follows:

N Albers	Y Hufstetler	N Payne
Y Anderson, L	Y Jackson	Rhett
Y Anderson, T	Y James	Y Seay
N Beach	N Jones, B	E Shafer
N Black	Y Jones, E	Sims
N Brass	Y Jones, H	Y Stone
N Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
N Dugan	N Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	N Millar	N Watson
N Harper	Miller (PRS)	N Wilkinson
N Heath	N Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the adoption of the amendment, the yeas were 27, nays 25, and the Ginn, Unterman amendment #4 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Rhett
N Anderson, T	N James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	N Tillery
Y Ginn	Y Lucas	N Tippins
Y Gooch	N Martin	N Unterman
Y Harbin	McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 38, nays 14.

HB 887, having received the requisite constitutional majority, was passed by substitute.

HB 161. By Representatives Price of the 48th, Broadrick of the 4th, Newton of the 123rd, Silcox of the 52nd, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Code Section 16-13-32 of the Official Code of Georgia Annotated, relating to transactions in drug related objects, so as to provide that employees and agents of harm reduction organizations are not subject to certain offenses relating to hypodermic needles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Unterman of the 45th.

The Senate Committee on Health and Human Services offered the following substitute to HB 161:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 16-13-32 of the Official Code of Georgia Annotated, relating to transactions in drug related objects, so as to provide that employees and agents of syringe services programs are not subject to certain offenses relating to hypodermic needles; to provide for a definition; to provide for rules and regulations; to amend Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to health, so as to prohibit patient brokering; to provide for definitions; to provide for exceptions; to provide for penalties; to create an executive director of substance abuse, addiction, and related disorders; to provide for appointment; to provide for qualifications; to establish the Commission on Substance Abuse and Recovery; to provide for membership; to provide for duties; to amend Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions relative to insurance, so as to provide for a fraudulent insurance act for the excessive, high-tech, or fraudulent drug testing of certain individuals; to provide for investigation by the Commissioner; to provide for penalties; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 16-13-32 of the Official Code of Georgia Annotated, relating to transactions in drug related objects, is amended by revising subsections (b) and (c) and by adding a new subsection to read as follows:

"(b) Except as authorized in subsection (c) of this Code section with regard to hypodermic syringes and needles, it shall be unlawful for any person or corporation, knowing the drug related nature of the object, to sell, lend, rent, lease, give, exchange, or otherwise distribute to any person any drug related object. It shall also be unlawful for any person or corporation, knowing the drug related nature of the object, to display for sale, or possess with the intent to distribute any drug related object. Unless stated within the body of the advertisement or notice that the object that is advertised or about which information is disseminated is not available for distribution of any sort in this state, it shall be unlawful for any person or corporation, knowing the drug related nature of the object, to distribute or disseminate in any manner to any person any advertisement of any kind or notice of any kind which gives information, directly or indirectly, on where, how, from whom, or by what means any drug related object may be obtained or made.

(c) It shall be unlawful for any person or corporation, other than a licensed pharmacist, a pharmacy intern or pharmacy extern as defined in Code Section 26-4-5, ~~or~~ a

practitioner licensed to dispense dangerous drugs, or a person employed by or an agent of a registered syringe services program, to sell, lend, rent, lease, give, exchange, or otherwise distribute to any person a hypodermic syringe or needle designed or marketed primarily for human use. It shall be an affirmative defense that the hypodermic syringe or needle was marketed for a legitimate medical purpose. As used in this subsection, the term 'syringe services program' means a nonprofit organization which provides substance abuse and harm reduction counseling, education, and referral services for substance use disorder treatment; training and provision of naloxone to reverse opioid overdoses; screening for HIV, viral hepatitis, sexually transmitted diseases, and tuberculosis; referrals and linkage to HIV, viral hepatitis, sexually transmitted diseases, and tuberculosis prevention, treatment, and care service; safer injection supplies; and evidence based interventions to reduce negative consequences of drug related behaviors. The Department of Public Health shall be authorized to promulgate rules and regulations for the purpose of supervising the activities of registered syringe services programs, including provisions for the registration of such programs.

(d) A person employed by or acting as an agent of a registered syringe exchange program shall be immune from civil and criminal liability arising from the possession, distribution, or exchange of hypodermic syringes or needles and related supplies as part of such syringe exchange program."

SECTION 2.

Article 1 of Chapter 1 of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to health, is amended by adding a new Code section to read as follows:

"31-1-16.

(a) As used in this Code section, the term:

(1) 'Health care provider or health care facility' means:

(A) Any person licensed under Chapter 9, 10A, 11, 11A, 26, 28, 30, 33, 34, 35, 39, or 44 of Title 43 or any hospital, nursing home, home health agency, institution, or medical facility licensed or defined under Chapter 7 of this title. The term shall also include any corporation, professional corporation, partnership, limited liability company, limited liability partnership, authority, or other entity composed of such health care providers;

(B) Any state owned or state operated hospital, community mental health center, or other facility utilized for the diagnosis, care, treatment, or hospitalization of persons who are alcoholics, drug dependent individuals, or drug abusers and any other hospital or facility within the State of Georgia approved for such purposes by the Department of Behavioral Health and Developmental Disabilities;

(C) Community mental health center as defined in Code Section 37-7-1;

(D) Any Medicaid provider as defined in Code Section 49-4-146.1;

(E) A state or local health department;

(F) Any community service provider contracting with any state entity to furnish alcohol, drug abuse, or mental health services; and

(G) Any substance abuse service provider licensed under Chapter 5 of Title 26.

(2) 'Health care provider network entity' means a corporation, partnership, or limited liability company owned or operated by two or more health care providers or health care facilities and organized for the purpose of entering into agreements with health insurers, health care purchasing groups, or Medicaid or Medicare.

(3) 'Health insurer' means an accident and sickness insurer, health care corporation, health maintenance organization, provider sponsored health care corporation, or any similar entity regulated by the Commissioner of Insurance.

(b) It shall be unlawful for any person, including any health care provider or health care facility, to knowingly and willfully:

(1) Offer to pay a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, to induce the referral of a patient or patronage to or from a health care provider or health care facility;

(2) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, in return for the referral of a patient or patronage to or from a health care provider or health care facility;

(3) Solicit or receive a commission, benefit, bonus, rebate, kickback, or bribe, directly or indirectly, in cash or in kind, or engage in any split-fee arrangement, in any form, in return for the acceptance or acknowledgment of treatment from a health care provider or health care facility; or

(4) Aid, abet, advise, or otherwise participate in the conduct prohibited by this subsection.

(c) This Code section shall not apply to:

(1) Any health care provider or facility actively enrolled in the Medicare or Medicaid program or any fraternal benefit society providing health benefits to its members as authorized pursuant to Chapter 15 of Title 33;

(2) Any amount paid by an employer to an employee (who has a bona fide employment relationship with such employer) for employment or any payment, compensation, or financial arrangement within a group practice as defined in Code Section 43-1B-3, provided such payment, compensation, or arrangement is not to or from persons who are not members of the group practice;

(3) Payments to a health care provider or health care facility for professional consultation services;

(4) Commissions, fees, or other remuneration lawfully paid to insurance agents as provided under Title 33;

(5) Payments by a health insurer who reimburses, provides, offers to provide, or administers health, mental health, or substance abuse goods or services under a health benefit plan;

(6) Payments to or by a health care provider or health care facility or a health care provider network entity that has contracted with a health insurer, a health care purchasing group, or the Medicare or Medicaid program to provide health, mental

health, or substance abuse goods or services under a health benefit plan when such payments are for goods or services under the plan. However, nothing in this Code section affects whether a health care provider network entity is an insurer required to be licensed under Title 33;

(7) Insurance advertising gifts lawfully permitted under Code Section 33-6-4; or

(8) Payments by a health care provider or health care facility to a health, mental health, or substance abuse information service that provides information upon request and without charge to consumers about providers of health care goods or services to enable consumers to select appropriate providers or facilities, provided that such information service:

(A) Does not attempt through its standard questions for solicitation of consumer criteria or through any other means to steer or lead a consumer to select or consider selection of a particular health care provider or health care facility;

(B) Does not provide or represent itself as providing diagnostic or counseling services or assessments of illness or injury and does not make any promises of cure or guarantees of treatment;

(C) Does not provide or arrange for transportation of a consumer to or from the location of a health care provider or health care facility; and

(D) Charges and collects fees from a health care provider or health care facility participating in its services that are set in advance, are consistent with the fair market value for those information services, and are not based on the potential value of a patient or patients to a health care provider or health care facility or of the goods or services provided by the health care provider or health care facility.

(d)(1) Any person who violates any provision of this Code section, when the prohibited conduct involves less than ten patients, commits a felony and, upon conviction thereof, shall be punished by imprisonment for not more than five years and by a fine of \$50,000.00 per violation.

(2) Any person who violates any provision of this Code section, when the prohibited conduct involves ten or more patients but fewer than 20, commits a felony and, upon conviction thereof, shall be punished by imprisonment for not more than ten years and by a fine of not more than \$100,000.00 per violation.

(3) Any person who violates any provision of this Code section, when the prohibited conduct involves 20 or more patients, commits a felony and, upon conviction thereof, shall be punished by imprisonment for 20 years and by a fine of not more than \$500,000.00 per violation.

(e) Notwithstanding any other law to the contrary, the Attorney General or district attorney of the judicial circuit in which any part of the violation occurred may maintain an action for injunctive relief or other process to enforce the provisions of this Code section.

(f) The party bringing an action under this Code section may recover reasonable expenses in obtaining injunctive relief, including, but not limited to, investigative costs, court costs, reasonable attorney's fees, witness costs, and deposition expenses.

(g) The provisions of this Code section are in addition to any other civil,

administrative, or criminal actions provided by law and may be imposed against both corporate and individual defendants."

SECTION 3.

Said article is further amended by adding a new Code section to read as follows:

"31-1-17.

(a) The Governor shall appoint an executive director of substance abuse, addiction, and related disorders who shall serve at the pleasure of the Governor. The executive director shall be an employee of the Governor's Office of Planning and Budget and shall report directly to the Governor.

(b) The executive director shall have a college degree and at least one of the following qualifications:

(1) Educational background or work experience involving vulnerable populations relative to substance abuse, addiction, and related disorders with the ability to assess the impact of untreated mental illness and substance abuse disorders on state budgets, hospitals, emergency rooms, jails, prisons, law enforcement agencies, educational institutions, and related institutions and services;

(2) Work experience in a setting dealing with treatment and delivery of services for the safety or well-being of children and adults affected by substance abuse, addiction, and related disorders; or

(3) Experience working in or managing a complex, multidisciplinary business or government agency.

(c)(1) There is established the Commission on Substance Abuse and Recovery. The purpose of the commission is to create a coordinated and unified effort among state and local agencies to confront the state-wide addiction and substance abuse crisis.

(2) The executive director shall oversee the commission and be a voting member thereof.

(3) The commission shall consist of 15 members as follows:

(A) The commissioner of behavioral health and developmental disabilities;

(B) The commissioner of public health;

(C) The commissioner of community health;

(D) The commissioner of human services;

(E) The State School Superintendent;

(F) The commissioner of public safety;

(G) The Commissioner of Insurance;

(H) The Attorney General;

(I) The director of the Georgia Bureau of Investigation;

(J) The commissioner of community supervision;

(K) One representative of the judicial branch representing the accountability courts to be appointed by the Governor;

(L) Two representatives from the advocacy community to be appointed by the Governor;

(M) One member from the House of Representative to be appointed by the Speaker

of the House of Representatives; and

(N) One member from the Senate to be appointed by the Lieutenant Governor.

(4) The executive director shall be the chairperson of the commission. The commission may elect such other officers and establish committees as it deems appropriate.

(5) Meetings of the commission shall be held quarterly, or more frequently, on the call of the chairperson. Meetings of the commission shall be held with not less than five days' public notice for regular meetings and with such notice as the bylaws may prescribe for special meetings. Each member shall be given written notice of all meetings. All meetings of the commission shall be subject to the provisions of Chapter 14 of Title 50. Minutes or transcripts shall be kept of all meetings of the commission and shall include a record of the votes of each member, specifying the yea or nay vote or the absence of each member, on all questions and matters coming before the commission. No member may abstain from a vote other than for reasons constituting disqualification to the satisfaction of a majority of a quorum of the commission on a recorded vote. No member of the commission shall be represented by a delegate or agent.

(6) Members shall serve without compensation, although each member of the commission shall be reimbursed for actual expenses incurred in the performance of his or her duties from funds available to the commission; provided, however, that any legislative member shall receive the allowances authorized by law for legislative members of interim legislative committees and any members who are state employees shall be reimbursed for expenses incurred by them in the same manner as they are reimbursed for expenses in their capacities as state employees.

(d) The commission shall be vested with the following functions and authority:

(1) To coordinate overdose data and statistics between the prescription drug monitoring program data base, the Georgia Bureau of Investigation, the Federal Bureau of Investigation, and local governments;

(2) To consult on the implementation of the department's strategic plan on the opioid crisis;

(3) To consult with the Attorney General's task force on the opioid crisis;

(4) To work with advocacy groups to coordinate public education forums with the department and the Department of Behavioral Health and Developmental Disabilities;

(5) To consult with and provide recommendations to the Governor on a potential Medicaid waiver related to opioid abuse;

(6) To create a block grant program based on sliding scale needs that is strategically based on statistics and the needs of communities. The commission shall be responsible for accepting, reviewing, and making recommendations to the department on applicant awards;

(7) To consult with the Board of Education and the Department of Education to formulate strategies for a uniform state-wide network of education and substance abuse and addiction prevention pursuant to subsection (c) of Code Section 20-2-142;

(8) To develop a prevention education plan and to increase funding for local-level

substance misuse prevention services in public schools, for law enforcement agencies, and for community organizations; and
(9) To expand access to appropriate prevention, treatment, and recovery support services."

SECTION 4.

Chapter 1 of Title 33 of the Official Code of Georgia Annotated, relating to general provisions relative to insurance, is amended by adding a new Code section to read as follows:

"33-1-16.1.

(a) As used in this Code section, the term:

(1) 'High-tech drug testing' means when billing for drug tests is not limited and tests are ordered for a number of different substances whereby the health benefit plan is billed separately for each substance tested.

(2) 'Person' means an individual, any person who provides coverage under Code Section 33-1-14, and any owner, manager, medical practitioner, employee, or any other party involved in the fraudulent act.

(b)(1) For purposes of this Code section, a person commits a 'fraudulent insurance act' if he or she knowingly and with intent to defraud presents, causes to be presented, or prepares with knowledge or belief that it will be presented, to or by an insurer, broker, or any agent thereof, or directly or indirectly to an insured or uninsured patient a bill for excessive, high-tech, or fraudulent drug testing in the treatment of the elderly, the disabled, or any individual affected by pain, substance abuse, addiction, or any related disorder. Such person shall include, but shall not be limited to, any person who provides coverage in this state under subsection (a) of Code Section 33-1-14.

(2) Such drug testing shall include, but shall not be limited to:

(A) Upcoding that results in billing for more expensive services or procedures than were actually provided or performed;

(B) Unbundling of such billing whereby drug tests from a single blood sample that detect a variety of narcotics is separated into multiple tests and billed separately;

(C) Billing an individual for multiple co-pay amounts;

(D) Billing an individual for services that are covered by such individual's health benefit plan;

(E) Billing for drug testing that was not performed; or

(F) Billing for excessive numbers of drug tests that are found to be medically unnecessary for the treatment pursuant to this Code section.

(c) If, by his or her own inquiries or as a result of information received, the Commissioner has reason to believe that a person has engaged in or is engaging in a fraudulent insurance act under this Code section, the Commissioner shall have all the powers and duties pursuant to Code Section 33-1-16 to investigate such matter.

(d) A natural person convicted of a violation of this Code section shall be guilty of a felony and shall be punished by imprisonment for not less than ten years nor more than 20 years, or by a fine of not more than \$25,000.00 per violation, or both.

(e) This Code section shall not supersede any investigation audit which involves fraud, willful misrepresentation, or abuse under Article 7 of Chapter 4 of Title 49 or any other statutory provisions which authorize investigation relating to insurance."

SECTION 5.

(a) Section 1 of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval for the purposes of promulgating rules and regulations and shall become effective on January 1, 2019, for all other purposes.

(b) Sections 2, 3, and 4 of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

Senators Watson of the 1st and Unterman of the 45th offered the following amendment #1:

Amend the Senate Committee on Health and Human Services substitute to HB 161 (LC 37 2667S) by striking "or" at the end of line 124, by replacing the period at the end of line 142 with ";or", and by adding between lines 142 and 143 the following:

(9) Payments by an intermediate care home, private home care provider, assisted living community, personal care home, or other long-term care facility or provider to a referral service that provides information, consultation, or referrals at no cost to consumers to assist them in finding appropriate care or housing options for elderly persons or disabled adults who are not Medicaid recipients.

On the adoption of the amendment, there were no objections, and the Watson, Unterman amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone

Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 161, having received the requisite constitutional majority, was passed by substitute.

Senator Walker III of the 20th was excused for business outside the Senate Chamber.

HB 61. By Representatives Powell of the 171st, England of the 116th, Meadows of the 5th, Abrams of the 89th and Kelley of the 16th:

A BILL to be entitled an Act to amend Code Section 48-8-30 of the Official Code of Georgia Annotated, relating to imposition of tax, rates, and collection, so as to require certain retailers to either collect and remit sales and use taxes or provide certain notifications to each purchaser and the state; to define a term; to provide for penalties; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Hufstetler of the 52nd.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

January 24, 2017

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 61 (LC 43 0458)

Dear Chairman Powell:

The bill would define a “delivery retailer” for the purposes of state sales and use tax. A delivery retailer is a retailer not currently collecting and remitting Georgia sales tax that, within the previous or current year, conducts 200 or more separate retail sales or sells at retail more than \$250,000 of tangible personal property, for physical or electronic delivery into the state for use, consumption, distribution, or storage. Firms reaching either threshold would be required to notify Georgia purchasers of their obligations to pay use taxes, and to mail annual sales and use tax statements to the purchasers and the Department of Revenue. The bill would be effective on January 1, 2018.

The bill would likely be subject to legal challenge because the bill expands the concept of nexus for purposes of the state sales and use tax from a physical presence standard to one of substantial economic presence or “economic nexus.” Though, the bill does not impose a duty to collect and remit tax but instead imposes reporting and notification duties.

Impact on State Revenue

Georgia State University’s Fiscal Research Center (FRC) provided an estimate of the potential revenue increase that could result of the bill, but it indicated that there are significant challenges to achieving the full amount. If the proposed law is upheld, FRC estimated that state revenue could increase by up to \$274 million in the first full year affected (see Table 1). However, the revenue increase could be reduced by the difficulty in enforcing payment by out-of-state sellers who now meet the delivery retailer definition. FRC also noted that there is “significant uncertainty about the amount of currently untaxed online sales into Georgia or the amounts of currently untaxed sales by firms that would reach the proposed thresholds.” If the expanded definition were successfully challenged, no additional revenue would be collected. Details of FRC’s analysis are provided in the attached appendix.

Table 1. Revenue Effects of LC 43 0458 - *Upper Bound*****

(\$ millions)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022
State	\$126	\$274	\$299	\$326	\$355
Local	\$94	\$206	\$224	\$244	\$266

Impact on Agency Costs

The bill would also impact the workload and costs of the Department of Revenue (DOR). DOR estimated the cost to update the sales tax return in the IT system to be \$16,125. The agency would also need additional agents to ensure that delivery retailers comply with their responsibilities under the bill. Agents could also compare the annual statements received from delivery retailers to the sales and use returns filed by Georgia taxpayers to ensure taxpayer compliance. Each agent costs approximately \$63,750 annually and requires approximately \$3,200 in equipment.

While data is available to allow FRC to estimate the dollar amount of sales from delivery retailers, we are unable to determine the number of delivery retailers that would be responsible for submitting the required annual statements or the number of individual purchasers (each would have a statement). Without an estimate of these factors, we cannot determine the impact to DOR's call center and the number of agents that would be needed.

Sincerely,

/s/ Greg S. Griffin
State Auditor

/s/ Teresa A. MacCartney, Director
Office of Planning and Budget

Analysis by the Fiscal Research Center

The potential revenue gains from LC 43 0458 would arise primarily from imposing reporting requirements on out-of-state sellers who, due to current nexus rules, are not required to collect Georgia sales taxes, thus potentially enabling the state to capture use taxes on currently untaxed online and mail-order sales. National estimates of online sales are available and these can be shared down to Georgia, but it is not possible to know what portion of these sales are currently taxed or not taxed in the state. Many online retailers also operate from physical stores and are thus likely to already have nexus in the state. Others that do not operate physical stores may have nexus in the state arising from distribution centers in the state, affiliates with a physical presence, or other nexus triggers. The following summarizes the data and assumptions used in arriving at the upper bound estimates of the bill's revenue impact.

- The U.S. Census Bureau’s Annual Retail Trade Survey estimates U.S. e-commerce retail sales for 2014 at approximately \$299 billion. Of that amount, approximately \$255 billion or 85.3 percent is estimated to be attributable to “nonstore retailers,” specifically electronic shopping and mail order houses.
- More recent estimates are not broken out by type of retailer, but the Census estimate of aggregate e-commerce retail sales for the four quarters corresponding to state fiscal year 2016 is approximately \$367.4 billion. Assuming the same 85.3 percent share attributable to nonstore retailers, sales for this subset are estimated to have been about \$313.4 billion.
- This amount is shared down to Georgia based on Georgia’s share of U.S. households with internet access, about 3.15% as of 2012 according to Census data, resulting in an estimated \$9.9 billion of nonstore retailers’ sales in Georgia.
- The Georgia Department of Revenue (DOR) reports that, for FY 2016, the state collected approximately \$190.6 million in state sales tax from NAICS code 4541, electronic shopping and mail order retailers. This revenue represents a 13 percent increase over FY 2015, which itself was 20 percent higher than collections in FY 2014.
- FY 2016 collections correspond to approximately \$4.8 billion of taxable sales, leaving \$5.1 billion of estimated untaxed sales by nonstore retailers into Georgia. If fully taxed, these sales would have produced \$204 million of additional state revenues and \$153 million for local governments (assuming an average local tax rate of 3 percent).
- These estimates for FY 2016 represent the upper bound on the potential revenue gains from collecting use tax on currently untaxed online sales, but the actual gains are likely significantly smaller due to several mitigating factors.
 - Many out-of-state online sellers will likely not reach the in-state sales thresholds of the proposed bill and thus will remain untaxed.
 - Some portion of online retail sales are of goods delivered electronically—e.g. digital downloads of music, books, videos, etc., and thus not currently subject to tax regardless of nexus or reporting requirements—or are sales that are exempt from sales tax under other provisions of the code.

Unfortunately, no information is available from which the estimate these mitigating factors.

- The \$204 million estimate above for FY 2016 represents about an 18 percent increase over the comparable estimate for FY 2015. However, Census estimates of

nonstore e-commerce sales show growth of about 15 percent per year over the two years ending June 2016. Finally, Forrester Research (cited by trade news website internetretailer.com, Jan. 29, 2016) forecasts online sales growth through 2020 to average 9.3 percent annually. Thus the projections assume a growth rate of 12 percent for FY 2017, roughly midway between recent Census-reported growth and Forrester's forecast, 10 percent for FY 2018, and 9 percent thereafter.

The Senate Committee on Finance offered the following substitute to HB 61:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use tax, so as to provide for definitions; to provide for certain legal actions, injunctions, and appeals under certain circumstances; to require certain retailers to either collect and remit sales and use taxes or provide certain notifications to certain purchasers and the state; to provide for penalties; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to state sales and use tax, is amended in paragraph (8) of Code Section 48-8-2, relating to definitions, by adding two new subparagraphs to read as follows:

"(M.1) Obtains gross revenue, in an amount exceeding \$250,000.00 in the previous or current calendar year, from retail sales of tangible personal property to be delivered electronically or physically to a location within this state to be used, consumed, distributed, or stored for use or consumption in this state;

(M.2) Conducts 200 or more separate retail sales of tangible personal property in the previous or current calendar year to be delivered electronically or physically to a location within this state to be used, consumed, distributed, or stored for use or consumption in this state;"

SECTION 2.

Said article is further amended in Code Section 48-8-30, relating to imposition of tax, rates, and collection, by revising subsection (c.1) and by adding a new subsection to read as follows:

"(c.1)(1)(A) Every purchaser of tangible personal property at retail outside this state from a dealer, ~~as defined in Code Section 48-8-2,~~ when such property is to be used, consumed, distributed, or stored ~~within~~ for use or consumption in this state, shall be liable for a tax on the purchase at the rate of 4 percent of the sales price of the

~~purchase. It shall be prima facie evidence that such property is to be used, consumed, distributed, or stored within this state if that property is delivered in this state to the purchaser or agent thereof. The tax shall be paid by the purchaser to the retailer making the sale, as provided in this article. The retailer shall remit the tax to the commissioner as provided in this article, and, when received by the commissioner, the tax shall be a credit against the tax imposed on the retailer.~~

~~(B) Every person who is a dealer, as defined in Code Section 48-8-2, and dealer who makes any a retail sale of tangible personal property at retail outside this state which property is to be delivered in electronically or physically to a location within this state to a purchaser or purchaser's agent shall be a retailer and a dealer for purposes of this article and shall be liable for a tax on the sale at the rate of 4 percent of such sales price or the amount of tax as collected by that person such dealer from purchasers having their purchases delivered in this state, whichever is greater.~~

~~(C) It shall be prima-facie evidence that such property is to be used, consumed, distributed, or stored for use or consumption in this state if that property is delivered electronically or physically to a location within this state to the purchaser or agent thereof.~~

~~(2)(D) No retail sale shall be taxable to the retailer or dealer which is not taxable to the purchaser at retail. The tax imposed by this subsection shall be subject to the credit otherwise granted by this article for like taxes previously paid in another state. This subsection paragraph shall not be construed to require a duplication in the payment of the tax.~~

~~(2) The department may bring an action for a declaratory judgment in any superior court against any person the department believes meets the definition of dealer provided in subparagraph (M.1) or (M.2) of paragraph (8) of Code Section 48-8-2 in order to establish that the collection obligation created by this subsection is applicable and valid under state and federal law with respect to such a dealer. If such action presents a question for judicial determination related to the constitutionality of the imposition of taxes upon such a dealer, the court shall, upon motion, enjoin the state from enforcing the collection obligation against such a dealer. The superior court shall act on such declaratory judgment action and issue a final decision in an expeditious manner.~~

~~(c.2)(1) For the purposes of this subsection, the term:~~

~~(A) 'Delivery retailer' means a retailer that does not collect and remit the tax imposed by this Code section and that in the previous or current calendar year:~~

~~(i) Obtains gross revenue, in an amount exceeding \$250,000.00 from retail sales of tangible personal property to be delivered electronically or physically to a location within this state or used, consumed, distributed, or stored for use or consumption in this state; or~~

~~(ii) Conducts 200 or more retail sales of tangible personal property to be delivered electronically or physically to a location within this state or used, consumed, distributed, or stored for use or consumption in this state.~~

(B) 'Purchaser' means a person or agent thereof who gives consideration to a delivery retailer in exchange for tangible personal property to be delivered electronically or physically to a location within this state or used, consumed, distributed, or stored for use or consumption in this state.

(2) A delivery retailer shall collect and remit the tax imposed by this Code section or shall:

(A) Notify each potential purchaser immediately prior to the completion of each retail sale transaction with the following statement: 'Sales or use tax may be due to the State of Georgia on this purchase. Georgia law requires certain consumers to file a sales and use tax return remitting any unpaid taxes due to the State of Georgia.';

(B) On or before January 31 of each year, send a sales and use tax statement to each purchaser who completed one or more retail sales with such delivery retailer that totaled \$500.00 or more in aggregate during the prior calendar year in an envelope containing the words 'IMPORTANT TAX DOCUMENT ENCLOSED' on the exterior of the mailing by first class mail and separate from any other shipment; and

(C) On or before January 31 of each year, file a copy of each sales and use tax statement required under subparagraph (B) of this paragraph with the department in a manner to be prescribed by the department.

(3) For the purposes of this subsection, a sales and use tax statement shall:

(A) Be on a form to be prescribed by the department;

(B) Contain the total amount paid by the purchaser for retail sales from the delivery retailer during the previous calendar year, as well as, if available, the dates of purchases, the amounts of each purchase, and the category of each purchase, including, if known by the retailer, whether the purchase is exempt from taxation under this article; and

(C) Include the following statement: 'Sales or use taxes may be due to the State of Georgia on the purchase(s) identified in this statement as Georgia taxes were not collected at the time of purchase. Georgia law requires certain consumers to file a sales and use tax return remitting any unpaid taxes due to the State of Georgia.'

(4) Unless determined by the commissioner upon a showing of reasonable cause:

(A) Failure to provide the notice required by subparagraph (A) of paragraph (2) of this subsection shall subject a delivery retailer to a penalty of \$5.00 for each failure;

(B) Failure to send a sales and use statement as required by subparagraph (B) of paragraph (2) of this subsection shall subject a delivery retailer to a penalty of \$10.00 for each failure; and

(C) Failure to file a copy of a sales and use tax statement with the department as required by subparagraph (C) of paragraph (2) of this subsection shall subject a delivery retailer to a penalty of \$10.00 for each failure.

(5) It shall be prima-facie evidence that such property is to be used, consumed, distributed, or stored for use or consumption in this state if that property is delivered electronically or physically to a location within this state to the purchaser or agent thereof."

SECTION 3.

This Act shall become effective on January 1, 2019, and shall apply to all sales made on or after January 1, 2019.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	E Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 3.

HB 61, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3-27-2018

Due to business outside the Senate Chamber, I missed the vote on HB 61. Had I been present, I would have voted “yes”.

/s/ Valencia Seay
District 34

HB 811. By Representatives Powell of the 171st, Harrell of the 106th, England of the 116th, Stephens of the 164th, Blackmon of the 146th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 48 of the Official Code of Georgia Annotated, relating to state administrative organization, so as to provide that the Department of Revenue is authorized to share tax information for the provision of services that assist the department in the identification of taxpayers that are noncompliant with sales and use taxes; to authorize compensation for such services on a contingency fee basis; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Hufstetler of the 52nd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 811, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3-27-18

Due to business outside the Senate Chamber, I missed the vote on HB 811. Had I been present, I would have voted "yes".

/s/ Renee Unterman
District 45

The President resumed the Chair.

HB 717. By Representatives Kelley of the 16th, Coomer of the 14th, Reeves of the 34th, Tanner of the 9th and Hanson of the 80th:

A BILL to be entitled an Act to amend Code Section 40-8-11 of the Official Code of Georgia Annotated, relating to operational rules for autonomous vehicles, so as to provide for the applicability of certain consumer protection laws to autonomous vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Gooch of the 51st.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery

Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 717, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3/27/18

Due to business outside the Senate Chamber, I missed the vote on HB 717. Had I been present, I would have voted "Yea".

/s/ Bill Heath

District 31

HB 749. By Representatives Blackmon of the 146th, Rutledge of the 109th, Stephens of the 164th, Smith of the 134th, Smyre of the 135th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, computation, and exemptions from state income tax, so as to clarify an exemption for retirement income is applicable to income received by a taxpayer as a retirement benefit from noncivilian service in the armed forces of the United States or the reserve components thereof; to provide an exemption for certain military retirement income for surviving family members; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The following Fiscal Note was read by the Secretary:



Department of Audits and Accounts

270 Washington Street, S.W., Suite 1-156
Atlanta, Georgia 30334-8400

GREG S. GRIFFIN
STATE AUDITOR
(404) 656-2174

February 6, 2018

Honorable Jay Powell
Chairman, House Ways and Means
133 Capitol
Atlanta, Georgia 30334

SUBJECT: Fiscal Note
House Bill 749 (LC 34 5267)

Dear Chairman Powell:

The bill would make income received by a surviving family member based on the service record of a deceased service member exempt from state income tax. Payments under the Department of Defense Survivor Benefit Plan or other DoD benefit payments to military survivors would qualify for the exemption. The bill also adds military retirement and disability pay to the definition of retirement income under the current retirement income exclusion (O.C.G.A. § 48-7-27). The bill would apply to all taxable years beginning on or after January 1, 2018.

Impact on Revenue

Georgia State University's Fiscal Research Center (FRC) estimated that the bill would lower state revenue by \$1.4 million to \$5.2 million in FY 2019, the first full year of the bill's effect (Table 1). The loss would not significantly change over the next several years. Details of the analysis are in the attached appendix.

Table 1: Estimated State Revenue Effects of LC 34 5267

(\$ millions)	FY 2018	FY 2019	FY 2020	FY 2021	FY 2022	FY 2023
High Revenue Loss	\$1.1	\$5.2	\$4.7	\$4.9	\$5.1	\$5.3
Low Revenue Loss	\$0.3	\$1.4	\$1.2	\$1.3	\$1.3	\$1.3

Impact on Expenditures

The Department of Revenue estimated approximately \$31,000 in one-time expenditures associated with the bill. The funds would pay for vendor certification, system testing, training, and form updates.

Sincerely,

Greg S. Griffin
State Auditor

Teresa A. MacCartney, Director
Office of Planning and Budget

Analysis by the Carl Vinson Institute of Government

Taxpayers age 62 to 64 are already exempt from Georgia income taxes on up to \$35,000 of retirement income, including up to \$4,000 of earned income, and those over age 65 are exempt on up to \$65,000. SBP would already be classified as unearned income for beneficiaries in these age groups and exempt from income tax up to the relevant limit. It is not known what amounts of SBP payments are received by Georgia taxpayers in these age groups in excess of these limits, but such currently-taxable payments are assumed to be immaterial to the estimates herein.

According to the Department of Defense Statistical Report on the Military Retirement System for FY 2016 (the latest available), there are a total of 13,007 survivor beneficiaries who reside in Georgia as of September 2016. Of these Georgia beneficiaries, 11,250 or 87 percent are over 65 years of age. Based on the detailed age groupings in national figures, it is assumed that 3 percent of the under-65 beneficiaries in Georgia are 62-64 years of age, bringing the total share of beneficiaries currently eligible for the existing retirement income exclusion to approximately 90 percent.

Growth in the numbers of Georgia recipients of survivor benefit pay have differed by age group in recent years, with the over-65 group growing by about 0.6 percent annually, on average, since 2011 and the under-65 group growing -1.4 percent annually over the same period. In 2016, the number under age 65 actually fell from 2015 by 2.3 percent while the number over 65 grew by 0.1 percent. For purposes of projecting survivor beneficiaries, it is assumed that the number above age 65 will grow by between 0.5 percent and 2 percent annually while those below age 65 will grow by -0.5 percent to 1.5 percent annually. Projected numbers of survivor benefit recipients in Georgia for tax years 2018 through 2023 are provided in Table 2.

Table 2: Projected Survivor Benefits Recipients, by Age Group

		TY 2018	TY 2019	TY 2020	TY 2021	TY 2022	TY 2023
Under age 62	High	2,286	2,320	2,355	2,390	2,426	2,462
	Low	2,197	2,186	2,175	2,164	2,153	2,142
Age 62-64	High	572	580	589	598	607	616
	Low	549	547	544	541	538	536
Over age 65	High	11,715	11,949	12,188	12,432	12,681	12,935
	Low	11,373	11,430	11,487	11,544	11,602	11,660
Total	High	14,573	14,849	15,132	15,420	15,714	16,013
	Low	14,119	14,163	14,206	14,249	14,293	14,338

Average SBP payments differ by age as well, with the average for Georgia beneficiaries over age 65 at \$12,090 annualized as of September 2016 and for those under age 65 at \$9,518. Payments are adjusted annually based on the prior year's consumer price index (CPI) inflation rate. The official COLA rate for 2016 was set at 0.0 percent, based on CPI inflation for the preceding year; COLA rates for 2017 and 2018 were set at 0.3 percent and 2.0 percent, respectively. COLA rates for 2019 and beyond are assumed to be in the range of 1.5 to 2.5 percent annually. The resulting projected average pay figures, together with the projected retiree and survivor figures from Table 2, result in high and low total survivor benefit projections, by age group, as shown in Table 3.

Table 3: Projected Survivor Benefits, by Age Group

(\$ millions)		TY 2018	TY 2019	TY 2020	TY 2021	TY 2022	TY 2023
Under age 62	High	\$22.6	\$23.5	\$24.5	\$25.5	\$26.5	\$27.6
	Low	\$21.8	\$22.2	\$22.6	\$23.1	\$23.5	\$24.0
Age 62-64	High	\$5.7	\$5.9	\$6.1	\$6.4	\$6.6	\$6.9
	Low	\$5.4	\$5.6	\$5.7	\$5.8	\$5.9	\$6.0
Over age 65	High	\$147.3	\$154.0	\$161.1	\$168.4	\$176.1	\$184.1
	Low	\$143.0	\$147.4	\$151.8	\$156.4	\$161.1	\$165.9
Total	High	\$175.6	\$183.5	\$191.7	\$200.3	\$209.2	\$218.6
	Low	\$170.2	\$175.1	\$180.1	\$185.2	\$190.5	\$195.9

For all Georgia full-year resident taxpayers (excluding those with negative Federal AGI), the weighted average effective tax rate—net tax divided by taxable income—was 5.78 percent in tax year 2015. For survivor beneficiaries in Georgia under age 62, a range of 5.5 percent to 5.85 percent is assumed going forward. For those over 62 most or all their SBP payments are already excluded from taxation, so this measure of effective tax rates would be misleading. Instead, net tax is divided by federal adjusted gross income, which would include SBP payments. On this basis, the effective tax rate for all Georgia retirees in 2015 was 2.0 percent. Those SBP beneficiaries with AGI below the exclusion limits will still have tax liabilities to the extent they have earned income in excess of \$4,000, but no liability associated with their SBP income. Those with higher retirement income, on the other income, may be taxable on some or all their SBP payments. It is conceivable, then, that no SBP payments received by age 62 or older taxpayers are currently taxable, so high and low effective tax rates of 2 percent and zero are assumed for both the 62-64

age group and those age 65 or older. From these assumptions and the survivor benefits figures in Table 3, projected tax liabilities on survivor benefits payments under current law are as shown in Table 4.

Table 4: Projected Taxes on Survivor Benefits, by Age Group

(\$ millions)		TY 2018	TY 2019	TY 2020	TY 2021	TY 2022	TY 2023
Under age 62	High	\$1.3	\$1.4	\$1.4	\$1.5	\$1.6	\$1.6
	Low	\$1.2	\$1.2	\$1.2	\$1.3	\$1.3	\$1.3
Age 62-64	High	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1	\$0.1
	Low	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Over age 65	High	\$2.9	\$3.1	\$3.2	\$3.4	\$3.5	\$3.7
	Low	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0	\$0.0
Total	High	\$4.4	\$4.6	\$4.8	\$5.0	\$5.2	\$5.4
	Low	\$1.2	\$1.2	\$1.2	\$1.3	\$1.3	\$1.3

These figures are adjusted to fiscal year basis assuming that tax collections are substantially all through withholding or estimated tax payments, and thus are spread evenly over the year, with the first five and a half calendar months of payments collected in the fiscal year ending June 30 of that calendar year and the balance collected in the following fiscal year. The results on a fiscal year basis are shown in Table 1.

¹ SBP refers to Department of Defense Survivor Benefit Plan and other DoD benefit payments to military survivors.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson

Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 749, having received the requisite constitutional majority, was passed.

The following communications were received by the Secretary:

27 March 2018

Due to business outside the Senate Chamber, I missed the vote on HB 749. Had I been present, I would have voted “yes”.

/s/ Horacena Tate
District 38

3-27-18

Due to business outside the Senate Chamber, I missed the vote on HB 749. Had I been present, I would have voted “yes”.

/s/ Renee Unterman
District 45

The following Senators were excused for business outside the Senate Chamber:

Ginn of the 47th Miller of the 49th

HB 982. By Representatives Nimmer of the 178th, LaRiccia of the 169th, Ballinger of the 23rd, Corbett of the 174th, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to dependency proceedings, so as to change provisions relating to relative searches conducted by DFCS; to change provisions relating to termination of parental rights; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Tillery of the 19th.

The Senate Committee on Health and Human Services offered the following substitute to HB 982:

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to dependency proceedings, so as to change provisions relating to reasonable efforts by DFCS to preserve or reunify families; to change provisions relating to relative searches conducted by DFCS; to change provisions relating to termination of parental rights; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to dependency proceedings, is amended by revising subsection (f) of Code Section 15-11-202, relating to reasonable efforts by DFCS to preserve or reunify families, as follows:

"(f)~~(1)~~ When determining whether reasonable efforts have been made, the court shall consider whether services to the child alleged to be or adjudicated as a dependent child and his or her family were:

- ~~(1)~~(A) Relevant to the safety and protection of such child;
- ~~(2)~~(B) Adequate to meet the needs of such child and his or her family;
- ~~(3)~~(C) Culturally and linguistically appropriate;
- ~~(4)~~(D) Available and accessible;
- ~~(5)~~(E) Consistent and timely; and
- ~~(6)~~(F) Realistic under the circumstances.

(2) When determining whether reasonable efforts have been made to finalize an alternative permanent home for a child adjudicated as a dependent child, the court shall consider whether DFCS has completed the diligent search required by subsection (e) of Code Section 15-11-211 and has provided notice as required by subsection (c) of Code Section 15-11-211."

SECTION 2.

Said article is further amended by revising subsections (d) and (e) of Code Section 15-11-211, relating to relative search by DFCS, as follows:

"(d) The diligent search required by this Code section and the notification required by subsection (c) of this Code section shall be completed, documented in writing, and filed with the court within 30 days from the date on which the alleged dependent child was removed from his or her home and at each periodic review hearing required by Code Section 15-11-216.

(e) After the completion of the diligent search required by this Code section, DFCS shall have a continuing duty to search for relatives or other persons who have demonstrated an ongoing commitment to a child and with whom it may be appropriate to place the alleged dependent child until such relatives or persons are found or until such child is placed for adoption unless the court excuses DFCS from conducting a

diligent search. If a relative entitled to notice pursuant to subsection (c) of this Code section fails, within six months of the date he or she received such notice, to affirm an interest in providing a permanent home for such child, the court may excuse DFCS from the continuing duty to consider such relative as a permanent placement."

SECTION 3.

Said article is further amended by revising subsection (a) of Code Section 15-11-233, relating to termination of parental rights and exceptions, as follows:

"(a)(1) Except as provided in subsection (b) of this Code section, DFCS shall file a petition to terminate the parental rights of a parent of a child adjudicated as a dependent child ~~or, if such a petition has been filed by another party, seek to be joined as a party to the petition,~~ and, concurrently, to identify, recruit, process, and approve a qualified family for an adoption if:

~~(1)(A)~~ (A) A child adjudicated as a dependent child has been in foster care under the responsibility of DFCS for 15 of the most recent 22 months;

~~(2)(B)~~ (B) The court has made a determination that the parent has subjected his or her child to aggravated circumstances; ~~or~~

~~(3)(C)~~ (C) The court has made a determination that the parent of a child adjudicated as a dependent child has been convicted of:

~~(A)(i)~~ (A)(i) The murder of another child of such parent;

~~(B)(ii)~~ (B)(ii) Murder in the second degree of another child of such parent;

~~(C)(iii)~~ (C)(iii) Voluntary manslaughter of another child of such parent;

~~(D)(iv)~~ (D)(iv) Voluntary manslaughter of the other parent of such child;

~~(E)(v)~~ (E)(v) Aiding or abetting, attempting, conspiring, or soliciting to commit murder or voluntary manslaughter of another child of such parent;

~~(F)(vi)~~ (F)(vi) Aiding or abetting, attempting, conspiring, or soliciting to commit murder or voluntary manslaughter of the other parent of such child; or

~~(G)(vii)~~ (G)(vii) Committing felony assault that has resulted in serious bodily injury to such child or to another child of such parent; ~~or~~

(D) Pursuant to a court order, the child has been in foster care under the responsibility of DFCS for a cumulative period of 12 months or longer and the parent substantially neglected or willfully refused to remedy the circumstances that caused the child to be in foster care.

(2) If a petition to terminate parental rights has been filed by another party, DFCS shall seek to be joined as a party to such petition."

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator McKoon of the 29th offered the following amendment #1:

Amend the substitute to HB 982 (LC 29 8056S) by inserting after "rights;" on line 4 the following:

to amend Code Section 15-11-684 of the Official Code of Georgia Annotated, relating to the conduct of a hearing for the petition of an unemancipated minor seeking a waiver of the parental notification requirement for an abortion and appeal, so as to provide for clear and convincing evidence as the standard of proof;

By inserting between lines 72 and 73 the following:

Code Section 15-11-684 of the Official Code of Georgia Annotated, relating to the conduct of a hearing for the petition of an unemancipated minor seeking a waiver of the parental notification requirement for an abortion and appeal, is amended by revising subsection (c) as follows:

"(c) The requirements of subparagraph (a)(1)(A), (a)(1)(B), or (a)(1)(C) of Code Section 15-11-682 shall be waived if the court finds by clear and convincing evidence either:

- (1) That the unemancipated minor is mature enough and well enough informed to make the abortion decision in consultation with her physician, independently of the wishes of such minor's parent or guardian; or
- (2) That the notice to a parent or, if the unemancipated minor is subject to guardianship, the legal guardian pursuant to Code Section 15-11-682 would not be in the best interests of such minor."

SECTION 5.

Senator McKoon of the 29th asked unanimous consent that his amendment be withdrawn. The consent was granted, and the McKoon amendment #1 to the committee substitute was withdrawn.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
E Ginn	Y Lucas	Y Tippins
Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	E Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 982, having received the requisite constitutional majority, was passed by substitute.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 154. By Senators Kirk of the 13th, Harper of the 7th, Shafer of the 48th, Cowsert of the 46th, Sims of the 12th and others:

A BILL To be entitled an Act to amend Article 2 of Chapter 5 of Title 16 of the O.C.G.A., relating to assault and battery, so as to provide for the offenses of aggravated assault and aggravated battery upon a public safety officer while the public safety officer is engaged in, or on account of the performance of, his or her official duties; to amend Code Section 45-9-85 of the O.C.G.A., relating to payment of indemnification for death or disability; to amend Chapter 2 of Title 51 of the O.C.G.A., relating to imputable negligence, so as to provide that tort liability shall be unlimited for parents and guardians having custody and control over a minor child or children under the age of 18 for willful or malicious acts against a public safety officer under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 319. By Senators Albers of the 56th, Mullis of the 53rd, Gooch of the 51st, Miller of the 49th, Dugan of the 30th and others:

A BILL to be entitled an Act to enact the "Consolidation of Fire Safety Services in Georgia Act"; to establish the Department of Fire Safety; to

amend Titles 8, 10, 16, 25, 30, 35, 42, 43, 45, 50 of the O.C.G.A. ; to provide for legislative intent; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

SB 367. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Harper of the 7th and others:

A BILL to be entitled an Act to amend Code Section 45-9-85 of the Official Code of Georgia Annotated, relating to payment of indemnification for death or disability, procedure for making payments, and appeal, so as to provide for the option of payment to an estate in the case of death suffered in the line of duty by a law enforcement officer, firefighter, emergency medical technician, emergency management specialist, state highway employee, or prison guard; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 385. By Senators Jones of the 25th, Black of the 8th, Harper of the 7th, Lucas of the 26th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost reimbursement fees and surcharges, so as to change the surcharge imposed by host local governments regarding solid waste disposal facilities operated by private enterprises; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House has passed, as amended, by the requisite constitutional majority the following Bill of the Senate:

SB 401. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Tate of the 38th and others:

A BILL to be entitled an Act to amend Code Section 20-2-327 of the Official Code of Georgia Annotated, relating to recognition of advanced proficiency/honors courses and counseling and development of individual graduation plans, so as to provide for guidance in career oriented aptitudes and career interests in developing an individual graduation plan; to provide for a review and report of a school counselor's role, workload, program service delivery, and professional learning; to provide for legislative findings; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Gooch of the 51st was excused as a Conferee.

The Calendar was resumed.

HB 673. By Representatives Carson of the 46th, Lumsden of the 12th, Golick of the 40th, Trammell of the 132nd, Smith of the 134th and others:

A BILL to be entitled an Act to amend Title 40 of the O.C.G.A., relating to motor vehicles and traffic, so as to prohibit actions which distract a driver while operating a motor vehicle; to provide for the proper and safe use of wireless telecommunications devices while driving; to provide for definitions; to provide for violations; to provide for punishments; to provide for the assessment of points upon conviction; to provide for additional fines to be collected by the Department of Driver Services; to provide for applicability; to provide for punishments for homicide by vehicle and for serious bodily injury by vehicle when driver was operating such motor vehicle while using a wireless telecommunications device; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Martin of the 9th.

The Senate Committee on Judiciary offered the following substitute to HB 673:

A BILL TO BE ENTITLED
AN ACT

To amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to prohibit actions which distract a driver while operating a motor vehicle; to provide for the proper and safe use of wireless telecommunications devices and stand-alone electronic devices while driving; to provide for definitions; to provide for violations; to provide for punishment; to provide for the assessment of points upon conviction; to repeal Code Sections 40-6-241.1 and 40-61-241.2, relating to definitions, prohibition on certain persons operating a motor vehicle while engaging in wireless communications, exceptions, and penalties and prohibition on persons operating a motor vehicle while writing, sending, or reading text based communications, prohibited uses of wireless telecommunication devices by drivers of commercial vehicles, exceptions, and penalties for violation, respectively; to correct cross-references; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Hands-Free Georgia Act."

SECTION 2.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended by revising subparagraph (c)(1)(A) of Code Section 40-5-57, relating to suspension or revocation of license of habitually negligent or dangerous driver and point system, as follows:

"(c)(1)(A) Except as provided in subparagraph (C) of this paragraph, the points to be assessed for each offense shall be as provided in the following schedule:

<u>(i)</u> Aggressive driving	6 points
<u>(ii)</u> Reckless driving	4 points
<u>(iii)</u> Unlawful passing of a school bus	6 points
<u>(iv)</u> Improper passing on a hill or a curve	4 points
<u>(v)</u> Exceeding the speed limit by more than 14 miles per hour but less than 19 miles per hour	2 points
<u>(vi)</u> Exceeding the speed limit by 19 miles per hour or more but less than 24 miles per hour	3 points
<u>(vii)</u> Exceeding the speed limit by 24 miles per hour or more but less than 34 miles per hour	4 points
<u>(viii)</u> Exceeding the speed limit by 34 miles per hour or more	6 points
<u>(ix)</u> Disobedience of any traffic-control device or traffic officer	3 points
<u>(x)</u> Too fast for conditions	0 points
<u>(xi)</u> Possessing an open container of an alcoholic beverage while driving	2 points
<u>(xii)</u> Failure to adequately secure a load, except fresh farm produce, resulting in loss of such load onto the roadway which results in an accident	2 points
<u>(xiii)</u> Violation of child safety restraint requirements, first offense	1 point
<u>(xiv)</u> Violation of child safety restraint requirements, second or subsequent offense	2 points
<u>(xv)</u> First violation of Code Section 40-6-241 Violation of usage of wireless telecommunications device requirements	1 point
<u>(xvi)</u> Second violation of Code Section 40-6-241 Operating a vehicle while text messaging	1 point 2 points
<u>(xvii)</u> Third or subsequent violation of Code Section 40-6-241	3 points

(xviii) All other moving traffic violations which are not speed limit violations 3 points"

SECTION 3.

Said title is further amended by revising subsections (d) and (e) of Code Section 40-6-165, relating to operation of school buses, as follows:

"(d) The driver of a school bus shall not use or operate a ~~cellular telephone~~ wireless telecommunications device, as such term is defined in Code Section 40-6-241, or two-way radio while loading or unloading passengers.

(e) The driver of a school bus shall not use or operate a ~~cellular telephone~~ wireless telecommunications device, as such term is defined in Code Section 40-6-241, while the bus is in motion, unless it is being used in a similar manner as a two-way radio to allow live communication between the driver and school officials or public safety officials ~~and in accordance with the provisions of paragraph (2) of subsection (b) and of subsection (c) of Code Section 40-6-241.2.~~"

SECTION 4.

Said title is further amended by revising Code Section 40-6-241, relating to driver to exercise due care and proper use of radios and mobile telephones allowed, as follows:

"40-6-241.

(a) As used in this Code section, the term:

(1) 'Stand-alone electronic device' means a device other than a wireless telecommunications device which stores audio or video data files to be retrieved on demand by a user.

(2) 'Utility services' means and includes electric, natural gas, water, waste-water, cable, telephone, or telecommunications services or the repair, location, relocation, improvement, or maintenance of utility poles, transmission structures, pipes, wires, fibers, cables, easements, rights of way, or associated infrastructure.

(3) 'Wireless telecommunications device' means a cellular telephone, a portable telephone, a text-messaging device, a personal digital assistant, a stand-alone computer, a global positioning system receiver, or substantially similar portable wireless device that is used to initiate or receive communication, information, or data. Such term shall not include a radio, citizens band radio, citizens band radio hybrid, commercial two-way radio communication device or its functional equivalent, subscription based emergency communication device, prescribed medical device, amateur or ham radio device, or in-vehicle security, navigation, or remote diagnostics system.

(b) A driver shall exercise due care in operating a motor vehicle on the highways of this state and shall not engage in any actions which shall distract such driver from the safe operation of such vehicle, ~~provided that, except as prohibited by Code Sections 40-6-241.1 and 40-6-241.2, the proper use of a radio, citizens band radio, mobile telephone, or amateur or ham radio shall not be a violation of this Code section.~~

(c) While operating a motor vehicle on any highway of this state, no individual shall:

(1) Physically hold or support, with any part of his or her body a:

(A) Wireless telecommunications device, provided that such exclusion shall not prohibit the use of an earpiece, headphone device, or device worn on a wrist to conduct a voice based communication; or

(B) Stand-alone electronic device;

(2) Write, send, or read any text based communication, including but not limited to a text message, instant message, e-mail, or Internet data on a wireless telecommunications device or stand-alone electronic device; provided, however, that such prohibition shall not apply to:

(A) A voice based communication which is automatically converted by such device to be sent as a message in a written form; or

(B) The use of such device for navigation of such vehicle or for global positioning system purposes;

(3) Watch a video or movie on a wireless telecommunications device or stand-alone electronic device other than watching data related to the navigation of such vehicle; or

(4) Record a video on a wireless telecommunications device or stand-alone electronic device; provided that such prohibition shall not apply to electronic devices used for the sole purpose of continuously recording the view through a motor vehicle's window.

(d) While operating a commercial motor vehicle on any highway of this state, no individual shall:

(1) Use more than a single button on a wireless telecommunications device to initiate or terminate a voice communication; or

(2) Reach for a wireless telecommunications device or stand-alone electronic device in such a manner that requires the driver to no longer be:

(A) In a seated driving position; or

(B) Properly restrained by a safety belt.

(e) Each violation of this Code section shall constitute a separate offense.

(f) Any person convicted of violating this Code section shall be guilty of a misdemeanor which shall be punished as follows:

(1) For a first conviction with no conviction of and no plea of nolo contendere accepted to a charge of violating this Code section within the previous 24 month period of time, as measured from the dates any previous convictions were obtained or pleas of nolo contendere were accepted to the date the current conviction is obtained or plea of nolo contendere is accepted, a fine of \$75.00;

(2) For a second conviction within a 24 month period of time, as measured from the dates any previous convictions were obtained or pleas of nolo contendere were accepted to the date the current conviction is obtained or plea of nolo contendere is accepted, a fine of \$150.00; or

(3) For a third or subsequent conviction within a 24 month period of time, as measured from the dates any previous convictions were obtained or pleas of nolo contendere were accepted to the date the current conviction is obtained or plea of nolo

contendere is accepted, a fine of \$300.00.

(g) Subsections (c) and (d) of this Code section shall not apply when the prohibited conduct occurred:

(1) While reporting a traffic accident, medical emergency, fire, an actual or potential criminal or delinquent act, or road condition which causes an immediate and serious traffic or safety hazard;

(2) By an employee or contractor of a utility services provider acting within the scope of his or her employment while responding to a utility emergency;

(3) By a law enforcement officer, firefighter, emergency medical services personnel, ambulance driver, or other similarly employed public safety first responder during the performance of his or her official duties; or

(4) While in a motor vehicle which is lawfully parked."

SECTION 5.

Said title is further amended by repealing in its entirety Code Section 40-6-241.1, relating to definitions, prohibition on certain persons operating a motor vehicle while engaging in wireless communications, exceptions, and penalties.

SECTION 6.

Said title is further amended by repealing in its entirety Code Section 40-6-241.2, relating to prohibition on persons operating a motor vehicle while writing, sending, or reading text based communications, prohibited uses of wireless telecommunication devices by drivers of commercial vehicles, exceptions, and penalties for violation.

SECTION 7.

Said title is further amended by replacing "Code Section 40-6-241.2" with "Code Section 40-6-241" wherever the former occurs in:

(1) Code Section 40-5-142, relating to definitions relative to commercial drivers' licenses; and

(2) Code Section 40-5-159, relating to violations by commercial drivers' license holders.

SECTION 8.

All laws and parts of laws in conflict with this Act are repealed.

Senators Martin of the 9th and Cowser of the 46th offered the following amendment #1:

Amend the Senate Committee on Judiciary substitute to HB 673 (LC 39 1952S) by replacing lines 104 through 106 with the following:

(4) Record or broadcast a video on a wireless telecommunications device or stand-alone electronic device; provided that such prohibition shall not apply to electronic devices used for the sole purpose of continuously recording or broadcasting video within or outside of the motor vehicle.

On the adoption of the amendment, there were no objections, and the Martin, Cowsert amendment #1 to the committee substitute was adopted.

Senators Thompson of the 14th, Harbin of the 16th, McKoon of the 29th and James of the 35th offered the following amendment #2:

Amend the Senate Committee on Judiciary substitute to HB 673 (LC 39 1952S) by inserting after "definitions;" on line 4 the following:

to prohibit certain actions while operating a commercial motor vehicle; to prohibit smoking in a motor vehicle occupied by a person under 15 years of age;

By renumbering paragraphs (1) through (3) as paragraphs (2) through (4), respectively, on lines 68, 71, and 75 and by inserting between lines 67 and 68 the following:

(1) 'Smoke' means to possess oneself or authorize another person to possess an ignited cigarette, cigar, controlled substance, or other product which emits carcinogens when burning.

By redesignating subsections (d) through (g) as subsections (e) through (h), respectively, on lines 107, 115, 116, and 131 and by inserting between lines 106 and 107 the following:

(d) While operating a motor vehicle on any highway in this state, no individual shall smoke while a person under 15 years of age is in such motor vehicle.

By replacing "(d)" with "(e)" on line 131.

On the adoption of the amendment, the President asked unanimous consent.

Senator Martin of the 9th objected.

On the adoption of the amendment, the yeas were 8, nays 38, and the Thompson of the 14th, et al. amendment #2 to the committee substitute was lost.

Senators James of the 35th, Thompson of the 14th and Henson of the 41st offered the following amendment #3:

Amend the substitute to HB 673 (LC 39 1952S) by replacing line 11 with the following: respectively; to correct cross-references; to provide for a short title; to allow the county or district department of family and children services to be notified when certain offenders are convicted of endangering a child by driving under the influence of alcohol or drugs; to provide for related

By replacing lines 14 through 15 with the following:

PART I
SECTION 1-1.

This part shall be known and may be cited as the "Hands-Free Georgia Act."

By redesignating Sections 2, 3, 4, 5, 6, and 7 as Sections 1-2, 1-3, 1-4, 1-5, 1-6, and 1-7, respectively.

By replacing line 157 with the following:

PART II
SECTION 2-1.

Said title is further amended by revising subsection (l) of Code Section 40-6-391, relating to driving under the influence of alcohol, drugs, or other intoxicating substances, penalties, and endangering a child, as follows:

"(1)(1) A person who violates this Code section while transporting in a motor vehicle a child under the age of 14 years is guilty of the separate offense of endangering a child by driving under the influence of alcohol or drugs. The offense of endangering a child by driving under the influence of alcohol or drugs shall not be merged with the offense of driving under the influence of alcohol or drugs for the purposes of prosecution and sentencing. An offender who is convicted of a violation of this ~~subsection~~ paragraph shall be punished in accordance with the provisions of subsection (d) of Code Section 16-12-1.

(2) If any offender who is convicted of a violation of this subsection is the parent or guardian of the child passenger, the prosecuting attorney may provide a copy of the traffic citation and all pertinent documents to the county or district department of family and children services of such person's residence to aid in an investigation of possible child neglect."

PART III
SECTION 3-1.

On the adoption of the amendment, the President asked unanimous consent.

Senator Martin of the 9th objected.

On the adoption of the amendment, the yeas were 15, nays 26, and the James, et al. amendment #3 to the committee substitute was lost.

Senators Jones of the 25th, Cowser of the 46th, Jones II of the 22nd, Lucas of the 26th, Jones of the 10th and others offered the following amendment #4:

Amend the Senate Committee on Judiciary substitute to HB 673 (LC 39 1952S) by replacing "\$75.00" on line 122 with "not more than \$50.00, but the provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof"

By replacing "\$150.00" on line 126 with "not more than \$100.00, but the provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof"

By replacing "\$300.00" on line 130 with "not more than \$150.00, but the provisions of Chapter 11 of Title 17 and any other provision of law to the contrary notwithstanding, the costs of such prosecution shall not be taxed nor shall any additional penalty, fee, or surcharge to a fine for such offense be assessed against a person for conviction thereof"

On the adoption of the amendment, the President asked unanimous consent.

Senator Martin of the 9th objected.

On the adoption of the amendment, the yeas were 25, nays 22, and the Jones of the 25th, et al. amendment #4 to the committee substitute was adopted.

Senator Martin of the 9th moved that the Senate reconsider its action in adopting amendment #4.

On the motion, the yeas were 16, nays 26; motion lost, and the Senate did not reconsider adopting amendment #4.

Senators Cowser of the 46th, Jones of the 25th, Mullis of the 53rd, Harper of the 7th, Unterman of the 45th and others offered the following amendment #5:

Amend the Senate Committee on Judiciary substitute to HB 673 (LC 39 1952S) by replacing lines 4 and 5 with the following:

electronic devices while driving; to provide for definitions; to prohibit certain actions while operating a commercial motor vehicle; to provide for violations; to provide for punishment; to provide for exemptions; to provide for conditions under which a citation may be issued for violations; to provide for the assessment of points upon conviction; to repeal

By replacing "Any" on line 116 with "(1) Except as provided for in paragraph (2) of this subsection, any".

By redesignating paragraphs (1) through (3) on lines 118, 123, and 127 as subparagraphs (A) through (C), respectively.

By inserting between lines 130 and 131 the following:

(2) Any person appearing before a court for a first offense of violating paragraph (1) of subsection (c) of this Code section who produces in court a device or proof of purchase of a device that would allow such person to comply with such paragraph in the future shall not be guilty of such offense.

By deleting the quotation mark at the end of line 141.

By inserting between lines 141 and 142 the following:

(h) No citation for a violation of this Code section shall be issued unless probable cause exists to stop or detain the driver of such motor vehicle for a violation of some other provision of the Code or a local ordinance relating to the operation, ownership, or maintenance of a motor vehicle or other criminal statute."

Senator Martin of the 9th offered the following amendment # 5a:

Amend amendment #5 to the Senate Committee Substitute to HB 673 by deleting lines 16 - 21

On the adoption of amendment #5a, there were no objections, and the Martin amendment #5a to the Cowsert, et al. amendment #5 to the committee substitute was adopted.

On the adoption of amendment #5, there were no objections, and the Cowsert, et al. amendment #5 to the committee substitute was adopted as amended.

Senator McKoon of the 29th offered the following amendment #6:

Amend the Senate committee substitute to HB 673 (LC 39 1952S) by replacing lines 11 and 12 with the following:

respectively; to correct cross-references; to provide for a short title; to clarify and provide for persons who may obtain certain licenses, permits, or cards; to provide for a license for driving privileges and identification card for persons who possess Employment Authorization Documents from the United States Department of Homeland Security with certain codes thereon; to provide for related matters; to provide for effective dates, applicability, and appropriations; to repeal conflicting laws; and for other purposes.

By replacing lines 14 through 15 with the following:

PART I
SECTION 1-1.

This part shall be known and may be cited as the "Hands-Free Georgia Act."

By redesignating Sections 2, 3, 4, 5, 6, and 7 as Sections 1-2, 1-3, 1-4, 1-5, 1-6, and 1-7, respectively.

By replacing line 157 with the following:

PART II
SECTION 2-1.

Said title is further amended by revising paragraph (15) of and adding a new paragraph to Code Section 40-5-1, relating to definitions, to read as follows:

"(15) 'Resident' means a person who has a permanent home or abode in Georgia to which, whenever such person is absent, he or she has the intention of returning. For the purposes of this chapter, there is a rebuttable presumption that the following person is a resident:

(A) Any person who accepts employment or engages in any trade, profession, or occupation in Georgia or enters his or her children to be educated in the private or public schools of Georgia within ten days after the commencement of such employment or education; or

(B) Any person who, except for infrequent, brief absences, has been present in the state for 30 or more days;

provided, however, that no person shall be considered a resident for purposes of this chapter unless such person is either a United States citizen or an alien with ~~legal authorization from the United States Immigration and Naturalization Service~~ lawful status as reflected by an Employment Authorization Document code from the United States Citizenship and Immigration Services."

"(19) 'Unlawful status EAD code' means a code placed on such Employment Authorization Document that indicates such person is not present in the United States under a lawful status, including, but not limited to, code A10, A11, A13, A14, C13, C14, C18, and C33."

SECTION 2-2.

Said title is further amended by adding a new subsection to Code Section 40-5-20, relating to license required, surrender of prior licenses, and local licenses prohibited, to read as follows:

"(a.1) Notwithstanding any other provision in this chapter, no person possessing an Employment Authorization Document from the United States Citizenship and Immigration Services with an unlawful status EAD code shall be eligible to obtain a driver's license or a special identification card provided for under this chapter; provided, however, that the department may issue an other license for driving privileges

or identification card for persons possessing an Employment Authorization Document from the United States Citizenship and Immigration Services with an unlawful status EAD code that shall be distinctive by design and color scheme from a driver's license or special identification card, respectively, and that shall be in compliance with Section 202(d)(11) of the Real ID Act of 2005, Pub. L. 109-13; and provided, further, that such other license or identification card shall only be valid for five years or until the applicant presents a United States Citizenship and Immigration Services EAD code that does not reflect unlawful status, whichever occurs first. An applicant shall notify the department within ten days after any change in an Employment Authorization Document code."

PART III
SECTION 3-1.

- (a) Part II of this Act shall become effective only if funds are specifically appropriated for purposes of this Act in an appropriations Act enacted by the General Assembly. If funds are so appropriated, then this Act shall become effective on the later of:
- (1) The date on which such appropriations Act becomes effective; or
 - (2) The beginning date of the fiscal year for which such appropriations are made.
- (b) All other parts of this Act shall become effective on July 1, 2018.

SECTION 3-2.

On the adoption of the amendment, the President asked unanimous consent.

Senator Parent of the 42nd objected.

On the adoption of the amendment, Senator McKoon of the 29th called for the yeas and nays; the call was sustained, and the vote was as follows:

Y Albers	Hufstetler	N Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
N Beach	Y Jones, B	Y Shafer
N Black	N Jones, E	N Sims
N Brass	N Jones, H	Y Stone
N Burke	N Jordan	N Strickland
N Butler	N Kennedy	N Tate
N Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Dugan	Y Ligon	N Tillery
Y Ginn	Y Lucas	Tippins
C Gooch	N Martin	Y Unterman

Y Harbin	Y McKoon	N Walker
N Harbison	N Millar	N Watson
Y Harper	N Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	N Orrock	N Williams, N
N Hill	N Parent	

On the adoption of the amendment, the yeas were 19, nays 32, and the McKoon amendment #6 to the committee substitute was lost.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 55, nays 0.

HB 673, having received the requisite constitutional majority, was passed by substitute.

Senator Albers of the 56th asked unanimous consent that the following bill be taken from the Table:

HB 327. By Representatives Blackmon of the 146th, Powell of the 171st, Harrell of the 106th, Corbett of the 174th, Kelley of the 16th and others:

A BILL to be entitled an Act to amend Chapter 5C of Title 48 of the Official Code of Georgia Annotated, relating to alternative ad valorem tax on motor vehicles, so as to change the manner for determining fair market value of motor vehicles subject to the tax; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for an expiration period for temporary license plates; to require that applications be submitted to the county where the vehicle will be registered; to provide for extensions of the registration period under certain circumstances; to provide for conditional titles for certain motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The consent was granted, and HB 327 was taken from the Table.

Pursuant to Senate Rule 6-3.5(b), HB 327, having been taken from the Table, was placed at the foot of the Senate Rules Calendar.

Senator Cowsert of the 46th moved that all remaining legislation on the Senate Rules Calendar be placed on the Table. There was no objection, the motion was granted; and the following legislation was placed on the Table:

HB 999	HB 785	HB 867	HB 795	HB 605
HB 890	HB 723	HB 849	HB 791	HB 214
HB 783	HB 743	SR 539	SR 1058	HR 943
HB 636	HB 664	HB 840	HB 118	HB 951
HB 253	HB 827	HB 195	HB 624	HB 789
HB 668	HB 775	HB 853	HB 879	HB 729
HB 978	HB 972	HB 64	HB 917	HB 956
HR 898	HB 327			

Senator James of the 35th asked unanimous consent that the following bill, having been placed on the Table on March 23, 2018, be taken from the Table:

HB 870. By Representatives Bruce of the 61st, Bazemore of the 63rd, Willard of the 51st, Boddie of the 62nd, Jackson of the 64th and others:

A BILL to be entitled an Act to amend an Act to incorporate the City of South Fulton in Fulton County, Georgia, approved April 26, 2016 (Ga. L. 2016, p.

3726), so as to change the corporate boundaries of the municipality; to provide for related matters; to provide a contingent effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: James of the 35th.

The consent was granted, and HB 870 was taken from the Table and put upon its passage.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	N Jones, B	N Shafer
N Black	Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	Y Tate
Y Cowsert	N Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
N Ginn	Lucas	Y Tippins
E Gooch	Y Martin	N Unterman
Y Harbin	N McKoon	N Walker
Y Harbison	Y Millar	Y Watson
N Harper	Y Miller	N Wilkinson
Y Heath	N Mullis	Y Williams, M
N Henson	N Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 35, nays 15.

HB 870, having received the requisite constitutional majority, was passed.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 263. By Senator Jeffares of the 17th:

A BILL to be entitled an Act to incorporate the City of Eagles Landing; to provide a charter for the City of Eagles Landing; to provide for other matters relative to the foregoing; to provide for a referendum; to provide effective dates; to provide for transition of powers and duties; to provide for community improvement districts; to provide for directory nature of dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitutes to the following Bills of the House:

HB 671. By Representatives Dunahoo of the 30th, Epps of the 144th, Barr of the 103rd, McCall of the 33rd, Pruett of the 149th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, causes, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate to benefit the Georgia Beekeepers Association; to provide for related matters; to provide for an effective date; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

HB 735. By Representatives Bentley of the 139th, Powell of the 171st, Jackson of the 128th, Dickey of the 140th, Tanner of the 9th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to the imposition, rate, and computation of and exemptions from state income taxes, so as to create an income tax credit for expenditures on the maintenance of railroad track owned or leased by a Class III railroad; to provide for rules and regulations related to such income tax credit; to provide for certain conditions and limitations; to require annual reporting of certain statistics related to such credit; to provide for definitions; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 904. By Representatives Hanson of the 80th, Willard of the 51st, Fleming of the 121st, Kelley of the 16th and Harrell of the 106th:

A BILL to be entitled an Act to amend Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, so as to

clarify provisions relating to the effect of an owner of land charging an admission price or fee; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House insists on its position in disagreeing to the Senate amendment, and has appointed a Committee of Conference to confer with a like committee on the part of the Senate on the following Bill of the House:

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstration of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Speaker has appointed on the part of the House, Representatives Dempsey of the 13th, Reeves of the 34th, and Fleming of the 121st.

Senator Cowser of the 46th moved that the Senate stand adjourned pursuant to SR 631 until 10:00 a.m. Thursday, March 29, 2018.

The motion prevailed, and the President announced the Senate adjourned at 10:40 p.m.

Senate Chamber, Atlanta, Georgia
Thursday, March 29, 2018
Fortieth Legislative Day

The Senate met pursuant to adjournment at 10:17 a.m. today and was called to order by the President.

Senator Mullis of the 53rd reported that the Journal of the previous legislative day had been read and found to be correct.

By unanimous consent, the reading of the Journal was dispensed with.

The Journal was confirmed.

The following Senate legislation was introduced, read the first time and referred to committee:

SR 1140. By Senators James of the 35th, Rhett of the 33rd and Henson of the 41st:

A RESOLUTION creating the Senate Study Committee on Revising the Applicability and Nomenclature of the Offense of Rape; and for other purposes.

Referred to the Committee on Rules.

The following House legislation was read the first time and referred to committee:

HR 1198. By Representatives Spencer of the 180th, Ealum of the 153rd, Greene of the 151st, Clark of the 98th, Belton of the 112th and others:

A RESOLUTION urging the United States Congress to increase the per diem rate for nursing care in state veterans homes to 75 percent of the state private nursing rates; and for other purposes.

Referred to the Committee on Health and Human Services.

The following committee reports were read by the Secretary:

Mr. President:

The Committee on Assignments has had under consideration the appointments to various boards, authorities, commissions, and other entities, made by Governor Nathan Deal and submitted to the Senate for confirmation by a letter dated February 13, 2018, and has

instructed me to report the same back to the Senate with the following recommendation:

Governor's Appointments All appointments be approved as submitted.

Respectfully submitted,
/s/ Honorable Casey Cagle, Chairman

Mr. President:

The Committee on State and Local Governmental Operations has had under consideration the following legislation and has instructed me to report the same back to the Senate with the following recommendation:

HB 990	Do Pass	HB 1043	Do Pass
HB 1061	Do Pass	HB 1063	Do Pass
HB 1064	Do Pass	HB 1065	Do Pass

Respectfully submitted,
Senator Kirk of the 13th District, Chairman

Senator Strickland of the 17th asked unanimous consent that Senators Brass of the 28th and Thompson of the 14th be excused. The consent was granted, and Senators Brass and Thompson were excused.

Senator Walker III of the 20th asked unanimous consent that Senator Tillery of the 19th be excused. The consent was granted, and Senator Tillery was excused.

Senator Anderson of the 24th asked unanimous consent that Senator Jones of the 25th be excused. The consent was granted, and Senator Jones was excused.

The roll was called and the following Senators answered to their names:

Albers	Hill	Orrock
Anderson, L	Hufstetler	Parent
Anderson, T	Jackson	Payne
Beach	James	Rhett
Black	Jones, E	Seay
Burke	Jones, H	Shafer
Butler	Jordan	Sims
Cowsert	Kennedy	Stone
Davenport	Kirk	Strickland
Dugan	Kirkpatrick	Thompson, C
Ginn	Ligon	Tippins

Harbin	Martin	Unterman
Harbison	McKoon	Walker
Harper	Millar	Watson
Heath	Miller	Wilkinson
Henson	Mullis	Williams, N

Not answering were Senators:

Brass (Excused)	Gooch	Jones, B. (Excused)
Lucas	Tate	Thompson, B. (Excused)
Tillery (Excused)	Williams, M.	

Senator Lucas of the 26th was off the floor of the Senate when the roll was called and wished to be recorded as present.

The members pledged allegiance to the flag of the United States of America and to the flag of Georgia.

Senator Walker III of the 20th introduced the chaplain of the day, Reverend Steve Smith of Jeffersonville, Georgia, who offered scripture reading and prayer.

Senator Williams of the 39th introduced the doctor of the day, Dr. Theodis Buggs.

The following resolutions were read and adopted:

SR 1136. By Senator Mullis of the 53rd:

A RESOLUTION recognizing and commending Bob Palmero on his outstanding community service; and for other purposes.

SR 1137. By Senator Mullis of the 53rd:

A RESOLUTION commending Joseph Geddie on being awarded the title of Georgia State Patrol Trooper of the Year; and for other purposes.

SR 1138. By Senator Williams of the 39th:

A RESOLUTION recognizing and commending Tommy "P.J." Slaughter on his outstanding contributions as a coach; and for other purposes.

SR 1139. By Senator Williams of the 39th:

A RESOLUTION recognizing and commending Dr. Karcheik Sims-Alvarado; and for other purposes.

SR 1141. By Senators Jones of the 10th and Jackson of the 2nd:

A RESOLUTION recognizing and commending all who acknowledge the residual effects of the institution of slavery and express it with the fullest condemnation; and for other purposes.

SR 1142. By Senators Jordan of the 6th and Williams of the 39th:

A RESOLUTION recognizing and commending Joshua Sailors, the 2018 Georgia Economics Teacher of the Year; and for other purposes.

SR 1143. By Senators Millar of the 40th, Henson of the 41st and Parent of the 42nd:

A RESOLUTION celebrating the life and memory of Grace Bunke; and for other purposes.

SR 1144. By Senators Davenport of the 44th, Butler of the 55th, Anderson of the 43rd, Sims of the 12th, Harbison of the 15th and others:

A RESOLUTION recognizing and commending Pastor McCallister Hollins on the occasion of his retirement; and for other purposes.

SR 1145. By Senator Davenport of the 44th:

A RESOLUTION commending Armenda Bonds upon receiving a Women's History Month Achievement Award; and for other purposes.

SR 1146. By Senators Anderson of the 43rd, Miller of the 49th, Jones II of the 22nd, Butler of the 55th, Sims of the 12th and others:

A RESOLUTION recognizing and commending Wallace Linsey on the occasion of his retirement; and for other purposes.

SR 1147. By Senators Strickland of the 17th, Walker III of the 20th, Tillery of the 19th, Martin of the 9th, Ginn of the 47th and others:

A RESOLUTION honoring the life and memory of Richard Ellis Craig, Sr.; and for other purposes.

SR 1148. By Senators Strickland of the 17th, Albers of the 56th, Walker III of the 20th, Tillery of the 19th, Martin of the 9th and others:

A RESOLUTION honoring the life, memory, and selfless service of Officer Chase Lee Maddox; and for other purposes.

SR 1149. By Senators Harper of the 7th, Jones of the 25th and Mullis of the 53rd:

A RESOLUTION recognizing and commending Special Assistant to the President of the United States and Deputy Director of Intergovernmental Affairs William Kirkland; and for other purposes.

SR 1150. By Senator Kirk of the 13th:

A RESOLUTION honoring the life and memory of Georgia State Trooper Tyler D. Parker; and for other purposes.

SR 1151. By Senators Williams of the 39th, Orrock of the 36th, Seay of the 34th and James of the 35th:

A RESOLUTION honoring the life and memory of Dr. Rita Jackson Samuels; and for other purposes.

SR 1152. By Senator Tippins of the 37th:

A RESOLUTION commending the Georgia State University Panthers Men's Basketball Team for its victory in the 2018 Sun Belt Conference Tournament and advancement to the NCAA tournament; and for other purposes.

The following local, uncontested legislation, favorably reported by the committee as listed on the Local Consent Calendar, was put upon its passage:

SENATE LOCAL CONSENT CALENDAR

Thursday March 29, 2018

Fortieth Legislative Day

(The names listed are the Senators whose districts are affected by the legislation.)

HB 990

Anderson of the 43rd

Strickland of the 17th

ROCKDALE COUNTY

A BILL to be entitled an Act to amend an Act providing for the compensation of the members and chairperson of the Board of Education of Rockdale County, approved March 10, 1988 (Ga. L. 1988, p. 3652), so as to modify the compensation of the members of the Board of Education of Rockdale County; to provide for future cost-of-living increases; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1043

Tillery of the 19th
CITY OF JESUP

A BILL to be entitled an Act to amend an Act creating a new charter for the City of Jesup, approved December 16, 1937 (Ga. L. 1937-38 Ex. Sess., p. 1142), as amended, so as to provide for staggered terms for the board of commissioners; to provide for the conduct of municipal elections; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1061

Tillery of the 19th
TOWN OF TARRYTOWN

A BILL to be entitled an Act to provide a new charter for the Town of Tarrytown; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for other matters relative to the foregoing; to repeal a specific Act; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 1063

Tate of the 38th
Williams of the 39th
James of the 35th
CITY OF SOUTH FULTON

A BILL to be entitled an Act to amend an Act to incorporate the City of South Fulton in Fulton County, Georgia, approved April 26, 2016 (Ga. L. 2016, p. 3726), as amended, so as to limit the authority of the mayor and city council over personnel matters; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 1065

Ginn of the 47th
Wilkinson of the 50th
CITY OF JEFFERSON

A BILL to be entitled an Act to provide for the creation of one or more community improvement districts in the City of Jefferson; or referendum shall be required; to provide the procedures connected with all of the foregoing; to provide for the termination of districts under certain conditions; to provide for severability; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Pursuant to Article VII, Section II, Paragraph IV of the Constitution, the following local bill relating to homestead exemptions requires a two-thirds roll-call vote for passage:

HB 1064 Albers of the 56th
 Beach of the 21st
 Brass of the 28th
 James of the 35th
 Jordan of the 6th
 Millar of the 40th
 Orrock of the 36th
 Kirkpatrick of the 32nd
 Shafer of the 48th
 Tate of the 38th
 Williams of the 39th
FULTON COUNTY

A BILL to be entitled an Act to provide for a new homestead exemption from Fulton County ad valorem taxes for county purposes in the amount of \$60,000.00 of the assessed value of the homestead for residents of that county who are older than 65 years of age; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The report of the committee, which was favorable to the passage of the local legislation as reported, was agreed to.

On the passage of the legislation, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Ligon	E Tillery
Y Ginn	Y Lucas	Y Tippins

Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the local legislation, the yeas were 50, nays 0.

The legislation on the Local Consent Calendar, having received the requisite constitutional majority, was passed.

Senator Kennedy of the 18th asked unanimous consent that the Senate dispense with the reading of the Governor's Appointments and that one roll call suffice for the confirmation of the appointments in their entirety.

There was no objection and the reading of the Governor's Appointments was dispensed with and the Senate agreed to consider the appointments with one roll call.

Senator Kennedy of the 18th moved that the Governor's Appointments be adopted as submitted.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 51, nays 0; the motion prevailed, and the Governor's Appointments were confirmed.

The following communication was transmitted by the Secretary:



SECRETARY OF THE SENATE
353 STATE CAPITOL
ATLANTA, GEORGIA 30334

DAVID A. COOK
SECRETARY OF THE SENATE

(404) 656-5040
FAX (404) 656-5043
www.senate.ga.gov

Honorable Nathan Deal
Governor of Georgia
State Capitol
Atlanta, Georgia 30334

Dear Governor Deal:

I have the honor to report to you the actions taken by the Georgia Senate on the Appointments submitted by you that require confirmation by the Senate. The following actions were taken on March 29, 2018:

The Honorable Kevin Hagler of Gwinnett County, as a member of the Commissioner of the Georgia Department of Banking and Finance, for the term of office beginning 1/20/2016, and ending 1/20/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Antonio Rios of Hall County, as a member of the Georgia Board of Physician Workforce, for the term of office beginning 10/6/2016, and ending 10/6/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Robert D. Leebern, Jr. of Fulton County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Lee Anne Cowart of McDuffie County, as a member of the State Board of Education, for the term of office beginning 1/1/2014, and ending 1/1/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Mike Cheokas of Sumter County, as a member of the State Board of Education, for the term of office beginning 1/1/2016, and ending 1/1/2023. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Marian McCormick of Mitchel County, as a member of the Statewide Independent Living Council, for the term of office beginning 4/30/2016, and ending 4/30/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Philip E. Chase of Clarke County, as a member of the Statewide Independent Living Council, for the term of office beginning 4/30/2016, and ending 4/30/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Deborah K. McDonald of Dougherty County, as a member of the Statewide Independent Living Council, for the term of office beginning 4/30/2016, and ending 4/30/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable William R. Kemp of Lowndes County, as a member of the Georgia Board for Physician Workforce, for the term of office beginning 10/6/2016, and ending 10/6/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Walt Farrell of Fulton County, as a member of the Board of Directors of the Georgia Lottery Corporation, for the term of office beginning 12/15/2016, and ending 12/15/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Philip A. Wilheit, Jr. of DeKalb County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Duncan Johnson, Jr. of Richmond County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Dwight Davis of DeKalb County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Jeff B. "Bodine" Sinyard of Dougherty County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable David Barbee of Richmond County, as a member of the Board of Human Services, for the term of office beginning 7/1/2015, and ending 7/1/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kacy K. Cronan of Hall County, as a member of the Board of Public Safety, for the term of office beginning 1/20/2017, and ending 1/20/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Ellison G. "Ellis" Wood of Bulloch County, as a member of the Board of Public Safety, for the term of office beginning 1/20/2017, and ending 1/20/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable J. Craig Tully of Miller County, as a member of the Board of Public Safety, for the term of office beginning 1/20/2017, and ending 1/20/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Joseph M. Terrell of Habersham County, as a member of the Board of Public Safety, for the term of office beginning 1/20/2017, and ending 1/20/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Scott Murphy of Forsyth County, as a member of the Georgia Real Estate Appraisers Board, for the term of office beginning 7/1/2016, and ending 7/1/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Clayton Foster of Hall County, as a member of the Georgia Real Estate Commission, for the term of office beginning 1/29/2017, and ending 1/29/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Neil L. Pruitt, Jr. of Fulton County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Sarah-Elizabeth Reed of Fulton County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Scott Kroell of Thomas County, as a member of the State Board of Nursing Home Administrators, for the term of office beginning 12/29/2016, and ending 12/29/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Barby Simmons of Henry County, as a member of the Georgia Composite Medical Board, for the term of office beginning 7/1/2016, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Bart Gobeil of Chatham County, as a member of the Board of Directors of the Georgia Lottery Corporation, for the term of office beginning 12/15/2014, and ending 12/15/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Donald Wood of Macon-Bibb County, as a member of the Georgia Board of Massage Therapy, for the term of office beginning 7/1/2016, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable William "Bill" Leahy of Fulton County, as a member of the Board of Economic Development, for the term of office beginning 7/1/2013, and ending 7/1/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Laura Morgan of Fulton County, as a member of the Board of Commissions of the Georgia Student Finance Commission, for the term of office beginning 3/15/2017, and ending 3/15/2023. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Antonio Long of Fayette County, as a member of the Georgia Board of Private Detectives and Security Agencies, for the term of office beginning 7/1/2013, and ending 7/1/2017. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable W. Jeff Bishop of Coweta County, as a member of the Georgia Historical Records Advisory Council, for the term of office beginning 11/8/2014, and ending 11/8/2017. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Beth English of Dooly County, as a member of the Georgia Historical Records Advisory Council, for the term of office beginning 11/8/2015, and ending 11/8/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Pamela Griggs of Gwinnett County, as a member of the Georgia Board of Private Detective and Security Agencies, for the term of office beginning 7/1/2016, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Mary Shotwell of Hall County, as a member of the State Board of Occupational Therapists, for the term of office beginning 12/31/2013, and ending 12/31/2017. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Rick Story of Rabun County, as a member of the Georgia Historical Records Advisory Council, for the term of office beginning 11/8/2015, and ending 11/8/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Edmund Zammit of Houston County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2016, and ending 6/30/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Thomas Mash of Gwinnett County, as a member of the Veterans Service Board, for the term of office beginning 4/1/2017, and ending 4/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Michael Register of Paulding County, as a member of the Judicial Qualifications Commission, for the term of office beginning 7/1/2017, and ending 7/1/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Edward Tolley of Clarke County, as a member of the Judicial Qualifications Commission, for the term of office beginning 7/1/2017, and ending 7/1/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Peggy Venable of Grady County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Joy Norman of DeKalb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Lewis Wheaton of Cobb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kenneth Slade of Fulton County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Chris Moder of Gwinnett County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Jennifer Page of Fulton County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kayla Wilson of Columbia County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Steve Oldaker of Glynn County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Charles Cole of Forsyth County, as a member of the State Board of Accountancy, for the term of office beginning 6/30/2016, and ending 6/30/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Roland Weekley of Gwinnett County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2015, and ending 6/30/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Earl Graham of Barrow County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2015, and ending 6/30/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Jerry Hayes of Cobb County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2015, and ending 6/30/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Chris Joiner of Crawford County, as a member of the State Construction Industry Licensing Board: Division of Utility Contractor, for the term of office beginning 6/30/2017, and ending 6/30/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Martha Martin of Jackson County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Ann Miller Hanlon of Fulton County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Charlotte Nash of Gwinnett County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Sonny Deriso of Fulton County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Narender Reddy of Gwinnett County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable J.T. Williams of Henry County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Shaun Willie of Fulton County, as a member of the Board of Directors of the Georgia Regional Transportation Authority, for the term of office beginning 6/1/2017, and ending 6/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Dawn Johnson of Barrow County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Justin Pressley of Hall County, as a member of the State Rehabilitation Council, for the term of office beginning 1/22/2016, and ending 1/22/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Carl McKinney of Spalding County, as a member of the State Rehabilitation Council, for the term of office beginning 1/22/2016, and ending 1/22/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Brenda Bentley-Parrish of DeKalb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Lisa Leiter of Cobb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Wina Low of Cobb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2016, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Roassany Rios of Henry County, as a member of the State Rehabilitation Council, for the term of office beginning 7/1/2016, and ending 7/1/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Bill Prather of Fannin County, as a member of the State Board of Pharmacy, for the term of office beginning 7/1/2017, and ending 7/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Bruce Faulk of Putnam County, as a member of the State Board of Pharmacy, for the term of office beginning 7/1/2017, and ending 7/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Sylvia Russell of Fulton County, as a member of the Technical College System of Georgia Board, for the term of office beginning 6/30/2017, and ending 6/30/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Ben Bryant of DeKalb County, as a member of the Technical College System of Georgia Board, for the term of office beginning 6/30/2017, and ending 6/30/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Buzz Law of Fulton County, as a member of the Technical College System of Georgia Board, for the term of office beginning 6/30/2017, and ending 6/30/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Jackie McDowell of Floyd County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Beth Townsend of Cherokee County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Danielle Bruce of Morgan County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable John Hauptert of Fulton County, as a member of the Board of Public Health, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kathryn Cheek of Muscogee County, as a member of the Board of Public Health, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Phillip Williams of Oconee County, as a member of the Board of Public Health, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kimberly Carroll-Hawkins of Cobb County, as a member of the Board of Behavioral Health and Developmental Disabilities, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kenneth Holton of Lowndes County, as a member of the Board of Behavioral Health and Developmental Disabilities, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Albert Hodge of Floyd County, as a member of the Board of Community Affairs, for the term of office beginning 7/1/2017, and ending 7/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Adam Hatcher of Richmond County, as a member of the Board of Community Affairs, for the term of office beginning 7/1/2017, and ending 7/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Ruby Kaspers of Macon-Bibb County, as a member of the State Rehabilitation Council, for the term of office beginning 4/16/2019, and ending 4/16/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Karen Addams of Gwinnett County, as a member of the State Rehabilitation Council, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Thomas Harbin, Jr. of Fulton County, as a member of the Georgia Composite Medical Board, for the term of office beginning 7/1/2017, and ending 7/1/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Russell Crutchfield of Coweta County, as a member of the Board of Community Health, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Russ Childers of Sumter County, as a member of the Board of Community Health, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kenneth Davis of Floyd County, as a member of the Board of Community Health, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Robert Law, Jr. of Fulton County, as a member of the Georgia Composite Medical Board, for the term of office beginning 7/1/2016, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Faye DiMassimo of Cobb County, as a member of the Board of Directors of the Georgia Regional Transpiration Authority, for the term of office beginning 6/1/2014, and ending 6/1/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Merry Fort of Bibb County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Darrell Thompson of Thompson County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Linda Floyd of Lowndes County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Tracey Blalock of Houston County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Tammy Bryant of Thomas County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Amy Hooper of Walton County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Blair K. Train of Bibb County, as a member of the Georgia Board of Nursing, for the term of office beginning 12/31/2016, and ending 12/31/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Katrina Young of Rockdale County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Susan Thayer of Cobb County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Chris Erwin of Banks County, as a member of the Professional Standards Commission, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Antonio Long of Fayette County, as a member of the Georgia Board of Private Detectives and Security Agencies, for the term of office beginning 7/1/2017, and ending 7/1/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Vernon Keenan of Cherokee County, as a member of the Georgia Board of Private Detectives and Security Agencies, for the term of office beginning 7/1/2017, and ending 7/1/2021. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Andrea Phipps of Whitfield County, as a member of the Georgia Board of Nursing, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Bryant Hightower of Carroll County, as a member of the State Board of Funeral Service, for the term of office beginning 2/13/2017, and ending 2/13/2023. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Lowery May of Floyd County, as a member of the Board of Commissioners of the Georgia Student Finance Commission, for the term of office beginning 3/15/2013, and ending 3/15/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kelly Teague of Fulton County, as a member of the Georgia Board of Massage Therapy, for the term of office beginning 7/1/2014, and ending 7/1/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Leonard LaRussa of Sumter County, as a member of the State Board of Podiatry Examiners, for the term of office beginning 5/5/2017, and ending 5/5/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Joseph Giovinco of Fayette County, as a member of the State Board of Podiatry Examiners, for the term of office beginning 5/5/2016, and ending 5/5/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Barry Turner of Franklin County, as a member of the State Board of Podiatry Examiners, for the term of office beginning 5/5/2015, and ending 5/5/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Alisa Schultz of Athens Clarke County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Melanie Hudson of Cherokee County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2015, and ending 7/1/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Miranda Pritcher-Ross of Columbia County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2015, and ending 7/1/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Robin Alverson of Fayette County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 6/24/2016, and ending 6/24/2019. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Holly Kaplan of Oconee County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2015, and ending 7/1/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Phyllis Kozarky of Fulton County, as a member of the Georgia Board of Physicians Workforce, for the term of office beginning 10/6/2014, and ending 10/6/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Edgar Clark of Whitfield County, as a member of the State Board of Examiners for Speech, Language, Pathology and Audiology, for the term of office beginning 7/1/2015, and ending 7/1/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable June Wood of Henry County, as a member of the Georgia Board of Corrections, for the term of office beginning 7/1/2015, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable John Mayes of Floyd County, as a member of the Georgia Board of Corrections, for the term of office beginning 7/1/2017, and ending 7/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Ember Bentley of Macon-Bibb County, as a member of the State Forestry Commission, for the term of office beginning 7/1/2016, and ending 7/1/2023. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Cindy King of Jones County, as a member of the Georgia Board of Massage Therapy, for the term of office beginning 7/1/2016, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Paul Shailendra of Fulton County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Nancy Addison of Bryan County, as a member of the Board of Natural Resources, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Don Waters of Chatham County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Barbara Holmes of Dougherty County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Tommy Hopkins of Spalding County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Allen Gudenrath of Macon-Bibb County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Erin Hames of Fulton County, as a member of the Board of Regents University System of Georgia, for the term of office beginning 1/1/2016, and ending 1/1/2023. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Julia Ayers of Cobb County, as a member of the Board of Directors of the Georgia Lottery Corporation, for the term of office beginning 12/15/2017, and ending 12/15/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Teresa MacCartney of Fulton County, as a member of the Board of Directors of the Georgia Lottery Corporation, for the term of office beginning 12/15/2017, and ending 12/15/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Laurie McRae of Columbia County, as a member of the Georgia Board of Architects and Interior Designers, for the term of office beginning 7/1/2017, and ending 7/1/2022. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Becky Langston of Harris County, as a member of the Board of the Georgia County Leadership Academy, for the term of office beginning 7/1/2014, and ending 7/1/2018. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Heidi Altman of Hall County, as a member of the Council on American Indian Concerns, for the term of office beginning 7/1/2017, and ending 7/1/2020. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Helen Rice of Troup County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Kenneth Mason of Fulton County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Barbara Hampton of Fulton County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Mike Royal of Gwinnett County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Scott Johnson of Cobb County, as a member of the State Board of Education, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Jimmy Allen of Tift County, as a member of the State Forestry Commission, for the term of office beginning 1/1/2018, and ending 1/1/2025. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Larry Spillers of Crawford County, as a member of the State Forestry Commission, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

The Honorable Sandie Sparks of Gilmer County, as a member of the State Forestry Commission, for the term of office beginning 1/1/2017, and ending 1/1/2024. The vote on this confirmation was yeas 51, nays 0, and the nominee was confirmed.

Sincerely,

/s/ David A. Cook
Secretary of the Senate

SENATE LEGISLATION TABLED
THURSDAY, MARCH 29, 2018
FORTIETH LEGISLATIVE DAY

SR 539 Richards, Jon; recognize (RULES-45th)

- SR 1058 US Congress; halt the transfer of current and former military personnel's health care costs from federal government to the states; urge (Amendment) (I&L-43rd)
- HB 64 Protection and Guarantee of Service for Health Insurance Consumers Act; enact (Substitute)(I&L-9th) Blackmon-146th
- HB 118 Fantasy Contests Act; enact (Substitute)(RI&U-45th) Kelley-16th
- HB 185 Probate court; associate judges; change provisions (Substitute)(JUDY-23rd) Coomer-14th
- HB 189 Contract Cancellation Act; enact (Substitute)(SLGO(G)-54th) Nelson-125th
- HB 195 Taxation; certain for profit corporations to participate in the indirect ownership of a home for the mentally disabled for primarily financing purposes; allow (Substitute)(FIN-36th) Harrell-106th
ENGROSSED
- HB 214 Crimes and offenses; consistent punishment for the unlawful manufacture, sale or distribution of a proof of insurance document; provide (Substitute) (I&L-14th) Golick-40th
- HB 253 Special license plates; dog and cat reproductive sterilization support program; increase the proportion of moneys derived from the sale (PUB SAF-40th) Willard-51st
- HB 327 Alternative ad valorem tax; motor vehicles; change manner for determining fair market value (Substitute)(FIN-56th) Blackmon-146th
ENGROSSED
- HB 605 Hidden Predator Act of 2018; enact (Substitute)(JUDY-13th) Spencer-180th
- HB 624 Georgia Legislative Retirement System; define certain terms; change certain provisions (RET-8th) Battles-15th
- HB 636 Genetic Counselors Act; enact (RI&U-47th) Silcox-52nd
- HB 664 Income tax; deduction from income for contributions to savings trust accounts; revise (FIN-56th) Teasley-37th
ENGROSSED

- HB 668 Guardian and ward; petitions for appointment of a guardian under certain circumstances; provisions (JUDY-29th) Price-48th
- HB 723 Sales and use tax; certain veterinary diagnostic and disease monitoring services; create exemption (FIN-50th) Watson-172nd
ENGROSSED
- HB 729 Ad valorem tax; property; repeal certain provisions (Substitute)(FIN-56th) Harrell-106th
ENGROSSED
- HB 743 Jeremy Nelson and Nick Blakely Sudden Cardiac Arrest Prevention Act; enact (ED&Y-21st) Clark-98th
- HB 757 Local government; regulatory powers of cities and counties with certificate of public necessity and convenience; provisions (Substitute)(RI&U-49th) Powell-32nd
- HB 775 Professions and businesses; real estate management companies; provisions (RI&U-47th) Powell-32nd
- HB 783 Administrative procedure; provisions creating inactive boards, panels, authorities and other such bodies; repeal (Substitute)(GvtO-56th) Caldwell-20th
- HB 785 Solid waste management; certain definitions; modify and enact (Substitute) (Amendment)(NR&E-7th) Nix-69th
- HB 789 Labor and industrial relations; marketplace contractors to be treated as independent contractors under state and local laws; provisions (Substitute)(I&L-14th) Fleming-121st
- HB 791 State government; limited waiver of the state's sovereign immunity for declaratory or injunctive relief under certain circumstance; provide (Substitute)(JUDY-17th) Efstoration-104th
- HB 795 Labor, Department of; authorize Commissioner of Labor to perform certain functions; provisions (I&L-9th) Gravley-67th
- HB 827 Income tax; increase value of rural hospital organization tax credit to 100 percent; provisions (Substitute)(FIN-56th) Kelley-16th
ENGROSSED

- HB 840 Revenue and taxation; penalties and interest in the event of military service in a combat zone; provide exemption (VM&HS-32nd) Hitchens-161st
- HB 849 Income tax; reporting of federal partnership adjustments; provisions (FIN-52nd) Peake-141st
ENGROSSED
- HB 853 Quality Basic Education Act; children placed in psychiatric residential treatment facilities may not be charged tuition; provide (Substitute) (ED&Y-28th) Dempsey-13th
- HB 867 Georgia Peace Officer Standards and Training Council; quorum for transaction of business; revise (PUB SAF-7th) Hitchens-161st
- HB 879 Water resources; notice to local governing authorities prior to the dewatering of coal combustion residual surface impoundments; provide (NR&E-25th) Jones-167th
- HB 890 Crimes and offenses; make it unlawful to use an emergency exit after having shoplifted (JUDY-23rd) Fleming-121st
- HB 917 Crimes and offenses; restitution; update terminology and change provisions (JUDY-19th) Dollar-45th
- HB 951 Education; establish Center for Rural Prosperity and Innovation; provisions (ED&T-19th) Shaw-176th
- HB 956 Georgia Veterinary Practice Act; enact (Substitute)(AG&CA-8th) Pirkle-155th
- HB 972 Human Services, Department of; Division of Family and Children Services to offer extended care youth services under certain circumstances; allow (Substitute)(Amendment)(H&HS-32nd) Willard-51st
- HB 978 Motor vehicles; automated traffic enforcement safety devices in school zones; provisions (Substitute)(PUB SAF-21st) Nimmer-178th
- HB 999 Weapons; carry license; inpatient hospitalization; provisions (JUDY-17th) Coomer-14th
ENGROSSED
- HR 898 Joint Study Committee on the Establishment of a State Accreditation Process; create (ED&Y-37th) Coleman-97th

HR 943 Joint Georgia-North Carolina and Georgia-Tennessee Boundary Line Commission; create (RULES-49th) Morris-26th

HR 993 Business court; state-wide jurisdiction; create -CA (Substitute) (JUDY-17th) Efstoration-104th

Senator Gooch of the 51st was excused as a Conferee.

The following Senators were excused for business outside the Senate Chamber:

Martin of the 9th Millar of the 40th

Senator Unterman of the 45th asked unanimous consent that SR 539, having been placed on the Table on Tuesday, March 27, 2017, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), SR 539, having been taken from the Table, was put upon its passage.

SR 539. By Senators Unterman of the 45th, Martin of the 9th, Shafer of the 48th, Butler of the 55th, Henson of the 41st and others:

A RESOLUTION recognizing Jon Richards; and for other purposes.

Senator Unterman of the 45th offered the following amendment #1:

Amend SR 539 (LC 37 2442) by deleting lines 24 and 25 and inserting in lieu thereof the following:

NOW, THEREFORE, BE IT RESOLVED BY THE SENATE that the members of this body proclaim Jon Richards an

On the adoption of the amendment, there were no objections, and the Unterman amendment #1 was adopted.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to as amended.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims

Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
C Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	E Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 48, nays 0.

SR 539, having received the requisite constitutional majority, was adopted as amended.

Senator Kirk of the 13th asked unanimous consent that Senator Tippins of the 37th be excused. The consent was granted, and Senator Tippins was excused.

Senator Anderson of the 43rd asked unanimous consent that SR 1058, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), SR 1058, having been taken from the Table, was put upon its passage.

SR 1058. By Senators Anderson of the 43rd, Davenport of the 44th, Jones II of the 22nd, Harbison of the 15th, Lucas of the 26th and others:

A RESOLUTION urging the United States Congress to halt the transfer of current and former military personnel's health care costs from the federal government to the states; and for other purposes.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay

Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	E Tippins
C Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Walker
Y Harbison	E Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 47, nays 0.

SR 1058, having received the requisite constitutional majority, was adopted.

Senator Unterman of the 45th was excused for business outside the Senate Chamber.

Senator Henson of the 41st moved to suspend the Senate Rules to reconsider adopting SR 1058.

On the motion to reconsider, the yeas were 38, nays 1; the motion prevailed, and the Senate reconsidered adopting SR 1058.

Senator Anderson of the 43rd offered the following amendment #1:

Amend SR 1058 by:

On lines 38 and 39 deleting "the General Assembly of Georgia" and replacing it with "the Georgia State Senate".

On the adoption of the amendment, there were no objections, and the Anderson of the 43rd amendment #1 was adopted.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	E Martin	E Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

SR 1058, having received the requisite constitutional majority, was adopted as amended.

The following bill was taken up to consider House action thereto:

SB 319. By Senators Albers of the 56th, Mullis of the 53rd, Gooch of the 51st, Miller of the 49th, Dugan of the 30th and others:

A BILL to be entitled an Act to enact the "Consolidation of Fire Safety Services in Georgia Act"; to establish the Department of Fire Safety; to amend Titles 8, 10, 16, 25, 30, 35, 42, 43, 45, 50 of the O.C.G.A.; to provide for legislative intent; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Title 25 and Code Section 16-7-92 of the Official Code of Georgia Annotated, relating to fire protection and safety and compelling attendance of witnesses and

production of evidence, respectively, so as to revise the appointment of the state fire marshal to appointment by the executive director of the Georgia Firefighter Standards and Training Council; to transfer the office of state fire marshal to the Georgia Firefighter Standards and Training Council; to revise the duties and authority of the Safety Fire Commissioner; to make a conforming change; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is amended in Chapter 4, relating to firefighter standards and training, by adding a new article to read as follows:

"ARTICLE 2

25-4-30.

The executive director of the Georgia Firefighter Standards and Training Council shall appoint a state fire marshal. Qualifications for appointment as state fire marshal shall include previous training and experience in endeavors similar to those prescribed in this article. The executor director shall fix the salary of the state fire marshal.

25-4-31.

The state fire marshal, subject to the approval of the executive director of the Georgia Firefighter Standards and Training Council, shall appoint a deputy state fire marshal and administrative fire safety specialists and shall employ such office personnel as may be required to carry out this article. The deputy state fire marshal and administrative fire safety specialists shall be chosen by virtue of their previous training and experience in the particular duties which shall be assigned to them. They shall take an oath to perform faithfully the duties of their office.

25-4-32.

All state employees connected with the state fire marshal's office shall be allowed subsistence, lodging, and other expenses in connection with the execution of their duties when away from their headquarters. Transportation for such employees shall be paid at the mileage rate fixed by law for other state employees.

25-4-33.

(a) Upon the request of the sheriff of the county, the chief of police of the jurisdiction, the district attorney of the judicial circuit, or a local fire official, the state fire marshal and any employees of such official shall have the authority to investigate the cause and

origin of any fire which occurred in said county, jurisdiction, or judicial circuit.

(b) Personnel employed and authorized by the state fire marshal shall have the power to make arrests for criminal violations established as a result of investigations. Such personnel must hold certification as a peace officer from the Georgia Peace Officer Standards and Training Council and shall have the power to execute arrest warrants and search warrants for criminal violations and to arrest, upon probable cause and without warrant, any person found violating any of the provisions of applicable criminal laws. Personnel authorized to make arrests pursuant to this Code section shall be permitted to carry firearms as authorized by the state fire marshal in the performance of their duties. It shall be unlawful for any person to resist an arrest authorized by this Code section or to interfere in any manner, including abetting or assisting such resistance or interference, with personnel employed by the state fire marshal in the duties imposed upon such personnel by law.

25-4-34.

Should any person, firm, corporation, or public entity be dissatisfied with any ruling or decision of the state fire marshal, such person, firm, corporation, or public entity may appeal within ten days to the executive director of the Georgia Firefighter Standards and Training Council. If the person, firm, corporation, or public entity is dissatisfied with the decision of such executive director, appeal is authorized to the superior court within 30 days in the manner provided under Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' In the event of such appeal, the person, firm, corporation, or public entity shall give a surety bond which will be conditioned upon compliance with the order and direction of the state fire marshal or the executive director or both. The amount of bond shall be fixed by the executive director in such amount as will reasonably cover the order issued by the executive director or the state fire marshal or both.

25-4-35.

(a) As used in this Code section, the term:

(1) 'Deputy local fire marshal' means any person who is employed by, supervised by, or otherwise assists a local fire marshal and who has been or is seeking to be deputized pursuant to this Code section.

(2) 'Local fire marshal' means any employee or independent contractor of any municipality, county, or other governing authority not adopting the state minimum fire safety standards as provided in subsection (a) of Code Section 25-2-12 who is responsible for performing fire safety duties for such municipality, county, or governing authority and who has been or is seeking to be deputized pursuant to this Code section.

(3) 'State inspector' means any person who is employed by any board, commission, or other administrative authority of any state owned and operated or occupied facility, who is responsible for performing fire safety duties within such facility, and who has been or is seeking to be deputized pursuant to this Code section.

(b) Upon application submitted by any governing authority or administrative authority, the state fire marshal, in accordance with this Code section, shall have the authority to deputize local fire marshals, deputy local fire marshals, or state inspectors, as appropriate, as state officers. The application shall be verified by an appropriate official and shall contain the name, address, and current place of employment for each applicant seeking to be deputized and the dates and places of past employment, educational background, training experience, any area of specialization and the basis therefor, and such other information as may be required by the state fire marshal.

(c)(1) Prior to deputizing any local fire marshal, deputy local fire marshal, or state inspector, the state fire marshal shall examine the applicant's education, training, and employment experience to ascertain whether the applicant is qualified to perform duties in one or more of the following areas:

(A) Fire safety inspections;

(B) Review of plans and specifications; or

(C) Arson investigations.

(2) If the state fire marshal is satisfied that the applicant is qualified, he or she shall deputize the applicant as a state officer to perform the appropriate duties on behalf of the state.

(d) It shall be the responsibility of the governing authority to notify the state fire marshal when a local fire marshal is no longer employed by or accountable to such governing authority. It shall be the responsibility of the local fire marshal to ensure that his or her deputy local fire marshals perform their appointed duties and to notify the state fire marshal when a deputy local fire marshal is no longer employed under his or her authority. It shall be the responsibility of the administrative authority to ensure that state inspectors perform their appointed duties and to notify the state fire marshal when a state inspector is no longer employed by such administrative authority.

(e) All deputized local fire marshals, deputy local fire marshals, and state inspectors shall submit monthly reports of their activities to the state fire marshal and shall comply with the administrative procedures of the state fire marshal's office. Any deputized local fire marshal, deputy local fire marshal, or state inspector who is found by the state fire marshal to be negligent in performing his or her appointed duties or in fulfilling his or her responsibilities shall be removed from his or her position as a state officer.

25-4-36.

(a) The state fire marshal and the various officials delegated by him or her to carry out this article shall have the authority at all times of the day and night to enter and to examine any building or premises where a fire is in progress or has occurred, as well as other buildings or premises adjacent to or near the same. The state fire marshal and his or her deputized officials shall have the right to enter all buildings and premises subject to this article, at any reasonable time, for the purpose of examination or inspection.

(b) Upon complaint submitted in writing, the state fire marshal and the various officials to whom enforcement authority is delegated under this article may enter any building or premises between the hours of sunrise and sunset for the purpose of investigating the

complaint. Upon the complaint of any person, the state fire marshal or his or her deputized officials may inspect or cause to be inspected all buildings and premises within their jurisdiction whenever he or she or they deem it necessary.

25-4-37.

(a) The state fire marshal, his or her delegate, or any other person authorized under this title to conduct inspections of property, in addition to other procedures now or hereafter provided, may obtain an inspection warrant under the conditions specified in this Code section. Such warrant shall authorize the state fire marshal or his or her delegate or such authorized person to conduct a search or inspection of property either with or without the consent of the person whose property is to be searched or inspected if such search or inspection is one that is elsewhere authorized under this title or the rules and regulations duly promulgated under this title.

(b) Inspection warrants may be issued by any judge of the superior, state, municipal, or magistrate court upon proper oath or affirmation showing probable cause for the purpose of conducting inspections authorized by this title or rules promulgated under this title and for the seizure of property or the taking of samples appropriate to the inspection. For the purposes of issuance of inspection warrants, probable cause exists upon showing a valid public interest in the effective enforcement of this title or rules promulgated under this title sufficient to justify inspection of the area, premises, building, or conveyance in the circumstances specified in the application for the warrant.

(c) A warrant shall be issued only upon affidavit of the state fire marshal or his or her designee or any person authorized to conduct inspections pursuant to this title, sworn to before the judicial officer and establishing the grounds for issuing the warrant. The issuing judge may issue the warrant when he or she is satisfied that the following conditions have been met:

(1) The person seeking the warrant shall establish under oath or affirmation that the property to be inspected is to be inspected as a part of a legally authorized program of inspection which includes such property or that there is probable cause to believe that there is a condition, object, activity, or circumstance which legally justifies such an inspection of such property; and

(2) The issuing judge determines that the issuance of the warrant is authorized by this Code section.

(d) The warrant shall:

(1) State the grounds for its issuance and the name of each person whose affidavit has been taken in support thereof;

(2) Be directed to persons authorized by this title to conduct inspections to execute such warrant;

(3) Command the persons to whom such warrant is directed to inspect the area, premises, building, or conveyance identified for the purpose specified and, if appropriate, direct the seizure of the property specified;

(4) Identify the item or types of property to be seized, if any; and

(5) Designate the judicial officer to whom such warrant shall be returned.

(e) A warrant issued pursuant to this Code section shall be executed and returned within ten days of its date of issuance unless, upon a showing of a need for additional time, the court orders otherwise. If property is seized pursuant to a warrant, a copy of the warrant shall be provided upon request to the person from whom or from whose premises the property is taken, together with a receipt for the property taken. The return of the warrant shall be made promptly, accompanied by a written inventory of any property taken. A copy of the inventory shall be delivered upon request to the person from whom or from whose premises the property was taken and to the applicant for the warrant.

(f) The judicial officer who has issued a warrant shall attach thereto a copy of the return and all papers returnable in connection therewith and file them with the clerk of the superior court of the county in which the inspection was made.

25-4-38.

The state fire marshal or his or her deputized officials, when in his or her opinion such proceedings are necessary, shall take the testimony on oath of all persons believed to be cognizant of or to have information or knowledge in relation to suspected arson and shall cause the testimony to be reduced to writing. If he or she is of the opinion that there is evidence sufficient to charge any person with the crime of arson, he or she shall cause such person to be arrested in accordance with the law. He or she shall also furnish the district attorney of the circuit in which the fire occurred with all information obtained by him or her in his or her investigation. The district attorney shall thereupon proceed according to law.

25-4-39.

(a) The state fire marshal or the deputy state fire marshal shall have the power to summon and compel the attendance of witnesses before either or both of them, in any county in which such witnesses reside, to testify in relation to any matter as a subject of inquiry and to issue subpoenas to compel the production of all books, records, documents, and papers pertaining to such subject of inquiry. The state fire marshal and deputy state fire marshal may also administer oaths and affirmations to persons appearing as witnesses before them. Any person summoned shall have the right of counsel at the hearing if he or she desires.

(b) Should any person fail to comply with this Code section, the state fire marshal or his or her agent is authorized to procure an order from the superior court of the county in which the proposed witness resides, requiring compliance under the law.

25-4-40.

All hearings held by or under the direction of the state fire marshal shall be conducted in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' and the state fire marshal may also satisfy the procedure for conduct of hearings on contested cases and rule making required under such chapter by following and complying with Chapter 2 of Title 33.

25-4-41.

It shall be the duty of the state fire marshal to contact individuals, associations, and state agencies, both within and outside this state, which have a direct interest in the fundamentals of fire prevention and safety, for the purpose of promoting the objectives of this title.

25-4-42.

(a) The state fire marshal may promote any plan or program which tends to disseminate information on fire prevention and similar projects and may aid any association or group of individuals which is primarily organized for such purpose.

(b) It shall be the duty of the state fire marshal to carry on a state-wide program of fire prevention education in the schools of this state and to establish fire drills therein. All local school boards and authorities are required to cooperate with the state fire marshal in carrying out programs designed to protect the lives of school children from fire and related hazards.

25-4-43.

(a) It shall be the duty of the state fire marshal to keep an up-to-date record of all fire losses, together with statistical data concerning the same. Fire insurance companies doing business in this state shall submit quarterly to the state fire marshal a report stating all the losses sustained by such companies, together with such pertinent data as may be required by the state fire marshal.

(b) All incidents of fires, whether accidental or incendiary, shall be reported to the state fire marshal. Every fire department in this state shall submit incident data either via a uniform electronic reporting method or on a uniform reporting form prescribed by the state fire marshal and at intervals established by the state fire marshal.

(c) The state fire marshal shall disseminate all information obtained pursuant to this Code section to the Safety Fire Commissioner.

25-4-44.

(a) The state fire marshal, any deputy designated by the state fire marshal, the director of the Georgia Bureau of Investigation, or the chief of a fire department of any municipal corporation or county where a fire department is established may request any insurance company investigating a fire loss of real or personal property to release any information in its possession relative to that loss. The company shall release the information to and cooperate with any official authorized to request such information pursuant to this Code section. The information to be released shall include, but is not limited to:

- (1) Any insurance policy relevant to the fire loss under investigation and any application for such a policy;
- (2) Policy premium payment records on the policy, to the extent available;
- (3) Any history of previous claims made by the insured for fire loss with the reporting carrier; and
- (4) Material relating to the investigation of the loss, including statements of any

person, proof of loss, and any other relevant evidence.

(b) If an insurance company has reason to suspect that a fire loss to its insured's real or personal property was caused by incendiary means, the company shall notify the state fire marshal and furnish him or her with all relevant material acquired by the company during its investigation of the fire loss. The insurer shall also cooperate with and take such action as may be requested of it by the state fire marshal's office or by any law enforcement agency of competent jurisdiction. The company shall also permit any person to inspect its records pertaining to the policy and to the loss if the person is authorized to do so by law or by an appropriate order of a superior court of competent jurisdiction.

(c) In the absence of fraud or malice, no insurance company or person who furnishes information on its behalf shall be liable for damages in a civil action or subject to criminal prosecution for any oral or written statement made or any other action taken which is necessary to supply information required pursuant to this Code section.

(d) The officials and departmental and agency personnel receiving any information furnished pursuant to this Code section shall hold the information in confidence until such time as its release is required pursuant to a criminal or civil proceeding, provided that nothing contained in this Code section shall be deemed to prohibit representatives of the state fire marshal's office or other authorized law enforcement officials from discussing such matters with other agency or departmental personnel or with other law enforcement officials or from releasing or disclosing any such information during the conduct of their investigation, if the release or disclosure is necessary to enable them to conduct their investigation in an orderly and efficient manner; provided, further, that nothing contained in this Code section shall prohibit an insurance company which furnishes information to an authorized agency or agencies pursuant to this Code section from having the right to request relevant information and receive, within a reasonable time not to exceed 30 days, the information requested.

(e) Any official referred to in subsection (a) of this Code section may be required to testify as to any information in his or her possession regarding the fire loss of real or personal property in any civil action against an insurance company for the fire loss in which any person seeks recovery under a policy.

(f) No person shall purposely:

(1) Refuse to release any information requested pursuant to subsection (a) of this Code section;

(2) Refuse to notify the state fire marshal of a fire loss required to be reported pursuant to subsection (b) of this Code section;

(3) Refuse to supply the state fire marshal with pertinent information required to be furnished pursuant to subsection (b) of this Code section; or

(4) Fail to hold in confidence information required to be held in confidence by subsection (d) of this Code section.

(g) Any person willfully violating this Code section shall be guilty of a misdemeanor.

(h) The state fire marshal shall disseminate all information obtained pursuant to this Code section to the Safety Fire Commissioner.

25-4-45.

(a) The fire department of each county and municipality and any other organized fire department operating within this state shall report every incident or suspected incident of arson to the local law enforcement agency, the state fire marshal, and every insurance company with a known pecuniary interest in the cause of the fire in which arson is involved or suspected to be involved. In any local jurisdiction where an organized fire department is not operating, the local law enforcement agency investigating a fire shall make the reports required by this Code section. Such reports shall be made on forms provided for such purpose by the state fire marshal.

(b) Any insurance company which has received a report of an incident or suspected incident of arson under subsection (a) of this Code section shall not pay any claim relating thereto prior to notifying in writing the state fire marshal and local fire department of the date by which the claim is to be paid.

(c) The state fire marshal shall disseminate all information obtained pursuant to this Code section to the Safety Fire Commissioner.

25-4-46.

The state fire marshal is authorized to pay sheriffs and other peace officers reasonable fees for assistance given in assembling evidence as to the causes or criminal origin of fires and in apprehending persons guilty of arson.

25-4-47.

In addition to the duties and responsibilities under this article, the state fire marshal shall perform all other duties and responsibilities provided for under Chapter 2 of this title and as otherwise provided for by law.

25-4-48.

(a) The state fire marshal appointed by the executive director of the Georgia Firefighter Standards and Training Council shall succeed to all rules, regulations, policies, procedures, and pending and finalized administrative orders of the state fire marshal appointed by the Safety Fire Commissioner which are in effect on June 30, 2019. Such rules, regulations, policies, procedures, and orders shall remain in effect until amended, repealed, superseded, or nullified by the state fire marshal appointed by the executive director.

(b) All valid agreements, licenses, permits, certificates, and similar authorizations previously issued by the Safety Fire Commissioner or the state fire marshal appointed by the Safety Fire Commissioner with respect to any function transferred to the state fire marshal appointed by the executive director of the Georgia Firefighter Standards and Training Council shall continue in effect until the same expire by their terms unless they are suspended, revoked, or otherwise made ineffective as provided by law.

(c) Effective July 1, 2019, the state fire marshal appointed by the executive director of the Georgia Firefighter Standards and Training Council shall carry out all of the functions and obligations and exercise all of the powers formerly held by the state fire marshal appointed by the Safety Fire Commissioner under this title."

PART II
SECTION 2-1.

Said title is further amended by revising Chapter 2, relating to the regulation of fire and other hazards to persons and property generally, as follows:

"CHAPTER 2

25-2-1.

As used in this chapter, the term 'Commissioner' means the Safety Fire Commissioner.

25-2-2.

The office of Safety Fire Commissioner is created. The Commissioner of Insurance shall be the Safety Fire Commissioner.

25-2-3.

Except as provided in Code Section 25-2-12, the Commissioner is charged with the duties and chief responsibility for the enforcement of this chapter. He or she may, consistent with this chapter, delegate to the officers and employees appointed under this chapter such duties and powers as in his or her discretion he or she shall deem necessary or advisable for the proper enforcement of this chapter and shall have full supervision and control over such officers and employees in the performance of their duties or in the exercise of any powers granted to such officers and employees by him or her or by this chapter. Except as provided in Code Section 25-2-12, the Commissioner shall be the final authority in all matters relating to the interpretation and enforcement of this chapter, except insofar as his or her orders may be reversed or modified by the courts.

25-2-4.

The Commissioner shall adopt such rules and regulations as he or she deems necessary to promote the enforcement of this chapter. Such rules and regulations shall have the force and effect of law and shall have state-wide application as being the state minimum fire safety standards and shall not require adoption by a municipality or county. The governing authority of any municipality or county in this state is authorized to enforce the state minimum fire safety standards on all buildings and structures except one-family and two-family dwellings and those buildings and structures listed in Code Section 25-2-13. All other applications of the state minimum fire safety standards and fees are specified in Code Sections 25-2-4.1, and 25-2-12, ~~and 25-2-12.1~~. Before the Commissioner shall adopt as a part of his or her rules and regulations for the enforcement of this chapter any of the principles of the various codes referred to in this chapter, he or she shall first consider and approve them as reasonably suitable for the enforcement of this chapter. Not less than 15 days before any rules and regulations are promulgated, a public hearing shall be held. Notice of the hearing shall be advertised in a newspaper of general circulation.

25-2-4.1.

(a) The Commissioner is authorized to assess and collect, and persons so assessed shall pay in advance to the Commissioner, fees and charges under this chapter as follows:

(1) New anhydrous ammonia permit for storage in bulk (more than 2,000 gallons aggregate capacity) for sale or distribution one-time fee.....	\$ 150.00
(2) Annual license for manufacture of explosives other than fireworks	150.00
(3) Annual license for manufacture, storage, or transport of fireworks	1,500.00
(4) Carnival license	150.00
(5) Certificate of occupancy.....	100.00
(6) Construction plan review:	
(A) Bulk storage construction	150.00
(B) Building construction, 10,000 square feet or less.....	150.00
(C) Building construction, more than 10,000 square feet.....	.015 per square foot
(D) Other construction	150.00
(7) Fire sprinkler contractor certificate of competency	150.00
(8) Liquefied petroleum gas storage license:	
(A) 2,000 gallons or less	150.00
(B) More than 2,000 gallons	600.00
(9) Building construction inspection:	
(A) 80 percent completion, 100 percent completion, annual, and first follow-up.....	none
(B) Second follow-up.....	150.00
(C) Third and each subsequent follow-up.....	220.00
(10) Purchase, storage, sale, transport, or use of explosives other than fireworks:	
(A) 500 pounds or less	75.00
(B) More than 500 pounds	150.00

(11) New self-service gasoline station permit one-time fee 150.00

(12) New permit to dispense compressed natural gas (CNG) for vehicular fuel one-time fee 150.00

(b) The licenses and permits for which fees or charges are required pursuant to this Code section shall not be transferable. A new license or permit and fee are required upon change of ownership.

25-2-5.

~~The Commissioner shall appoint a state fire marshal. Qualifications for appointment as state fire marshal shall be previous training and experience in endeavors similar to those prescribed in this chapter. The Commissioner shall fix the salary of the state fire marshal~~ Reserved.

25-2-6.

The Safety Fire Division of the office of the Commissioner of Insurance shall be headed by ~~the state fire marshal~~ an individual appointed by the Commissioner.

25-2-7.

~~The state fire marshal, subject to the approval of the Commissioner, shall appoint a deputy state fire marshal and administrative fire safety specialists and shall employ such office personnel as may be required to carry out this chapter. The deputy state fire marshal and administrative fire safety specialists shall be chosen by virtue of their previous training and experience in the particular duties which shall be assigned to them. They shall take an oath to perform faithfully the duties of their office~~ Reserved.

25-2-8.

~~All state employees connected with the state fire marshal's office shall be allowed subsistence, lodging, and other expenses in connection with the execution of their duties when away from their headquarters. Transportation for such employees shall be paid at the mileage rate fixed by law for other state employees~~ Reserved.

25-2-9.

~~(a) Upon the request of the sheriff of the county, the chief of police of the jurisdiction, the district attorney of the judicial circuit, or a local fire official, the state fire marshal and any employees of such official shall have the authority to investigate the cause and origin of any fire which occurred in said county, jurisdiction, or judicial circuit.~~

~~(b) Personnel employed and authorized by the state fire marshal shall have the power to make arrests for criminal violations established as a result of investigations. Such personnel must hold certification as a peace officer from the Georgia Peace Officer Standards and Training Council and shall have the power to execute arrest warrants and search warrants for criminal violations and to arrest, upon probable cause and without warrant, any person found violating any of the provisions of applicable criminal laws.~~

~~Authorized personnel empowered to make arrests pursuant to this Code section shall be empowered to carry firearms as authorized by the state fire marshal in the performance of their duties. It shall be unlawful for any person to resist an arrest authorized by this Code section or to interfere in any manner, including abetting or assisting such resistance or interference, with personnel employed by the state fire marshal in the duties imposed upon such personnel by law Reserved.~~

25-2-10.

~~Should any person, firm, corporation, or public entity be dissatisfied with any ruling or decision of the state fire marshal, the right is granted to appeal within ten days to the Commissioner. If the person, firm, corporation, or public entity is dissatisfied with the decision of the Commissioner, appeal is authorized to the superior court within 30 days in the manner provided under Chapter 13 of Title 50. In the event of such appeal, the person, firm, corporation, or public entity shall give a surety bond which will be conditioned upon compliance with the order and direction of the state fire marshal or the Commissioner or both. The amount of bond shall be fixed by the Commissioner in such amount as will reasonably cover the order issued by the Commissioner or the state fire marshal or both Reserved.~~

25-2-11.

Reserved.

25-2-12.

(a)(1) The county governing authority in any county having a population of 100,000 or more, and the municipal governing authority in any municipality having a population of 45,000 or more, each as determined by the most recent decennial census published by the United States Bureau of the Census, and those municipalities pursuant to subsection (b) of this Code section shall adopt the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter, including all subsequent revisions thereof.

(2) With respect to those buildings and structures listed in Code Section 25-2-13, except for hospitals, nursing homes, jails, ambulatory health care centers, and penal institutions and except for buildings and structures which are owned and operated or occupied by the state, every such local governing authority shall be responsible for enforcing such fire safety standards within its jurisdiction and shall:

(A) Conduct fire safety inspections of existing buildings and structures;

(B) Review plans and specifications for proposed buildings and structures, issue building permits when plans are approved, and conduct fire safety inspections of such buildings and structures; and

(C) Issue permanent and temporary certificates of occupancy.

(3) Nothing in this subsection shall be construed so as to prohibit fire service personnel of any such local governing authority from making inspections of any state owned and operated or occupied building or structure listed in Code Section 25-2-13

and from filing reports of such inspections with the office of the Commissioner.

(4) Nothing in this subsection shall be construed so as to place upon any municipality, county, or any officer or employee thereof, the responsibility to take enforcement action regarding any existing building or structure listed in Code Section 25-2-13, if such building or structure was granted a certificate of occupancy pursuant to a waiver granted prior to January 1, 1982, and which was granted pursuant to the recommendation of the engineering staff over the objection of the local authority having jurisdiction.

(5) Every such local governing authority shall have the authority to charge and retain appropriate fees for performing the duties required in subparagraphs (A) and (B) of paragraph (2) of this subsection. In cases where the governing authority of a municipality enforcing fire safety standards pursuant to this subsection contracts for the enforcement of fire safety standards, any municipal or county office or authority providing such enforcement shall not charge fees in excess of those charged in its own political subdivision for such enforcement.

(6) Every such local governing authority shall be responsible for investigating all cases of arson and other suspected incendiary fires within its jurisdiction, shall have the duties and powers authorized by Code Sections ~~25-2-27, 25-2-28, and 25-2-29~~ 25-4-38, 25-4-39, and 25-4-40 in carrying out such responsibility, and shall submit quarterly reports to the state fire marshal containing fire-loss data regarding all fires within its jurisdiction. The state fire marshal shall have the authority to initiate any arson investigation upon request of any such local governing authority, and he or she shall provide assistance to the requesting authority regarding any of the duties and responsibilities required by this paragraph.

(7) No such local governing authority shall have the authority to grant any waiver or variance which would excuse any building, structure, or proposed plans for buildings or structures from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(b) Municipalities having a population of less than 45,000 as determined by the most recent decennial census published by the United States Bureau of the Census may adopt the state minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter, including all subsequent revisions thereof. The municipal governing authority shall indicate its intention to adopt and enforce the state minimum fire safety standards by forwarding a resolution so indicating to the Commissioner. The municipality shall then adopt and enforce the state minimum fire safety standards as set forth in subsection (a) of this Code section.

(c) With respect to those buildings and structures listed in Code Section 25-2-13, in jurisdictions other than those jurisdictions covered under subsection (a) of this Code section, and with respect to every such hospital and every such building and structure owned and operated or occupied by the state, wherever located, the office of the Commissioner shall perform those duties specified in paragraph (2) of subsection (a) of this Code section and shall perform all other duties required by this chapter.

(d) Except as specifically stated in this Code section, nothing in this Code section shall

reduce or avoid the duties and responsibilities of the office of the Commissioner or the state fire marshal imposed by other Code sections of this chapter, other provisions of this Code, or any existing contract or agreement and all renewals thereof between the office of the Commissioner or the state fire marshal and any other state or federal government agency. Nothing in this Code section shall prohibit the office of the Commissioner, state fire marshal, or any local governing authority from entering into any future contract or agreement regarding any of the duties imposed under this Code section.

(e)(1) The office of the Commissioner shall be responsible for interpretations of the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(2) On the construction on existing buildings, local governments authorized to enforce the state minimum fire safety standards pursuant to subsection (a) and subsection (b) of this Code section, notwithstanding paragraph (7) of subsection (a) of this Code section, may grant variances from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(3) On the construction on existing buildings not under the jurisdiction of a local government for purposes of paragraph (2) of this subsection, the Commissioner may grant variances from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter.

(4) On the construction of new buildings, the Commissioner, upon the written recommendation of the state fire marshal and the written request of the fire or building official responsible for enforcing the state minimum fire safety standards, may grant variances from compliance with the state minimum fire safety standards as adopted in the rules and regulations promulgated pursuant to this chapter in jurisdictions covered under subsection (a) of this Code section and jurisdictions other than those covered under subsection (a) of this Code section.

(5) Variances granted pursuant to paragraphs (2), (3), and (4) of this subsection shall be as nearly equivalent as practical to the standards required in this chapter.

~~25-2-12.1.~~

~~(a) As used in this Code section, the term:~~

~~(1) 'Deputy local fire marshal' means any person who is employed by, supervised by, or otherwise assists a local fire marshal and who has been or is seeking to be deputized pursuant to this Code section.~~

~~(2) 'Local fire marshal' means any employee or independent contractor of any municipality, county, or other governing authority not adopting the state minimum fire safety standards as provided in subsection (a) of Code Section 25-2-12 who is responsible for performing fire safety duties for such municipality, county, or governing authority and who has been or is seeking to be deputized pursuant to this Code section.~~

~~(3) 'State inspector' means any person who is employed by any board, commission, or~~

~~other administrative authority of any state owned and operated or occupied facility, who is responsible for performing fire safety duties within such facility, and who has been or is seeking to be deputized pursuant to this Code section.~~

~~(b) Upon application submitted by any governing authority or administrative authority described in subsection (a) of this Code section, the state fire marshal, subject to the approval of the Commissioner and in accordance with this Code section, shall have the authority to deputize local fire marshals, deputy local fire marshals, or state inspectors, as appropriate, as state officers. The application shall be verified by an appropriate official and shall contain the name, address, and current place of employment for each applicant seeking to be deputized and the dates and places of past employment, educational background, training experience, any area of specialization and the basis therefor, and such other information as may be required by the state fire marshal.~~

~~(c)(1) Prior to deputizing any local fire marshal, deputy local fire marshal, or state inspector, the state fire marshal shall examine the applicant's education, training, and employment experience to ascertain whether the applicant is qualified to perform duties in one or more of the following areas:~~

- ~~(A) Fire safety inspections;~~
- ~~(B) Review of plans and specifications; or~~
- ~~(C) Arson investigations.~~

~~(2) If the state fire marshal is satisfied that the applicant is qualified, he shall recommend to the Commissioner that the applicant be deputized as a state officer to perform the appropriate duties on behalf of the state.~~

~~(d) It shall be the responsibility of the governing authority to notify the state fire marshal when a local fire marshal is no longer employed by or accountable to such governing authority. It shall be the responsibility of the local fire marshal to ensure that his deputy local fire marshals perform their appointed duties and to notify the state fire marshal when a deputy local fire marshal is no longer employed under his authority. It shall be the responsibility of the administrative authority to ensure that state inspectors perform their appointed duties and to notify the state fire marshal when a state inspector is no longer employed by such administrative authority.~~

~~(e) All deputized local fire marshals, deputy local fire marshals, and state inspectors shall submit monthly reports of their activities to the state fire marshal and shall comply with the administrative procedures of the state fire marshal's office. Any deputized local fire marshal, deputy local fire marshal, or state inspector who is found by the state fire marshal to be negligent in performing his appointed duties or in fulfilling his responsibilities shall be removed from his position as a state officer.~~

25-2-13.

(a) As used in this Code section, the term:

(1) 'Capacity' means the maximum number of persons who may be reasonably expected to be present in any building or on any floor thereof at a given time according to the use which is made of such building. The Commissioner shall determine and by rule declare the formula for determining capacity for each of the

uses described in this Code section.

(2) 'Historic building or structure' means any individual building or any building which contributes to the historic character of a historic district, so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources, or as so designated pursuant to the provisions of Article 2 of Chapter 10 of Title 44, the 'Georgia Historic Preservation Act.'

(3) 'Landmark museum building' means a historic building or structure used as an exhibit of the building or structure itself which exhibits a high degree of architectural integrity and which is open to the public not fewer than 12 days per year; however, additional uses, original or ancillary, to the use as a museum shall be permitted within the same building subject to the provisions of paragraph (3) of subsection (b) of this Code section. Landmark museum buildings must be so designated by the state historic preservation officer pursuant to rules and regulations adopted by the Board of Natural Resources.

(b)(1) Certain buildings and structures, because of construction or use, may constitute a special hazard to property or to the life and safety of persons on account of fire or panic from fear of fire. Buildings constructed or used in the following manner present such a special hazard:

(A) Buildings or structures more than three stories in height; provided, however, that nothing in this Code section shall apply to any individually owned residential unit within any such building;

(B) Any building three or more stories in height and used as a residence by three or more families, with individual cooking and bathroom facilities for each family; provided, however, that nothing in this Code section shall apply to any individually owned residential unit within any such building;

(C) Any building in which there are more than 15 sleeping accommodations for hire, with or without meals but without individual cooking facilities, whether designated as a hotel, motel, inn, club, dormitory, rooming or boarding house, or by any other name;

(D) Any building or group of buildings which contain schools and academies for any combination of grades one through 12 having more than 15 children or students in attendance at any given time and all state funded kindergarten programs;

(E) Hospitals, health care centers, mental health institutions, orphanages, nursing homes, convalescent homes, old age homes, jails, prisons, reformatories, and all administrative, public assembly, and academic buildings of colleges, universities, and vocational-technical schools. As used in this subparagraph, the terms 'nursing homes,' 'convalescent homes,' and 'old age homes' mean any building used for the lodging, personal care, or nursing care on a 24 hour basis of four or more invalids, convalescents, or elderly persons who are not members of the same family;

(F) Racetracks, stadiums, and grandstands;

(G) Theaters, auditoriums, restaurants, bars, lounges, nightclubs, dance halls, recreation halls, and other places of public assembly having an occupant load of 300 or more persons, except that the occupant load shall be 100 or more persons in those

buildings where alcoholic beverages are served;

(G.1) Churches having an occupant load of 500 or more persons in a common area or having an occupant load greater than 1,000 persons based on total occupant load of the building or structure;

(H) Department stores and retail mercantile establishments having a gross floor area of 25,000 square feet on any one floor or having three or more floors that are open to the public. For purposes of this subparagraph, shopping centers and malls shall be assessed upon the basis of the entire area covered by the same roof or sharing common walls; provided, however, that nothing in this Code section shall apply to single-story malls or shopping centers subdivided into areas of less than 25,000 square feet by a wall or walls with a two-hour fire resistance rating and where there are unobstructed exit doors in the front and rear of every such individual occupancy which open directly to the outside;

(I) Child care learning centers, as such term is defined in Code Section 20-1A-2. Fire safety standards adopted by rules of the Commissioner pursuant to Code Section 25-2-4 which are applicable to child care learning centers shall not require staff-to-child ratios; and

(J) Personal care homes and assisted living communities required to be licensed as such by the Department of Community Health and having at least seven beds for nonfamily adults, and the Commissioner shall, pursuant to Code Section 25-2-4, by rule adopt state minimum fire safety standards for those homes, and any structure constructed as or converted to a personal care home on or after April 15, 1986, shall be deemed to be a proposed building pursuant to subsection (d) of Code Section 25-2-14 and that structure may be required to be furnished with a sprinkler system meeting the standards established by the Commissioner if he or she deems this necessary for proper fire safety.

(2) Any building or structure which is used exclusively for agricultural purposes and which is located in an unincorporated area shall be exempt from the classification set forth in paragraph (1) of this subsection.

(3)(A) The provisions of this paragraph relating to landmark museum buildings shall apply only to those portions of such buildings which meet all the requirements of a landmark museum building, except as otherwise provided in subparagraphs (B) and (C) of this paragraph. Subparagraphs (B) and (C) of this paragraph shall, unless otherwise provided in such subparagraphs, preempt all state laws, regulations, or rules governing reconstruction, alteration, repair, or maintenance of landmark museum buildings. Local governing authorities may recognize the designation of landmark museum buildings by ordinance and authorize the local enforcement authority to incorporate the provisions of subparagraphs (B) and (C) of this paragraph into their local building and fire codes. Subparagraphs (D) and (E) of this paragraph shall apply to other historic buildings or structures.

(B) A landmark museum building shall be subject to the following provisions:

(i) Repairs, maintenance, and restoration shall be allowed without conformity to any state building or fire safety related code, standard, rule, or regulation, provided

that the building is brought into and remains in full compliance with this paragraph;

(ii) In the case of fire or other casualty to a landmark museum building, it may be rebuilt, in total or in part, using such techniques and materials as are necessary to restore it to the condition prior to the fire or casualty and use as a totally preserved building; or

(iii) If a historic building or structure, as a result of proposed work or changes in use, would become eligible and would be so certified as a landmark museum building, and the state historic preservation officer so certifies and such is submitted to the state fire and building code official with the construction or building permit application, then the work may proceed under the provisions of this paragraph.

(C) All landmark museum buildings shall comply with the following requirements:

(i) Every landmark museum building shall have portable fire extinguishers as deemed appropriate by the state or local fire authority having jurisdiction based on the applicable state or local fire safety codes or regulations;

(ii) All landmark museum buildings which contain residential units shall have electrically powered smoke or products of combustion detectors installed within each living unit between living and sleeping areas. Such detectors shall be continuously powered by the building's electrical system. When activated, the detector shall initiate an alarm which is audible in sleeping rooms of that living unit. These unit detectors shall be required in addition to any other protective system that may be installed in the building;

(iii) For all landmark museum buildings, except those protected by a total automatic fire suppression system and one and two family dwellings, approved automatic fire warning protection shall be provided as follows: install at least one listed smoke or products of combustion detector for every 1,200 square feet of floor area per floor or story. In addition, all lobbies, common corridors, hallways, and ways of exit access shall be provided with listed smoke or products of combustion detectors not more than 30 feet apart. Detectors shall be so connected as to sound an alarm audible throughout the structure or building. With respect to buildings which are totally protected by an automatic fire suppression system, activation of the sprinkler system shall sound an alarm throughout the structure or building;

(iv) Smoke or products of combustion detectors shall be listed by a nationally recognized testing laboratory;

(v) All multistory landmark museum buildings, except one and two family dwellings, with occupancy above or below the street or grade level shall have manual fire alarm pull stations in the natural path of egress. The activation of a manual pull station shall cause the building fire warning system to sound;

(vi) Approved exit signs shall be located where designated by the local or state authority having jurisdiction in accordance with the applicable state or local code, standard, rule, or regulation;

- (vii) Except for one and two family dwellings, every landmark museum building occupied after daylight, or which has occupied areas subject to being totally darkened during daylight hours due to a power failure or failure of the electrical system, shall be equipped with approved emergency lighting meeting the provisions of the applicable state or local code, standard, rule, or regulation;
 - (viii) Occupant loading of landmark museum buildings or structures shall be limited by either the actual structural floor load capacity or by the limitations of means of egress or by a combination of factors. Actual floor load capacity shall be determined by a Georgia registered professional engineer. Said floor load shall be posted at a conspicuous location. The building owner shall submit evidence of this certification and related computations to the enforcement authority having jurisdiction, upon request. Where one or more floors of a landmark museum building have only one means of egress, the occupant load shall be computed and occupancy limited as determined by the state or local fire marshal; and
 - (ix) The electrical, heating, and mechanical systems of landmark museum buildings shall be inspected and any conditions that create a threat of fire or a threat to life shall be corrected in accordance with applicable standards to the extent deemed necessary by the state or local authority having jurisdiction.
- (D) Historic buildings not classified as landmark museum buildings shall meet the requirements of applicable state or local building and fire safety laws, ordinances, codes, standards, rules, or regulations as they pertain to existing buildings. If a historic building or structure is damaged from fire or other casualty, it may be restored to the condition prior to the fire or casualty using techniques and methods consistent with its original construction, or it shall meet the requirements for new construction of the applicable state or local codes, standards, rules, or regulations, provided that these requirements do not significantly compromise the features for which the building was considered historically significant.
- (E) As to any buildings or structures in the State of Georgia which meet the criteria of paragraph (1) of subsection (b) of this Code section and thus fall under the jurisdiction of the Safety Fire Commissioner and which also have been designated as historically significant by the state historic preservation officer, the appropriate enforcement official, in granting or denying a variance pursuant to subsection (e) of Code Section 25-2-12, shall consider the intent of this chapter, with special attention to paragraph (3) of this subsection, Article 3 of Chapter 2 of Title 8, 'The Uniform Act for the Application of Building and Fire Related Codes to Existing Buildings,' Article 2 of Chapter 10 of Title 44, the 'Georgia Historic Preservation Act,' and the Secretary of Interior's Standards for Preservation Projects.
- (4) Nothing in this subsection shall be construed as exempting any building, structure, facility, or premises from ordinances enacted by any municipal governing authority in any incorporated area or any county governing authority in any unincorporated area, except to the extent stated in paragraph (3) of this subsection relative to landmark museum buildings or historic buildings or structures.
- (c) Every person who owns or controls the use of any building, part of a building, or

structure described in paragraph (1) of subsection (b) of this Code section, which, because of floor area, height, location, use or intended use as a gathering place for large groups, or use or intended use by or for the aged, the ill, the incompetent, or the imprisoned, constitutes a special hazard to property or to the life and safety of persons on account of fire or panic from fear of fire, must so construct, equip, maintain, and use such building or structure as to afford every reasonable and practical precaution and protection against injury from such hazards. No person who owns or controls the use or occupancy of such a building or structure shall permit the use of the premises so controlled for any such specially hazardous use unless he or she has provided such precautions against damage to property or injury to persons by these hazards as are found and determined by the Commissioner in the manner described in subsection (d) of this Code section to be reasonable and practical.

(d) The Commissioner is directed to investigate and examine construction and engineering techniques; properties of construction materials, fixtures, facilities, and appliances used in, upon, or in connection with buildings and structures; and fire prevention and protective techniques, including, but not limited to, the codes and standards adopted, recommended, or issued from time to time by the National Fire Protection Association (National Fire Code and National Electric Code), the American Insurance Association (National Building Code), the successor to the National Board of Fire Underwriters, the American Standards Association, and the Standard Building Code Congress (Southern Standard Building Code). Based upon such investigation, the Commissioner is authorized to determine and by rule to provide what reasonable and practical protection must be afforded property and persons with respect to: exits; fire walls and internal partitions adequate to resist fire and to retard the spread of fire, smoke, heat, and gases; electrical wiring, electrical appliances, and electrical installations; safety and protective devices, including, but not limited to, fire escapes, fire prevention equipment, sprinkler systems, fire extinguishers, panic hardware, fire alarm and detection systems, exit lights, emergency auxiliary lights, and other similar safety devices; flameproofing; motion picture equipment and projection booths; and similar facilities; provided, however, that any building described in subparagraph (b)(1)(C) of this Code section shall be required to have a smoke or products of combustion detector listed by a nationally recognized testing laboratory; and, regardless of the manufacturer's instructions, such detectors in these buildings shall be located in all interior corridors, halls, and basements no more than 30 feet apart or more than 15 feet from any wall; where there are no interior halls or corridors, the detectors shall be installed in each sleeping room. All detection systems permitted after April 1, 1992, shall be powered from the building's electrical system and all detection systems required by this chapter, permitted after April 1, 1992, shall have a one and one-half hour emergency power supply source. Required corridor smoke detector systems shall be electrically interconnected to the fire alarm, if a fire alarm is required. If a fire alarm is not required, the detectors at a minimum shall be approved single station detectors powered from the building electrical service.

(e) All rules and regulations promulgated before April 1, 1968, by the Commissioner

or the state fire marshal and the minimum fire safety standards adopted therein shall remain in full force and effect where applicable until such time as they are amended by the appropriate authority.

(f) The municipal governing authority in any incorporated area or the county governing authority in any unincorporated area of the state shall have the authority to enact such ordinances as it deems necessary to perform fire safety inspections and related activities for those buildings and structures not covered in this Code section.

(g) Notwithstanding any other provision of law or any local ordinance to the contrary, in the event of a conflict between any code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) and of the Standard Building Code Congress (Southern Standard Building Code), the code or standard of the National Fire Protection Association (National Fire Code and National Electric Code) shall prevail. The order of precedence established by this subsection shall apply to all buildings and structures whether or not such buildings and structures are covered under this Code section.

25-2-14.

(a)(1) Plans and specifications for all proposed buildings which come under classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which come under the jurisdiction of the office of the Commissioner pursuant to Code Section 25-2-12 shall be submitted to and receive approval by either the state fire marshal, the proper local fire marshal, or state inspector before any state, municipal, or county building permit may be issued or construction started. All such plans and specifications submitted as required by this subsection shall be accompanied by a fee in the amount provided in Code Section 25-2-4.1 and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner.

(2)(A) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official cannot provide plan review within 30 business days of receiving a written application for permitting in accordance with the code official's plan submittal process, then, in lieu of plan review by personnel employed by such governing authority, any person, firm, or corporation engaged in a construction project which requires plan review, regardless if the plan review is required by subsection (a) of this Code section or by local county or municipal ordinance, shall have the option of retaining, at its own expense, a private professional provider to provide the required plan review. As used in this paragraph, the term 'private professional provider' means a professional engineer who holds a certificate of registration issued under Chapter 15 of Title 43 or a professional architect who holds a certificate of registration issued under Chapter 4 of Title 43, who is not an employee of or otherwise affiliated with or financially interested in the person, firm, or corporation engaged in the construction project to be reviewed.

(B) The state fire marshal, the proper local fire marshal, state inspector, or designated code official shall advise the permit applicant at the time the complete

submittal application for a permit in accordance with the code official's plan submittal process is received that the state fire marshal, the proper local fire marshal, state inspector, or designated code official intends to complete the required plan review within the time prescribed by this paragraph or that the applicant may immediately secure the services of a private professional provider to complete the required plan review pursuant to this subsection. The plan submittal process shall include those procedures and approvals required by the local jurisdiction before plan review can take place. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official states its intent to complete the required plan review within the time prescribed by this paragraph, the applicant shall not be authorized to use the services of a private professional provider as provided in this subsection. The permit applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official may agree by mutual consent to extend the time period prescribed by this paragraph for plan review if the characteristics of the project warrant such an extension. However, if the state fire marshal, the proper local fire marshal, state inspector, or designated code official states its intent to complete the required plan review within the time prescribed by this paragraph, or any extension thereof mutually agreed to by the applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official and does not permit the applicant to use the services of a private professional provider and the state fire marshal, the proper local fire marshal, state inspector, or designated code official fails to complete such plan review in the time prescribed by this paragraph, or any extension thereof mutually agreed to by the applicant and the state fire marshal, the proper local fire marshal, state inspector, or designated code official, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall issue the applicant a project initiation permit to allow the applicant to begin work on the project, provided that portion of the initial phase of work is compliant with applicable codes, laws, and rules. If a full permit is not issued for the portion requested for permitting, then the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have an additional 20 business days to complete the review and issue the full permit. If the plans submitted for permitting are denied for any deficiency, the time frames and process for resubmittal shall be governed by divisions (2)(H)(iii) through (2)(H)(v) of this subsection.

(C) Any plan review or inspection conducted by a private professional provider shall be no less extensive than plan reviews or inspections conducted by state, county, or municipal personnel responsible for review of plans for compliance with the state's minimum fire safety standards and, where applicable, the state's minimum accessibility standards.

(D) The person, firm, or corporation retaining a private professional provider to conduct a plan review shall be required to pay to the state fire marshal, the proper local fire marshal, state inspector, or designated code official which requires the plan review the same regulatory fees and charges which would have been required

had the plan review been conducted by the state fire marshal, the proper local fire marshal, state inspector, or designated code official.

(E) A private professional provider performing plan reviews under this subsection shall review construction plans to determine compliance with the state's minimum fire safety standards in effect which were adopted pursuant to this chapter and, where applicable, the state's minimum accessibility standards adopted pursuant to Chapter 3 of Title 30. Upon determining that the plans reviewed comply with the applicable codes and standards as adopted, such private professional provider shall prepare an affidavit or affidavits on a form prescribed by the Safety Fire Commissioner certifying under oath that the following is true and correct to the best of such private professional provider's knowledge and belief and in accordance with the applicable professional standard of care:

(i) The plans were reviewed by the affiant who is duly authorized to perform plan review pursuant to this subsection and who holds the appropriate license or certifications and insurance coverage and insurance coverage stipulated in this subsection; and

(ii) The plans comply with the state's minimum fire safety standards in effect which were adopted pursuant to this chapter and, where applicable, the state's minimum accessibility standards adopted pursuant to Chapter 3 of Title 30.

(F) All private professional providers providing plan review services pursuant to this subsection shall secure and maintain insurance coverage for professional liability (errors and omissions) insurance. The limits of such insurance shall be not less than \$1 million per claim and \$1 million in aggregate coverage. Such insurance may be a practice policy or project-specific coverage. If the insurance is a practice policy, it shall contain prior acts coverage for the private professional provider. If the insurance is project-specific, it shall continue in effect for two years following the issuance of the certificate of final completion for the project. The state fire marshal, the proper local fire marshal, state inspector, or designated code official may establish, for private professional providers working within their respective jurisdictions specified by this chapter, a system of registration listing the private professional providers within their areas of competency and verifying compliance with the insurance requirements of this subsection.

(G) The private professional provider shall be empowered to perform any plan review required by the state fire marshal, the proper local fire marshal, state inspector, or designated code official, regardless if the plan review is required by this subsection or by local county or municipal ordinance, provided that the plan review is within the scope of such private professional provider's area of expertise and competency. This subsection shall not apply to hospitals, ambulatory health care centers, nursing homes, jails, penal institutions, airports, buildings or structures that impact national or state homeland security, or any building defined as a high-rise building in the State Minimum Standards Code, provided that interior tenant build-out projects within high-rise buildings are not exempt from this subsection, or plans related to Code Section 25-2-16 or 25-2-17 or Chapter 8, 9, or 10 of this title.

(H)(i) The permit applicant shall submit a copy of the private professional provider's plan review report to the state fire marshal, the proper local fire marshal, state inspector, or designated code official. Such plan review report shall include at a minimum all of the following:

(I) The affidavit of the private professional provider required pursuant to this subsection;

(II) The applicable fees required for permitting;

(III) Other documents deemed necessary due to unusual construction or design, smoke removal systems where applicable with engineering analysis, and additional documentation required where performance based code options are used; and

(IV) Any documents required by the state fire marshal, the proper local fire marshal, state inspector, or designated code official to determine that the permit applicant has secured all other governmental approvals required by law.

(ii) No more than 30 business days after receipt of a permit application and the private professional provider's plan review report required pursuant to this subsection, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall issue the requested permit or provide written notice to the permit applicant identifying the specific plan features that do not comply with the applicable codes or standards, as well as the specific reference to the relevant requirements. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official does not provide a written notice of the plan deficiencies within the prescribed 30 day period, the permit application shall be deemed approved as a matter of law and the permit shall be issued by the state fire marshal, the proper local fire marshal, state inspector, or designated code official on the next business day.

(iii) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official provides a written notice of plan deficiencies to the permit applicant within the prescribed 30 day period, the 30 day period shall be tolled pending resolution of the matter. To resolve the plan deficiencies, the permit applicant may elect to dispute the deficiencies pursuant to this chapter, the promulgated rules and regulations adopted thereunder, or, where appropriate for existing buildings, the local governing authority's appeals process or the permit applicant may submit revisions to correct the deficiencies.

(iv) If the permit applicant submits revisions, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have the remainder of the tolled 30 day period plus an additional five business days to issue the requested permit or to provide a second written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes or standards, with specific reference to the relevant requirements. If the state fire marshal, the proper local fire marshal, state inspector, or designated code official does not provide the second written notice within the prescribed time period, the permit shall be issued by the state fire

marshal, the proper local fire marshal, state inspector, or designated code official on the next business day.

(v) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official provides a second written notice of plan deficiencies to the permit applicant within the prescribed time period, the permit applicant may elect to dispute the deficiencies pursuant to this chapter, the rules and regulations promulgated thereunder, or, where applicable for existing buildings, the local governing authority's appeals process or the permit applicant may submit additional revisions to correct the deficiencies. For all revisions submitted after the first revision, the state fire marshal, the proper local fire marshal, state inspector, or designated code official shall have an additional five business days to issue the requested permit or to provide a written notice to the permit applicant stating which of the previously identified plan features remain in noncompliance with the applicable codes or standards, with specific reference to the relevant requirements.

(I) The state fire marshal may provide for the prequalification of private professional providers who may perform plan reviews pursuant to this subsection by rule or regulation authorized in Code Section 25-2-4. In addition, any local fire marshal, state inspector, or designated code official may provide for the prequalification of private professional providers who may perform plan reviews pursuant to this subsection; however, no additional local ordinance implementing prequalification shall become effective until notice of the proper local fire marshal, state inspector, or designated code official's intent to require prequalification and the specific requirements for prequalification have been advertised in the newspaper in which the sheriff's advertisements for that locality are published. The ordinance implementing prequalification shall provide for evaluation of the qualifications of a private professional provider only on the basis of the private professional provider's expertise with respect to the objectives of this subsection, as demonstrated by the private professional provider's experience, education, and training. Such ordinance may require a private professional provider to hold additional certifications, provided that such certifications are required by ordinance or state law for plan review personnel currently directly employed by such local governing authority.

(J) Nothing in this subsection shall be construed to limit any public or private right of action designed to provide protection, rights, or remedies for consumers.

(K) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that the building construction or plans do not comply with the applicable codes or standards, the state fire marshal, the proper local fire marshal, state inspector, or designated code official may deny the permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law or rule or regulation, after giving notice and opportunity to remedy the violation, if the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that noncompliance exists with state laws,

adopted codes or standards, or local ordinances, provided that:

(i) The state fire marshal, the proper local fire marshal, state inspector, or designated code official shall be available to meet with the private professional provider within two business days to resolve any dispute after issuing a stop-work order or providing notice to the applicant denying a permit or request for a certificate of occupancy or certificate of completion; and

(ii) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official and the private professional provider are unable to resolve the dispute, the matter shall be referred to the local enforcement agency's board of appeals, except as provided in Code Section 25-2-12 and appeals for those proposed buildings classified under paragraph (1) of subsection (b) of Code Section 25-2-13 or any existing building under the specific jurisdiction of the state fire marshal's office shall be made to the state fire marshal ~~and further appeal shall be under Code Section 25-2-10.~~

(L) The state fire marshal, the proper local fire marshal, state inspector, local government, designated code official enforcement personnel, or agents of the governing authority shall be immune from liability to any person or party for any action or inaction by an owner of a building or by a private professional provider or its duly authorized representative in connection with building plan review services by private professional providers as provided in this subsection.

(M) Except as provided in this paragraph, no proper local fire marshal, state inspector, or designated code official shall adopt or enforce any rules, procedures, policies, or standards more stringent than those prescribed in this subsection related to private professional provider services.

(N) Nothing in this subsection shall limit the authority of the state fire marshal, the proper local fire marshal, state inspector, or designated code official to issue a stop-work order for a building project or any portion of such project, as provided by law or rule or regulation authorized pursuant to Code Section 25-2-4, after giving notice and opportunity to remedy the violation, if the official determines that a condition on the building site constitutes an immediate threat to public safety and welfare.

(O) When performing building code plan reviews related to determining compliance with the Georgia State Minimum Standard Codes most recently adopted by the Department of Community Affairs, the state's minimum fire safety standards adopted by the safety fire marshal, or the state's minimum accessibility standards pursuant to Chapter 3 of Title 30, a private professional provider is subject to the disciplinary guidelines of the applicable professional licensing board with jurisdiction over such private professional provider's license or certification under Chapters 4 and 15 of Title 43, as applicable. Any complaint processing, investigation, and discipline that arise out of a private professional provider's performance of the adopted building, fire safety, or accessibility codes or standards plan review services shall be conducted by the applicable professional licensing board or as allowed by state rule or regulation. Notwithstanding any disciplinary rules of the applicable professional licensing board with jurisdiction over such

private professional provider's license or certification under Chapters 4 and 15 of Title 43, the state fire marshal, the proper local fire marshal, state inspector, or designated code official enforcement personnel may decline to accept building plan reviews submitted by any private professional provider who has submitted multiple reports which required revisions due to negligence, noncompliance, or deficiencies.

(b) A complete set of approved plans and specifications shall be maintained on the construction site, and construction shall proceed in compliance with the minimum fire safety standards under which such plans and specifications were approved. The owner of any such building or structure or his or her authorized representative shall notify the state fire marshal, the proper local fire marshal, or state inspector upon completion of approximately 80 percent of the construction thereof and shall apply for a certificate of occupancy when construction of such building or structure is completed.

(c) Every building or structure which comes under classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the office of the Commissioner pursuant to Code Section 25-2-12 shall have a certificate of occupancy issued by the state fire marshal, the proper local fire marshal, or the state inspector before such building or structure may be occupied. Such certificates of occupancy shall be issued for each business establishment within the building, shall carry a charge in the amount provided in Code Section 25-2-4.1, shall state the occupant load for such business establishment or building, shall be posted in a prominent location within such business establishment or building, and shall run for the life of the building, except as provided in subsection (d) of this Code section.

(d) For purposes of this chapter, any existing building or structure listed in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the office of the Commissioner pursuant to Code Section 25-2-12 shall be deemed to be a proposed building in the event such building or structure is subject to substantial renovation, a fire or other hazard of serious consequence, or a change in the classification of occupancy. For purposes of this subsection, the term 'substantial renovation' means any construction project involving exits or internal features of such building or structure costing more than the building's or structure's assessed value according to county tax records at the time of such renovation.

(e) In cases where the governing authority of a municipality which is enforcing the fire safety standards pursuant to subsection (a) of Code Section 25-2-12 contracts with the office of the Commissioner for the enforcement of fire safety standards, the office of the Commissioner shall not charge such municipality fees in excess of those charged in this Code section.

25-2-14.1.

(a) Every building and structure existing as of April 1, 1968, which building or structure is listed in paragraph (1) of subsection (b) of Code Section 25-2-13 shall comply with the minimum fire safety standards adopted in the rules and regulations promulgated pursuant to this chapter which were in effect at the time such building or structure was constructed, except that any nonconformance noted under the electrical

standards adopted at the time such building or structure was constructed shall be corrected in accordance with the current electrical standards adopted pursuant to this chapter. A less restrictive provision contained in any subsequently adopted minimum fire safety standard may be applied to any existing building or structure.

(b) Every proposed building and structure listed in paragraph (1) of subsection (b) of Code Section 25-2-13 shall comply with the adopted minimum fire safety standards that were in effect on the date that plans and specifications therefor were received by the state fire marshal, the proper local fire marshal, or state inspector for review and approval.

25-2-14.2.

(a) As used in this Code section, the term 'written notification' means a typed, printed, or handwritten notice citing the specific sections of the applicable codes or standards that have been violated and describing specifically where and how the design or construction is noncompliant with such codes or standards.

(b) If the state fire marshal, the proper local fire marshal, state inspector, or designated code official determines that the building construction or plans for any building or structure, which are required under this chapter to meet the state minimum fire safety standards, do not comply with any such applicable codes or standards, the state fire marshal, the proper local fire marshal, state inspector, or designated code official may deny a permit or request for a certificate of occupancy or certificate of completion, as appropriate, or may issue a stop-work order for the project or any portion thereof as provided by law or rule or regulation, after giving written notification and opportunity to remedy the violation.

25-2-15.

In existing buildings which come under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13, when substandard conditions are found, a temporary occupancy permit may be issued, such permit carrying a time limit adjusted to meet the amount of time deemed necessary to make the proper corrections in order to bring the building up to standard. All certificates of occupancy shall be issued against the building and shall not require renewal because of change of ownership. The same set of fees for certificates of occupancy as are applicable to proposed buildings covered in Code Section 25-2-14 shall apply. The Commissioner and his or her delegated authorities shall determine the time limit for complying with any of the standards established pursuant to this chapter.

25-2-16.

(a) Some substances constitute a special hazard to property and to the life and safety of persons because of certain characteristics and properties incident to their storage, handling, and transportation. Substances presenting such a special hazard include gasoline, kerosene, and other flammable liquids; liquefied petroleum gases; welding and other gases; dry-cleaning fluids; anhydrous ammonia; and other gases, liquids, or solids of a highly flammable or hazardous nature.

(b) Every person who stores, transports, or handles any of the hazardous substances listed in subsection (a) of this Code section shall so store, transport, and handle the substances as to afford every precaution and protection as may be found by the Commissioner to be reasonable and practical to avoid injury to persons from exposure, fire, or explosion caused by the storage, transportation, or handling of these substances, including transportation thereof only in vehicles which are in proper condition for that purpose.

(c) The Commissioner is directed to investigate the nature and properties of such hazardous substances and the known precautionary and protective techniques for their storage, transportation, and handling, including, but not limited to, the codes and standards adopted, recommended, or issued by the National Fire Protection Association and the Agricultural Nitrogen Institute. Based upon the investigation, the Commissioner is authorized to determine and by rule to provide what precautionary and protective techniques are reasonable and practical measures for the prevention of injury to persons and property from the storage, transportation, and handling of such highly flammable or hazardous substances. Such authorization shall include the power to provide, by rule, the minimum standards that a vehicle shall meet before it is considered to be in proper condition to transport the material. No person shall transport any such material or substance in bulk unless the vehicle in which it is transported is in the proper condition, as provided by such rules, to transport the material with reasonable safety.

(d)(1) As used in this subsection, the term:

(A) 'Automatic-closing device' means a gasoline or diesel fuel pump nozzle which contains a valve which automatically shuts off the flow of gasoline or diesel fuel through the nozzle when the level of gasoline in a motor vehicle fuel tank reaches a certain level.

(B) 'Hold-open latch' means a device which attaches to a gasoline or diesel fuel pump nozzle, which device mechanically holds the nozzle and valve in an open position.

(C) 'Self-service station' means any place of business which sells gasoline or diesel fuel at retail and which allows customers to dispense the fuel.

(2) No self-service station shall be prohibited from installing and no customer at such station shall be prohibited from using hold-open latches on gasoline or diesel fuel pumps available for operation by the customer. However, if hold-open latches are used on pumps operated by the customer, such pumps shall be equipped with a functioning automatic-closing device.

(e) Plans and specifications for all proposed bulk storage facilities which come under classification in subsection (a) of this Code section shall be submitted to and receive approval by the state fire marshal and the proper local fire marshal before construction is started. All such plans and specifications submitted as required by this subsection shall be accompanied by a \$100.00 fee for screening and shall bear the seal and Georgia registration number of the drafting architect or engineer or shall otherwise have the approval of the Commissioner.

25-2-17.

(a) As used in this Code section, the term 'explosive' or 'explosives' means any chemical compound or mechanical mixture which is commonly used or intended for the purpose of producing an explosion, which compound or mixture contains any oxidizing and combustible units or other ingredients in such proportions, quantities, or packing that an ignition by fire, by friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructive effects on contiguous objects or of destroying life or limb. Explosives constitute a special hazard to life and safety of persons because of the danger incident to their manufacture, transportation, use, sale, and storage.

(b) Every person who manufactures, transports, uses, sells, or stores explosives shall so manufacture, transport, use, sell, and store them as to afford every precaution and protection against injury to persons as the Commissioner may determine and by rule declare to be reasonable and practical; provided, however, that nothing contained in this Code section shall be construed to extend to storage, use, or sale of small arms ammunition.

(c) The Commissioner is directed to investigate and examine the nature and properties of various explosives and known safety and protective techniques, including the safety standards, recommendations, and codes of the National Fire Protection Association (Explosives Ordinance, National Fire Code), and the American Insurance Association, the successor to the National Board of Fire Underwriters. Based upon the investigation, the Commissioner is authorized to determine and by rule to provide what reasonable and practical protection must be afforded persons with respect to the manufacture, transportation, use, sale, and storage of explosives.

(d) No person shall manufacture, transport, use, sell, or store explosives without having first obtained a license therefor issued by the Commissioner in accordance with reasonable rules established by him. The Commissioner is authorized to make reasonable rules providing for the issuance of such licenses on an annual basis to those applicants who have observed and may be expected to observe safety rules lawfully made under this Code section. Graded fees for such licenses shall be as provided in Code Section 25-2-4.1. The permits for the use only of explosives may be issued by judges of the probate courts or other local elected officials whom the Commissioner may designate. Fees for such permits to use explosives shall be \$2.00 for each permit issued, which fee shall be retained by the issuing local official.

(e) Every person licensed under this Code section who suffers a larceny or attempted larceny of primer cord, blasting agents, powders, and dynamite shall make a report thereof to local law enforcement agencies and to the state fire marshal, in accordance with rules made by the Commissioner. The Commissioner is authorized to make such rules.

25-2-18.

All federal, state, county, or city publicly owned buildings covered by this chapter are

exempt from any fee or license which may be specified in this chapter. Such fees or licenses may be waived where chargeable to churches and charitable organizations.

25-2-19.

The Commissioner shall promulgate reasonable rules and regulations governing and regulating fire hazards in hotels, apartment houses, department stores, warehouses, storage places, and places of public assembly.

25-2-20.

All traveling motion picture shows, carnivals, and circuses shall obtain a fire prevention regulatory license from the state fire marshal based upon compliance with this chapter, as set forth in rules and regulations promulgated by the Commissioner. The fee for the license shall be \$150.00 for each calendar year or part thereof, payable to the state fire marshal, who shall pay the same into the state treasury.

25-2-21.

Reserved.

25-2-22.

(a) The Commissioner and the various officials delegated by him or her to carry out this chapter shall have the authority at all times of the day and night to enter in or upon and to examine any building or premises where a fire is in progress or has occurred, as well as other buildings or premises adjacent to or near the same. The Commissioner and his or her delegated authorities shall have the right to enter in and upon all buildings and premises subject to this chapter, at any reasonable time, for the purpose of examination or inspection.

(b) Upon complaint submitted in writing, the Commissioner and the various officials to whom enforcement authority is delegated under this chapter may enter in or upon any building or premises between the hours of sunrise and sunset for the purpose of investigating the complaint. Upon the complaint of any person, the state fire marshal or his or her deputized officials may inspect or cause to be inspected all buildings and premises within their jurisdiction whenever he or she or they deem it necessary.

25-2-22.1.

(a) The Commissioner, his or her delegate, or any other person authorized under this title to conduct inspections of property, in addition to other procedures now or hereafter provided, may obtain an inspection warrant under the conditions specified in this Code section. Such warrant shall authorize the Commissioner or his or her delegate or such authorized person to conduct a search or inspection of property either with or without the consent of the person whose property is to be searched or inspected if such search or inspection is one that is elsewhere authorized under this title or the rules and regulations duly promulgated hereunder.

(b) Inspection warrants may be issued by any judge of the superior, state, municipal, or magistrate court upon proper oath or affirmation showing probable cause for the purpose of conducting inspections authorized by this title or rules promulgated under this title and for the seizure of property or the taking of samples appropriate to the inspection. For the purposes of issuance of inspection warrants, probable cause exists upon showing a valid public interest in the effective enforcement of this title or rules promulgated under this title sufficient to justify inspection of the area, premise, building, or conveyance in the circumstances specified in the application for the warrant.

(c) A warrant shall be issued only upon affidavit of the Commissioner or his or her designee or any person authorized to conduct inspections pursuant to this title, sworn to before the judicial officer and establishing the grounds for issuing the warrant. The issuing judge may issue the warrant when he or she is satisfied that the following conditions are met:

(1) The one seeking the warrant must establish under oath or affirmation that the property to be inspected is to be inspected as a part of a legally authorized program of inspection which includes that property or that there is probable cause for believing that there is a condition, object, activity, or circumstance which legally justifies such an inspection of that property; and

(2) The issuing judge determines that the issuance of the warrant is authorized by this Code section.

(d) The warrant shall:

(1) State the grounds for its issuance and the name of each person whose affidavit has been taken in support thereof;

(2) Be directed to persons authorized by this title to conduct inspections to execute it;

(3) Command the persons to whom it is directed to inspect the area, premise, building, or conveyance identified for the purpose specified and, if appropriate, direct the seizure of the property specified;

(4) Identify the item or types of property to be seized, if any; and

(5) Designate the judicial officer to whom it shall be returned.

(e) A warrant issued pursuant to this Code section must be executed and returned within ten days of its date of issuance unless, upon a showing of a need for additional time, the court orders otherwise. If property is seized pursuant to a warrant, a copy shall be provided upon request to the person from whom or from whose premises the property is taken, together with a receipt for the property taken. The return of the warrant shall be made promptly, accompanied by a written inventory of any property taken. A copy of the inventory shall be delivered upon request to the person from whom or from whose premises the property was taken and to the applicant for the warrant.

(f) The judicial officer who has issued a warrant shall attach thereto a copy of the return and all papers returnable in connection therewith and file them with the clerk of the superior court for the county in which the inspection was made.

25-2-23.

~~When any of the officers listed~~ the Commissioner or his or her delegated authorities as provided for in Code Section 25-2-22 finds any building or other structure which, for want of repair or by reason of age or dilapidated condition or any other cause is especially liable to fire hazard or which is so situated as to endanger other property or the safety of the public, or when, in or around any building, ~~such officer~~ the Commissioner or his or her delegated authorities finds combustible or explosive matter, inflammables, or other conditions dangerous to the safety of the building, notice may be given to the owner or agent and occupant of the building to correct such unsafe conditions as may be found.

25-2-24.

If any owner, agent, or occupant fails to comply with the notice prescribed in Code Section 25-2-23 within the time specified in the notice, the state fire marshal or his or her delegated officials, with the approval of the Commissioner, may petition the court for a rule nisi to show cause why an order should not be issued by the court that the same be removed or remedied. Such court order shall forthwith be complied with by the owner or occupant of the premises or building within such time as may be fixed in the court order.

25-2-25.

If any person fails to comply with the order of the court made pursuant to Code Section 25-2-24 within the time fixed, the city or county in which the building or premises in question are located shall cause the building or premises to be forthwith repaired, torn down, or demolished, the hazardous materials removed, or the dangerous conditions remedied, as the case may be, at the expense of the city or county in which the property is situated. If the owner thereof, within 30 days after notice in writing of the amount of such expense, fails, neglects, or refuses to repay the city or county the expense thereby incurred, the local authorities shall issue a fi. fa. against the owner of the property for the expense actually incurred.

25-2-26.

Code Sections 25-2-22 through 25-2-25 shall be construed so that the final authority for ordering the carrying out and enforcement of such Code sections shall be by order of the court and not by the Commissioner or his or her delegated ~~authority~~ authorities.

25-2-27.

~~The state fire marshal or his deputy, when in his opinion such proceedings are necessary, shall take the testimony on oath of all persons believed to be cognizant of or to have information or knowledge in relation to suspected arson and shall cause the testimony to be reduced to writing. If he is of the opinion that there is evidence sufficient to charge any person with the crime of arson, he shall cause such person to be arrested in accordance with the law. He shall also furnish the district attorney of the~~

~~circuit in which the fire occurred with all the information obtained by him in his investigation. The district attorney shall thereupon proceed according to law Reserved.~~

25-2-28.

~~(a) The state fire marshal or the deputy state fire marshal shall have the power to summon and compel the attendance of witnesses before either or both of them, in any county in which the witness resides, to testify in relation to any matter which is designated by Code Section 25-2-27 as a subject of inquiry and to issue subpoenas to compel the production of all books, records, documents, and papers pertaining to such subject of inquiry. The state fire marshal and deputy state fire marshal may also administer oaths and affirmations to persons appearing as witnesses before them. Any person summoned shall have the right of counsel at the hearing if he desires.~~

~~(b) Should any person fail to comply with this Code section, the state fire marshal or his agent is authorized to procure an order from the superior court of the county in which the proposed witness resides, requiring compliance under the law Reserved.~~

25-2-29.

All hearings held by or under the direction of the Commissioner shall be conducted in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' and the Commissioner may also satisfy the procedure for conduct of hearings on contested cases and rule making required under said chapter by following and complying with Chapter 2 of Title 33.

25-2-30.

~~It shall be the duty of the state fire marshal to contact individuals, associations, and state agencies, both within and outside this state, which have a direct interest in the fundamentals of fire prevention and life safety, for the purpose of promoting the objectives of this chapter Reserved.~~

25-2-31.

~~(a) The state fire marshal may promote any plan or program which tends to disseminate information on fire prevention and similar projects and may aid any association or group of individuals which is primarily organized along such lines.~~

~~(b) It shall be the duty of the state fire marshal to carry on a state wide program of fire prevention education in the schools of this state and to establish fire drills therein. All local school authorities are required to cooperate with the state fire marshal in carrying out programs designed to protect the lives of school children from fire and related hazards Reserved.~~

25-2-32.

~~(a) It shall be the duty of the state fire marshal to keep an up to date record of all fire losses, together with statistical data concerning the same. The various fire insurance companies doing business in this state shall submit to the Commissioner, quarterly, a~~

~~report stating all the losses sustained by them, together with such pertinent data as may be required by the Commissioner.~~

~~(b) Effective January 1, 1993, all incidents of fires, whether accidental or incendiary, shall be reported to the office of Safety Fire Commissioner. Every fire department shall submit incident data either via a uniform electronic reporting method or on a uniform reporting form prescribed by the Commissioner and at intervals established by the Commissioner Reserved.~~

25-2-32.1.

Every case of a burn injury or wound where the victim sustained second-degree or third-degree burns to 5 percent or more of the body or any burns to the upper respiratory tract or laryngeal edema due to the inhalation of superheated air, and every case of a burn injury or wound which is likely to or may result in death, shall be reported at once to the Safety Fire Division of the office of the Commissioner of Insurance. The Safety Fire Division shall accept the report and notify the proper investigatory agency as may be appropriate. A written report shall be provided to the Safety Fire Division within 72 hours. The report shall be made by the physician attending or treating the case or by the manager, superintendent, or other person in charge whenever such case is treated in a hospital sanitarium, institution, or other medical facility.

25-2-32.2.

Every county or municipal governing authority or any two or more governing authorities or the Safety Fire Division are authorized and empowered to take such action as may be required to formulate task forces, teams, or fire or police investigative units to investigate any case of a burn injury or wound sustained as reported pursuant to Code Section 25-2-32.1, to ascertain the cause of fires or explosions of suspicious origin within the county or municipalities, to pursue necessary investigation thereof, and to assist in the preparation and prosecution of cases stemming from any alleged criminal activity attendant to such fires or explosions.

25-2-33.

~~(a) The state fire marshal, any deputy designated by the state fire marshal, the director of the Georgia Bureau of Investigation or the chief of a fire department of any municipal corporation or county where a fire department is established may request any insurance company investigating a fire loss of real or personal property to release any information in its possession relative to that loss. The company shall release the information to and cooperate with any official authorized to request such information pursuant to this Code section. The information to be released shall include, but is not limited to:~~

- ~~(1) Any insurance policy relevant to the fire loss under investigation and any application for such a policy;~~
- ~~(2) Policy premium payment records on the policy, to the extent available;~~

- ~~(3) Any history of previous claims made by the insured for fire loss with the reporting carrier; and~~
- ~~(4) Material relating to the investigation of the loss, including statements of any person, proof of loss, and any other relevant evidence.~~
- ~~(b) If an insurance company has reason to suspect that a fire loss to its insured's real or personal property was caused by incendiary means, the company shall notify the state fire marshal and furnish him with all relevant material acquired by the company during its investigation of the fire loss. The insurer shall also cooperate with and take such action as may be requested of it by the state fire marshal's office or by any law enforcement agency of competent jurisdiction. The company shall also permit any person to inspect its records pertaining to the policy and to the loss if the person is authorized to do so by law or by an appropriate order of a superior court of competent jurisdiction.~~
- ~~(c) In the absence of fraud or malice, no insurance company or person who furnishes information on its behalf shall be liable for damages in a civil action or subject to criminal prosecution for any oral or written statement made or any other action taken which is necessary to supply information required pursuant to this Code section.~~
- ~~(d) The officials and departmental and agency personnel receiving any information furnished pursuant to this Code section shall hold the information in confidence until such time as its release is required pursuant to a criminal or civil proceeding, provided that nothing contained in this Code section shall be deemed to prohibit representatives of the state fire marshal's office or other authorized law enforcement officials from discussing such matters with other agency or departmental personnel or with other law enforcement officials or from releasing or disclosing any such information during the conduct of their investigation, if the release or disclosure is necessary to enable them to conduct their investigation in an orderly and efficient manner; provided, further, that nothing contained in this Code section shall prohibit an insurance company which furnishes information to an authorized agency or agencies pursuant to this Code section from having the right to request relevant information and receive, within a reasonable time not to exceed 30 days, the information requested.~~
- ~~(e) Any official referred to in subsection (a) of this Code section may be required to testify as to any information in his possession regarding the fire loss of real or personal property in any civil action against an insurance company for the fire loss in which any person seeks recovery under a policy.~~
- ~~(f)(1) No person shall purposely refuse to release any information requested pursuant to subsection (a) of this Code section.~~
- ~~(2) No person shall purposely refuse to notify the state fire marshal of a fire loss required to be reported pursuant to subsection (b) of this Code section.~~
- ~~(3) No person shall purposely refuse to supply the state fire marshal with pertinent information required to be furnished pursuant to subsection (b) of this Code section.~~
- ~~(4) No person shall purposely fail to hold in confidence information required to be held in confidence by subsection (d) of this Code section.~~
- ~~(g) Any person willfully violating this Code section shall be guilty of a misdemeanor~~

Reserved.

~~25-2-33.1.~~

~~(a) The fire department of each county and municipality and any other organized fire department operating within this state shall report every incident or suspected incident of arson to the local law enforcement agency, the state fire marshal, and every insurance company with a known pecuniary interest in the cause of the fire in which arson is involved or suspected to be involved. In any local jurisdiction where an organized fire department is not operating, the local law enforcement agency investigating a fire shall make the reports required by this Code section. Such reports shall be made on forms provided for that purpose by the state fire marshal.~~

~~(b) Any insurance company which has received a report of an incident or suspected incident of arson under subsection (a) of this Code section shall not pay any claim relating thereto prior to notifying in writing the state fire marshal and local fire department of the date the claim is to be paid.~~

~~25-2-34.~~

~~The state fire marshal, the Department of Public Safety, the Georgia State Patrol, and the Georgia Bureau of Investigation shall cooperate with the Commissioner and his or her deputies and inspectors whenever called upon by him or her or them in enforcing this chapter. They shall make available to the Commissioner or his or her deputies and inspectors such facilities as lie detectors, broadcasting facilities, and other aid and devices as requested.~~

~~25-2-35.~~

~~The Commissioner is authorized to pay sheriffs and other peace officers reasonable fees for assistance given in assembling evidence as to the causes or criminal origin of fires and in apprehending persons guilty of arson Reserved.~~

~~25-2-36.~~

~~In addition to the civil monetary penalty provided for in Code Section 25-2-37, the Commissioner may bring a civil action to enjoin a violation of any provision of this chapter or any rule, regulation, or order issued by the Commissioner under this chapter. In particular, but not by way of limitation upon the authority granted in this Code section, the Commissioner may bring an action to enjoin any construction found to be in contravention of Code Section 25-2-13 or 25-2-14 or to obtain an order of court directing the immediate evacuation and the secure closure of any structure which, by reason of violation of any provision of this chapter or of any rule, regulation, or order issued by the Commissioner under this chapter, is found to pose an immediate threat to the property, health, or lives of the occupants of the structure. In order to avail himself or herself of the remedies provided for in this Code section, it shall not be necessary for the Commissioner to allege or to prove the absence of an adequate remedy at law.~~

25-2-37.

(a) It shall be unlawful for any person to lock an exit door whether or not it is a required exit unless such provisions are allowed by this chapter or by any rule, regulation, or order issued by the Commissioner under this chapter.

(b) It shall be unlawful for any person to begin construction on any proposed building or structure which comes under the classification in paragraph (1) of subsection (b) of Code Section 25-2-13 and which comes under the jurisdiction of the office of the Commissioner of Insurance pursuant to Code Section 25-2-12 without first having plans approved in accordance with Code Section 25-2-14.

(c) Any person who violates this chapter or any rule, regulation, or order issued by the Commissioner under this chapter shall be subject to a civil penalty imposed by the Commissioner in accordance with the rules and regulations promulgated by the Commissioner.

(d) Any person who violates this chapter or any rule, regulation, or order issued by the Commissioner under this chapter shall be subject to a civil penalty not to exceed \$1,000.00 for each day that the violation persists after such person is notified of the Commissioner's intent to impose such penalty and of the right to a hearing with respect to same.

(e) Any person violating subsection (a), (b), or (c) of this Code section shall be subject to a fine of not more than \$1,000.00 for a first offense, not less than \$1,000.00 and not more than \$2,000.00 for a second offense, and not less than \$2,000.00 and not more than \$5,000.00 for a third or subsequent offense.

25-2-38.

Any person, firm, or corporation violating this chapter or failing or refusing to comply with any regulation promulgated under this chapter shall be guilty of a misdemeanor.

25-2-38.1.

(a) Nothing in this chapter shall be construed to constitute a waiver of the sovereign immunity of the state, or any officer or employee thereof, in carrying out the provisions of this chapter. No action shall be maintained against the state, any municipality, county, or any officer, elected officer or employees thereof, for damages sustained as a result of any fire or related hazard covered in this chapter by reason of any inspection or other action taken or not taken pursuant to this chapter.

(b) Nothing in this chapter shall be construed to relieve any property owner or lessee thereof from any legal duty, obligation, or liability incident to the ownership, maintenance, or use of such property.

25-2-39.

It is declared that this chapter is necessary for the public safety, health, peace, and welfare, is remedial in nature, and shall be construed liberally.

25-2-40.

(a)(1) Except as otherwise provided in subsection (f) of this Code section, on and after July 1, 1987, every new dwelling and every new dwelling unit within an apartment, house, condominium, and townhouse and every motel, hotel, and dormitory shall be provided with an approved listed smoke detector installed in accordance with the manufacturer's recommendations and listing.

(2) On and after July 1, 1994, every dwelling and every dwelling unit within an apartment, house, condominium, and townhouse and every motel, hotel, and dormitory which was constructed prior to July 1, 1987, shall have installed an approved battery operated smoke detector which shall be maintained in good working order unless any such building is otherwise required to have a smoke detector system pursuant to Code Section 25-2-13.

(3) On and after July 1, 2001, every patient sleeping room of every nursing home shall be provided with no less than an approved listed battery operated single station smoke detector installed in accordance with their listing. Such detectors shall be maintained in good working order by the operator of such nursing home. This paragraph shall not apply to nursing homes equipped with automatic sprinkler systems.

(b) In dwellings, dwelling units, and other facilities listed in subsection (a) of this Code section, a smoke detector shall be mounted on the ceiling or wall at a point centrally located in the corridor or area giving access to each group of rooms used for sleeping purposes. Where the dwelling or dwelling unit contains more than one story, detectors are required on each story including cellars and basements, but not including uninhabitable attics; provided, however, that hotels and motels which are protected throughout by an approved supervised automatic sprinkler system installed in accordance with the rules and regulations of the Commissioner shall be exempt from the requirement to install smoke detectors in interior corridors but shall be subject to all other applicable requirements imposed under Code Section 25-2-13.

(c) In dwellings, dwelling units, and other facilities listed in paragraph (1) of subsection (a) of this Code section with split levels, a smoke detector need be installed only on the upper level, provided that the lower level is less than one full story below the upper level, except that if there is a door between levels then a detector is required on each level. Such detectors shall be connected to a sounding device or other detector to provide an alarm which will be audible in the sleeping areas.

(d) Detectors shall be listed and meet the installation requirements of NFPA 72. In addition, a one and one-half hour emergency power supply source is required on all detection systems required by this chapter and permitted after April 1, 1992, except where battery operated smoke detectors are allowed.

(e) Any complete automatic fire alarm system using automatic smoke detectors shall be installed in accordance with NFPA 72.

(f)(1) The provisions of this Code section may be enforced by local building and fire code officials in the case of residential buildings which are not covered by Code Section 25-2-13; provided, however, that this Code section shall not establish a

special duty on said officials to inspect such residential facilities for compliance with this Code section; provided, further, that inspections shall not be conducted for the purpose of determining compliance with this Code section absent reasonable cause to suspect other building or fire code violations. The jurisdiction enforcing this Code section shall retain any fines collected pursuant to this subsection.

(2) Any occupant who fails to maintain a smoke detector in a dwelling, dwelling unit, or other facility, other than a nursing home, listed in subsection (a) of this Code section in good working order as required in this Code section shall be subject to a maximum fine of \$25.00, provided that a warning shall be issued for a first violation.

(3) Any operator of a nursing home who fails to install and maintain the smoke detectors required under paragraph (3) of subsection (a) of this Code section shall be sanctioned in accordance with Code Section 31-2-8.

(g) Failure to maintain a smoke detector in good working order in a dwelling, dwelling unit, or other facility listed in subsection (a) of this Code section in violation of this Code section shall not be considered evidence of negligence, shall not be considered by the court on any question of liability of any person, corporation, or insurer, shall not be any basis for cancellation of coverage or increase in insurance rates, and shall not diminish any recovery for damages arising out of the ownership, maintenance, or occupancy of such dwelling, dwelling unit, or other facility listed in subsection (a) of this Code section.

(h) The Safety Fire Commissioner is authorized and encouraged to inform the public through public service announcements of the availability of a limited number of battery operated smoke detectors which may be obtained by persons in need without charge from the office of Safety Fire Commissioner or local fire departments."

PART III SECTION 3-1.

Code Section 16-7-92 of the Official Code of Georgia Annotated, relating to compelling attendance of witnesses and production of evidence, is amended as follows:

"16-7-92.

In any case where there is reason to believe that a destructive device, detonator, explosive, or hoax device has been manufactured, possessed, transported, distributed, or used in violation of this article or Title 25 or that there has been an attempt or a conspiracy to commit such a violation, the Attorney General, any district attorney, the director, or such persons as may be designated in writing by such officials shall have the same power to compel the attendance of witnesses and the production of evidence before such official in the same manner as the state fire marshal as provided in Code Sections ~~25-2-27, 25-2-28, and 25-2-29~~ 25-4-38, 25-4-39, and 25-4-40."

PART IV SECTION 4-1.

This Act shall become effective on July 1, 2019.

SECTION 4-2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Albers of the 56th asked unanimous consent that the Senate disagree to the House substitute to SB 319.

The consent was granted, and the Senate disagreed to the House substitute to SB 319.

The following bill was taken up to consider House action thereto:

SB 432. By Senators Albers of the 56th, Hufstetler of the 52nd, Dugan of the 30th, Hill of the 4th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the O.C.G.A., relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain tax credits; to amend Code Section 48-8-3 of the O.C.G.A., relating to exemptions from state sales and use taxes, so as to repeal and reserve certain exemptions from state sales and use taxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from income taxes, so as to delete an income tax deduction for certain physicians serving as community based faculty physicians; to create a new income tax credit for taxpayers who are licensed physicians, advanced practice registered nurses, or physician assistants who provide uncompensated preceptorship training to medical students, advanced practice registered nurse students, or physician assistant students for certain periods of time; to provide for procedures, conditions, and limitations; to provide for definitions; to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, so as to create an exemption from sales and use tax for charges for admission or membership to a shooting range; to provide for related matters; to provide for an effective date and applicability; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from income taxes, is amended by

deleting paragraph (13.2) of subsection (a) of Code Section 48-7-27, relating to computation of taxable net income.

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"48-7-29.22.

(a) As used in this Code section, the term:

(1) 'Advanced practice registered nurse student' means an individual participating in a training program in this state that is accredited by a nationally recognized accrediting body for advanced practice registered nursing programs for the training of individuals to become advanced practice registered nurses as defined in Code Section 43-26-3.

(2) 'Community based faculty preceptor' means an individual who is a physician as defined in Code Section 43-34-21, an advanced practice registered nurse as defined in Code Section 43-26-3, or a physician assistant as defined in Code Section 43-34-102.

(3) 'Medical student' means an individual participating in his or her third or fourth year of a program in this state that is approved by the Georgia Composite Medical Board for the training of doctors of medicine or doctors of osteopathic medicine.

(4) 'Physician assistant student' means an individual participating in a training program in this state that is approved by the Georgia Composite Medical Board for the training of individuals to become physician assistants as defined in Code Section 43-34-102.

(5) 'Preceptorship rotation' means a period of preceptorship training of one or more medical students, physician assistant students, or advanced practice registered nurse students that in aggregate totals 160 hours.

(6) 'Preceptorship training' means uncompensated community based training of a medical student, advanced practice registered nurse student, or physician assistant student in Georgia.

(b)(1) A community based faculty preceptor shall be allowed a credit against the tax imposed by Code Section 48-7-20 if he or she conducts a preceptorship rotation.

(2) Such credit shall be accrued on a per preceptorship rotation basis in the amount of \$500.00 for the first, second, or third preceptorship rotation and \$1,000.00 for the fourth, fifth, sixth, seventh, eighth, ninth, or tenth preceptorship rotation completed in one calendar year by a community based faculty preceptor who is a physician as defined in Code Section 43-34-21 and \$375.00 for the first, second, or third preceptorship rotation and \$750.00 for the fourth, fifth, sixth, seventh, eighth, ninth, or tenth preceptorship rotation completed in one calendar year by a community based faculty preceptor who is an advanced practice registered nurse as defined in Code Section 43-26-3 or a physician assistant as defined in Code Section 43-34-102.

(3) An individual shall not accrue credit for more than ten preceptorship rotations in one calendar year.

(c)(1) A community based faculty preceptor shall not be eligible to earn hours credited toward preceptorship training if he or she has not registered with the state-wide Area Health Education Centers (AHEC) Program Office at Augusta University.

- (2) The AHEC Program Office at Augusta University shall administer the program and certify preceptorship rotations on behalf of all eligible public and private educational institutions in this state for the department.
- (d) To receive the credit allowed by this Code section, a community based faculty preceptor shall claim such credit on his or her return for the tax year in which he or she completed the preceptorship rotation; shall certify that he or she did not receive payment during such tax year from any source for the training of a medical student, advanced practice registered nurse student, or physician assistant student; and shall submit supporting documentation as prescribed by the commissioner.
- (e) In no event shall the total amount of the tax credit under this Code section for a taxable year exceed the taxpayer's income tax liability. No such tax credit shall be allowed the taxpayer against prior or succeeding years' tax liability.
- (f)(1) On August 1, 2019, and annually thereafter, the commissioner shall issue a report to the Governor, the chairperson of the Senate Finance Committee, and the chairperson of the House Committee on Ways and Means concerning the tax credit created by this Code section.
- (2) Such report shall include, for the prior calendar year, the:
- (A) Number of community based faculty preceptors claiming a credit;
 - (B) Total number of preceptorship rotations completed;
 - (C) Number of medical students, advanced practice registered nurse students, and physician assistant students who participated in a preceptorship rotation; and
 - (D) Total amount of credits awarded pursuant to this Code section.
- (g) The commissioner shall be authorized to promulgate any rules and regulations necessary to implement and administer the provisions of this Code section."

SECTION 3.

Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, is amended by deleting "or" at the end of subparagraph (E) of paragraph (99), by replacing the period with "; or" at the end of subparagraph (C) of paragraph (100), and by adding a new paragraph to read as follows:

"(101) Charges for a period of at least one month for a membership to a shooting range."

SECTION 4.

- (a) This Act shall become effective on July 1, 2018.
- (b) Section 2 of this Act shall be applicable to all taxable years beginning on or after January 1, 2018, and shall be automatically repealed on December 31, 2023.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senator Albers of the 56th asked unanimous consent that the Senate disagree to the House substitute to SB 432.

The consent was granted, and the Senate disagreed to the House substitute to SB 432.

The following bill was taken up to consider House action thereto:

SB 202. By Senators Rhett of the 33rd and James of the 35th:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide for an increase in the personal needs allowance to be deducted from a nursing home resident's income; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to the "Disabled Adults and Elder Persons Protection Act," so as to provide for the establishment of Adult Abuse, Neglect, and Exploitation Multidisciplinary Teams to coordinate the investigation of and responses to suspected instances of abuse, neglect, or exploitation of disabled adults or elder persons; to provide for a definition; to provide for immunity; to provide for coordination with the director of the Division of Aging Services; to provide for the composition, duties, and responsibilities of such Adult Abuse, Neglect, and Exploitation Multidisciplinary Teams; to provide for memoranda of understanding; to provide for confidentiality of records; to amend Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Bureau of Investigation, so as to authorize issuing of a subpoena; to provide for order compelling compliance; to provide for penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 30 of the Official Code of Georgia Annotated, relating to the "Disabled Adults and Elder Persons Protection Act," is amended in Code Section 30-5-3, relating to definitions, by adding a new paragraph to read as follows:

"(1.1) 'Adult Abuse, Neglect, and Exploitation Multidisciplinary Team' means the multiagency team established in each judicial circuit in this state pursuant to Code Section 30-5-11."

SECTION 2.

Said chapter is further amended by revising subsections (b) and (c) of Code Section 30-5-

4, relating to reporting of need for protective services, manner and contents of report, immunity from civil or criminal liability, and privileged communications, as follows:

"(b)(1)(A) A report that a disabled adult or elder person is in need of protective services or has been the victim of abuse, neglect, or exploitation shall be made to an adult protection agency providing protective services as designated by the department and to an appropriate law enforcement agency or prosecuting attorney. If a report of a disabled adult or elder person abuse, neglect, or exploitation is made to an adult protection agency or independently discovered by the agency, then the agency shall immediately make a reasonable determination based on available information as to whether the incident alleges actions by an individual, other than the disabled adult or elder person, that constitute a crime and include such information in their report. If a crime is suspected, the report shall immediately be forwarded to the appropriate law enforcement agency or prosecuting attorney. During an adult ~~protective~~ protection agency's investigation, it shall be under a continuing obligation to immediately report the discovery of any evidence that may constitute a crime.

(B) If the disabled adult or person is 65 years of age or older and is a resident, a report shall be made in accordance with Article 4 of Chapter 8 of Title 31. If a report made in accordance with the provisions of this Code section alleges that the abuse or exploitation occurred within a long-term care facility, such report shall be investigated in accordance with Articles 3 and 4 of Chapter 8 of Title 31.

(2) Reporting required by subparagraph ~~(A)(1)~~ (A) of paragraph (1) of this subsection may be made by oral or written communication. Such report shall include the name and address of the disabled adult or elder person and should include the name and address of the disabled adult's or elder person's caretaker, the age of the disabled adult or elder person, the nature and extent of the disabled adult's or elder person's injury or condition resulting from abuse, exploitation, or neglect, and other pertinent information.

(3) When a report of a disabled adult's or elder person's abuse, neglect, or exploitation is originally reported to a law enforcement agency, it shall be forwarded by such agency to the director or his or her designee within 24 hours of receipt.

(c) Anyone who makes a report pursuant to this chapter, who testifies in any judicial proceeding arising from the report, who provides protective services, ~~or~~ who participates in a required investigation, or who participates on an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team under the provisions of this chapter shall be immune from any civil liability or criminal prosecution on account of such report or testimony or participation, unless such person acted in bad faith, with a malicious purpose, or was a party to such crime or fraud. Any financial institution or investment company, including without limitation officers and directors thereof, that is an employer of anyone who makes a report pursuant to this chapter in his or her capacity as an employee, or who testifies in any judicial proceeding arising from a report made in his or her capacity as an employee, or who participates in a required investigation under the provisions of this chapter in his or her capacity as an employee, shall be

immune from any civil liability or criminal prosecution on account of such report or testimony or participation of its employee, unless such financial institution or investment company knew or should have known that the employee acted in bad faith or with a malicious purpose and failed to take reasonable and available measures to prevent such employee from acting in bad faith or with a malicious purpose. The immunity described in this subsection shall apply not only with respect to the acts of making a report, testifying in a judicial proceeding arising from a report, providing protective services, or participating in a required investigation but also shall apply with respect to the content of the information communicated in such acts."

SECTION 3.

Said chapter is further amended by revising Code Section 30-5-7, relating to confidentiality of public records, as follows:

"30-5-7.

(a) All records pertaining to the abuse, neglect, or exploitation of disabled adults or elder persons in the custody of the department shall be confidential; and access thereto by persons other than the department, the director, or the district attorney shall only be by valid subpoena or order of any court of competent jurisdiction. ~~Nothing in this Code section shall be construed to deny agencies participating in joint investigations at the request of and with the department, or conducting separate investigations of abuse, neglect, or exploitation within an agency's scope of authority, or law enforcement personnel who are conducting an investigation into any criminal offense in which a disabled adult or elder person is a victim from having access to such records.~~

(b) The following persons or agencies shall have reasonable access to such records concerning reports of elder, disabled adult, or resident abuse:

(1) A prosecuting attorney in this state or any other state or political subdivision thereof, or the United States, who may seek such access in connection with official duty;

(2) Police or any other law enforcement agency or law enforcement personnel of this state or any other state who are conducting an investigation into any criminal offense involving a report of known or suspected abuse, neglect, or exploitation of disabled adults or elder persons;

(3) Agencies participating in joint investigations at the request of and with the department, or conducting separate investigations of abuse, neglect, or exploitation within an agency's scope of authority, unless such records are wholly owned by the federal government; and

(4) Coroners or medical examiners in suspicious death investigations.

(c) Any individual who made a report according to Code Section 30-5-4 can make a request to the department to know if the report or reports made by that individual have been received, whether an investigation was opened or not, and whether the investigation is still open or has been closed, and the department will respond in writing within five business days with this information, but no other case information will be released.

(d) Any time that the record is released pursuant to this Code section, other than to law enforcement or to the district attorney or pursuant to a court order for unredacted records, the name and identifying information of the individual who made the report shall be redacted.

(e) Records or portions of records of abuse, neglect, or exploitation of disabled adults or elder persons in the custody of the department may be released to members of an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team established pursuant to Code Section 30-5-11 for reasonable use in furtherance of the purposes authorized in this Code section."

SECTION 4.

Said chapter is further amended by adding a new Code section to read as follows:

"30-5-11.

(a) The district attorney of each judicial circuit may establish, or cause to be established, an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team for the purposes of:

(1) Coordinating the collaborative review of suspected instances of abuse, neglect, or exploitation of a disabled adult or elder person pursuant to Chapter 5 of Title 16 or Code Section 30-5-5, 31-7-12.1, or 31-8-83;

(2) Coordinating the collaborative review of responses to suspected instances of abuse, neglect, or exploitation of a disabled adult or elder person, including protective services; and

(3) Identifying opportunities within local jurisdictions to improve policies and procedures in the notification of and response to abuse, neglect, and exploitation given local resources.

(b) As determined by the district attorney or his or her designee, the Adult Abuse, Neglect, and Exploitation Multidisciplinary Team shall consist of representatives, from within the appropriate judicial circuit, representing these suggested categories:

(1) The district attorney or his or her designee;

(2) Local law enforcement agencies;

(3) The Georgia Bureau of Investigation;

(4) Adult Protective Services of the department's Division of Aging Services;

(5) The state funded licensure activities of the Healthcare Facility Regulation Division of the Department of Community Health;

(6) The Department of Behavioral Health and Developmental Disabilities;

(7) The medical examiner or coroner of that county in which the team exists;

(8) Nonprofit organizations that provide victim services or adult care services;

(9) Local, regional, and state task forces or coordinating entities regarding at-risk adults;

(10) Providers of medical, legal, or housing services or housing facilities to disabled adults or elder persons who are victims of abuse, neglect, or exploitation; and

(11) Any other entity which the district attorney or his or her designee determines is necessary for the successful operation of the Adult Abuse, Neglect, and Exploitation

Multidisciplinary Team.

(c) Each Adult Abuse, Neglect, and Exploitation Multidisciplinary Team shall:

(1) Meet regularly, as determined by the district attorney or his or her designee; provided, however, that meetings shall be held at least semiannually; and

(2) Coordinate on investigations of instances of unlicensed personal care homes, or of suspected abuse, neglect, or exploitation of disabled adults or elder persons that are based on reports made pursuant to Chapter 5 of Title 16 or Code Section 30-5-4, 31-7-12.1, 31-8-82, or 31-8-83 or reports made or concerns raised by members of the agencies, organizations, or entities represented on the Adult Abuse, Neglect, and Exploitation Multidisciplinary Team.

(d) The district attorney or his or her designee shall coordinate the creation of a memorandum of understanding that describes the Adult Abuse, Neglect, and Exploitation Multidisciplinary Team's procedures and methods of operation in detail, including confidentiality requirements and the sharing of information among such team's members in accordance with subsection (e) of this Code section. The memorandum shall be signed by a representative of each agency, organization, or entity participating in such team.

(e)(1) All records and information acquired by an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team pertaining to the abuse, neglect, or exploitation of disabled adults or elder persons shall be confidential pursuant to Code Sections 30-5-7, 31-8-86, and 37-3-166; furthermore, notwithstanding any other provisions of law, information acquired by and documents, records, and reports of the team shall be confidential and shall not be subject to Article 4 of Chapter 18 of Title 50, relating to open records.

(2) All records pertaining to the abuse, neglect, or exploitation of disabled adults or elder persons in the custody of the departments included in the Adult Abuse, Neglect, and Exploitation Multidisciplinary Team shall be available to the members of an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team for the purpose of investigating or responding to a report of abuse, neglect, or exploitation of a disabled adult, elder person, or resident.

(3) It shall be unlawful for any member of an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team to knowingly disclose, receive, make use of, or authorize, or knowingly permit, participate in, or acquiesce to the use of, any information received or generated in the course of the Adult Abuse, Neglect, and Exploitation Multidisciplinary Team's investigations, responses, or activities to any third party; provided, however, that disclosure may be made to persons and entities directly involved in the administration of this Code section, including:

(A) Persons providing protective services necessary for the disabled adult or elder person;

(B) Representatives of law enforcement;

(C) Grand juries or courts in the exercise of official business;

(D) Members of such Adult Abuse, Neglect, and Exploitation Multidisciplinary Teams; and

(E) Persons engaged in bona fide research or audit purposes; provided, however, that only information in the aggregate without identifying information shall be provided for research or audit purposes and confidentiality of the data shall be maintained.

(4) Unless expressly provided otherwise in the memorandum of understanding, members of an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team may share information received or generated in the course of such team's investigations, responses, or activities only among members of such team.

(5) To promote efficiency and effectiveness in its mission, an Adult Abuse, Neglect, and Exploitation Multidisciplinary Team may maintain a data base of information about such team's past and ongoing cases, provided that identifying information about individual victims and clients shall not be accessed by any person outside of such team other than those persons serving as care coordinators or victim advocates or who represent organizations providing such services.

(f)(1) By March 1 of each calendar year, the Adult Abuse, Neglect, and Exploitation Multidisciplinary Teams shall submit a report to the director of the Georgia Bureau of Investigation and the commissioner of human services regarding the prevalence and circumstances of abuse, neglect, or exploitation of disabled adults or elder persons in this state; shall recommend measures to reduce such crimes; and shall address in the report the following issues:

(A) How many investigations or cases the Adult Abuse, Neglect, and Exploitation Multidisciplinary Team has received for the calendar year;

(B) How many reviews of investigations or cases recommended criminal prosecution; and

(C) Whether policy, procedural, regulatory, or statutory changes are called for as a result of these findings.

(2) The Adult Abuse, Neglect, and Exploitation Multidisciplinary Teams shall also establish procedures for the conduct of reviews by local review committees into abuse, neglect, or exploitation of disabled adults or elder persons and may obtain the assistance from disabled adults or elder persons."

SECTION 5.

Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Bureau of Investigation, is amended by adding a new Code section to read as follows:

"35-3-4.4.

(a) In any investigation of a violation of Article 8 of Chapter 5 of Title 16 or other criminal violation involving the abuse, neglect, or exploitation of a disabled adult, elder person, or resident, the director, assistant director, or deputy director for investigations shall be authorized to issue a subpoena, with the consent of the Attorney General, to compel the production of books, papers, documents, or other tangible things, including records and documents contained within, or generated by, a computer or any other electronic device, unless such records are wholly owned by the federal government.

(b) Upon the failure of a person without lawful excuse to obey a subpoena, the director,

assistant director, or deputy director for investigations, through the prosecuting attorney, may apply to a superior court having jurisdiction for an order compelling compliance. Such person may object to the subpoena on the grounds that it fails to comply with this Code section or upon any constitutional or other legal right or privilege of such person. The court may issue an order modifying or setting aside such subpoena or directing compliance with the original subpoena. Failure to obey a subpoena issued under this Code section may be punished by the court as contempt of court."

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

Senator Rhett of the 33rd asked unanimous consent that the Senate disagree to the House substitute to SB 202.

The consent was granted, and the Senate disagreed to the House substitute to SB 202.

The following bill was taken up to consider House action thereto:

SB 367. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Harper of the 7th and others:

A BILL to be entitled an Act to amend Code Section 45-9-85 of the Official Code of Georgia Annotated, relating to payment of indemnification for death or disability, procedure for making payments, and appeal, so as to provide for the option of payment to an estate in the case of death suffered in the line of duty by a law enforcement officer, firefighter, emergency medical technician, emergency management specialist, state highway employee, or prison guard; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED AN ACT

To amend Code Section 45-7-51 of the Official Code of Georgia, relating to deductions for payment of insurance premiums, so as to provide for the voluntary deduction from the salaries or wages of certain employees for the purpose of payment of insurance premiums to any benefits association or insurance company authorized by the Department of Defense to provide insurance benefits to such employees who have served in the armed forces of the United States, including the National Guard; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 45-7-51 of the Official Code of Georgia, relating to deductions for payment of insurance premiums, is amended by adding a new subsection to read as follows:

"(a.1) Any department or agency is authorized to deduct voluntarily designated amounts from the salaries or wages of its full-time employees who served in the armed forces of the United States or in a reserve component of the armed forces of the United States, including the National Guard, to any benefits association or insurance company authorized by the Department of Defense to provide insurance benefits to such employees."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Kirk of the 13th asked unanimous consent that the Senate disagree to the House substitute to SB 367.

The consent was granted, and the Senate disagreed to the House substitute to SB 367.

The following bill was taken up to consider House action thereto:

SB 338. By Senators Ligon, Jr. of the 3rd, Cowser of the 46th, McKoon of the 29th, Millar of the 40th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for administrative procedure, so as to modify requirements for agency rule making; to modify legislative objections to and staying of proposed agency rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

**A BILL TO BE ENTITLED
AN ACT**

To amend Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for administrative procedure, so as to modify requirements for agency rule making; to modify procedures for legislative objections; to revise the effective dates for rules; to revise procedures and requirements for filing with the Secretary of State; to provide for definitions; to amend various provisions of the Official Code of Georgia Annotated to make conforming cross-references; to provide for related matters; to provide for applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for administrative procedure, is amended by revising Code Section 50-13-4, relating to procedural requirements for adoption, amendment, or repeal of rules, emergency rules, limitation on action to contest rule, and legislative override, as follows:
"50-13-4.

(a)(1) Prior to the adoption, which for the purposes of this Code section shall include the amendment, or repeal, of any rule, other than interpretive rules or general statements of policy, the each agency shall: publish on the agency's public website a notice of its intent to adopt a rule at least 60 days prior to the date of the hearing in which such rule is to be considered, provided that such hearing shall occur at least 30 days after the publishing of the public notice required by this paragraph.

~~(1)(2) Such Give at least 30 days' notice of its intended action. The notice shall include an:~~

(A) An exact copy of the proposed rule and a if amending or repealing a rule the existing rule and the proposed change;

(B) A synopsis of the proposed rule. The synopsis shall be distributed with and in the same manner as the proposed rule. The synopsis shall contain containing a statement of the purpose and the main features of the proposed rule, and, in the case of a proposed amendatory rule, the synopsis also shall indicate the differences between the existing rule and the proposed rule. The notice shall also include the exact date on which;

(C) The date, time, and location of the public hearing at which the agency shall consider the adoption of the rule and shall include the time and place in order that interested persons may present their views thereon. The notice shall also contain a citation of the; and

(D) A citation and concise explanation of the statutory or constitutional authority pursuant to which the rule is proposed for adoption and, if the proposal is an amendment or repeal of an existing rule, the rule shall be clearly identified.

(3) The notice shall be mailed to all persons who have requested in writing that they be placed upon a mailing list which shall be maintained by the agency for advance notice of its rule-making proceedings and who have tendered the actual cost of such mailing as from time to time estimated by the agency;.

~~(2)(4) The comment period shall:~~

(A) Afford to all interested persons reasonable opportunity to submit data, views, or arguments, orally or in writing, including, but not limited to, the public hearing as noticed in subparagraph (C) of paragraph (2) of this subsection; and. In the case of substantive rules, opportunity for oral hearing must be granted if requested by 25 persons who will be directly affected by the proposed rule, by a governmental

~~subdivision, or by an association having not less than 25 members. The agency shall consider~~

(B) Consider fully all written and oral submissions respecting the proposed rule. Upon ~~adoption~~ approval of a rule for submission to the office of the Secretary of State, the agency, if requested to do so by an interested person either prior to ~~adoption~~ such approval or within 30 days thereafter, shall issue a concise statement of the principal reasons for and against its ~~adoption~~ approval and incorporate therein its reason for overruling the consideration urged against its ~~adoption~~; approval.

~~(3)(5) When making rules that have~~ In the formulation and adoption of any rule which will have an economic impact on businesses in the state, the agency shall:

(A) Reduce ~~reduce~~ the economic impact of the rule on small businesses which are independently owned and operated, are not dominant in their field, and employ 100 employees or less by implementing one or more of the following actions when it is legal and feasible in meeting the stated objectives of the statutes which are the basis of the proposed rule:

(A)(i) Establish differing compliance or reporting requirements or timetables for small businesses;

~~(B)(ii)~~ Clarify, consolidate, or simplify the compliance and reporting requirements under the rule for small businesses;

~~(C)(iii)~~ Establish performance rather than design standards for small businesses; or

~~(D)(iv)~~ Exempt small businesses from any or all requirements of the rules; and

(4)(B) Choose ~~In the formulation and adoption of any rule, an agency shall choose~~ an alternative that does not impose excessive regulatory costs on any regulated person or entity which costs could be reduced by a less expensive alternative that fully accomplishes the stated objectives of the statutes which are the basis of the proposed rule.

~~(b) If any agency finds that an imminent peril to the public health, safety, or welfare, including but not limited to, summary processes such as quarantines, contrabands, seizures, and the like authorized by law without notice, requires adoption of a rule upon fewer than 30 days' notice and states in writing its reasons for that finding, it may proceed without prior notice or hearing or upon any abbreviated notice and hearing that it finds practicable to adopt an emergency rule. Any such rule adopted relative to a public health emergency shall be submitted as promptly as reasonably practicable to the House of Representatives and Senate Committees on Judiciary. The rule may be effective for a period of not longer than 120 days but the adoption of an identical rule under paragraphs (1) and (2) of subsection (a) of this Code section is not precluded; provided, however, that such a rule adopted pursuant to discharge of responsibility under an executive order declaring a state of emergency or disaster exists as a result of a public health emergency, as defined in Code Section 38-3-3, shall be effective for the duration of the emergency or disaster and for a period of not more than 120 days thereafter. When an agency complies with subsection (a) of this Code section, such rule shall be deemed adopted upon the date of filing with the office of the Secretary of~~

State for purposes of Code Section 50-13-6, and such filing shall include the public notice that noticed such rule. The agency shall also concurrently submit such rule to the legislative counsel and such submission shall include the public notice that noticed such rule.

(c)(1) Except as provided for in subsection (d) or (f) of this Code section, rules adopted:

(A) On or before December 1 shall become effective as of March 15 of the following calendar year; and

(B) After December 1 shall become effective as of March 15 in the calendar year following the next calendar year. It is the intent of this Code section to establish basic minimum procedural requirements for the adoption, amendment, or repeal of administrative rules. Except for emergency rules which are provided for in subsection (b) of this Code section, the provisions of this Code section are applicable to the exercise of any rule making authority conferred by any statute, but nothing in this Code section repeals or diminishes additional requirements imposed by law or diminishes or repeals any summary power granted by law to the state or any agency thereof.

(2)(A) In accordance with the procedures established by the General Assembly, the legislative counsel shall distribute rules submitted pursuant to this subsection to the presiding officers of each branch of the General Assembly and the presiding officers or legislative counsel shall distribute the rules to the chairperson of the appropriate standing committee in each branch for review and to any member thereof who makes a standing written request.

(B) Any standing committee to which a rule is distributed may, by a majority vote of the total number of members of such committee, object to a rule. Members may vote in person or by telephone if permitted by Rules of the Georgia Senate or House of Representatives Rules. Such objection to a rule may form a basis for, but shall not be required for, the introduction of a joint resolution disapproving of such rule as provided for in subsection (d) of this Code section.

(d)(1) No rule adopted after April 3, 1978, shall be valid unless adopted in exact compliance with subsections (a) and (e) of this Code section and in substantial compliance with the remainder of this Code section. A proceeding to contest any rule on the ground of noncompliance with the procedural requirements of this Code section must be commenced within two years from the effective date of the rule. Any rule adopted pursuant to subsection (b) or (f) of this Code section may be subject to a joint resolution:

(A) To provide an earlier effective date for the rule; or

(B) To disapprove the rule.

(2) A joint resolution for the purposes provided in paragraph (1) of this subsection may be introduced in either branch of the General Assembly.

(3) A joint resolution adopted by a majority vote of a branch of the General Assembly shall be immediately transmitted to the other branch of the General Assembly for consideration by that branch. It shall be the duty of the presiding officer

of the other branch of the General Assembly to have such branch, within five legislative days after receiving the joint resolution but before the fortieth legislative day, consider the joint resolution for adoption by that branch by majority vote.

(4) A joint resolution adopted by both branches of the General Assembly shall be submitted to the Governor for his or her approval or veto.

(A) In the event of the Governor's veto, the rule shall be effective as otherwise provided for under subsection (c) of this Code section, unless the General Assembly overrides such veto.

(B) In the event of the Governor's approval of the joint resolution or if the General Assembly overrides the Governor's veto, then such joint resolution:

(i) Passed pursuant to subparagraph (A) of paragraph (1) of this subsection shall be effective on the day after the date of the Governor's approval or the General Assembly overriding such veto, whichever is later, not to exceed the effective date provided in paragraph (1) of subsection (c); or

(ii) Passed pursuant to subparagraph (B) of paragraph (1) of this subsection, voiding such rule, shall be effective on the day after the date of the Governor's approval or the General Assembly overriding such veto.

(5) Nothing in this subsection shall preclude the General Assembly from enacting any other law that may affect the effective date or applicability of any rule.

~~(e) The agency shall transmit the notice provided for in paragraph (1) of subsection (a) of this Code section to the legislative counsel. The notice shall be transmitted at least 30 days prior to the date of the agency's intended action. Within three days after receipt of the notice, if possible, the legislative counsel shall furnish the presiding officers of each house with a copy of the notice, and the presiding officers shall assign the notice to the chairperson of the appropriate standing committee in each house for review and any member thereof who makes a standing written request. In the event a presiding officer is unavailable for the purpose of making the assignment within the time limitations, the legislative counsel shall assign the notice to the chairperson of the appropriate standing committee. The legislative counsel shall also transmit within the time limitations provided in this subsection a notice of the assignment to the chairperson of the appropriate standing committee. Each standing committee of the Senate and the House of Representatives is granted all the rights provided for interested persons and governmental subdivisions in paragraph (2) of subsection (a) of this Code section. A proceeding to contest any rule on the ground of noncompliance with the procedural requirements of this Code section shall be commenced within two years from the effective date of the rule.~~

~~(f)(1) In the event a standing committee to which a notice is assigned as provided in subsection (e) of this Code section files an objection to a proposed rule prior to its adoption and the agency adopts the proposed rule over the objection, the rule may be considered by the branch of the General Assembly whose committee objected to its adoption by the introduction of a resolution for the purpose of overriding the rule at any time within the first 30 days of the next regular session of the General Assembly. It shall be the duty of any agency which adopts a proposed rule over such objection so~~

~~to notify the presiding officers of the Senate and the House of Representatives, the chairpersons of the Senate and House committees to which the rule was referred, and the legislative counsel within ten days after the adoption of the rule. In the event the resolution is adopted by such branch of the General Assembly, it shall be immediately transmitted to the other branch of the General Assembly. It shall be the duty of the presiding officer of the other branch of the General Assembly to have such branch, within five days after the receipt of the resolution, to consider the resolution for the purpose of overriding the rule. In the event the resolution is adopted by two thirds of the votes of each branch of the General Assembly, the rule shall be void on the day after the adoption of the resolution by the second branch of the General Assembly. In the event the resolution is ratified by less than two thirds of the votes of either branch, the resolution shall be submitted to the Governor for his or her approval or veto. In the event of his or her veto, the rule shall remain in effect. In the event of his or her approval, the rule shall be void on the day after the date of his or her approval. As used in this subsection, the term:~~

~~(A) 'Emergency' means:~~

~~(i) A condition creating imminent peril to the public's health, safety, or welfare, including but not limited to, summary processes such as quarantines, contrabands, seizures; or~~

~~(ii) A law that requires a rule to be implemented that is passed during the regular or special session of the General Assembly but that does not take effect before the first day of the next regular session of the General Assembly.~~

~~(B) 'Public health emergency' shall have the same meaning as set forth in Code Section 38-3-3.~~

~~(2) In the event each standing committee to which a notice is assigned as provided in subsection (e) of this Code section files an objection to a proposed rule prior to its adoption by a two thirds' vote of the members of the committee who were voting members on the tenth day of the current session, after having given public notice of the time, place, and purpose of such vote at least 48 hours in advance, as well as the opportunity for members of the public including the promulgating agency, to have a reasonable time to comment on the proposed committee action at the hearing, the effectiveness of such rule shall be stayed until the next legislative session at which time the rule may be considered by the General Assembly by the introduction of a resolution in either branch of the General Assembly for the purpose of overriding the rule at any time within the first 30 days of the next regular session of the General Assembly. In the event the resolution is adopted by the branch of the General Assembly in which it was introduced, it shall be immediately transmitted to the other branch of the General Assembly. It shall be the duty of the presiding officer of the other branch of the General Assembly to have such branch, within five days after the receipt of the resolution, to consider the resolution for the purpose of overriding the rule. In the event the resolution is adopted by two thirds of the votes of each branch of the General Assembly, the rule shall be void on the day after the adoption of the resolution by the second branch of the General Assembly. In the event the resolution~~

~~is ratified by less than two-thirds of the votes of either branch, the resolution shall be submitted to the Governor for his or her approval or veto. In the event of his or her veto, the rule shall remain in effect. In the event of his or her approval, the rule shall be void on the day after the date of his or her approval. If after the thirtieth legislative day of the legislative session of which the challenged rule was to be considered the General Assembly has not considered an override of the challenged rule pursuant to this subsection, the rule shall then immediately take effect. If an agency finds that an emergency exists that requires adoption of a rule without compliance with subsection (a) of this Code section, such agency may submit such rule to the Governor without compliance with subsection (a) together with a written statement explaining the nature of the emergency and why compliance with subsection (a) would be imprudent.~~

(3) Any rule that meets the requirements of paragraph (2) of this subsection shall be deemed adopted upon its submission to the Governor. Such agency shall also file such rule in the office of the Secretary of State for purposes of complying with Code Section 50-13-6 and submit such rule to the legislative counsel for distribution in accordance with the procedures established by the General Assembly, provided that, if such rule relates to a public health emergency, the legislative counsel shall distribute such rule to the House Committee on Judiciary and the Senate Judiciary Committee. The submissions and filings under this paragraph shall include the written statement provided for in paragraph (2) of this subsection explaining the nature of the emergency.

(4) Rules adopted pursuant to this subsection shall be effective upon approval by signature of the Governor in an electronic or other writing and thereafter shall be effective for a period of not longer than 120 days; provided, however, that:

(A) Such rule shall be subject to subsection (d) of this Code section;

(B) The adoption of an identical rule under subsections (a) through (d) of this Code section shall not be precluded; and

(C) A rule adopted pursuant to discharge of responsibility under an executive order declaring a state of emergency as a result of a public health emergency shall be effective for the duration of the public health emergency and not more than 120 days thereafter.

(5) Except for rules that are provided for under this subsection and except as provided in subsections (h) and (i) of this Code section, this Code section shall be applicable to the exercise of any rule-making authority conferred by any statute, provided that nothing in this Code section shall repeal or diminish additional requirements imposed by law or diminish or repeal any summary power granted by law to the state or any agency thereof.

(g)(1) Subsections (a) through ~~Subsection~~ (f) of this Code section shall not apply to the Environmental Protection Division of the Department of Natural Resources as to any rule for which, as part of the notice required by subsection (a) of this Code section, the director of the division certifies that such rule is required for compliance with federal statutes or regulations or to exercise certain powers delegated by the federal government to the state to implement federal statutes or regulations, but

paragraph (2) of this subsection shall apply to the Environmental Protection Division of the Department of Natural Resources as to any rule so certified. As part of such certification, the director shall cite the specific section or sections of federal statutes or regulations which the proposed rule is intended to comply with or implement. General references to the name or title of a federal statute or regulation shall not suffice for the purposes of this paragraph. Any proposed rule or rules that are subject to this paragraph shall be noticed separately from any proposed rule or rules that are not subject to this paragraph.

(2) In the event the chairperson of any standing committee to which a proposed rule certified by the director of the division pursuant to paragraph (1) of this subsection is assigned notifies the director that the committee objects to the adoption of the rule or has questions concerning the purpose, nature, or necessity of such rule, it shall be the duty of the director to consult with the committee prior to the adoption of the rule.

(h) ~~The provisions of subsections (e)~~ Subsections (a) and (f) of this Code section shall apply to any rule of the Department of Public Health that is promulgated pursuant to Code Section 31-2A-11 or 31-45-10, except that, in facilitation of subsection (c) of this Code section, the presiding officer of the Senate or legislative counsel is directed to assign ~~the notice of such a~~ or distribute the rule to the chairperson of the Senate Science and Technology Committee and the presiding officer of the House of Representatives or legislative counsel is directed to assign ~~the notice of such a~~ or distribute the rule to the chairperson of the House Committee on Industry and Labor. As used in this subsection, the term 'rule' shall have the same meaning as provided in paragraph (6) of Code Section 50-13-2 and shall include interpretive rules and general statements of policy, ~~notwithstanding any provision of subsection (a) of this Code section to the contrary.~~

(i) This Code section shall not apply to any comprehensive state-wide water management plan or revision thereof prepared by the Environmental Protection Division of the Department of Natural Resources and proposed, adopted, amended, or repealed pursuant to Article 8 of Chapter 5 of Title 12; provided, however, that this Code section shall apply to any rules or regulations implementing such a plan."

SECTION 1-2.

Said article is further amended by revising Code Section 50-13-6, relating to rules not effective until 20 days after filed with Secretary of State, maintenance of record of the rules, exceptions, and rules governing manner and form of filing, as follows:

"50-13-6.

(a) ~~Each rule adopted after July 1, 1965, shall not become effective until the expiration of 20 days after the rule is filed in the office of the Secretary of State. Each rule so filed shall contain a citation of the authority pursuant to which it was adopted and, if an amendment, shall clearly identify the original rule.~~

(b) The Secretary of State shall endorse on each rule ~~thus~~ filed pursuant to Code Section 50-13-4 the time and date of filing and shall maintain a record of the rules for public inspection.

~~(e) The 20 day filing period is subject to the following exceptions:~~

~~(1) Where a statute or the terms of the rule require a date which is later than the 20 day period, then the later date is the effective date; and~~

~~(2) Any emergency rule adopted pursuant to subsection (b) of Code Section 50-13-4 may become effective immediately upon adoption or within a period of less than 20 days. The emergency rule, with a copy of the finding as required by subsection (b) of Code Section 50-13-4, shall be filed with the office of the Secretary of State within four working days after its adoption.~~

~~(d)(b) The Secretary of State shall prescribe rules governing the manner and form in which regulations rules shall be prepared for filing in the office of the Secretary of State. The Secretary may refuse to accept for filing any rule that does not conform to such requirements."~~

PART II SECTION 2-1.

Code Section 27-1-5 of the Official Code of Georgia Annotated, relating to the applicability of the "Georgia Administrative Procedure Act" to rules and regulations promulgated by board, affirmation of decision by operation of law, and appellate review is amended by revising subsection (a) as follows:

"(a) Except as otherwise specifically provided, all rules and regulations promulgated by the board under this title shall be promulgated pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' For the purposes of this title, rule making under subsection ~~(b)~~ (f) of Code Section 50-13-4 in response to an imminent peril to the public health, safety, or welfare shall include rule making to protect wildlife, the public, and the natural resources of this state in the event of fire, flood, disease, pollution, or other emergency situations."

SECTION 2-2.

Code Section 28-5-50 of the Official Code of Georgia Annotated, relating to filing of notes for regulations, rules, or orders and requests by local political subdivisions for copies, as follows:

"28-5-50.

Except as otherwise provided in this Code section, no regulation, rule, order, or administrative law which would have a fiscal impact which in the aggregate exceeds \$5 million on local political subdivisions in this state shall be valid unless 30 days prior to its adoption by a board, commission, agency, department, officer, or other authority of the government of this state, except the General Assembly, the courts, and the Governor, such board, commission, agency, department, officer, or other authority shall file a fiscal note with the members of the General Assembly. Any local political subdivisions that will be affected by the proposed regulation, rule, policy, order, or administrative law, upon request, shall immediately be furnished with a copy of the fiscal note by the board, commission, agency, department, officer, or other authority.

This Code section shall not apply to an emergency regulation, rule, order, or administrative law as described by subsection ~~(b)~~ (f) of Code Section 50-13-4, to any rule or regulation adopted or order issued pursuant to legislation exempted from Code Section 28-5-49, or to any other order issued to abate or prevent violations of specific statutory provisions enacted by the General Assembly."

SECTION 2-3.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by revising Code Section 31-6-21.1, relating to the procedures for rule making by Department of Community Health, as follows:

"31-6-21.1.

(a) Rules of the department shall be adopted, promulgated, and implemented as provided in this Code section and in Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' except that the department shall not be required to comply with ~~subsections (e) through~~ subsection (g) of Code Section 50-13-4.

~~(b) The department shall transmit three copies of the notice provided for in paragraph (1) of subsection (a) of Code Section 50-13-4 to the legislative counsel. The copies shall be transmitted at least 30 days prior to that department's intended action. Within five days after receipt of the copies, if possible, the legislative counsel shall furnish the presiding officer of each house with a copy of the notice and mail a copy of the notice to each member of the Health and Human Services Committee of the Senate and each member of the Health and Human Services Committee of the House of Representatives. Each such rule and any part thereof shall be subject to the making of an objection by either such committee within 30 days of transmission of the rule to the members of such committee. Any rule or part thereof to which no objection is made by both such committees may become adopted by the department at the end of such 30-day period. The department may not adopt any such rule or part thereof which has been changed since having been submitted to those committees unless:~~

~~(1) That change is to correct only typographical errors;~~

~~(2) That change is approved in writing by both committees and that approval expressly exempts that change from being subject to the public notice and hearing requirements of subsection (a) of Code Section 50-13-4;~~

~~(3) That change is approved in writing by both committees and is again subject to the public notice and hearing requirements of subsection (a) of Code Section 50-13-4; or~~

~~(4) That change is again subject to the public notice and hearing requirements of subsection (a) of Code Section 50-13-4 and the change is submitted and again subject to committee objection as provided in this subsection.~~

~~Nothing in this subsection shall prohibit the department from adopting any rule or part thereof without adopting all of the rules submitted to the committees if the rule or part so adopted has not been changed since having been submitted to the committees and objection thereto was not made by both committees~~ Reserved.

~~(c) Any rule or part thereof to which an objection is made by both committees within the 30-day objection period under subsection (b) of this Code section shall not be~~

~~adopted by the department and shall be invalid if so adopted. A rule or part thereof thus prohibited from being adopted shall be deemed to have been withdrawn by the department unless the department, within the first 15 days of the next regular session of the General Assembly, transmits written notification to each member of the objecting committees that the department does not intend to withdraw that rule or part thereof but intends to adopt the specified rule or part effective the day following adjournment sine die of that regular session. A resolution objecting to such intended adoption may be introduced in either branch of the General Assembly after the fifteenth day but before the thirtieth day of the session in which occurs the notification of intent not to withdraw a rule or part thereof. In the event the resolution is adopted by the branch of the General Assembly in which the resolution was introduced, it shall be immediately transmitted to the other branch of the General Assembly. It shall be the duty of the presiding officer of the other branch to have that branch, within five days after receipt of the resolution, consider the resolution for purposes of objecting to the intended adoption of the rule or part thereof. Upon such resolution being adopted by two thirds of the vote of each branch of the General Assembly, the rule or part thereof objected to in that resolution shall be disapproved and not adopted by the department. If the resolution is adopted by a majority but by less than two thirds of the vote of each such branch, the resolution shall be submitted to the Governor for his or her approval or veto. In the event of a veto, or if no resolution is introduced objecting to the rule, or if the resolution introduced is not approved by at least a majority of the vote of each such branch, the rule shall automatically become adopted the day following adjournment sine die of that regular session. In the event of the Governor's approval of the resolution, the rule shall be disapproved and not adopted by the department Reserved.~~

~~(d) Any rule or part thereof which is objected to by only one committee under subsection (b) of this Code section and which is adopted by the department may be considered by the branch of the General Assembly whose committee objected to its adoption by the introduction of a resolution for the purpose of overriding the rule at any time within the first 30 days of the next regular session of the General Assembly. It shall be the duty of the department in adopting a proposed rule over such objection so to notify the chairpersons of the Health and Human Services Committee of the Senate and the Health and Human Services Committee of the House within ten days after the adoption of the rule. In the event the resolution is adopted by such branch of the General Assembly, it shall be immediately transmitted to the other branch of the General Assembly. It shall be the duty of the presiding officer of the other branch of the General Assembly to have such branch, within five days after the receipt of the resolution, consider the resolution for the purpose of overriding the rule. In the event the resolution is adopted by two thirds of the votes of each branch of the General Assembly, the rule shall be void on the day after the adoption of the resolution by the second branch of the General Assembly. In the event the resolution is ratified by a majority but by less than two thirds of the votes of either branch, the resolution shall be submitted to the Governor for his or her approval or veto. In the event of a veto, the rule shall remain in effect. In the event of the Governor's approval, the rule shall be~~

~~void on the day after the date of approval~~ Reserved.

~~(e) Except for emergency rules, no rule or part thereof adopted by the department after April 3, 1985, shall be valid unless adopted in compliance with subsections (b), (c), and (d) of this Code section and subsection (a) of Code Section 50-13-4~~ Reserved.

~~(f) Emergency rules shall not be subject to the requirements of subsection (b), (c), or (d) of this Code section but shall be subject to the requirements of subsection (b) of Code Section 50-13-4. Upon the first expiration of any department emergency rules, where those emergency rules are intended to cover matters which had been dealt with by the department's nonemergency rules but such nonemergency rules have been objected to by both legislative committees under this Code section, the emergency rules concerning those matters may not again be adopted except for one 120 day period. No emergency rule or part thereof which is adopted by the department shall be valid unless adopted in compliance with this subsection~~ Reserved.

(g) Any proceeding to contest any rule on the ground of noncompliance with this Code section ~~must~~ shall be commenced within two years from the effective date of the rule.

(h) For purposes of this Code section, 'rules' shall mean rules and regulations.

(i) The state health plan or the rules establishing considerations, standards, or similar criteria for the grant or denial of a certificate of need pursuant to Code Section 31-6-42 shall not apply to any application for a certificate of need as to which, prior to the effective date of such plan or rules, respectively, the evidence has been closed following a full evidentiary hearing before a hearing officer.

(j) This Code section shall apply only to rules adopted pursuant to this chapter."

SECTION 2-4.

Said title is further amended by revising subsection (a.1) of Code Section 31-8-179.2, relating to the Department of Community Health authorized to assess one or more provider payments on hospitals for the purpose of obtaining federal financial participation for Medicaid, as follows:

"(a.1) The General Assembly shall have the authority to override any provider payment assessed by the board pursuant to this Code section in accordance with the procedures contained in subsection ~~(f)~~ (d) of Code Section 50-13-4."

SECTION 2-5.

Said title is further amended by revising subsection (b) of Code Section 31-12-2.1, relating to investigation of potential bioterrorism activity and regulations and planning for public health emergencies, as follows:

"(b) The department shall promulgate rules and regulations appropriate for management of any public health emergency declared pursuant to the provisions of Code Section 38-3-51, with particular regard to coordination of the public health emergency response of the state pursuant to subsection (i) of said Code section. Such rules and regulations shall be applicable to the activities of all entities created pursuant to Chapter 3 of this title in such circumstances, notwithstanding any other provisions of law. In developing such rules and regulations, the department shall consult and

coordinate as appropriate with the Georgia Emergency Management and Homeland Security Agency, the Federal Emergency Management Agency, the Georgia Department of Public Safety, the Georgia Department of Agriculture, and the federal Centers for Disease Control and Prevention. The department is authorized, in the course of management of a declared public health emergency, to adopt and implement emergency rules and regulations pursuant to the provisions of subsection ~~(b)~~ (f) of Code Section 50-13-4. Such rules and regulations shall be adopted pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' but shall be automatically referred by the Office of Legislative Counsel to the House of Representatives and Senate Committees on Judiciary."

SECTION 2-6.

Code Section 33-29A-8 of the Official Code of Georgia Annotated, relating to rules and regulations and compensation to licensed insurance agents, is amended by revising subsection (a) as follows:

"(a) The Commissioner shall adopt rules and regulations for the implementation of this chapter. Notwithstanding any provision of Chapter 2 of this title or any other law to the contrary, such rules and regulations shall be adopted in exact compliance with the procedures specified in Article 1 of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' In addition to any other materials submitted under ~~subsection (e)~~ of Code Section 50-13-4, there shall be so submitted the full text of the Georgia Health Insurance Assignment System, the Georgia Health Benefits Assignment System, the standard health insurance policies provided for in Code Section 33-29A-4, and the standard health benefit plans provided for in Code Section 33-29A-5."

SECTION 2-7.

Code Section 50-13A-20 of the Official Code of Georgia Annotated, relating to applicability of provisions in tax tribunals, is amended in subsection (b) as follows:

"(b) Only the following provisions of Article 1 of Chapter 13 of this title shall apply to the tribunal and its administration:

- (1) Code Section 50-13-3, except for paragraph (4) of subsection (a);
- (2) Code Section 50-13-4, except for ~~paragraphs (3) and (4)~~ paragraph (5) of subsection (a) and subsections ~~(b)~~ (f), (g), (h), and (i);
- (3) ~~Code Section 50-13-6, except for paragraph (2) of subsection (c);~~
- ~~(4)~~ Code Section 50-13-7;
- ~~(5)~~(4) Code Section 50-13-8; and
- ~~(6)~~(5) Code Section 50-13-10."

PART III

SECTION 3-1.

This Act shall be applicable to any rule promulgated by any agency of the executive branch on or after July 1, 2018.

SECTION 3-2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Ligon, Jr. of the 3rd asked unanimous consent that the Senate disagree to the House substitute to SB 338.

The consent was granted, and the Senate disagreed to the House substitute to SB 338.

The following bill was taken up to consider House action thereto:

SB 385. By Senators Jones of the 25th, Black of the 8th, Harper of the 7th, Lucas of the 26th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost reimbursement fees and surcharges, so as to change the surcharge imposed by host local governments regarding solid waste disposal facilities operated by private enterprises; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, so as to allow the chief medical examiner to inter and disinter unidentified human remains under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, is amended by adding a new Code section to read as follows:

"45-16-51.

(a) The chief medical examiner shall be authorized to inter unidentified human remains after the peace officer in charge has exhausted all efforts in identifying such remains.

(b) Notwithstanding Code Section 45-16-45, the chief medical examiner shall have the authority to disinter remains interred pursuant to subsection (a) of this Code section when the chief medical examiner determines that further information can be obtained or further testing can be performed that may result in the identification of such remains."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Jones of the 25th asked unanimous consent that the Senate disagree to the House substitute to SB 385.

The consent was granted, and the Senate disagreed to the House substitute to SB 385.

The following Senators were excused as Conferees:

Mullis of the 53rd Watson of the 1st

Senator Brass of the 28th asked unanimous consent that HB 853, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 853, having been taken from the Table, was put upon its passage.

HB 853. By Representatives Dempsey of the 13th, Efstration of the 104th, Oliver of the 82nd, Benton of the 31st and Coleman of the 97th:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the short title and purpose of the "Quality Basic Education Act," so as to provide that children placed in psychiatric residential treatment facilities pursuant to a physician's order may not be charged tuition; to provide for eligibility for enrollment; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Brass of the 28th.

The Senate Committee on Education and Youth offered the following substitute to HB 853:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to provide that a child placed in a psychiatric residential treatment facility by his or her parent or legal guardian pursuant to a physician's order is eligible for education services from the local school system in which the psychiatric residential treatment facility is located; to provide for related matters; to provide for statutory construction; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," is amended by revising subsections (a) and (b) of Code Section 20-2-133, relating to free public instruction, as follows:

"(a) Admission to the instructional programs funded under this article shall be free to all eligible children and youth who enroll in such programs within the local school system in which they reside and to children as provided in subsection (b) of this Code section. Therefore, a local school system shall not charge resident students tuition or fees, nor shall such students be required to provide materials or equipment except for items specified by the State Board of Education, as a condition of enrollment or full participation in any instructional program. However, a local school system is authorized to charge nonresident students tuition or fees or a combination thereof; provided, however, that such charges to a student shall not exceed the average locally financed per student cost for the preceding year, excluding the local five mill share funds required pursuant to Code Section 20-2-164; provided, further, that no child ~~in a placement operated by the Department of Human Services or the Department of Behavioral Health and Developmental Disabilities or for which payment is made by the Department of Juvenile Justice, the Department of Human Services or any of its divisions, or the Department of Behavioral Health and Developmental Disabilities and no child who is in the physical or legal custody of the Department of Juvenile Justice, under the care or physical or legal custody of the Department of Human Services or any of its divisions, or under the physical custody of the Department of Behavioral Health and Developmental Disabilities~~ described in subparagraph (A) of paragraph (1) of subsection (b) of this Code section shall be charged tuition, fees, or a combination thereof. A local school system is further authorized to contract with a nonresident student's system of residence for payment of tuition. The amount of tuition paid directly by the system of residence shall be limited only by the terms of the contract between systems. Local units of administration shall provide textbooks or any other reading materials to each student enrolled in a class which has a course of study that requires the use of such materials by the students.

(b)(1)(A) Any child, except ~~a child in a secure residential facility as defined in Code Section 15-11-2,~~ as otherwise specifically provided in subparagraph (D) of this paragraph, who is:

- (i) In ~~in~~ the physical or legal custody of the Department of Juvenile Justice or the Department of Human Services or any of its divisions;
- (ii) In ~~in~~ a placement operated by the Department of Human Services or the Department of Behavioral Health and Developmental Disabilities; ~~or~~
- (iii) In ~~in~~ a facility or placement paid for by the Department of Juvenile Justice, the Department of Human Services or any of its divisions, or the Department of Behavioral Health and Developmental Disabilities; or
- (iv) Placed in a psychiatric residential treatment facility by his or her parent or

legal guardian pursuant to a physician's order, if such child is not a home study, private school, or out-of-state student

and who is physically present within the geographical area served by a local unit of administration for any length of time is eligible for enrollment in the educational programs of that local unit of administration; provided, however, that the child meets the age eligibility requirements established by this article. Except for children who are committed to the Department of Juvenile Justice and receiving education services under Code Section 20-2-2084.1, the local unit of administration of the school district in which such child is present shall be responsible for the provision of all educational programs, including special education and related services, at no charge so long as the child is physically present in the school district.

(B) A child shall be considered in the physical or legal custody of the Department of Juvenile Justice or the Department of Human Services or any of its divisions if custody has been awarded either temporarily or permanently by court order or by voluntary agreement, or if the child has been admitted or placed according to an individualized treatment or service plan of the Department of Human Services. A child shall be considered in a facility or placement paid for or operated by the Department of Behavioral Health and Developmental Disabilities if the child has been admitted or placed according to an individualized treatment or service plan of the Department of Behavioral Health and Developmental Disabilities or its contractors.

(C) A facility providing educational services onsite to a child described in subparagraph (A) of this paragraph who is unable to leave such facility shall enter into a memorandum of understanding with the local unit of administration in which the facility is located. Such memorandum of understanding shall include, at a minimum, provisions regarding enrollment counting procedures, allocation of funding based on actual days of enrollment in the facility, and the party responsible for employing teachers. A memorandum of understanding shall be reviewed and renewed at least every two years.

(D) No child in a secure residential facility as defined in Code Section 15-11-2, regardless of his or her custody status, shall be eligible for enrollment in the educational programs of the local unit of administration of the school district in which such facility is located. No child or youth in the custody of the Department of Corrections or the Department of Juvenile Justice and confined in a facility as a result of a sentence imposed by a court shall be eligible for enrollment in the educational programs of the local unit of administration of the school district where such child or youth is being held; provided, however, that such child or youth may be eligible for enrollment in a state charter school pursuant to Code Section 20-2-2084.1.

(2) Except as otherwise provided in this Code section, placement in a facility ~~by a parent or~~ by another local unit of administration shall not create an obligation, financial or otherwise, on the part of the local unit of administration in which the facility is located to educate the child.

(3) For any child described in subparagraph (A) of paragraph (1) of this subsection, the custodian of or placing agency for the child shall notify the appropriate local unit of administration at least five days in advance of the move, when possible, when the child is to be moved from one local unit of administration to another.

(4) When the custodian of or placing agency for any child notifies a local unit of administration, as provided in paragraph (3) of this subsection, that the child may become eligible for enrollment in the educational programs of a local unit of administration, such local unit of administration shall request the transfer of the educational records and Individualized Education Programs and all education related evaluations, assessments, social histories, and observations of the child from the appropriate local unit of administration no later than ten days after receiving notification. Notwithstanding any other law to the contrary, the custodian of the records has the obligation to transfer these records and the local unit of administration has the right to receive, review, and utilize these records. Notwithstanding any other law to the contrary, upon the request of a local unit of administration responsible for providing educational services to a child described in subparagraph (A) of paragraph (1) of this subsection, the Department of Juvenile Justice, the Department of Behavioral Health and Developmental Disabilities, or the Department of Human Services shall furnish to the local unit of administration all medical and educational records in the possession of the Department of Juvenile Justice, the Department of Behavioral Health and Developmental Disabilities, or the Department of Human Services pertaining to any such child, except where consent of a parent or legal guardian is required in order to authorize the release of any of such records, in which event the Department of Juvenile Justice, the Department of Behavioral Health and Developmental Disabilities, or the Department of Human Services shall obtain such consent from the parent or guardian prior to such release.

(5) Any local unit of administration which serves a child pursuant to subparagraph (A) of paragraph (1) of this subsection shall receive in the form of annual grants in state funding for that child the difference between the actual state funds received for that child pursuant to Code Section 20-2-161 and the reasonable and necessary expenses incurred in educating that child, calculated pursuant to regulations adopted by the State Board of Education. Each local board of education shall be held harmless by the state from expending local funds for educating students pursuant to this Code section; provided, however, that this shall only apply to students who are unable to leave the facility in which they have been placed.

(6) Enrollment of an eligible child pursuant to this Code section shall be effectuated in accordance with rules and regulations adopted by the State Board of Education.

(7) For purposes of the accountability program provided for in Part 3 of Article 2 of Chapter 14 of this title, all facilities serving children described in subparagraph (A) of paragraph (1) of this subsection shall be, consistent with department rules and regulations, treated as a single local education agency; provided, however, that this paragraph shall not be construed to alleviate any responsibilities of the local unit of administration of the school district in which any such children are physically present

for the provision of education for any such children.

(8) The Department of Education, the State Charter Schools Commission, the Department of Human Services, the Department of Juvenile Justice, the Department of Behavioral Health and Developmental Disabilities, and the local units of administration where Department of Education, State Charter Schools Commission, Department of Juvenile Justice, Department of Behavioral Health and Developmental Disabilities, or Department of Human Services placements, facilities, or contract facilities are located shall jointly develop procedures binding on all agencies implementing the provisions of this Code section applicable to children and youth in the physical or legal custody of the Department of Juvenile Justice, under the care or physical or legal custody of the Department of Human Services, or under the physical custody of the Department of Behavioral Health and Developmental Disabilities."

SECTION 2.

This Act shall not be construed to create a precedent that state education funds always follow a student who leaves a public school to attend a private school or be admitted to a facility, if not already provided for by law.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
C Gooch	E Martin	E Unterman
Y Harbin	McKoon	Y Walker

Y Harbison	Y Millar	C Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	C Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 0.

HB 853, having received the requisite constitutional majority, was passed by substitute.

Senators Miller of the 49th and Anderson of the 43rd recognized Wallace Linsey, commended by SR 1146, adopted previously. Wallace Linsey addressed the Senate briefly.

Senator Hufstetler of the 52nd asked unanimous consent that HB 849, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 849, having been taken from the Table, was put upon its passage.

HB 849. By Representatives Peake of the 141st, Knight of the 130th, Wilkerson of the 38th, Mosby of the 83rd and Carson of the 46th:

A BILL to be entitled an Act to amend Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to income tax, so as to provide for reporting of federal partnership adjustments; to provide for Georgia partnership and pass-through entity adjustments and assessments and related appeals; to revise the provisions relating to the reporting of other federal adjustments; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Hufstetler of the 52nd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone

Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 52, nays 0.

HB 849, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

3/29/18

Due to business outside the Senate Chamber, I missed the vote on HB 849. Had I been present, I would have voted "Yes".

/s/ Lee Anderson
District 24

Senator Rhett of the 33rd asked unanimous consent that Senator James of the 35th be excused. The consent was granted, and Senator James was excused.

Senator Stone of the 23rd asked unanimous consent that HB 890, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 890, having been taken from the Table, was put upon its passage.

HB 890. By Representatives Fleming of the 121st, Burns of the 159th, Coomer of the 14th, Kelley of the 16th and Reeves of the 34th:

A BILL to be entitled an Act to amend Article 2 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to offenses against public order, so as to make it unlawful to use an emergency exit after having

shoplifted; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Stone of the 23rd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	Y Rhett
N Anderson, T	E James	N Seay
Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
N Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 37, nays 15.

HB 890, having received the requisite constitutional majority, was passed.

Senator Kirkpatrick of the 32nd asked unanimous consent that HB 972, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 972, having been taken from the Table, was put upon its passage.

HB 972. By Representatives Willard of the 51st, Oliver of the 82nd, Reeves of the 34th, Thomas of the 39th, Peake of the 141st and others:

A BILL to be entitled an Act to amend Chapter 11 of Title 15 and Code Section 49-5-8 of the Official Code of Georgia Annotated, relating to the

Juvenile Code and powers and duties of the Department of Human Services, respectively, so as to allow the Division of Family and Children Services of the Department of Human Services to offer extended care youth services to youths between 18 and 21 years of age under certain circumstances; to change a definition; to clarify juvenile court jurisdiction and the termination of dependency orders; to provide for voluntary agreements for services and court oversight; to change provisions relating to the Department of Human Services' powers and duties; to provide for effective dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirkpatrick of the 32nd.

The Senate Committee on Health and Human Services offered the following substitute to HB 972:

**A BILL TO BE ENTITLED
AN ACT**

To amend Chapter 11 of Title 15 and Code Section 49-5-8 of the Official Code of Georgia Annotated, relating to the Juvenile Code and powers and duties of the Department of Human Services, respectively, so as to allow the Division of Family and Children Services of the Department of Human Services to offer extended care youth services to youths between 18 and 21 years of age under certain circumstances; to change a definition; to clarify juvenile court jurisdiction and the termination of dependency orders; to provide for voluntary agreements for services and court oversight; to change provisions relating to the Department of Human Services' powers and duties; to amend Part 1 of Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to dependency proceedings, so as to require certain information be provided to a caregiver, foster parent, preadoptive parent, or relative by DFCS upon placement of a child; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**PART I
SECTION 1-1.**

Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, is amended by revising paragraph (10) of Code Section 15-11-2, relating to definitions, as follows:

- "(10) 'Child' means any individual who is:
- (A) Under the age of 18 years;
 - (B) Under the age of 17 years when alleged to have committed a delinquent act;

- (C) ~~Under the age of 22 years and in the care of DFCS as a result of being adjudicated dependent before reaching 18 years of age; Between 18 and 21 years of age and receiving extended care youth services from DFCS; or~~
- (D) ~~Under the age of 23 years and eligible for and receiving independent living services through DFCS as a result of being adjudicated dependent before reaching 18 years of age; or~~
- (E) Under the age of 21 years who committed an act of delinquency before reaching the age of 17 years and who has been placed under the supervision of the court or on probation to the court for the purpose of enforcing orders of the court."

SECTION 1-2.

Said chapter is further amended by revising subparagraph (F) of paragraph (1) of Code Section 15-11-10, relating to exclusive original jurisdiction, as follows:

"(F) ~~Has remained in foster care after such child's eighteenth birthday or who is receiving independent living services from DFCS after such child's eighteenth birthday; provided, however, that such jurisdiction shall be for the purpose of reviewing the status of such child and the services being provided to such child as a result of such child's independent living plan or status as a child in foster care~~ Is receiving extended care youth services; provided, however, that such jurisdiction shall be for the purpose of reviewing the status of the case, determining that extended care youth services are in the best interests of such child, adopting a transition plan for such child, ensuring the provision of developmentally appropriate services and supports consistent with such plans, and determining whether reasonable efforts are being made to transition such child to independent living or another planned permanent adult living arrangement; or"

SECTION 1-3.

Said chapter is further amended by revising paragraph (16) of subsection (b) of Code Section 15-11-201, relating to DFCS case plan contents, as follows:

"(16) A requirement that the DFCS case manager and staff and, as appropriate, other representatives of such child provide him or her with assistance and support in developing a transition plan that is personalized at the direction of such child, including specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and ~~work force~~ workforce supports and employment services, and is as detailed as such child may elect. The transition plan shall be completed in the 90 day period:

- (A) ~~Immediately~~ immediately prior to the date on which such child will attain 18 years of age; ~~or~~
- (B) ~~If such child remains in the care of DFCS past his or her eighteenth birthday, before his or her planned exit from DFCS care.~~"

SECTION 1-4.

Said chapter is further amended by revising subsection (c) of Code Section 15-11-214, relating to duration of disposition orders, as follows:

~~"(c) Unless a child remains in DFCS care or continues to receive services from DFCS, when~~ When a child adjudicated as a dependent child reaches 18 years of age, all orders in connection with dependency proceedings affecting him or her then in force terminate and he or she shall be discharged from further obligation or control."

SECTION 1-5.

Said chapter is further amended by adding a new article to read as follows:

"ARTICLE 4A

15-11-340.

(a) A child may receive extended care youth services from DFCS. In order to receive such services, he or she must be between 18 and 21 years of age, sign a voluntary placement agreement with DFCS, and meet objective eligibility criteria established by DFCS, which shall include one or more of the following requirements:

(1) Be completing secondary education or a program leading to an equivalent credential;

(2) Be enrolled in an institution which provides postsecondary or vocational education;

(3) Be a participant in a program or activity designed to promote or remove barriers to employment;

(4) Be employed for at least 120 hours per month;

(5) Be employed for 80 hours per month, provided that he or she is also engaged in one of the activities described in paragraphs (1) through (3) of this subsection or can only work 80 hours per month due to a medical condition; or

(6) Be incapable of doing any of the activities described in paragraphs (1) through (5) of this subsection due to a medical condition.

(b) When a child is receiving extended care youth services from DFCS, a DFCS case manager and staff, other representatives of such child and, as appropriate, such child shall develop a transition plan that is personalized at the direction of such child, including an option to execute a durable power of attorney for health care, health care proxy, or other similar document recognized by law with respect to health care and specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and workforce supports and employment services, and is as detailed as such child may elect. Such transition plan shall be completed within 30 days of the child agreeing to such services and shall be updated as required by this article.

(c) A child may terminate a voluntary placement agreement and stop receiving extended care youth services at any time.

(d) Every 60 days, a DFCS case manager shall determine if a child is still eligible for extended care youth services. If DFCS determines that a child is no longer eligible for extended care youth services, DFCS may terminate the voluntary placement agreement with such child and stop providing extended care youth services. DFCS shall provide written or electronic notice to such child regarding such termination and to the court

that approved such services.

(e) A child who is within 12 months of becoming 21 years of age shall not be permitted to sign a voluntary placement agreement with DFCS for extended care youth services.

15-11-341.

(a) No later than 120 days after a voluntary placement agreement is signed by a child, DFCS shall file with the court a written report which shall contain the following:

(1) The child's name, date of birth, race, gender, and current address;

(2) Facts to support a finding that the child meets the eligibility criteria for extended care youth services and an explanation as to why it is in the child's best interests to receive extended care youth services;

(3) A copy of the signed voluntary placement agreement;

(4) A plan for such child to transition to independent living or another planned permanent adult living arrangement which is appropriate for the age and independence of the child using a form adopted by DFCS;

(5) Any information the child wants the court to consider; and

(6) Any other information DFCS wants the court to consider.

(b) Within 30 days of the filing of the written report required by this Code section, the court shall hold a review hearing and make written findings of fact for the purpose of determining whether extended care youth services are in the best interests of such child. The court shall issue an order with regard to the child having extended care youth services if it has determined that such services are in the best interests of the child and, as appropriate, approve or reject the plan for transition to independent living or another planned permanent adult living arrangement submitted by DFCS.

15-11-342.

(a) When a child is receiving services under this article, the date such child is considered to have entered foster care shall be 60 days after such child signed the voluntary placement agreement.

(b)(1) No later than 12 months after a child is considered to have entered foster care, the court shall hold a hearing and make findings of fact for the purpose of determining whether:

(A) The services and supports provided by DFCS under the child's voluntary placement agreement are developmentally appropriate;

(B) DFCS has made reasonable efforts to finalize the child's plan for transition to independent living or another planned permanent adult living arrangement; and

(C) The child is making progress toward achieving independence.

(2) The court shall issue an order adopting or rejecting any updated transition plan for such child.

(c) So long as a child is eligible for and remains in extended care youth services, the court shall conduct periodic review hearings and make written findings of fact in accordance with subsection (b) of this Code section no later than 12 months following the previous hearing. Such periodic review hearings shall continue so long as such

child is eligible for and remains in extended care youth services.

(d) Five days prior to any hearing conducted under this Code section, DFCS shall submit a report for the court's consideration, on a form adopted by DFCS, recommending a plan for transition to independent living or another permanent planned adult living arrangement and include the child's name, address, and telephone number, the date he or she entered extended care youth services, and the placement and services being provided for such child.

(e) Within the 90 day period prior to a child no longer receiving extended care youth services from DFCS, a DFCS case manager and staff, and other representatives of such child and, as appropriate, such child shall develop a final transition plan that is personalized at the direction of such child, including an option to execute a durable power of attorney for health care, health care proxy, or other similar document recognized by law with respect to health care and specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and workforce supports and employment services, and is as detailed as such child may elect."

PART II

SECTION 2-1.

Code Section 49-5-8 of the Official Code of Georgia Annotated, relating to the powers and duties of the Department of Human Services, is amended in subsection (a) by deleting "and" at the end of paragraph (10), by replacing the period with "; and" at the end of paragraph (11), and by adding a new paragraph to read as follows:

"(12) Extended care youth services for youths between 18 and 21 years of age as set forth in Article 4A of Chapter 11 of Title 15 and to receive federal reimbursement for providing such services in accordance with 42 U.S.C. Section 675, as it existed on February 1, 2018."

PART III

SECTION 3-1.

Part 1 of Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to dependency proceedings, is amended by revising Code Section 15-11-109, relating to notice of hearings to specified nonparties, as follows: "15-11-109.

(a) In advance of each hearing or review, DFCS shall give written notice of the date, time, place, and purpose of the review or hearing, including the right to be heard, to the caregiver of a child, the foster parent of a child, any preadoptive parent, or any relative providing care for a child. The written notice shall be delivered to the recipient at least 72 hours before the review or hearing, except in the case of preliminary protective hearings or emergency hearings when such notice is not possible, by United States mail, e-mail, or hand delivery.

(b) Notice of a hearing or review shall not be construed to require a legal custodian, foster parent, preadoptive parent, or relative caring for a child to be made a party to the hearing or review solely on the basis of such notice and opportunity to be heard.

(c) Upon placement of a child, DFCS shall provide the caregiver, foster parent, preadoptive parent, or relative providing care for such child with the following information in writing:

(1) At the time of placement, if available, but no later than 30 days after the child is placed in the home or facility:

(A) A copy of or recommendations from the child's most recent physical and dental examinations and any available information on the child's known medical conditions and current medications;

(B) A copy of or recommendations from the child's most recent developmental assessment, trauma assessment, and psychological evaluation;

(C) A copy of any court scheduling order or the dates and times for any scheduled hearings relating to the child; and

(D) Health insurance information for the child, including the child's Medicaid number.

Provision of records in accordance with this paragraph shall not be considered a violation of subsection (b) of Code Section 49-5-40; and

(2) At the time of placement:

(A) An explanation of the process for enrolling the child in school and any information necessary to complete the process;

(B) A description of any financial assistance for which the caregiver, foster parent, preadoptive parent, or relative may be eligible, including any financial assistance available for child care;

(C) A description of the reasonable and prudent parenting standard defined in Code Section 49-5-3; and

(D) Contact information for a county or district department of family and children services."

PART IV SECTION 4-1.

This part, Part II, and Part III of this Act shall become effective on July 1, 2018, and Part I of this Act shall become effective on July 1, 2020.

SECTION 4-2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Kirk of the 13th, Unterman of the 45th and Kirkpatrick of the 32nd offered the following amendment #1:

Amend the Senate Committee on Health and Human Services substitute to HB 972 (LC 37 2661S) by deleting lines 182 through 206 and inserting in lieu thereof the following:

(c) Upon placement of a child, DFCS shall provide the caregiver, foster parent, preadoptive parent, or relative providing care for such child with the following information in writing:

(1) At the time of placement:

(A) An explanation of the process for enrolling the child in school and any information necessary to complete the process;

(B) A description of any financial assistance for which the caregiver, foster parent, preadoptive parent, or relative may be eligible, including any financial assistance available for child care;

(C) A description of the reasonable and prudent parenting standard defined in Code Section 49-5-3; and

(D) Contact information for a county or district department of family and children services; and

(2) At the time of placement, if available:

(A) A copy of or recommendations from the child's most recent physical and dental examinations and any available information on the child's known medical conditions and current medications;

(B) A copy of or recommendations from the child's most recent developmental assessment, trauma assessment, and psychological evaluation;

(C) A copy of any court scheduling order or the dates and times for any scheduled hearings relating to the child; and

(D) Health insurance information for the child, including the child's Medicaid number.

If the information listed in this paragraph is not available to DFCS at the time of placement, DFCS shall request such information no later than 15 days after the child enters foster care and provide such information to the caregiver, foster parent, preadoptive parent, or relative providing care for the child. Provision of records in accordance with this paragraph shall not be considered a violation of subsection (b) of Code Section 49-5-40."

On the adoption of the amendment, there were no objections, and the Kirk, et al. amendment #1 to the committee substitute was adopted.

Senators Ligon, Jr. of the 3rd, McKoon of the 29th, Harbin of the 16th, Stone of the 23rd, Anderson of the 24th and others offered the following amendment #2:

Amend the Senate substitute to HB 972 (LC 37 2661S) by adding after "child;" on line 11 the following:

to amend Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, so as to allow a child-placing agency to decline to accept a referral from the department and decline to perform services not referred under a contract with the department based on the child-placing agency's sincerely held religious beliefs; to prevent the department from discriminating against or causing any adverse

action against a child-placing agency based on its sincerely held religious beliefs; to provide for assertion of such rights; to provide a definition; to provide for a short title; to provide for legislative findings;

By replacing lines 209 through 211 with the following:

Part IV of this Act shall be known and may be cited as the "Keep Faith in Adoption and Foster Care Act."

SECTION 4-2.

The General Assembly finds that maintaining a diverse network of adoption and foster care service providers which accommodate children from various cultural backgrounds is a high priority of this state such that reasonable accommodations should be made to allow people of different geographical regions, backgrounds, and beliefs to remain within and become a part of such network. The General Assembly finds that it is important that decisions regarding the placement of children be made using the best interests of the child standard, including using child-placing organizations best able to provide for a child's physical, psychological, spiritual, and emotional needs and development. The General Assembly finds that child-placing agencies have the right to provide services in accordance with the agencies' sincerely held religious beliefs.

SECTION 4-3.

Article 1 of Chapter 5 of Title 49 of the Official Code of Georgia Annotated, relating to children and youth services, is amended by adding a new Code section to read as follows:
"49-5-25.

(a) As used in this Code section, the term 'adverse action' means an action that results in, directly or indirectly, the denial of funding; the refusal to renew funding; the cancellation of funding; the denial of a contract for services; the refusal to renew a contract for services; the cancellation of a contract for services; the denial of a license; the refusal to renew a license; the cancellation of a license; an enforcement action; deterrence or prevention of reasonable actions; and any other similar action that materially alters the terms of funding, a contract, or a license.

(b) When making referrals for adoption or foster care services to child-placing agencies under contract with the department, the department shall use its best efforts to refer services to a child-placing agency that is able to provide such services. If a child-placing agency declines to accept the department's referral, the department shall not use such declination in determining whether such referral is in the best interests of the child. To the extent allowed by federal law, including compliance with the Americans with Disabilities Act and Title VI of the Civil Rights Act of 1964, a child-placing agency may decline to accept a referral of a prospective adoptive or foster family for adoption or foster care services under a contract with the department based on the child-placing agency's sincerely held religious beliefs. If a child-placing agency declines to accept a referral, the department shall immediately refer those services to another child-placing agency. The department shall not take any adverse action against a child-

placing agency or an organization that seeks to become a child-placing agency on the basis, wholly or partly, that such child-placing agency or organization has declined to accept a referral for adoption or foster care services that do not comply with such child-placing agency's or organization's sincerely held religious beliefs.

(c) For services not referred under a contract with the department, a child-placing agency may decline to perform any service for a prospective adoptive or foster family that conflicts with the child-placing agency's sincerely held religious beliefs, and the department shall not take any adverse action against such child-placing agency for declining to perform such service.

(d) The department or child-placing agency may assert this Code section as a defense in any judicial or administrative proceeding and otherwise allowed by law. Nothing in this Code section shall be construed to constitute a waiver of sovereign immunity of the state or any of its boards, departments, bureaus, or agencies, or any officer or employee thereof."

PART V SECTION 5-1.

This part and Parts II through IV of this Act shall become effective on July 1, 2018, and Part I of this Act shall become effective on July 1, 2020.

SECTION 5-2.

Senator Walker III of the 20th requested a ruling of the Chair as to the germaneness of the amendment.

The President ruled the amendment not germane.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland

Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 54, nays 0.

HB 972, having received the requisite constitutional majority, was passed by substitute.

The following Senators were excused for business outside the Senate Chamber:

Martin of the 9th Strickland of the 17th

Senator Tillery of the 19th asked unanimous consent that HB 917, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 917, having been taken from the Table, was put upon its passage.

HB 917. By Representatives Dollar of the 45th, Frye of the 118th, Rakestraw of the 19th, Fleming of the 121st, Wallace of the 119th and others:

A BILL to be entitled an Act to amend Code Section 16-8-60 of the Official Code of Georgia Annotated, relating to reproduction of recorded material, transfer, sale, distribution, circulation, civil forfeiture, and restitution, so as to update terminology and change provisions relating to restitution; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Tillery of the 19th.

Senators Unterman of the 45th, Wilkinson of the 50th, Hufstetler of the 52nd, Henson of the 41st, Mullis of the 53rd and others offered the following amendment #1:

Amend the substitute to HB 917 (LC 29 7978S) by replacing lines 1 through 3 with the following:

To amend Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to offenses involving theft, so as to change provisions relating to removal or abandonment of shopping carts; to update terminology relating to reproduction of recorded material; to provide for related matters; to repeal conflicting

By replacing line 7 with the following:

Chapter 8 of Title 16 of the Official Code of Georgia Annotated, relating to offenses involving theft, is amended in Code Section 16-8-21, relating to removal or abandonment of shopping carts, by adding a new subsection to read as follows:

"(e) No local law, ordinance, or resolution shall subject a commercial retail establishment to a criminal punishment or civil penalty as a result of theft of a shopping cart from such establishment."

SECTION 1A.

Said chapter is further amended by revising Code Section 16-8-60, relating to reproduction

On the adoption of the amendment, the yeas were 27, nays 15, and the Unterman, et al. amendment #1 was adopted.

Senator Watson of the 1st moved that the Senate reconsider its action in adopting the Unterman, et al. amendment #1.

On the motion, the yeas were 21, nays 19; motion prevailed, and the Senate reconsidered its action in adopting the Unterman, et al. amendment #1.

On the adoption of the amendment, the yeas were 26, nays 17, and the Unterman, et al. amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Burke	N Jordan	E Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 2.

HB 917, having received the requisite constitutional majority, was passed as amended.

The following messages were received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, as amended, by the requisite constitutional majority the following Bill of the Senate:

SB 376. By Senators Shafer of the 48th, Kirk of the 13th, Albers of the 56th, Thompson of the 14th, Heath of the 31st and others:

A BILL to be entitled an Act to amend Article 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitutes, as amended by the House, to the following Bill and Resolution of the House:

HB 332. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to repeal and reenact Chapter 6A, relating to land conservation; to provide for a short title; to create the Georgia Outdoor Stewardship Trust Fund; to create funding mechanisms for the protection and preservation of

conservation land and provide for their operation; to provide for legislative intent; to provide for definitions; to establish procedural requirements for approval of project proposals; to provide for related matters; to provide an effective date; to provide for contingent repeal; to repeal conflicting laws; and for other purposes.

HR 238. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for an annual allocation of 75 percent of the revenue derived from the state sales and use tax with respect to the sale of outdoor recreation equipment to a trust fund to be used for the protection and preservation of conservation land; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

Mr. President:

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 792. By Representatives Rogers of the 10th, Rhodes of the 120th, Efstoration of the 104th and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to extend the sunset date for certain solid waste surcharges and hazardous waste fees; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House has adopted the report of the Committee of Conference on the following Bill of the House:

HB 684. By Representatives Ralston of the 7th, Jones of the 47th, Burns of the 159th and England of the 116th:

A BILL to be entitled an Act to make and provide appropriations for the State Fiscal Year beginning July 1, 2018, and ending June 30, 2019; to make and provide such appropriations for the operation of the state government and its departments, boards, bureaus, commissions, institutions, and other agencies, for the university system, common schools, counties, municipalities, and political subdivisions, for all other

governmental activities, projects, and undertakings authorized by law, and for all leases, contracts, agreements, and grants authorized by law; to provide for the control and administration of funds; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House insists on its position in substituting the following Bill of the Senate:

SB 202. By Senators Rhett of the 33rd and James of the 35th:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide for an increase in the personal needs allowance to be deducted from a nursing home resident's income; to provide for related matters; to repeal conflicting laws; and for other purposes.

At 12:49 p.m. the President announced that the Senate would stand at ease until 1:30 p.m.

At 1:51 p.m. the President called the Senate to order.

Senator Hill of the 4th recognized Senate Budget and Evaluation Director Melody DeBussey who addressed the Senate briefly.

Senator Thompson of the 5th was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

SB 401. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Tate of the 38th and others:

A BILL to be entitled an Act to amend Code Section 20-2-327 of the Official Code of Georgia Annotated, relating to recognition of advanced proficiency/honors courses and counseling and development of individual graduation plans, so as to provide for guidance in career oriented aptitudes and career interests in developing an individual graduation plan; to provide for a review and report of a school counselor's role, workload, program service delivery, and professional learning; to provide for legislative findings; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendments were as follows:

Amendment #1 (AM 33 1787)

Amend SB 401 (LC 33 7316S (SCS)) by inserting after "repeal;" on line 7 the following:

to provide for annual age-appropriate sexual abuse and assault awareness and prevention education in kindergarten through grade 9; to provide that professional learning may include programs on sexual abuse and assault awareness and prevention; to provide that in-service training shall include programs on sexual abuse and assault awareness and prevention for certain professional personnel;

By inserting between lines 88 and 89 the following:

SECTION 2A.

Said article is further amended by revising Code Section 20-2-143, relating to sex education and AIDS prevention instruction, implementation, and student exemption, as follows:

"20-2-143.

(a) Each local board of education shall prescribe a course of study in sex education and AIDS prevention instruction for such grades and grade levels in the public school system as shall be determined by the State Board of Education. Such course of study shall implement either the minimum course of study provided for in subsection (b) of this Code section or its equivalent, as approved by the State Board of Education. Each local board of education shall be authorized to supplement and develop the exact approach of content areas of such minimum course of study with such specific curriculum standards as it may deem appropriate. Such standards shall include instruction relating to the handling of peer pressure, the promotion of high self-esteem, local community values, the legal consequences of parenthood, and abstinence from sexual activity as an effective method of prevention of pregnancy, sexually transmitted diseases, and acquired immune deficiency syndrome.

(b) The State Board of Education shall prescribe a minimum course of study in sex education and AIDS prevention instruction which may be included as a part of a course of study in comprehensive health education for such grades and grade levels in the public school system as shall be determined by the state board and shall establish standards for its administration. The course may include instruction concerning human biology, conception, pregnancy, birth, sexually transmitted diseases, and acquired immune deficiency syndrome. The course shall include instruction concerning the legal consequences of parenthood, including, without being limited to, the legal obligation of both parents to support a child and legal penalties or restrictions upon failure to support a child, including, without being limited to, the possible suspension or revocation of a parent's driver's license and occupational or professional licenses. The course shall also include annual age-appropriate sexual abuse and assault awareness and prevention education in kindergarten through grade 9. A manual setting out the details of such course of study shall be prepared by or approved by the State School Superintendent in cooperation with the Department of Public Health, the State Board of Education, and such expert advisers as they may choose.

(c) The minimum course of study to be prescribed by the State Board of Education pursuant to subsection (b) of this Code section shall be ready for implementation not

later than July 1, 1988. Each local board shall implement either such minimum course of study or its equivalent not later than July 1, 1989. Any local board of education which fails to comply with this subsection shall not be eligible to receive any state funding under this article until such minimum course of study or its equivalent has been implemented.

(d) Any parent or legal guardian of a child to whom the course of study set forth in this Code section is to be taught shall have the right to elect, in writing, that such child not receive such course of study."

SECTION 2B.

Said article is further amended in Code Section 20-2-200, relating to the regulation of certificated professional personnel by the Professional Standards Commission, by revising paragraph (4) of subsection (b) as follows:

"(4) Requirements for certification renewal shall be established to foster ongoing professional learning, enhance student achievement, and verify standards of ethical conduct; provided, however, that from July 1, 2010, through June 30, 2017, no professional learning requirements shall be required for certificate renewal for clear renewable certificates for certificated personnel or for certificate renewal for paraprofessionals. Such requirements may include, but are not limited to, professional learning related to school improvement plans or the applicant's field of certification and background checks. Such requirements may also include participating in or presenting at in-service training programs on sexual abuse and assault awareness and prevention. Should the Professional Standards Commission include a requirement to demonstrate computer skill competency, the rules and regulations shall provide that a certificated educator may elect to meet the requirement by receiving satisfactory results on a test in basic computer skill competency. If a certificated educator elects to take such test pursuant to this paragraph, the local school system by which such educator is employed shall make available the opportunity to take the test on site at the school in which the educator is assigned. Each principal shall identify an administrator on site at each school to serve as a proctor for individuals taking the test pursuant to this paragraph. Individuals holding a valid Georgia life certificate or a valid National Board for Professional Teaching Standards certificate shall be deemed to have met state renewal requirements except those related to background checks."

SECTION 2C.

Said article is further amended in Code Section 20-2-201, relating to specific course requirements, in-service or continuing education, and online offerings, by revising subsection (b) as follows:

"(b) Each local unit of administration shall be required to provide all professional personnel certificated by the Professional Standards Commission 12 clock hours of in-service or continuing education in each calendar year, or meet requirements of the Southern Association of Colleges and Schools. Such in-service programs shall be

developed by the local unit of administration in conjunction with such agencies as regional educational service agencies, colleges and universities, and other appropriate organizations. These programs shall be designed to address identified needs determined by appropriate personnel evaluation instruments. These programs shall also focus on improving the skills of certificated personnel that directly relate to improving student achievement, as reflected in the revised certification renewal rules established by the Professional Standards Commission pursuant to paragraph (4.1) of subsection (b) of Code Section 20-2-200 regarding the impact of professional learning on student achievement. These programs shall also include in-service training programs on sexual abuse and assault awareness and prevention for professional personnel that will be providing instruction in annual age-appropriate sexual abuse and assault awareness and prevention education in kindergarten through grade nine pursuant to subsection (b) of Code Section 20-2-143. Records of attendance shall be maintained by local units of administration and shall be monitored by appropriate Department of Education staff."

Amendment #2 (AM 33 1792)

Amend SB 401 (LC 33 7316S (SCS)) by inserting after "courses;" on line 4 the following:
to allow funding for students taking dual credit courses at certain eligible postsecondary institutions which utilize nonstandard term systems to be eligible for payment for up to five nonstandard terms per academic year;

By striking line 13 and inserting in lieu thereof the following:
credit courses, by revising subsections (j) and (k) and by adding a new subsection to read as follows:

By inserting after line 25 the following:

"(k) The funding provided to the commission for the program shall be subject to annual appropriations enacted by the General Assembly beginning in Fiscal Year 2016. The commission shall set criteria for funding for tuition, mandatory and noncourse related fees, course books, and transportation; provided, however, that beginning with the first summer school term in 2019, any eligible postsecondary institution that is a public authority and a body corporate and politic which utilizes a nonstandard term system composed of five terms in an academic year shall be allowed by the commission to receive payments for five terms annually for eligible high school students enrolled in dual credit courses at such institution. The amount of such funds to be paid shall be determined by the commission. The commission shall create a grant program, subject to the availability of funds, pursuant to which participating public eligible high schools may apply for transportation grants. Such grants shall be awarded based on criteria, terms, and conditions determined by the commission in consultation with the department."

By inserting between lines 88 and 89 the following:

SECTION 2A.

The amendment to subsection (k) of Code Section 20-2-161.3 as made by this Act shall stand repealed on June 30, 2020.

Senator Tippins of the 37th moved that the Senate agree to the House amendments to SB 401 as amended by the following amendment:

Amend the amendment to SB 401 (AM 33 1792) by striking all matter from lines 1 through 25.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Tillery
Y Ginn	Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 47, nays 1; the motion prevailed, and the Senate agreed to the House amendments to SB 401 as amended by the Senate.

The following bill was taken up to consider House action thereto:

SB 190. By Senators Jeffares of the 17th and Anderson of the 43rd:

A BILL to be entitled an Act to transfer intake services of the Juvenile Court of Newton County to the Georgia Department of Juvenile Justice pursuant to Code Section 15-11-69 of the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To transfer intake services of the Juvenile Court of Newton County to the Georgia Department of Juvenile Justice pursuant to Code Section 15-11-69 of the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

(a) Subject to availability of state funds for such purposes, pursuant to and as contemplated by Code Section 15-11-69 of the Official Code of Georgia Annotated, the intake services of the Juvenile Court of Newton County are hereby transferred to the Georgia Department of Juvenile Justice, shall become a part of the state-wide juvenile and intake services, and shall be fully funded through the Georgia Department of Juvenile Justice.

(b) Upon such transfer as provided by subsection (a) of this section, two intake officers of the Juvenile Court of Newton County shall become employees of the Georgia Department of Juvenile Justice, and on and after such transfer, said employees shall be subject to the salary schedules and other personnel policies of the Georgia Department of Juvenile Justice, except that the salaries of such employees shall not be reduced as a result of becoming employees of the Georgia Department of Juvenile Justice.

SECTION 2.

This Act shall become effective on July 1, 2017.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Strickland of the 17th moved that the Senate agree to the House substitute to SB 190 as amended by the following amendment:

A BILL TO BE ENTITLED
AN ACT

To transfer intake services of the Juvenile Court of Newton County to the Georgia Department of Juvenile Justice pursuant to Code Section 15-11-69 of the Official Code of Georgia Annotated; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

(a) Subject to availability of state funds for such purposes, pursuant to and as contemplated by Code Section 15-11-69 of the Official Code of Georgia Annotated, the intake services of the Juvenile Court of Newton County are hereby transferred to the Georgia Department of Juvenile Justice, shall become a part of the state-wide juvenile and intake services, and shall be fully funded through the Georgia Department of Juvenile Justice.

(b) Upon such transfer as provided by subsection (a) of this section, two intake officers of the Juvenile Court of Newton County shall become employees of the Georgia Department of Juvenile Justice, and on and after such transfer, said employees shall be subject to the salary schedules and other personnel policies of the Georgia Department of Juvenile Justice, except that the salaries of such employees shall not be reduced as a result of becoming employees of the Georgia Department of Juvenile Justice.

SECTION 2.

This Act shall become effective on July 1, 2018.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 51, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 190 as amended by the Senate.

The following bill was taken up to consider House action thereto:

SB 202. By Senators Rhett of the 33rd and James of the 35th:

A BILL to be entitled an Act to amend Article 7 of Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to medical assistance generally, so as to provide for an increase in the personal needs allowance to be deducted from a nursing home resident's income; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Rhett of the 33rd asked unanimous consent that the Senate adhere to its disagreement to the House substitute to SB 202 and that a Conference Committee be appointed.

The consent was granted, and the President appointed as a Conference Committee the following Senators: Burke of the 11th, Unterman of the 45th and Rhett of the 33rd.

The President recognized former Lieutenant Governors Pierre Howard and Mark Taylor who addressed the Senate briefly.

The following resolution was read and adopted:

SR 1071. By Senators Mullis of the 53rd, Hill of the 4th, Harbison of the 15th, Miller of the 49th, Butler of the 55th and others:

A RESOLUTION recognizing and commending Lieutenant Governor Casey Cagle; and for other purposes.

Senator Mullis of the 53rd recognized Lieutenant Governor Casey Cagle and First Lady Nita Cagle. Lieutenant Governor Casey Cagle addressed the Senate briefly.

Senator Albers of the 56th asked unanimous consent that HB 729, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 729, having been taken from the Table, was put upon its passage.

HB 729. By Representatives Harrell of the 106th, Frye of the 118th, Corbett of the 174th, Bentley of the 139th and Teasley of the 37th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to repeal certain provisions relating to

state ad valorem tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Finance offered the following substitute to HB 729:

A BILL TO BE ENTITLED
AN ACT

To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, so as to repeal certain provisions relating to state ad valorem tax; to clarify a certain provision regarding the application of the intangible recording tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 48 of the Official Code of Georgia Annotated, relating revenue and taxation, is amended by repealing Code Section 48-5-8, relating to the manner and time of making the state ad valorem tax levy, as follows:

"48-5-8.

~~(a) Subject to the conditions specified in subsection (b) of this Code section, the levy for state taxation shall be made by the Governor with the assistance of the commissioner. Each year, as soon as the value of the taxable property is substantially known by the commissioner, the commissioner shall assist the Governor in making the state levy. Immediately after the Governor has made the state levy, the commissioner shall send to each tax collector and tax commissioner written or printed notices of the Governor's order.~~

~~(b)(1) For taxable years beginning on or after January 1, 2011, and prior to January 1, 2012, the levy under subsection (a) of this Code Section shall be 0.25 mills.~~

~~(2) For taxable years beginning on or after January 1, 2012, and prior to January 1, 2013, the levy under subsection (a) of this Code Section shall be 0.2 mills.~~

~~(3) For taxable years beginning on or after January 1, 2013, and prior to January 1, 2014, the levy under subsection (a) of this Code Section shall be 0.15 mills.~~

~~(4) For taxable years beginning on or after January 1, 2014, and prior to January 1, 2015, the levy under subsection (a) of this Code Section shall be 0.1 mills.~~

~~(5) For taxable years beginning on or after January 1, 2015, and prior to January 1, 2016, the levy under subsection (a) of this Code Section shall be 0.05 mills.~~

~~(6)(A) For taxable years beginning on or after January 1, 2016, there shall be no levy for state taxation under subsection (a) of this Code section.~~

~~(B) Tax, penalty, and interest liabilities and refund eligibility for prior taxable years shall not be affected by this subsection and shall continue to be governed by the~~

~~provisions of this Code section as it existed immediately prior to May 12, 2010.~~

~~(C) This subsection shall not abate any prosecution, punishment, penalty, administrative proceedings or remedies, or civil action related to any violation of law committed prior to May 12, 2010.~~

~~(e) Each fiscal authority issuing an ad valorem property tax bill shall place a prominent notice on each taxpayer's ad valorem tax bill in substantially the following form:~~

~~'This gradual reduction and elimination of the state property tax and the reduction in your tax bill this year is the result of property tax relief passed by the Governor and the House of Representatives and the Georgia State Senate.' Reserved.~~

SECTION 2.

Said title is further amended by revising subsection (a) of Code Section 48-6-65, relating to the extension, transfer, assignment, modification, or renewal of certain instruments, as follows:

"(a) No tax other than as provided for in this article shall be required to be paid on any instrument which is an extension, transfer, assignment, modification, or renewal of, or which only adds additional security for, any original indebtedness or part of original indebtedness secured by an instrument subject to the tax imposed by Code Section 48-6-61 when:

(1) It affirmatively appears that the tax as provided by this article has been paid on the original security instrument recorded; provided, however, that the tax required by Code Section 48-6-61 shall be due on any portion of the instrument which is an additional advance of indebtedness secured by a previously recorded instrument, without regard to whether the original security instrument has been assigned; or

(2) The original instrument or the holder of the original instrument was exempt from the tax provided for in Code Section 48-6-61 by virtue of any other law."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Former Lieutenant Governor Mark Taylor, under the direction of the President, served as an honorary presiding officer.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	E Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 729, having received the requisite constitutional majority, was passed by substitute.

The following resolution was taken up to consider House action thereto:

HR 238. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A RESOLUTION proposing an amendment to the Constitution so as to authorize the General Assembly to provide by general law for an annual allocation of 75 percent of the revenue derived from the state sales and use tax with respect to the sale of outdoor recreation equipment to a trust fund to be used for the protection and preservation of conservation land; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

The House amendment was as follows:

Amend the Senate Committee on Appropriations substitute to HR 238 (LC 44 0927S) by replacing "half" with "80 percent" on lines 2 and 34.

By replacing "half" with "80 percent" on line 11.

Senator Gooch of the 51st moved that the Senate agree to the House amendment to the Senate substitute to HR 238.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 55, nays 0; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HR 238.

Senator Harper of the 7th asked unanimous consent that HB 785, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 785, having been taken from the Table, was put upon its passage.

HB 785. By Representatives Nix of the 69th, McCall of the 33rd, Nimmer of the 178th, Tankersley of the 160th and Buckner of the 137th:

A BILL to be entitled an Act to amend Code Section 12-8-22 of the Official Code of Georgia Annotated, relating to definitions relative to solid waste management, so as to modify certain definitions and enact new definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The Senate Committee on Natural Resources and the Environment offered the following substitute to HB 785:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 12-8-22 of the Official Code of Georgia Annotated, relating to definitions relative to solid waste management, so as to modify certain definitions and enact new definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 12-8-22 of the Official Code of Georgia Annotated, relating to definitions relative to solid waste management, is amended by revising paragraphs (26), (27), (33), (34), and (35) and by adding new paragraphs to read as follows:

"(9.1) 'Feedstock' means raw material that is used in a machine or industrial process."

"(10.1) 'Gasification to fuels and chemicals' means a process through which recovered materials or other nonrecycled feedstock is heated and converted into a fuel-gas mixture in an oxygen-deficient atmosphere, and such mixture is converted into fuel, including ethanol and transportation fuel, chemicals, or other chemical feedstocks."

"(10.2) 'Gasification to fuels and chemicals facility' means a facility that collects, separates, stores, or converts nonrecycled feedstock into fuels, chemicals, or other valuable final or intermediate products using a gasification to fuels and chemicals process. Such term shall not include a waste handling facility or solid waste thermal treatment facility."

"(20.1) 'Nonrecycled feedstock' means one or more of the following materials, derived from nonrecycled materials, that has been processed so that it may be used as a feedstock in a gasification to fuels and chemicals facility, but excluding coal refuse and scrap tires:

(A) Post-use plastics; or

(B) Materials for which the Environmental Protection Agency has made a nonwaste determination under 40 C.F.R. Section 241.3(c) or that are otherwise determined not to constitute waste."

"(22.1) 'Post-use plastics' means recovered plastics, derived from any source, that are not being used for their originally intended purpose and that might otherwise become waste if not processed at a pyrolysis or gasification to fuels and chemicals facility or recycled, and the term includes plastics that may contain incidental contaminants or impurities such as paper labels or metal rings."

"(24.1) 'Pyrolysis' means a process through which post-use plastics are heated, in an oxygen-free environment, until melted and thermally decomposed, then cooled, condensed, and converted into oil, diesel, gasoline, home heating oil, or other liquid fuel; gasoline or diesel blendstock; chemicals or chemical feedstock; waxes or lubricants; or other similar raw materials or intermediate or final products."

(24.2) 'Pyrolysis facility' means a facility that collects, separates, stores, or converts post-use plastics into fuels or other valuable final or intermediate products using a pyrolysis process. Pyrolysis facilities shall not be considered solid waste handling facilities or solid waste thermal treatment facilities.'

"(26) 'Recovered materials processing facility' means a facility engaged solely in the storage, processing, recycling, and resale or reuse of recovered materials. Such ~~term~~ facility shall not include be considered a solid waste handling facility; provided, however, that any solid waste generated by such facility shall be subject to all applicable laws and regulations relating to such solid waste.

(27) 'Recycling' means any process by which materials which would otherwise become solid waste are collected, separated, or processed and reused or returned to use in the form of raw materials, intermediates, or products which can be used as a substitute for products not derived by such processes.'

"(33) 'Solid waste' means any garbage or refuse; sludge from a waste-water treatment plant, water supply treatment plant, or air pollution control facility; and other discarded material including solid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations and community activities, but does not include recovered materials; post-use plastics and nonrecycled feedstock that are subsequently processed using a pyrolysis or gasification to fuels and chemicals process; solid or dissolved materials in domestic sewage; solid or dissolved materials in irrigation return flows or industrial discharges that are point sources subject to permit under 33 U.S.C. Section 1342; or source, special nuclear, or by-product material as defined by the federal Atomic Energy Act of 1954, as amended (68 Stat. 923).

(34) 'Solid waste handling' means the storage, collection, transportation, treatment, utilization, processing, or disposal of solid waste or any combination of such activities, but does not include recovered materials processing or pyrolysis or gasification to fuels and chemicals processes, or the holding of post-use plastics or nonrecycled feedstock at a pyrolysis facility or gasification to fuels and chemicals facility prior to processing at the facility where those materials are being held to ensure production is not interrupted.

(35) 'Solid waste handling facility' means any facility the primary purpose of which is the storage, collection, transportation, treatment, utilization, processing, or disposal, or any combination thereof, of solid waste, but does not include recovered materials processing facilities or pyrolysis or gasification to fuels and chemicals facilities.'

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator McKoon of the 29th offered the following amendment #1:

Amend the Senate committee substitute to HB 785 (LC 44 0871ERS) by inserting after "To" on line 1 the following:

amend Code Section 12-5-29 of the Official Code of Georgia Annotated, relating to sewage and waste disposal, withdrawal, diversion, or impoundment of surface waters, certificates required for vessels with marine toilets, and conditions for transfer of surface water from one river basin to another, so as to prohibit issuance of water pollution control discharge permits under certain circumstances; to amend

By inserting between lines 6 and 7 the following:

Code Section 12-5-29 of the Official Code of Georgia Annotated, relating to sewage and waste disposal, withdrawal, diversion, or impoundment of surface waters, certificates required for vessels with marine toilets, and conditions for transfer of surface water from one river basin to another, is amended by adding a new subsection to read as follows:

"(f) A water pollution control discharge permit shall not be issued when such issuance would allow the discharge of material related to municipal, industrial, or other discharges that produce turbidity, color, odor, or other objectionable conditions that interfere with legitimate water uses."

SECTION 2.

By redesignating Section 2 as Section 3.

Senator McKoon of the 29th asked unanimous consent that his amendment be withdrawn. The consent was granted, and the McKoon amendment #1 to the committee substitute was withdrawn.

Former Lieutenant Governor Pierre Howard, under the direction of the President, served as an honorary presiding officer.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate

Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	N Orrock	Y Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 52, nays 2.

HB 785, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

3/29/2018

Due to business outside the Senate Chamber, I missed the vote on HB 785. Had I been present, I would have voted "yes".

/s/ Gail Davenport
District 44

Senator Butch Miller, President Pro Tempore, assumed the Chair.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 426. By Senators Gooch of the 51st, Cowsert of the 46th, Miller of the 49th, Kennedy of the 18th, Dugan of the 30th and others:

A BILL to be entitled an Act to amend Title 36 of the O.C.G.A., relating to local government, so as to streamline the deployment of wireless broadband in the public rights of way; to enact the "Broadband Infrastructure Leads to Development (BILD) Act" to limit the ability of local governing authorities

to prohibit, regulate, or charge for use of public rights of way under certain circumstances; to provide a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 871. By Representatives LaRiccia of the 169th, Parrish of the 158th, Powell of the 171st, Burns of the 159th, Pirkle of the 155th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to create an exemption from state sales and use tax for 50 percent of the sales price of manufactured homes to be converted into real property in this state; to require proof of a qualifying purchase; to provide for recapture for unproven exemptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute to the following Bill of the House:

HB 820. By Representatives Beskin of the 54th, Jones of the 47th, Martin of the 49th, Price of the 48th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Part 2 of Article 5 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to county boards of tax assessors, so as to establish a procedure for counties following a rejection of a tax digest; to provide for related matters; to provide for an effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

The following bill was taken up to consider House action thereto:

HB 332. By Representatives Watson of the 172nd, Burns of the 159th, Nimmer of the 178th, Smith of the 70th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural resources, so as to repeal and reenact Chapter 6A, relating to land conservation; to provide for a short title; to create the Georgia Outdoor Stewardship Trust Fund; to create funding mechanisms for the protection and preservation of conservation land and provide for their operation; to provide for legislative intent; to provide for definitions; to establish procedural requirements for approval of project

proposals; to provide for related matters; to provide an effective date; to provide for contingent repeal; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate Committee on Appropriations substitute to HB 332 (LC 44 0920S) by replacing "half" with "80 percent" on line 23.

By replacing "25" with "40" on line 79.

By replacing "half" with "80 percent" on line 292.

Senator Gooch of the 51st moved that the Senate agree to the House amendment to the Senate substitute to HB 332.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Thompson, B
Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 0; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 332.

The following communication was received by the Secretary:

3/29/2018

Due to business outside the Senate Chamber, I missed the vote on HB 332. Had I been present, I would have voted "Yes".

/s/ Gail Davenport
District 44

The following bill was taken up to consider House action thereto:

SB 445. By Senators Gooch of the 51st, Beach of the 21st, Miller of the 49th, Ginn of the 47th and Dugan of the 30th:

A BILL to be entitled an Act to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for standards for contracts entered into by the Department of Transportation; to provide for a contract bidding process and award procedure; to prohibit camping on portions of the state highway system or property owned by the department; to provide for a definition; to declare property used for camping purposes in violation of such prohibition as contraband; to provide for forfeiture of such property; to provide for applicability; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for standards for contracts entered into by the Department of Transportation; to provide for the advertisement for contracts to be let by public bid on the department's website; to provide for a contract bidding process and award procedure; to prohibit camping on portions of the state highway system or property owned by the department; to provide for a definition; to provide for applicability; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended in Code Section 32-2-60, relating to authority of the Department of

Transportation to contract, form and content of construction contracts, federal-aid highway contracts, and bonds, by revising subsections (d) and (e) as follows:

~~"(d) The provisions of subsections (b) and (c) of this Code section shall be applicable only to federal-aid highway contracts.~~

~~(e)~~(d)(1) When the estimated amount of any department construction contract exceeds \$300 million, performance and payment bonds shall be required in the amount of at least the total amount payable by the terms of the contract unless the department, after public notice, makes a written determination supported by specific findings that single bonds in such amount are not reasonably available, and the board approves such determination in a public meeting. In such event, the estimated value of the construction portion of the contract, excluding right of way acquisition and engineering, shall be guaranteed by a combination of security including, but not limited to, the following:

- (A) Payment, performance, surety, cosurety, or excess layer surety bonds;
- (B) Letters of credit;
- (C) Guarantees of the contractor or its parent companies;
- (D) Obligations of the United States and of its agencies and instrumentalities; or
- (E) Cash collateral;

provided, however, that the aggregate total guarantee of the project may not use a corporate guarantee of more than 35 percent. The combination of such guarantees shall be determined at the discretion of the department, subject to the approval of the board; provided, however, that such aggregate guarantees shall include not less than \$300 million of performance and payment bonds and shall equal not less than 100 percent of the contractor's obligation under the construction portion of the contract.

(2) Payment guarantees approved pursuant to this subsection shall be deemed to satisfy the requirements of Code Section 13-10-61. Contractors requesting payment under construction contracts guaranteed pursuant to this subsection shall provide the following certification under oath with each such request: 'All payments due to subcontractors and suppliers from previous payment received under the contract have been made, and timely payments will be made from the proceeds of the payment covered by this certification.'

SECTION 2.

Said title is further amended in Code Section 32-2-65, relating to advertising for bids, by revising subsection (a) as follows:

"(a) On all contracts required to be let by public bid, the commissioner shall advertise for competitive bids for at least two weeks; the public advertisement shall be inserted once a week in such newspapers or other publications, or both, as will ensure adequate publicity, the first insertion to be at least two weeks prior to the opening of bids, the second to follow one week after the publication of the first insertion; provided, however, that the advertisement requirement provided in this Code section shall be satisfied by posting the required information on the department's website for the required time period."

SECTION 3.

Said title is further amended in Code Section 32-2-69, relating to bidding process and award of contract, by adding a new subsection to read as follows:

"(f) The signed, notarized affidavit required in subsection (b) of Code Section 13-10-91 shall be submitted to the department prior to the award of any contract."

SECTION 4.

Said title is further amended in Article 1 of Chapter 6, relating to general provisions regarding the regulation of maintenance and use of public roads, by adding a new Code section to read as follows:

"32-6-6.

(a) For purposes of this Code section, the term 'camping' means temporary habitation outdoors as evidenced by one or more of the following actions: the erection or use of tents or other shelters; the laying down of sleeping bags, blankets, or other materials used for bedding; the placing or storing of personal belongings; the making of a fire; or the act of cooking.

(b) It shall be unlawful for any person to knowingly use any portion of road on the state highway system or any property owned by the department for camping.

(c) Nothing in this Code section shall prohibit the normal, customary, and temporary use of safety rest areas, welcome centers, tourist centers, and other property of the department or state highway system specifically designated for purposes of resting, sleeping, eating, or other similar activities by persons traveling by vehicle.

(d) This Code section shall not apply to state or local government officials or employees acting in their official capacity and while performing activities as part of their official duties and shall not apply to any employee of a contractor or subcontractor performing duties under a contract with the department.

(e) Any person convicted of violating this Code section shall be guilty of a misdemeanor."

SECTION 5.

Said title is further amended in Code Section 32-7-4, relating to procedure for disposition of property, by revising subparagraph (a)(2)(A) and paragraphs (2) and (3) of subsection (b) as follows:

"(2)(A) When an entire parcel acquired by the department, a county, or a municipality, or any interest therein, is being disposed of, it may be acquired under the right created in paragraph (1) of this subsection at such price as may be agreed upon, but in no event less than the price paid for its acquisition. When only remnants or portions of the original acquisition are being disposed of, they may be acquired for a price no less than 15 percent under the market value thereof at the time the department, county, or municipality decides the property is no longer needed. The department shall use a real estate appraiser with knowledge of the local real estate market who is licensed in Georgia to establish the fair market value of the property prior to listing such property."

"(2)(A) Such sale of property may be made by the department or a county or municipality by listing the property through a real estate broker licensed under Chapter 40 of Title 43 who has a place of business located in the ~~county where the property is located or outside the county if no such business is located in the county where the property is located~~ state. Property shall be listed for a period of at least ~~three months~~. ~~Such property shall not be sold at less than its fair market value~~ 30 days. The department shall use a real estate appraiser with knowledge of the local real estate market who is licensed in Georgia to establish the fair market value of the property prior to listing such property. If the highest offer received to purchase is less than the appraised value but within 15 percent of such value, the department, county, or municipality may accept such offer and convey the property in accordance with the provisions of subsection (c) of this Code section. All sales shall be approved by the commissioner on behalf of the department or shall be approved by the governing authority of the county or municipality at a regular meeting that shall be open to the public, and public comments shall be allowed at such meeting regarding such sale.

(B) Commencing at the time of the listing of the property as provided in subparagraph (A) of this paragraph, the department, county, or municipality shall provide for a notice to be inserted once a week for two weeks in the legal organ of the county indicating the names of real estate brokers listing the property for the political subdivision. The department, county, or municipality may advertise in newspapers, on the Internet, or in magazines relating to the sale of real estate or similar publications.

(C) The department, county, or municipality shall have the right to reject any and all offers, in its discretion, and to sell such property pursuant to the provisions of paragraph (1) of this subsection.

(3)(A) Such sale of property may be made by the department, a county, or a municipality to the highest bidder at a public auction conducted by an auctioneer licensed under Chapter 6 of Title 43. ~~Such property shall not be sold at less than its fair market value.~~ If the highest offer received to purchase is less than the appraised value but within 15 percent of such value, the department, county, or municipality may accept such offer and convey the property in accordance with the provisions of subsection (c) of this Code section.

(B) The department, county, or municipality shall provide for a notice to be inserted once a week for the two weeks immediately preceding the auction in the legal organ of the county including, at a minimum, the following items:

- (i) A description sufficient to enable the public to identify the property;
- (ii) The time and place of the public auction;
- (iii) The right of the department or the county or municipality to reject any one or all of the bids;
- (iv) All the conditions of sale; and
- (v) Such further information as the department or the county or municipality may deem advisable as in the public interest.

The department, county, or municipality may advertise in magazines relating to the sale of real estate or similar publications.

(C) The department, county, or municipality shall have the right to reject any and all offers, in its discretion, and to sell such property pursuant to the provisions of paragraph (1) or (2) of this subsection."

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

Senator Gooch of the 51st moved that the Senate agree to the House substitute to SB 445 as amended by the following amendment:

Amend SB 445 (House Sub) (LC 39 1947S) by inserting after "procedure;" on line 4 the following:

to provide for limitations on restrictions of commercial motor vehicle traffic on certain county road systems;

By inserting after "penalty;" on line 6 the following:

to revise provisions regarding the procedure for disposition of property;

By inserting between lines 56 and 57 the following:

Said title is further amended in Code Section 32-4-42, relating to powers, by revising paragraphs (10) and (11) and by adding a new paragraph to read as follows:

"(10) In addition to the powers specifically delegated to it in this title and except as otherwise provided by Code Section 12-6-24, a county shall have the authority to adopt and enforce rules, regulations, or ordinances; to require permits; and to perform all other acts which are necessary, proper, or incidental to the efficient operation and development of the county road system; and this title shall be liberally construed to that end. Any power vested in or duty placed on a county but not implemented by specific provisions for the exercise thereof may be executed and carried out by a county in a reasonable manner subject to such limitations as may be provided by law;
~~and~~

(11) In all counties of this state having a population of 550,000 or more according to the United States decennial census of 1970 or any future such census, the county governing authority shall be empowered by ordinance or resolution to assess against any property the cost of reopening, repairing, or cleaning up from any public way, street, road, right of way, or highway any debris, dirt, sediment, soil, trash, building materials, and other physical materials originating on such property as a result of any private construction activity carried on by any developer, contractor, subcontractor, or owner of such property. Any assessment authorized under this paragraph, the interest thereon, and the expense of collection shall be a lien against the property so assessed coequal with the lien of other taxes and shall be enforced in the same manner as are state and county ad valorem property taxes by issuance of a fi. fa. and levy and sale as

set forth in Title 48, known as the 'Georgia Public Revenue Code;' Code'; and
(12) Municipalities whose incorporating Acts became of full force and effect on or after May 1, 2017, but prior to January 1, 2019, shall not establish or maintain restrictions on access by commercial motor vehicles as defined in paragraph (8.3) of Code Section 40-1-1 to portions of the road system providing access to commercial driveways as defined in Code Section 32-6-130, except as to the applicable road system, exceeding any county restrictions in effect on such portions on the date of incorporation unless such county by ordinance or resolution concurs on such restriction."

SECTION 5.

By redesignating Sections 5 and 6 as Sections 6 and 7, respectively.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 50, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 445 as amended by the Senate.

The following communication was received by the Secretary:

3/29/2018

Due to business outside the Senate Chamber, I missed the vote on SB 445. Had I been present, I would have voted “yes”.

/s/ Gail Davenport
District 44

The following messages were received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitutes to the following Bills of the House:

HB 475. By Representatives Harden of the 148th, Corbett of the 174th, Hogan of the 179th, Epps of the 144th and McCall of the 33rd:

A BILL to be entitled an Act to amend Chapter 17 of Title 43 of the Official Code of Georgia Annotated, relating to charitable solicitations, so as to implement additional requirements for use of collection receptacles for donations; to provide additional penalties for violation of said chapter; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 489. By Representatives McCall of the 33rd, Powell of the 32nd, Glanton of the 75th, Bentley of the 139th and Newton of the 123rd:

A BILL to be entitled an Act to amend Title 36 of the Official Code of Georgia Annotated, relating to local government, so as to provide that the Georgia Procurement Registry shall be used in addition to the official legal organ and other media outlets for advertisement of certain bid opportunities for goods and services and public works construction contracts by a county, municipal corporation, or local board of education; to provide that advertisement via the Georgia Procurement Registry shall be at no cost to local government entities; to require advertisement of certain bid opportunities by local government entities via the Georgia Procurement Registry; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 740. By Representatives Nix of the 69th, Howard of the 124th, Dempsey of the 13th, Chandler of the 105th, Trammell of the 132nd and others:

A BILL to be entitled an Act to amend Subpart 1A of Part 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating

to improved student learning environment and discipline in elementary and secondary education, so as to require local school systems to conduct certain screenings, assessments, and reviews prior to expelling or assigning a student in kindergarten through third grade to out-of-school suspension for five or more consecutive or cumulative days during a school year; to provide exceptions; to provide for a definition; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 763. By Representatives Nix of the 69th, Belton of the 112th, Chandler of the 105th, Coleman of the 97th and Stovall of the 74th:

A BILL to be entitled an Act to amend Subpart 2 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to compulsory attendance for students in elementary and secondary education, so as to expand the student attendance protocol committees to school climate; to provide for recommendations; to provide for periodic review of recommendations; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 973. By Representatives Jones of the 47th, Burns of the 159th, England of the 116th, Trammell of the 132nd and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 5 of Title 21 of the Official Code of Georgia Annotated, relating to ethics in government, so as to provide that lobbyists shall acknowledge receiving, reading, and agreeing to abide by the sexual harassment policy of the General Assembly as a condition to lobbyist registration; to provide that violation of the sexual harassment policy by a lobbyist shall be grounds for sanctioning such lobbyist; to provide that complaints regarding violation of the sexual harassment policy of the General Assembly by any lobbyist may be reported to the Georgia Government Transparency and Campaign Finance Commission by the General Assembly with recommendations for sanctions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 657. By Representatives Petrea of the 166th, Gilliard of the 162nd, Stephens of the 164th, Clark of the 147th, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general

provisions regarding dangerous instrumentalities and practices, so as to make unlawful the knowing and intentional provision of any firearm for the purpose of providing such firearm to any person known to be on probation as a felony first offender or to have been convicted of a felony; to provide for criminal penalties; to clarify that affirmative confirmation by firearm provider is not required; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has agreed to the Senate substitutes to the following Bills and Resolution of the House:

HB 780. By Representative Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 1 of Title 7 of the Official Code of Georgia Annotated, relating to financial institutions, so as to provide for numerous changes to provisions applicable to the Department of Banking and Finance and financial institutions generally, banks and trust companies, credit unions, licensed sellers of payment instruments, those licensed to cash payment instruments, and mortgage lenders and mortgage brokers; to provide for power of the commissioner to issue orders relative to state chartered financial institutions to exercise rights and powers authorized by federal law but not authorized under state law; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 888. By Representatives Knight of the 130th, Harrell of the 106th, Rhodes of the 120th, Efstrotation of the 104th and Rogers of the 10th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to tax exemptions from property tax, so as to change certain reporting requirements; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 986. By Representatives Nimmer of the 178th, Shaw of the 176th, Spencer of the 180th, LaRiccia of the 169th and Corbett of the 174th:

A BILL to be entitled an Act to amend an Act providing that the governing authority of each county comprising the Waycross Judicial Circuit may supplement the compensation, salary, expenses, and allowances of each of the judges of the superior courts of the Waycross Judicial Circuit, approved March 20, 1985 (Ga. L. 1985, p. 3879), so as to increase the amounts of

such supplements; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HR 51. By Representatives Powell of the 171st, England of the 116th, McCall of the 33rd, Williams of the 119th and Greene of the 151st:

A RESOLUTION proposing an amendment to the Constitution so as to remove the prescribed methodology for establishing forest land fair market value; to permit the withholding of a portion of assistance grants to provide for the costs of establishing forest land fair market value; to provide for related matters; to provide for the submission of this amendment for ratification or rejection; and for other purposes.

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 85. By Representatives Powell of the 171st, England of the 116th, McCall of the 33rd, Williams of the 119th and Greene of the 151st:

A BILL to be entitled an Act to amend Code Section 48-5-271 of the Official Code of Georgia Annotated, relating to table of values for conservation use value of forest land, so as to revise the methodology used to establish forest land fair market value; to provide for a sales data bank; to provide for publication; to provide for appeals; to provide for an administrative fee; to provide for related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

Senator Butler of the 55th asked unanimous consent that Senator Tate of the 38th be excused. The consent was granted, and Senator Tate was excused.

Senator Burke of the 11th was excused as a Conferee.

Senator Kirk of the 13th asked unanimous consent that HB 605, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 605, having been taken from the Table, was put upon its passage.

HB 605. By Representatives Spencer of the 180th, Oliver of the 82nd, Brockway of the 102nd, Frye of the 118th, Rakestraw of the 19th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation,

so as to change provisions relating to the revival of certain claims involving childhood sexual abuse; to provide for civil actions by the Attorney General under certain circumstances; to provide for a civil penalty; to provide for a report; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirk of the 13th.

The Senate Committee on Judiciary offered the following substitute to HB 605:

A BILL TO BE ENTITLED
AN ACT

To amend Code Sections 9-3-33.1 and Chapter 15 of Title 17 of the Official Code of Georgia Annotated, relating to actions for childhood sexual abuse and victim compensation, respectively, so as to extend the statute of limitations for actions for childhood sexual abuse under certain circumstances; to clarify existing law; to revise and provide for definitions; to provide for retroactive claims for childhood sexual abuse under certain circumstances; to provide for defenses to civil actions; to allow compensation from the Georgia Crime Victims Compensation Board under certain circumstances; to provide for a short title; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Hidden Predator Act of 2018."

SECTION 2.

Code Section 9-3-33.1 of the Official Code of Georgia Annotated, relating to actions for childhood sexual abuse, is amended by revising subparagraph (b)(2)(B) and adding a new paragraph to subsection (b), by revising subsection (c), and by adding subsection (d) as follows:

"(B) When a plaintiff's civil action is filed after the plaintiff attains the age of 23 years but within ~~two years from the date that the plaintiff knew or had reason to know of such abuse and that such abuse resulted in injury to the plaintiff~~ the time period described in division (b)(2)(A)(ii) of this Code section, the court shall determine from admissible evidence in a pretrial finding ~~when~~ the date upon which the discovery of the harm from the alleged childhood sexual abuse occurred and whether the civil action was timely filed under this Code section. The pretrial finding required under this subparagraph shall be made within six months of the filing of the civil action.

(3) Notwithstanding Code Section 9-3-33, a plaintiff who is between the age of 23

and 30 years may bring a civil action for recovery of damages suffered as a result of childhood sexual abuse committed on or after July 1, 2018.

(c)(1) As used in this subsection, the term:

(A) 'Entity' means an institution, agency, firm, business, corporation, or other public or private legal ~~entity~~ organization.

(B) 'Person' means the individual alleged to have committed the act of childhood sexual abuse.

(2) If a civil action for recovery of damages suffered as a result of childhood sexual abuse is commenced pursuant to division (b)(2)(A)(i) of this Code section and if the person was a volunteer or employee of an entity that owed a duty of care to the plaintiff, or the person and the plaintiff were engaged in some activity over which such entity had control, damages against such entity shall be awarded under this Code section only if by a preponderance of the evidence there is a finding of negligence on the part of such entity.

(3) If a civil action for recovery of damages suffered as a result of childhood sexual abuse is commenced pursuant to division (b)(2)(A)(ii) or paragraph (3) of subsection (b) of this Code section and if the person was a volunteer or employee of an entity that owed a duty of care to the plaintiff, or the person and the plaintiff were engaged in some activity over which such entity had control, damages against such entity shall be awarded under this Code section only if by a preponderance of the evidence there is a finding ~~that there was~~ of gross negligence on the part of such entity, that the entity knew or should have known of the alleged conduct giving rise to the civil action, and that such entity failed to take remedial action.

(d) Reserved."

SECTION 3.

Said Code section is further amended by adding a new subsection to read as follows:

"(e)(1) As used in this subsection, the term:

(A) 'Entity' means an institution, agency, firm, business, corporation, or other public or private legal organization.

(B) 'Person' means the individual alleged to have committed the act of childhood sexual abuse.

(C) 'Responsibility for the care' means:

(i) The person was a volunteer or employee of an entity that owed a duty of care to the plaintiff; or

(ii) The person and the plaintiff were engaged in some activity over which an entity had control.

(2) Plaintiffs who were time barred from filing a civil action for recovery of damages suffered as a result of childhood sexual abuse due to the expiration of the statute of limitations in effect on June 30, 2018, shall be allowed to file such actions, which had lapsed or technically expired under the law in effect on June 30, 2018. Such actions shall be permitted to be filed before the date he or she attains the age of 31 years and against:

(A) A person who had a responsibility for the care of the plaintiff. For a plaintiff filing under this paragraph, damages against such person may be awarded only if the plaintiff proves by a preponderance of the evidence that such person acted negligently; and

(B) An entity when such entity had a responsibility for the care of the plaintiff, such entity knew or should have known of the alleged conduct giving rise to the civil action, and such entity's actions involved intentionally harboring, assisting, concealing, or withholding information about the person. This subparagraph shall only apply when such actions of harboring, assisting, concealing, or withholding information about the person occurred within 12 years of the date of the filing of the civil action.

(3) On and after July 1, 2018, notwithstanding Code Section 9-3-33, and in addition to the extended periods of limitations provided by this Code section, when an entity had a responsibility for the care of the plaintiff, any civil action for recovery of damages suffered as a result of childhood sexual abuse shall be commenced within one year from the date the plaintiff discovered evidence that such entity's actions involved harboring, assisting, concealing, or withholding information about the person. This paragraph shall only apply when such actions of harboring, assisting, concealing, or withholding information about the person occurred within 12 years of the date of the filing of the civil action.

(4) For purposes of subparagraph (B) of paragraph (2) and paragraph (3) of this subsection:

(A) Intentionally harboring, assisting, concealing, or withholding information about the person by an entity shall include at least two of the following:

(i) Intentionally failing to timely report suspected child abuse in accordance with Code Section 19-7-5 or to the parent or guardian of the plaintiff;

(ii) Harboring, attempting to harbor, or assisting another individual or entity in harboring such person;

(iii) Intentionally allowing such person to continue working in a paid or volunteer position within such entity;

(iv) Assisting the person in being transferred, moved, or referred to another place of employment; or

(v) Intentionally or with conscious indifference concealing, attempting to conceal, or assisting another individual or entity in concealing or attempting to conceal such person's alleged conduct; and

(B) A plaintiff may recover damages against an entity only if he or she proves by clear and convincing evidence the elements required by subparagraph (B) of paragraph (2) or paragraph (3) of this subsection, as applicable, and at least two of the actions set forth in subparagraph (A) of this paragraph.

(5)(A) In any action for damages filed pursuant to this subsection, the plaintiff shall be required to file with the complaint an affidavit of an expert competent to testify setting forth specifically the factual basis and opinions relied upon to conclude that the plaintiff was subjected to childhood sexual abuse that resulted in harm to the

plaintiff. Such affidavit shall be filed under seal and may be amended.

(B) The contemporaneous affidavit filing requirement pursuant to subparagraph (A) of this paragraph shall not apply to any case in which the period of limitations will expire or there is a good faith basis to believe it will expire on any claim stated in the complaint within ten days of the date of filing the complaint and, because of time constraints, the plaintiff has alleged that an affidavit of an expert could not be prepared. In such cases, if the attorney for the plaintiff files with the complaint an affidavit in which the attorney swears or affirms that his or her law firm was not retained by the plaintiff more than 90 days prior to the expiration of the period of limitations on the plaintiff's claim or claims, the plaintiff shall have 45 days after the filing of the complaint to supplement the pleadings with the expert's affidavit. The trial court shall not extend such time for any reason without the consent of all parties. If either affidavit is not filed within the periods specified in this paragraph, or it is determined that the law firm of the attorney who filed the affidavit permitted in lieu of the contemporaneous filing of an expert affidavit or any attorney who appears on the pleadings was retained by the plaintiff more than 90 days prior to the expiration of the period of limitations, the complaint shall be dismissed for failure to state a claim.

(C) This paragraph shall not be construed to extend any applicable period of limitations, except that if the affidavits are filed within the periods specified in this paragraph, the filing of the affidavit of an expert after the expiration of the period of limitations shall be considered timely and shall provide no basis for a statute of limitations defense.

(D) If a complaint is filed without the contemporaneous filing of an affidavit as permitted by subparagraph (B) of this paragraph, the defendant shall not be required to file an answer to the complaint until 30 days after the filing of the affidavit of an expert, and no discovery shall take place until after the filing of the answer.

(E) If a plaintiff files an affidavit which is allegedly defective, and the defendant to whom it pertains alleges, with specificity, by motion to dismiss filed on or before the close of discovery, that said affidavit is defective, the plaintiff's complaint shall be subject to dismissal for failure to state a claim, except that the plaintiff may cure the alleged defect by amendment pursuant to Code Section 9-11-15 within 30 days of service of the motion alleging that the affidavit is defective. The trial court may, in the exercise of its discretion, extend the time for filing said amendment or response to the motion, or both, as it shall determine justice requires.

(F) If a plaintiff fails to file an affidavit as required by this paragraph and the defendant raises the failure to file such an affidavit by motion to dismiss filed contemporaneously with its initial responsive pleading, such complaint shall not be subject to the renewal provisions of Code Section 9-2-61 after the expiration of the applicable period of limitation, unless a court determines that the plaintiff had the requisite affidavit within the time required by this Code section and the failure to file the affidavit was the result of a mistake.

(6) Notwithstanding the period of limitations set forth in this subsection, or the nature

of the civil action or relief sought, the doctrine of equitable tolling under Article 5 of Chapter 3 of Title 9 or the doctrine of laches shall apply to cases at law or equity filed under this subsection, in the discretion of the court."

SECTION 4.

Said Code section is further amended by adding two new subsections to read as follows:

"(f) For purposes of imposing liability on an entity under this Code section, when an entity is an unincorporated association, the individual members or owners of it shall not be personally liable for the actions of such association unless such individual's own actions constitute negligence by being a deviation from the standard of care that an ordinarily prudent person would exercise in a like position under similar circumstances.

(g) For any civil action filed pursuant to subsection (e) of this Code section, on and after July 1, 2018, an entity shall be deemed not to have intentionally harbored, assisted, concealed, or withheld information about the individual alleged to have committed the act of childhood sexual abuse if it timely complied with the mandatory reporting requirements in accordance with Code Section 19-7-5 or timely reported to the parent or guardian of the plaintiff."

SECTION 5.

Chapter 15 of Title 17 of the Official Code of Georgia Annotated, relating to victim compensation, is amended by revising paragraph (1) of subsection (b) of Code Section 17-15-5, relating to filing of claims, verification, and contents, as follows:

"(b)(1) A claim shall be filed by a victim not later than three years after the occurrence of the crime upon which such claim is based or not later than three years after the death of the victim; provided, however, that if such victim was a minor at the time of the commission of the crime, he or she shall have until three years after his or her eighteenth birthday to file such claim; and provided, further, that upon good cause shown, which shall be presumed when the victim has filed a civil action under Code Section 9-3-33.1, the board may extend the time for filing a claim."

SECTION 6.

Said chapter is further amended in paragraph (1) of subsection (a) of Code Section 17-15-7, relating to persons eligible for awards, by deleting "or" at the end of subparagraph (D), by replacing the period with "; or" at the end of subparagraph (E), and by adding a new subparagraph to read as follows:

"(F) Has filed a civil action under Code Section 9-3-33.1 and suffers a serious mental or emotional trauma as a result of being a victim of childhood sexual abuse, as such term is defined in Code Section 9-3-33.1;"

SECTION 7.

Said chapter is further amended by revising paragraph (3) of subsection (a) of Code Section 17-15-8, relating to required findings, amount of award, rejection of claim, reductions, exemption from garnishment and execution, exemption from treatment as

ordinary income, effective date for awards, psychological counseling for relatives of deceased, and memorials for victims of DUI homicide, as follows:

"(3) Police records, records of an investigating agency, or records created pursuant to a mandatory reporting requirement show that the crime was promptly reported to the proper authorities. In no case may an award be made where the police records, records of an investigating agency, or records created pursuant to a mandatory reporting requirement show that such report was made more than 72 hours after the occurrence of such crime unless the board, for good cause shown, finds the delay to have been justified and provided, further, that good cause shall be presumed if the person is eligible for awards pursuant to this chapter corresponding to subparagraph (a)(1)(D) or (a)(1)(F) of Code Section 17-15-7; and"

SECTION 8.

All laws and parts of laws in conflict with this Act are repealed.

Senators Kirk of the 13th, Kennedy of the 18th, Ligon, Jr. of the 3rd, Cowser of the 46th, McKoon of the 29th and others offered the following amendment #1:

Amend the Senate committee substitute to HB 605 (LC 29 8109ERS) by deleting "harm from the" on lines 21 and 22.

By replacing line 76 with the following:

(3) For occurrences of childhood sexual abuse committed on and after July 1, 2018, notwithstanding Code Section 9-3-33, and in addition to

By replacing "such entity's actions involved harboring" with "such entity knew its actions involved intentionally harboring" on line 80.

By replacing "(ii) Harboring" with "(ii) Intentionally harboring" on line 91.

By replacing "(iv) Assisting" with "(iv) Intentionally assisting" on line 95.

By deleting "or with conscious indifference" on line 97.

By replacing line 103 with the following:

forth in subparagraph (A) of this paragraph, and such actions were a proximate cause of the plaintiff's childhood sexual abuse.

By deleting ", in the discretion of the court" on line 152.

Senator Jordan of the 6th asked unanimous consent that she be excused from voting on HB 605 pursuant to Senate Rule 5-1.8(d). The consent was granted, and Senator Jordan was excused.

On the adoption of the amendment, there were no objections, and the Kirk, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	E Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller (PRS)	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 51, nays 0.

HB 605, having received the requisite constitutional majority, was passed by substitute.

The President resumed the Chair.

Senator Martin of the 9th asked unanimous consent that HB 795, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 795, having been taken from the Table, was put upon its passage.

HB 795. By Representatives Gravley of the 67th, Hilton of the 95th, Williamson of the 115th, Coomer of the 14th and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 2 of Title 34 of the Official Code of Georgia Annotated, relating to the Department of Labor, so as to authorize the Commissioner of Labor to perform certain functions; to authorize the Commissioner of Labor to prescribe certain rules and regulations; to provide for definitions; to authorize the Commissioner of Labor to conduct fingerprint based criminal background checks for individuals employed by the Department of Labor; to provide a process for conducting such criminal background checks; to limit the use, dissemination, and liability relating to information obtained from the criminal background checks; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Martin of the 9th.

Senators Martin of the 9th and Strickland of the 17th offered the following amendment #1:

Amend HB 795 (LC 36 3490) by deleting lines 1 and 2 and inserting in lieu thereof the following:

To amend Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, so as to authorize the Commissioner of Labor to perform certain

By inserting after "checks;" on line 8 the following:

to change certain provisions relating to the eligibility for appointment as administrative law judge emeritus of the State Board of Workers' Compensation; to provide for terms of office and salary for the office of administrative law judge emeritus;

By deleting lines 11 and 12 and inserting in lieu thereof the following:

Title 34 of the Official Code of Georgia Annotated, relating to labor and industrial relations, is amended in Code Section 34-2-6, relating to specific powers and duties of the

By replacing "chapter" with "title" on line 24.

By inserting between lines 88 and 89 the following:

Said title is further amended by revising Code Section 34-9-57, relating to the creation of administrative law judge emeritus of the State Board of Workers' Compensation, eligibility for and manner of appointment, and compensation, as follows:

"34-9-57.

(a) There is created the office of administrative law judge emeritus of the board.

(b) Any administrative law judge, formerly known as deputy director, of the board ~~now~~ ~~or hereafter~~ in office on June 30, 2018, shall be eligible for appointment as

administrative law judge emeritus, ~~provided~~ once he or she has reached the age of 70 years and has either (1) attained 20 years of service in the capacity of administrative law judge or deputy director or (2) attained 20 years of total service, aggregating his or her service as administrative law judge or deputy director with any years of prior service as director, member of the General Assembly of Georgia or the Georgia National Guard, or as special assistant attorney general, or any combination of services in these offices.

(c) ~~An Such~~ administrative law judge emeritus shall be eligible for appointment by the Governor in the same manner as provided for appointment of a director emeritus under Code Section 34-9-53 and shall exercise the same duties as provided in Code Section 34-9-55 for a director emeritus.

(d) Notwithstanding the provisions of subsection (b) of this Code section, all persons appointed to the office of administrative law judge emeritus of the board prior to June 30, 2018, shall continue to hold such office and shall receive the annual salary provided for in subsection (e) of this Code section.

(e) All persons appointed to the office of administrative law judge emeritus as provided in this Code section shall receive an annual salary equal to one-third of the annual salary provided by law for an administrative law judge of the board at the time of appointment of the administrative law judge emeritus under this Code section, such salary to be paid by the board in semimonthly installments from funds provided by law for the operation of the board."

SECTION 4.

On the adoption of the amendment, there were no objections, and the Martin, Strickland amendment #1 was adopted.

Senators Tillery of the 19th, Mullis of the 53rd, Cowser of the 46th, Jordan of the 6th, Thompson of the 5th and others offered the following amendment #2:

Amend HB 795 (LC 36 3490) by deleting lines 1 through 3 and inserting in lieu thereof the following: To amend Chapters 2 and 9 of Title 34 of the Official Code of Georgia Annotated, relating to the Department of Labor and workers' compensation, respectively, so as to provide for certain administrative functions of such department and the State Board of Workers' Compensation; to authorize the Commissioner of Labor to prescribe certain rules;

By adding after "checks;" on line 8 the following: to change certain provisions relating to the eligibility for appointment as director emeritus; to provide procedural requirements for rules of the board;

By inserting between lines 88 and 89 the following: Chapter 9 of Title 34 of the Official Code of Georgia Annotated, relating to workers' compensation, is amended by revising

Code Section 34-9-53, relating to directors emeritus of the State Board of Workers' Compensation and the eligibility and procedure for appointment, as follows:

"34-9-53.

(a) There is created the office of director emeritus of the board.

(b) Any director of the board ~~now or hereafter~~ in office on June 30, 2018, shall be eligible for appointment as director emeritus, ~~provided that~~ once such member of the board has reached the age of 60 years and has also attained 20 consecutive years of service in the capacity of chairman, director, deputy director or administrative law judge, member of the General Assembly, or a combination of consecutive service in these offices; ~~and provided, further,~~ provided that not more than five years' service in the General Assembly shall be allowed as service credit under this Code section. The Governor shall appoint to the position of director emeritus anyone eligible under this Code section who shall advise the Governor in writing that he or she desires to resign from the office of director of the board and accept appointment as director emeritus of the board, stating in such notice the date upon which the resignation as director and appointment as director emeritus shall become effective; and upon such notice the Governor shall make such appointment effective upon the date requested, and the resignation as director of the board shall be automatically effective as of the same date as the appointment as director emeritus.

(c) Notwithstanding the provisions of subsection (b) of this Code section, all persons appointed to the office of director emeritus of the board prior to June 30, 2018, shall continue to hold such office for the term and salary provided for in Code Section 34-9-54."

SECTION 4.

Said chapter is further amended in Code Section 34-9-60, relating to rule-making and subpoena powers and service and enforcement of subpoenas, by adding a new subsection to read as follows:

"(c) Any rules of the board shall be subject to and adopted in compliance with the provisions of Code Section 50-13-4. In addition to providing notice to any chairpersons specified by the presiding officers as provided in subsection (e) of Code Section 50-13-4, the legislative counsel shall also transmit notice of the board's intended action to the House Committee on Judiciary, the Senate Judiciary Committee, the House Committee on Industry and Labor, and the Senate Insurance and Labor Committee, and each such committee shall be granted all the rights provided for interested persons and governmental subdivisions in paragraph (2) of subsection (a) of Code Section 50-13-4."

SECTION 5.

On the adoption of the amendment, the President asked unanimous consent.

Senator Martin of the 9th objected.

On the adoption of the amendment, the yeas were 30, nays 7, and the Tillery, et al. amendment #2 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 53, nays 1.

HB 795, having received the requisite constitutional majority, was passed as amended.

Senator Black of the 8th asked unanimous consent that HB 956, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 956, having been taken from the Table, was put upon its passage.

HB 956. By Representatives Pirkle of the 155th, McCall of the 33rd and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 50 of Title 43 of the O.C.G.A., relating to veterinarians and veterinary technicians, so as to change certain

provisions relating to definitions relative to such chapter; to amend Article 11 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to military, emergency management, and veterans affairs generally, so as to revise a cross-reference; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Black of the 8th.

The Senate Committee on Agriculture and Consumer Affairs offered the following substitute to HB 956:

**A BILL TO BE ENTITLED
AN ACT**

To amend Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating to veterinarians and veterinary technicians, so as to change certain provisions relating to definitions relative to such chapter; to change certain provisions relating to exemptions from licensing and registration requirements; to change certain provisions relating to veterinary technicians; to provide for legislative purpose; to authorize the practice of veterinary technology by veterinary technicians under certain circumstances; to change certain provisions relating to application for license as a licensed veterinary technician, and responsibility of the State Board of Veterinary Medicine; to change certain provisions relating to scheduling and administration of examinations, reexamination, and reactivation; to change certain provisions relating to supervision required and prohibited activities of technicians; to change certain provisions relating to posting notice of use of veterinary technicians, proper identification, limitation on number of technicians supervised and employed, and exceptions; to change certain provisions relating to veterinarian responsibility for veterinary technician's violations of duties; to authorize the practice of veterinary technology by veterinary assistants under certain circumstances; to provide for supervision and utilization of veterinary assistants; to provide for posting notice of use of veterinary assistants and proper identification; to provide for authority to enact rules and regulations; to amend Article 11 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to military, emergency management, and veterans affairs generally, so as to revise a cross-reference; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating to veterinarians and veterinary technicians, is amended by revising said chapter to read as follows:

"CHAPTER 50
ARTICLE 1

43-50-1.

This chapter shall be known and may be cited as the 'Georgia Veterinary Practice Act.'

43-50-2.

~~This chapter is enacted as an exercise of the powers of the state to promote the public health, safety, and welfare by safeguarding the people of this state against incompetent, dishonest, or unprincipled practitioners of veterinary medicine or veterinary technology.~~ It is the purpose of this chapter to promote, preserve, and protect the public health, safety, and welfare of the people of this state by and through the effective control and regulation of persons who are licensed veterinarians and licensed veterinary technicians in this state; to provide a uniform state-wide regulatory scheme to be enforced by the board through the Georgia Veterinary Practice Act; and to provide the board with oversight of the persons practicing veterinary medicine within this state.

43-50-3.

As used in this chapter, the term:

(1) 'Accredited college or school of veterinary medicine' means any veterinary college or school or division of a university or college that offers the degree of Doctor of Veterinary Medicine or its equivalent and that conforms to the standards required for accreditation by the American Veterinary Medical Association Council on Education or its successor organization.

(2) ~~'Animal' means any animal other than man and includes fowl, birds, fish, and reptiles, wild or domestic, living or dead.~~

(3) ~~'AVMA accredited~~ 'Accredited program in veterinary technology' means any postsecondary educational program of two or more academic years that has fulfilled the essential criteria established by the Committee on Veterinary Technician Education and Activities and approved by the American Veterinary Medical Association or its successor organization.

(3) 'Animal' means any animal other than human and includes fowl, birds, fish, and reptiles, wild or domestic, living or dead.

(4) 'Animal patient' means an animal or group of animals examined or treated by a licensed veterinarian.

(5) 'Animal shelter' means a public or private humane society, animal shelter, society for the prevention of cruelty to animals, animal protection or control agency, rescue group, or other similar organization, that provides shelter and care for homeless animals.

(6) 'Approved program of continuing education' means an educational program approved by the board or offered by an approved provider of continuing education.

(7) 'Approved provider of continuing education' means any individual, university, or college, or other entity that has met the requirements of the board to provide

educational courses that are designed to assure continued competence in the practice of veterinary medicine or veterinary technology.

~~(4)~~(8) 'Board' means the State Board of Veterinary Medicine.

~~(5)~~ 'Direct supervision' means ~~that the licensed veterinarian is on the premises and is quickly and easily available and that the animal patient has been examined by a licensed veterinarian at such time as acceptable veterinary medical practice requires, consistent with the particular delegated animal health care task.~~

(9) 'Client' means a person who has engaged the service of a licensed veterinarian for the care of an animal within their scope of control as an owner or caretaker of such animal.

(10) 'Complementary, alternative, and integrative therapies' means a heterogeneous group of preventive, diagnostic, and therapeutic philosophies and practices that include, but are not limited to, veterinary acupuncture, acuthery, and acupressure; veterinary homeopathy; veterinary manual or manipulative therapy; veterinary nutraceutical therapy; and veterinary phytotherapy.

(11) 'Consultation' means the act of a licensed veterinarian receiving advice in person, telephonically, electronically, or by any other method of communication from a veterinarian licensed in this or any other state or other person whose expertise, in the opinion of the licensed veterinarian, may benefit an animal patient.

(12) 'Continuing education' means training which is designed to assure continued competence in the practice of veterinary medicine or veterinary technology.

(13) 'Direct supervision' means oversight by a licensed veterinarian located on the same premises where an animal is being treated, who is quickly and easily available.

~~(6)~~(14) 'ECFVG certificate or its substantial equivalent' means a certificate issued by the American Veterinary Medical Association Educational Commission for Foreign Veterinary Graduates or its successor organization indicating the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited college of veterinary medicine.

(15) 'Extralabel use' means the actual use or intended use of a drug in an animal in a manner that is not in accordance with the approved labeling. This includes, but is not limited to, use in species not listed in the labeling; use for indications, disease, or other conditions not listed in the labeling; use at dosage levels, frequencies, or routes of administration other than those stated in the labeling; and deviation from the labeled withdrawal time based on such different uses.

(16) 'Food animal' means any animal that is raised for the production of an edible product intended for consumption by humans or is itself intended for consumption. Such term shall include, but is not limited to, eggs, cattle, beef or dairy, swine, sheep, goats, poultry, nonornamental fish, and any other animal designated by the veterinarian as a food animal.

~~(7)~~(17) 'Immediate supervision' means ~~the~~ oversight by a licensed veterinarian is located in the immediate area and within audible and visual range of the animal patient and the person treating the animal patient.

~~(8)~~(18) 'Indirect supervision' means ~~the~~ oversight by a licensed veterinarian is not

required to be on the premises but when such licensed veterinarian has given either written or oral instructions for the treatment of the animal patient and the animal has been examined by a licensed veterinarian at such times as acceptable veterinary medical practice requires, consistent with the particular delegated health care task and is readily available by telephone or other forms of immediate communication.

(19) 'Informed consent' means the veterinarian has presented treatment options, and made reasonable efforts to inform the client, verbally or in writing, of the diagnostic and treatment options, risk assessment, and prognosis, which are appropriate and probable for the case in the veterinarian's judgment following the standard of care, which the veterinarian agrees to provide and the client consents to have performed.

(9)(20) 'Licensed veterinarian' means a person who is validly and currently licensed to practice veterinary medicine in this state.

(21) 'Livestock' means farm animals, animals that produce tangible personal property for sale, or animals that are processed, manufactured, or converted into articles of tangible personal property for sale or consumption. The term does not include living animals that are commonly regarded as domestic pets or companion animals.

(22) 'Mobile veterinary clinic' means a mobile unit in which veterinary services are provided to an animal that is treated inside the mobile unit. The term does not include the use of a motor vehicle by a veterinarian to travel to treat the client's animal or the use of a motor vehicle for animal ambulatory practice.

(23) 'PAVE certificate or its substantial equivalent' means a certificate issued by the American Association of Veterinary State Boards or its successor organization indicating the holder has demonstrated knowledge and skill equivalent to that possessed by a graduate of an accredited college of veterinary medicine.

(40)(24) 'Person' means any individual, firm, partnership, limited liability company, association, joint venture, cooperative, and corporation or any other group or combination acting in concert; and whether or not acting as a principal, trustee, fiduciary, receiver, or as any other kind of legal or personal representative, or as the successor in interest, assignee, agent, factor, servant, employee, member, director, officer, or any other representative of such person.

(44)(25) 'Practice veterinary medicine' or 'practice of veterinary medicine' means:

(A) To diagnose, treat, correct, change, relieve, or prevent animal disease, deformity, defect, injury, or other physical or mental conditions, including the ~~prescription~~ prescribing, administration, or dispensing of any prescription drug, medicine, biologic, apparatus, application, anesthetic, or other therapeutic or diagnostic substance or technique on, for, or to any animal, including, but not limited to, the use of complementary, alternative, and integrative therapies, ~~acupuncture~~, animal dentistry, manual or mechanical adjustment procedures, physical therapy, rehabilitation, surgery, diagnostic veterinary pathology, any manual, mechanical, biological, or chemical procedure used for pregnancy testing or for correcting sterility or infertility, or to render advice or recommendations with regard to any of the above; but not including such administration or dispensing pursuant to prescription or direction of a licensed veterinarian;

(B)(i) To apply or use any instrument or device on any portion of an animal's tooth, gum, or any related tissue for the prevention, cure, or relief of any wound, fracture, injury, disease, or other condition of an animal's tooth, gum, or related tissue.

(ii) To engage in preventive dental procedures on animals, including, but not limited to, the removal of calculus, soft deposits, plaque, or stains or the smoothing, filing, or polishing of tooth surfaces.

(iii) Nothing in this subparagraph shall prohibit any person from utilizing cotton swabs, gauze, dental floss, dentifrice, toothbrushes, or similar items to clean an animal's teeth;

(C) To represent, directly or indirectly, publicly or privately, an ability and willingness to do any act described in subparagraphs (A) and (B) of this paragraph;

(D) To use any title, words, abbreviation, or letters in a manner or under circumstances which induce the belief that the person using them is legally authorized or qualified to perform an act included in this paragraph. Such use shall be evidence of the intention to represent oneself as engaged in the practice of veterinary medicine;

(E) To apply principles of environmental sanitation, food inspection, environmental pollution control, zoonotic disease control, and disaster medicine in the promotion and protection of public health as it specifically relates to animals. This subparagraph shall apply only to licensed veterinarians and not to other qualified individuals persons;

(F) To collect blood or other samples for the purpose of diagnosing diseases or related conditions. This subparagraph shall not apply to unlicensed professionals employed by or under contract with the United States Department of Agriculture or the Georgia Department of Agriculture who are engaged in their official duties; or

(G) To administer a rabies vaccination to any animal that the state requires to be vaccinated.

(26) 'Practice veterinary technology' or 'veterinary technology' means:

(A) To perform animal patient care or other services that require a technical understanding of veterinary medicine by a licensed veterinary technician on the basis of written or oral instruction of a licensed veterinarian, excluding diagnosing, prognosing, performing surgery, prescribing, or dispensing;

(B) To represent, directly or indirectly, publicly or privately, an ability and willingness to engage in any act described in subparagraph (A) of this paragraph; or

(C) To use any title, words, abbreviation, or letters, while engaged in the practice of licensed veterinary technology, in a manner or under circumstances that induce the belief that the person using them is qualified to engage in an act included in subparagraph (A) of this paragraph.

~~(12)~~(27) 'Prescription drug' includes any medicine, medication, or pharmaceutical or biological product whose manufacturer's label must, pursuant to federal or state law, have the following statement printed on its packaging: 'Federal law restricts this drug to use by or on the order of a licensed veterinarian'; or any over-the-counter product

that is used in a manner different from the label directions and that by definition requires a valid veterinarian-client-patient relationship for ~~prescription~~ prescribing or dispensing.

~~(13)~~ Reserved.

~~(14)~~(28) 'Veterinarian' means a person who has received a doctorate degree in veterinary medicine from a college or school of veterinary medicine.

~~(15)~~(29) 'Veterinarian-client-patient relationship' means that:

(A) The licensed veterinarian has assumed the responsibility for making medical judgments regarding the health of the animal and the need for medical treatment, and the client (~~owner or caretaker~~) ~~has agreed to follow the instruction of~~ has given informed consent for services provided by the licensed veterinarian;

(B) There is sufficient knowledge of the animal by the licensed veterinarian to initiate at least a general or preliminary diagnosis of the medical condition of the animal. This means that the licensed veterinarian has recently seen and is personally acquainted with the keeping and care of the animal by the virtue of examination of the animal or by medically appropriate and timely visits to the premises where the animal is kept or by medically appropriate and timely visits by the licensed veterinarian to premises within an operation or production system where the animal or groups of animals are kept; ~~and~~

(C) A licensed veterinarian is readily available for follow up ~~in the case of adverse reactions or failure of the regimen of therapy~~ care or consultation or has arranged for:

(i) Veterinary emergency coverage; and

(ii) Continuing care and treatment by another licensed veterinarian, including providing a copy of associated records during normal business hours; and

(D) The licensed veterinarian develops and maintains appropriate medical records.

~~(15.1)~~(30) 'Veterinary assistant' means a person who ~~engages~~ has been delegated by a licensed veterinarian to engage in certain aspects of the practice of veterinary technology but is not ~~registered~~ licensed by the board for such purpose.

~~(16)~~(31) 'Veterinary facility' means any premises owned or operated by a veterinarian or his or her employer where the practice of veterinary medicine occurs, including but not limited to veterinary hospitals, clinics, or mobile clinics; provided, however, that such term does not include a client's private property where a licensed veterinarian treats the client's animals.

(32)(A) 'Veterinary feed directive' means a written statement issued by a licensed veterinarian in the course of the veterinarian's professional practice that orders the use of a VFD drug or combination VFD drug in or on animal feed. This written statement authorizes the client to obtain and use animal feed bearing or containing a VFD drug or combination VFD drug to treat such animals only in accordance with the conditions for use approved, conditionally approved, or indexed by the United States Food and Drug Administration.

(B) As used in this paragraph, the term:

(i) 'Combination VFD' means a combination new animal drug, as defined in

Section 514.4(c)(1)(i) of the Federal Food, Drug, and Cosmetic Act, intended for use in or on animal feed which is limited by an approved application filed under Section 512(b) of the Federal Food, Drug, and Cosmetic Act, a conditionally approved application filed under Section 571 of the Federal Food, Drug, and Cosmetic Act, or an index listing under Section 572 of the Federal Food, Drug, and Cosmetic Act to use under the professional supervision of a licensed veterinarian, and at least one of the new animal drugs in the combination is a VFD drug. Use of animal feed bearing or containing a combination VFD drug must be authorized by a lawful veterinary feed directive.

(ii) 'VFD drug' means a drug intended for use in or on animal feed which is limited by an approved application filed pursuant to Section 512(b) of the Federal Food, Drug, and Cosmetic Act, a conditionally approved application filed pursuant to Section 571 of the Federal Food, Drug, and Cosmetic Act, or an index listing under Section 572 of the Federal Food, Drug, and Cosmetic Act, to use under the professional supervision of a licensed veterinarian. Use of animal feed bearing or containing a VFD drug must be authorized by a lawful veterinary feed directive.

~~(17) 'Veterinary medicine' includes veterinary surgery, obstetrics, dentistry, and all other branches or specialties of veterinary medicine.~~

~~(18)~~(33) 'Veterinary technician' means a licensed person who engages in the practice of veterinary technology and on the basis of his or her qualifications is validly and currently ~~registered~~ licensed by the board for such purpose.

~~(19)~~(34) 'Veterinary technology' means the science and art of providing certain aspects of professional medical care and treatment for animals and the practice of veterinary medicine as may be delegated and supervised by a licensed veterinarian and performed by a person who is not a licensed veterinarian.

ARTICLE 2

43-50-20.

(a) There shall be a State Board of Veterinary Medicine, the members of which shall be appointed by the Governor with the approval of the Secretary of State and confirmation by the Senate. The board shall consist of six members, each appointed for a term of five years or until his or her successor is appointed. Five members of the board shall be duly licensed veterinarians actually engaged in active practice for at least five years prior to appointment. The sixth member shall be appointed from the public at large and shall in no way be connected with the practice of veterinary medicine. Those members of the State Board of Veterinary Medicine serving on July 1, 2003, shall continue to serve as members of the board until the expiration of the term for which they were appointed. Thereafter, successors to such board members shall be appointed in accordance with this Code section. A majority of the board shall constitute a quorum.

(b) Vacancies due to death, resignation, removal, or otherwise shall be filled for the remainder of the unexpired term in the same manner as regular appointments. No person shall serve two consecutive five-year terms, but a person appointed for a term of

less than five years may succeed himself or herself.

~~(e)~~ No person may serve on the board who is, or was during the two years preceding his or her appointment, a member of the faculty, trustees, or advisory board of a veterinary school.

~~(d)~~(c) Each member of the board shall be reimbursed as provided for in subsection (f) of Code Section 43-1-2.

~~(e)~~(d) Any member of the board may be removed by the Governor after a hearing by the board determines cause for removal.

~~(f)~~(e) The board shall meet at least once each year at the time fixed by the board. Other necessary meetings may be called by the president of the board by giving such notice as shall be established by the board. Meetings shall be open and public except that the board may meet in closed session to prepare, approve, administer, or grade examinations or to deliberate the qualifications of an applicant for license or the disposition of a proceeding to discipline a licensed veterinarian as set forth in Code Section 50-14-3.

~~(g)~~(f) At its annual meeting, the board shall organize by electing a president and such other officers as may be required by the board. Officers of the board serve for terms of one year and until a successor is elected, without limitation on the number of terms an officer may serve. The president shall chair the board meetings.

43-50-21.

(a) The board shall have the power to:

(1) Examine and determine the qualifications and fitness of applicants for licenses ~~or registrations~~ to practice veterinary medicine and veterinary technology in this state;

(2) Issue, renew, refuse to renew, deny, suspend, or revoke licenses ~~or registrations~~ to practice veterinary medicine or veterinary technology in this state or otherwise discipline licensed veterinarians and ~~registered~~ licensed veterinary technicians; and to issue, renew, deny, suspend, or revoke veterinary faculty licenses, consistent with this chapter and the rules and regulations adopted under this chapter;

(3) Conduct investigations for the purpose of discovering violations of this chapter or grounds for disciplining persons licensed ~~or registered~~ under this chapter;

(4) Inspect veterinary premises and equipment, including mobile veterinary clinics, at any time in accordance with protocols established by rule of the board;

~~(4)~~(5) Hold hearings on all matters properly brought before the board; and, in connection therewith, to administer oaths, receive evidence, make the necessary determinations, and enter orders consistent with the findings. The board may designate one or more of its members to serve as its hearing officer;

~~(5)~~(6) Appoint from its own membership one member to act as a representative of the board at any meeting within or outside the state where such representative is deemed desirable;

~~(6)~~(7) Bring proceedings in the courts for the enforcement of this chapter or any regulations made pursuant to this chapter; ~~and~~

~~(7)~~(8) Adopt, amend, or repeal all rules necessary for its government and all

regulations necessary to carry this chapter into effect, including without limitation the establishment and print or electronic publication of standards of professional conduct for the practice of veterinary medicine and veterinary technology; and

(9) Establish and publish annually a schedule of fees for licensing.

(b) The powers enumerated in subsection (a) of this Code section are granted for the purpose of enabling the board to supervise effectively the practice of veterinary medicine and veterinary technology and are to be construed liberally to accomplish ~~this objective~~ these objectives.

ARTICLE 3

Part 1

43-50-30.

(a) No person may practice veterinary medicine in this state who is not a licensed veterinarian or the holder of a valid temporary license issued by the division director pursuant to this article.

(b) A licensed veterinarian may practice veterinary medicine as an employee of a corporation, partnership, or other business organization, ~~provided the articles of incorporation, partnership, or business organization documents clearly state that the licensed veterinarian is not subject to the direction of anyone not licensed to practice veterinary medicine in Georgia in making veterinary medical decisions or judgments.~~

43-50-31.

(a) Any person desiring a license to practice veterinary medicine in this state shall make application to the board. The application shall include evidence, satisfactory to the board, that:

(1) The applicant has attained the age of 18;

(2) The applicant is of good moral character;

(3) The applicant is a graduate of an accredited college or a school of veterinary medicine accredited by the American Veterinary Medical Association Council on Education or possesses an ECFVG or PAVE certificate or ~~its~~ substantial equivalent;

(4) The applicant has passed a board approved examination; provided, however, that the board may provide by rule or regulation for a waiver of any part of such examination for veterinarians who are licensed as such by another state and who are in good standing therewith; and

(5) The applicant meets such other qualifications or provides such other information as the board may require by rule.

(b) The application shall be accompanied by a fee in the amount established by the board.

(c) The division director shall record the new licenses and issue ~~a certificate of registration~~ to the new licensees.

(d) If an applicant is found not qualified for licensure, the board shall notify the applicant in writing of such finding and the grounds therefor. Such applicant may

request a hearing before the board on the questions of his or her qualifications.

43-50-32.

~~(a) The board shall hold at least one license examination during each year and may hold such additional license examinations as are necessary.~~

~~(b) After each examination, the division director shall notify each examinee of the result of his or her examination. If an applicant fails a license examination, the applicant may take a subsequent examination upon payment of the registration and examination fees. No person may take the examination more than three times without review and approval by the board. Approval may be provided under such circumstances as the board deems appropriate.~~

43-50-33.

~~Any person holding a valid license to practice veterinary medicine in this state on July 1, 2003, shall be recognized as a licensed veterinarian and shall be entitled to retain this status so long as he or she complies with this article, including biennial renewal of the license.~~

Part 2

43-50-40.

(a) All licenses ~~and registrations~~ under this article shall be renewable biennially.

(b) Any person who shall practice veterinary medicine or veterinary technology after the expiration of his or her license ~~or registration~~ and willfully or by neglect fail to renew such license ~~or registration~~ shall be practicing in violation of this article, provided that any person may renew an expired license ~~or registration~~ within the period established by the division director in accordance with Code Section 43-1-4 by making application for renewal and paying the applicable fees. After the time period ~~established by the division director~~ has elapsed, such license ~~or registration~~ may be reinstated in accordance with the rules of the board.

(c) The board may, by rule, waive the continuing education requirements and the payment of the renewal fee of a licensed veterinarian or registered licensed veterinary technician during the period when he or she is on active duty with any branch of the armed forces of the United States, ~~not to exceed the longer of three years or the duration of a national emergency.~~

(d)(1) The board shall establish ~~a program of~~ continuing professional veterinary medical education requirements for the renewal of veterinary licenses. Notwithstanding any other provision of this article, no license to practice veterinary medicine or veterinary technology shall be renewed by the board or the division director until the ~~licensed veterinarian~~ licensee submits to the board satisfactory proof of his or her participation, during the biennium preceding his or her application for renewal, in approved programs of continuing education, as defined in this Code section. The amount of continuing veterinary medical education required of ~~licensed~~

~~veterinarians~~ licensees per biennium by the board under this paragraph shall not be less than 30 hours for veterinarians and not be less than ten hours for veterinary technicians and shall be established by board rule.

(2) Continuing professional veterinary medical education shall consist of educational programs providing training pertinent to the practice of veterinary medicine and veterinary technology and approved by the board under this Code section. The board may approve educational programs for persons practicing veterinary medicine or veterinary technology in this state on a reasonable nondiscriminatory fee basis and may contract with institutions of higher learning, professional organizations, or qualified ~~individuals~~ persons for the provision of approved programs. In addition to such programs, the board may allow the continuing education requirement to be fulfilled by the completion of approved distance learning courses, with the number of hours being established by board rule.

(3) The board may, consistent with the requirements of this Code section, promulgate rules and regulations to implement and administer this Code section, including the establishment of a committee to prescribe standards, and approve and contract for educational programs, ~~and set the required minimum number of hours per year.~~

(e) The board shall provide by regulation for an inactive status license ~~or registration~~ for those ~~individuals~~ persons who elect to apply for such status. Persons who are granted inactive status shall not engage in the practice of veterinary medicine or veterinary technology and shall be exempt from the requirements of continuing veterinary medical education during such inactivity.

43-50-41.

(a) The board is authorized to refuse to grant a license ~~or registration~~ to an applicant, to suspend or revoke the license or registration of a person licensed ~~or registered~~ by the board, or to discipline a person licensed ~~or registered~~ under this chapter or any antecedent law, upon a finding by a majority of the entire board that the licensee, ~~registrant,~~ or applicant has:

(1) Failed to demonstrate the qualifications or standards for a license ~~or registration~~ contained in this chapter or in the rules and regulations issued by the board, pursuant to specific statutory authority. It shall be incumbent upon the applicant to demonstrate to the satisfaction of the board that he or she meets all the requirements for the issuance of a license ~~or registration~~, and, if the board is not satisfied as to the applicant's qualifications, it may deny a license ~~or registration~~ without a prior hearing; provided, however, that the applicant shall be allowed to appear before the board if he or she so desires;

(2) Knowingly made misleading, deceptive, untrue, or fraudulent representations in the practice of veterinary medicine or veterinary technology on any document connected therewith; ~~or~~ practiced fraud or deceit or intentionally made any false statement in obtaining a license ~~or registration~~ to practice veterinary medicine or veterinary technology; or made a false statement or deceptive biennial renewal with the board;

(3) Been convicted of any felony or of any crime involving moral turpitude in the courts of this state or any other state, territory, or country or in the courts of the United States. As used in this paragraph, the term 'felony' shall include any offense which, if committed in this state, would be deemed a felony without regard to its designation elsewhere. As used in this paragraph, the term 'conviction' shall include a finding or verdict of guilty or a plea of guilty, regardless of whether an appeal of the conviction has been sought;

(4) Been arrested, charged, and sentenced for the commission of any felony, or any crime involving moral turpitude, where:

(A) A plea of nolo contendere was entered to the charge;

(B) First offender treatment without adjudication of guilt pursuant to the charge was granted; or

(C) An adjudication or sentence was otherwise withheld or not entered on the charge.

The plea of nolo contendere or the order entered pursuant to the provisions of Article 3 of Chapter 8 of Title 42 or other first offender treatment shall be conclusive evidence of arrest and sentencing for such crime;

(5) Had his or her license to practice veterinary medicine or ~~registration to practice~~ veterinary technology revoked, suspended, or annulled by any lawful licensing veterinary medical authority other than the board; ~~or~~ had other disciplinary action taken against him or her by any lawful licensing or registering veterinary medical authority other than the board; ~~or~~ was denied a license ~~or registration~~ by any lawful licensing veterinary medical authority other than the board, pursuant to disciplinary proceedings; or was refused the renewal of a license ~~or registration~~ by any lawful licensing veterinary medical authority other than the board, pursuant to disciplinary proceedings;

(6) Engaged in any unprofessional, immoral, unethical, deceptive, or deleterious conduct or practice harmful to the public, which ~~conduct or practice~~ materially affects the fitness of the licensee, ~~registrant~~, or applicant to practice veterinary medicine or veterinary technology, or is of a nature likely to jeopardize the interest of the public, and which ~~conduct or practice~~ need not have resulted in actual injury or be directly related to the practice of veterinary medicine or veterinary technology but shows that the licensee, ~~registrant~~, or applicant has committed any act or omission which is indicative of bad moral character or untrustworthiness. Unprofessional conduct shall also include any departure from, or the failure to conform to, the minimal standards of acceptable and prevailing veterinary medical practice or veterinary technology practice. Unprofessional conduct shall also include, but not be limited to, the ~~following~~: failure to keep veterinary facility premises and equipment in a clean and sanitary condition; dishonesty or gross negligence in the inspection of foodstuffs or the issuance of health or inspection certificates; or cruelty to animals;

(7) Knowingly performed any act which in any way aids, assists, procures, advises, or encourages any unlicensed ~~or unregistered~~ person or any licensee ~~or registrant~~ whose license ~~or registration~~ has been suspended or revoked by the board to practice

veterinary medicine or veterinary technology or to practice outside the scope of any disciplinary limitation placed upon the licensee ~~or registrant~~ by the board;

(8) Violated a statute, law, or any rule or regulation of this state, any other state, the board, the United States, or any other lawful authority (without regard to whether the violation is criminally punishable), which ~~statute, law, rule, or regulation~~ relates to or in part regulates the practice of veterinary medicine or veterinary technology, when the licensee, ~~registrant~~, or applicant knows or should know that such action violates such statute, law, rule, or regulation; or violated the lawful order of the board previously entered by the board in a disciplinary hearing, consent decree, or license reinstatement;

(9) Been adjudged mentally incompetent by a court of competent jurisdiction within or without this state. Any such adjudication shall automatically suspend the license ~~or registration~~ of any such person and shall prevent the reissuance or renewal of any license ~~or registration~~ so suspended for as long as the adjudication of incompetence is in effect;

(10) Displayed an inability to practice veterinary medicine or veterinary technology with reasonable skill and safety to animal patients or has become unable to practice veterinary medicine or veterinary technology with reasonable skill and safety to animal patients by reason of illness, use of alcohol, drugs, narcotics, chemicals, or any other type of material, ~~or~~; as a result of any mental or physical condition; ~~;~~ or by reason of displaying habitual intoxication, addiction to, or recurrent personal misuse of alcohol, drugs, narcotics, chemicals, or any other type of similar substances. In enforcing this paragraph, the board may, upon reasonable grounds, require a licensee, ~~registrant~~, or applicant to submit to a mental or physical examination by physicians designated by the board. The results of such examination shall be admissible in any hearing before the board, notwithstanding any claim of privilege under a contrary rule of law or statute. Every person who shall accept the privilege of practicing veterinary medicine or veterinary technology in this state or who shall file an application for a license ~~or registration~~ to practice veterinary medicine or veterinary technology in this state shall be deemed to have given that person's consent to submit to such mental or physical examination and to have waived all objections to the admissibility of the results in any hearing before the board upon the grounds that the same constitutes a privileged communication. If a licensee, ~~registrant~~, or applicant fails to submit to such an examination when properly directed to do so by the board, unless such failure is due to circumstances beyond his or her control, the board may enter a final order upon proper notice, hearing, and proof of such refusal. Any licensee, ~~registrant~~, or applicant who is prohibited from practicing veterinary medicine or veterinary technology under this paragraph shall at reasonable intervals be afforded an opportunity to demonstrate to the board that such person can resume or begin the practice of veterinary medicine or veterinary technology with reasonable skill and safety to animal patients;

(11) Failed to register with the division director as required by law. It shall be the duty of every licensee ~~or registrant~~ to notify the board of any change in his or her

address of record with the board; provided, however, that, for a period established by the division director after failure to register, a license ~~or registration~~ may be reinstated by payment of a registration fee to be determined by the board by rule and by filing of a special application therefor. After this period has elapsed, a license ~~or registration~~ may be revoked for failure to register and for failure to pay the fee as provided by law;

(12) Engaged in the excessive prescribing or administering of drugs or treatment or the use of diagnostic procedures which are detrimental to the animal patient as determined by the customary practice and standards of the local community of licensees; ~~or~~ knowingly prescribed controlled drug substances or any other medication without a legitimate veterinary medical purpose; or knowingly overprescribed controlled drug substances or other medication, in light of the condition of the animal patient at the time of prescription;

(13) Knowingly made any fraudulent, misleading, or deceptive statement in any form of advertising or made any statement in any advertisement concerning the quality of the veterinary services rendered by that licensed veterinarian or any licensed veterinarian associated with him or her, or the qualifications of said veterinarian. For purposes of this paragraph, the term 'advertising' shall include any information communicated in a manner designed to attract public attention to the practice of the licensee ~~or registrant~~;

(14) Used, prescribed, or sold any veterinary prescription drug or prescribed an extralabel use of any drug in the absence of a valid veterinarian-client-animal patient relationship; or

(15) Has had his or her ~~U.S.~~ United States Drug Enforcement Administration privileges restricted or revoked.

(b) The provisions of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' with respect to emergency action by the board and summary suspension of a license or registration are adopted and incorporated by reference into this chapter.

(c) For purposes of this Code section, the board may obtain, and is authorized to subpoena, upon reasonable grounds, any and all records relating to the mental or physical condition of a licensee, ~~registrant~~, or applicant, and such records shall be admissible in any hearing before the board.

(d) When the board finds that any person is unqualified to be granted a license ~~or registration~~ or finds that any person should be disciplined pursuant to subsection (a) of this Code section, the board may take any one or more of the following actions:

(1) Refuse to grant or renew a license ~~or registration~~ to an applicant;

(2) Administer a public or private reprimand, but a private reprimand shall not be disclosed to anyone other than the person reprimanded;

(3) Suspend any license ~~or registration~~ for a definite period or for an indefinite period in connection with any condition which may be attached to the restoration of said license ~~or registration~~;

(4) Limit or restrict any license ~~or registration~~ as the board deems necessary for the protection of the public;

- (5) Revoke any license ~~or registration~~; or
- (6) Condition the penalty upon, or withhold formal disposition pending, the applicant's, ~~registrant's~~, or licensee's submission to such care, counseling, or treatment as the board may direct.
- (e) In addition to and in conjunction with the actions described in subsection (d) of this Code section, the board may make a finding adverse to the licensee, ~~registrant~~, or applicant but withhold imposition of judgment and penalty; or it may impose the judgment and penalty but suspend enforcement thereof and place the licensee ~~or registrant~~ on probation, which ~~probation~~ may be vacated upon noncompliance with such reasonable terms as the board may impose.
- (f) Initial judicial review of a final decision of the board shall be had solely in the superior court of the county of domicile of the board.
- (g) In its discretion, the board may reinstate a license ~~or registration~~ which has been revoked or issue a license ~~or registration~~ which has been denied or refused, following such procedures as the board may prescribe by rule; and, as a condition thereof, it may impose any disciplinary or corrective method provided in this chapter.
- (h)(1) The division director is authorized to make, or cause to be made through employees or contract agents of the board, such investigations as he or she or the board may deem necessary or proper for the enforcement of the provisions of this chapter. Any person properly conducting an investigation on behalf of the board shall have access to and may examine any writing, document, or other material relating to the fitness of any licensee, ~~registrant~~, or applicant. The division director or his or her appointed representative may issue subpoenas to compel such access upon a determination that reasonable grounds exist for the belief that a violation of this chapter or any other law relating to the practice of veterinary medicine or veterinary technology may have taken place.
- (2) The results of all investigations initiated by the board shall be reported solely to the board, and the records of such investigations shall be kept for the board by the division director, with the board retaining the right to have access at any time to such records. No part of any such records shall be released, except to the board, for any purpose other than a hearing before the board, nor shall such records be subject to subpoena; provided, however, that the board shall be authorized to release such records to another enforcement agency or lawful licensing authority.
- (3) The board shall have the authority to exclude all persons during its deliberations on disciplinary proceedings and to discuss any disciplinary matter in private with a licensee, ~~registrant~~, or applicant and the legal counsel of that licensee, ~~registrant~~, or applicant.
- (i) A person, firm, corporation, association, authority, or other entity shall be immune from civil and criminal liability for reporting or investigating the acts or omissions of a licensee, ~~registrant~~, or applicant which violate the provisions of subsection (a) of this Code section or any other provision of law relating to a licensee's, ~~registrant's~~, or applicant's fitness to practice as a licensed veterinarian or ~~registered~~ licensed veterinary technician or for initiating or conducting proceedings against such licensee, ~~registrant~~,

or applicant, if such report is made or action is taken in good faith, without fraud or malice. Any person who testifies or who makes a recommendation to the board in the nature of peer review, in good faith, without fraud or malice, before the board in any proceeding involving the provisions of subsection (a) of this Code section or any other law relating to a licensee's, ~~registrant's~~, or applicant's fitness to practice as a licensed veterinarian or ~~registered~~ licensed veterinary technician shall be immune from civil and criminal liability for so testifying.

(j) Neither a denial of a license ~~or registration~~ on grounds other than those enumerated in subsection (a) of this Code section nor the issuance of a private reprimand nor the denial of a license ~~or registration~~ by endorsement nor the denial of a request for reinstatement of a revoked license ~~or registration~~ nor the refusal to issue a previously denied license ~~or registration~~ shall be considered to be a contested case within the meaning of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.' Notice and hearing within the meaning of Chapter 13 of Title 50 shall not be required, but the applicant, ~~registrant~~, or licensee shall be allowed to appear before the board if he or she so requests.

(k) If any licensee, ~~registrant~~, or applicant fails to appear at any hearing after reasonable notice, the board may proceed to hear the evidence against such licensee, ~~registrant~~, or applicant and take action as if such licensee, ~~registrant~~, or applicant had been present. A notice of hearing, initial or recommended decision, or final decision of the board in a disciplinary proceeding shall be served upon the licensee, ~~registrant~~, or applicant by certified mail or statutory overnight delivery, return receipt requested, to the last known address of record with the board. If such material is returned marked 'unclaimed' or 'refused' or is otherwise undeliverable and if the licensee, ~~registrant~~, or applicant cannot, after diligent effort, be located, the division director shall be deemed to be the agent for service for such licensee, ~~registrant~~, or applicant for purposes of this Code section, and service upon the division director shall be deemed to be service upon the licensee, ~~registrant~~, or applicant.

(l) The voluntary surrender of a license ~~or registration~~ shall have the same effect as a revocation of the license ~~or registration~~, subject to reinstatement in the discretion of the board.

(m) This Code section shall apply equally to all licensees, ~~registrants~~, or applicants whether ~~individuals~~ persons, partners, or members of any other incorporated or unincorporated associations, corporations, or other associations of any kind whatsoever.

(n) All subpoenas issued pursuant to the authority granted in this chapter shall be subject to the general rules of law with respect to distance, tender of fees and expenses, and protective orders; and any motion made with respect thereto shall be made to and passed on by a judge of the superior court of the county of residence of the person to whom the subpoena is directed.

(o) Any proceeding or administrative action instituted under this Code section shall be governed by the provisions of this Code section as they existed in full force and effect on the date of the commission of the act or acts constituting a violation of this Code section, except as otherwise specifically declared by the General Assembly.

43-50-42.

(a) Pursuant to Code Section 43-1-34, the board may issue a temporary license to ~~the following applicants who are qualified to take the veterinary license examination~~ military spouses and transitioning service members.

~~(1) An applicant licensed in another state. Such license shall have the same force and effect as a permanent license until the time of its expiration; and~~

~~(2) An applicant who is not the holder of any veterinary license. Such license shall authorize the applicant to work under the supervision of a licensed veterinarian as provided by the board.~~

(b) The temporary license shall expire on the date that permanent licenses are issued to persons who have passed the examination ~~provided for in Code Section 43-50-32,~~ which examination occurred immediately following the issuance of the temporary license.

(c) A temporary license issued pursuant to this Code section may, in the discretion of the board, be renewed for one six-month period only; provided, however, that no temporary license shall be issued, renewed, or reissued to a person who fails to pass the examination established by the board.

43-50-43.

The board may, in its discretion, issue a veterinary faculty license to any qualified applicant associated with one of this state's institutions of higher learning and involved either in research activities within such institution or in the instructional program of either undergraduate or graduate veterinary medical students, subject to the following conditions:

(1) That the holder of the veterinary faculty license shall be remunerated for the practice aspects of his or her services solely from state, federal, or institutional funds and not from the animal patient-owner beneficiary of his or her practice efforts;

~~(2) That the applicant will furnish the board with such proof as the board may deem necessary to demonstrate that the applicant is a graduate of a reputable school or college of veterinary medicine; that the applicant has or will have a faculty position at an institution which meets the requirements of paragraph (1) of this Code section, as certified by an authorized administrative official at such institution; and that the applicant understands and agrees that the faculty license is valid only for the practice of veterinary medicine as a faculty member of the institution~~ That the holder of the veterinary faculty license shall practice solely at the institution of higher learning or in an educational or research program outside the institution but associated with the institution;

(3) That the license issued under this Code section may be revoked or suspended or the licensee may be otherwise disciplined in accordance with Code Section 43-50-41; and

(4) That the license issued under this Code section may be canceled by the board upon receipt of information that the holder of the veterinary faculty license has left or has otherwise been discontinued from faculty employment at an institution of higher

learning of this state.

43-50-44.

This article shall not be construed to prohibit:

- (1)(A) An employee of the federal, state, or local government or any contractual partner thereof from performing his or her duties relating to animals owned by, ~~or~~ on loan to, or under the control of such employer or the control of stray animals; or
- (B) Any employee of a public or private college or university from performing his or her duties relating to animals owned by or on loan to such employer;
- (2)(A) A person who is a regular student in a veterinary school or school of veterinary technology performing duties or actions assigned by his or her instructors or working under the supervision of a licensed veterinarian;
- (B) A member of the faculty, a resident, an intern, or a graduate student of an accredited college or school of veterinary medicine or school of veterinary technology performing his or her regular clinical or nonclinical functions or a person lecturing or giving instructions or demonstrations at an accredited college or school of veterinary medicine or school of veterinary technology in connection with a continuing education course or seminar;
- (C) A graduate of a foreign college or school of veterinary medicine who is in the process of obtaining the ECFVG or PAVE certificate or substantial equivalent performing duties or actions under the direct supervision of a licensed veterinarian;
- (3) Any A person, compensated or otherwise, from performing current acceptable livestock and food animal management practices, which practices shall include including, but not be limited to, castration of food animals, dehorning without the use of prescription drugs or surgical closure of wounds, hoof trimming or shoeing, docking, ear notching, removing needle teeth, testing for pregnancy, implantation of over-the-counter growth implants, implantation of over-the-counter identification devices, artificial insemination, the use of federally approved over-the-counter products, veterinary approved products, branding, collecting of fluids for genetic identification and classification, semen and embryo collection and storage, and the use of ultrasound for collection of production data and similar nondiagnostic purposes;
- (4) Any A person assisting with a nonsurgical fetal delivery in a food animal, provided that no fee is charged;
- (5) The actions of a veterinarian who is currently licensed in another state, province of Canada, or a United States territory in consulting with a ~~licensee of this state licensed veterinarian~~ but who:
- (A) Does not open an office or appoint a place to do business within this state;
- (B) Does not print or use letterhead or business cards reflecting in-state addresses;
- (C) Does not establish answering services or advertise the existence of a practice address within this state;
- (D) Does not practice veterinary medicine as a consultant rendering services directly to the public without the direction of a licensed veterinarian ~~of this state~~

more than two days per calendar year; ~~and~~

(E) Is providing services for an organization conducting a public event lasting less than ten days that utilizes animals in need of veterinary examinations, treatments, or oversight to promote the safety and health of the public, the event, and the animal participants; provided, however, that a veterinarian licensed in another state who practices veterinary medicine on animals belonging to residents of this state by communicating directly with such owners and independent of the attending veterinary licensee is not exempt from this state's licensing requirements; and

(F) Does not offer through electronic means remote services within this state, except for consulting, as otherwise permitted in this chapter;

(6)(A) Any merchant or manufacturer selling, at his or her regular place of business, medicines, feed, appliances, or other products used in the prevention or treatment of animal diseases. This shall not be construed to authorize the sale of medicines which must be obtained by a prescription from a pharmacist medication requiring a prescription from a veterinarian, but shall only include the right to sell those medicines medications which are classified as proprietary and which are commonly known as over-the-counter medicines;

(B) Subparagraph (A) of this paragraph shall not be construed to authorize the sale of antimicrobial feed additives without an order from a veterinarian under the guidance of the veterinary feed directive in compliance with 21 C.F.R. 558.6;

(7)(A) The owner of an animal or the owner's full-time regular bona fide employee employees caring for and treating the animal belonging to such owner; ~~or~~

(B) The owner's friend or relative caring for or treating the animal belonging to such owner, provided that no fee is charged and the friend or relative does not solicit, advertise, or regularly engage in providing such care or treatment or administer or dispense prescription drugs without a valid prescription; ~~or~~

(C) The owner of an animal and any of the owner's bona fide employees caring for and treating the animal belonging to such owner, except where the ownership of the animal was transferred for purposes of circumventing the provisions of this chapter. Persons must comply with all laws, rules, and regulations relative to the use of medicines and biologics; provided, however, that such owner and any of such owner's bona fide employees caring for and treating such animal shall not practice veterinary medicine except as otherwise permitted under this Code section;

(8)(A) The owner, operator, or employee of a licensed kennel, animal rescue organization, animal shelter, or stable or of a pet-sitting service providing food, shelter, or supervision of an animal or administering prescription drugs pursuant to prescription of a licensed veterinarian or over-the-counter medicine to an animal;

(B) Any person acting under the direct or indirect supervision of a licensed veterinarian to provide care to animals that are the property of an animal shelter when at least the following three conditions are met:

(i) The person is an employee of an animal shelter or a local government who has control over the governance of the animal shelter;

(ii) The person is performing these tasks in compliance with a written protocol

developed in consultation with a licensed veterinarian; and

(iii) The person has received proper training; provided, however, that such persons shall not diagnose, prescribe, dispense, or perform surgery;

~~(9) A member of the faculty, a resident, an intern, or a graduate student of an accredited college or school of veterinary medicine or school of veterinary technology performing his or her regular nonclinical functions or a person lecturing or giving instructions or demonstrations at an accredited college or school of veterinary medicine or school of veterinary technology in connection with a continuing education course or seminar;~~

~~(10) Any person selling or applying any pesticide, insecticide, or herbicide, as permitted by law;~~

~~(11)(10) Any person engaging in bona fide scientific research which reasonably requires experimentation involving animals conducted in accordance with federal, state, and local laws and regulations;~~

~~(12) Any person performing artificial insemination;~~

~~(13) An employee of a licensed veterinarian administering prescribed care to an animal under the appropriate supervision of the veterinarian;~~

~~(14) A graduate of a foreign college or school of veterinary medicine who is in the process of obtaining the ECFVG certificate or its substantial equivalent performing duties or actions under the direct supervision of a licensed veterinarian;~~

(11) Any licensed veterinary technician, veterinary technologist, or other employee of a licensed veterinarian from performing lawful duties under the direction and supervision of such veterinarian who shall be responsible for the performance of the employee;

~~(15)(12) The owner of an animal, the owner's employee, or a member of a nationally recognized organization that acknowledges individuals persons performing embryo transfer or artificial breeding and which organization that is approved by the board from:~~

(A) The nonsurgical removal of an embryo from an animal for the purpose of transplanting such embryo into another female animal, cryopreserving such embryo, or implanting such embryo in an animal, provided that the use of prescription medications in such animals is maintained under the direction of a licensed veterinarian with a valid veterinarian-client-patient relationship; or

(B) The testing and evaluation of semen;

~~(16)(13) Any other licensed or registered health care provider utilizing his or her special skills, or any person whose expertise, in the opinion of the veterinarian licensed in this state, would benefit the animal, so long as the treatment of the animal is under the direction of a licensed veterinarian with a valid veterinary-client-animal patient relationship;~~

~~(17)(14) A person performing soft tissue animal massage or other forms of soft tissue animal manipulation;~~

~~(18)(15) A person performing aquaculture or raniculture management practices;~~

~~(19)(16) A person implanting electronic identification devices in small companion~~

animals;

~~(20)~~(17) An employee or contractual partner of a zoological park or aquarium accredited by the American Zoo and Aquarium Association or other substantially equivalent nationally recognized accrediting agency as determined by the board from performing his or her duties that are approved by a licensed veterinarian and relate to animals owned by or on loan to such zoological park or aquarium; or

~~(21)~~(18) Any person lawfully engaged in the art or profession of farriery for the care of hooves and feet of equines and livestock;

(19) Any veterinarian licensed by a state and serving as a volunteer health practitioner as such term is defined in Code Section 38-3-161 from providing service after a state of emergency has been declared pursuant to Code Section 38-3-51 or other applicable law or laws; or

(20) Any veterinarian licensed by a state from practicing veterinary medicine in a temporary capacity at one of this state's institutions of higher learning. Such veterinarian shall be paid for his or her services solely from state, federal, or institutional funds. Such veterinarian shall practice solely at the institution of higher learning, or in an educational or research program outside the institution associated with the institution, for no more than six months in order to qualify for practice under this Code section. Any violation of state or federal laws, rules, or regulations by such veterinarian shall be reported to the applicable licensing board by the institution of higher learning.

43-50-45.

~~(a) Any person who practices veterinary medicine without a valid license in violation of this article shall be guilty of the misdemeanor offense of practicing veterinary medicine without a license and, upon conviction thereof, shall be punished as provided in this Code section, provided that each act of such unlawful practice shall constitute a distinct and separate offense. It shall be unlawful for any person to practice veterinary medicine without a valid license or for any person to use the designation veterinarian, licensed veterinarian, or any other designation indicating licensure status, including abbreviations, or hold themselves out as a veterinarian unless duly licensed as such.~~

(b) It shall be unlawful for any person to use the designation licensed veterinary technician, licensed veterinary technologist, or any other designation indicating licensure status, including abbreviations, or hold themselves out as a licensed veterinary technician or licensed veterinary technologist unless duly licensed as such.

(c) Any person who violates subsection (a) or (b) of this Code section shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided in this Code section, provided that each act of an unlawful practice shall constitute a distinct and separate offense.

~~(b)~~(d) Upon being convicted a first time under this Code section, such person shall be punished by a fine of not more than \$500.00 for each offense. Upon being convicted a second or subsequent time under this Code section, such person shall be punished by a fine of not more than \$1,000.00 for each offense, imprisonment for not more than 12

months, or both such fine and imprisonment.

~~(e)~~(e) The board or any citizen of this state may bring an action to enjoin any person from practicing veterinary medicine without a valid license. If ~~the~~ a court finds that the person is violating, or is threatening to violate, this article, it shall enter an injunction restraining him or her from such unlawful acts.

~~(d)~~(f) The successful maintenance of an action based on any one of the remedies set forth in this Code section shall in no way prejudice the prosecution of an action based on any other of the remedies.

Part 3

43-50-50.

It is the purpose of this part to encourage more effective utilization of the skills of licensed veterinarians by enabling them to delegate certain veterinary health care tasks to licensed veterinary technicians where such delegation is consistent with the animal patient's health and welfare.

43-50-51.

(a) Subject to the provisions of this Code section, the practice of veterinary technology by a licensed veterinary technician shall not be a violation of subsection (a) of Code Section 43-50-30 or subsection (a) of Code Section 43-50-45.

(b) No licensed veterinary technician shall make a diagnosis or prognosis, prescribe treatment, perform surgery, or prescribe medication for any animal.

43-50-52.

(a)(1) Any person desiring to work as a licensed veterinary technician in this state shall apply to the board for a ~~certificate of registration or~~ license as a veterinary technician. All such applications shall be made on forms provided by the board and shall be accompanied by such fee as may be required by the board.

(2) The application shall include evidence, satisfactory to the board, that:

(A) The applicant has attained the age of 18;

(B) The applicant is of good moral character;

(C)(i) The applicant is a graduate of a college or technical school course of study in veterinary technology from an institution accredited by the American Veterinary Medical Association Council on Education, including without limitation instruction in the operation of life sustaining oxygen equipment, and has successfully passed an examination required by the board; or

(ii) The applicant has successfully completed a college course of study in the care and treatment of animals from an institution having a curriculum approved by the board, including without limitation instruction in the operation of life sustaining oxygen equipment, and has successfully passed an examination required by the board; and

(D) The applicant meets such other qualifications or provides such other

information as the board may require by rule or regulation.

(b) Until July 1, 2009, any person who during the period from July 1, 1993, through June 30, 2008, acquired a minimum of five years' experience assisting a licensed veterinarian may, with a signed affidavit from his or her supervising veterinarian attesting to his or her level of on-the-job training, be allowed to take the examination approved by the board. Upon receiving a passing grade on such examination, the board may issue a certificate of registration. The board shall provide a list of appropriate study materials to candidates.

(c) Until January 1, 2005, any person who at any time prior to July 1, 2003, was certified as a licensed veterinary technician in this state shall be entitled to renew such registration without examination and without meeting any requirements of subparagraph (a)(2)(C) of this Code section.

(d) The board may issue a ~~certificate of registration~~ license to an applicant if the applicant is currently registered in another state having standards for admission substantially the same as this state and such standards were in effect at the time the applicant was first admitted to practice in the other state.

(e) The board shall be responsible for ~~registering~~ licensing any person who wishes to practice as a licensed veterinary technician in this state and in accordance with this part shall govern such practice by board rule or regulation as the board deems appropriate and necessary for the protection of the public health, safety, and general welfare.

43-50-53.

(a) The board shall approve an examination to measure the competence of the applicant to engage in the practice as a licensed veterinary technician and shall set by rule or regulation the score needed to pass any such examination.

(b) If an applicant fails an examination, the applicant may take a subsequent examination upon payment of ~~the registration and license~~ examination fees. ~~No person may take the examination more than three times without review and approval by the board under such circumstances as the board deems appropriate.~~

(c) Any licensed veterinary technician in this state whose ~~certificate of registration~~ license has been on inactive status for at least five consecutive years and who desires to reactivate such ~~registration~~ license shall be required to take continuing education, pay all fees, and meet all other requirements and board rules or regulations ~~for registration~~ as a licensed veterinary technician.

43-50-54.

(a) Any licensed veterinary technician must at all times be under the supervision of a licensed veterinarian whenever practicing veterinary technology in this state. The level of supervision shall be consistent with the delegated animal health care task. Subject to the provisions of subsection (b) of Code Section 43-50-51, a licensed veterinarian may in his or her discretion delegate any animal health care task to a licensed veterinary technician; provided, however, that the board may establish by rules or regulations, in such general or specific terms as it deems necessary and appropriate for purposes of this part, the level of supervision, whether direct supervision, immediate supervision, or

indirect supervision, that is required by the licensed veterinarian for any delegated animal health care task to be performed by a licensed veterinary technician. Such rules or regulations may require lower levels of supervision for licensed veterinary technicians as compared to veterinary assistants performing the same or similar animal health care tasks.

(b) Specifically and without limitation, the board may take disciplinary action against a licensed veterinary technician if the technician:

- (1) Solicits animal patients from a licensed veterinarian;
- (2) Solicits or receives any form of compensation from any person for veterinary services rendered other than from the licensed veterinarian or corporation under whom the licensed veterinary technician is employed;
- (3) Willfully or negligently divulges a professional confidence or discusses a licensed veterinarian's diagnosis or treatment without the express permission of the licensed veterinarian; or
- (4) Demonstrates a manifest incapability or incompetence to perform as a licensed veterinary technician.

(c) A licensed veterinary technician shall not be utilized in any manner which would be in violation of this article.

(d) A licensed veterinary technician shall not be utilized to perform the duties of a pharmacist licensed under Chapter 4 of Title 26.

43-50-55.

(a) Any licensed veterinarian, animal clinic, or animal hospital using licensed veterinary technicians shall post a notice to that effect in a prominent place.

(b) A licensed veterinary technician must clearly identify himself or herself as such in order to ensure that he or she is not mistaken by the public as a licensed veterinarian. This may be accomplished, for example, by the wearing of an appropriate name tag. Any time the licensed veterinary technician's name appears in a professional setting, his or her status must be shown as 'licensed' veterinary technician.'

~~(c)(1) No licensed veterinarian shall have more than four licensed veterinary technicians on duty under his or her supervision at any one time.~~

~~(2) No licensed veterinarian shall practice veterinary medicine at a veterinary facility when the number of licensed veterinary technicians employed at such veterinary facility exceeds the number of licensed veterinarians regularly engaged in the practice of veterinary medicine at such veterinary facility by a ratio of more than 2:1.~~

~~(3) The provisions of paragraphs (1) and (2) of this subsection shall not apply to any licensed veterinarian engaged in a specialty practice if he or she is certified for such specialty practice by a college approved for such purpose by the American Veterinary Medical Association or its successor organization; provided, however, that no such licensed veterinarian shall engage in such specialty practice at a veterinary facility when the number of licensed veterinary technicians employed at such veterinary facility exceeds the number of licensed veterinarians regularly engaged in a specialty practice of veterinary medicine at such veterinary facility by a ratio of more than 5:1.~~

43-50-56.

A veterinarian who utilizes a licensed veterinary technician shall be responsible for any violation of any limitations which are placed on the duties of a licensed veterinary technician.

ARTICLE 3A

43-50-60.

It is the purpose of this article to encourage more effective utilization of the skills of licensed veterinarians by enabling them to delegate certain veterinary health care tasks to veterinary assistants where such delegation is consistent with the animal patient's health and welfare.

43-50-61.

(a) Subject to the provisions of this Code section, the practice of veterinary technology by a veterinary assistant shall not be a violation of subsection (a) of Code Section 43-50-30 or subsection (a) of Code Section 43-50-45.

(b) No veterinary assistant shall make a diagnosis or prognosis, prescribe treatment, perform surgery, prescribe medication, perform a nonemergency intubation, induce anesthesia, perform central venous catheterization, or perform arterial catheterization and arterial collection for any animal.

43-50-62.

(a) Any veterinary assistant must at all times be under the supervision of a licensed veterinarian whenever practicing veterinary technology in this state. The level of supervision shall be consistent with the delegated animal health care task. Subject to the provisions of subsection (b) of Code Section 43-50-61, a licensed veterinarian may in his or her discretion delegate any animal health care task to a veterinary assistant; provided, however, that the board may establish by rules or regulations, in such general or specific terms as it deems necessary and appropriate for purposes of this article, the level of supervision, whether direct supervision, immediate supervision, or indirect supervision, that is required by the licensed veterinarian for any delegated animal health care task to be performed by a veterinary assistant. Such rules or regulations may require higher levels of supervision for veterinary assistants as compared to licensed veterinary technicians performing the same or similar animal health care tasks.

(b) A veterinary assistant shall not be utilized in any manner which would be in violation of this article.

(c) A veterinary assistant shall not be utilized to perform the duties of a pharmacist licensed under Chapter 4 of Title 26.

43-50-63.

(a) Any licensed veterinarian, animal clinic, or animal hospital using veterinary assistants shall post a notice to that effect in a prominent place.

(b) A veterinary assistant must clearly identify himself or herself as such in order to ensure that he or she is not mistaken by the public as a licensed veterinarian or licensed veterinary technician. This may be accomplished, for example, by the wearing of an appropriate name tag. Any time the veterinary assistant's name appears in a professional setting, his or her status must be shown as 'veterinary assistant.'

43-50-64.

A veterinarian who utilizes a veterinary assistant shall be responsible for any violation of any limitations which are placed on the duties of a veterinary assistant.

ARTICLE 4

43-50-80.

Any person who gratuitously and in good faith administers emergency treatment to a sick or injured animal at the scene of an accident or emergency shall not be in violation of this chapter and shall not be liable to the owner of such animal in any civil action for damages; provided, however, that this Code section shall not provide immunity for acts of gross negligence.

ARTICLE 5

43-50-90.

(a) The board shall work cooperatively with licensed veterinarians to establish standards for veterinary facilities and equipment and shall promulgate rules for same.

(b) The board shall have the authority to establish a method to monitor veterinary facilities, conduct investigations and hold proceedings related to alleged violations, and take necessary enforcement action against the license of a veterinarian or licensed veterinary technicians for violations of rules promulgated under subsection (a) of this Code section.

43-50-91.

This article shall not apply to any facility owned by the federal, state, or any local government, a public or private college or university, or a zoological park or aquarium that is accredited by the American Zoo and Aquarium Association or other substantially equivalent nationally recognized accrediting agency as determined by the board.

ARTICLE 6

43-50-110.

The board shall have all of the duties, powers, and authority specifically granted by or necessary for the enforcement of this chapter. The board shall adopt such rules and regulations as are reasonable and necessary to implement and effectuate this chapter."

SECTION 2.

Article 11 of Chapter 3 of Title 38 of the Official Code of Georgia Annotated, relating to military, emergency management, and veterans affairs generally, is amended in Code Section 38-3-161, relating to definitions, by revising paragraph (7) as follows:

"(7) 'Health facility' means a hospital or other health facility licensed under Chapter 7 of Title 31, a veterinary facility as defined in paragraph ~~(16)~~ (30) of Code Section 43-50-3, or any other similar entity licensed under the laws of another state to provide health services or veterinary services."

SECTION 3

All laws and parts of laws in conflict with this Act are repealed.

Senator Wilkinson of the 50th offered the following amendment #1:

Amend the Senate Committee on Agriculture and Consumer Affairs substitute to HB 956 (LC 37 2679ERS) by inserting after line 17 the following:

to amend Article 4 of Chapter 12 of Title 24 of the Official Code of Georgia Annotated, relating to medical and other confidential information, so as to provide an exception for confidentiality of certain medical information of animals within a veterinarian's care;

By inserting after line 1029 the following:

Article 4 of Chapter 12 of Title 24 of the Official Code of Georgia Annotated, relating to medical and other confidential information, is amended by revising Code Section 24-12-31, relating to confidential nature of veterinarian records, as follows:

"24-12-31.

(a) No veterinarian licensed under Chapter 50 of Title 43 shall be required to disclose any information concerning the veterinarian's care of an animal except on written authorization or other waiver by the veterinarian's client or on appropriate court order or subpoena. Any veterinarian releasing information under written authorization or other waiver by the client or under court order or subpoena shall not be liable to the client or any other person. The confidentiality provided by this Code section shall be waived to the extent that the veterinarian's client places the veterinarian's care and treatment of the animal or the nature and extent of injuries to the animal at issue in any judicial proceeding. As used in this Code section, the term 'client' means the owner of the animal; or, if the owner of the animal is unknown, ~~client~~ means the person who presents the animal to the veterinarian for care and treatment.

(b) Notwithstanding the provisions of subsection (a) of this Code section, a veterinarian shall disclose the rabies vaccination history of any animal within such veterinarian's care within 24 hours of receipt of a written request by the physician of any person bitten by such animal."

SECTION 3.

By redesignating Section 3 as Section 4.

On the adoption of the amendment, there were no objections, and the Wilkinson amendment #1 to the committee substitute was adopted.

Senator Heath of the 31st offered the following amendment #2:

Amend the Senate Committee on Agriculture and Consumer Affairs substitute to HB 956 (LC 37 2679ERS) by replacing line 1 with the following:

To amend Chapter 1 of Title 4 of the Official Code of Georgia Annotated, relating to general provisions relative to animals, so as to provide for consultation with a licensed and accredited Category II veterinarian employed by the Department of Agriculture or other agency of the state whose primary practice and responsibilities are food animal veterinary medicine prior to the filing of criminal charges for cruelty to animals in certain instances; to provide for a definition; to amend Article 4 of Chapter 12 of Title 24 of the Official Code of Georgia Annotated, relating to medical and other confidential information, so as to provide an exception for confidentiality of certain medical information of animals within a veterinarian's care; to amend Chapter 50 of Title 43 of the Official Code of Georgia Annotated, relating to

By inserting between lines 21 and 22 the following:

SECTION 1.

Chapter 1 of Title 4 of the Official Code of Georgia Annotated, relating to general provisions relative to animals, is amended by adding a new Code section to read as follows:

"4-1-7.

Prior to the filing of criminal charges for a violation under Code Section 16-12-4 with regard to conduct involving animal husbandry of food animals, a law enforcement officer shall consult with a licensed and accredited Category II veterinarian employed by the department or other agency of the State of Georgia whose primary practice and responsibilities are food animal veterinary medicine to confirm whether or not such conduct is in accordance with customary and standard practice. For purposes of this Code section, the term 'food animal' means any animal that is raised for the production of an edible product intended for consumption by humans or is itself intended for consumption by humans. Such term shall include, but is not limited to, eggs, beef or dairy cattle, swine, sheep, goats, poultry, nonornamental fish, and any other animal designated by such veterinarian as a food animal."

SECTION 2.

Article 4 of Chapter 12 of Title 24 of the Official Code of Georgia Annotated, relating to medical and other confidential information, is amended by revising Code Section 24-12-31, relating to confidential nature of veterinarian records, as follows:

"24-12-31.

(a) No veterinarian licensed under Chapter 50 of Title 43 shall be required to disclose

any information concerning the veterinarian's care of an animal except on written authorization or other waiver by the veterinarian's client or on appropriate court order or subpoena. Any veterinarian releasing information under written authorization or other waiver by the client or under court order or subpoena shall not be liable to the client or any other person. The confidentiality provided by this Code section shall be waived to the extent that the veterinarian's client places the veterinarian's care and treatment of the animal or the nature and extent of injuries to the animal at issue in any judicial proceeding. As used in this Code section, the term 'client' means the owner of the animal; or, if the owner of the animal is unknown, ~~client means~~ the person who presents the animal to the veterinarian for care and treatment.

(b) Notwithstanding the provisions of subsection (a) of this Code section, a veterinarian shall disclose the rabies vaccination history of any animal within such veterinarian's care within 24 hours of receipt of a written request by the physician of any person bitten by such animal."

By replacing line 1034 with the following:

Title 31, a veterinary facility as defined in ~~paragraph (16)~~ of Code Section 43-50-3,

By redesignating Sections 1, 2, and 3 as Sections 3, 4, and 5, respectively.

On the adoption of the amendment, the President asked unanimous consent.

Senator Henson of the 41st objected.

On the adoption of the amendment, the yeas were 27, nays 14, and the Heath amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
Y Butler	Y Kennedy	E Tate

Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 46, nays 6.

HB 956, having received the requisite constitutional majority, was passed by substitute.

At 4:20 p.m. the President announced that the Senate would stand at ease until 4:35 p.m.

At 5:05 p.m. the President called the Senate to order.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitute to the following Bill of the House:

HB 658. By Representatives Ehrhart of the 36th, Carson of the 46th and Anulewicz of the 42nd:

A BILL to be entitled an Act to amend Article 3 of Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to excise tax on rooms, lodgings, and accommodations, so as to remove the sunset date for the time during which a certain excise tax on rooms, lodgings, and accommodations may be collected; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitutes, as amended by the House, to the following Bills of the House:

HB 673. By Representatives Carson of the 46th, Lumsden of the 12th, Golick of the 40th, Trammell of the 132nd, Smith of the 134th and others:

A BILL to be entitled an Act to amend Title 40 of the O.C.G.A., relating to motor vehicles and traffic, so as to prohibit actions which distract a driver

while operating a motor vehicle; to provide for the proper and safe use of wireless telecommunications devices while driving; to provide for definitions; to provide for violations; to provide for punishments; to provide for the assessment of points upon conviction; to provide for additional fines to be collected by the Department of Driver Services; to provide for applicability; to provide for punishments for homicide by vehicle and for serious bodily injury by vehicle when driver was operating such motor vehicle while using a wireless telecommunications device; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 898. By Representatives Powell of the 32nd, Ridley of the 6th, Trammell of the 132nd and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to revise provisions relative to fleet vehicles and fleet vehicle registration plans; to provide for definitions; to provide for fleet enrollment procedures; to provide for procedures for registering and licensing vehicles enrolled in a fleet; to provide for license plates; to remove revalidation decal requirements for vehicles in a fleet vehicle registration plan; to provide for the transfer of license plates between vehicles registered under a fleet vehicle registration plan; to provide for termination of participation in a fleet vehicle registration plan program; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has disagreed to the Senate substitute to the following Bill of the House:

HB 992. By Representatives Lott of the 122nd, Mathiak of the 73rd, Newton of the 123rd, Martin of the 49th and Dollar of the 45th:

A BILL to be entitled an Act to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to eliminate certain requirements relating to the use of automated external defibrillators; to eliminate obsolete language relating to base station facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Walker III of the 20th introduced the doctor of the day, Dr. Zoeb Bootwala.

The following bill was taken up to consider House action thereto:

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstoration of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Kennedy of the 18th asked unanimous consent that the Senate adhere to its amendment to HB 906 and that a Conference Committee be appointed.

The consent was granted, and the President appointed as a Conference Committee the following Senators: Tillery of the 19th, Kennedy of the 18th and Strickland of the 17th.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitute to the following Bill of the House:

HB 696. By Representatives Kelley of the 16th, Coomer of the 14th, Watson of the 172nd, Shaw of the 176th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, so as to create an exemption for certain computer equipment sold or leased to certain entities for use in high-technology data centers; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 65. By Representatives Peake of the 141st, Gravley of the 67th, Powell of the 32nd, Clark of the 98th, Battles of the 15th and others:

A BILL to be entitled an Act to amend Code Section 31-2A-18 of the Official Code of Georgia Annotated, relating to the establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards, quarterly reports, and waiver forms, so as to change provisions relating to conditions and eligibility; to provide a definition; to remove certain

reporting requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator McKoon of the 29th was excused for business outside the Senate Chamber.

The following bill was taken up to consider the Conference Committee Report thereto:

HB 217. By Representatives Carson of the 46th, Kelley of the 16th, Knight of the 130th, Ehrhart of the 36th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income taxes, so as to increase the amount of the aggregate cap on contributions to certain scholarship organizations in order to receive income tax credits; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Conference Committee Report was as follows:

The Committee of Conference on HB 217 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 217 be adopted.

Respectfully submitted,

FOR THE SENATE:

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Senator Watson of the 1st
/s/ Senator Beach of the 21st
/s/ Senator Hufstetler of the 52nd

/s/ Representative Carson of the 46th
/s/ Representative Ehrhart of the 36th
/s/ Representative Powell of the 171st

COMMITTEES OF CONFERENCE SUBSTITUTE TO HB 217

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income taxes, so as to increase the amount of the aggregate cap on contributions to certain scholarship organizations in order to receive income tax credits; to provide for an increase in the limit of tax credits and for reporting the increase in the limit; to provide for procedures, conditions, and limitations; to amend Chapter 2A of Title 20 of the Official Code of

Georgia Annotated, relating to student scholarship organizations, so as to provide for new expenditure limits; to provide for additional reporting and auditing requirements; to amend Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from sales and use taxes, so as to provide a sales tax exemption for the sale or use of noncommercial written materials or mailings by an organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code; to amend an Act relating to education and to revenue and taxation authorizing the Public Education Innovation Fund Foundation to receive private donations to be used for grants to public schools and providing for an income tax credit for qualified education donations, approved April 27, 2017 (Ga L. 2017, p. 100), so as to extend an uncodified sunset provision; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income taxes, is amended by revising subsection (f) of Code Section 48-7-29.16, relating to the qualified education tax credit, as follows:

"(f)(1) ~~In no event shall the~~ The aggregate amount of tax credits allowed under this Code section shall not exceed:

(A) Fifty-eight \$58 million per dollars for the tax year ending on December 31, 2018;

(B) One hundred million dollars for tax years beginning on January 1, 2019, and ending on December 31, 2028; and

(C) Fifty-eight million dollars for the tax year beginning on January 1, 2029, and for all subsequent tax years.

(2) The commissioner shall allow the tax credits on a first come, first served basis.

(3) For the purposes of paragraph (1) of this subsection, a student scholarship organization shall notify a potential donor of the requirements of this Code section. Before making a contribution to a student scholarship organization, the taxpayer shall electronically notify the department, in a manner specified by the department, of the total amount of contributions that the taxpayer intends to make to the student scholarship organization. The commissioner shall preapprove, ~~or deny,~~ or prorate the requested amount within 30 days after receiving the request from the taxpayer and shall provide notice to the taxpayer and the student scholarship organization of such preapproval, ~~or denial,~~ or proration which shall not require any signed release or notarized approval by the taxpayer. In order to receive a tax credit under this Code section, the taxpayer shall make the contribution to the student scholarship organization within 60 days after receiving notice from the department that the requested amount was preapproved. If the taxpayer does not comply with this paragraph, the commissioner shall not include this preapproved contribution amount

when calculating the limit prescribed in paragraph (1) of this subsection. The department shall establish a web based donation approval process to implement this subsection.

(4) Preapproval of contributions by the commissioner shall be based solely on the availability of tax credits subject to the aggregate total limit established under paragraph (1) of this subsection. The department shall maintain an ongoing, current list on its website of the amount of tax credits available under this Code section.

(5) Notwithstanding any laws to the contrary, the department shall not take any adverse action against donors to student scholarship organizations if the commissioner preapproved a donation for a tax credit prior to the date the student scholarship organization is removed from the Department of Education list pursuant to Code Section 20-2A-7, and all such donations shall remain as preapproved tax credits subject only to the donor's compliance with paragraph (3) of this subsection.

(6) In addition to the reporting requirements in Code Section 20-2A-3, each student scholarship organization shall file an annual report with the department showing any fees or assessments retained by the student scholarship organization during the calendar year."

SECTION 2.

Chapter 2A of Title 20 of the Official Code of Georgia Annotated, relating to student scholarship organizations, is amended by restating the introductory language, revising paragraphs (1) and (5), and adding a new paragraph in Code Section 20-2A-2, relating to requirements for student scholarship organizations, as follows:

"Each student scholarship organization:

(1) With respect to the first \$1.5 million of its annual revenue received from donations for scholarships or tuition grants, must obligate at least ~~90~~ 92 percent of such revenue for scholarships or tuition grants; with respect to its annual revenue received from donations for scholarships or tuition grants in excess of \$1.5 million and up to and including \$10 million, must obligate at least ~~93~~ 94 percent of such revenue for scholarships and tuition grants; with respect to its annual revenue received from donations for scholarships or tuition grants in excess of \$10 million and up to and including \$20 million, must obligate at least ~~94~~ 95 percent of such revenue for scholarships and tuition grants; and, with respect to its annual revenue received from donations for scholarships or tuition grants in excess of \$20 million, must obligate at least ~~95~~ 96 percent of such revenue for scholarships and tuition grants. On or before the end of the calendar year following the calendar year in which a student scholarship organization receives revenues from donations and obligates them for the awarding of scholarships or tuition grants, the student scholarship organization shall designate the obligated revenues for specific student recipients. Once the student scholarship organization designates obligated revenues for specific student recipients, in the case of multiyear scholarships or tuition grants, the student scholarship organization may distribute the entire obligated and designated revenues to a qualified school or program to be held in accordance with Department of Revenue rules for

distribution to the specified recipients during the years in which the recipients are projected in writing by the private school to be enrolled at the qualified school or program. In making a multiyear distribution to a qualified school or program, the student scholarship organization shall require that if the designated student becomes ineligible or for any other reason the qualified school or program elects not to continue disbursement of the multiyear scholarship or tuition grant to the designated student for all the projected years, then the qualified school or program shall immediately return the remaining funds to the student scholarship organization. Once the student scholarship organization designates obligated revenues for specific student recipients, in the case of multiyear scholarships or tuition grants for which the student scholarship organization distributes the obligated and designated revenues to a qualified school or program annually rather than the entire amount, if the designated student becomes ineligible or for any other reason the student scholarship organization elects not to continue disbursement for all years, then the student scholarship organization shall designate any remaining previously obligated revenues for a new specific student recipient on or before the end of the following calendar year. The maximum scholarship amount given by the student scholarship organization in any given year shall not exceed the average state and local expenditures per student in fall enrollment in public elementary and secondary education for this state. The Department of Education shall determine and publish such amount annually, no later than January 1;"

"(5) Must conduct an audit of its accounts by an independent certified public accountant within 120 days after the completion of the student scholarship organization's fiscal year verifying that it has complied with all requirements of this Code section, including, but not limited to, financial requirements. Each student scholarship organization shall provide a copy of such audit to the Department of Revenue in accordance with Code Section 20-2A-3. Notwithstanding Code Sections 20-2A-7, 48-2-15, 48-7-60, and 48-7-61, if the copy of the audit submitted fails to verify that the student scholarship organization obligated its annual revenue received from donations for scholarships or tuition grants as required under paragraph (1) of this Code section; that obligated revenues were designated for specific student recipients within the time frame required by paragraph (1) of this Code section; and that all obligated and designated revenue distributed to a qualified school or program for the funding of multiyear scholarships or tuition grants complied with all applicable Department of Revenue rules, then the Department of Revenue shall post on its website the details of such failure to verify. Until any such noncompliant student scholarship organization submits an amended audit, which, to the satisfaction of the Department of Revenue, contains the verifications required under this Code section, the Department of Revenue shall not preapprove any contributions to the noncompliant student scholarship organization; ~~and~~

(5.1) In addition to the audit required by paragraph (5) of this Code section, in 2023, the state auditor shall issue an economic analysis report on the performance of this tax credit to the chairpersons of the House Committee on Ways and Means and the Senate

Finance Committee. An economic analysis shall include, but not be limited to, a good faith estimate, on both a direct and indirect basis, as to the:

- (A) Net change in state revenue;
- (B) Net change in state expenditures, which shall include, but not be limited to, costs of administering the tax credit;
- (C) Net change in economic activity; and
- (D) Net change in public benefit; and"

SECTION 3.

Said chapter is further amended by revising Code Section 20-2A-3, relating to taxation reporting requirements for student scholarship organizations, as follows:

"20-2A-3.

(a) Each student scholarship organization must report annually to the Department of Revenue, on a date determined by the Department of Revenue and on a form provided by the Department of Revenue, ~~by January 12 of each tax year~~ the following:

(1) The total number and dollar value of individual contributions and tax credits approved. Individual contributions shall include contributions made by those filing income tax returns as a single individual or head of household and those filing joint returns;

(2) The total number and dollar value of corporate contributions and tax credits approved;

(3) The total number and dollar value of scholarships awarded to eligible students;

(4) ~~The total number of families of scholarship recipients who fall within each quartile of Georgia whose family's adjusted gross income as defined and reported annually by the Department of Revenue and the average number of dependents of recipients for each quartile; and falls:~~

(A) Under 125 percent of the federal poverty level;

(B) Between 125 and 250 percent of the federal poverty level;

(C) Between 250 and 400 percent of the federal poverty level; and

(D) Above 400 percent of the federal poverty level;

(5) The average scholarship dollar amount by adjusted gross income category as provided in paragraph (4) of this subsection; and

(6) A list of donors, including the dollar value of each donation and the dollar value of each approved tax credit.

Such report shall also include a copy of the audit conducted pursuant to paragraph (5) of Code Section 20-2A-2. The Department of Revenue shall post on its website the information received from each student scholarship organization pursuant to paragraphs (1) through ~~(4)~~(5) of this subsection.

(b) Except for the information reported pursuant to paragraphs (1) through ~~(4)~~(5) of subsection (a) of this Code section, all information or reports provided by student scholarship organizations to the Department of Revenue shall be confidential taxpayer information, governed by Code Sections 48-2-15, 48-7-60, and 48-7-61, whether it relates to the donor or the student scholarship organization."

SECTION 4.

Code Section 48-8-3 of the Official Code of Georgia Annotated, relating to exemptions from state sales and use taxes, is amended by deleting "or" at the end of paragraph (99), by replacing the period with "; or" at the end of paragraph (100), and by adding a new paragraph to read as follows:

"(101)(A) The sale or use of noncommercial written materials or mailings by an organization which is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code, if the organization is located in this state and provides such materials to charity supporters for educational, charitable, religious, or fundraising purposes, to the extent provided in subparagraph (B) of this paragraph.

(B) This exemption shall apply from July 1, 2018, until July 1, 2021. A qualifying organization must pay sales and use tax on all purchases and uses of tangible personal property and may obtain the benefit of this exemption from sales and use taxes by filing a claim for refund of tax paid on qualifying items. All refunds made pursuant to this paragraph shall not include interest."

SECTION 5.

An Act relating to education and to revenue and taxation authorizing the Public Education Innovation Fund Foundation to receive private donations to be used for grants to public schools and providing for an income tax credit for qualified education donations, approved April 27, 2017 (Ga L. 2017, p. 100), is amended by revising Section 3 to read as follows:

"SECTION 3.

(a) This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval and shall be applicable to all taxable years beginning on or after January 1, 2018.

(b) This Act shall be automatically repealed on December 31, 2023."

SECTION 6.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval. Sections 1, 2, and 3 of this Act shall be applicable to tax years beginning on or after January 1, 2019.

SECTION 7.

All laws and parts of laws in conflict with this Act are repealed.

Senator Watson of the 1st moved that the Senate adopt the Conference Committee Report on HB 217.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
N Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	N Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	N Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 34, nays 20; the motion prevailed, and the Senate adopted the Conference Committee Report on HB 217.

The following bill was taken up to consider House action thereto:

HB 992. By Representatives Lott of the 122nd, Mathiak of the 73rd, Newton of the 123rd, Martin of the 49th and Dollar of the 45th:

A BILL to be entitled an Act to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to eliminate certain requirements relating to the use of automated external defibrillators; to eliminate obsolete language relating to base station facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Wilkinson of the 50th asked unanimous consent that the Senate insist on its substitute to HB 992.

The consent was granted, and the Senate insisted on its substitute to HB 992.

The following bill was taken up to consider House action thereto:

SB 127. By Senators Kennedy of the 18th, Shafer of the 48th, Albers of the 56th, Black of the 8th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Code Section 17-17-15 of the Official Code of Georgia Annotated, relating to the failure to provide notice not

rendering responsible person liable or comprising a basis for error, the chapter not conferring standing, existing rights not affected, and waiver of rights by victim, so as to allow a victim to file a motion in a criminal case to assert his or her rights; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 17-17-15 of the Official Code of Georgia Annotated, relating to the failure to provide notice not rendering responsible person liable or comprising a basis for error, the chapter not conferring standing, existing rights not affected, and waiver of rights by victim, so as to allow a victim to file a motion in a criminal case to assert certain rights; to provide for procedure; to provide for related matters; to provide for a contingent effective date and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 17-17-15 of the Official Code of Georgia Annotated, relating to the failure to provide notice not rendering responsible person liable or comprising a basis for error, the chapter not conferring standing, existing rights not affected, and waiver of rights by victim, is amended by revising subsection (c) as follows:

"(c)(1) Except as provided in this subsection, this chapter shall ~~This chapter does not confer upon a victim any standing to participate as a party in a criminal proceeding or to contest the disposition of any charge.~~

(2)(A) When a victim has made a written request to the prosecuting attorney to be notified of all proceedings and has provided contact information to the prosecuting attorney, and such victim asserts that he or she was not provided notification of a proceeding, he or she may file a motion requesting to be heard on such matter. When a victim has made a written request to the prosecuting attorney to be heard according to this chapter in a criminal proceeding and alleges that he or she was not given such opportunity by the prosecuting attorney or court, such victim may file a motion requesting to be heard on such matter. When a victim alleges that any other provision of this chapter has not been complied with, such victim may file a motion alleging such deficiency and requesting to be heard on such matter.

(B) Such motion shall be filed as soon as possible, but not later than 20 days after the claimed denial. Such motion shall be filed in the criminal case, and the victim shall provide a copy of the motion and hearing notice to the prosecuting attorney and the defendant.

(3) The court may set the victim's motion for a hearing or issue an order disposing of

the motion. If the court conducts a hearing, the prosecuting attorney and the defendant shall have a right to be present at such hearing.

(4) The court's decision on all issues of fact and law raised in a motion under this subsection shall be final and shall not be subject to appeal.

(5) A motion filed pursuant to this subsection shall be the only means of raising or enforcing the rights provided under this chapter or Article I, Section I, Paragraph XXX of the Constitution of Georgia.

(6) When the victim's motion alleges potential failure by the prosecuting attorney, the prosecuting attorney may recuse in accordance with Code Section 15-18-5 or 15-18-65, as applicable. When the victim's motion alleges potential failure by the court, the judge may recuse in accordance with Code Section 15-1-8."

SECTION 2.

This Act shall become effective on January 1, 2019, provided that a constitutional amendment is passed by the General Assembly and is ratified by the voters in the November, 2018, General Election amending the Constitution of Georgia so as to provide certain rights to victims against whom a crime has allegedly been perpetrated and allow victims to assert such rights. If such an amendment to the Constitution of Georgia is not so ratified, then this Act shall not become effective and shall stand repealed by operation of law on January 1, 2019.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Kennedy of the 18th moved that the Senate agree to the House substitute to SB 127.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison
 Y Harper
 Y Heath
 Y Henson
 Y Hill

Y Millar
 Y Miller
 Y Mullis
 Y Orrock
 Y Parent

Y Watson
 Y Wilkinson
 Y Williams, M
 Y Williams, N

On the motion, the yeas were 54, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 127.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitutes, as amended by the House, to the following Bills of the House:

HB 93. By Representatives Corbett of the 174th, Kelley of the 16th, Watson of the 172nd, Blackmon of the 146th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Code Section 48-2-35.1 of the Official Code of Georgia Annotated, relating to refunds of sales and use taxes, so as to provide that no interest shall be paid on refunds of sales and use taxes to a purchaser that held a certificate or exemption letter if such purchaser did not use such document during the purchase; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 713. By Representatives Chandler of the 105th, Raffensperger of the 50th, Mathiak of the 73rd, Dreyer of the 59th and Barr of the 103rd:

A BILL to be entitled an Act to amend Code Section 20-3-519 of the Official Code of Georgia Annotated, relating to definitions relative to HOPE scholarships and grants, by providing for eligibility requirements to receive the HOPE scholarship as a Zell Miller Scholarship Scholar relative to students who graduated from an ineligible high school or a home study program; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 787. By Representatives Hilton of the 95th, Jones of the 47th, Nix of the 69th, Dickey of the 140th and Stovall of the 74th:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise certain provisions

relative to charter schools; to provide that state charter schools may receive services from regional educational service agencies; to revise provisions relating to a code of principles and standards for charter school authorizers; to revise funding for state chartered special schools and state charter schools; to provide for initial funding for charter schools with projected student growth exceeding 2 percent; to provide for initial funding for training and experience; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute to the following Bill of the House:

HB 790. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to the Office of State Administrative Hearings, so as to implement recommendations of the Court Reform Council to improve efficiencies and achieve best practices for the administration of justice; to provide administrative law judges with authority to issue final decisions; to provide for exceptions; to require agencies to forward a request for a hearing to the Office of State Administrative Hearings; to provide administrative law judges with the power to enforce subpoenas and sanction parties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The following resolution was taken up to consider House action thereto:

SR 146. By Senators Kennedy of the 18th, Mullis of the 53rd, Ligon, Jr. of the 3rd, Shafer of the 48th, Albers of the 56th and others:

A RESOLUTION proposing an amendment to the Constitution so as to provide for certain rights for victims who have suffered or been harmed due to an act committed or attempted to be committed in violation of the criminal or juvenile delinquency laws of this state; to provide for the enforcement of such rights; to provide for related matters; to provide for submission of this amendment for ratification or rejection; and for other purposes.

The House substitute was as follows:

A RESOLUTION

Proposing an amendment to the Constitution so as to acknowledge certain rights of victims against whom a crime has allegedly been perpetrated; to provide for the

enforcement of such rights; to provide for exceptions; to provide for related matters; to provide for submission of this amendment for ratification or rejection; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article I, Section I of the Constitution is amended by adding a new Paragraph to read as follows:

"Paragraph XXX. *Rights of certain individuals.* (a) For the purpose of this Paragraph, a victim shall be considered an individual against whom a crime has allegedly been perpetrated, including crimes alleged as delinquent acts. Such victims shall be accorded the utmost dignity and respect and shall be treated fairly by the criminal justice system of this state and all agencies and departments that serve such system. When the crime is one against or involving the person of the victim or is a felony property crime, such victim shall be afforded the following specific rights:

(1) The right upon request to reasonable, accurate, and timely notice of any scheduled court proceedings involving the alleged act or changes to the scheduling of such proceedings;

(2) The right upon request to reasonable, accurate, and timely notice of the arrest, release, or escape of the accused;

(3) The right not to be excluded from any scheduled court proceedings involving the alleged act;

(4) The right upon request to be heard at any scheduled court proceedings involving the release, plea, or sentencing of the accused; and

(5) The right to be informed of his or her rights.

(b) A victim described in subparagraph (a) of this Paragraph shall have the right to assert the rights enumerated in subparagraph (a) of this Paragraph. The General Assembly shall provide by general law the process whereby such victim may assert the rights provided by subparagraph (a) of this Paragraph by motion within the same criminal or delinquency proceeding giving rise to such rights. At the hearing on such motion, such victim may be represented by an attorney, but neither the state nor any of its political subdivisions shall be obligated to appoint an attorney to represent him or her. The General Assembly shall provide by general law the process whereby a family member, guardian, or legal custodian of a victim when he or she is a minor, legally incapacitated, or deceased may assert the rights of such victim.

(c) This Paragraph shall not:

(1) Create any cause of action against the State of Georgia; any political subdivision of the State of Georgia; any officer, employee, or agent of the State of Georgia or of any of its political subdivisions; or any officer or employee of the court;

(2) Confer upon any victim the right to:

(A) Appeal any decision made in a criminal or delinquency proceeding;

(B) Challenge any verdict or sentence entered in a criminal or delinquency proceeding; or

(C) Standing to participate as a party in a criminal or delinquency proceeding other than to file a motion as provided in subparagraph (b) of this Paragraph;

(3) Restrict the authority of the General Assembly, by general law, to further define or expand upon the rights provided in this Paragraph or to regulate the reasonable exercise thereof; or

(4) Restrict the inherent authority of the courts to maintain order in the courtroom."

SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

"() YES Shall the Constitution of Georgia be amended so as to provide certain rights to victims against whom a crime has allegedly been perpetrated and allow
() NO victims to assert such rights?"

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes." All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.

Senator Kennedy of the 18th moved that the Senate agree to the House substitute to SR 146.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Cowser	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 55, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SR 146.

The following bill was taken up to consider House action thereto:

SB 286. By Senators Brass of the 28th and McKoon of the 29th:

A BILL to be entitled an Act to amend an Act creating the State Court of Troup County (formerly the Civil and Criminal Court of Troup County), approved March 6, 1962 (Ga. L. 1962, p. 3020), as amended, so as to authorize the court to charge and collect a technology fee for certain filings; to specify the uses to which said technology fees may be put; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend an Act creating the State Court of Troup County (formerly the Civil and Criminal Court of Troup County), approved March 6, 1962 (Ga. L. 1962, p. 3020), as amended, so as to authorize the court to charge and collect a technology fee for certain filings; to specify the uses to which said technology fees may be put; to provide for related matters; to provide for automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act creating the State Court of Troup County (formerly the Civil and Criminal Court of Troup County), approved March 6, 1962 (Ga. L. 1962, p. 3020), as amended, is amended by adding a new section to read as follows:

"Section 29A. Technology fees. The clerk shall be entitled to charge and collect a technology fee to be set by the chief judge for the filing of each civil action with the court. Such technology fee shall not exceed \$10.00 and shall be used exclusively to provide for the technological needs of the court to include only the following uses: computer hardware and software purchases, leases, maintenance, and installation; imaging, scanning, facsimile, communications, projection, and printing equipment and software purchases, leases, maintenance, and installation; and associated personal technology services. The funds collected pursuant to this section shall be maintained in a segregated fund by the clerk and shall be used only for the purposes authorized in this section."

SECTION 2.

This Act shall stand repealed in its entirety on June 30, 2023.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Brass of the 28th moved that the Senate agree to the House substitute to SB 286.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Mullis	Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 1; the motion prevailed, and the Senate agreed to the House substitute to SB 286.

The following bill was taken up to consider House action thereto:

SB 357. By Senators Burke of the 11th, Unterman of the 45th, Rhett of the 33rd, Hill of the 4th, Hufstetler of the 52nd and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to create the Health Coordination and Innovation Council of the State of Georgia; to amend other provisions of the Official Code of Georgia Annotated so as to provide for conforming changes; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to create the Health Coordination and Innovation Council of the State of Georgia; to provide for legislative findings and declarations; to create the council and assign for administrative purposes; to provide for membership, staggered terms, and vacancies; to provide for election of a chairperson and vice chairperson, meetings, minutes and records, and rules; to provide for member compensation and expense allowance; to provide for appointment of a director and powers and duties; to provide for functions and authority of the council; to provide for preparation of budget requests, appropriations, gifts, grants, and donations of property and services; to establish an advisory board; to provide for membership and duties; to provide for reporting requirements of certain boards, commissions, committees, and offices and each entity's representation in an advisory capacity; to amend other provisions of the Official Code of Georgia Annotated so as to provide for conforming changes; to provide for a short title; to provide for related matters; to provide for a sunset date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as "The Health Act."

SECTION 2.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by adding a new chapter to read as follows:

"CHAPTER 53

31-53-1.

The General Assembly finds that Georgia's major health challenges affecting access, effectiveness, and cost of care are detrimental to the general welfare of the State of Georgia and its citizens, and all components of our health care system must be better coordinated, focused, and effective at all levels, including those of health agencies, academic institutions, and public and private sectors. The General Assembly, therefore, declares it to be the public policy of this state to unite the major stakeholders and components at all levels of the state's health system under a strategic vision for Georgia's future by establishing a state-wide coordinating platform.

31-53-2.

There is established the Health Coordination and Innovation Council of the State of

Georgia which shall be assigned to the Governor's Office of Planning and Budget for administrative purposes only, as prescribed in Code Section 50-4-3.

31-53-3.

(a) The Health Coordination and Innovation Council of the State of Georgia shall consist of 18 members, as follows:

(1) The following or their designees shall be members of the council, by reason of their office or position:

(A) The director of health care policy and strategic planning;

(B) The commissioner of community health;

(C) The commissioner of public health;

(D) The commissioner of human services;

(E) The commissioner of behavioral health and developmental disabilities; and

(F) The executive director of substance abuse, addiction, and related disorders;

(2) Six members shall be appointed by the Governor; one member shall be appointed by the Lieutenant Governor and such member shall be a professional actively engaged in health care in this state; and one member shall be appointed by the Speaker of the House of Representatives and such member shall be a professional actively engaged in health care in this state. The members shall be appointed for terms of four years, with initial appointments, however, of four members serving four-year terms, two members serving three-year terms, and two members serving two-year terms. Appointments shall be made to ensure that the council always includes the following persons:

(A) Three representatives from medical schools, universities, and academia;

(B) One practicing dentist;

(C) One practicing pharmacist; and

(D) One practicing primary care physician; and

(3) The following or their designees shall be ex officio members of the council by reason of their office:

(A) The Commissioner of Insurance;

(B) The commissioner of corrections;

(C) The commissioner of economic development; and

(D) The Attorney General.

No person shall serve beyond the time he or she holds an office, title, or affiliation that initially qualified him or her for appointment. Appointed members shall serve at the pleasure of the Governor.

(b) In the event of death, resignation, disqualification, or removal for any reason of any member of the council, vacancies shall be filled in the same manner as that of the original appointment and successors shall serve for the remainder of the unexpired term.

(c) The initial terms for all 18 original members of the council shall begin July 1, 2018.

31-53-4.

The business of the council shall be conducted in the following manner:

- (1) The councilmembers pursuant to paragraph (1) of subsection (a) of Code Section 31-53-3 shall adopt rules for the council's internal procedures, bylaws, and transaction of the council's business;
- (2) The council shall maintain minutes of its meetings and such other records as it deems necessary; and
- (3) The council shall produce and distribute a detailed annual report, including annual expenditures, no later than December 1, 2018, and annually thereafter. The report shall be distributed to the Governor, General Assembly, and made publicly available.

31-53-5.

Members of the council shall serve without compensation but shall receive for each day of attendance at council meetings a daily expense allowance in the amount specified in subsection (b) of Code Section 45-7-21 plus reimbursement for actual transportation costs while traveling by public carrier, or the legal mileage rate for use of a personal car in connection with such attendance pursuant to the Office of Planning and Budget guidelines.

31-53-6.

(a) There is created the position of director of health care policy and strategic planning who shall be an employee of the Office of Planning and Budget and shall report directly to the Governor.

(b) The director shall have the following qualifications:

- (1) Extensive experience in health care policy which shall include having held a position as a health care clinician and administrator; and
- (2) Additional education, experience, and other qualifications as determined by the Governor.

(c) The director's duties shall include, but not be limited to:

- (1) Management, oversight, and coordination of innovation within Georgia's health care system;
- (2) In consultation with the Governor, identification of the health priorities of the state and adoption of strategies to ensure effective implementation of such priorities;
- (3) Monitoring the effectiveness of adopted strategies to ensure appropriate models are utilized in consideration of local, regional, and state disparities; and
- (4) Oversight of the facilitation of partnerships to foster collaboration and efficient use of available resources at the federal, state, regional, and local levels.

(d) The director may contract with other agencies, public and private, or persons as he or she deems necessary for the rendering and affording of such services, facilities, studies, research, and reports to the council as will provide the best assistance for carrying out its duties and responsibilities.

(e) The director may employ such other professional, technical, and clerical personnel as deemed necessary to carry out the purposes of this chapter.

31-53-7.

The council is vested with the following functions and authority:

- (1) To bring together experts from academic institutions and industry, as well as state elected and appointed leaders to provide a forum to share information, coordinate the major functions of the state's health care system, and develop innovative approaches for stabilizing costs while improving access to quality care;
- (2) To serve as a forum for identifying Georgia's specific health issues of greatest concern and to promote cooperation from both public and private agencies to test new and innovative ideas;
- (3) To evaluate the effectiveness of previously enacted and ongoing health programs and determine how best to achieve the goal of promoting innovation and improving Georgia's health care system;
- (4) To maximize the effectiveness of existing resources, expertise, and opportunities for improvement;
- (5) To create an organized approach to coordinating health care functions and programs;
- (6) To carry out such duties that may be required by federal law or regulation so as to enable this state to receive and disburse federal funds for health care programs; and
- (7) To provide detailed and regular reports to the director.

31-53-8.

(a) The council shall prepare a budget request in the same manner as that described under Part 1 of Article 4 of Chapter 12 of Title 45, the 'Budget Act,' and a separate appropriation shall be provided for the council in the General Appropriations Act.

(b) The council shall be authorized to accept and use gifts, grants, and donations for the purpose of carrying out the provisions of this chapter. The council shall also be authorized to accept and use property, both real and personal, and services for the purpose of carrying out the provisions of this chapter. Such funds, property, or services so received as gifts, grants, or donations shall be the property and funds of the council and, as such, shall not lapse at the end of each fiscal year but shall remain under the control of and subject to the direction of the council to carry out the provisions of this chapter.

31-53-9.

(a) There is established an advisory board to the council which shall consist of at least 13 and not more than 19 members appointed by the Governor who have training and experience that represent existing committees and areas of health care expertise with consideration of needs expressed by the council.

(b) A majority of the members of the advisory board, including the chairperson, shall not be full-time employees of the federal, state, or local government.

(c) Membership on the advisory board shall not constitute public office, and no member shall be disqualified from holding public office by reason of his or her membership.

(d) The advisory board shall elect a chairperson from among its membership. The advisory board may elect such other officers and committees as it deems appropriate.

(e) Members of the advisory board shall serve without compensation, although each member of the advisory board shall be reimbursed for actual expenses incurred in the performance of his or her duties from funds available to the office. Such reimbursement shall be limited to all travel and other expenses necessarily incurred through service on the advisory board, in compliance with this state's travel rules and regulations. However, in no case shall a member of the advisory board be reimbursed for expenses incurred in the member's capacity as the representative of another state agency.

31-53-10.

(a) The advisory board shall:

(1) Meet at such times and places as it shall determine necessary or convenient to perform its duties. The advisory board shall also meet on the call of the director, the chairperson of the council, or the Governor;

(2) Maintain minutes of its meetings;

(3) Participate in the development and review of this state's health care plan prior to submission to the council for final action;

(4) Be afforded the opportunity to review and comment on all health care grant applications submitted to the council, not later than 30 days after their submission to the advisory board;

(5) Use the combined expertise and experience of its members to provide regular advice and counsel to the director to enable the council to carry out its statutory duties under this chapter; and

(6) Identify and report to the council any federal laws or regulations that may enable the state to receive and disburse federal funds for health care programs.

(b) The council shall not be limited or otherwise restricted in appointing other advisors as deemed necessary in pursuing the advisory board's duties under this chapter.

31-53-11.

(a) Each of the following boards, commissions, committees, councils, and offices shall provide their required reporting to the council:

(1) The Maternal Mortality Review Committee;

(2) The Office of Women's Health;

(3) The Commission on Men's Health;

(4) The Renal Dialysis Advisory Council;

(5) The Kidney Disease Advisory Committee;

(6) The Hemophilia Advisory Board;

(7) The Georgia Council on Lupus Education and Awareness;

(8) The Georgia Palliative Care and Quality of Life Advisory Council;

(9) The Georgia Trauma Care Network Commission;

(10) The Behavioral Health Coordinating Council;

(11) The Georgia Coverdell Acute Stroke Registry;

(12) The Office of Cardiac Care; and

(13) The Brain and Spinal Injury Trust Fund.

(b) The boards, commissions, committees, councils, and offices required to report to the council pursuant to this Code section shall have representation on the advisory board. Such entity's position on the advisory board shall not count against the overall board membership maximum requirement under Code Section 31-53-9."

SECTION 3.

Said title is further amended in Code Section 31-1-13, relating to the Hemophilia Advisory Board, by revising subsection (g) as follows:

"(g) The Hemophilia Advisory Board shall, no later than ~~January, 2012~~ October 1, 2018, and annually thereafter, submit to the ~~Governor and the General Assembly~~ Health Coordination and Innovation Council of the State of Georgia a report of its findings and recommendations. Annually thereafter, the commissioner of public health, in consultation with the commissioner of community health, shall report to the Governor and the General Assembly on the status of implementing the recommendations as proposed by the Hemophilia Advisory Board. The reports shall be made public and shall be subject to public review and comment."

SECTION 4.

Said title is further amended in Code Section 31-2A-5, relating to the Office of Women's Health, by revising subsection (b) and adding a new subsection to read as follows:

"(b) The Office of Women's Health shall serve in an advisory capacity to the ~~Governor, the General Assembly, the board, the department, and all other state agencies in matters relating to women's health~~ Health Coordination and Innovation Council of the State of Georgia. In particular, the office shall:

- (1) Raise awareness of women's nonreproductive health issues;
- (2) Inform and engage in prevention and education activities relating to women's nonreproductive health issues;
- (3) Serve as a clearing-house for women's health information for purposes of planning and coordination;
- (4) Issue reports of the office's activities and findings; and
- (5) Develop and distribute a state comprehensive plan to address women's health issues."

"(d) The office, no later than October 1, 2018, and annually thereafter shall submit to the Health Coordination and Innovation Council of the State of Georgia a report of its findings and recommendations."

SECTION 5.

Said title is further amended in Code Section 31-2A-16, relating to the Maternal Mortality Review Committee, by revising subsection (g) as follows:

"(g) Reports of aggregated nonindividually identifiable data shall be compiled on a

routine basis for distribution in an effort to further study the causes and problems associated with maternal deaths. A detailed annual report shall be submitted no later than October 1. Reports shall be distributed to the General Assembly, health care providers and facilities, key government agencies, and others necessary to reduce the maternal death rate Health Coordination and Innovation Council of the State of Georgia."

SECTION 6.

Said title is further amended in Code Section 31-7-192, relating to the Georgia Palliative Care and Quality of Life Advisory Council, by revising subsection (f) as follows:

"(f) The council, no later than ~~June 30, 2017~~ October 1, 2018, and annually thereafter shall submit to the ~~Governor and the General Assembly~~ Health Coordination and Innovation Council of the State of Georgia a report of its findings and recommendations."

SECTION 7.

Said title is further amended by repealing Article 9 of Chapter 8, relating to the Federal and State Funded Health Care Financing Programs Overview Committee, and designating said article as reserved.

SECTION 8.

Said title is further amended in Code Section 31-11-103, relating to the Georgia Trauma Trust Fund, by revising subsection (b) as follows:

"(b) The Georgia Trauma Care Network Commission shall report annually ~~to the House Committee on Health and Human Services and the Senate Health and Human Services Committee~~ no later than October 1 to the Health Coordination and Innovation Council of the State of Georgia. Such report shall provide an update on state-wide trauma system development and the impact of fund distribution on trauma patient care and outcomes."

SECTION 9.

Said title is further amended in Code Section 31-11-116, relating to annual reports relative to stroke centers, by revising subsection (b) as follows:

"(b) The department shall collect the information reported pursuant to subsection (a) of this Code section and shall post such information in the form of a report card annually on the department's website and present such report to the ~~Governor, the President of the Senate, and the Speaker of the House of Representatives~~ Health Coordination and Innovation Council of the State of Georgia. The results of this report card may be used by the department to conduct training with the identified facilities regarding best practices in the treatment of stroke."

SECTION 10.

Said title is further amended in Code Section 31-11-135, relating to grants to hospitals

and reporting relative to the Office of Cardiac Care, by revising subsection (d) as follows:

"(d) The office shall annually prepare and submit to the ~~Governor, the President of the Senate, the Speaker of the House of Representatives, and the chairpersons of the House Committee on Health and Human Services and the Senate Health and Human Services Committee for distribution to its committee members~~ Health Coordination and Innovation Council of the State of Georgia a report indicating the total number of hospitals that have applied for grants pursuant to this Code section, the number of applicants that have been determined by the office to be eligible for such grants, the total number of grants to be awarded, the name and address of each grantee, and the amount of the award to each grantee."

SECTION 11.

Said title is further amended in Code Section 31-16-3, relating to the functions of the Kidney Disease Advisory Committee, membership, terms of office, vacancies, and compensation and reimbursement of expenses, by adding a new subsection to read as follows:

"(f) The KDAC shall prepare and submit a complete and detailed report no later than October 1, 2018, and annually thereafter to the Health Coordination and Innovation Council of the State of Georgia concerning the impact of the program established pursuant to Code Section 31-16-2 on the treatment of chronic renal disease and the cost of such treatment."

SECTION 12.

Said title is further amended in Code Section 31-18-4, relating to duties of the Brain and Spinal Injury Trust Fund Commission, by revising subsection (b) as follows:

"(b) The Brain and Spinal Injury Trust Fund Commission shall maintain records of reports and notifications made under this chapter. The Brain and Spinal Injury Trust Fund Commission shall produce an annual report relating to information and data collected pursuant to this chapter and shall make such report available upon request. Such report shall be submitted annually no later than October 1 to the Health Coordination and Innovation Council of the State of Georgia."

SECTION 13.

Said title is further amended in Code Section 31-43-12, relating to duties and responsibilities of the Commission on Men's Health, by revising paragraph (6) as follows:

"(6) Submit a report of its findings and recommendations under this chapter to the ~~Governor, the President of the Senate, and the Speaker of the House of Representatives~~ not Health Coordination and Innovation Council of the State of Georgia no later than October 1 of each year."

SECTION 14.

Said title is further amended in Code Section 31-44-3, relating to adoption of rules, council established, and terms of councilmembers of the Renal Dialysis Advisory

Council, by adding a new subsection to read as follows:

"(d) The council shall submit an annual report no later than October 1 of its recommendations and evaluation of their implementation to the Health Coordination and Innovation Council of the State of Georgia."

SECTION 15.

Said title is further amended by revising Code Section 31-49-5, relating to the annual report of the Georgia Council on Lupus Education and Awareness, as follows:

"31-49-5.

The council shall prepare annually a complete and detailed report to be submitted ~~to the Governor, the chairperson of the House Committee on Health and Human Services, and the chairperson of the Senate Health and Human Services Committee~~ no later than October 1 to the Health Coordination and Innovation Council of the State of Georgia detailing the activities of the council and may include any recommendations for legislative action it deems appropriate."

SECTION 16.

Code Section 37-2-4 of the Official Code of Georgia Annotated, relating to the Behavioral Health Coordinating Council, membership, meetings, and obligations, is amended by revising paragraph (1) of subsection (h) as follows:

"(h)(1) The council shall submit annual reports no later than October 1 of its recommendations and evaluation of their implementation to the ~~Governor and the General Assembly~~ Health Coordination and Innovation Council of the State of Georgia."

SECTION 17.

Code Section 45-7-21 of the Official Code of Georgia Annotated, relating to expense allowance and travel cost reimbursement for members of certain boards and commissions, is amended by revising paragraph (6) of subsection (a) as follows:

"(6) Health Coordination and Innovation Council of the State of Georgia Reserved;

SECTION 18.

This Act shall automatically be repealed July 1, 2022.

SECTION 19.

All laws and parts of laws in conflict with this Act are repealed.

Senator Burke of the 11th moved that the Senate agree to the House substitute to SB 357.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 53, nays 1; the motion prevailed, and the Senate agreed to the House substitute to SB 357.

The following bill was taken up to consider House action thereto:

HB 769. By Representatives Jasperse of the 11th, England of the 116th, Powell of the 171st, Jackson of the 128th, Cooper of the 43rd and others:

A BILL to be entitled an Act to amend Chapter 4 of Title 26 and Title 31 of the O.C.G.A., relating to pharmacists and pharmacies and health, respectively, so as to implement recommendations from the House Rural Development Council relating to health care issues; to revise provisions relative to pharmacy practices; to provide for and revise definitions; to revise provisions relative to credentialing and billing; to provide for the establishment of the Rural Center for Health Care Innovation and Sustainability; to revise provisions relative to certificate of need; to provide for the establishment of micro-hospitals; to provide for a grant program for insurance premium assistance for physicians practicing in medically underserved rural areas of the state; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate Committee on Health and Human Services substitute to HB 769 (LC 33 7399S) by striking "five" on lines 94 and 204 and inserting in lieu thereof "seven".

By striking "may" on lines 149 and 259 and inserting in lieu thereof "shall".

By striking "or" at the end of lines 152 and 262 and inserting in lieu thereof "and".

Senator Burke of the 11th moved that the Senate agree to the House amendment to the Senate substitute to HB 769.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 2; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 769.

The following bill was taken up to consider House action thereto:

SB 118. By Senators Unterman of the 45th, Albers of the 56th, Beach of the 21st, Millar of the 40th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to coverage for autism, so as to change the age limit for coverage for autism spectrum disorders for an individual covered under a policy or contract; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to coverage for autism, so as to change the age limit for coverage for autism spectrum disorders for an individual covered under a policy or contract; to clarify treatment coverage; to change coverage limit; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 33-24-59.10 of the Official Code of Georgia Annotated, relating to coverage for autism, is amended by revising subsection (b) as follows:

"(b) Accident and sickness contracts, policies, or benefit plans shall provide coverage for autism spectrum disorders for an individual covered under a policy or contract who is ~~six~~ 20 years of age or under in accordance with the following:

- (1) The policy or contract shall provide coverage for any assessments, evaluations, or tests by a licensed physician or licensed psychologist to diagnose whether an individual has an autism spectrum disorder;
- (2) The policy or contract shall provide coverage for applied behavior analysis for the treatment of autism spectrum disorders when it is determined by ~~a licensed physician or licensed psychologist~~ the covering entity that the treatment is medically necessary health care according to established criteria. A licensed physician or licensed psychologist may be required to demonstrate ongoing medical necessity for coverage provided under this Code section at least annually;
- (3) The policy or contract shall not include any limits on the number of visits;
- (4) The policy or contract may limit coverage for applied behavior analysis to ~~\$30,000.00~~ \$35,000.00 per year. An insurer shall not apply payments for coverage unrelated to autism spectrum disorders to any maximum benefit established under this paragraph; and
- (5) This subsection shall not be construed to require coverage for prescription drugs if prescription drug coverage is not provided by the policy or contract. ~~Coverage for prescription drugs for the treatment of autism spectrum disorders shall be determined in the same manner as coverage for prescription drugs for the treatment of any other illness or condition is determined under the policy or contract.~~

SECTION 2.

This Act shall become effective January 1, 2019.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Unterman of the 45th moved that the Senate agree to the House substitute to SB 118.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
N Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	N Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 50, nays 4; the motion prevailed, and the Senate agreed to the House substitute to SB 118.

The following bill was taken up to consider House action thereto:

SB 395. By Senators Watson of the 1st, Harbison of the 15th, Walker III of the 20th, Black of the 8th, Jones II of the 22nd and others:

A BILL to be entitled an Act to amend Article 10 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Defense Community Economic Development Fund, so as to create the Georgia Joint Defense Commission; to provide for the membership and purposes of such commission; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to vocational, technical, and adult education, so as to create the Georgia Joint Defense Commission; to provide for appointments, terms of office, compensation, and duties; to provide for annual reports; to provide for administrative support; to create the Defense Community Economic Development Grant Program; to provide for the transfer of funds; to provide for an application process and procedures; to provide for rules and regulations; to provide for definitions; to repeal Article 10 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Defense Community Economic Development Fund; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to vocational, technical, and adult education, is amended by adding a new article to read as follows:

"ARTICLE 6
PART 1

20-4-120.

(a) There is hereby created the Georgia Joint Defense Commission, which shall consist of 19 members as follows:

- (1) The chairperson of the Senate Veterans, Military and Homeland Security Committee;
- (2) The chairperson of the Senate Economic Development and Tourism Committee;
- (3) Four members of the House of Representatives to be appointed by the Speaker of the House of Representatives;
- (4) Two members of the Senate, one each from the majority party and the minority party, to be appointed by the Lieutenant Governor;
- (5) One citizen member from each of the state's eight military installation regions to be appointed by the Governor;
- (6) The director of the Governor's Defense Initiative;
- (7) The Adjutant General of the Georgia National Guard or his or her designee; and
- (8) The commissioner of the Technical College System of Georgia or his or her designee.

(b)(1) The members of the commission appointed pursuant to paragraphs (1) through (4) of subsection (a) of this Code section shall serve two-year terms.

(2) The members of the commission appointed pursuant to paragraph (5) of subsection (a) of this Code section shall serve four-year terms, provided that of the initial appointees, two shall serve an initial two-year term, two shall serve an initial

three-year term, and four shall serve an initial four-year term.

(3) The members of the commission appointed pursuant to paragraphs (6) and (7) of subsection (a) of this Code section shall serve the duration of their respective terms in office.

(c) The commission chairperson shall be the director of the Governor's Defense Initiative. The commission shall meet at such times and places as it deems necessary or convenient to perform its duties. The commission shall also meet upon the written call of the commission chairperson or of three of its members. The commission shall maintain minutes of its meetings and such other records as it deems necessary.

(d)(1) Members of the commission shall serve without compensation, but shall receive for each day of attendance at commission meetings a daily expense allowance in the amount specified in subsection (b) of Code Section 45-7-21, plus reimbursement for actual transportation costs while traveling by public carrier, or the legal mileage rate for use of a personal car in connection with such attendance.

(2) The daily expense allowance and reimbursement of transportation costs provided for by this subsection:

(A) Shall be paid by funds appropriated to the Technical College System of Georgia; and

(B) Shall not be received by any member of the commission for more than five days unless additional days are authorized by the Governor.

(e) Members of the commission shall serve at the pleasure of the Governor, President of the Senate, or Speaker of the House of Representatives, in accordance with who appointed them.

20-4-121.

The Georgia Joint Defense Commission shall:

(1) Advise the Governor and the General Assembly on defense and military issues within the state and nationally;

(2) Make recommendations regarding policies and plans to support the long-term viability and development of the military, both active and civilian, in this state;

(3) Develop methods to assist defense-dependent communities in the design and execution of programs that enhance each community's relationship with military installations and defense related business;

(4) Serve as a task force to seek advice on and prepare for potential base realignment or closure of military installations in the state;

(5) Develop and implement a plan to navigate potential base realignment or closure of military installations studies and proceedings; and

(6) Produce and distribute a detailed report no later than December 1, 2018, and annually thereafter, regarding the status of the state's military installations, as well as a strategic plan for navigating any potential base realignment or closure of military installations in the state. Such annual reports shall be distributed to the Governor and the General Assembly and shall be made publicly available.

20-4-122.

Staff of the Technical College System of Georgia shall provide administrative support for the Georgia Joint Defense Commission.

PART 2

20-4-130.

As used in this part, the term:

(1) 'Federal review' means any review of a military installation by a federal entity for the purpose of determining the viability of such military installation, including, but not limited to, any review directly or indirectly related to the Defense Base Closure and Realignment Commission.

(2) 'Grant goal' means any project, event, or activity that promotes a military installation, including, but not limited to:

(A) The promotion of recruitment, expansion, or retention of jobs at such military installation or within the military community in which it is located; or

(B) Preparation for any federal review.

(3) 'Military community' means a municipality or county that has within its jurisdiction a military installation or any other municipality or county that after reasonable review the workforce development division determines is economically impacted to a similar degree by the presence of a nearby military installation.

(4) 'Military installation' means a facility owned and operated by United States Army, Air Force, Navy, Marines, or Coast Guard that shelters military equipment and personnel and facilitates training and operations for such organizations.

(5) 'Public official' shall have the same meaning as in Code Section 50-36-2 or 2 U.S.C. Section 1602.

20-4-131.

(a) Subject to appropriations by the General Assembly, the commissioner of the Technical College System of Georgia shall administer a grant program to be called the Defense Community Economic Development Grant Program, which shall serve the purpose of awarding grants to assist military communities with grant goals.

(b) The commissioner of the Technical College System of Georgia shall administer such program and such program's associated funds.

(c) All funds that were appropriated for the provision of the Defense Community Economic Development Fund shall be transferred to the workforce development division for the provision of the Defense Community Economic Development Grant Program.

20-4-132.

(a) The amount of any grant awarded pursuant to this part shall be determined by the commissioner of the Technical College System of Georgia on a case-by-case review of applications which shall include, but shall not be limited to, a consideration of the grant

goal being proposed and the extent to which it:

(1) Furthers the relationship between the military community and military installation;

(2) Furthers the military installation's economic development investment into the military community; or

(3) Assists in efforts to defend the viability of a military installation from a federal review.

(b) Each military community shall be required as a condition of receipt of any grant awarded pursuant to this part to match such awarded funds. The commissioner of the Technical College System of Georgia shall prescribe conditions for releasing grant funds based upon a military community matching such funds.

(c) The commissioner of the Technical College System of Georgia shall be authorized to charge such fees as are reasonable and necessary to offset costs associated with processing applications submitted pursuant to this part.

20-4-133.

Any military community may submit an application to the commissioner of the Technical College System of Georgia for a grant to assist in the pursuance of a grant goal. Such application shall be submitted on a form and in a manner to be prescribed by the commissioner of the Technical College System of Georgia. Each application shall, at a minimum, include a statement from the military community applying for such grant as to how such grant goal will contribute to the economic viability of the military installation within such military community.

20-4-134.

The commissioner of the Technical College System of Georgia shall promulgate rules and regulations necessary to implement the purposes of this part."

SECTION 2.

Article 10 of Chapter 7 of Title 50 of the Official Code of Georgia Annotated, relating to the Defense Community Economic Development Fund, is amended by repealing and reserving said Article.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Watson of the 1st moved that the Senate agree to the House substitute to SB 395.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 54, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 395.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate amendment, as amended by the House, to the following Bill of the House:

HB 878. By Representatives Clark of the 147th, Smith of the 134th, Blackmon of the 146th, Raffensperger of the 50th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to procedure for cancellation by an insured and notice, so as to change certain provisions regarding cancellation of an insurance policy by an insured; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitutes to the following Bills of the House:

HB 61. By Representatives Powell of the 171st, England of the 116th, Meadows of the 5th, Abrams of the 89th and Kelley of the 16th:

A BILL to be entitled an Act to amend Code Section 48-8-30 of the Official Code of Georgia Annotated, relating to imposition of tax, rates, and

collection, so as to require certain retailers to either collect and remit sales and use taxes or provide certain notifications to each purchaser and the state; to define a term; to provide for penalties; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

HB 448. By Representatives Williams of the 119th, Jasperse of the 11th, Dempsey of the 13th and Gardner of the 57th:

A BILL to be entitled an Act to amend Chapter 3 of Title 20 of the O.C.G.A., relating to postsecondary education, so as to require certain education and postsecondary educational institutions to qualify for exemptions with the Nonpublic Postsecondary Education Commission and the maintenance of exemptions provided for under such part; to provide for an exception; to provide for the promulgation of rules, regulations, and policies for the effectuation of such exemptions; to revise the membership of the Nonpublic Postsecondary Education Commission; to provide for completion of current terms of appointment to the commission; to revise the membership of the Board of Trustees of the Tuition Guaranty Trust Fund; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

HB 834. By Representatives Ballinger of the 23rd, Beskin of the 54th, Blackmon of the 146th, Hilton of the 95th, Corbett of the 174th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 7 of Title 44 of the Official Code of Georgia Annotated, relating to general provisions concerning landlord and tenant, so as to provide for the termination of a rental or lease agreement for residential real estate under circumstances involving family violence; to provide for definitions; to provide for notice and terms of termination; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitutes, as amended by the House, to the following Bills of the House:

HB 149. By Representatives Powell of the 32nd, Lumsden of the 12th, Collins of the 68th, Jasperse of the 11th, Gravley of the 67th and others:

A BILL to be entitled an Act to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to provide for the comprehensive regulation of trauma scene cleanup services and regulated waste transport; to provide for definitions; to provide

for licensing; to provide for qualifications; to provide for penalties for violations; to amend Article 3 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to hazardous waste, so as to provide for requirements, procedures, and training for trauma scene cleanup services and regulated waste transport; to provide for definitions; to provide for rules and regulations; to provide for compliance; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

HB 273. By Representatives Douglas of the 78th, Evans of the 42nd, Setzler of the 35th, Strickland of the 111th, Frye of the 118th and others:

A BILL to be entitled an Act to amend Part 15 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to miscellaneous provisions under the "Quality Basic Education Act," so as to provide for a daily recess for students in kindergarten and grades one through five; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Burke of the 11th was excused as a Conferee.

Senator Sims of the 12th was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

SB 407. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to provide for comprehensive reform for offenders; to amend Title 15 and Chapter 6A of Title 35 of the O.C.G.A., relating to courts and the Criminal Justice Coordinating Council; to amend Title 17, Code Section 24-4-609, Chapter 5 of Title 40, Title 42, and Code Section 43-1-19 of the O.C.G.A., relating to criminal procedure, impeachment by evidence of conviction of a crime, drivers' licenses, penal institutions, and grounds for refusing to grant or revoking professional licenses; to amend Chapter 2 of Title 31 and Chapter 4 of Title 49 of the O.C.G.A., relating to the Department of Community Health and public assistance; to amend Title 16 of the O.C.G.A., relating to crimes and offenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To provide for comprehensive reform for offenders entering, proceeding through, and leaving the criminal justice system so as to promote an offender's successful reentry into society, benefit the public, and enact reforms recommended by the Georgia Council on Criminal Justice Reform; to amend Title 15 and Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to courts and the Criminal Justice Coordinating Council, respectively, so as to provide for electronic filing in criminal cases and data collection and exchange in criminal and certain juvenile cases; to provide for definitions; to establish the Criminal Case Data Exchange Board under the Criminal Justice Coordinating Council and provide for its membership, terms, compensation, and duties; to provide for confidentiality of data; to require certain court filings to be filed electronically and in writing; to provide for exceptions; to change provisions relating to electronic filings and payments; to provide for fees; to provide for a definition; to provide for policies and procedures; to amend Code Section 9-11-5 and Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to service and filing of pleadings subsequent to the original complaint and other papers and general provisions relating to courts, respectively, so as to change provisions relating to the electronic service of pleadings; to provide for contracts with electronic filing service providers; to provide for the Judicial Council of Georgia to develop a misdemeanor citation form; to allow misdemeanors to be prosecuted in state courts by use of citation; to amend Title 17, Code Section 35-3-37, Chapter 5 of Title 40, Title 42, and Code Section 43-1-19 of the Official Code of Georgia Annotated, relating to criminal procedure, review of an individual's criminal history record information, drivers' licenses, penal institutions, and grounds for refusing to grant or revoking professional licenses, respectively, so as to change provisions relating to the use of citations and setting bail; to clarify matters relating to sentencing, record restriction, first offender treatment, pay-only probation, and the use of community service; to allow the Department of Driver Services to issue certain types of licenses and permits under certain conditions; to expand the types of activities and organizations that can be used by the court in ordering community service and clarify provisions relating thereto; to require time frames for certain actions involving probation supervision; to allow different levels of courts to consider retroactive petitions for first offender sentencing; to amend an Act relating to the effect of a confinement sentence when guilt has not been adjudicated, approved March 20, 1985 (Ga. L. 1985, p. 380), so as to repeal a contingency based upon an amendment to the Constitution; to clarify the effect that a misdemeanor conviction involving moral turpitude or first offender punishment will have on a professional license; to amend Chapter 2 of Title 31 and Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to the Department of Community Health and public assistance, respectively, so as to change provisions relating to the department's duties and responsibilities; to change provisions relating to providing assistance to inmates who are eligible for Medicaid; to amend Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, so as to

increase certain penalties relating to the theft of, the use of an altered identification mark on, or the transfer to certain individuals of a firearm; to change provisions relating to possession of firearms by convicted felons and first offender probationers; to change provisions relating to authorizing the release of information from the prescription drug monitoring program data base; to amend Article 2 of Chapter 4 of Title 20 and Chapter 8 of Title 20 of the Official Code of Georgia Annotated, relating to technical and adult education and to campus policemen, respectively, so as to revise the powers of arrest of campus policemen who are regular employees of the Technical College System of Georgia; to amend Chapter 69 of Title 36 of the Official Code of Georgia Annotated, relating to mutual aid regarding local government, so as to permit campus policemen of the Technical College System of Georgia to render mutual aid under certain conditions; to provide for the public safety director or chief of police of any institution within the Technical College System of Georgia to enter into mutual aid agreements with local governments under certain conditions; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising Code Section 15-6-11, relating to electronic filings and payments, as follows:

"15-6-11.

(a) Pursuant to rules promulgated by the Criminal Case Data Exchange Board, on and after January 1, 2019, a ~~By court rule or standing order, any~~ superior court ~~may~~ shall provide for the filing of pleadings in criminal cases and any other ~~documents~~ document related thereto and for the acceptance of payments and remittances by electronic means.

(b)(1) On and after July 1, 2018, except as provided in paragraph (3) of this subsection, all pleadings and any other document related thereto filed by an attorney to initiate a civil action or in a civil case in a superior court shall be filed by electronic means through the court's electronic filing service provider. Except as provided in paragraph (3) of this subsection, once a court has commenced mandatory electronic filings in civil cases, a clerk shall not accept, file, or docket any pleading or any other form of paper document related thereto from an attorney in a civil case.

(2)(A) A court's electronic filing service provider may charge a fee which shall be a recoverable court cost and only include a:

(i) One-time fee for electronically filing pleadings or documents in a civil action and the electronic service of pleadings, regardless of how many parties shall be served, which shall not exceed \$30.00 per filer, per party. Such fee shall be paid at the time of the first filing on behalf of a party; provided that when filings are submitted via a public access terminal, upon the first filing not using such terminal, such fee shall be paid; and

(ii) Convenience fee for credit card and bank drafting services, which shall not

exceed 3.5 percent plus 30¢ per transaction.

(B) With respect to the fee charged pursuant to division (i) of subparagraph (A) of this paragraph, the clerk of superior court shall retain \$2.00 of the transaction fee and remit it to the governing authority of the county. No other portion of the transaction fee shall be remitted to any other office or entity of the state or governing authority of a county or municipality.

(C) An attorney, or party if he or she is pro se, shall be allowed unlimited access to view and download any pleading or document electronically filed in connection to the civil action in which he or she is counsel of record or pro se litigant, and an electronic service provider shall not be authorized to charge or collect a fee for such viewing or downloading.

(3) This subsection shall not apply to filings:

(A) In connection with a pauper's affidavit, any validation of bonds as otherwise provided for by law, pleadings or documents filed under seal or presented to a court in camera or ex parte, or pleadings or documents to which access is otherwise restricted by law or court order;

(B) Made physically at the courthouse by an attorney or his or her designee or an individual who is not an attorney; provided, however, that the clerk shall require such pleadings or documents be submitted via a public access terminal in the clerk's office. The clerk shall not charge the fee as set forth in division (2)(A)(i) of this subsection for such filing but when payment is submitted by credit card or bank draft, the clerk may charge the convenience fee as set forth in division (2)(A)(ii) of this subsection; or

(C) Made in a court located in an area that has been declared to be in a state of emergency pursuant to Article 3 of Chapter 3 of Title 38. The Judicial Council of Georgia shall provide rules for filings in such circumstances.

(4) The Judicial Council of Georgia shall make and publish in print or electronically such statewide minimum standards and rules as it deems necessary to carry out this Code section. Each clerk of superior court shall develop and enact policies and procedures necessary to carry out the standards and rules created by the Judicial Council of Georgia.

(c) Nothing in this Code section shall be construed to prevent a clerk's acceptance of payments and remittances by electronic means under the clerk's own authority.

(d) A superior court judge to whom the case is assigned and his or her staff shall, at all times, have access to all pleadings and documents electronically filed and such access shall be provided upon the physical acceptance of such pleadings and documents by the clerk.

(e) Any pleading or document filed electronically shall be deemed filed as of the time of its receipt by the electronic filing service provider. A pleading or document filed electronically shall not be subject to disclosure until it has been physically accepted by the clerk. Upon such acceptance as provided for in this subsection, such pleading or document shall be publicly accessible for viewing at no cost to the viewer on a public access terminal available at the courthouse during regular business hours."

SECTION 1-2.

Said title is further amended by revising subparagraph (a)(4)(B) and paragraph (18) of subsection (a) of Code Section 15-6-61, relating to the duties of the clerk generally, as follows:

"(B) An automated criminal case management system which shall contain a summary record of all criminal indictments in which true bills are rendered and all criminal accusations filed in the office of clerk of superior court in accordance with rules promulgated by the Criminal Case Data Exchange Board. The criminal case management system shall contain entries of other matters of a criminal nature filed with the clerk, including quasi-civil proceedings and entries of cases which are ordered dead docketed ~~at the discretion of the presiding judge and which shall be called only at the judge's pleasure.~~ When a case is ~~thus~~ dead docketed, all witnesses who may have been subpoenaed therein shall be released from further attendance until resubpoenaed; and"

"(18) To electronically collect ~~and transmit to the Georgia Superior Court Clerks' Cooperative Authority~~ all data elements required in subsection (g) of Code Section 35-3-36, and such clerk of superior court may transmit such data to the Georgia Superior Court Clerks' Cooperative Authority in a form and format required by ~~the Superior Court Clerks' Cooperative Authority~~ such authority and The Council of Superior Court Clerks of Georgia. ~~The~~ Any data transmitted to the authority pursuant to this paragraph shall be transmitted to the Georgia Crime Information Center in satisfaction of the clerk's duties under subsection (g) of Code Section 35-3-36 and to the Georgia Courts Automation Commission which shall provide the data to the Administrative Office of the Courts for use by the state judicial branch. Public access to said data shall remain the responsibility of the Georgia Crime Information Center. No release of collected data shall be made by or through the authority;"

SECTION 1-3.

Said title is further amended by revising Code Section 15-7-5, relating to electronic filings and payments, as follows:

"15-7-5.

(a) Pursuant to rules promulgated by the Criminal Case Data Exchange Board, on and after January 1, 2019, a ~~By court rule or standing order, any~~ state court may shall provide for the filing of pleadings in criminal cases and any other ~~documents~~ document related thereto and for the acceptance of payments and remittances by electronic means.

(b)(1) On and after July 1, 2018, except as provided in paragraph (3) of this subsection, all pleadings and any other document related thereto filed by an attorney to initiate a civil action or in a civil case in a state court shall be filed by electronic means through the court's electronic filing service provider. Except as provided in paragraph (3) of this subsection, once a court has commenced mandatory electronic filings in civil cases, a clerk shall not accept, file, or docket any pleading or any other form of paper document related thereto from an attorney in a civil case.

(2)(A) A court's electronic filing service provider may charge a fee which shall be a

recoverable court cost and only include a:

(i) One-time fee for electronically filing pleadings or documents in a civil action and the electronic service of pleadings, regardless of how many parties shall be served, which shall not exceed \$30.00 per filer, per party. Such fee shall be paid at the time of the first filing on behalf of a party; provided that when filings are submitted via a public access terminal, upon the first filing not using such terminal, such fee shall be paid; and

(ii) Convenience fee for credit card and bank drafting services, which shall not exceed 3.5 percent plus 30¢ per transaction.

(B) With respect to the fee charged pursuant to division (i) of subparagraph (A) of this paragraph, the clerk of state court shall retain \$2.00 of the transaction fee and remit it to the governing authority of the county. No other portion of the transaction fee shall be remitted to any other office or entity of the state or governing authority of a county or municipality.

(C) An attorney, or party if he or she is pro se, shall be allowed unlimited access to view and download any pleading or document electronically filed in connection to the civil action in which he or she is counsel of record or pro se litigant, and an electronic service provider shall not be authorized to charge or collect a fee for such viewing or downloading.

(3) This subsection shall not apply to filings:

(A) In connection with a pauper's affidavit, pleadings or documents filed under seal or presented to a court in camera or ex parte, or pleadings or documents to which access is otherwise restricted by law or court order;

(B) Made physically at the courthouse by an attorney or his or her designee or an individual who is not an attorney; provided, however, that the clerk shall require such pleadings or documents be submitted via a public access terminal in the clerk's office. The clerk shall not charge the fee as set forth in division (2)(A)(i) of this subsection for such filing but when payment is submitted by credit card or bank draft, the clerk may charge the convenience fee as set forth in division (2)(A)(ii) of this subsection; or

(C) Made in a court located in an area that has been declared to be in a state of emergency pursuant to Article 3 of Chapter 3 of Title 38. The Judicial Council of Georgia shall provide rules for filings in such circumstances.

(4) The Judicial Council of Georgia shall make and publish in print or electronically such statewide minimum standards and rules as it deems necessary to carry out this Code section. Each clerk of state court shall develop and enact policies and procedures necessary to carry out the standards and rules created by the Judicial Council of Georgia.

(c) Nothing in this Code section shall be construed to prevent a clerk's acceptance of payments and remittances by electronic means under the clerk's own authority.

(d) A state court judge to whom the case is assigned and his or her staff shall, at all times, have access to all pleadings and documents electronically filed and such access shall be provided upon the physical acceptance of such pleadings and documents by the

clerk.

(e) Any pleading or document filed electronically shall be deemed filed as of the time of its receipt by the electronic filing service provider. A pleading or document filed electronically shall not be subject to disclosure until it has been physically accepted by the clerk. Upon such acceptance as provided for in this subsection, such pleading or document shall be publicly accessible for viewing at no cost to the viewer on a public access terminal available at the courthouse during regular business hours."

SECTION 1-4.

Said title is further amended in Code Section 15-11-64, relating to collection of information by juvenile court clerks and reporting requirements, by adding a new subsection to read as follows:

"(c) Pursuant to rules promulgated by the Judicial Council of Georgia, on and after January 1, 2019, each clerk of the juvenile court shall collect data on each child alleged or adjudicated to be a delinquent child and transmit such data as required by such rules. The Judicial Council of Georgia shall make and publish in print or electronically such state-wide minimum standards and rules as it deems necessary to carry out this subsection. Each clerk of the juvenile court shall develop and enact policies and procedures necessary to carry out the standards and rules created by the Judicial Council of Georgia."

SECTION 1-5.

Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to the Criminal Justice Coordinating Council, is amended by revising Code Section 35-6A-2, relating to the creation of such council and assignment to the Georgia Bureau of Investigation, as follows:

"35-6A-2.

(a) There is established the Criminal Justice Coordinating Council of the State of Georgia which is assigned to the Georgia Bureau of Investigation for administrative purposes only, as prescribed in Code Section 50-4-3.

(b) As used in this chapter, the term:

(1) 'Board' means the Criminal Case Data Exchange Board.

(2) 'Council' means the Criminal Justice Coordinating Council."

SECTION 1-6.

Said chapter is further amended by adding two new Code sections to read as follows:

"35-6A-13.

(a) There is established the Criminal Case Data Exchange Board to the council which shall consist of 15 members as follows:

(1) The director of the council, the director of the Georgia Crime Information Center, the director of the Office of Planning and Budget, the director of the Administrative Office of the Courts, the director of the Georgia Public Defender Council, the commissioner of administrative services, the commissioner of corrections, the

commissioner of community supervision, the executive director of the Georgia Technology Authority, the executive counsel of the Governor, and a representative of the Prosecuting Attorneys' Council of the State of Georgia, provided that any such member may allow a designee to represent him or her at a board meeting and vote in his or her stead; and

(2) Four members, one of whom is a superior court judge, one of whom is a clerk of a superior court, one of whom is a sheriff, and one of whom is a county commissioner, shall be appointed by the Governor for terms of four years; their initial appointments, however, shall be one for a four-year term, one for a three-year term, one for a two-year term, and one for a one-year term. No individual shall serve beyond the time he or she holds the office by reason of which he or she was initially eligible for appointment.

(b) In the event of death, resignation, disqualification, or removal of any member of the board for any reason, vacancies shall be filled in the same manner as the original appointment and successors shall serve for the unexpired term.

(c) The initial terms for all members shall begin on July 1, 2018.

(d) Membership on the board shall not constitute public office, and no member shall be disqualified from holding public office by reason of his or her membership.

(e) The board shall elect a chairperson from among its membership and may elect such other officers and committees as it considers appropriate.

(f) Members of the board shall serve without compensation, although each member of the board shall be reimbursed for actual expenses incurred in the performance of his or her duties from funds available to the council. Such reimbursement shall be limited to all travel and other expenses necessarily incurred through service on the board, in compliance with this state's travel rules and regulations; provided, however, that in no case shall a member of the board be reimbursed for expenses incurred in the member's capacity as the representative of another state agency.

35-6A-14.

(a) The board shall:

(1) Meet at such times and places as it shall determine necessary or convenient to perform its duties. Such board shall also meet upon the call of the chairperson of the board, the chairperson of the council, or the Governor;

(2) Maintain minutes of its meetings;

(3) Promulgate rules with respect to courts receiving criminal case filings electronically and the exchange of data amongst agencies and entities with respect to a criminal case from its inception to its conclusion;

(4) Participate in the development and review of this state's criminal case data exchange and management system;

(5) Using the combined expertise and experience of its members, provide regular advice and counsel to the director of the council to enable the council to carry out its statutory duties under this chapter; and

(6) Carry out such duties that may be required by federal law or regulation so as to

enable this state to receive and disburse federal funds for criminal case exchange and management.

(b) Public access to data that are collected or transmitted via the criminal case information exchange shall remain the responsibility of the Georgia Crime Information Center. No release of collected data shall be made by or through the Georgia Technology Authority."

PART IA SECTION 1A-1.

Code Section 9-11-5 of the Official Code of Georgia Annotated, relating to service and filing of pleadings subsequent to the original complaint and other papers, is amended by revising paragraph (4) of subsection (f) as follows:

"(4) When an attorney files a pleading in a case via an electronic filing service provider, such attorney shall be deemed to have consented to be served electronically with future pleadings for such case unless he or she files a rescission of consent as set forth in paragraph (2) of this subsection.

~~(4)~~(5) If electronic service of a pleading is made upon a person to be served, and such person certifies to the court under oath that he or she did not receive such pleading, it shall be presumed that such pleading was not received unless the serving party disputes the assertion of nonservice, in which case the court shall decide the issue of service of such pleading."

SECTION 1A-2.

Chapter 1 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to courts, is amended by adding a new Code section to read as follows:

"15-1-22.

No court or clerk of court shall enter into any exclusive agreement or contract that prohibits more than one electronic filing service provider to serve a court or clerk of court; provided, however, that such prohibition shall not require a court or clerk of court to enter into more than one agreement or contract with an electronic service provider."

PART II SECTION 2-1.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by adding a new Code section to read as follows:

"15-5-21.1.

The Judicial Council of Georgia shall develop a uniform misdemeanor citation and complaint form for use by all law enforcement officials who are empowered to arrest individuals for misdemeanors and local ordinance violations. Such form shall serve as

the citation, summons, accusation, or other instrument of prosecution of the offense or offenses for which the accused is charged and as the record of the disposition of the matter by the court before which the accused is brought, and shall contain such other matter as the council shall provide. Each such form shall have a unique identifying number which shall serve as the docket number for the court having jurisdiction of the accused. The Judicial Council of Georgia shall promulgate rules for each class of court for the use of such citations."

SECTION 2-2.

Said title is further amended by revising Code Section 15-7-42, relating to hearing on merits in open court and proceedings allowed in chambers, as follows:

"15-7-42.

(a) The prosecution of misdemeanors may proceed by accusation as provided in Code Section 17-7-71, citation or citation and arrest as provided for by law, or summons.

(b) All trials on the merits shall be conducted in open court and, so far as convenient, in a regular courtroom.

(c) All other proceedings, hearings, and acts not included in subsection (b) of this Code section may be done or conducted by a judge in chambers and in the absence of the clerk or other court officials. The judge of the court may hear motions and enter interlocutory orders, in all cases pending in the court over which he or she presides, in open court or in chambers."

SECTION 2-3.

Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is amended by revising Code Section 17-4-23, relating to the procedure for arrests by citation for motor vehicle violations and issuance of warrants for arrest for failure of persons charged to appear in court, as follows:

"17-4-23.

(a)(1) A law enforcement officer may arrest a person accused of violating any law or ordinance enacted by local law governing the operation, licensing, registration, maintenance, or inspection of motor vehicles or violating paragraph (2), (3), or (5) of subsection (a) of Code Section 3-3-23 by the issuance of a citation, provided that ~~the~~ such offense is committed in his or her presence or information constituting a basis for such arrest ~~concerning the operation of a motor vehicle or a violation of paragraph (2), (3), or (5) of subsection (a) of Code Section 3-3-23~~ was received by the arresting officer from a law enforcement officer observing ~~the~~ such offense being committed, except that, ~~where the~~ when such offense results in an accident, an investigating officer may issue citations regardless of whether the offense occurred in the presence of a law enforcement officer.

(2) A law enforcement officer may arrest a person accused of any misdemeanor violation of Code Section 16-7-21, 16-8-14, 16-8-14.1, or 16-13-30 by the issuance of a citation, provided that such offense is committed in his or her presence or information constituting a basis for such arrest was received by the arresting officer or

an investigating officer from another law enforcement officer or other individual observing or aware of such offense being committed. When an arrest is made for such offense, prior to releasing the accused on citation, the arresting law enforcement officer shall review the accused's criminal record as such is on file with the Federal Bureau of Investigation and the Georgia Crime Information Center within the Georgia Bureau of Investigation and ensure that the accused's fingerprints are obtained.

(3) The arresting officer shall issue ~~to such person~~ a citation to the accused which shall enumerate the specific charges ~~against the person~~ and the date upon which ~~the person~~ he or she is to appear and answer the charges or a notation that ~~the person~~ he or she will be later notified of the date upon which ~~the person~~ he or she is to appear and answer the charges. ~~Whenever~~ When an arresting officer makes an arrest concerning the operation of a motor vehicle based on information received from another law enforcement officer who observed the offense being committed, the citation shall list the name of each officer and each officer must be present when the charges against the accused ~~person~~ are heard.

(b) If the accused ~~person~~ fails to appear as specified in the citation, the judicial officer having jurisdiction of the offense may issue a warrant ordering the apprehension of the ~~person~~ accused and commanding that he or she be brought before the court to answer the charge contained within the citation and the charge of his or her failure to appear as required. The ~~person~~ accused shall then be allowed to make a reasonable bond to appear on a given date before the court.

(c) Notwithstanding subsection (b) of this Code section, when an accused was issued a citation for a violation of Code Section 16-7-21, 16-8-14, 16-8-14.1, or 16-13-30, and the accused fails to appear as specified in the citation, the judicial officer having jurisdiction of the offense, absent a finding of sufficient excuse to appear at the time and place specified in the citation, shall issue a warrant ordering the apprehension of the accused and commanding that he or she be brought before the court to answer the charge contained within the citation and the charge of his or her failure to appear as required. The accused shall then be allowed to make a reasonable bond to appear on a given date before the court."

SECTION 2-4.

Said title is further amended by revising paragraph (1) of subsection (b) and subsections (e), (f), and (i) of Code Section 17-6-1, relating to where offenses are bailable, procedure, bail schedules, and appeal bonds, as follows:

"(b)(1) All offenses not included in subsection (a) of this Code section, inclusive of offenses that are violations of local ordinances, are bailable by a court of inquiry. Except as provided in subsection (g) of this Code section, at no time, either before a court of inquiry, when indicted or accused, after a motion for new trial is made, or while an appeal is pending, shall any person charged with a misdemeanor be refused bail. When determining bail for a person charged with a misdemeanor, courts shall not impose excessive bail and shall impose only the conditions reasonably necessary to ensure such person attends court appearances and to protect the safety of any

person or the public given the circumstances of the alleged offense and the totality of circumstances."

"(e)(1) A court shall be authorized to release a person on bail if the court finds that the person:

~~(1)~~(A) Poses no significant risk of fleeing from the jurisdiction of the court or failing to appear in court when required;

~~(2)~~(B) Poses no significant threat or danger to any person, to the community, or to any property in the community;

~~(3)~~(C) Poses no significant risk of committing any felony pending trial; and

~~(4)~~(D) Poses no significant risk of intimidating witnesses or otherwise obstructing the administration of justice.

(2) When determining bail, as soon as possible, the court shall consider:

(A) The accused's financial resources and other assets, including whether any such assets are jointly controlled;

(B) The accused's earnings and other income;

(C) The accused's financial obligations, including obligations to dependents;

(D) The purpose of bail; and

(E) Any other factor the court deems appropriate.

(3) ~~However, if~~ If the person is charged with a serious violent felony and has already been convicted of a serious violent felony, or of an offense under the laws of any other state or of the United States which offense if committed in this state would be a serious violent felony, there shall be a rebuttable presumption that no condition or combination of conditions will reasonably assure the appearance of the person as required or assure the safety of any other person or the community. As used in this subsection, the term 'serious violent felony' means a serious violent felony as defined in Code Section 17-10-6.1.

(f)(1) Except as provided in subsection (a) of this Code section or as otherwise provided in this subsection, the judge of any court of inquiry may by written order establish a schedule of bails and unless otherwise ordered by the judge of any court, ~~a person charged with committing any offense~~ an accused shall be released from custody upon posting bail as fixed in the schedule.

(2) For offenses involving an act of family violence, as defined in Code Section 19-13-1, ~~the bail or other release from custody shall be set by a judge on an individual basis and a schedule of bails provided for in paragraph (1) of this subsection shall require increased bail and not be utilized; provided, however, that the judge~~ shall include a listing of specific conditions which shall include, but not be limited to, having no contact of any kind or character with the victim or any member of the victim's family or household, not physically abusing or threatening to physically abuse the victim, the immediate enrollment in and participation in domestic violence counseling, substance abuse therapy, or other therapeutic requirements.

(3) For offenses involving an act of family violence, the judge shall determine whether ~~the schedule of bails and~~ one or more of its specific conditions shall be used, except that any offense involving an act of family violence and serious injury to the

victim shall be bailable only before a judge when the judge or the arresting officer is of the opinion that the danger of further violence to or harassment or intimidation of the victim is such as to make it desirable that the consideration of the imposition of additional conditions as authorized in this Code section should be made. Upon setting bail in any case involving family violence, the judge shall give particular consideration to the exigencies of the case at hand and shall impose any specific conditions as he or she may deem necessary. As used in this Code section, the term 'serious injury' means bodily harm capable of being perceived by a person other than the victim and may include, but is not limited to, substantially blackened eyes, substantially swollen lips or other facial or body parts, substantial bruises to body parts, fractured bones, or permanent disfigurements and wounds inflicted by deadly weapons or any other objects which, when used offensively against a person, are capable of causing serious bodily injury.

(4) For violations of Code Section 16-15-4, the court shall require increased bail and shall include as a condition of bail or pretrial release that the ~~defendant~~ accused shall not have contact of any kind or character with any other member or associate of a criminal street gang and, in cases involving a an alleged victim, that the ~~defendant~~ accused shall not have contact of any kind or character with any such victim or any member of any such victim's family or household.

(5) For offenses involving violations of Code Section 40-6-393, bail or other release from custody shall be set by a judge on an individual basis and not a schedule of bails pursuant to this Code section."

"(i) As used in this Code section, the term 'bail' shall include ~~the~~ releasing of a person on such person's own recognizance, except as limited by ~~the provisions of~~ Code Section 17-6-12."

SECTION 2-5.

Said title is further amended by revising subsections (b) and (d) of Code Section 17-6-12, relating to discretion of court to release person charged with crime on own recognizance only and the failure of such person to appear for trial, as follows:

"(b) A person charged with a bail restricted offense shall not be released on bail on his or her own recognizance for the purpose of entering a pretrial release program, a pretrial release and diversion program as provided for in Article 4 of Chapter 3 of Title 42, or a pretrial intervention and diversion program as provided for in Article 4 of Chapter 18 of Title 15, ~~or Article 5 of Chapter 8 of Title 42~~, or pursuant to Uniform Superior Court Rule 27, unless an elected magistrate, elected state or superior court judge, or other judge sitting by designation under the express written authority of such elected judge, enters a written order to the contrary specifying the reasons why such person should be released upon his or her own recognizance."

"(d) Upon the failure of a person released on his or her own recognizance ~~only~~ to appear for trial, if the release is not otherwise conditioned by the court, absent a finding of sufficient excuse to appear, the court ~~may~~ shall summarily issue an order for his or her arrest which shall be enforced as in cases of forfeited bonds."

SECTION 2-6.

Said title is further amended by revising subparagraph (a)(1)(B), paragraph (2) of subsection (a), and subsection (d) of Code Section 17-10-1, relating to fixing of sentence, as follows:

"(B) When a defendant with no prior felony conviction is convicted of felony offenses or is charged with felony offenses and is sentenced pursuant to subsection (a) or (c) of Code Section 16-13-2 or Article 3 of Chapter 8 of Title 42, ~~has no prior felony conviction,~~ and the court imposes a sentence of probation or not more than 12 months of imprisonment followed by a term of probation, ~~not to include a split sentence,~~ the court shall include a behavioral incentive date in its sentencing order that does not exceed three years from the date such sentence is imposed. Within 60 days of the expiration of such incentive date, if the defendant has not been arrested for anything other than a nonserious traffic offense as defined in Code Section 35-3-37, has been compliant with the general and special conditions of probation imposed, and has paid all restitution owed, the Department of Community Supervision shall notify the prosecuting attorney and the court of such facts. The Department of Community Supervision shall provide the court with an order to terminate such defendant's probation which the court shall execute unless the court or the prosecuting attorney requests a hearing on such matter within 30 days of the receipt of such order. The court shall take whatever action it determines would be for the best interest of justice and the welfare of society."

"(2)(A) Active probation supervision shall terminate in all cases no later than two years from the commencement of active probation supervision unless specially extended or reinstated by the sentencing court upon notice and hearing and for good cause shown; provided, however, that in those cases involving ~~the~~:

(i) The collection of restitution, the period of active probation supervision shall remain in effect for so long as any such obligation is outstanding, or until termination of the sentence, whichever first occurs, ~~and for those cases involving a;~~

(ii) A conviction under Chapter 15 of Title 16, the 'Georgia Street Gang Terrorism and Prevention Act,' the period of active probation supervision shall remain in effect until the termination of the sentence, but shall not exceed five years unless as otherwise provided in this paragraph; or

(iii) A conviction that requires the defendant to register on the state sexual offender registry pursuant to Code Section 42-1-12, the period of active probation supervision shall remain in effect until the court orders unsupervised probation, or until termination of the sentence, whichever first occurs.

(B) Probation supervision ~~Supervision~~ shall not be required for defendants sentenced to probation while the defendant is in the legal custody of the Department of Corrections or the State Board of Pardons and Paroles."

"(d)(1) As used in this subsection, the term:

(A) 'Developmental disability' shall have the same meaning as set forth in Code Section 37-1-1.

(B) 'Indigent' means an individual who earns less than 100 percent of the federal poverty guidelines unless there is evidence that the individual has other resources that might reasonably be used without undue hardship for such individual or his or her dependents.

(C) 'Significant financial hardship' means a reasonable probability that an individual will be unable to satisfy his or her financial obligations for two or more consecutive months.

(D) 'Totally and permanently disabled' shall have the same meaning as set forth in Code Section 49-4-80.

(2) In determining the financial obligations, other than restitution, to impose on the defendant, the court shall consider:

(A) The defendant's financial resources and other assets, including whether any such assets are jointly controlled;

(B) The defendant's earnings and other income;

(C) The defendant's financial obligations, including obligations to dependents;

(D) The period of time during which the probation order will be in effect;

(E) The goal of the punishment being imposed; and

(F) Any other factor the court deems appropriate.

(3) In any case involving a violation of local ordinance, misdemeanor, or a felony in which the defendant has been punished in whole or in part by a fine, the ~~sentencing judge court~~ shall be authorized to allow the defendant to satisfy such fine ~~through community service as defined in Code Section 42-3-50~~ or any fee imposed in connection with probation supervision through community service as set forth in Article 3 of Chapter 3 of Title 42. One hour of community service shall equal the dollar amount of one hour of paid labor at the minimum wage under the federal Fair Labor Standards Act of 1938, in effect on January 1, ~~2017~~ 2018, unless otherwise specified by the ~~sentencing judge court~~. A defendant shall be required to serve the number of hours in community service which equals the number derived by dividing the amount ~~of the fine~~ owed by the defendant, including moneys assessed by a provider of probation services, by the federal minimum hourly wage or by the amount specified by the ~~sentencing judge court~~. If the court orders educational advancement, the court shall determine the numbers of hours required to be completed. Prior to or subsequent to sentencing, a defendant, or subsequent to sentencing, a community supervision officer, may request that the court make all or any portion of ~~a fine~~ the amount owed by the defendant be satisfied under this subsection.

(4) At the time of sentencing, the court may waive the imposition of a fine, exclusive of the payment of statutory surcharges, upon a determination that a defendant has a significant financial hardship or inability to pay or other extenuating factors exist that prohibit payment or collection of such fine. When determining significant financial hardship, the court may consider whether the defendant is indigent and whether the defendant or his or her dependents has a developmental disability or is totally and permanently disabled. If the court waives the imposition of a fine under this paragraph, it shall instead impose a theoretical fine and the defendant shall be

required to pay the statutory surcharges associated therewith."

SECTION 2-7.

Said title is further amended by revising Code Section 17-10-8, relating to the requirement of payment of fine as condition precedent to probation and the rebate or refund of fine upon probation revocation, as follows:

"17-10-8.

(a) ~~In any a felony case where the judge may, by any law so authorizing, place on probation a person convicted of a felony, the judge may in his discretion impose a fine on the person so convicted as a condition to such probation. The fine shall, when a statutory fine amount is not set by law, upon conviction, the court may impose a fine not to exceed \$100,000.00 or the amount of the maximum fine which may be imposed for conviction of such a felony, whichever is greater.~~

(b) In any case ~~where~~ when probation is revoked, the defendant shall not be entitled to any rebate or refund of any part of the fine ~~so~~ paid."

SECTION 2-8.

Code Section 35-3-37 of the Official Code of Georgia Annotated, relating to review of individual's criminal history record information, definitions, privacy considerations, written application requesting review, and inspection, is amended by revising paragraphs (1) through (3) of subsection (j) and subparagraph (j)(4)(A), as follows:

"(j)(1) When an individual had a felony charge dismissed or nolle prossed or was found not guilty of such charge but was convicted of a misdemeanor offense that was not a lesser included offense of the felony charge, such individual may petition the court in which he or she was accused or convicted, as applicable, or, if such charge was dismissed, the superior court in the county where the arrest occurred to restrict access to criminal history record information for the felony charge within four years of the arrest. Such court shall maintain jurisdiction over the case for this limited purpose and duration. Such petition shall be served on the arresting law enforcement agency and the prosecuting attorney. If a hearing is requested, such hearing shall be held within 90 days of the filing of the petition. The court shall hear evidence and shall grant an order restricting such criminal history record information if the court determines that the misdemeanor conviction was not a lesser included offense of the felony charge and that the harm otherwise resulting to the individual clearly outweighs the public interest in the criminal history record information being publicly available.

(2) When an individual was convicted of an offense and was sentenced to punishment other than the death penalty, but such conviction was vacated by the trial court or reversed by an appellate court or other post-conviction court, the decision of which has become final by the completion of the appellate process, and the prosecuting attorney has not retried the case within two years of the date the order vacating or reversing the conviction became final, such individual may petition the ~~superior~~ court in the county where the conviction occurred which he or she was convicted to restrict

access to criminal history record information for such offense. Such court shall maintain jurisdiction over the case for this limited purpose and duration. Such petition shall be served on the prosecuting attorney. If a hearing is requested, such hearing shall be held within 90 days of the filing of the petition. The court shall hear evidence and shall determine whether granting an order restricting such criminal history record information is appropriate, giving due consideration to the reason the judgment was reversed or vacated, the reason the prosecuting attorney has not retried the case, and the public's interest in the criminal history record information being publicly available.

(3) When an individual's case has remained on the dead docket for more than 12 months, such individual may petition the ~~superior~~ court in ~~the county where~~ which the case is pending to restrict access to criminal history record information for such offense. Such petition shall be served on the prosecuting attorney. If a hearing is requested, such hearing shall be held within 90 days of the filing of the petition. The court shall hear evidence and shall determine whether granting an order restricting such criminal history record information is appropriate, giving due consideration to the reason the case was placed on the dead docket; provided, however, that the court shall not grant such motion if an active warrant is pending for such individual.

(4)(A) When an individual was convicted in this state of a misdemeanor or a series of misdemeanors arising from a single incident, and at the time of such conviction such individual was a youthful offender, provided that such individual successfully completed the terms of his or her sentence and, since completing the terms of his or her sentence, has not been arrested for at least five years, excluding any arrest for a nonserious traffic offense, and provided, further, that he or she was not convicted in this state of a misdemeanor violation or under any other state's law with similar provisions of one or more of the offenses listed in subparagraph (B) of this paragraph, he or she may petition the ~~superior~~ court in ~~the county where~~ which the conviction occurred to restrict access to criminal history record information. Such court shall maintain jurisdiction over the case for this limited purpose and duration. Such petition shall be served on the prosecuting attorney. If a hearing is requested, such hearing shall be held within 90 days of the filing of the petition. The court shall hear evidence and shall determine whether granting an order restricting such criminal history record information is appropriate, giving due consideration to the individual's conduct and the public's interest in the criminal history record information being publicly available."

SECTION 2-9.

Chapter 5 of Title 40 of the Official Code of Georgia Annotated, relating to drivers' licenses, is amended by adding a new subsection to Code Section 40-5-22, relating to persons not to licensed, minimum ages for licensees, school enrollment requirements, driving training requirements, and limited driving permits, to read as follows:

"(e) The department may issue a probationary license, limited driving permit, or ignition interlock device limited driving permit to any individual whose driver's license

is expired; provided, however, that he or she is otherwise eligible for such probationary license, limited driving permit, or ignition interlock device limited driving permit pursuant to Code Section 40-5-58, 40-5-64, 40-5-64.1, 40-5-75, or 40-5-76."

SECTION 2-10.

Said chapter is further amended by revising Code Section 40-5-76, relating to reinstatement or suspension of defendant's driver's license or issuance of ignition interlock device limited driving permit, as follows:

"40-5-76.

(a)(1) A judge presiding in a drug court division, mental health court division, veterans court division, or operating under the influence court division, as a reward or sanction to the defendant's behavior in such court division, may order the department to reinstate:

(A) Reinstate a defendant's Georgia driver's license that has been or should be suspended ~~pursuant to Code Section 40-5-75, suspend such license, or issue~~ under the laws of this state;

(B) Issue to a defendant a limited driving permit ~~or ignition interlock device limited driving permit in accordance with the provisions~~ using the guidance set forth in subsections (c), (c.1), and (d) of Code Section 40-5-64 or with whatever conditions the court determines to be appropriate under the circumstances ~~as a reward or sanction to the defendant's behavior in such court division.;~~

(C) Issue to a defendant an ignition interlock device limited driving permit using the guidance set forth in subsections (c) and (e) of Code Section 40-5-64.1 or with whatever conditions the court determines to be appropriate under the circumstances;

or

(D) Suspend or revoke such license, limited driving permit, or ignition interlock device limited driving permit.

(2) The court shall ~~determine what fees, if any, shall be paid to the department for such reward or sanction, provided that such fee shall not be greater than the fee normally imposed for such services~~ require the defendant to pay to the department the fee normally required for the reinstatement of such driver's license or issuance of such limited driving permit or ignition interlock device limited driving permit or waive such fee.

(3) The court may order the department to issue to a defendant a limited driving permit or ignition interlock device limited driving permit pursuant to this subsection for a one-year period, and may allow such permit to be renewed for a one-year period, and shall provide the department with such order.

(b) If the offense for which the defendant was convicted did not directly relate to the operation of a motor vehicle, a judge presiding in any court, other than the court divisions specified in subsection (a) of this Code section, may order the department to reinstate a defendant's driver's license that has been or should be suspended ~~pursuant to Code Section 40-5-75 or,~~ issue to a defendant a limited driving permit ~~or ignition interlock device limited driving permit in accordance with the provisions~~ using the

guidance set forth in subsections (c), (c.1), and (d) of Code Section 40-5-64 if the offense for which the defendant was convicted did not directly relate to the operation of a motor vehicle, or issue to a defendant an ignition interlock device limited driving permit using the guidance set forth in subsections (c) and (e) of Code Section 40-5-64.1. The court shall determine what fees, if any, shall be paid to the department require the defendant to pay to the department the fee normally required for the reinstatement of such driver's license or issuance of such limited driving permit or ignition interlock device limited driving permit, provided that such fee shall not be greater than the fee normally imposed for such services or waive such fee. Such judge may also order the department to suspend a defendant's driver's license that could have been suspended pursuant to Code Section 40-5-75, limited driving permit, or ignition interlock device limited driving permit as a consequence of the defendant's violation of the terms of his or her probation.

(c)(1) The department shall make a notation on a person's driving record when his or her driver's license was reinstated or suspended or he or she was issued a limited driving permit or ignition interlock device limited driving permit under this Code section, and such information shall be made available in accordance with Code Section 40-5-2.

(2) The driver's license of any person who has a driver's license reinstated or suspended in accordance with this Code section shall remain subject to any applicable disqualifications specified in Article 7 of this chapter.

(d) The department shall credit any time during which a defendant was issued a limited driving permit or ignition interlock device limited driving permit under subsection (a) of this Code section toward the fulfillment of the period of a driver's license suspension for which such permit was issued."

SECTION 2-11.

Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended by revising Article 3 of Chapter 3, relating to community service, as follows:

"ARTICLE 3

42-3-50.

(a) As used in this article, the term:

(1) 'Agency' means any private or public ~~agency or organization approved by the court to participate in a community service program~~ entity or organization that provides services to the public and enhances the social welfare and general well-being of the community. Such term may include educational institutions and religious organizations that are nonprofit corporations or are qualified as tax exempt under 26 U.S.C. Section 501(c)(3), as it existed on March 1, 2018.

(2) 'Community service' means uncompensated work by an offender with an agency ~~for the benefit of the community~~ pursuant to an order by a court as a condition of probation or in lieu of payment of financial obligations imposed by a court. Such

~~term includes uncompensated service by an offender who lives in the household of a disabled person and provides aid and services to such disabled person, including, but not limited to, cooking, housecleaning, shopping, driving, bathing, and dressing.~~

(3) 'Community service officer' means an individual appointed by the court to place and supervise offenders sentenced to community service or educational advancement. Such term ~~may mean~~ includes a paid professional or a volunteer.

(4) 'Educational advancement' means attending a work or job skills training program, a preparatory class for the general educational development (GED) diploma, or similar activity.

(b) Except as provided in subsection (c) of this Code section, it shall be unlawful for an agency or community service officer to use or allow an offender to be used for any purpose resulting in private gain to any individual.

(c) Subsection (b) of this Code section shall not apply to:

(1) ~~Services provided by an offender to a disabled person in accordance with paragraph (1) of subsection (c) of Code Section 42-3-52;~~

(2) Work on private property because of a natural disaster; or

(3)(2) An order or direction by the ~~sentencing~~ court.

(d) Any person who violates subsection (b) of this Code section shall be guilty of a misdemeanor.

42-3-51.

(a) Agencies desiring to allow offenders to participate in a community service ~~their~~ program shall file with the court a letter of application showing:

(1) Eligibility;

(2) Number of offenders who may be placed with the agency;

(3) Work to be performed by the offender; and

(4) Provisions for supervising the offender.

(b) An agency selected ~~for the community service program~~ by the court shall work offenders who are assigned to the agency by the court. If an offender violates a court order, the agency shall report such violation to the community service officer.

(c) If an agency violates any court order or ~~provision of~~ this article, the offender shall be removed from the agency and the agency shall no longer be eligible to participate in the court's community service or educational advancement program.

(d) No agency or community service officer shall be liable at law as a result of any of such agency's or community service officer's acts performed while an offender was participating in a community service or educational advancement program. This limitation of liability shall not apply to actions on the part of any agency or community service officer which constitute gross negligence, recklessness, or willful misconduct.

42-3-52.

(a) Community service or educational advancement may be considered as a condition of probation or in lieu of court imposed financial obligations with primary consideration given to the following categories of offenders:

- (1) Traffic violations;
 - (2) Ordinance violations;
 - (3) Noninjurious or nondestructive, nonviolent misdemeanors;
 - (4) Noninjurious or nondestructive, nonviolent felonies; and
 - (5) Other offenders considered upon the discretion of the court.
- (b) The court may confer with the prosecuting attorney, the offender or his or her attorney if the offender is represented by an attorney, a community supervision officer, a community service officer, or other interested persons to determine if ~~the~~ community service program or educational advancement is appropriate for an offender. A court order shall specify that the court has approved community service or educational assistance for an offender. If community service or educational advancement is ordered ~~as a condition of probation~~, the court shall order:
- (1) Not less than 20 hours nor more than 250 hours in cases involving traffic or ordinance violations or misdemeanors, such service to be completed within one year; or
 - (2) Not less than 20 hours nor more than 500 hours in felony cases, such service to be completed within three years.
- ~~(c)(1) Any agency may recommend to the court that certain disabled persons are in need of a live in attendant. The court shall confer with the prosecuting attorney, the offender or his or her attorney if the offender is represented by an attorney, a community supervision officer, a community service officer, or other interested persons to determine if a community service program involving a disabled person is appropriate for an offender. If community service as a live in attendant for a disabled person is deemed appropriate and if both the offender and the disabled person consent to such service, the court may order such live in community service as a condition of probation but for no longer than two years.~~
- ~~(2) The agency shall be responsible for coordinating the provisions of the cost of food or other necessities for the offender which the disabled person is not able to provide. The agency, with the approval of the court, shall determine a schedule which will provide the offender with certain free hours each week.~~
 - ~~(3) Such live in arrangement shall be terminated by the court upon the request of the offender or the disabled person. Upon termination of such arrangement, the court shall determine if the offender has met the conditions of probation.~~
 - ~~(4) The appropriate agency shall make personal contact with the disabled person on a frequent basis to ensure the safety and welfare of the disabled person.~~
- ~~(d)(c)~~ The court may order an offender to perform community service hours in a 40 hour per week work detail in lieu of incarceration.
- ~~(e)(d)~~ Community service or educational advancement hours may be added to original court ordered hours as a disciplinary action by the court, as an additional requirement of any program in lieu of incarceration, or as part of the sentencing options system as set forth in Article 6 of this chapter.

42-3-53.

The community service officer shall place an offender sentenced to community service ~~as a condition of probation~~ or educational advancement with an appropriate agency. The agency and work schedule shall be approved by the court. If the offender is employed at the time of sentencing or if the offender becomes employed after sentencing, the community service officer shall consider the offender's work schedule and, to the extent practicable, shall schedule the community service or educational advancement so that it will not conflict with the offender's work schedule. This scheduling accommodation shall not be construed as requiring the community service officer to alter scheduled community service or educational advancement based on changes in an offender's work schedule. The community service officer shall supervise the offender for the duration of the sentence which requires community service ~~sentence~~ or educational advancement. Upon completion of the ~~community service~~ such sentence, the community service officer shall prepare a written report evaluating the offender's performance which shall be used to determine if the conditions of probation or sentence have been satisfied.

42-3-54.

(a) ~~The provisions of Article 2 of Chapter 8 of this title shall be applicable to offenders sentenced to community service as a condition of probation~~ or educational advancement pursuant to this article. ~~The provisions of Article 3 of Chapter 8 of this title shall be applicable to first offenders sentenced to community service~~ or educational advancement pursuant to this article. ~~The provisions of Article 6 of Chapter 8 of this title shall be applicable to misdemeanor or ordinance violator offenders sentenced to community service as a condition of probation~~ or educational advancement pursuant to this article.

(b) ~~Any offender who provides live in community service but who is later incarcerated for breaking the conditions of probation or for any other cause may be awarded good time for each day of live in community service the same as if such offender were in prison for such number of days."~~

SECTION 2-12.

Said title is further amended by revising paragraph (2) of subsection (e) of Code Section 42-8-34, relating to sentencing hearings and determinations, presentence investigations, payment of fees, fines, and costs, post-conviction, presentence bond, continuing jurisdiction, and transferral of probation supervision, as follows:

"(2) The court may convert fines, statutory surcharges, and probation supervision fees to community service or educational advancement on the same basis as it allows a defendant to pay a fine through community service or educational advancement as set forth in subsection (d) of Code Section 17-10-1."

SECTION 2-13.

Said title is further amended by revising paragraph (2) of subsection (d) of Code Section

42-8-37, relating to the effect of termination of the probated portion of a sentence and review of cases of persons receiving probated sentences, as follows:

"(2) When the court is presented with such petition, it shall take whatever action it determines would be for the best interest of justice and the welfare of society. When such petition is unopposed, the court shall issue an order as soon as possible or otherwise set the matter for a hearing within 90 days of receiving such petition."

SECTION 2-14.

Said title is further amended by revising paragraph (1) of subsection (b) of Code Section 42-8-62.1, relating to limiting public access to first offender status, petitioning, and sealing a record, as follows:

"(b)(1) At the time of sentencing, or during the term of a sentence that was imposed before July 1, 2016, the defendant may seek to limit public access to his or her first offender sentencing information, and the court may, in its discretion, order any of the following:

- (A) Restrict dissemination of the defendant's first offender records;
- (B) The criminal file, docket books, criminal minutes, final record, all other records of the court, and the defendant's criminal history record information in the custody of the clerk of court, including within any index, be sealed and unavailable to the public; and
- (C) Law enforcement agencies, jails, or detention centers to restrict the defendant's criminal history record information of arrest, including any fingerprints or photographs taken in conjunction with such arrest."

SECTION 2-15.

Said title is further amended in Code Section 42-8-66, relating to a petition for exoneration and discharge, hearing, and retroactive grant of first offender status, by revising subsection (a) and adding a new subsection to read as follows:

"(a)(1) An individual who qualified for sentencing pursuant to this article but who was not informed of his or her eligibility for first offender treatment may, with the consent of the prosecuting attorney, petition the ~~superior court in the county~~ in which he or she was convicted for exoneration of guilt and discharge pursuant to this article.

(2) An individual who was sentenced between March 18, 1968, and October 31, 1982, to a period of incarceration not exceeding one year but who would otherwise have qualified for sentencing pursuant to this article may, with the consent of the prosecuting attorney, petition the ~~superior court in the county~~ in which he or she was convicted for exoneration of guilt and discharge pursuant to this article."

"(h) There shall be no filing fee charged for a petition filed pursuant to this Code section."

SECTION 2-16.

Said title is further amended by revising subsection (d) of Code Section 42-8-102, relating to probation and supervision, determination of fees, fines, and restitution,

converting moneys owed to community service, continuing jurisdiction, revocation, and transfer, as follows:

"(d) The court may convert fines, statutory surcharges, and probation supervision fees to community service or educational advancement on the same basis as it allows a defendant to pay a fine through community service or educational advancement as set forth in subsection (d) of Code Section 17-10-1."

SECTION 2-17.

Said title is further amended by revising subsection (b) of Code Section 42-8-103, relating to pay-only probation and discharge or termination of probation, as follows:

"(b) When pay-only probation is imposed, the ~~probation supervision fees~~ total maximum fee collected shall be capped so as not to exceed three months of ordinary probation supervision fees at a monthly rate not to exceed the rate set forth in the contract between the court and the provider of services, notwithstanding the number of cases for which a fine and statutory surcharge were imposed or that the defendant was sentenced to serve consecutive sentences; provided, however, that collection of ~~any probation supervision~~ such fee shall terminate as soon as all court imposed fines and statutory surcharges are paid in full; and provided, further, that when all such fines and statutory surcharges are paid in full, the probation officer or private probation officer, as the case may be, shall submit an order to the court terminating the probated sentence within 30 days of fulfillment of such conditions. ~~The~~ Within 90 days of receiving such order, the court shall ~~terminate~~ issue an order terminating such probated sentence or issue an order stating why such probated sentence shall continue."

SECTION 2-18.

Said title is further amended by revising paragraph (2) of subsection (b) of Code Section 42-8-105, relating to a probationer's obligation to keep officer informed of certain information and tolling for failure to meet certain obligations, as follows:

"(2) In the event the probationer ~~reports~~ does not report to his or her probation officer or private probation officer, as the case may be, within the period prescribed in subparagraph (D) of paragraph (1) of this subsection, ~~the probationer shall be scheduled to appear on the next available court calendar for a hearing to consider whether the probation sentence should be tolled~~ such officer shall submit the affidavit required by this subsection to the court. If the probationer reports to his or her probation officer or private probation officer, as the case may be, within the period prescribed in subparagraph (D) of paragraph (1) of this subsection, such officer shall neither submit such affidavit nor seek a tolling order."

SECTION 2-19.

An Act relating to the effect of a confinement sentence when guilt has not been adjudicated, approved March 20, 1985 (Ga. L. 1985, p. 380), is amended by revising Section 3 as follows:

"SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval."

SECTION 2-20.

Code Section 43-1-19 of the Official Code of Georgia Annotated, relating to grounds for refusing to grant or revoking professional licenses, is amended by revising paragraph (4) of subsection (a) and subsection (q) as follows:

"(4)(A) Been arrested, charged, and sentenced for the commission of any felony, or any crime involving moral turpitude, ~~where~~ when:

~~(A) First offender treatment without adjudication of guilt pursuant to the charge was granted; or~~

(i) A sentence for such offense was imposed pursuant to Article 3 of Chapter 8 of Title 42 or another state's first offender laws;

(ii) A sentence for such offense was imposed pursuant to subsection (a) or (c) of Code Section 16-13-2;

(iii) A sentence for such offense was imposed as a result of a plea of nolo contendere; or

~~(B)(iv) An adjudication of guilt or sentence was otherwise withheld or not entered on the charge, except with respect to a plea of nolo contendere.~~

(B) An ~~The~~ order entered pursuant to ~~the provisions of subsection (a) or (c) of Code Section 16-13-2, Article 3 of Chapter 8 of Title 42, relating to probation of first offenders, or other~~ or another state's first offender treatment order shall be conclusive evidence of an arrest and sentencing for such crime offense;"

"(q)(1) Notwithstanding paragraphs (3) and (4) of subsection (a) of this Code section or any other provision of law, and unless a felony or crime involving moral turpitude directly relates to the occupation for which the license is sought or held, no professional licensing board shall refuse to grant a license to an applicant therefor or shall revoke the license of ~~a person~~ an individual licensed by that board due solely or in part to ~~a conviction~~ such applicant's or licensee's:

(A) Conviction of any felony or any crime involving moral turpitude, whether it occurred in the courts of this state or any other state, territory, or country or in the courts of the United States; or due to any arrest, charge, and sentence

(B) Arrest, charge, and sentence for the commission of any felony such offense;

(C) Sentence for such offense pursuant to Article 3 of Chapter 8 of Title 42 or another state's first offender laws;

(D) Sentence for such offense pursuant to subsection (a) or (c) of Code Section 16-13-2;

(E) Sentence for such offense as a result of a plea of nolo contendere; or

(F) Adjudication of guilt or sentence was otherwise withheld or not entered.

~~unless such felony directly relates to the occupation for which the license is sought or held.~~

(2) In determining if a felony or crime involving moral turpitude directly relates to

the occupation for which the license is sought or held, the professional licensing board shall consider:

- (A) The nature and seriousness of ~~the~~ such felony or crime involving moral turpitude and the relationship of ~~the~~ such felony or crime involving moral turpitude to the occupation for which the license is sought or held;
- (B) The age of the ~~person~~ individual at the time ~~the~~ such felony or crime involving moral turpitude was committed;
- (C) The length of time elapsed since ~~the~~ such felony or crime involving moral turpitude was committed;
- (D) All circumstances relative to ~~the~~ such felony or crime involving moral turpitude, including, but not limited to, mitigating circumstances or social conditions surrounding the commission of ~~the~~ such felony or crime involving moral turpitude; and
- (E) Evidence of rehabilitation and present fitness to perform the duties of the occupation for which the license is sought or held."

PART III SECTION 3-1.

Chapter 2 of Title 31 of the Official Code of Georgia Annotated, relating to the Department of Community Health, is amended by revising paragraph (1) of Code Section 31-2-1, relating to legislative intent and grant of authority, as follows:

"(1) Serve as the lead planning agency for all health issues in the state to remedy the current situation wherein the responsibility for health care policy, purchasing, planning, and regulation is spread among many different agencies and achieve determinations of Medicaid eligibility for inmates to attain services at long-term care facilities when he or she is being considered for parole;"

SECTION 3-2.

Said chapter is further amended in Code Section 31-2-4, relating to the department's powers, duties, functions, and responsibilities, by deleting "and" at the end of division (d)(10)(B)(ii), by replacing the period with "; and" at the end of subparagraph (d)(11)(D), and by adding two new paragraphs to read as follows:

"(12) In cooperation with the Department of Corrections and the State Board of Pardons and Paroles, shall establish and implement a Medicaid eligibility determination procedure so that inmates being considered for parole who are eligible for long-term care services may apply for Medicaid; and

(13) Shall request federal approval for and facilitate the application of certificates of need for facilities capable of providing long-term care services, with Medicaid as the primary funding source, to inmates who are eligible for such services and funding upon his or her release from a public institution, as such term is defined in Code Section 49-4-31."

SECTION 3-3.

Chapter 4 of Title 49 of the Official Code of Georgia Annotated, relating to public assistance, is amended by revising Code Section 49-4-31, relating to definitions for old-age assistance, as follows:

"49-4-31.

As used in this article, the term:

- (1) 'Applicant' means a person who has applied for assistance under this article.
- (2) 'Assistance' means money payments to, medical care in behalf of, or any type of remedial care recognized under state law in behalf of needy individuals who are 65 years of age or older but ~~does~~ shall not include any such payments to or care in behalf of any individual who is ~~an inmate of a public institution (except as a patient in a medical institution) or any individual who is a patient in an institution for tuberculosis or mental health or developmental disability services.~~
- (3) 'Medical institution' means an institution that is organized to provide medical, nursing, or convalescent care.
- (4) 'Public institution' means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control.
- ~~(3)~~(5) 'Recipient' means a person who has received assistance under this article."

SECTION 3-4.

Said chapter is further amended by revising Code Section 49-4-32, relating to eligibility for assistance under this article, as follows:

"49-4-32.

- (a) Assistance shall be granted under this article to any person who:
 - (1) Is 65 years of age or older;
 - (2) Does not have sufficient income or other resources to provide a reasonable subsistence compatible with decency and health;
 - (3) ~~Is not, at the time of receiving assistance, an inmate or patient of any public institution, except as a patient in a medical institution. An inmate or patient of such an institution may, however, make application for such assistance but the assistance, if granted, shall not begin until after he ceases to be an inmate;~~
 - (4) Has not made an assignment or transfer of property for the purpose of ~~rendering himself eligible~~ attaining eligibility for assistance under this article at any time within two years immediately prior to the filing of application for assistance pursuant to this article;
 - ~~(5)~~(4) Has been a bona fide resident of this state for not less than one year; and
 - ~~(6)~~(5) Is not receiving assistance under Article 3 of this chapter.
- (b) No applicant shall be required to subscribe to a pauper's oath in order to be eligible for assistance under this article.
- (c) ~~Final conviction of a crime or criminal offense and detention of one so convicted either by this state or by any subdivision thereof shall constitute a forfeiture or suspension of all rights to assistance under this article but only during the period of actual confinement~~ Inmates of any public institution meeting the requirements of

subsection (a) of this Code section may be granted assistance, provided such public institution has entered into an agreement with the Department of Community Health to determine an inmate's eligibility for assistance and services. Such agreement shall require the public institution or medical institution providing services to such inmate to provide the Department of Community Health with the required monetary payment to match the federal matching funds as set forth in federal law for the services received."

SECTION 3-5.

Said chapter is further amended in Code Section 49-4-51, relating to definitions for aid to the blind, by revising paragraph (2), by redesignating paragraphs (3) and (4) as paragraphs (4) and (5), respectively, and paragraphs (5) and (6) as paragraphs (7) and (8), respectively, and by adding new paragraphs to read as follows:

"(2) 'Assistance' means money payments to or hospital care in behalf of needy blind individuals but ~~does~~ shall not include any such payments to or care in behalf of any such individual who ~~is an inmate of a public institution (except as a patient in a medical institution) nor any individual who:~~

(A) Is a patient in an institution for tuberculosis or mental illness or developmental disability; or

(B) Has been diagnosed as having tuberculosis or being mentally ill or developmentally disabled and is a patient in a medical institution as a result thereof.

(3) 'Medical institution' means an institution that is organized to provide medical, nursing, or convalescent care."

"(6) 'Public institution' means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control."

SECTION 3-6.

Said chapter is further amended by revising subsection (b) of Code Section 49-4-52, relating to eligibility for assistance under this article, as follows:

~~"(b) All assistance under this article shall be suspended in the event of and during the period of confinement in any public penal institution after final conviction of a crime against the laws of this state or any political subdivision thereof~~ Inmates of any public institution meeting the requirements of subsection (a) of this Code section may be granted assistance, provided such public institution has entered into an agreement with the Department of Community Health to determine an inmate's eligibility for assistance and services. Such agreement shall require the public institution or medical institution providing services to such inmate to provide the Department of Community Health with the required monetary payment to match the federal matching funds as set forth in federal law for the services received."

SECTION 3-7.

Said chapter is further amended in Code Section 49-4-80, relating to definitions for aid to the disabled, by revising paragraph (2), by redesignating paragraphs (3) and (4) as

paragraphs (5) and (6), respectively, and by adding new paragraphs to read as follows:

"(2) 'Assistance' means money payments to, or hospital care in behalf of, needy individuals who are totally and permanently disabled but does not include ~~any such payments to or care in behalf of any such individual who is an inmate of a public institution (except as a patient in a medical institution) or any individual:~~

(A) Who is a patient in an institution for tuberculosis or mental illness or developmental disability; or

(B) Who has been diagnosed as having tuberculosis or being mentally ill or developmentally disabled and is a patient in a medical institution as a result thereof.

(3) 'Medical institution' means an institution that is organized to provide medical, nursing, or convalescent care.

(4) 'Public institution' means an institution that is the responsibility of a governmental unit or over which a governmental unit exercises administrative control."

SECTION 3-8.

Said chapter is further amended in Code Section 49-4-81, relating to eligibility for assistance under this article, by adding a new subsection to read as follows:

"(c) Inmates of any public institution meeting the requirements of subsection (a) of this Code section may be granted assistance, provided such public institution has entered into an agreement with the Department of Community Health to determine an inmate's eligibility for assistance and services. Such agreement shall require the public institution or medical institution providing services to such inmate to provide the Department of Community Health with the required monetary payment to match the federal matching funds as set forth in federal law for the services received."

PART IV SECTION 4-1.

Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is amended by revising subparagraph (a)(6)(B) of Code Section 16-8-12, relating to penalties for theft in violation of Code Sections 16-8-2 through 16-8-9, as follows:

"(B) If the property which was the subject of the theft offense was a destructive device, explosive, or firearm, by imprisonment for not less than one year nor more than ten years; provided, however, that upon a second or subsequent conviction, by imprisonment for not less than five nor more than ten years;"

SECTION 4-2.

Said title is further amended by revising Code Section 16-9-70, relating to criminal use of an article with an altered identification mark, as follows:

"16-9-70.

(a) As used in this Code section, the term 'firearm' shall have the same meaning as set forth in division (a)(6)(A)(iii) of Code Section 16-8-12.

(b) A person commits the offense of criminal use of an article with an altered

identification mark when he or she buys, sells, receives, disposes of, conceals, or has in his or her possession a radio, piano, phonograph, sewing machine, washing machine, typewriter, adding machine, comptometer, bicycle, firearm, safe, vacuum cleaner, dictaphone, watch, watch movement, watch case, or any other mechanical or electrical device, appliance, contrivance, material, vessel as defined in Code Section 52-7-3, or other piece of apparatus or equipment, other than a motor vehicle as defined in Code Section 40-1-1, from which he or she knows the manufacturer's name plate, serial number, or any other distinguishing number or identification mark has been removed for the purpose of concealing or destroying the identity of such article.

~~(b)~~(c)(1) A person convicted of the offense of criminal use of an article, other than a firearm, with an altered identification mark shall be guilty of a felony and upon conviction shall be punished by imprisonment for not less than one year nor more than five years.

(2) A person convicted of the offense of criminal use of a firearm with an altered identification mark shall be guilty of a felony and upon conviction shall be punished by imprisonment for not less than one year nor more than ten years; provided, however, that upon a second or subsequent conviction, by imprisonment for not less than five nor more than ten years.

~~(e)~~(d) This Code section ~~does~~ shall not apply to those cases or instances ~~where~~ when any of the changes or alterations enumerated in subsection ~~(a)~~ (b) of this Code section have been customarily made or done as an established practice in the ordinary and regular conduct of business by the original manufacturer or by ~~his~~ its duly appointed direct representative or under specific authorization from the original manufacturer."

SECTION 4-3.

Said title is further amended by revising Code Section 16-11-113, relating to the offense of transferring a firearm to an individual other than the actual buyer, as follows:

"16-11-113.

(a) Any person who knowingly attempts to solicit, persuade, encourage, or entice any dealer to transfer or otherwise convey a firearm ~~other than~~ to an individual who is not the actual buyer, to an individual who is on probation as a felony first offender pursuant to Article 3 of Chapter 8 of Title 42, to an individual who is on probation and sentenced for a felony under subsection (a) or (c) of Code Section 16-13-2, or to an individual who has been convicted of a felony by a court of this state or any other state, as well as any other person who willfully and intentionally aids or abets such person, shall be guilty of a felony and upon conviction shall be punished by imprisonment for not less than one year nor more than five years; provided, however, that upon a second or subsequent conviction, by imprisonment for not less than five nor more than ten years.

(b) This Code section shall not apply to a federal law enforcement officer or a peace officer, as defined in Code Section 16-1-3, in the performance of his or her official duties or other person under such officer's direct supervision."

SECTION 4-4.

Said title is further amended by revising subsections (b), (b.1), and (f) of Code Section 16-11-131, relating to possession of firearms by convicted felons and first offender probationers, as follows:

"(b) Any person who is on probation as a felony first offender pursuant to Article 3 of Chapter 8 of Title 42, who is on probation and was sentenced for a felony under subsection (a) or (c) of Code Section 16-13-2, or who has been convicted of a felony by a court of this state or any other state; by a court of the United States including its territories, possessions, and dominions; or by a court of any foreign nation and who receives, possesses, or transports any firearm commits a felony and, upon conviction thereof, shall be imprisoned for not less than one year nor more than five ten years; provided, however, that upon a second or subsequent conviction, such person shall be imprisoned for not less than five nor more than ten years; provided, further, that if the felony as to for which the person is on probation or has been previously convicted is a forcible felony, then upon conviction of receiving, possessing, or transporting a firearm, such person shall be imprisoned for a period of five years.

(b.1) Any person who is prohibited by this Code section from possessing a firearm because of conviction of a forcible felony or because of being on probation as a first offender or under conditional discharge for a forcible felony pursuant to this Code section and who attempts to purchase or obtain transfer of a firearm shall be guilty of a felony and upon conviction shall be punished by imprisonment for not less than one year nor more than five years; provided, however, that upon a second or subsequent conviction, such person shall be punished by imprisonment for not less than five nor more than ten years."

"(f) Any person ~~placed on probation~~ sentenced as a first offender pursuant to Article 3 of Chapter 8 of Title 42 or sentenced pursuant to subsection (a) or (c) of Code Section 16-13-2 and subsequently discharged without court adjudication of guilt as a matter of law pursuant to Code Section 42-8-60 or 16-13-2, as applicable, shall, upon such discharge, be relieved from the disabilities imposed by this Code section."

SECTION 4-5.

Code Section 16-13-60 of the Official Code of Georgia Annotated, relating to privacy and confidentiality, use of data, and security program for the prescription drug monitoring program data base, is amended by revising subsection (c) as follows:

"(c) The department shall be authorized to provide requested prescription information collected pursuant to this part only as follows:

- (1) To persons authorized to prescribe or dispense controlled substances for the sole purpose of providing medical or pharmaceutical care to a specific patient;
- (2) Upon the request of a patient, prescriber, or dispenser about whom the prescription information requested concerns or upon the request on his or her behalf of his or her attorney;
- (3) To local or state law enforcement or prosecutorial officials pursuant to the issuance of a search warrant from an appropriate court or official in the county in

which the office of such law enforcement or prosecutorial officials are located ~~pursuant to Article 2 of Chapter 5 of Title 17~~ or to federal law enforcement or prosecutorial officials ~~pursuant to the~~ as allowed by federal law by the issuance of a search warrant ~~pursuant to 21 U.S.C. or,~~ a grand jury subpoena ~~pursuant to 18 U.S.C.,~~ an administrative subpoena, or a civil investigative demand;

(4) To the agency, the Georgia Composite Medical Board or any other state regulatory board governing prescribers or dispensers in this state, or the Department of Community Health for purposes of the state Medicaid program, for health oversight purposes, or upon the issuance of a subpoena by such agency, board, or Department of Community Health pursuant to their existing subpoena power or to the federal Centers for Medicare and Medicaid Services upon the issuance of a subpoena by the federal government pursuant to its existing subpoena ~~powers~~ power;

(5)(A) To not more than two individuals who are members per shift or rotation of the prescriber's or dispenser's staff ~~or employed at the health care facility in which the prescriber is practicing, provided that such individuals:~~

~~(i) Are licensed under Chapter 11, 30, 34, or 35 of Title 43;~~

~~(ii) Are registered under Title 26;~~

~~(iii) Are licensed under Chapter 26 of Title 43 and submit to the annual registration process required by subsection (a) of Code Section 16-13-35, and for purposes of this Code section, such individuals shall not be deemed exempted from registration as set forth in subsection (g) of Code Section 16-13-35; or~~

~~(iv) Submit to the annual registration process required by subsection (a) of Code Section 16-13-35, and for purposes of this Code section, such individuals shall not be deemed exempted from registration as set forth in subsection (g) of Code Section 16-13-35;~~

(B) Such individuals may retrieve and review such information strictly for the purpose of:

(i) Providing medical or pharmaceutical care to a specific patient; or

(ii) Informing the prescriber or dispenser of a patient's potential use, misuse, abuse, or underutilization of prescribed medication;

(C) All information retrieved and reviewed by such individuals shall be maintained in a secure and confidential manner in accordance with the requirements of subsection (f) of this Code section; and

(D) The delegating prescriber or dispenser may be held civilly liable and criminally responsible for the misuse of the prescription information obtained by such individuals;

(6) To not more than two individuals, per shift or rotation, who are employed or contracted by the health care facility in which the prescriber is practicing so long as the medical director of such health care facility has authorized the particular individuals for such access; ~~and~~

(7) In any hospital which provides emergency services, each prescriber may designate two individuals, per shift or rotation, who are employed or contracted by such hospital so long as the medical director of such hospital has authorized the

particular individuals for such access; and

(8) To a prescription drug monitoring program operated by a government entity in another state or an electronic medical records system operated by a prescriber or health care facility, provided the program or system, as determined by the department, contains legal, administrative, technical, and physical safeguards that meet or exceed the security measures of the department for the operation of the PDMP pursuant to this part."

PART V

SECTION 5-1.

Article 2 of Chapter 4 of Title 20 of the Official Code of Georgia Annotated, relating to technical and adult education, is amended by adding a new Code section to read as follows:

"20-4-39.

Campus policemen and other security personnel who are regular employees of the Technical College System of Georgia shall have the power to make arrests for offenses committed upon any property under the jurisdiction of the Technical College System of Georgia and for offenses committed upon any public or private property within 500 feet of such property."

SECTION 5-2.

Chapter 8 of Title 20 of the Official Code of Georgia Annotated, relating to campus policemen, is amended by revising Code Section 20-8-4, relating to exemption of university system campus policemen, as follows:

"20-8-4.

A campus policeman exercising the power of arrest pursuant to Code Section 20-3-72 or 20-4-39 providing campus policemen and other security personnel of the University System of Georgia or the Technical College System of Georgia with arrest powers for offenses committed upon university system property or Technical College System of Georgia property, respectively, shall be exempt from this chapter."

SECTION 5-3.

Chapter 69 of Title 36 of the Official Code of Georgia Annotated, relating to mutual aid regarding local government, is amended by revising Code Section 36-69-3, relating to extraterritorial cooperation and assistance to local law enforcement agencies or fire departments and commander of operations, as follows:

"36-69-3.

(a)(1) Upon the request of a local law enforcement agency for assistance in a local emergency, in the prevention or detection of violations of any law, in the apprehension or arrest of any person who violates a criminal law of this state, or in any criminal case, the chief of police or public safety director of any municipality or chief of police or public safety director of any county police force may, with the

approval of the governing authority of any such officer's political subdivision, and the sheriff of any county may cooperate with and render assistance extraterritorially to such local law enforcement agency requesting the same.

(2)(A) Upon the request of a local law enforcement agency for assistance in a local emergency, in the prevention or detection of violations of any law, in the apprehension or arrest of any person who violates a criminal law of this state, or in any criminal case, the public safety director or chief of police of any institution within the University System of Georgia or the Technical College System of Georgia may, with the approval of the president of such institution, cooperate with and render assistance extraterritorially to such law enforcement agency requesting the same.

(B) Upon the request for assistance in a local emergency, in the prevention or detection of violations of any law, in the apprehension or arrest of any person who violates a criminal law of this state, or in any criminal case, which request is made by a public safety director or chief of police of any institution within the University System of Georgia or the Technical College System of Georgia after approval by the president of such institution, the chief of police or public safety director of any municipality or ~~chief of police or public safety director~~ of any county police force may, with the approval of the governing authority of any such officer's political subdivision, and the sheriff of the county, ~~may~~ cooperate with and render assistance extraterritorially to such law enforcement agency of the institution requesting the same.

(b) Upon the request of any local fire department for assistance in a local emergency, in preventing or suppressing a fire, or in protecting life and property, the fire chief or public safety director of any local political subdivision may, with the approval of the governing authority of such political subdivision, cooperate with and render assistance extraterritorially to such local fire department requesting the same.

(c) Upon the request of any local law enforcement agency or local director of emergency medical services for assistance in a local emergency or in transporting wounded, injured, or sick persons to a place where medical or hospital care is furnished, emergency medical technicians employed by a political subdivision may, with the approval of the governing authority of such political subdivision, cooperate with and render assistance extraterritorially to such local law enforcement agency or local director of emergency services.

(d) Authorization for furnishing assistance extraterritorially may be granted by the sheriff of any county or the governing authority of a local political subdivision or the president of an institution within the University System of Georgia or the Technical College System of Georgia to any of its agencies or employees covered by this Code section prior to any occurrence resulting in the need for such assistance; provided, however, that any prior authorization granted by the president of an institution within the University System of Georgia or the Technical College System of Georgia for the furnishing of assistance extraterritorially must be submitted to and approved by the board of regents or the State Board of the Technical College System of Georgia,

respectively, before it becomes effective. Such authorization may provide limitations and restrictions on such assistance furnished extraterritorially, provided that such limitations and restrictions do not conflict with the provisions of Code Sections 36-69-4 through 36-69-6.

(e) The senior officer of the public safety agency of a political subdivision or institution within the University System of Georgia or the Technical College System of Georgia which requests assistance in a local emergency as provided in this Code section shall be in command of the local emergency as to strategy, tactics, and overall direction of the operations with respect to the public safety officers and employees rendering assistance extraterritorially at the request of such public safety agency. All orders or directions regarding the operations of the public safety officers and employees rendering assistance extraterritorially shall be relayed to the senior officer in command of the public safety agency rendering assistance extraterritorially."

SECTION 5-4.

Said chapter is further amended by inserting "or the Technical College System of Georgia" after "University System of Georgia" each time said phrase occurs in:

- (1) Code Section 36-36-2, relating to "Local emergency" defined.
- (2) Code Section 36-36-4, relating to powers and duties of employees of political subdivision or institution within the University System of Georgia who are rendering aid.
- (3) Code Section 36-36-5, relating to responsibility for expenses and compensation of employees.
- (4) Code Section 36-36-6, relating to applicability of privileges, immunities, exemptions, and benefits.
- (5) Code Section 36-36-7, relating to liability for acts or omissions of responding agency employees.
- (6) Code Section 36-36-8, relating to construction of chapter.

PART VI SECTION 6-1.

All laws and parts of laws in conflict with this Act are repealed.

Senator Strickland of the 17th moved that the Senate agree to the House substitute to SB 407 as amended by the following amendment:

Senator Dugan of the 30th offered the following amendment #1:

Amend the House substitute to SB 407 (SB407/HCSFA) by replacing "July 1, 2018," with "January 1, 2019," on lines 63 and 152.

By replacing lines 77 and 166 with the following:

paid;

(ii) Supplemental fee of \$5.00 for each filing made in a civil action after a party has made ten electronic filings in such civil action; and

By replacing "(ii)" with "(iii)" on lines 78 and 167.

By replacing "30¢ per transaction" with "a 30¢ payment services fee per transaction" on lines 79 and 168.

By replacing "(3)" with "(3)(A)" on lines 90 and 179.

By replacing "(A)", "(B)", and "(C)" with "(i)", "(ii)", and "(iii)", respectively, on lines 91, 95, 101, 180, 183, and 189.

By deleting "or" on lines 100 and 188 and by replacing the period on lines 103 and 191 with "; or".

By inserting between lines 103 and 104 and between lines 191 and 192 the following:

(iv) Made prior to the commencement of mandatory electronic filing for such court, wherein the filer shall continue to pay fees applicable to the case on the date of the first filing; provided, however, that a party may elect to make future filings through the court's electronic filing service provider and pay the applicable fees.

(B) This subsection may have an effective date between July 1, 2018, and December 31, 2018, when by court rule or standing order, the court commences mandatory electronic filing prior to January 1, 2019.

By replacing "No" with "On and after January 1, 2019, no" on line 301.

Senator Cowser of the 46th offered the following amendment #1a:

Amend Senate amendment to House substitute to SB 407 by adding the following:
by striking lines 145 through 206

On the adoption of amendment #1a, the yeas were 14, nays 26, and the Cowser amendment #1a to the Dugan amendment #1 was lost.

On the adoption of amendment #1, there were no objections, and the Dugan amendment #1 to the House substitute was adopted.

On the motion to agree to the House substitute to SB 407 as amended by the Senate, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer

Y Black	Y Jones, E	E Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
N Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 2; the motion prevailed, and the Senate agreed to the House substitute to SB 407 as amended by the Senate.

The following messages were received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitutes to the following Bills of the House:

HB 190. By Representatives Hanson of the 80th, Quick of the 117th, Willard of the 51st, Oliver of the 82nd and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 3 of Title 19 of the Official Code of Georgia Annotated, relating to marriage generally, so as to change provisions relating to marriage articles; to provide for a definition; to clarify provisions relating to antenuptial agreements; to repeal provisions relating to recording certain documents; to modernize terminology and repeal arcane concepts; to amend Title 13 of the Official Code of Georgia Annotated, relating to contracts, so as to change provisions relating to agreements required to be in writing; to conform cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 381. By Representatives Corbett of the 174th, Ealum of the 153rd, LaRiccia of the 169th, Shaw of the 176th and Watson of the 172nd:

A BILL to be entitled an Act to amend Chapter 7 of Title 44 of the O.C.G.A., relating to landlord and tenant, so as to enact a new article to

provide for the classification of abandoned mobile homes as derelict or intact for purposes of disposal or creation of liens; to provide for procedure for requesting classification of an abandoned mobile home as intact or derelict; to provide for notice; to provide for creation of a lien on abandoned mobile homes deemed to be intact; to provide the opportunity for a hearing to confirm classification as a derelict abandoned mobile home; to provide for court authority to order the disposal of abandoned mobile homes found to be derelict; to provide for the voluntary discharge of a tax lien upon a derelict mobile home by the state or a local governing authority; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 699. By Representatives Belton of the 112th, Hitchens of the 161st, Blackmon of the 146th, Clark of the 98th, Corbett of the 174th and others:

A BILL to be entitled an Act to amend Code Section 25-4-9 of the Official Code of Georgia Annotated, relating to basic firefighter training courses and transfer of certification, so as to provide that military firefighter training may be accepted as required basic training; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 703. By Representatives Hitchens of the 161st, Lott of the 122nd, Powell of the 32nd, Frazier of the 126th and Welch of the 110th:

A BILL to be entitled an Act to amend Chapter 5 of Title 24 of the Official Code of Georgia Annotated, relating to privileges, so as to provide for privileged communications between public safety officers and peer counselors; to amend Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, so as to create the Governor's Office of Public Safety Support; to provide for a director; to provide for responsibilities of the office; to provide for office space, staff, supplies, and materials; to provide for definitions; to provide for related matters; to provide for a contingent effective date based on funding; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate amendment to the following Bill of the House:

HB 920. By Representatives Dempsey of the 13th, Reeves of the 34th, Willard of the 51st, Oliver of the 82nd and Nimmer of the 178th:

A BILL to be entitled an Act to amend Article 1 of Chapter 8 of Title 19 of the Official Code of Georgia Annotated, relating to general provisions for adoption, so as to allow for the use of the department's information

concerning the parties to an adoption under certain circumstances; to provide for definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has agreed to the Senate amendments to the following Bill of the House:

HB 761. By Representatives Ridley of the 6th, Burns of the 159th, Powell of the 32nd, Meadows of the 5th, Harrell of the 106th and others:

A BILL to be entitled an Act to amend Code Section 40-3-33 of the Official Code of Georgia Annotated, relating to transfer of vehicle to or from a dealer, records to be kept by dealers, and electronic filing, so as to provide for the filing of certificates of title by dealers; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate amendments, as amended by the House, to the following Bill of the House:

HB 695. By Representatives Epps of the 144th, England of the 116th, Nimmer of the 178th, McCall of the 33rd, Dickey of the 140th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate honoring Georgia's working forests and the Georgia Forestry Foundation; to provide for related matters; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

Senator Orrock of the 36th asked unanimous consent that HB 195, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 195, having been taken from the Table, was put upon its passage.

HB 195. By Representatives Harrell of the 106th, Gardner of the 57th, Oliver of the 82nd and Cannon of the 58th:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to property tax exemptions, so as to allow certain for profit corporations to participate in the

indirect ownership of a home for the mentally disabled for primarily financing purposes; to provide for procedures, conditions, and limitations; to provide for a referendum; to provide for a contingent effective date; to provide for automatic repeal under certain circumstances; to provide for applicability; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Orrock of the 36th.

The Senate Committee on Finance offered the following substitute to HB 195:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to property tax exemptions, so as to allow certain nonprofit charitable institutions to exempt buildings used for the primary or incidental purpose of securing income from property tax; to provide for procedures, conditions, and limitations; to provide for a referendum; to provide for a contingent effective date; to provide for automatic repeal under certain circumstances; to provide for applicability; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to property tax exemptions, is amended by revising subsection (d) of Code Section 48-5-41, relating to property exempt from ad valorem taxation, as follows:

"(d)(1) Except as otherwise provided in paragraph (2) of this subsection, this Code section, excluding paragraph (1) of subsection (a) of this Code section, shall not apply to real estate or buildings which are rented, leased, or otherwise used for the primary purpose of securing an income thereon and shall not apply to real estate or buildings which are not used for the operation of religious, educational, and charitable institutions. Donations of property to be exempted shall not be predicated upon an agreement, contract, or other instrument that the donor or donors shall receive or retain any part of the net or gross income of the property.

(2) With respect to paragraph (4) of subsection (a) of this Code section, a building which is owned by a charitable institution that is otherwise qualified as a purely public charity and that is exempt from taxation under Section 501(c)(3) of the federal Internal Revenue Code and which building is used by such charitable institution ~~exclusively~~ for the charitable purposes of such charitable institution, and not more than 15 acres of land on which such building is located, may be used for the primary or incidental purpose of securing income so long as such income is used exclusively for the operation of that charitable institution."

SECTION 2.

The Secretary of State shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the entire state for approval or rejection. The Secretary of State shall conduct such election on the Tuesday next following the first Monday in November, 2018, and shall issue the call and conduct that election as provided by general law. The Secretary of State shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of each county in the state. The ballot shall have written or printed thereon the words:

- "() YES Shall the Act be approved which provides an exemption from ad valorem
() NO taxes on buildings used by a nonprofit charitable institution for the primary or incidental purpose of securing income for use for the operation of such charitable institution?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2019, and shall be applicable to all tax years beginning on or after such date. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective, and this Act shall be automatically repealed on the first day of January immediately following that election date. It shall be the duty of each county election superintendent to certify the result thereof to the Secretary of State.

SECTION 3.

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

In accordance with the requirements of Article VII, Section II, Paragraph II(a)(1) of the Constitution of the State of Georgia, Section 1 this Act shall not become law unless it receives the requisite two-thirds' majority vote in both the Senate and the House of Representatives.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	E Sims
Y Brass	Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 49, nays 0.

HB 195, having received the requisite constitutional majority, was passed by substitute.

The following bill was taken up to consider House action thereto:

HB 93. By Representatives Corbett of the 174th, Kelley of the 16th, Watson of the 172nd, Blackmon of the 146th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Code Section 48-2-35.1 of the Official Code of Georgia Annotated, relating to refunds of sales and use taxes, so as to provide that no interest shall be paid on refunds of sales and use taxes to a purchaser that held a certificate or exemption letter if such purchaser did not use such document during the purchase; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate substitute to HB 93 (LC 43 0967ERS) by deleting lines 1 through 17 and inserting in lieu thereof the following:

To amend Title 48 of the Official Code of Georgia Annotated, relating to revenue and

taxation, so as to expand an exemption from sales and use tax for certain computer equipment sold or leased to commercial banks; to create an exemption from sales and use tax for certain poultry diagnostic and disease monitoring services; to require the Department of Revenue to establish and maintain a direct pay permit program that permits a qualified taxpayer to accrue and pay directly to the department certain state and local sales and use taxes; to revise the annual reporting requirements regarding projects and purposes using SPLOST funds; to provide for equitable, civil and criminal enforcement actions to be brought in superior court regarding sales taxes for educational purposes; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended by revising Code Section 48-2-35.1,

By deleting lines 32 through 164 and inserting in lieu thereof the following:

SECTION 2.

Said title is further amended in Code Section 48-8-3, relating to exemptions from state sales and use taxes, by revising subparagraph (A) of paragraph (68) and by deleting "or" at the end of subparagraph (E) of paragraph (99), by replacing the period with "; or" at the end of subparagraph (C) of paragraph (100), and by adding a new paragraph to read as follows:

"(68)(A) The sale or lease of computer equipment to be incorporated into a facility or facilities in this state to any high-technology company classified under North American Industrial Classification System code 51121, 51331, 51333, 51334, 51421, 52232, 54133, 54171, 54172, 334413, 334611, 513321, 513322, 514191, 522110, 541511, 541512, 541513, or 541519 where such sale of computer equipment for any calendar year exceeds \$15 million or, in the event of a lease of such computer equipment, the fair market value of such leased computer equipment for any calendar year exceeds \$15 million."

"(101) Sales to or by any nonprofit organization which has as its primary purpose providing poultry diagnostic and disease monitoring services if such organization qualifies as a tax-exempt organization under Section 501(c)(5) of the Internal Revenue Code."

SECTION 3.

Said title is further amended by adding a new Code section to read as follows:

"48-8-49.1.

(a) As used in this Code section, the term:

(1) 'Direct payment permit' means a license that permits a qualified taxpayer to accrue and pay directly to the department certain state and local sales and use taxes

imposed by this chapter.

(2) 'Qualified taxpayer' means a taxpayer that:

(A) Purchased more than \$2 million of tangible personal property in the 12 months prior to application, purchased an annual average amount exceeding \$2 million of tangible personal property during the 36 months prior to application, or met a lower purchase threshold prescribed the department; and

(B) Was classified under the previous year's federal income tax return under any industry classification code as determined by the commissioner that may facilitate and expedite the collection of the taxes imposed by this chapter or equivalent to one of the following North American Industry Classification System (NAICS) codes as they existed on January 1, 2017:

(i) National Industry Code 517110 – Wired Telecommunications Carriers;

(ii) National Industry Code 517210 – Wireless Telecommunications Carriers (except Satellite);

(iii) National Industry Code 517410 – Satellite Telecommunications;

(iv) NAICS Industry Code 48111 – Scheduled Air Transportation;

(v) NAICS Industry Code 48211 – Rail Transportation;

(vi) Industry Group Code 4841 – General Freight Trucking;

(vii) Economic Sector Code 21 – Mining, Quarrying, and Oil and Gas Extraction;

(viii) Economic Sector Code 22 – Utilities; or

(ix) Economic Sector Codes 31-33 – Manufacturing.

(b) The department shall establish and maintain a direct pay reporting program for the purpose of enabling qualified taxpayers to directly pay to the department taxes that are imposed on such qualified taxpayers by this chapter, provided that the commissioner may exclude the following:

(1) Purchases of fuels subject to prepaid local tax as such term is defined in Code Section 48-8-2;

(2) Purchases of meals, beverages, or tobacco;

(3) Purchases of local telephone services, transportation of persons, or lodging accommodations and ancillary charges associated with lodging accommodations;

(4) Purchases to places of amusement, entertainment, or athletic events; admissions to displays or exhibitions; participation in games or sports; or charges for the use of amusement devices; or

(5) Rental charges for periods of 31 days or less for motor vehicles required to be titled in this state.

(c) The department shall issue a direct pay permit to a qualified taxpayer upon application in a manner that the department shall prescribe by rule or regulation.

(d) The department shall, at a minimum, provide for the following by rule or regulation:

(1) Certain attestations to be made by a qualified taxpayer in its application for a direct pay permit;

(2) Responsibilities and duties for holders of direct pay permits;

(3) Transferability or nontransferability of direct pay permits;

- (4) Expiration and renewal of direct pay permits; and
- (5) Revocation of direct pay permits."

SECTION 4.

Said title is further amended by revising Code Section 48-8-122, relating to record of projects on which tax proceeds are used and annual reporting and newspaper publication of report, as follows:

"48-8-122.

The governing authority of the county and the governing authority of each municipality receiving any proceeds from the tax under this part or under Article 4 of this chapter shall maintain a record of each and every project for which the proceeds of the tax are used. Not later than ~~December 31~~ 180 days following the close of each fiscal year, the governing authority of each local government receiving any proceeds from the tax under this part shall publish annually, in a newspaper of general circulation in the boundaries of such local government and in a prominent location on the local government website, if such local government maintains a website, a simple, nontechnical report which shows for each project or purpose in the resolution or ordinance calling for imposition of the tax the original estimated cost, the current estimated cost if it is not the original estimated cost, amounts expended in prior fiscal years, amounts expended in the ~~current~~ most recently completed fiscal year, any excess proceeds which have not been expended for a project or purpose, estimated completion date, and the actual completion cost of a project completed during the ~~current~~ most recently completed fiscal year. In the case of road, street, and bridge purposes, such information shall be in the form of a consolidated schedule of the total original estimated cost, the total current estimated cost if it is not the original estimated cost, and the total amounts expended in prior fiscal years and the ~~current~~ most recently completed fiscal year for all such projects and not a separate enumeration of such information with respect to each such individual road, street, or bridge project. The report shall also include a statement of what corrective action the local government intends to implement with respect to each project which is underfunded or behind schedule."

SECTION 5.

Said title is further amended by adding a new Code section to read as follows:

"48-8-145.

The superior courts of this state shall have jurisdiction to enforce compliance with the provisions of this part, including the power to grant injunctions or other equitable relief. In addition to any action that may be brought by any person or entity, the Attorney General shall have authority to bring enforcement actions, either civil or criminal, in his or her discretion as may be appropriate to enforce compliance with this part."

SECTION 6.

All laws and parts of laws in conflict with this Act are repealed.

Senator Albers of the 56th asked unanimous consent that the Senate disagree to the House amendment to the Senate substitute to HB 93.

The consent was granted, and the Senate disagreed to the House amendment to the Senate substitute to HB 93.

The following bill was taken up to consider House action thereto:

HB 149. By Representatives Powell of the 32nd, Lumsden of the 12th, Collins of the 68th, Jasperse of the 11th, Gravley of the 67th and others:

A BILL to be entitled an Act to amend Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, so as to provide for the comprehensive regulation of trauma scene cleanup services and regulated waste transport; to provide for definitions; to provide for licensing; to provide for qualifications; to provide for penalties for violations; to amend Article 3 of Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to hazardous waste, so as to provide for requirements, procedures, and training for trauma scene cleanup services and regulated waste transport; to provide for definitions; to provide for rules and regulations; to provide for compliance; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend HB 149 by striking lines 5 through 58 and inserting in lieu thereof the following:
to provide for rules and regulations; to provide for exemptions; to provide for related matters; to provide for legislative intent; to

By striking lines 61 through 6644 and inserting in lieu thereof the following:

SECTION 1.

Title 35 of the Official Code of Georgia Annotated, relating to law enforcement officers and agencies, is amended by adding a new chapter to read as follows:

"CHAPTER 11

35-11-1.

As used in this chapter, the term:

- (1) 'Bureau' means the Georgia Bureau of Investigation.
- (2) 'Director' means the director of the Georgia Bureau of Investigation.
- (3) 'Pathogen' means a microorganism, including bacteria, viruses, rickettsiae, and parasites, or other agent, such as a proteinaceous infectious particle or prion, that can cause disease in humans.

(4) 'Potentially infectious material' means material known or reasonably expected to contain a pathogen.

(5) 'Regulated biomedical waste' means and includes the following:

(A) Biological waste, which includes blood and blood products, exudates, secretions, suctionings, and other body fluids which contain free liquids and cannot be or are not directly discarded into a municipal sewer system;

(B) Pathological waste, which includes all recognizable human tissues and body parts except teeth; and

(C) Sharps, which include any discarded article that may cause punctures or cuts including, but not limited to, items such as needles, IV tubing and syringes with needles attached, and scalpel blades.

(6) 'Trauma scene' means a location soiled by or contaminated with potentially infectious material or regulated biomedical waste due to the occurrence of a homicide or suicide, or the occurrence of a death of a human being in which there is advanced decomposition of the body; provided, however, that such term shall not include the scene of a motor vehicle accident or locations which are subject to the laws and regulations of the federal Occupational Safety and Health Administration.

(7) 'Trauma scene waste' means potentially infectious material or regulated biomedical waste that has been removed, is to be removed, or is in the process of being removed from a trauma scene.

(8) 'Trauma scene waste management practitioner' means the owner of any interest in a commercial enterprise for the cleanup or removal of trauma scene waste and who is registered with the bureau pursuant to this chapter.

35-11-2.

(a) A trauma scene waste management practitioner shall be registered with the bureau on forms provided by and in a manner as directed by the bureau. Such registration shall be in addition to and not in place of any other registrations or licenses from other state agencies required by law. No county or municipal governments shall be authorized to require licenses, registrations, or permits for trauma scene waste management practitioners in this state.

(b) The bureau, upon its approval of an application, shall issue a registration to a trauma scene waste management practitioner who meets the qualifications for such registration and who submits a completed application form and registration fee. Such registration shall be valid for a period of three years from the date of issuance and may be renewed for additional three-year periods.

(c) Trauma scene waste management practitioners shall pay an initial registration fee of \$100.00 to the bureau and, for each subsequent renewal of such registration, shall pay to the bureau a registration renewal fee of \$100.00.

35-11-3.

The bureau shall maintain a current list of all registered trauma scene waste management practitioners on the bureau's website.

35-11-4.

(a) Each trauma scene waste management practitioner shall, prior to being registered, submit to a fingerprint based criminal background check conducted by the Georgia Crime Information Center and Federal Bureau of Investigation. No person who is currently serving a sentence of incarceration or probation for any felony under the laws of this state or any other state or the federal government shall be issued a trauma scene waste management practitioner registration. Each trauma scene waste management practitioner shall submit to a fingerprint based criminal background check conducted by the Georgia Crime Information Center and Federal Bureau of Investigation every three years following such initial background check.

(b) Each trauma scene waste management practitioner shall, upon approval of his or her registration by the bureau, submit to the bureau a bond executed with a surety company duly authorized to do business in this state and payable to the Governor for the use and benefit of any person who is harmed by such trauma scene waste management practitioner, his or her employee, or an independent contractor of such trauma scene waste management practitioner in the performance of trauma scene waste management services. The bond shall be in the amount of \$25,000.00. The bond shall be approved by the bureau as to form and the solvency of the surety. No trauma scene waste management practitioner or surety shall cancel, or cause to be canceled, a bond issued pursuant to this subsection unless the director is informed in writing by a certified letter at least 30 days prior to the proposed cancellation. If the trauma scene waste management practitioner or surety cancels the bond and the trauma scene waste management practitioner fails to submit, within ten days of the effective date of the cancellation, a new bond, the director shall revoke such trauma scene waste management practitioner's registration.

(c) Each trauma scene waste management practitioner shall provide the bureau with proof of liability insurance coverage for the trauma scene waste management practitioner, his or her employees, and independent contractors of such trauma scene waste management practitioner who perform trauma scene waste management services in the amount of at least \$100,000.00 for each occurrence. No trauma scene waste management practitioner or insurance carrier shall cancel, or cause to be canceled, a liability insurance policy issued pursuant to this subsection unless the director is informed in writing by a certified letter at least 30 days prior to the proposed cancellation. If the trauma scene waste management practitioner or insurance carrier cancels the liability insurance policy and the trauma scene waste management practitioner fails to submit, within ten days of the effective date of the cancellation, a new liability insurance policy that meets the requirements of this subsection, the director shall revoke such trauma scene waste management practitioner's registration.

(d) Each trauma scene waste management practitioner shall be responsible and liable for the acts of his or her employees and independent contractors of such trauma scene waste management practitioner in the performance of trauma scene waste management services.

35-11-5.

(a) As used in this Code section, the term 'person' means: an individual; any corporate entity or form authorized by law, including any of its subsidiaries or affiliates; or any officer, director, board member, or employee of any corporate entity or form authorized by law.

(b) No person shall perform, offer to perform, or engage in the cleanup of a trauma scene or the removal or remediation of regulated biomedical waste from any location unless such person is registered in accordance with this chapter or is an employee or independent contractor of such person registered in accordance with this chapter.

(c) Any individual who violates this Code section shall be subject to a civil fine not to exceed \$5,000.00 and punitive action by the director, up to and including revocation of registration.

35-11-6.

On and after January 1, 2019, it shall be against public policy for any person who is not properly registered under this chapter to seek to recover from the owner of any property or any other person the cost of the cleanup, removal, or remediation of trauma scene waste at, in, or on such property.

35-11-7.

Each trauma scene waste management practitioner registered under this chapter, prior to beginning the cleanup, removal, or remediation of trauma scene waste, shall provide the individual who requested such services with a good faith estimate of the expected costs of such services.

35-11-8.

In the event of a declared public health emergency or a state of emergency, the director shall be authorized to issue temporary registrations to persons to be trauma scene waste management practitioners under such limiting conditions as the director deems appropriate under such circumstances. Such temporary registrations shall terminate at such time as may be specified by the director, but, in any event, not later than 90 days from their issuance.

35-11-9.

The board shall be authorized to promulgate such rules and regulations as it deems necessary in order to effectuate and implement the provisions of this chapter.

35-11-10.

(a) As used in this Code section, the term 'person' shall have the same meaning as provided in Code Section 35-11-5.

(b) Nothing in this chapter shall apply to a medical practice or medical facility or a subsidiary thereof that is subject to the laws and regulations of the federal Occupational Safety and Health Administration.

(c) Nothing in this chapter shall apply to the cleanup of property owned by a person by such person.

(d) Nothing in this chapter shall apply to the gratuitous cleanup, removal, or remediation of trauma scene waste performed for the owner of any property by individuals who are not doing so as part of a commercial enterprise for the cleanup or removal of trauma scene waste, including, but not limited to, individuals who are family, friends, or neighbors of such owner; provided, however, that nothing in this subsection shall prevent such owner from offering such individuals a gratuity at his or her election."

SECTION 2.

This Act shall become effective on January 1, 2019.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Albers of the 56th asked unanimous consent that the Senate disagree to the House amendment to the Senate substitute to HB 149.

The consent was granted, and the Senate disagreed to the House amendment to the Senate substitute to HB 149.

At 6:36 p.m. the President announced that the Senate would stand at ease until 7:30 p.m.

At 7:35 p.m. the President called the Senate to order.

Senator Albers of the 56th asked unanimous consent that HB 783, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 783, having been taken from the Table, was put upon its passage.

HB 783. By Representatives Caldwell of the 20th, Welch of the 110th, Gravley of the 67th, Barr of the 103rd, Blackmon of the 146th and others:

A BILL to be entitled an Act to amend various titles of the Official Code of Georgia Annotated so as to repeal provisions creating inactive boards, panels, authorities, centers, commissions, committees, councils, task forces, and other such bodies; to remove inapplicable references; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Albers of the 56th.

The Senate Committee on Government Oversight offered the following substitute to HB 783:

A BILL TO BE ENTITLED
AN ACT

To amend various titles of the Official Code of Georgia Annotated so as to repeal provisions creating inactive boards, panels, authorities, centers, commissions, committees, councils, task forces, and other such bodies; to remove inapplicable references; to provide for a revision; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by repealing Chapter 15, relating to Pacific White Shrimp Aquaculture Development, and designating said chapter as reserved.

SECTION 1-2.

Any assets of the Pacific White Shrimp Aquaculture Development Advisory Council existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Pacific White Shrimp Aquaculture Development Advisory Council existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART II
SECTION 2-1.

Said title is further amended by repealing Chapter 18, relating to the Georgia Tobacco Community Development Board, and designating said chapter as reserved.

SECTION 2-2.

Any assets of the Georgia Tobacco Community Development Board existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Georgia Tobacco Community Development Board existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

SECTION 2-3.

Code Section 45-7-21 of the Official Code of Georgia Annotated, relating to expense allowance and travel cost reimbursement for members of certain boards and commissions, is amended by revising subsection (a) as follows:

"(a) Each member of the boards and commissions enumerated in this Code section shall receive the same expense allowance per day as that received by a member of the General Assembly for each day such member of a board or commission is in attendance at a meeting of such board or commission, plus reimbursement for actual transportation costs while traveling by public carrier or the legal mileage rate for the use of a personal automobile in connection with such attendance. The expense allowance and reimbursement provided for in this Code section shall be paid in lieu of any per diem, allowance, or other remuneration now received by any such member for such attendance. The existing law relative to any limitation on the number of meeting days and remuneration for service on committees or subcommittees of any such board or commission shall remain in effect. The boards and commissions to which this Code section shall be applicable are as follows:

- (1) State Board of Education;
- (2) Board of Regents of the University System of Georgia;
- ~~(2.1)~~(3) Board of Community Supervision;
- ~~(3)~~(4) Board of Corrections;
- ~~(4)~~(5) Board of Economic Development;
- ~~(5)~~(6) Board of Natural Resources;
- ~~(6) Reserved;~~
- (7) Dental Education Board;
- (8) Georgia Student Finance Commission;
- (9) Veterans Service Board;
- (10) Georgia Agricultural Exposition Authority;
- (11) Georgia Board for Physician Workforce;
- (12) Georgia Music Hall of Fame Authority;
- (13) Georgia Sports Hall of Fame Authority;
- (14) Georgia Rail Passenger Authority;
- ~~(15) Georgia Tobacco Community Development Board;~~
- ~~(16)~~(15) State Board of the Technical College System of Georgia; and
- ~~(17)~~(16) Civil War Commission; and
- ~~(18) The delegation from the State of Georgia to the Southern Dairy Compact Commission."~~

SECTION 2-4.

Code Section 50-13-2 of the Official Code of Georgia Annotated, relating to definitions for state government administrative procedure, is amended by revising paragraph (1) as follows:

- "(1) 'Agency' means each state board, bureau, commission, department, activity, or officer authorized by law expressly to make rules and regulations or to determine

contested cases, except the General Assembly; the judiciary; the Governor; the State Board of Pardons and Paroles; the State Financing and Investment Commission; the State Properties Commission; the Board of Bar Examiners; the Board of Corrections and its penal institutions; the State Board of Workers' Compensation; all public authorities except as otherwise expressly provided by law; the State Personnel Board; the Department of Administrative Services or commissioner of administrative services; the Technical College System of Georgia; the Nonpublic Postsecondary Education Commission; the Department of Labor when conducting hearings related to unemployment benefits or overpayments of unemployment benefits; the Department of Revenue when conducting hearings relating to alcoholic beverages, tobacco, or bona fide coin operated amusement machines or any violations relating thereto; ~~the Georgia Tobacco Community Development Board~~; the Georgia Higher Education Savings Plan; the Georgia ABLE Program Corporation; any school, college, hospital, or other such educational, eleemosynary, or charitable institution; or any agency when its action is concerned with the military or naval affairs of this state. The term 'agency' shall include the State Board of Education and Department of Education, subject to the following qualifications:

(A) Subject to the limitations of subparagraph (B) of this paragraph, all otherwise valid rules adopted by the State Board of Education and Department of Education prior to January 1, 1990, are ratified and validated and shall be effective until January 1, 1991, whether or not such rules were adopted in compliance with the requirements of this chapter; and

(B) Effective January 1, 1991, any rule of the State Board of Education or Department of Education which has not been proposed, submitted, and adopted in accordance with the requirements of this chapter shall be void and of no effect."

PART III SECTION 3-1.

Title 2 of the Official Code of Georgia Annotated, relating to agriculture, is amended by repealing Chapter 20, relating to the Southern Dairy Compact, and designating said chapter as reserved.

PART IV SECTION 4-1.

Chapter 3 of Title 12 of the Official Code of Georgia Annotated, relating to parks, historic areas, memorials, and recreation, is amended by repealing Code Section 12-3-73, relating to creation of the Heritage Trust Commission, appointment and criteria for selection of members, terms of office, reimbursement of members for expenses, and duties, and designating said Code section as reserved.

PART V
SECTION 5-1.

Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning, is amended by repealing Article 3, relating to the Child Care Council.

SECTION 5-2.

Any assets of the Child Care Council existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Child Care Council existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

SECTION 5-3.

Said chapter is further amended by revising paragraph (6) of Code Section 20-1A-4, relating to powers and duties of the Department of Early Care and Learning, as follows:

"(6) To ~~perform the functions set out in Code Section 20-1A-64, relating to improvement of~~ improve the quality, availability, and affordability of child care in this state;"

PART VI
SECTION 6-1.

Code Section 20-3-73.3 of the Official Code of Georgia Annotated, relating to the Georgia Southern University Herty Advanced Materials Development Center and its advisory board, is amended by deleting subsection (f).

PART VII
SECTION 7-1.

Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary education, is amended by repealing Article 6, relating to the Private Colleges and Universities Authority, and designating said article as reserved.

SECTION 7-2.

Any assets of the Private Colleges and Universities Authority existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Private Colleges and Universities Authority existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART VIII
SECTION 8-1.

Article 2 of Chapter 14 of Title 20 of the Official Code of Georgia Annotated, relating to education accountability assessment programs, is amended by repealing Part 7, relating to the Education Information Steering Committee, and designating said part as reserved.

SECTION 8-2.

Any assets of the Education Information Steering Committee existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Education Information Steering Committee existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART IX
SECTION 9-1.

Chapter 8 of Title 31 of the Official Code of Georgia Annotated, relating to care and protection of indigent and elderly patients, is amended by repealing Article 9, relating to the Federal and State Funded Health Care Financing Programs Overview Committee, and designating said article as reserved.

SECTION 9-2.

Any assets of the Federal and State Funded Health Care Financing Programs Overview Committee existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Federal and State Funded Health Care Financing Programs Overview Committee existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART X
SECTION 10-1.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by repealing Chapter 43, relating to the Commission on Men's Health, and designating said chapter as reserved.

SECTION 10-2.

Any assets of the Commission on Men's Health existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Commission on Men's Health existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART XI
SECTION 11-1.

Code Section 31-44-3 of the Official Code of Georgia Annotated, relating to adoption of rules by the Board of Community Health, is amended as follows:

~~"(a) The board shall adopt rules to implement this chapter, including but not limited to requirements for the issuance, renewal, denial, suspension, and revocation of a license to operate an end stage renal disease facility. The rules adopted by the board pursuant to this Code section shall not conflict with any federal law or regulation applicable to end stage renal disease facilities or personnel thereof and shall set forth minimum standards for the health, safety, and protection of the patient being served.~~

~~(b) The department shall establish a Renal Dialysis Advisory Council to advise the department regarding licensing and inspection of end stage renal disease facilities. The council shall be composed of a minimum of 13 persons appointed by the board: one member recommended by the Dogwood Chapter of the American Nephrology Nurses Association; one member recommended by the Georgia Association of Kidney Patients; two physicians specializing in nephrology recommended by the Georgia Renal Physicians Association; one member recommended by the National Kidney Foundation of Georgia; two administrators of facilities certified as outpatient dialysis facilities in Georgia; three members of the general public, two of whom shall be dialysis patients or family members of dialysis patients; one member representing technicians working in renal dialysis facilities; one member representing social workers working in renal dialysis facilities; and one member representing dietitians working in renal dialysis facilities.~~

~~(c) Members of the council shall serve four year terms and until their successors are appointed and qualified. No member of the council shall serve more than two consecutive terms. The council shall meet as frequently as the department considers necessary, but not less than twice each year. The council shall be consulted and have the opportunity to evaluate all rules promulgated by the department under this chapter applicable to end stage renal disease facilities prior to their adoption. Members shall serve without compensation."~~

SECTION 11-2.

Any assets of the Renal Dialysis Advisory Council existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Renal Dialysis Advisory Council existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART XII
SECTION 12-1.

Code Section 31-47-1 of the Official Code of Georgia Annotated, relating to the purpose of the Arthritis Prevention and Control Program, is amended by revising subsections (c)

through (e) as follows:

~~"(e) The Department of Public Health shall establish and coordinate an advisory panel on arthritis which shall provide nongovernmental input regarding the Arthritis Prevention and Control Program. Membership shall include, but shall not be limited to, persons with arthritis, public health educators, medical experts on arthritis, providers of arthritis health care, persons knowledgeable in health promotion and education, and representatives of national arthritis organizations and their local chapters.~~

~~(d)~~(c) The Department of Public Health shall use, but shall not be limited to, strategies consistent with the National Arthritis Action Plan and existing state planning efforts to raise public awareness and knowledge about the causes and nature of arthritis, personal risk factors, the value of prevention and early detection, ways to minimize preventable pain, and options for diagnosing and treating the disease.

~~(e)~~(d)(1) Subject to appropriation or access to other private or public funds, the Department of Public Health may replicate and use successful arthritis programs and enter into contracts and purchase materials or services from entities with appropriate expertise for such services and materials as are necessary to carry out the goals of the Arthritis Prevention and Control Program.

(2) Subject to appropriation or access to other private or public funds, the Department of Public Health may enter into agreements with national organizations with expertise in arthritis to implement parts of the Arthritis Prevention and Control Program."

SECTION 12-2.

Any assets of the Arthritis Prevention and Control Program advisory panel existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Arthritis Prevention and Control Program advisory panel existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART XIII

SECTION 13-1.

Code Section 33-1-19 of the Official Code of Georgia Annotated, relating to the Special Advisory Commission on Mandated Health Insurance Benefits, is amended by repealing said Code section and designating said Code section as reserved.

SECTION 13-2.

Any assets of the Special Advisory Commission on Mandated Health Insurance Benefits existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Special Advisory Commission on Mandated Health Insurance Benefits existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART XIV
SECTION 14-1.

Chapter 29A of Title 33 of the Official Code of Georgia Annotated, relating to individual health insurance coverage, is amended by repealing Article 2, relating to the Commission on the Georgia Health Insurance Risk Pool, and designating said article as reserved.

SECTION 14-2.

Any assets of the Commission on the Georgia Health Insurance Risk Pool existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Commission on the Georgia Health Insurance Risk Pool existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART XV
SECTION 15-1.

Code Section 38-3-22.2 of the Official Code of Georgia Annotated, relating to establishment of the Airport Antiterrorism Training Committee and annual training of same, is amended by repealing said Code section.

SECTION 15-2.

Any assets of the Airport Antiterrorism Training Committee existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Airport Antiterrorism Training Committee existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART XVI
SECTION 16-1.

Chapter 6 of Title 49 of the Official Code of Georgia Annotated, relating to services for the aging, is amended by repealing Article 3, relating to the Georgia Silver-Haired Legislature, and designating said article as reserved.

SECTION 16-2.

Any assets of the Georgia Silver-Haired Legislature existing as of June 30, 2018, shall devolve by operation of law and without further action to the State of Georgia on July 1, 2018. Any liabilities and obligations of the Georgia Silver-Haired Legislature existing as of June 30, 2018, shall be transferred to and assumed by the State of Georgia, by such instruments as may be required to maintain the same.

PART XVII
SECTION 17-1.

Code Section 50-7-115 of the Official Code of Georgia Annotated, relating to the placing of signage at film and television production sites along the Georgia Film and Television Trail, is amended by revising subsection (c) as follows:

"(c) Notwithstanding the provisions of any other statute concerning the improvement of land held in fee simple by the State of Georgia, the Department of Transportation shall be authorized to expend state funds, subject to appropriations, for construction, placement, and maintenance of the signs indicating the film or television production locations designated by the department ~~and may through purchase, easement, lease, or donation.~~"

PART XVIII
SECTION 18-1.

This Act shall become effective on July 1, 2018.

SECTION 18-2.

All laws and parts of laws in conflict with this Act are repealed.

Senators Jackson of the 2nd, Henson of the 41st and Jones of the 10th offered the following amendment #1:

Amend the Senate Committee on Government Oversight substitute to HB 783 (LC 37 2675S) by inserting after line 3 the following:

to amend Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, so as to create the Georgia Commission on African American History and Culture; to provide for duties and objectives; to provide for membership and terms of office; to provide for reporting; to provide for funding;

By replacing lines 295 and 296 with the following:

Title 45 of the Official Code of Georgia Annotated, relating to public officers and employees, is amended by adding a new chapter to read as follows:

"CHAPTER 25

45-25-1.

(a) There is created the Georgia Commission on African American History and Culture (GCAAHC).

(b) The GCAAHC shall discover, document, preserve, collect, and promote Georgia's African American heritage with a primary focus on educating the citizens of this state about the significance of the African American experience in Georgia.

(c)(1) The primary objectives of the GCAAHC shall be to:

(A) Cultivate, present, interpret and promote the history and culture of African Americans in the State of Georgia through museum collections, exhibitions, commemorations, educational programs, publications, research, and public participation;

(B) Serve as a clearinghouse for information and insights about African Americans in Georgia and the nation through collaboration with other public, educational, corporate, and Georgia based institutions on strategies for promoting African American history and culture;

(C) Discover, preserve, collect, and catalog African American historical materials and artifacts and establish, manage, and coordinate museums and other appropriate facilities for the promotion of African American history and culture; and

(D) Disseminate and integrate African American historical and cultural materials into the mainstream of Georgia life and education as a method of fostering constructive social change through better racial understanding.

(2) The GCAAHC shall provide technical assistance to institutions and groups with similar objectives.

45-25-2.

(a) The Georgia Commission on African American History and Culture shall be composed of 20 members.

(b) Said members shall be appointed as follows:

(1) On or before August 1, 2018:

(A) Two members by the Governor, one member by the Speaker of the House of Representatives, one member by the President of the Senate, and one member by the Georgia Legislative Black Caucus shall be appointed to each serve a one-year term;

(B) Two members by the Governor, one member by the Speaker of the House of Representatives, one member by the President of the Senate, and one member by the Georgia Legislative Black Caucus shall be appointed to each serve a two-year term;

(C) Two members by the Governor, one member by the Speaker of the House of Representatives, one member by the President of the Senate, and one member by the Georgia Legislative Black Caucus shall be appointed to each serve a three-year term; and

(D) Two members by the Governor, one member by the Speaker of the House of Representatives, one member by the President of the Senate, and one member by the Georgia Legislative Black Caucus shall be appointed to each serve a four-year term.

(2) Upon the expiration of the individual terms provided for in paragraph (1) of subsection (b) of this Code section and upon any term expiring thereafter, the respective appointing authorities shall appoint successors who shall each serve four-year terms.

45-25-3.

(a) The Governor shall designate one of such appointed members to serve as the

chairperson of the commission at the Governor's pleasure.

(b) The chairperson shall call all meetings of the commission.

(c) A vice chairperson shall be selected by a majority of sitting commission members.

(d) The commission shall meet on a quarterly basis at different locations within the state, particularly in rural areas of this state, interacting with local government officials, educational leaders, health care providers, business leaders, civic groups, and all other citizens who desire to offer input, so as to enable the commission to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this Code section.

45-25-4.

On or before December 31, 2019, the commission shall issue a comprehensive report of recommendation for the establishment of the Museum of Georgia African American History and Culture. Such report shall include information on the proposed location of the facility and a comprehensive plan for the implementation of fundraising efforts for construction and for ongoing support of the facility thereafter.

45-25-5.

(a) Legislative members of the commission shall receive the allowances provided for in Code Section 28-1-8 of the Official Code of Georgia Annotated.

(b) Members of the commission who are state officials, other than legislative members, or state employees shall receive no compensation for their services on the commission, but they may be reimbursed for expenses incurred by them in the performance of their duties as members of the commission in the same manner as they are reimbursed for expenses in their capacities as state officials or employees.

(c) Citizen members of the commission shall receive a daily expense allowance in an amount the same as that specified in subsection (b) of Code Section 45-7-21 of the Official Code of Georgia Annotated, as well as the mileage or transportation allowance authorized for state employees.

(d) The allowances and expenses authorized by this resolution shall not be received by any member of the commission for more than five days. Funds necessary to carry out the provisions of this Code section shall come from appropriated funds; provided, however, that funds for the reimbursement of the expenses of state officials, other than legislative members, and state employees shall come from funds appropriated to or otherwise available to their respective agencies."

PART XIX

SECTION 19-1.

This Act shall become effective on July 1, 2018.

SECTION 19-2.

On the adoption of the amendment, there were no objections, and the Jackson, et al. amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Mullis	Y Williams, M
Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 43, nays 0.

HB 783, having received the requisite constitutional majority, was passed by substitute.

The following communications were received by the Secretary:

March 29, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 783. Had I been present, I would have voted "YES".

/s/ Tonya Anderson
District 43

3/29/2018

Due to business outside the Senate Chamber, I missed the vote on HB 783. Had I been present, I would have voted "Yes".

/s/ Gloria S. Butler
District 55

Senator Harper of the 7th asked unanimous consent that HB 867, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 867, having been taken from the Table, was put upon its passage.

HB 867. By Representatives Hitchens of the 161st, Lumsden of the 12th, Williams of the 145th, Petrea of the 166th and Tanner of the 9th:

A BILL to be entitled an Act to amend Chapter 8 of Title 35 of the Official Code of Georgia Annotated, relating to employment and training of peace officers, so as to revise the quorum for transaction of business by the Georgia Peace Officer Standards and Training Council; to clarify that certain investigators employed by the council may retain their weapon and badge upon retirement; to repeal the requirement that peace officers who do not perform satisfactorily on the job related academy entrance examination be ineligible to retake the examination for a period of 30 days; to repeal requirements for the training and certification of police chaplains; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Harper of the 7th.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	N James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate

Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 1.

HB 867, having received the requisite constitutional majority, was passed.

Senator Gooch of the 51st was excused as a Conferee.

Senator Ligon, Jr. of the 3rd was excused for business outside the Senate Chamber.

Senator Martin of the 9th asked unanimous consent that HB 64, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 64, having been taken from the Table, was put upon its passage.

HB 64. By Representatives Blackmon of the 146th, Smith of the 134th, Hatchett of the 150th, England of the 116th and Nimmer of the 178th:

A BILL to be entitled an Act to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, so as to provide for the compensation of health insurance agents in certain situations; to provide for definitions; to provide for exceptions; to provide a short title; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Martin of the 9th.

The Senate Committee on Insurance and Labor offered the following substitute to HB 64:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, so as to provide for the compensation of health

insurance agents in certain situations; to provide for definitions; to provide for exceptions; to provide for the Commissioner's authority; to provide a short title; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Protection and Guarantee of Service for Health Insurance Consumers Act."

SECTION 2.

Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, is amended by adding a new Code section to read as follows:

"33-24-59.23.

(a) As used in this Code section, the term:

(1) 'Agent' shall have the same meaning as in Code Section 33-23-1.

(2) 'Carrier' means any entity licensed to provide health insurance in this state and which is subject to state insurance regulation.

(3) 'Health benefit plan' shall have the same meaning as in Code Section 33-30A-1.

(4) 'Premium' means the consideration paid in exchange for coverage under a health benefit plan.

(b) Any carrier that issues a health benefit plan in this state through an agent shall pay a commission to such agent, consistent with the amount proposed in the rates filed with the department, as required by the Commissioner. Such commission shall be structured to compensate the agent for the first term and for each renewal term thereafter, so long as such agent reviews coverage and provides ongoing customer service for such plan; provided, however, that no such compensation shall be required for any individual health benefit plan sold during a special enrollment period; and provided, further, that this subsection shall not apply to renewals of any individual health benefit plan sold during a special enrollment period that renews during the open enrollment period. Nothing in this Code section is intended or shall be construed to require a carrier to pay a commission to an agent who is employed by such carrier.

(c) The Commissioner shall adopt such rules and regulations he or she deems necessary for the administration of this Code section."

SECTION 3.

This Act shall be applicable to policies issued or renewed on or after January 1, 2019.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator Shafer of the 48th offered the following amendment #1:

Amend com sub to HB 64 by adding after the semicolon on line 5 of page 1 the following: to amend Code Section 33-23-13 of the Official Code of Georgia Annotated, relating to temporary licenses, so as to provide requirements for temporary licenses are limited to certain provisions;

By inserting between Sections 2 and 3 a new section to read as follows:

SECTION 2.1.

Code Section 33-23-13 of the Official Code of Georgia Annotated, relating to temporary licenses, is amend by revising subsection (b) as follows:

"(b) A temporary license may be issued to an individual at the request of an insurer for the purposes of training such individual to act as an agent; provided, however, that such individual must perform his or her duties under the supervision of an individual licensed under this article. The Commissioner may prescribe by rules or regulations such further restrictions on such temporary licenses as may be necessary for the protection of the public. Pursuant to this subsection, applicants are exclusively subject to the requirements of subsection (e) of this Code section."

Senator Shafer of the 48th asked unanimous consent that his amendment be withdrawn. The consent was granted, and the Shafer amendment #1 to the committee substitute was withdrawn.

Senators Martin of the 9th, Walker III of the 20th and Jones of the 25th offered the following amendment #2:

Amend the Senate Committee on Insurance and Labor substitute to HB 64 (LC 37 2642S) by deleting lines 28 through 30 and inserting in lieu thereof the following: benefit plan sold during a special enrollment period. Nothing in this

On the adoption of the amendment, there were no objections, and the Martin, et al. amendment #2 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	E Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 50, nays 0.

HB 64, having received the requisite constitutional majority, was passed by substitute.

Senator McKoon of the 29th was excused for business outside the Senate Chamber.

Senator Payne of the 54th asked unanimous consent that HB 189, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 189, having been taken from the Table, was put upon its passage.

HB 189. By Representatives Nelson of the 125th, Prince of the 127th and Scott of the 76th:

A BILL to be entitled an Act to amend Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, so as to provide that any service contract such entities enter into shall contain a termination clause; to provide that poor performance or cost overrun shall constitute cause for termination of the contract; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Payne of the 54th.

The Senate Committee on State and Local Governmental Operations-G offered the following substitute to HB 189:

A BILL TO BE ENTITLED
AN ACT

To amend Article 3 of Chapter 82 of Title 36 of the Official Code of Georgia Annotated, relating to revenue bonds, so as to revise the definition of the term "undertaking"; to provide for elections regarding revenue certificates related to electric generating, transmission, and distribution systems; to provide for exceptions to such elections by local act; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 3 of Chapter 82 of Title 36 of the Official Code of Georgia Annotated, relating to revenue bonds, is amended by revising division (4)(C)(iv) of Code Section 36-82-61, relating to definitions relative to revenue bonds, as follows:

"(iv) Used or useful in connection with buying, constructing, extending, operating, and maintaining gas or electric generating, transmission, and distribution systems together with all necessary appurtenances thereof; provided, further, any revenue certificates issued to buy, construct, extend, operate, and maintain electric generating and distribution systems shall, before being undertaken, be authorized by a majority of those voting at an election held for the purpose in the county, municipal corporation, or political subdivision affected, the election for such to be held in the same manner as is used in issuing bonds of such county, municipal corporation, or political subdivision and the said elections shall be called and provided for by officers in charge of the fiscal affairs of said county, municipal corporation, or political subdivision affected;"

SECTION 2.

Said article is further amended by adding a new Code section to read as follows:

"36-82-61.1.

(a) Except as otherwise provided in subsection (b) of this Code section, any revenue certificates issued to buy, construct, extend, operate, and maintain electric generating, transmission, and distribution systems shall, before being undertaken, be authorized by a majority of those voting at an election held for such purpose in the county, municipal corporation, or political subdivision affected, the election for such to be held in the same manner as is used in issuing bonds of such county, municipal corporation, or political subdivision, and such elections shall be called and provided for by officers in charge of the fiscal affairs of such county, municipal corporation, or political subdivision affected.

(b) The General Assembly by local act may exempt any county, municipal corporation, or political subdivision from the election requirement of subsection (a) of this Code section, provided that the net book value of the electric utility assets of such county, municipal corporation, or political subdivision exceeds \$200 million."

SECTION 3.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Jordan	Y Strickland
N Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	N Kirkpatrick	Thompson, C
Y Dugan	E Ligon	N Tillery
Y Ginn	Lucas	Y Tippins
C Gooch	Y Martin	Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the passage of the bill, the yeas were 31, nays 13.

HB 189, having received the requisite constitutional majority, was passed by substitute.

The following resolution was read and adopted:

SR 1072. By Senators Mullis of the 53rd, Miller of the 49th, Walker III of the 20th, Martin of the 9th, Strickland of the 17th and others:

A RESOLUTION recognizing and commending Governor Nathan Deal; and for other purposes.

The President recognized Governor Nathan Deal and First Lady Sandra Deal. Governor Nathan Deal addressed the Senate briefly.

The following bill was taken up to consider House action thereto:

HB 878. By Representatives Clark of the 147th, Smith of the 134th, Blackmon of the 146th, Raffensperger of the 50th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to procedure for cancellation by an insured and notice, so as to change certain provisions regarding cancellation of an insurance policy by an insured; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate amendment was as follows:

Amend HB 878 (LC 45 0103S) by deleting lines 1 and 2 and inserting in lieu thereof the following:

Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to change certain provisions

By inserting after "insured" on line 3 the following:

to require health benefit plans to establish step therapy protocols; to provide for a step therapy exception process; to provide for statutory construction; to provide for rules and regulations;

By replacing lines 7 and 8 with the following:

Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, is amended by revising subsection (a) as follows:

By inserting between lines 28 and 29 the following:

Said chapter is further amended by adding a new Code section to read as follows:

"33-24-59.23.

(a) As used in this Code section, the term:

(1) 'Health benefit plan' means any hospital, health, or medical expense insurance

policy; hospital or medical service contract; employee welfare benefit plan; contract or agreement with a health maintenance organization; subscriber contract or agreement; contract or agreement with a preferred provider organization; accident and sickness insurance benefit plan; or other insurance contract under any other name. The term shall include any health insurance plan established under Article 1 of Chapter 18 of Title 45, the 'State Employees' Health Insurance Plan and Post-employment Health Benefit Fund.'

(2) 'Practitioner' means a physician, dentist, podiatrist, or optometrist and shall include any other person licensed under the laws of this state to use, mix, prepare, dispense, prescribe, and administer drugs in connection with medical treatment for individuals to the extent provided by the laws of this state.

(3) 'Step therapy exception' means that a step therapy protocol should be overridden in favor of immediate coverage of the practitioner's selected prescription drug, provided that the drug is covered under the health benefit plan.

(4) 'Step therapy protocol' means an evidence based and updated protocol or program that establishes the specific sequence in which prescription drugs for a specified medical condition are deemed medically appropriate for a particular patient, including self-administered and physician-administered drugs, and are covered by an insurer or health benefit plan.

(b) A step therapy exception shall be granted by a health benefit plan if the prescribing provider's submitted justification and supporting clinical documentation, if needed, is completed and determined to support such provider's statement that:

(1) The required prescription drug is contraindicated or will cause an adverse reaction or physical or mental harm to the patient;

(2) The required prescription drug is expected to be ineffective based on the known clinical condition of the patient and the known characteristics of the prescription drug regimen;

(3) The patient has tried the required prescription drug while under his or her current or previous health insurance or health benefit plan and such prescription drug was discontinued due to lack of efficacy, diminished effect, or an adverse event; or

(4) The patient's condition is stable on a prescription drug previously selected by his or her practitioner for the medical condition under consideration whether on his or her current or previous health benefit plan.

(c) Drug samples shall not be considered trial and failure of a preferred prescription drug in lieu of trying the step therapy required prescription drug.

(d) A health benefit plan shall grant or deny a step therapy exception or appeal of a step therapy exception within:

(1) Twenty-four hours in an urgent health care situation; and

(2) Three business days from the date such request or appeal is submitted in a nonurgent health care situation.

If the health benefit plan fails to respond in accordance with the established time frame, such step therapy exception or an appeal shall be deemed approved.

(e) Upon the granting of a step therapy exception, the health benefit plan shall

immediately authorize coverage for the prescription drug prescribed by the patient's practitioner, provided that the drug is covered under the health benefit plan. Any step therapy exception denial shall be eligible for a physician's or a patient's appeal in accordance with the health benefit plan's existing appeal procedures.

(f) This Code section shall not be construed to prevent:

(1) A health benefit plan from requiring a patient to try an AB-rated generic equivalent prior to providing coverage for the equivalent-branded prescription drug;

(2) A health benefit plan from requiring a patient to try an interchangeable biological product prior to providing coverage for the biological product; or

(3) A practitioner from prescribing a prescription drug that is determined by such practitioner to be medically necessary.

(g) This Code section shall not be construed to impact a health benefit plan's ability to substitute a generic drug for a brand name drug.

(h) The Commissioner shall adopt rules and regulations to implement the provisions of this Code section.

(i) This Code section shall not apply to the provision of health care services pursuant to a contract entered into by an insurer and the Department of Community Health for recipients of Medicaid or PeachCare for Kids.

(j) This Code section shall apply only to health benefit plans delivered, issued for delivery, or renewed on or after January 1, 2019."

SECTION 3.

Senator Harbin of the 16th asked unanimous consent that the Senate disagree to the House amendment to the Senate amendment to HB 878.

The consent was granted, and the Senate disagreed to the House amendment to the Senate amendment to HB 878.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House insists on its position in disagreeing to the Senate substitute, and has appointed a Committee of Conference to confer with a like committee on the part of the Senate on the following Bill of the House:

HB 992. By Representatives Lott of the 122nd, Mathiak of the 73rd, Newton of the 123rd, Martin of the 49th and Dollar of the 45th:

A BILL to be entitled an Act to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to

eliminate certain requirements relating to the use of automated external defibrillators; to eliminate obsolete language relating to base station facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Speaker has appointed on the part of the House, Representatives Lott of the 122nd, Jasperse of the 11th, and England of the 116th.

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 275. By Representatives Dubnik of the 29th, Hawkins of the 27th, Knight of the 130th, Powell of the 32nd, Smith of the 70th and others:

A BILL to be entitled an Act to amend Chapter 1 of Title 27 of the Official Code of Georgia Annotated, relating to general provisions relative to game and fish, so as to change provisions relative to rules and regulations used to establish criminal violations; to amend Article 1 of Chapter 7 of Title 52 of the Official Code of Georgia Annotated, relating to general provisions relative to the registration, operation, and sale of watercraft, so as to regulate activities related to body surfing and wake surfing; to provide for related matters; to provide for an effective date and applicability; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate amendments to the following Bill of the House:

HB 795. By Representatives Gravley of the 67th, Hilton of the 95th, Williamson of the 115th, Coomer of the 14th and Kelley of the 16th:

A BILL to be entitled an Act to amend Chapter 2 of Title 34 of the Official Code of Georgia Annotated, relating to the Department of Labor, so as to authorize the Commissioner of Labor to perform certain functions; to authorize the Commissioner of Labor to prescribe certain rules and regulations; to provide for definitions; to authorize the Commissioner of Labor to conduct fingerprint based criminal background checks for individuals employed by the Department of Labor; to provide a process for conducting such criminal background checks; to limit the use, dissemination, and liability relating to information obtained from the criminal background checks; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute to the following Bill of the House:

HB 419. By Representatives Silcox of the 52nd, Golick of the 40th, Willard of the 51st, Jones of the 47th, Martin of the 49th and others:

A BILL to be entitled an Act to amend Chapter 60 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions regarding local government provisions applicable to counties and municipal corporations, so as to enable the governing authority of certain counties to further regulate the use or ignition of consumer fireworks; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senators were excused as Conferees:

Beach of the 21st

Lucas of the 26th

Unterman of the 45th

Senator Tippins of the 37th asked unanimous consent that HR 898, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HR 898, having been taken from the Table, was put upon its passage.

HR 898. By Representatives Coleman of the 97th, Tanner of the 9th, Jones of the 47th, Dickey of the 140th, Nix of the 69th and others:

A RESOLUTION creating the Joint Study Committee on the Establishment of a State Accreditation Process; and for other purposes.

Senate Sponsor: Senator Tippins of the 37th.

The report of the committee, which was favorable to the adoption of the resolution, was agreed to.

On the adoption of the resolution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
C Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C

Y Dugan	Y Ligon	Y Tillery
Y Ginn	C Lucas	Y Tippins
C Gooch	Y Martin	C Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 46, nays 0.

HR 898, having received the requisite constitutional majority, was adopted.

The following communication was received by the Secretary:

March 29, 2018

Due to business outside the Senate Chamber, I missed the vote on HR 898. Had I been present, I would have voted "YES".

/s/ Tonya Anderson
District 43

Senator Kirkpatrick of the 32nd asked unanimous consent that HB 840, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 840, having been taken from the Table, was put upon its passage.

HB 840. By Representatives Hitchens of the 161st, Deffenbaugh of the 1st, Rogers of the 10th, Belton of the 112th and Smyre of the 135th:

A BILL to be entitled an Act to amend Chapter 13 of Title 48 of the Official Code of Georgia Annotated, relating to specific, business, and occupation taxes, so as to provide an exemption from penalties and interest in the event of military service in a combat zone; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Kirkpatrick of the 32nd.

The report of the committee, which was favorable to the passage of the bill, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
C Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	C Lucas	Y Tippins
C Gooch	Y Martin	C Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 0.

HB 840, having received the requisite constitutional majority, was passed.

The following communication was received by the Secretary:

March 29, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 840. Had I been present, I would have voted "YES".

/s/ Tonya Anderson
District 43

Senator Thompson of the 14th asked unanimous consent that HB 214, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 214, having been taken from the Table, was put upon its passage.

HB 214. By Representatives Golick of the 40th, Smith of the 134th, Reeves of the 34th, Coomer of the 14th, Gravley of the 67th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to forgery and related offenses, so to provide consistent punishment for the unlawful manufacture, sale, or distribution of a proof of insurance document and the issuing of fake or counterfeit insurance identification cards; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Thompson of the 14th.

The Senate Committee on Insurance and Labor offered the following substitute to HB 214:

A BILL TO BE ENTITLED
AN ACT

To amend Title 33 of the Official Code of Georgia Annotated, relating to insurance, so as to extensively revise Chapter 41, relating to captive insurance companies; to provide for definitions; to provide for sponsored captive insurance companies; to provide for incorporated protected cells; to provide for formation of sponsored captive insurance companies; to provide for filings and notifications to the Commissioner; to provide for establishment and maintenance of protected cells; to provide for certain protected cell requirements at the discretion of the Commissioner; to provide for conservation, rehabilitation, or liquidation requirements and exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended by designating the existing provisions of Chapter 41, relating to captive insurance companies, as Article 1.

SECTION 2.

Said title is further amended in Code Section 33-41-2, relating to definitions, by revising paragraphs (5), (6), and (7) as follows:

"(5) 'Captive insurance company' means any pure captive insurance company, association captive insurance company, agency captive insurance company, industrial insured captive insurance company, sponsored captive insurance company, or risk retention group captive insurance company.

(6) 'Controlled unaffiliated business' means:

(A) Any person:

- (i) That is not in the corporate system of a parent and its affiliated companies;
- (ii) That has an existing contractual relationship with a parent or one of its affiliated companies; and
- (iii) Whose risks are managed by a ~~pure~~ captive insurance company in accordance with this chapter and approved by the Commissioner; or

(B) A reinsurance ~~pooling~~ arrangement with other captive insurance companies that is approved by the Commissioner.

(7) 'Formation documents' means articles of incorporation, if the captive insurance company or the prospective captive insurance company is a stock insurer ~~or a~~, stock corporation, mutual insurer, or articles of organization, if the captive insurance company or the prospective captive insurance company is a limited liability company, and any amendments or restatements of the same. For purposes of this term, an incorporated protected cell, as defined in Article 2 of this chapter, shall be included in the definition of 'captive insurance company.'"

SECTION 3.

Said title is further amended in subsection (c) of Code Section 33-41-3, relating to permissible business and limitations, by revising paragraph (1) as follows:

"(1) A captive insurance company shall not insure ~~or reinsure~~ any risks resulting from:

- (A) Any personal, familial, or household responsibilities; or
- (B) Activities other than risks resulting from responsibilities arising out of any business, whether profit or nonprofit; trade; product; services, including professional or fiduciary services; or commercial premises or commercial operations;"

SECTION 4.

Said title is further amended in Code Section 33-41-5, relating to incorporation, by revising subsection (a) and adding a new subsection to read as follows:

"(a) For purposes of this Code section, an incorporated protected cell, as defined in Article 2 of this chapter, shall be included in the definition of 'captive insurance company.'

~~(a)(a.1)~~(1) A pure captive insurance company or an agency captive insurance company may be incorporated as a stock insurer or organized as a manager-managed limited liability company.

(2) An association captive insurance company, an industrial insured captive insurance company, a sponsored captive insurance company, or a risk retention group captive insurance company may be: incorporated as a stock insurer, incorporated as a mutual insurer, or organized as a manager-managed limited liability company.

~~(A) Incorporated as a stock insurer;~~

~~(B) Incorporated as a mutual insurer; or~~

~~(C) Organized as a manager-managed limited liability company.~~

(3) An incorporated protected cell may be formed by one or more participants of a sponsored captive insurance company as a stock corporation or as a manager-managed limited liability company separate from the sponsored captive insurance company of which it is a part."

SECTION 5.

Said title is further amended in Code Section 33-41-22, relating to taxation, by revising paragraphs (4) and (5) and adding a new paragraph to read as follows:

"(4) Two or more captive insurance companies under common ownership and control, other than sponsored captive insurance companies, shall be taxed as though they were a single captive insurance company. For the purposes of this Code section, the term 'common ownership and control' shall mean the direct or indirect ownership, control, or hold with power to vote more than 50 percent of the outstanding voting securities or membership interests of two or more such captive insurance companies; and

(5) The tax provided for in paragraphs (1) and (2) of this Code section shall be calculated on an annual basis, notwithstanding policies or contracts of insurance or contracts of reinsurance issued on a multiyear basis. In the case of multiyear policies or contracts, the premium shall be prorated for purposes of determining the tax due; and

(6)(A) For purposes of this Code section, a protected cell, as defined in Article 2 of this chapter, shall be included in the definition of a 'captive insurance company.'

(B) The common ownership and control aggregation rules set forth in paragraph (4) of this Code section shall apply to each individual protected cell with respect to the participant or participants of such individual protected cell.

(C) Notwithstanding any other provision of this Code section, a sponsored captive insurance company shall be responsible for collecting and remitting taxes due from its protected cells."

SECTION 6.

Said title is further amended in Chapter 41 by adding a new article to read as follows:

"ARTICLE 2

33-41-100.

In addition to the general provisions of Article 1 of this chapter, the provisions of this article shall apply to sponsored captive insurance companies.

33-41-101.

As used in this article, the term:

(1) 'General account' means all the assets and liabilities of a sponsored captive insurance company that are not attributable to a protected cell.

(2) 'Incorporated protected cell' means a protected cell that is established as a stock

corporation or manager-managed limited liability company separate from the sponsored captive insurance company of which it is a part.

(3) 'Participant' means a person, and any affiliates thereof, that is insured or reinsured by a sponsored captive insurance company, where the losses of the participant are limited through a participant contract to such participant's protected cell assets or to the pro rata share of the assets of one or more protected cells that are identified in such participant contract.

(4) 'Participant contract' means a contract by which a sponsored captive insurance company insures or reinsures the risks of a participant, or the controlled unaffiliated business thereof, and limits the losses to the participant's protected cell assets or to the pro rata share of the assets of one or more protected cells that are identified in such participant contract.

(5) 'Protected cell' means a separate and distinct account or accounts established by a sponsored captive insurance company in which an identified pool of assets are maintained for one or more participants in accordance with the terms of one or more participant contracts to fund the liability of the sponsored captive insurance company insured or assumed on behalf of such participants as set forth in such participant contracts. A protected cell may be an incorporated protected cell or an unincorporated protected cell.

(6) 'Protected cell assets' means all assets, contract rights, and general intangibles identified with and attributable to a specific protected cell that may not be used to pay any expenses or claims other than those attributable to such protected cell.

(7) 'Protected cell liability' means all liabilities and other obligations identified with and attributable to a specific protected cell.

(8) 'Sponsor' means any person, other than a risk retention group, that is approved by the Commissioner, in the exercise of his or her sole discretion, to organize and operate a sponsored captive insurance company and to provide all or part of its required capital and surplus.

(9) 'Sponsored captive insurance company' means any domestic stock insurer or manager-managed limited liability company formed by one or more sponsors having been granted a certificate of authority pursuant to this chapter that:

(A) May only be owned by its participants and sponsors, unless the Commissioner has authorized the issuance of nonvoting securities to other persons;

(B) Maintains at least \$250,000.00 in capital and surplus subject to Code Section 33-41-8, which shall at all times be available to pay any expenses of or claims against it;

(C) May only insure the risks of its participants, or the controlled unaffiliated business thereof, in accordance with separate participant contracts;

(D) Funds its liabilities to each participant through one or more protected cells and keeps the protected cell assets and protected cell liabilities of each protected cell segregated from the general account and from the protected cell assets and protected cell liabilities of other protected cells; and

(E) Establishes administrative and accounting procedures necessary to allocate,

identify, separate, and segregate the protected cell assets, protected cell liabilities, insurance and reinsurance obligations, assets, credits, liabilities, losses, tax benefits, and refunds attributable to the protected cells.

(10) 'Unincorporated protected cell' means a protected cell that is not itself a legal entity separate from the sponsored captive insurance company of which it is a part.

33-41-102.

(a) A sponsored captive insurance company may establish one or more protected cells if the Commissioner has approved in writing a business plan, or an amendment to such plan, with respect to each protected cell that includes information about the participant, the associated participant contract or contracts, and any other information requested by the Commissioner.

(b) No participant contract shall take effect without the Commissioner's prior written approval. The addition of each new protected cell, the withdrawal of any current participant, or the termination of any existing protected cell shall constitute a change in the business plan of the sponsored captive insurance company and shall require the Commissioner's prior written approval.

(c) Each sponsored captive insurance company shall annually file with the Commissioner such financial reports as he or she shall require. Any such financial report shall include, without limitation, accounting statements detailing the financial experience of each protected cell.

(d) Each sponsored captive insurance company shall notify the Commissioner in writing within ten business days of any protected cell becoming insolvent or otherwise unable to meet its claim, expense, insurance, or reinsurance obligations.

33-41-103.

(a) A sponsored captive insurance company licensed under this chapter may establish and maintain one or more protected cells to insure or reinsure risks subject to the provisions, terms, and conditions set forth in this chapter, and it is the intent of the General Assembly to provide sponsored captive insurance companies with the option to establish one or more protected cells as incorporated protected cells without limiting any rights or protections applicable to unincorporated protected cells.

(b) The creation of a protected cell pursuant to this chapter does not create, with respect to such protected cell, a legal person separate from the sponsored captive insurance company of which it is a part unless such protected cell is an incorporated protected cell.

(c) In addition to the provisions required by subparagraphs (c)(1)(B) and (c)(1)(C) of Code Section 33-41-5, an incorporated protected cell must also include the following in its formation documents;

(1) A reference to the sponsored captive insurance company of which it will be a part; and

(2) A statement that the entity is a protected cell incorporated for the limited purposes authorized by the sponsored captive insurance company's certificate of authority.

(d) An incorporated protected cell shall not use any name that is either similar, misleading, or confusing with respect to any other name already in use by any other entity doing business in this state.

(e) An incorporated protected cell shall be entitled to enter into contracts and undertake obligations in its own name and for its own account unless prohibited by an applicable participant contract. In the case of a contract or obligation to which the sponsored captive insurance company is not a party, either in its own name and for its own account or on behalf of a protected cell, the counterparty to the contract or obligation shall have no right or recourse against the sponsored captive insurance company and its assets other than against assets properly attributable to the incorporated protected cell that is a party to the contract or obligation.

33-41-104.

(a) All attributions of assets and liabilities to the protected cells and the general account shall be made by the sponsored captive insurance company in accordance with the business plan and applicable participant contracts as approved by the Commissioner, and unless the sponsor consents and the Commissioner has granted prior written approval, the general account shall not be used to pay any expenses or claims attributed solely to a protected cell.

(b) When establishing a protected cell, the sponsored captive insurance company shall attribute to the protected cell assets with a value at least equal to the reserves and other insurance liabilities attributable to such protected cell in cash or in readily marketable securities with established market value.

(c) Amounts attributable to a protected cell under this chapter are owned by the protected cell. No sponsored captive insurance company shall be, or hold itself out to be, a trustee with respect to those protected cell assets of such protected cell account. Notwithstanding this subsection, the sponsored captive insurance company may allow for a security interest to attach to protected cell assets when in favor of a creditor of the protected cell and otherwise allowable under applicable law.

(d) Each protected cell shall be accounted for separately on the books and records of the sponsored captive insurance company to reflect each protected cell's financial condition and results of operations, net income or loss, dividends or other distributions to participants, and such other factors regarding each protected cell as may be provided in the applicable participant contract or required by the Commissioner.

(e) The assets of a protected cell shall not be chargeable with liabilities of any other protected cell or, unless otherwise agreed in the applicable participant contract, of the sponsored captive insurance company generally.

(f) No sale, exchange, transfer of assets, dividend, or distribution, other than a transaction in accordance with the applicable participant contract, may be made with respect to a protected cell by or to a sponsored captive insurance company or participant without the Commissioner's written approval. In no event shall such approval be given if the sale, exchange, transfer, dividend, or distribution would result in the insolvency or impairment of a protected cell.

(g) The remedy of tracing is applicable to protected cell assets if they are commingled with protected cell assets of other protected cells or the general account in violation of this article and any applicable participant contracts. The remedy of tracing shall not be construed as an exclusive remedy.

(h) The sponsored captive insurance company shall attribute all insurance obligations, assets, and liabilities relating to a reinsurance contract entered into with respect to a protected cell to such protected cell as set forth in the business plan and participant contracts approved by the Commissioner, which may include a tax allocation agreement to which the sponsored captive insurance company is a party.

(i) Notwithstanding any other provision of this chapter, the assets of two or more protected cells may be combined for purposes of investment, and such combination shall not be construed as defeating the segregation of such assets for accounting or other purposes.

(j) Notwithstanding any other provisions of this title, sponsored captive insurance companies shall not be subject to any restrictions on eligible investments whatever; however, the Commissioner may prohibit or limit any investment that threatens the solvency or liquidity of any sponsored captive insurance company.

(k) If required by the Commissioner, in his or her discretion, the business written by a sponsored captive insurance company, with respect to each protected cell, shall be:

(1) Fronted by an insurance company licensed pursuant to the laws of any state;

(2) Reinsured by a reinsurer authorized or approved by the Commissioner; or

(3) Secured by a trust fund in the United States for the benefit of participants, policyholders, and claimants or funded by an irrevocable letter of credit or other arrangement that is acceptable to the Commissioner. The Commissioner, in his or her sole discretion, shall approve the form, terms, and funding amount of any trust, and may require the sponsored captive insurance company to increase the funding of any security arrangement established under this chapter. If the form of security is a letter of credit, the letter of credit must be in conformance with Code Section 33-41-9 and approved by the Commissioner.

33-41-105.

(a) In connection with the conservation, rehabilitation, or liquidation of captive insurance companies set forth in Code Section 33-41-21, including sponsored captive insurance companies, the assets and liabilities of a protected cell shall at all times be kept separate from, and shall not be commingled with, those of other protected cells and the sponsored captive insurance company except to the extent that the assets and liabilities of any one or more protected cells are determined to have not been allocated, segregated, and separated pursuant to the business plan and participant contracts approved by the Commissioner, and which are subject to the tracing provisions set forth in this article.

(b) Notwithstanding the provisions of this title, in the event of the insolvency of a sponsored captive insurance company where the Commissioner determines that one or more protected cells remain solvent, the Commissioner may separate such cells from

the sponsored captive insurance company and may allow, on application of the sponsored captive insurance company or participant, for the conversion of such protected cells into one or more new or existing other captive insurance companies.

33-41-106.

All provisions set forth in subsection (c) of Code Section 33-41-16 shall also apply to sponsored captive insurance companies in the same manner."

SECTION 7.

All laws and parts of laws in conflict with this Act are repealed.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
C Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Dugan	Ligon	Y Tillery
Y Ginn	C Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 48, nays 0.

HB 214, having received the requisite constitutional majority, was passed by substitute.

The following communication was received by the Secretary:

March 29, 2018

Due to business outside the Senate Chamber, I missed the vote on HB 214. Had I been present, I would have voted "YES".

/s/ Tonya Anderson
District 43

The following bill was taken up to consider House action thereto:

HB 992. By Representatives Lott of the 122nd, Mathiak of the 73rd, Newton of the 123rd, Martin of the 49th and Dollar of the 45th:

A BILL to be entitled an Act to amend Chapter 11 of Title 31 of the Official Code of Georgia Annotated, relating to emergency medical services, so as to eliminate certain requirements relating to the use of automated external defibrillators; to eliminate obsolete language relating to base station facilities; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Wilkinson of the 50th asked unanimous consent that the Senate adhere to its substitute to HB 992 and that a Conference Committee be appointed.

The consent was granted, and the President appointed as a Conference Committee the following Senators: Wilkinson of the 50th, Albers of the 56th and Burke of the 11th.

Senator Dugan of the 30th was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

HB 787. By Representatives Hilton of the 95th, Jones of the 47th, Nix of the 69th, Dickey of the 140th and Stovall of the 74th:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise certain provisions relative to charter schools; to provide that state charter schools may receive services from regional educational service agencies; to revise provisions relating to a code of principles and standards for charter school authorizers; to revise funding for state chartered special schools and state charter schools; to provide for initial funding for charter schools with projected student growth exceeding 2 percent; to provide for initial funding for training and experience; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate substitute to HB 787 (HB 787/SCSFA) by striking lines 1 through 620 and inserting in its place the following:

To amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to revise certain provisions relative to charter schools; to provide that state charter schools may receive services from regional educational service agencies; to revise funding for state chartered special schools and state charter schools; to provide for initial funding for charter schools with projected student growth exceeding 2 percent; to provide for initial funding for training and experience; to provide for annual reports by the Department of Audits and Accounts on state chartered special schools and state charter schools that offer virtual instruction; to provide for comprehensive reports of such charter schools that offer virtual instruction on the earlier of every four years or the year before such school's charter is eligible for renewal; to provide for the establishment of a grant program to replicate high-performing charter schools; to provide for contingency on appropriations; to provide for criteria; to provide for rules and regulations; to provide for a needs based financial aid program to provide grants to eligible students for postsecondary education at institutions of the University System of Georgia; to provide for definitions; to provide for contingency on funding; to provide for rules and regulations; to provide for audits; to provide for penalties; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in Code Section 20-2-270, relating to the establishment of a state-wide network of regional educational service agencies, as follows:

"20-2-270.

(a) The State Board of Education shall establish a state-wide network of regional educational service agencies for the purposes of: providing shared services designed to improve the effectiveness of educational programs and services to local school systems and state charter schools; providing instructional programs directly to selected public school students in the state; and providing Georgia Learning Resources System services. The regional educational service agencies established by the state board may legally be referred to as 'RESA' or 'RESA's.'

(b) The State Board of Education shall establish the service area of each regional educational service agency as a geographically defined area of the state. All local school systems, state charter schools, Technical College System of Georgia facilities and institutions, and University System of Georgia facilities and institutions that are located in the designated geographical area shall be members of that regional educational service agency.

(c) Every state supported postsecondary institution shall be an active member of a

regional educational service agency.

(d) Each regional educational service agency and its employees shall be subject to or exempt from taxation in the same manner as are school systems and school system employees.

(e) All employees and volunteers of a regional educational service agency shall be immune from liability to the same extent as are employees and volunteers of a school system.

(f) Regional educational service agencies are not state agencies but shall be considered local units of administration for purposes of this chapter."

SECTION 2.

Said title is further amended by revising Code Section 20-2-270.1, relating to services provided by regional educational service agencies, as follows:

"20-2-270.1.

(a) Each regional educational service agency shall provide the following shared services to member local school systems and state charter schools:

(1) Identifying or conducting research related to educational improvements and in planning for the implementation of such improvements;

(2) Developing and implementing staff development programs with an emphasis on improving student achievement and school accountability;

(3) Developing and implementing curricula and instruction of the highest quality possible, including implementing the uniformly sequenced content standards adopted by the state board;

(4) Developing and implementing academic assessment and evaluation programs;

(5) Identifying and utilizing electronic technology, including computers, in an effort to improve the quality of classroom instruction as well as classroom, school, and school system management;

(6) Developing programs, resource materials, and staff development services relating to instruction on alcohol and drug abuse; and

(7) Assistance in the development and implementation of a state-wide mentoring program.

The shared services may also include assistance designed to address documented local needs pursuant to subsection (d) of Code Section 20-2-272.

(b) The state board shall make the service areas for the Georgia Learning Resources System congruous with the service areas for the RESA's. The RESA's are designated as the fiscal agents for the agency of the Georgia Learning Resources System or a local board of education as identified by the State Board of Education through an annual contract to serve as fiscal agent for the Georgia Learning Resources System. All member local school systems and state charter schools shall be provided the services of the Georgia Learning Resources System.

(c) The Psychoeducational Network for severely emotionally disturbed students shall be continued in effect. The service areas of units of the Psychoeducational Network for severely emotionally disturbed students in place on January 1, 1995, shall be continued

in effect. The fiscal agent for each service area shall be as in effect on January 1, 1995, unless changed as provided in this subsection. Upon the request of a majority of the local school superintendents of the local school systems within a service area, representatives of each of the local school systems in the respective service area shall vote in the manner and at the time prescribed by the state board to determine if one of the local school systems or the regional educational service agency serving the respective service area shall serve as the fiscal agent for the respective unit of the Psychoeducational Network for the ensuing fiscal year. In the event this vote results in a change in the fiscal agent for the respective unit, the new fiscal agent shall continue in this capacity for a minimum of three fiscal years. In the event a regional educational service agency is designated as the fiscal agent for a service area, all member local school systems shall be provided the services of the Psychoeducational Network.

(d) A regional educational service agency shall be authorized to sell or provide at reasonable costs goods to private schools located in this state."

SECTION 3.

Said title is further amended by revising Code Section 20-2-271, relating to development of regional improvement plan, introduction of core services, instructional care teams, and establishment of alternative methods of teacher certification, as follows:

"20-2-271.

(a) Each regional educational service agency shall annually develop and submit to the Department of Education for approval, with a copy to the Education Coordinating Council, a regional plan for improvement of educational efficiency and cost effectiveness of its member institutions. Each plan must include the purposes and description of the services the regional educational service agency will provide to schools identified as low-performing based on the indicators adopted under Code Section 20-14-33 and to other schools.

(b) ~~By July 1, 2002, each~~ Each regional educational service agency shall introduce and provide core services for member local school systems and schools and provide core services for purchase by local school systems and schools which are not members of that regional educational service agency. These core services shall include the following:

(1) Training and assistance in teaching each subject area assessed under Code Section 20-2-281;

(2) Assistance specifically designed for any school that is rated academically failing under Code Section 20-14-33;

(3) Training and assistance to teachers, administrators, members of local boards of education, and members of local school councils on school-based decision making and control; and

(4) Assistance in complying with applicable state laws and rules of the State Board of Education and the Education Coordinating Council.

Nothing in this Code section shall be construed to limit the freedom of a school system or school to purchase or refuse to purchase any core service from any regional

educational service agency in this state.

(c) As part of the assistance provided by a regional educational service agency under this Code section, each regional educational service agency shall provide for the establishment of instructional care teams. Upon determining that a school under its management and control is consistently underperforming or is otherwise educationally deficient, a local board of education or state charter school may request through a regional educational service agency the appointment of an instructional care team for that school. The instructional care team shall consist of such number of persons with such experience as a principal, teacher, or other education personnel so as to best address the needs of the school. Such instructional care team shall conduct an investigation into such aspects of instruction at the school as requested by the local board or state charter school, prepare a written evaluation of such aspects of the school, and make nonbinding recommendations to the local board or state charter school regarding improvements at the school. Such investigations, evaluations, and recommendations shall focus on, but not be limited to, instruction in mathematics, science, reading and other English courses, and social studies. Instructional care teams may also provide long-term and short-term follow-up assistance, such as but not limited to instruction, instructional assistance, and professional and staff development. Each regional educational service agency shall develop a registry or listing of potential instructional care team members, together with their areas of expertise, who may be available to member or nonmember local school systems and state charter schools for service on instructional care teams. Each regional educational service agency shall promulgate rules and regulations for the purchase of the services of an instructional care team, provided that nothing in this Code section shall prevent regional educational service agencies from entering into cooperative arrangements for the mutual exchange of such services. Subject to appropriation by the General Assembly, regional educational service agencies may be provided grants for the purpose of facilitating the development and implementation of instructional care teams.

(d) Each regional educational service agency may provide any additional service and any assistance to its member systems and state charter schools, as determined by the board of control. Each regional educational service agency may offer any service and form of assistance provided for in this Code section for purchase by any local school system or school in this state or state charter school.

(e) Pursuant to rules and regulations developed by the Professional Standards Commission, each regional educational service agency shall develop programs for nontraditional alternative routes to state teacher certification as an alternative to traditional educator preparation, with special consideration provided to critical field shortages in its regional teaching ~~work force~~ workforce.

(f) Each regional educational service agency may acquire, lease, purchase, lease purchase, or dispose of real or personal property and may incur debts for those purposes, subject to the approval of such agency's board of control. Such property shall be held in the name of the regional educational service agency."

SECTION 4.

Said title is further amended by revising Code Section 20-2-272, relating to agency board of control, membership, powers and duties, and planning boards, as follows:

"20-2-272.

(a) Each regional educational service agency shall be governed by a board of control. On and after July 1, 2000, the school superintendent of each member school system, the president or highest administrator of each member postsecondary institution, and a local public or regional library director appointed by the director of the Office of Public Library Services of the Board of Regents of the University System of Georgia shall serve as the board of control.

(b) All laws and the policies and regulations of the State Board of Education applicable to local school systems and local boards of education shall be applicable, when appropriate, to the regional educational service agencies and their boards of control unless explicitly stated otherwise in this part. No board of control shall levy or collect any taxes. No board of control shall expend or contract to expend any funds beyond the amount of funds that the board of control is legally authorized to receive and will, in fact, receive, except as otherwise provided in this part. Each board of control shall submit an annual report and an annual budget to the state board, in the manner prescribed by the state board, for review and approval.

(c) The State Board of Education shall be responsible for assuring that the activities of each regional educational service agency and its board of control established under this part conform to both the Constitution and laws of Georgia, as well as the policies and regulations of the state board.

(d) Boards of control shall determine the assistance needed by local school systems and state charter schools in the area served by each regional educational service agency, establish priorities from those needs, and allocate resources accordingly. Boards of control shall annually review the effectiveness and efficiency of such agencies. Boards of control shall determine the procedures and activities by which each regional educational service agency achieves locally established objectives and shall establish job descriptions, personnel qualifications, and work schedules consistent with locally established priorities and objectives.

(e) In the event the State Board of Education adopts a policy to reorganize the service areas of regional educational service agencies pursuant to Code Section 20-2-270 effective July 1 of a fiscal year, members of boards of control during the preceding fiscal year shall constitute planning boards for the respective service areas to be established the ensuing July 1. Each planning board shall have the authority to establish the location or locations of the office or offices of its regional educational service agency effective the ensuing July 1, to issue contracts with a director and other agency staff to be employed effective the ensuing fiscal year, to assess the needs of all potential member local school systems and state charter schools, to prepare operational plans and budgets for the ensuing fiscal year, to establish the manner by which the local share of the budget will be assessed to potential member local school systems and state charter schools, and to make any other such decisions that the state board deems

necessary for an orderly transition of service areas for regional educational service agencies. Such decisions shall be adopted by these planning boards prior to December 15 of the fiscal year preceding the effective date for reorganization of the service areas. Any such planning board shall be authorized to amend, prior to April 15 of that fiscal year, any such decisions which are necessary as the result of the actions of the General Assembly during its regular session during that fiscal year."

SECTION 5.

Said title is further amended by revising Code Section 20-2-274, relating to uniform state-wide needs program and documented local needs program grants, as follows:

"20-2-274.

(a) The state board shall be authorized to provide each regional educational service agency with a uniform state-wide needs program grant and a documented local needs program grant, subject to appropriation by the General Assembly. The uniform state-wide needs program grant shall consist of two components: the same fixed amount for each regional educational service agency; and an amount which reflects the number of local school systems, the number of schools, the number of students, and the number of square miles contained collectively within its member local school systems and state charter schools. Each regional educational service agency shall be required to match the uniform state-wide needs program grant with an amount of funds equal to one-fourth of this grant. The uniform state-wide needs grant and its matching local funds shall be used to finance the basic administrative overhead of the regional educational service agencies and to provide the areas of assistance specified in Code Sections 20-2-270.1 and 20-2-271. The amount of funds granted to each regional educational service agency for the documented local needs program grant shall depend upon the proportion that the number of local school systems, number of schools, number of students, and number of square miles contained collectively within its member local school systems and state charter schools are of these respective factors state wide, as well as the adopted operational plan and the budget designed to address documented needs for assistance to member local school systems and state charter schools. Each regional educational service agency shall be required to match the documented local needs program grant with an amount of funds equal to two-thirds of that grant. The state board shall provide grants to regional educational service agencies for Georgia Learning Resources Systems or to a local school system contracted to be a fiscal agent for a Georgia Learning Resources System. Each board of control shall be authorized to adopt the manner by which each member local school system and state charter school shall be assessed its share of the uniform state-wide needs program and the documented local needs program; provided, however, that member local school systems and state charter schools shall not be allowed to use funds received under the provisions of this article for this purpose. The state board shall grant the regional educational service agency the funds needed to provide services to all local school systems and state charter schools in the service area of the Georgia Learning Resources System designated as the fiscal agent or to any local school system contracted to serve as the fiscal agent for a

Georgia Learning Resource System as well as the grants authorized previously by this subsection. All other financing will be based on contracts to supply service programs to member local school systems and state charter schools. The funds for these programs, upon a contract approval basis, may be derived from local, state, federal, or private sources.

(b) A regional educational service agency may not receive directly from the State Board of Education any state funds originally intended for or directed to a local school system or state charter school by this article; provided, however, that, upon the official request of a local school system or state charter school, the state board may send directly to a regional educational service agency any funds allocated to a local school system or state charter school. All grants from the state along with the contributions from member local school systems or state charter schools and funds from other sources shall be budgeted by the board of control other than those designated to local school systems designated as fiscal agents for a Georgia Learning Resource System through contract with the State Board of Education."

SECTION 6.

Said title is further amended by revising subsection (d) and by adding a new subsection to Code Section 20-2-2068.1, relating to charter school funding, as follows:

"(d)(1) Effective July 1, 2012, except as otherwise provided in paragraph (2) of this subsection, the department shall pay to each state chartered special school through appropriation of state funds an amount equal to the sum of:

(A)(i) QBE formula earnings and QBE grants earned by the state chartered special school based on the school's enrollment, school profile, and student characteristics. For purposes of this subparagraph, the term 'QBE formula earnings' means funds earned for the Quality Basic Education Formula pursuant to Code Section 20-2-161, including the portion of such funds that are calculated in accordance with Code Section 20-2-164. QBE formula earnings shall include the salary portion of direct instructional costs, the adjustment for training and experience, the nonsalary portion of direct instructional costs, and earnings for psychologists and school social workers, school administration, facility maintenance and operation, media centers, additional days of instruction in accordance with Code Section 20-2-184.1, and staff development, as determined by the department; and

(ii) A proportional share of earned state categorical grants, non-QBE state grants, transportation grants, school nutrition grants, and all other state grants, except state equalization grants, as determined by the department;

(B) The state-wide average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for all school systems; provided, however, that, if the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state chartered special school is less than the state-wide average amount of the total

revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for all school systems, the state chartered special school shall receive the greater of:

(i) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state chartered special school; or

(ii) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department; and

(C)(i) For brick-and-mortar state chartered special schools, the ~~The~~ state-wide average total capital revenue, excluding local revenue bonds, per full-time equivalent, as determined by the department or the capital revenue per full-time equivalent for the local school system where the brick-and-mortar state chartered special school is located, whichever is greater; and

(ii) For state chartered special schools that offer virtual instruction, an amount equal to 25 percent of the state-wide average total capital revenue per full-time equivalent if such school provides computer hardware, software, associated technical equipment, and ongoing maintenance required and necessary for its students to participate in such virtual instruction.

(2) In the event that a state chartered special school offers virtual instruction, the:

~~(A) The amount of funds received pursuant to subparagraph (B) of paragraph (1) of this subsection shall be equal to two-thirds of such calculated amount; provided, however, that this two-thirds amount may be increased by any amount up to the originally calculated amount in the discretion of the department if relevant factors warrant such increase; and~~

~~(B) The department may reduce the amount of funds received pursuant to subparagraph (C) of paragraph (1) of this subsection in proportion to the amount of virtual instruction provided and based on factors that affect the cost of providing instruction.~~

(3) For purposes of this subsection, the terms:

(A) 'Assessed valuation' is defined as 40 percent of the equalized adjusted property tax digest reduced by the amount calculated pursuant to subsection (g) of Code Section 20-2-164.

(B) 'Assessed valuation per weighted full-time equivalent count' is defined as the assessed valuation for the most recent year available divided by the weighted full-time equivalent count for the year of the digest.

(4) The department may withhold up to 3 percent of the amount determined pursuant to paragraphs (1) and (2) of this subsection for each state chartered special school for use in administering the duties required pursuant to this article with respect to state chartered special schools; provided, however, that any amount withheld pursuant to this subsection shall be spent solely on expenses incurred by the department in

performing the duties required by this article with respect to state chartered special schools.

(5) No deduction shall be made to any state funding which a local school system is otherwise authorized to receive pursuant to this chapter as a direct result or consequence of the enrollment in a state chartered special school of a specific student or students who reside in the geographical area of the local school system.

(6) Funding for state chartered special schools pursuant to this subsection shall be subject to appropriations by the General Assembly and such schools shall be treated consistently with all other public schools in this state, pursuant to the respective statutory funding formulas and grants.

(7) The local board shall not be responsible for the fiscal management, accounting, or oversight of the state chartered special school. The state chartered special school shall report enrolled students in a manner consistent with Code Section 20-2-160. Any data required to be reported by the state chartered special school shall be submitted directly by the school to the appropriate state agency. Where feasible, the state board shall treat a state chartered special school no less favorably than other public schools within the state with respect to the provision of funds for transportation and building programs."

"(i) For purposes of funding students enrolled in a local charter school in the first year of such school's operation, in the first year that an existing local charter school offers a new grade level, or in an upcoming year in which student growth in the existing local charter school is projected to exceed 2 percent if authorized by the charter, and prior to the initial student count, the state board shall calculate and the Department of Education shall distribute the funding for the local charter school on the basis of its projected enrollment according to an enrollment counting procedure or projection method stipulated in the terms of the charter. Such initial funding shall include the adjustments in each program for training and experience. No later than July 1 of each year, the state board shall notify the Department of Education and the Office of Planning and Budget of the funding estimates calculated pursuant to this subsection for any new local charter schools, any new grade levels offered by existing local charter schools, or any existing local charter schools with projected student growth exceeding 2 percent. After the initial student count during the first year of such local charter school's operation, newly offered grade level, or projected student growth exceeding 2 percent and in all years of operation thereafter, each local charter school's student enrollment shall be based on the actual enrollment in the current school year according to the most recent student count. Nothing in this Code section shall be construed to require the Department of Education to conduct more than two student counts per year."

SECTION 6A.

Said title is further amended by adding a new Code section to read as follows:

"20-2-2075.

(a) The State Board of Education is authorized to establish a grant program for the purpose of replicating high-performing charter schools, including local charter schools,

state chartered special schools, and state charter schools. The grant program shall include funding, subject to appropriations by the General Assembly, for grants to charter applicants and existing charter schools to replicate high-performing charter schools or features or programs of high-performing charter schools that have been proven to be effective.

(b) Grants shall be provided primarily for charter schools in rural areas, charter schools that primarily serve students with special needs, and charter schools that serve educationally disadvantaged students.

(c) Grants shall be awarded based on criteria, terms, and conditions established by the State Board of Education, in consultation with the State Charter Schools Commission. The grant program criteria may take into account the likelihood of success in replicating a high-performing charter school or feature or program of a high-performing charter school, whether a particular model lends itself to replication, the reasonableness of the costs involved in replication, and such other criteria deemed appropriate.

(d) The State Board of Education, in consultation with the State Charter Schools Commission, is authorized to develop rules and regulations to implement the grant program established pursuant to this Code section."

SECTION 7.

Said title is further amended by adding a new Code section to read as follows:

"20-2-2075.

(a)(1) The Department of Audits and Accounts shall develop an annual report on state chartered special schools that offer virtual instruction. The Department of Audits and Accounts may consult with the State Board of Education to develop and collect information for the report.

(2) The annual report shall include at a minimum: school enrollment, including special education population and other subgroups; attendance rate and method of measurement; attrition rate; course segment completion rates; academic performance, including College and Career Ready Performance Index (CCRPI) scores, value-added analysis, Beating the Odds analysis, and student engagement and persistence; other academic performance as it relates to the goals of the school's charter; comparison of student academic growth and achievement prior to placement; governance and management; staffing and teacher qualification data; school finances, including actual income and expenditures for the prior fiscal year; operational performance, including analysis of academic performance as a ratio of per student expenditures; innovative practices and implementation; analysis of alternate academic options for enrolled students; and future plans. The annual report shall also include information on the implementation of professional development plans for persons in administrative, supervisory, or instructional leadership roles who do not hold a valid administrative license; a copy of all charter school agreements for corporate management services, including the company's parent corporation; and agreements for other administrative, financial, and staffing services.

(3) The Department of Audits and Accounts shall submit the annual report on each

state chartered special school that offers virtual instruction to the State Board of Education, the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor by December 1 of each year. The annual report shall also be posted on the state chartered special school's official website.

(b)(1) Every four years or the year before a charter for a state chartered special school that offers virtual instruction becomes eligible for renewal, whichever is earlier, the Department of Audits and Accounts shall compile the data included in the annual reports for such state chartered special school and identify any long-term trends regarding academic performance, financial data, and governance data. Such comprehensive report shall outline how the state chartered special school's actual performance compared to the goals outlined in its charter.

(2) The Department of Audits and Accounts shall submit the comprehensive report of each such state chartered special school to the State Board of Education, the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor by January 1 of the year in which the state chartered special school becomes eligible for renewal. The comprehensive report shall also be posted on the state chartered special school's official website."

SECTION 8.

Said title is further amended by revising Code Section 20-2-2089, relating to funding for state charter schools, as follows:

"20-2-2089.

(a)(1) The earnings for a student in a state charter school shall be equal to the earnings for any other student with similar student characteristics in a state charter school, regardless of the local school system in which the student resides or the school system in which the state charter school is located, and, except as otherwise provided in paragraph (2) of this subsection, the department shall pay to each state charter school through appropriation of state funds an amount equal to the sum of:

(A)(i) QBE formula earnings and QBE grants earned by the state charter school based on the school's enrollment, school profile, and student characteristics. For purposes of this subparagraph, the term 'QBE formula earnings' means funds earned for the Quality Basic Education Formula pursuant to Code Section 20-2-161, including the portion of such funds that are calculated in accordance with Code Section 20-2-164. QBE formula earnings shall include the salary portion of direct instructional costs, the adjustment for training and experience, the nonsalary portion of direct instructional costs, and earnings for psychologists and school social workers, school administration, facility maintenance and operation, media centers, additional days of instruction in accordance with Code Section 20-2-184.1, and staff development, as determined by the department.

(ii) A proportional share of earned state categorical grants, non-QBE state grants, transportation grants, school nutrition grants, and all other state grants, except state equalization grants, as determined by the department;

(B) The state-wide average amount of the total revenues less federal revenues less

state revenues other than equalization grants per full-time equivalent for all school systems; provided, however, that, if the average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state charter school is less than the state-wide average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for all school systems, the state charter school shall receive the greater of:

(i) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the local school systems that comprise the attendance zone of the state charter school; or

(ii) The average amount of the total revenues less federal revenues less state revenues other than equalization grants per full-time equivalent for the lowest five school systems ranked by assessed valuation per weighted full-time equivalent count, as determined by the department; and

(C)(i) For brick-and-mortar state charter schools, the ~~The~~ state-wide average total capital revenue, excluding local revenue bonds, per full-time equivalent, as determined by the department or the capital revenue per full-time equivalent for the local school system where the brick-and-mortar state charter school is located, whichever is greater; and

(ii) For state charter schools that offer virtual instruction, an amount equal to 25 percent of the state-wide average total capital revenue per full-time equivalent if such school provides computer hardware, software, associated technical equipment, and ongoing maintenance required and necessary for its students to participate in such virtual instruction.

(2) In the event that a state charter school offers virtual instruction, the:

~~(A) The amount of funds received pursuant to subparagraph (B) of paragraph (1) of this subsection shall be equal to two-thirds of such calculated amount; provided, however, that this two-thirds amount may be increased by any amount up to the originally calculated amount in the discretion of the commission if relevant factors warrant such increase; and~~

~~(B) The commission may reduce the amount of funds received pursuant to subparagraph (C) of paragraph (1) of this subsection in proportion to the amount of virtual instruction provided and based on factors that affect the cost of providing instruction.~~

(3) For purposes of this subsection, the terms:

(A) 'Assessed valuation' is defined as 40 percent of the equalized adjusted property tax digest reduced by the amount calculated pursuant to subsection (g) of Code Section 20-2-164.

(B) 'Assessed valuation per weighted full-time equivalent count' is defined as the assessed valuation for the most recent year available divided by the weighted full-time equivalent count for the year of the digest.

(b) The department may withhold up to 3 percent of the amount determined pursuant to

subsection (a) of this Code section for each state charter school for use in administering the duties required pursuant to Code Section 20-2-2083; provided, however, that any amount withheld pursuant to this subsection shall be spent solely on expenses incurred by the commission in performing the duties required by this article.

(c) No deduction shall be made to any state funding which a local school system is otherwise authorized to receive pursuant to this chapter as a direct result or consequence of the enrollment in a state charter school of a specific student or students who reside in the geographical area of the local school system.

(d) For purposes of funding students enrolled in a state charter school in the first year of such school's operation, in ~~or for~~ the first year that an existing state charter school offers a new grade level, or in an upcoming year in which student growth in the existing state charter school is projected to exceed 2 percent if authorized by the charter, and prior to the initial student count, the commission shall calculate and the department shall distribute the funding for the state charter school on the basis of its projected enrollment according to an enrollment counting procedure or projection method stipulated in the terms of the charter. Such initial funding shall include the adjustments in each program for training and experience. No later than July 1 of each year, the commission shall notify the department and the Office of Planning and Budget of the funding estimates calculated pursuant to this subsection for any new state charter schools, ~~and for any new grade levels offered by existing state charter schools, or any existing state charter schools with projected student growth exceeding 2 percent.~~ After the initial student count during the first year of such state charter school's operation, ~~or newly offered grade level, or projected student growth exceeding 2 percent~~ and in all years of operation thereafter, each state charter school's student enrollment shall be based on the actual enrollment in the current school year according to the most recent student count. Nothing in this Code section shall be construed to require the department to conduct more than two student counts per year.

(e) Funding for state charter schools pursuant to this Code section shall be subject to appropriations by the General Assembly and such schools shall be treated consistently with all other public schools in this state, pursuant to the respective statutory funding formulas and grants."

SECTION 9.

Said title is further amended by adding a new Code section to read as follows:

"20-2-2093.

(a)(1) The Department of Audits and Accounts shall develop an annual report on state charter schools that offer virtual instruction. The Department of Audits and Accounts may consult with the commission to develop and collect information for the report.

(2) The annual report shall include at a minimum: school enrollment, including special education population and other subgroups; attendance rate and method of measurement; attrition rate; course segment completion rates; academic performance, including College and Career Ready Performance Index (CCRPI) scores, value-added

analysis, Beating the Odds analysis, and student engagement and persistence; other academic performance as it relates to the goals of the school's charter; comparison of student academic growth and achievement prior to placement; governance and management; staffing and teacher qualification data; school finances, including actual income and expenditures for the prior fiscal year; operational performance, including analysis of academic performance as a ratio of per student expenditures; innovative practices and implementation; analysis of alternate academic options for enrolled students; and future plans. The annual report shall also include information on the implementation of professional development plans for persons in administrative, supervisory, or instructional leadership roles who do not hold a valid administrative license; a copy of all charter school agreements for corporate management services, including the company's parent corporation; and agreements for other administrative, financial, and staffing services.

(3) The Department of Audits and Accounts shall submit the annual report on each state charter school that offers virtual instruction to the commission, the State Board of Education, the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor by December 1 of each year. The annual report shall also be posted on the state charter school's official website.

(b)(1) Every four years or the year before a charter for a state charter school that offers virtual instruction becomes eligible for renewal, whichever is earlier, the Department of Audits and Accounts shall compile the data included in the annual reports for such state charter school and identify any long-term trends regarding academic performance, financial data, and governance data. Such comprehensive report shall outline how the state charter school's actual performance compared to the goals outlined in its charter.

(2) The Department of Audits and Accounts shall submit the comprehensive report of each such state charter school to the commission, the State Board of Education, the Governor, the Speaker of the House of Representatives, and the Lieutenant Governor by January 1 of the year in which the state charter school becomes eligible for renewal. The comprehensive report shall also be posted on the state charter school's official website."

SECTION 10.

Said title is further amended in Part 3 of Article 7 of Chapter 3, relating to the Georgia Student Finance Authority, by adding a new subpart to read as follows:

"Subpart 2A

20-3-360.

As used in this subpart, the term:

(1) 'Eligible student' means a person:

(A) Whose family income is considered economically disadvantaged, based on criteria established by the commission; and

- (B) Who meets any academic or other standards established by the commission.
(2) 'Qualified institution' means an institution of the university system.

20-3-361.

Subject to appropriations, the commission shall establish a needs based financial aid program to provide grants to eligible students for postsecondary education at qualified institutions. The commission may provide for individualized eligibility criteria and grant amounts as determined to be the most appropriate for the particular qualified institution and its student population. The commission shall also establish criteria necessary to retain and continue to receive such grants.

20-3-362.

Each eligible student wishing to receive a grant pursuant to this subpart shall submit a grant application in accordance with procedures prescribed by the commission. The commission is authorized to define such terms and prescribe such rules, regulations, and procedures as may be reasonable and necessary to carry out the purposes of this subpart. In the event a student on whose behalf a grant is paid does not enroll as a full-time student for the academic semester for which the grant is paid, the qualified institution shall make a refund to the commission in accordance with regulations of the commission.

20-3-363.

Each qualified institution shall be subject to examination by the state auditor for the sole purpose of determining whether the institution has properly certified eligibility and enrollment of students and credited grants paid on behalf of such students; provided, however, that nothing in this subpart shall be construed to interfere with the authority of the institution to determine admissibility of students or to control its own curriculum, philosophy, purpose, or administration. In the event it is determined that a qualified institution knowingly or through error certified an ineligible student to be eligible for a grant under this subpart, the amount of the grant paid to such institution pursuant to such certification shall be refunded by such institution to the commission.

20-3-364.

Any person who knowingly makes or furnishes any false statement or misrepresentation, or who accepts such statement or misrepresentation knowing it to be false, for the purpose of enabling an ineligible student to wrongfully obtain a grant under this subpart shall be guilty of a misdemeanor."

SECTION 11.

All laws and parts of laws in conflict with this Act are repealed.

Senator Millar of the 40th moved that the Senate agree to the House amendment to the Senate substitute to HB 787.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	C Lucas	N Tippins
C Gooch	Y Martin	Y Unterman
Harbin	E McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	N Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 43, nays 7; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 787.

Senator Martin of the 9th was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

SB 336. By Senators Unterman of the 45th, Miller of the 49th, Butler of the 55th and McKoon of the 29th:

A BILL to be entitled an Act to amend Article 1 of Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to general provisions relevant to the Georgia Bureau of Investigation, so as to provide that when a subpoena is issued for production of electronic communication service records for computer or electronic devices that are used in furtherance of certain offenses against minors, such provider of electronic communication service or other computer service shall not provide notice of such subpoena to the subscriber or customer of such service; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Bureau of Investigation, so as to prevent the disclosure of a subpoena issued for production of electronic communication service records for computer or electronic devices that are used in furtherance of certain offenses against minors or involving trafficking of persons for labor or sexual servitude, to the subscriber or customer; to allow the Georgia Crime Information Center to retain fingerprints of certain individuals under certain circumstances and submit such fingerprints to the Federal Bureau of Investigation; to provide for an exchange of information to certain entities; to provide for removal of fingerprints under certain circumstances; to provide for fees; to amend Titles 20, 31, 37, and 49 of the Official Code of Georgia Annotated, relating to education, health, mental health, and social services, respectively, so as to allow the Georgia Bureau of Investigation and, as authorized, the Federal Bureau of Investigation to retain fingerprints when an agency or entity is participating in the bureau's program; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Chapter 3 of Title 35 of the Official Code of Georgia Annotated, relating to the Georgia Bureau of Investigation, is amended in Code Section 35-3-4.1, relating to subpoena for production of electronic communication service records for computer or electronic device used in furtherance of certain offenses against minors, by revising subsection (a) as follows:

"(a)(1) In any investigation of a violation of Code Section 16-12-100, 16-12-100.1, or 16-12-100.2 involving the use of a computer or an electronic device in furtherance of an act related to a minor, or any investigation of a violation of Article 8 of Chapter 9 of Title 16, the director, assistant director, or deputy director for investigations shall be authorized to issue a subpoena, with the consent of the Attorney General, to compel the production of electronic communication service or remote communication service records or other information pertaining to a subscriber or customer of such service, exclusive of contents of communications.

(2) A provider of electronic communication service or remote computing service shall disclose to the bureau the:

(A) Name;

(B) Address;

(C) Local and long distance telephone connection records, or records of session

times and durations;

(D) Length of service, including the start date, and types of service utilized;

(E) Telephone or instrument number or other subscriber number or identity, including any temporarily assigned network address; and

(F) Means and source of payment for such service, including any credit card or bank account number of a subscriber to or customer of such service.

(3) A provider of electronic communication service or remote computing service shall not provide notification of the subpoena issued pursuant to paragraph (1) of this subsection to the subscriber or customer of such service."

SECTION 1-2.

Said chapter is further amended by revising Code Section 35-3-4.3, relating to subpoena power for investigations of violations involving trafficking of persons for labor or sexual servitude, as follows:

"35-3-4.3.

(a) In any investigation of a violation of Code Section 16-5-46 involving trafficking of persons for labor or sexual servitude, the director, assistant director, or deputy director for investigations shall be authorized to issue a subpoena, with the consent of the Attorney General, to compel the production of books, papers, documents, or other tangible things, including records and documents contained within, or generated by, a computer or any other electronic device.

(b) A provider of electronic communication service or remote computing service shall not provide notification of the subpoena issued pursuant to subsection (a) of this Code section to the subscriber or customer of such service.

~~(b)~~(c) Upon the failure of a person without lawful excuse to obey a subpoena, the director, assistant director, or the deputy director for investigations, through the Attorney General or district attorney, may apply to a superior court having jurisdiction for an order compelling compliance. Such person may object to the subpoena on grounds that it fails to comply with this Code section or upon any constitutional or other legal right or privilege of such person. The court may issue an order modifying or setting aside such subpoena or directing compliance with the original subpoena. Failure to obey a subpoena issued under this Code section may be punished by the court as contempt of court."

PART IA SECTION 1A-1.

Said chapter is further amended in Code Section 35-3-33, relating to the powers and duties of the Georgia Crime Information Center, by deleting "or" at the end of subparagraph (a)(1)(D), by inserting "or" at the end of subparagraph (a)(1)(E), and by adding a new subparagraph to read as follows:

"(F) Are individuals for whom fingerprint based criminal history checks are authorized by this state's or federal law for the purpose of determining suitability or

fitness for employment, placement, registration, a permit, or a license for an agency or qualified entity which is participating in the federal program that allows an ongoing and continuing review of such individual's criminal history; provided, however, that such fingerprints shall be retained and maintained securely and separately from records relating to the identification of criminals, and provided, further, that the center shall not file or retain fingerprints submitted for the purpose of obtaining or renewing a weapons carry license, as such term is defined in Code Section 16-11-125.1;"

SECTION 1A-2.

Said chapter is further amended in subsection (a) of Code Section 35-3-33, relating to the powers and duties of the Georgia Crime Information Center, by deleting "and" at the end of paragraph (16), by replacing the period with a semicolon at the end of paragraph (17), and by adding three new paragraphs to read as follows:

"(18) Submit fingerprints obtained pursuant to subparagraph (F) of paragraph (1) of this subsection to the Federal Bureau of Investigation for retention under the rules established by the United States Department of Justice for processing and identification of records. Such fingerprints shall be searched by future submissions to the Federal Bureau of Investigation and the center shall send appropriate responses to submitting and subscribing entities;

(19) Remove fingerprints obtained pursuant to subparagraph (F) of paragraph (1) of this subsection within ten days of being notified that an individual whose fingerprints were retained under such program is no longer employed by, volunteering for, placed by, or registered, licensed, or permitted by the participating agency or qualified entity. It shall also remove such fingerprints when such agency or qualified entity is no longer participating in such program. The center shall also notify the Federal Bureau of Investigation of such information; and

(20) Be authorized to charge an annual subscriber fee not to exceed \$500.00 to any entity which is not a state agency that desires to participate in the program described in subparagraph (F) of paragraph (1) of this subsection."

PART II SECTION 2-1.

Title 20 of the Official Code of Georgia Annotated, relating to education, is amended by revising Code Section 20-1A-31, relating to records check application for potential employees and fingerprint records checks, as follows:

"20-1A-31.

(a) A support center may furnish to the department a records check application for each potential employee of any licensed, commissioned, or permitted early care and education program. Before a person affiliated with a support center may become an employee of any licensed, commissioned, or permitted early care and education program, such person shall obtain a ~~satisfactory~~ fingerprint records check determination

that is satisfactory. All potential employees, excluding students currently enrolled in an early education curriculum through an accredited school of higher education, may submit evidence, satisfactory to the department, that such potential employee received a ~~satisfactory~~ fingerprint records check determination that is satisfactory and that includes a records check determination clearance date that is no more than 12 months old, or that any employee whose fingerprint records check determination revealed a criminal record of any kind has either subsequently received a ~~satisfactory~~ fingerprint records check determination that is satisfactory or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43. A student currently enrolled in an early education curriculum through an accredited school of higher education may submit evidence, satisfactory to the department, that such student received a ~~satisfactory~~ fingerprint records check determination that is satisfactory and that includes a records check clearance date that is no more than 24 months old, or that such student whose fingerprint records check determination revealed a criminal record of any kind has either subsequently received a ~~satisfactory~~ fingerprint records check determination that is satisfactory or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43. The licensed, commissioned, or permitted early care and education program shall maintain documentation in the employee's personnel file, which is available to the department upon request, and which reflects that a ~~satisfactory~~ fingerprint records check determination that was satisfactory was received before the employee is allowed to reside in an early care and education program or be present at an early care and education program while children are present for care. If the fingerprint records check determination for any potential employee reveals a criminal record of any kind, such potential employee shall not be allowed to reside in an early care and education program or be present at an early care and education program while children are present for care until such potential employee has either obtained a ~~satisfactory~~ fingerprint records check determination that is satisfactory or has had the unsatisfactory ~~fingerprint records check~~ determination reversed in accordance with Code Section 20-1A-43. If the fingerprint records check determination is unsatisfactory, the licensed, commissioned, or permitted early care and education program shall, after receiving notification of such unsatisfactory determination, take such steps as are necessary so that such person no longer resides in the early care and education program and no longer is present at an early care and education program while children are present for care. The time frames set forth in this subsection shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33.

(b) Notwithstanding the limited period of portability, every person affiliated with a support center as a potential employee of a licensed or commissioned early care and education program shall undergo an additional fingerprint records ~~checks~~ check determination such that the time between such additional fingerprint records ~~checks~~ check determination and that person's previous fingerprint records check determination shall not exceed five years except when fingerprints have been retained by the

department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33.

(c) After the issuance of a registration, the department may require additional fingerprint records check determinations on any person affiliated with a support center during the course of a child abuse investigation involving such person or when the department has reason to believe such person has a criminal record that renders such person ineligible to reside at an early care and education program or be present at an early care and education program while children are present for care."

SECTION 2-2.

Said title is further amended by adding a new subsection to Code Section 20-1A-32, relating to program license or commission applicants, records check requirements, and change of ownership, to read as follows:

"(d) The time frames set forth in this Code section shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33."

SECTION 2-3.

Said title is further amended by revising subsection (b) of Code Section 20-1A-34, relating to check of fingerprints on national level, satisfactory determination prior to employment, and additional records checks, and adding a new subsection to read as follows:

"(b) Every potential employee of the department or contractor performing duties on behalf of the department who may have any reason to be present at a licensed or commissioned early care and education program while any child is present for care must receive a ~~satisfactory~~ fingerprint records check determination that is satisfactory or have had an unsatisfactory ~~fingerprint records check~~ determination reversed in accordance with Code Section 20-1A-43 prior to being present at a licensed or commissioned early care and education program while children are present for care. Every current employee of the department who may have any reason to be present at a licensed or commissioned early care and education program while any child is present for care must receive a ~~satisfactory~~ fingerprint records check determination that is satisfactory or have had an unsatisfactory ~~fingerprint records check~~ determination reversed in accordance with Code Section 20-1A-43. Every employee of the department shall undergo an additional fingerprint records checks check determination such that the time between such additional fingerprint records ~~checks~~ check determination and that employee's previous fingerprint records check determination shall not exceed five years except when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33. The department shall maintain documentation in the appropriate personnel file indicating that such person has obtained such current ~~satisfactory~~ fingerprint records check determination that is satisfactory or has had an unsatisfactory ~~fingerprint records check~~ determination reversed in accordance with

Code Section 20-1A-43.

(c) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-4.

Said title is further amended by revising subsection (a) of Code Section 20-1A-38, relating to change of directors and records check requirements, as follows:

"(a) If the director of a licensed, commissioned, or permitted early care and education program ceases to be the director of that early care and education program, the license holder, commission holder, or permit holder shall thereupon designate a new director. After such change, the license holder, commission holder, or permit holder of that early care and education program shall notify the department of such change and of any additional information the department may require regarding the newly designated director of that early care and education program, including a fingerprint records check application. Such individuals shall also submit all necessary applications, fees, and acceptable fingerprints to ~~the~~ GCIC. If the department determines that such newly designated director has received a ~~satisfactory~~ fingerprint records check determination that is satisfactory and that includes a records check clearance date that is no more than 12 months old or had an unsatisfactory determination reversed pursuant to Code Section 20-1A-43 within the prior 12 months, such determination shall be deemed to be satisfactory for purposes of this article. The time frames set forth in this subsection shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33."

SECTION 2-5.

Said title is further amended by revising subsections (a) and (c) of Code Section 20-1A-39, relating to potential employees, current employees and directors, records check requirements, satisfactory records check, and liability for hiring ineligible employee, as follows:

"(a) Before a person may become an employee of any early care and education program after that early care and education program has received a license or commission, that early care and education program shall require that person to obtain a ~~satisfactory~~ fingerprint records check determination that is satisfactory. All potential employees, excluding students currently enrolled in an early education curriculum through an accredited school of higher education, may submit evidence, satisfactory to the department, that the potential employee received a ~~satisfactory~~ fingerprint records check determination that is satisfactory and that includes a records check clearance date that is no more than 12 months old, or that any potential employee whose fingerprint records check revealed a criminal record of any kind has either subsequently received a

~~satisfactory~~ fingerprint records check determination that is satisfactory or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43. A student currently enrolled in an early education curriculum through an accredited school of higher education may submit evidence, satisfactory to the department, that the student received a ~~satisfactory~~ fingerprint records check determination that is satisfactory and that includes a records check clearance date that is no more than 24 months old, or that such student whose fingerprint records check revealed a criminal record of any kind has either subsequently received a ~~satisfactory~~ fingerprint records check determination that is satisfactory or has had the unsatisfactory determination reversed in accordance with Code Section 20-1A-43. The licensed or commissioned early care and education program shall maintain documentation in the employee's personnel file, which is available to the department upon request, which reflects that a ~~satisfactory~~ fingerprint records check determination that is satisfactory was received before the employee is eligible to reside at an early care and education program or be present at a licensed or commissioned early care and education program while children are present for care. If the fingerprint records check determination for any potential employee reveals a criminal record of any kind, such potential employee shall be ineligible to reside at an early care and education program or be present at an early care and education program while children are present for care until such potential employee has either obtained a ~~satisfactory~~ fingerprint records check determination that is satisfactory or has had the unsatisfactory ~~fingerprint records check~~ determination reversed in accordance with Code Section 20-1A-43. If the fingerprint records check determination is unsatisfactory, the licensed or commissioned early care and education program shall, after receiving notification of such unsatisfactory determination, take such immediate steps as are necessary so that such person no longer resides at the early care and education program or is no longer present at the early care and education program while children are present for care. The department shall revoke the license or commission of an early care and education program if the early care and education program fails to comply with the requirements of this Code section. The time frames set forth in this subsection shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33."

"(c) Effective January 1, 2019, every employee and director of any licensed or commissioned early care and education program shall undergo an additional fingerprint records ~~checks~~ check determination such that the time between such additional fingerprint records ~~checks~~ check determination and that employee's or director's previous fingerprint records check determination shall not exceed five years except when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33. The early care and education program shall maintain documentation in the appropriate personnel file, which is available to the department immediately upon request, indicating that such person has obtained such current ~~satisfactory~~ fingerprint records check determination that is satisfactory or has had an unsatisfactory ~~fingerprint records check~~ determination

reversed in accordance with Code Section 20-1A-43. The department shall revoke the license or commission of an early care and education program if the early care and education program fails to comply with the requirements of this Code section."

SECTION 2-6.

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by adding a new subsection to Code Section 31-2-9, relating to records check requirement for certain health care facilities, definitions, use of information gathered in investigation, penalties for unauthorized release or disclosure, and rules and regulations, to read as follows:

"(g) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-7.

Said title is further amended by adding a new subsection to Code Section 31-2A-7, relating to "conviction data" defined, department authorized to receive data from law enforcement relevant to employment decisions, and criminal history information, to read as follows:

"(h) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-8.

Said title is further amended by revising Code Section 31-7-254, relating to transmission of director's fingerprints to Georgia Crime Information Center for review and notification to department of findings, as follows:

"31-7-254.

After issuing a temporary license based upon a ~~satisfactory~~ preliminary records check determination of the director that is satisfactory under Code Section 31-7-253, the department shall transmit to GCIC both sets of fingerprints and the records search fee from that director's records check application. Upon receipt thereof, GCIC shall promptly transmit one set of fingerprints to the Federal Bureau of Investigation for a search of bureau records and an appropriate report and shall retain the other set and promptly conduct a search of its records and records to which it has access. Within 75 days after receiving fingerprints acceptable to GCIC, the application, and fee, GCIC shall notify the department in writing of any derogatory finding, including but not limited to any criminal record, of the fingerprint records check or if there is no such finding. If the department is participating in the program described in subparagraph

(a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-9.

Said title is further amended by revising Code Section 31-7-258, relating to change of facility director, notification to department, and effect of department determination, as follows:

"31-7-258.

(a) If the director of a facility which has been issued a regular license ceases to be the director of that facility, the licensee shall thereupon designate a new director. After such change, the licensee of that facility shall notify the department of such change and of any additional information the department may require regarding the newly designated director of that facility. Such information shall include but not be limited to any information the licensee may have regarding preliminary or fingerprint records check determinations regarding that director. After receiving a change of director notification, the department shall make a written determination from the information furnished with such notification and the department's own records as to whether a satisfactory or unsatisfactory preliminary or fingerprint records check determination has ever been made for the newly designated director. If the department determines that such director within 12 months prior thereto has had a ~~satisfactory~~ fingerprint records check determination that is satisfactory, such determination shall be deemed to be a satisfactory fingerprint records check determination as to that director. The license of that facility shall not be adversely affected by that change in director and the licensee shall be so notified. The time frames set forth in this subsection shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33.

(b) If the department determines under subsection (a) of this Code section that there has ever been ~~an unsatisfactory~~ a preliminary or fingerprint records check determination of the newly designated director that was unsatisfactory, the personal care home and that director shall be notified thereof. The license for that director's facility shall be indefinitely suspended unless the personal care home designates another director for whom it has not received or made an unsatisfactory ~~preliminary or fingerprint records check~~ determination and proceeds pursuant to the provisions of this Code section relating to a change of director.

(c) If the department determines under subsection (a) of this Code section that there has been no fingerprint records check determination regarding the newly designated director within the immediately preceding 12 months, the department shall so notify the personal care home. The personal care home shall furnish to the department the records check application of the newly designated director or the license of that facility shall be indefinitely suspended. If that records check application is so received, unless the department has within the immediately preceding 12 months made a ~~satisfactory~~

preliminary records check determination that is satisfactory regarding the newly designated director, the department shall perform a preliminary records check and determination of the newly designated director; and the applicant and that director shall be notified thereof. If that determination is unsatisfactory, the provisions of subsection (b) of this Code section regarding procedures after notification shall apply. If that determination is satisfactory, the department shall perform a fingerprint records check and determination for that director as provided in Code Sections 31-7-254 and 31-7-255. If that determination is satisfactory, the personal care home and director for whom the determination was made shall be so notified, and the license for the facility at which that person is the newly designated director shall not be adversely affected by that change of director. If that determination is unsatisfactory, the provisions of subsection (b) of this Code section shall apply. The time frames set forth in this subsection shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33."

SECTION 2-10.

Said title is further amended by adding a new subsection to Code Section 31-7-259, relating to preliminary records check determination, suspension or revocation of license, refusal to issue regular license, fingerprint check, employment history, director's criminal liability, exempt employees, mitigating factors in criminal records check, and civil penalty, to read as follows:

"(n) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-11.

Title 37 of the Official Code of Georgia Annotated, relating to mental health, is amended by adding a new subsection to Code Section 37-1-28, relating to conviction data, to read as follows:

"(g) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-12.

Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended by adding a new subsection to Code Section 49-2-14, relating to record search for conviction data on prospective employees, to read as follows:

"(i) If the department is participating in the program described in subparagraph

(a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-13.

Said title is further amended by adding a new subsection to Code Section 49-2-14.1, relating to definitions and records check requirement for licensing certain facilities, to read as follows:

"(g) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-14.

Said title is further amended by revising Code Section 49-5-62, relating to records check application for director of new facility and preliminary records check for employees, as follows:

"49-5-62.

(a) Accompanying any application for a new license for a facility, the applicant shall furnish to the department a records check application for the director and a ~~satisfactory~~ preliminary records check for each employee of such facility that is satisfactory. In lieu of such records check applications, the applicant may submit evidence, satisfactory to the department, that within the immediately preceding 12 months the director received satisfactory state and national fingerprint records check determinations that were satisfactory and each employee received a ~~satisfactory~~ preliminary records check determination that was satisfactory, or that any employee other than the director whose preliminary records check revealed a criminal record of any kind has either subsequently received ~~satisfactory~~ state and national fingerprint records check determinations that were satisfactory or has had the unsatisfactory determination reversed in accordance with Code Section 49-5-73. The department may either perform preliminary records checks under agreement with GCIC or contract with GCIC and appropriate law enforcement agencies which have access to GCIC information to have those agencies perform for the department a preliminary records check for each preliminary records check application submitted thereto by the department. Either the department or the appropriate law enforcement agencies may charge reasonable fees for performing preliminary records checks.

(b) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention. The time frames set

forth in this Code section shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33."

SECTION 2-15.

Said title is further amended by revising Code Section 49-5-63, relating to notice of determination, issue of license, and effect of unsatisfactory determination, as follows:

"49-5-63.

After being furnished the required records check application under Code Section 49-5-62, the department shall notify in writing the license applicant as to each person for whom an application was received regarding whether the department's determination as to that person's state fingerprint records check was satisfactory or unsatisfactory. If the preliminary records check determination was satisfactory as to each employee of an applicant's facility and the state fingerprint records check was satisfactory as to the director, that applicant may be issued a license for that facility if the applicant otherwise qualifies for a license under Article 1 of this chapter. If the state or national fingerprint records check determination was unsatisfactory as to the director of an applicant's facility, the applicant shall designate another director for that facility after receiving notification of the determination and proceed under Code Section 49-5-62 and this Code section to obtain state and national fingerprint records checks for that newly designated director. If the preliminary records check for any employee other than the director revealed a criminal record of any kind, such employee shall not be allowed to work in the center until he or she either has obtained ~~satisfactory~~ state and national fingerprint records check determinations that are satisfactory or has had the unsatisfactory determination reversed in accordance with Code Section 49-5-73. If the determination was unsatisfactory as to any employee of an applicant's facility, the applicant shall, after receiving notification of that determination, take such steps as are necessary so that such person is no longer an employee. Any employee other than the director who receives a ~~satisfactory~~ preliminary records check determination that is satisfactory shall not be required to obtain a fingerprint records check when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, unless such an employee has been designated as a director or as permitted by the provisions of subsection (c) of Code Section 49-5-69."

SECTION 2-16.

Said title is further amended by revising Code Section 49-5-64, relating to fingerprint records check, as follows:

"49-5-64.

(a) The department shall transmit to GCIC both sets of fingerprints and the records search fee from each fingerprint records check application. Upon receipt thereof, GCIC shall promptly transmit one set of fingerprints to the Federal Bureau of Investigation for a search of bureau records and an appropriate report and shall retain the other set and

promptly conduct a search of its records and records to which it has access. Within ten days after receiving fingerprints acceptable to GCIC, the application, and fee, GCIC shall notify the department in writing of any derogatory finding, including but not limited to any criminal record, of the state fingerprint records check or if there is no such finding. After a search of Federal Bureau of Investigation records and fingerprints and upon receipt of the bureau's report, the department shall make a national fingerprint records determination.

(b) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention."

SECTION 2-17.

Said title is further amended by adding a new subsection to Code Section 49-5-68, relating to change of director, to read as follows:

"(d) The time frames set forth in this Code section shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33."

SECTION 2-18.

Said title is further amended by adding a new subsection to Code Section 49-5-69.1, relating to fingerprint and preliminary records check for foster homes, notice of results, violations, and foster parents known to have criminal records, to read as follows:

"(f) If the department is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation and the Federal Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this Code section for such program and the department shall notify the individual whose fingerprints were taken of the parameters of such retention. The time frames set forth in this Code section shall not apply when fingerprints have been retained by the department due to its participation in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33."

SECTION 2-19.

Said title is further amended by revising subsection (c) of Code Section 49-5-111, relating to employers authorized to make records checks and procedure, as follows:

"(c) If the employer is participating in the program described in subparagraph (a)(1)(F) of Code Section 35-3-33, the Georgia Bureau of Investigation shall be authorized to retain fingerprints obtained pursuant to this article for such program and the employer shall notify the individual whose fingerprints were taken of the parameters of such retention."

PART III
SECTION 3-1.

All laws and parts of laws in conflict with this Act are repealed.

Senator Unterman of the 45th moved that the Senate agree to the House substitute to SB 336.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	C Lucas	Y Tippins
C Gooch	E Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Wilkinson
Y Heath	Y Mullis	Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 46, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 336.

The following bill was taken up to consider House action thereto:

SB 406. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to amend Title 31 of the O.C.G.A., relating to health, so as to enact the "Georgia Long-term Care Background Check Program" and to promote public safety and provide for comprehensive criminal background checks for owners, applicants for employment, and employees providing care or owning a personal care home, assisted living community,

private home care provider, home health agency, hospice care, nursing home, skilled nursing facility, or an adult day care as recommended by the Georgia Council on Criminal Justice from liability; to amend Article 1 of Chapter 2 of Title 49 of the O.C.G.A., relating to general provisions for the Department of Human Services; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

**A BILL TO BE ENTITLED
AN ACT**

To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to enact the "Georgia Long-term Care Background Check Program" and to promote public safety and provide for comprehensive criminal background checks for owners, applicants for employment, and employees providing care or owning a personal care home, assisted living community, private home care provider, home health agency, hospice care, nursing home, skilled nursing facility, or an adult day care as recommended by the Georgia Council on Criminal Justice Reform; to repeal conflicting provisions relating to criminal background checks of such individuals and facilities; to provide for definitions; to require facilities to conduct a search of applicable registries for owners, applicants, and employees prior to a criminal background check; to provide the Department of Community Health the authority to conduct national fingerprint based criminal background checks; to provide for an appeal process when an owner, applicant, or employee has been disqualified from licensure or employment; to provide for civil penalties for not terminating an employee with an unsatisfactory criminal background check; to provide for application form notice; to provide for immunity from liability; to provide for rules and regulations; to provide the Department of Community Health with authority over matters relating to facility licensing and employee records checks; to establish a caregiver's registry to allow certain employers access to criminal background checks conducted by the department; to provide for procedure; to provide for an appeal process; to provide for immunity from liability; to provide a purpose and intent statement; to amend Article 1 of Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to general provisions for the Department of Human Services, so as to provide for conforming cross-references; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**PART I
SECTION 1-1.**

Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by repealing Code Section 31-2-9, relating to records check requirement for certain

facilities, definitions, use of information gathered in investigation, penalties for unauthorized release or disclosure, and rules and regulations, and designating said Code section as reserved.

SECTION 1-2.

Said title is further amended by revising Code Section 31-7-12.3, relating to adoption of rules and regulations, as follows:

"31-7-12.3.

The department shall adopt rules and regulations to implement Code Sections 31-7-12 and 31-7-12.2. Such rules and regulations shall establish meaningful distinctions between the levels of care provided by personal care homes, assisted living communities, and nursing homes but shall not curtail the scope or levels of services provided by personal care homes or nursing homes as of June 30, 2011; provided, however, that nothing in this chapter shall preclude the department from issuing waivers or variances to personal care homes of the rules and regulations established pursuant to this Code section. Notwithstanding Code Section ~~31-2-9~~ or 31-7-12.2, the department shall not grant a waiver or variance unless:

- (1) There are adequate standards affording protection for the health and safety of residents of the personal care home;
- (2) The resident of the personal care home provides a medical assessment conducted by a licensed health care professional who is unaffiliated with the personal care home which identifies the needs of the resident; and
- (3) The department finds that the personal care home can provide or arrange for the appropriate level of care for the resident."

SECTION 1-3.

Said title is further amended by repealing in its entirety Article 11 of Chapter 7, relating to facility licensing and employee records checks, and designating said article as reserved.

SECTION 1-4.

Said title is further amended by revising Article 14 of Chapter 7, relating to nursing homes employee records checks, as follows:

"ARTICLE 14

31-7-350.

(a) This article shall be known and may be cited as the 'Georgia Long-term Care Background Check Program.'

(b) The purpose of this article is to establish the minimum standards for the Georgia Long-term Care Background Check Program for conducting criminal background checks of owners, applicants for employment, and direct access employees at certain facilities.

31-7-351.

As used in this article, the term:

(1) 'Applicant' means an individual applying to be a direct access employee at a facility.

~~(1)(2)~~ 'Conviction' means a finding or verdict of guilty or a plea of guilty regardless of whether an appeal of the conviction has been sought.

~~(2)(3)~~ 'Crime' means commission of an offense which constitutes a felony with respect to the following:

(A) Any of the following offenses:

~~(A) A violation of Code Section 16-5-21;~~

~~(B) A violation of Code Section 16-5-24;~~

~~(C) A violation of Code Section 16-6-1;~~

~~(D) A violation of Code Section 16-8-2;~~

~~(E) A violation of Code Section 16-8-3;~~

~~(F) A violation of Code Section 16-8-4;~~

~~(G) A violation of Code Section 16-5-1;~~

~~(H) A violation of Code Section 16-4-1;~~

~~(I) A violation of Code Section 16-8-40;~~

~~(J) A violation of Code Section 16-8-41;~~

~~(K) A felony violation of Code Section 16-9-1;~~

~~(L) A violation of Article 8 of Chapter 5 of Title 16;~~

~~(M) A violation of Chapter 13 of Title 16; or~~

(i) A violation of Code Section 16-5-70;

(ii) A violation of Code Section 16-5-101;

(iii) A violation of Code Section 16-5-102;

(iv) A violation of Code Section 16-6-4;

(v) A violation of Code Section 16-6-5;

(vi) A violation of Code Section 16-6-5.1; or

(vii) A violation of Code Section 30-5-8;

(B) A felony violation of:

(i) Chapter 5, 6, 8, 9, or 13 of Title 16;

(ii) Code Section 16-4-1;

(iii) Code Section 16-7-2; or

(iv) Subsection (f) of Code Section 31-7-12.1; or

~~(N)(C)~~ Any other offense committed in another jurisdiction which, if committed in this state, would be deemed to be such a crime constitute an offense identified in this paragraph without regard to its designation elsewhere.

(4) 'Criminal background check' means a search of the criminal records maintained by GCIC and the Federal Bureau of Investigation to determine whether an owner, applicant, or employee has a criminal record.

~~(3)(5)(A)~~ 'Criminal record' means any of the following which have reached final disposition within ten years of the date the criminal record check is conducted:

~~(A)(i)~~ Conviction of a crime;

~~(B)~~(ii) Arrest, charge, and sentencing for a crime ~~where~~ when:

~~(i)~~(I) A plea of nolo contendere was entered to the ~~charge~~ crime;

~~(ii)~~(II) First offender treatment without adjudication of guilt ~~pursuant to the charge~~ was granted to the crime; or

~~(iii)~~(III) Adjudication or sentence was otherwise withheld or not entered ~~on~~ for the charge crime; or

~~(C)~~(iii) Arrest and charges for a crime if the charge is pending, unless the time for prosecuting such crime has expired pursuant to Chapter 3 of Title 17.

(B) Such term shall not include an owner, applicant, or employee for which at least ten years have elapsed from the date of his or her criminal background check since the completion of all of the terms of his or her sentence; provided, however, that such ten-year period or exemption shall never apply to any crime identified in subsection (j) of Code Section 42-8-60.

(6) 'Direct access' means having, or expecting to have, duties that involve routine personal contact with a patient, resident, or client, including face-to-face contact, hands-on physical assistance, verbal cuing, reminding, standing by or monitoring or activities that require the person to be routinely alone with the patient's, resident's, or client's property or access to such property or financial information such as the patient's, resident's, or client's checkbook, debit and credit cards, resident trust funds, banking records, stock accounts, or brokerage accounts.

~~(4) 'Employment applicant' means any person seeking employment by a nursing home. This term shall not include persons employed by the nursing home prior to July 1, 1995.~~

(7) 'Employee' means any individual who has direct access and who is hired by a facility through employment, or through a contract with such facility, including, but not limited to, housekeepers, maintenance personnel, dieticians, and any volunteer who has duties that are equivalent to the duties of an employee providing such services. Such term shall not include an individual who contracts with the facility, whether personally or through a company, to provide utility, construction, communications, accounting, quality assurance, human resource management, information technology, legal, or other services if the contracted services are not directly related to providing services to a patient, resident, or client of the facility. Such term shall not include any health care provider, including, but not limited to, physicians, dentists, nurses, and pharmacists who are licensed by the Georgia Composite Medical Board, the Georgia Board of Dentistry, the Georgia Board of Nursing, or the State Board of Pharmacy.

(8) 'Facility' means:

(A) A personal care home required to be licensed or permitted under Code Section 31-7-12;

(B) An assisted living community required to be licensed under Code Section 31-7-12.2;

(C) A private home care provider required to be licensed under Article 13 of this chapter;

- (D) A home health agency as licensed pursuant to Code Section 31-7-151;
- (E) A provider of hospice care as licensed pursuant to Code Section 31-7-173;
- (F) A nursing home, skilled nursing facility, or intermediate care home licensed pursuant to rules of the department; or
- (G) An adult day care facility licensed pursuant to rules of the department.
- (9) 'Fingerprint records check determination' means a satisfactory or unsatisfactory determination by the department based upon fingerprint based national criminal history information.
- ~~(5)~~(10) 'GCIC' means the Georgia Crime Information Center established under Article 2 of Chapter 3 of Title 35.
- (11) 'License' means the document issued by the department to authorize a facility to operate.
- ~~(6) 'Nursing home' or 'home' means a home required to be licensed or permitted as a nursing home under the provisions of this chapter.~~
- (12) 'Owner' in the context of a nursing home or intermediate care home means an individual who is not an 'excluded party' as such term is defined in Code Section 31-7-3.3, otherwise such term means an individual or any person affiliated with a corporation, partnership, or association with 10 percent or greater ownership interest in a facility who performs one or more of the following:
- (A) Purports to or exercises authority of a facility;
- (B) Applies to operate or operates a facility;
- (C) Maintains an office on the premises of a facility;
- (D) Resides at a facility;
- (E) Has direct access at a facility;
- (F) Provides direct personal supervision of facility personnel by being immediately available to provide assistance and direction when such facility services are being provided; or
- (G) Enters into a contract to acquire ownership of a facility.
- (13) 'Records check application' means fingerprints in such form and of such quality as prescribed by GCIC under standards adopted by the Federal Bureau of Investigation and a records search fee to be established by the department by rule and regulation, payable in such form as the department may direct to cover the cost of obtaining a criminal background check.
- (14) 'Registry check' means a review of the nurse aide registry provided for in Code Section 31-2-14, the state sexual offender registry, and the List of Excluded Individuals and Entities as authorized in Sections 1128 and 1156 of the federal Social Security Act, as it existed on February 1, 2018, or any other registry useful for the administration of this article as specified by rules of the department.
- ~~(7)~~(15) 'Satisfactory determination' means a written determination by a nursing home that a person that an individual for whom a record criminal background check was performed was found to have no criminal record.
- ~~(8)~~(16) 'Unsatisfactory determination' means a written determination by a nursing home that a person that an individual for whom a record criminal background check

was performed was found to have a criminal record.

~~31-7-351.~~

~~(a) Prior to hiring an employment applicant, each nursing home shall request a criminal record check from GCIC to determine whether the applicant has a criminal record. A nursing home shall make a written determination for each applicant for whom a criminal record check is performed. A nursing home shall not employ a person with an unsatisfactory determination.~~

~~(b) Any request for a criminal record check under this Code section shall be on a form approved by GCIC and submitted in person, by mail, or by facsimile request to any county sheriff or municipal law enforcement agency having access to GCIC information. The fee shall be no greater than the actual cost of processing the request. The law enforcement agency receiving the request shall perform a criminal record check for a nursing home within a reasonable time but in any event within a period not to exceed three days of receiving the request.~~

~~(c) Each application form provided by the employer to the employment applicant shall conspicuously state the following: 'FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A CRIMINAL RECORD CHECK AS A CONDITION OF EMPLOYMENT.'~~

~~31-7-352.~~

~~(a) Neither GCIC nor any law enforcement agency providing GCIC information pursuant to this article shall be responsible for the accuracy of information or have any liability for defamation, invasion of privacy, negligence, or any other claim in connection with any dissemination of information or determination based thereon pursuant to this article.~~

~~(b) A nursing home, its administrator, and its employees shall have no liability for wrongful discharge, unemployment security benefits, or any other claim based upon:~~

~~(1) Refusal to employ any person with a criminal record;~~

~~(2) Termination of employment of persons with a criminal record already employed by the home; or~~

~~(3) Other action taken in good faith reliance upon GCIC information received pursuant to this article.~~

(a) A registry check of an owner, applicant, or employee shall be required prior to a criminal background check and shall be initiated by the applicable facility. A registry check shall be performed by such facility and may include reviewing registries of any other states in which the applicant previously resided. If an applicant has not resided in this state for at least two years, the facility shall conduct registry checks of each state in which the applicant resided for the previous two years, as represented by such applicant or as otherwise determined by the applicable facility.

(b) If applicable to an owner, applicant, or employee, a query of available information maintained by the Georgia Composite Medical Board, the Secretary of State, or other applicable licensing boards shall be conducted prior to a criminal background check to

validate that such individual's professional license is in good standing.

(c) Except as provided in subsection (c) of Code Section 31-7-359, nothing in this Code section shall be construed to limit the responsibility or ability of a facility to screen owners, applicants, or employees through additional methods.

31-7-353.

~~A nursing home that hires an applicant for employment with a criminal record shall be liable for a civil monetary penalty in the amount of the lesser of \$2,500.00 or \$500.00 for each day that a violation of subsection (a) of Code Section 31-7-351 occurs. The daily civil monetary penalty shall be imposed only from the time the nursing home administrator knew or should have known that the nursing home has in its employ an individual with a criminal record and until the date such individual is terminated.~~

(a) Accompanying any application for a new license, the candidate facility shall furnish to the department a records check application for each owner and each applicant and employee. In lieu of such records check application, such facility may submit evidence, satisfactory to the department, that within the immediately preceding 12 months each owner, applicant, or employee received a satisfactory determination that includes a records check clearance date that is no more than 12 months old, or that any owner, applicant, or employee whose fingerprint records check determination revealed a criminal record of any kind has subsequently received a satisfactory determination.

(b) On or before January 1, 2021, each owner and employee of a currently licensed facility shall furnish to the department a records check application. In lieu of such records check application, a facility may submit evidence, satisfactory to the department, that within the immediately preceding 12 months each owner and employee received a satisfactory determination.

(c) Upon receipt of fingerprints submitted pursuant to a record check application, GCIC shall promptly transmit the fingerprints to the Federal Bureau of Investigation for a search of bureau records and shall promptly conduct a search of its own records and records to which it has access. Within ten days after receiving fingerprints acceptable to GCIC, it shall notify the department in writing of any criminal record or if there is no such finding. After a search of Federal Bureau of Investigation records and fingerprints and upon receipt of the bureau's report, the department shall make a determination about an owner's, applicant's, or employee's criminal record.

(d) Neither GCIC, the department, any law enforcement agency, nor the employees of any such entities shall be responsible for the accuracy of information nor have any liability for defamation, invasion of privacy, negligence, or any other claim in connection with any dissemination of information or determination based thereon pursuant to this Code section.

(e) All information received from the Federal Bureau of Investigation or GCIC shall be used exclusively for employment or licensure purposes and shall not be released or otherwise disclosed to any other person or agency. All such information collected by the department shall be maintained by the department pursuant to laws regarding and rules or regulations of the Federal Bureau of Investigation and GCIC, as is applicable.

Penalties for the unauthorized release or disclosure of any such information shall be as prescribed pursuant to laws regarding and rules or regulations of the Federal Bureau of Investigation and GCIC, as is applicable.

31-7-354.

(a) An applicant seeking employment with a facility or a current employee at such facility shall consent to a national and state background check that includes a registry check, a check of information maintained by a professional licensing board, if applicable, and a criminal background check.

(b)(1) An individual required to submit to a registry check and criminal background check shall not be employed by, contracted with, or allowed to work as an employee at a facility if:

(A) The individual appears on a registry check;

(B) There is a substantiated finding of neglect, abuse, or misappropriation of property by a state or federal agency pursuant to an investigation conducted in accordance with 42 U.S.C. Section 1395i-3 or 1396r as it existed on February 1, 2018;

(C) The individual's professional license, if applicable, is not in good standing; or

(D) The facility receives notice from the department that the individual has been found to have an unsatisfactory determination.

(2) An individual whose professional license is not in good standing may be employed by a facility in a position wherein his or her duties do not require professional licensure, provided that he or she provides a fingerprint record check determination in the same manner as an applicant.

(c) An owner, applicant, or employee may:

(1) Obtain information concerning the accuracy of his or her criminal record, and the department shall refer such individual to the appropriate state or federal law enforcement agency that was involved in the arrest or conviction;

(2) Challenge the finding that he or she is the true subject of the results from a registry check, and the department shall refer such individual to the agency responsible for maintaining such registry; and

(3) Appeal his or her disqualifying unsatisfactory determination pursuant to Code Section 31-7-358.

31-7-355.

(a) A personnel file for each employee shall be maintained by the applicable facility. Such files shall be available for inspection by the appropriate enforcement authorities but shall otherwise be maintained to protect the confidentiality of the information contained therein and shall include, but not be limited to, evidence of each employee's satisfactory determination, registry check, and licensure check, if applicable.

(b)(1) As used in this paragraph, the term:

(A) 'Abuse' means the willful infliction of injury, unreasonable confinement, intimidation, or punishment with resulting physical harm, pain, or mental anguish.

Such term includes the deprivation by an individual of goods or services that are necessary to attain or maintain physical, mental, and psychosocial well-being. Such term includes verbal abuse, sexual abuse, physical abuse, and mental abuse, including abuse, facilitated or enabled through the use of technology.

(B) 'Willful' means acting deliberately, not that there is an intention to inflict injury or harm.

(2) The department may require a criminal background check on any owner of or employee at a facility during the course of an abuse investigation involving such owner or employee or if the department receives information that such owner or employee was arrested for a crime. In such instances, the department shall require the owner or employee to furnish two full sets of fingerprints which the department shall submit to GCIC together with appropriate fees collected from the owner or employee. Upon receipt thereof, GCIC shall promptly transmit one set of fingerprints to the Federal Bureau of Investigation for a search of bureau records and an appropriate report and shall retain the other set and promptly conduct a search of its own records and records to which it has access. GCIC shall notify the department in writing of any unsatisfactory finding, including but not limited to any criminal record obtained through the fingerprint records check determination or if there is no such finding.

(3) When the department determines that an applicant or employee has an unsatisfactory determination, the department shall notify the facility that such applicant or employee is ineligible to hire or employ and the facility shall take the necessary steps so that such employee is no longer employed at the facility; provided, however, that a facility may retain a current employee during the period of his or her administrative appeal.

(4) When the department determines that an owner has an unsatisfactory determination, the department shall notify such owner of the ineligible status for ownership and shall take the necessary steps to revoke the facility's license.

(5) An owner, applicant, or employee may appeal their disqualifying unsatisfactory determination pursuant to Code Section 31-7-358.

31-7-356.

A facility that does not terminate an employee who has been found to have an unsatisfactory determination or failed a registry check shall be liable for a civil monetary penalty in the amount of the lesser of \$10,000.00 or \$500.00 for each day that a violation occurs. The daily civil monetary penalty shall be imposed only from the time the facility knew or should have known that it employed an individual with a criminal record and until the date such individual's employment is terminated.

31-7-357.

Each application form provided by a facility to an applicant shall conspicuously state the following: 'FOR THIS TYPE OF EMPLOYMENT, STATE LAW REQUIRES A NATIONAL AND STATE BACKGROUND CHECK AS A CONDITION OF EMPLOYMENT.'

31-7-358.

(a)(1) An owner of a facility with an unsatisfactory determination or whose name appears on a registry check shall not operate or hold a license, and the department shall revoke the license of any owner operating such facility or refuse to issue a license to any owner operating such facility if such owner has an unsatisfactory determination or is on a registry check.

(2) Prior to approving any license for a facility and periodically as established by the department by rule, the department shall require each owner and employee to submit to a registry check and criminal background check pursuant to Code Sections 31-7-352 and 31-7-353.

(3)(A) An employee or applicant who received an unsatisfactory determination or whose name appears on a registry check shall be eligible to appeal such determination pursuant to Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

(B) In a hearing held pursuant to subparagraph (A) of this paragraph, the hearing officer shall consider in mitigation the length of time since the crime was committed, the absence of additional criminal charges, the circumstances surrounding the commission of the crime, and other indicia of rehabilitation.

(4)(A) The department's determination regarding an owner's unsatisfactory criminal background check, or any action by the department revoking or refusing to grant a license based on such determination, shall constitute a contested case for purposes of Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act,' except that any hearing required to be held pursuant thereto may be held reasonably expeditiously after such determination or action by the department.

(B) In a hearing held pursuant to subparagraph (A) of this paragraph, the hearing officer shall consider in mitigation the length of time since the crime was committed, the absence of additional criminal charges, the circumstances surrounding the commission of the crime, other indicia of rehabilitation, the facility's history of compliance with the regulations, and the owner's involvement with the licensed facility in arriving at a decision as to whether the criminal record requires the denial or revocation of the license to operate the facility. When a hearing is required, at least 30 days prior to such hearing, the hearing officer shall notify the office of the prosecuting attorney who initiated the prosecution of the crime in question in order to allow the prosecuting attorney to object to a possible determination that the conviction would not be a bar for the grant or continuation of a license as contemplated within this Code section. If objections are made, the hearing officer shall take such objections into consideration.

(b) The requirements of this Code section are supplemental to any requirements for a license imposed by Article 1 of this chapter.

31-7-359.

(a) No person, including the department, a facility, or an individual acting on behalf of such entities, shall be liable for civil damages or be subject to any claim, demand, cause

of action, or proceeding of any nature as a result of actions taken in good faith to comply with this article, including the disqualification of an applicant from employment on the basis of a disqualifying crime.

(b)(1) A facility that has obtained a satisfactory determination on an owner, applicant, or employee in accordance with this article, or confirmation that such owner, applicant, or employee has obtained a favorable final appeal decision under Code Section 31-7-358, shall be immune from liability for claims of negligent hiring when such claims are based upon the criminal record of such owner, applicant, or employee, even when the information contained in the criminal background check used by the department is later determined to have been incomplete or inaccurate; provided, however, that such immunity shall not preclude the liability of a facility concerning claims based on information beyond the scope of the criminal record and satisfactory determination about the owner, applicant, or employee which the facility knew or should have known.

(2) When a facility has obtained a satisfactory determination on an owner, applicant, or employee, there shall be a rebuttable presumption of due care for claims of negligent hiring, negligent retention, or other similar claims to the extent such claims are based upon an owner's, applicant's, or employee's criminal record.

(c) Nothing in this article shall require a facility to conduct any other type of criminal history check of an owner, applicant, or employee, and a facility shall not be held liable for claims of negligent hiring, negligent retention, or other similar claims based solely or in part on its failure to conduct other types of criminal history checks.

(d) Nothing in this article shall be construed to waive the sovereign immunity of the state, the department, or any other entity of the state.

31-7-360.

The Department of Community Health shall be authorized to enforce this article and to department shall promulgate written rules and regulations related to the requirements and implementation of this article.

31-7-361.

(a) Effective July 1, 2009, all matters relating to facility licensing and employee criminal background checks for personal care homes pursuant to Article 11 of this chapter as it existed on June 30, 2009, shall be transferred from the Department of Human Services to the department.

(b) The rights, privileges, entitlements, and duties of parties to contracts, leases, agreements, and other transactions entered into before July 1, 2009, by the Department of Human Resources which relate to the functions transferred to the department pursuant to this Code section shall continue to exist; and none of these rights, privileges, entitlements, and duties are impaired or diminished by reason of the transfer of the functions to the department. In all such instances, the department shall be substituted for the Department of Human Resources, and the department shall succeed to the rights and duties under such contracts, leases, agreements, and other transactions.

(c) All persons employed by the Department of Human Resources in capacities which relate to the functions transferred to the department pursuant to this Code section on June 30, 2009, shall, on July 1, 2009, become employees of the department in similar capacities, as determined by the commissioner of community health. Such employees shall be subject to the employment practices and policies of the department on and after July 1, 2009, but the compensation and benefits of such transferred employees shall not be reduced as a result of such transfer. Employees who are subject to the rules of the State Personnel Board and who are transferred to the department shall retain all existing rights under such rules. Retirement rights of such transferred employees existing under the Employees' Retirement System of Georgia or other public retirement systems on June 30, 2009, shall not be impaired or interrupted by the transfer of such employees and membership in any such retirement system shall continue in the same status possessed by the transferred employees on June 30, 2009. Accrued annual and sick leave possessed by said employees on June 30, 2009, shall be retained by said employees as employees of the department."

SECTION 1-5.

Said title is further amended by adding a new article to read as follows:

"ARTICLE 14A

31-7-380.

The purpose of this article is to enable employers who are family members or guardians of elderly persons to obtain an employment eligibility determination from the department for applicants who are seeking to provide and employees who are providing personal care services to their family members or wards. It is the intent of the General Assembly to allow the department to establish and maintain a caregiver registry so as to provide such employers with access to employment eligibility determinations conducted by the department in a similar manner as licensed facilities receive employment determinations as provided in Article 14 of this chapter.

31-7-381.

As used in this article, the term:

- (1) 'Applicant' means an individual applying to provide personal care services to an elderly person in a residence or location not licensed by the department.
- (2) 'Criminal background check' means a search of the criminal records maintained by Georgia Crime Information Center and the Federal Bureau of Investigation to determine whether an applicant or employee has a criminal record.
- (3) 'Elderly person' means an individual who is 65 years of age or older.
- (4) 'Employee' means any individual who is providing personal care services to an elderly person in a residence or location not licensed by the department.
- (5) 'Employer' means an individual who is considering an applicant or has hired an employee for a family member or ward.

(6) 'Family member' means an individual with a close familial relationship, including, but not limited to, a spouse, parent, sibling, or grandparent.

(7) 'Personal care services' means home care, health care, companionship, or transportation and includes, but is not limited to, providing assistance with bathing, eating, dressing, walking, shopping, fixing meals, and housework.

(8) 'Registry check' means a review of the nurse aide registry provided for in Code Section 31-2-14, the state sexual offender registry, and the List of Excluded Individuals and Entities as authorized in Sections 1128 and 1156 of the federal Social Security Act, as it existed on February 1, 2018, or any other registry useful for the administration of this article as specified by rules of the department.

(9) 'Ward' means an elder person for whom a guardian has been appointed pursuant to Title 29.

31-7-382.

The department may establish and maintain a central caregiver registry which shall be accessible to employers as a data base operated by the department that contains information on eligible and ineligible applicants and employees as determined by the department from criminal background checks and registry checks conducted on behalf of facilities as provided in Article 14 of this chapter and criminal background checks and registry checks conducted on behalf of employers as provided in this article.

31-7-383.

(a) The department shall allow an employer to inquire with the department about the eligibility or ineligibility for employment as if the applicant or employee were applying to work or working in one of the facilities licensed under Article 14 of this chapter so long as the applicant or employee agrees to such request, provides his or her fingerprints as set forth in Article 14 of this chapter, and consents to the inclusion of the results in the caregiver registry. Any fees associated with such check shall be paid by the employer, applicant, or employee.

(b) An employer shall be responsible for all employment decisions made based on the eligible or ineligible employment determination provided to the employer from the department.

31-7-384.

An applicant or employee who receives a determination of ineligibility for employment from the department shall be eligible to appeal such determination by requesting, in writing, an administrative review by the department. The department shall promulgate rules and regulations in order to implement this Code section. The department shall maintain the specifics of the employment determination in the same manner as required by subsection (e) of Code Section 31-7-353.

31-7-385.

No person, including the department, an employer, or an individual acting on behalf of

such entities, shall be liable for civil damages or be subject to any claim, demand, cause of action, or proceeding of any nature as a result of actions taken in good faith to comply with this article, including the disqualification of an applicant or employee from employment on the basis of the results of a criminal background check or registry check.

31-7-386.

Except as provided in Code Section 31-7-384, the department shall promulgate rules and regulations related to the requirements and implementation of this article."

PART II SECTION 2-1.

Article 1 of Chapter 2 of Title 49 of the Official Code of Georgia Annotated, relating to general provisions for the Department of Human Services, is amended by revising subsection (e) of Code Section 49-2-14, relating to record search for conviction data on prospective employees, as follows:

"(e) Notwithstanding ~~the provisions of~~ subsection (c) of this Code section, when a contractor to this department is a personal care home, ~~the provisions of Code Sections 31-7-250 through 31-7-264~~ Article 14 of Chapter 7 of Title 31 shall apply."

SECTION 2-2.

Said article is further amended by revising subsection (e) of Code Section 49-2-14.1, relating to definitions and records check requirement for licensing certain facilities, as follows:

"(e) The requirements of this Code section are supplemental to any requirements for a license imposed by Article 3 of Chapter 5 of this title or Article ~~44~~ 14 of Chapter 7 of Title 31."

PART III SECTION 3-1.

This Act shall become effective on October 1, 2019.

SECTION 3-2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Strickland of the 17th moved that the Senate agree to the House substitute to SB 406.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
E Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	E Martin	Y Unterman
Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 51, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 406.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitutes to the following Bills of the House:

HB 344. By Representatives Dempsey of the 13th, Quick of the 117th, Ballinger of the 23rd, Oliver of the 82nd, Willard of the 51st and others:

A BILL to be entitled an Act to amend Code Section 19-7-54 of the Official Code of Georgia Annotated, relating to motion to set aside determination of paternity, so as to allow parties beyond movants in a case concerning a child support order to request a genetic test from the Department of Human Services under certain circumstances; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 494. By Representatives Dempsey of the 13th, Coleman of the 97th, Chandler of the 105th, Glanton of the 75th and Carter of the 175th:

A BILL to be entitled an Act to amend Chapter 1A of Title 20 of the Official Code of Georgia Annotated, relating to early care and learning, so as to revise certain provisions relating to the safety of children in early care

and education programs; to authorize hearsay in preliminary hearings regarding emergency closure of a program or the emergency placement of a monitor or monitors; to revise the definition of "crime" for purposes of background checks; to provide that background checks are not valid if an individual has been separated from employment for more than 180 consecutive days from an early care and education program; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 760. By Representatives Lumsden of the 12th, Smith of the 134th, Maxwell of the 17th, Taylor of the 173rd and Williamson of the 115th:

A BILL to be entitled an Act to amend Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to insurance generally, so as to revise certain definitions; to clarify renewal, nonrenewal, and reduction in coverage applicability of certain automobile policies and property insurance; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 995. By Representatives Newton of the 123rd, Rynders of the 152nd, Brockway of the 102nd and Holcomb of the 81st:

A BILL to be entitled an Act to amend Article 1 of Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to general provisions applicable to counties, municipal corporations, and other governmental entities, so as to provide for certain disclosures from consultants and other contractors who enter into contracts or arrangements with counties, municipal corporations, and other governmental entities to prepare or develop specifications or requirements for bids, requests for proposals, procurement orders, or purchasing orders; to provide for consequences for failure to disclose; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has disagreed to the Senate substitute to the following Bill of the House:

HB 605. By Representatives Spencer of the 180th, Oliver of the 82nd, Brockway of the 102nd, Frye of the 118th, Rakestraw of the 19th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, so as to change provisions relating to the revival of certain claims involving childhood sexual abuse; to provide for civil actions by the Attorney General under certain circumstances; to provide for a civil penalty; to provide for a report; to provide for a short title; to provide for

related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senator Burke of the 11th was excused as a Conferee.

The following bill was taken up to consider House action thereto:

SB 131. By Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Black of the 8th, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions for the Juvenile Code, so as to provide that adoption proceedings be stayed while an appeal of an order to terminate parental rights is pending; to clarify the court's duties to a case while an appeal is pending; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, so as to provide that adoption proceedings be stayed while an appeal of an order to terminate parental rights is pending; to clarify the court's duties to a case while an appeal is pending; to clarify the statutory grounds for terminating parental rights and provide other considerations when terminating such rights; to clarify provisions relating to the waiver of the right to counsel; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, is amended by revising Code Section 15-11-35, relating to appeals, as follows:

"15-11-35.

In all cases of final judgments of the juvenile court, appeals shall be taken to the Court of Appeals or the Supreme Court in the same manner as appeals from the superior court. However, no such judgment or order shall be superseded or modified except in the discretion of the trial court; rather, the judgment or order of the court shall stand until reversed or modified by the reviewing court. The appeal of an order granting a petition to terminate parental rights shall stay an adoption proceeding related to the child who is the subject of such order until such order becomes final by the conclusion

of appellate proceedings or the expiration of the time for seeking such review. Except for proceedings in connection with an adoption, the court shall continue to conduct hearings and issue orders in accordance with this chapter while an appeal in a case is pending."

SECTION 2.

Said chapter is further amended by revising subsection (g) of Code Section 15-11-103, relating to the right to an attorney, as follows:

"(g) A party other than a child shall be informed of his or her right to an attorney prior to any hearing. A party other than a child shall be given an opportunity to:

- (1) Obtain and employ an attorney of such party's own choice;
- (2) Obtain a court appointed attorney if the court determines that such party is an indigent person; or
- (3) Waive the right to an attorney, provided that such waiver is made knowingly, voluntarily, and on the record."

SECTION 3.

Said chapter is further amended by revising paragraph (5) of subsection (a) and subsection (b) of Code Section 15-11-310, relating to grounds for determining termination of parental rights, as follows:

"(5) A child is a dependent child due to lack of proper parental care or control by his or her parent, reasonable efforts to remedy the circumstances have been unsuccessful or were not required, such cause of dependency is likely to continue or will not likely be remedied, ~~and the continued dependency will cause or is likely to cause serious physical, mental, emotional, or moral harm to such child~~ in the reasonably foreseeable future, and:

- (A) Returning such child to his or her parent is likely to cause serious physical, mental, moral, or emotional harm to such child or threaten the physical safety or well-being of such child; or
- (B) Continuation of the parent and child relationship will cause or is likely to cause serious physical, mental, moral, or emotional harm to such child.

(b) If any of the statutory grounds for termination has been met, the court shall then consider whether termination is in a child's best interests after considering the following factors:

- (1) Such child's sense of attachments, including his or her sense of security and familiarity, and the continuity of affection for such child;
- (2) Such child's wishes and long-term goals;
- (3) Such child's need for permanence, including his or her need for stability and continuity of relationships with a parent, siblings, and other relatives; ~~and~~
- (4) Any benefit to such child of being integrated into a stable and permanent home and the likely effect of delaying such integration into such stable and permanent home environment;
- (5) The detrimental impact of the lack of a stable and permanent home environment

on such child's safety, well-being, or physical, mental, or emotional health;
(6) Such child's future physical, mental, moral, or emotional well-being; and
~~(4)~~(7) Any other factors, including the factors set forth in Code Section 15-11-26,
 considered by the court to be relevant and proper to its determination."

SECTION 4.

Said chapter is further amended by revising subsection (b) of Code Section 15-11-511, relating to arraignment, admissions at arraignment, and right to attorney, as follows:

"(b) The court may accept an admission at arraignment and may proceed immediately to disposition if a child is represented by counsel at arraignment. If a child's liberty is not in jeopardy, he or she may waive the right to counsel at arraignment, provided that such waiver is made knowingly, voluntarily, and on the record. A child represented by counsel or whose liberty is not in jeopardy may make a preliminary statement indicating whether he or she plans to admit or deny the allegations of the complaint at the adjudication hearing. The court shall not accept an admission from a child whose liberty is in jeopardy and who is unrepresented by counsel."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senator Tillery of the 19th moved that the Senate agree to the House substitute to SB 131.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 131.

The following bill was taken up to consider House action thereto:

SB 425. By Senators Gooch of the 51st, Walker III of the 20th, Miller of the 49th, Kirk of the 13th, Albers of the 56th and others:

A BILL to be entitled an Act to amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to change provisions relating to professional land surveyors; to change and add certain defined terms; to provide for land surveyor interns; to change certain educational and examination requirements; to provide certain exceptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, so as to change provisions relating to professional land surveyors; to change and add certain defined terms; to provide for land surveyor interns; to change certain educational and examination requirements; to provide certain exceptions; to provide for applicability; to make certain acts unlawful; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses, is amended by revising Chapter 15, relating to professional engineers and land surveyors, as follows:

"CHAPTER 15

43-15-1.

This chapter is enacted to safeguard life, health, and property and to promote the public welfare.

43-15-2.

As used in this chapter, the term:

(1) 'Board' means the State Board of Registration for Professional Engineers and Land Surveyors created in subsection (a) of Code Section 43-15-3.

(2) 'Certificate' means any certificate issued under Code Section 43-15-8 or 43-15-12.

(3) 'Certificate of registration' means any certificate issued under Code Section 43-15-9, ~~43-15-13~~, or 43-15-16.

(4) 'Current certificate of registration' means a certificate of registration which has not expired or been revoked and the rights under which have not been suspended or otherwise restricted by the board.

(4.1) 'Current license' means a license issued under Code Section 43-15-13 which has not expired or been revoked and the rights under which have not been suspended or otherwise restricted by the board.

(5) 'Engineer-in-training' means an individual who meets the qualifications for and to whom the board has duly issued an engineer-in-training certificate.

(6) 'Land surveying' means any service, work, or practice, the adequate performance of which requires the application of special knowledge of the principles of mathematics, the related physical and applied sciences, and the requirements of relevant law in the evaluation and location of property rights, as applied to:

(A) Measuring and locating lines, angles, elevations, natural and manmade features in the air, on the surface of the earth, in underground works, and on the beds of bodies of water, for the purpose of determining and reporting positions, topography, areas, and volumes;

(B) Establishing or reestablishing, locating or relocating, or setting or resetting of monumentation for any property, easement, or right of way boundaries, or the boundary of any estate or interest therein;

(C) The platting and layout of lands and subdivisions thereof, including alignment and grades of streets and roads, excluding thoroughfares;

(D) The design, platting, and layout, incidental to subdivisions of any tract of land by a land surveyor, of:

(i) Grading plans and site plans;

(ii) Erosion and sediment control plans, including detention ponds, provided that no impoundment shall be designed on a live (perennial) stream; provided, further, that such detention ponds:

(I) Contain no more than five acre-feet of water storage at maximum pool (top of dam) or are no more than ten feet in height for a dry storage pond;

(II) Are no more than six feet in height for a permanent (wet) storage pond; or

(III) Contain no more than three acre-feet of water storage at maximum pool (top of dam) if the height is more than ten feet but less than 13 feet for a dry storage pond;

(iii) Storm water management plans and facilities, including hydrologic studies and temporary sediment basins, provided that the contributing drainage area shall not be larger than 100 acres; and

(iv) Extension of existing water distribution piping and gravity sewers, eight inches in diameter or smaller, provided that off-site length shall not exceed 1,000

feet, the design and construction of which shall conform to the local government ordinances and regulations, and such extensions shall be subjected to the review and approval of a local government which has been delegated approval authority by the Environmental Protection Division of the Department of Natural Resources;

provided that the design of any storm-water management plans, facilities, water distribution lines, and sanitary sewer collection systems shall be performed only by such professional land surveyors who are qualified to do so as provided in Code Section 43-15-13.1;

(E) Conducting horizontal and vertical control surveys, layout or stake-out of proposed construction, or the preparation of as-built surveys which relate to property, easement, or right of way boundaries;

(F) Utilization of measurement devices or systems, such as aerial photogrammetry, geodetic positioning systems, land information systems, or similar technology for evaluation or location of property, easement, or right of way boundaries; or

(G) The preparation and perpetuation of maps, record plats, drawings, exhibits, field notes, or property descriptions representing these services.

~~(7) 'Land surveyor' means an individual who is qualified to engage in the practice of land surveying and who possesses a current certificate of registration as a land surveyor issued by the board. A person shall be construed to practice or offer to practice land surveying within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, cards, or in any other way represents or holds himself or herself out as able or qualified to perform or who does perform any of the services defined as land surveying.~~

~~(8)~~(7) 'Land surveyor in training surveyor intern' means an individual who meets the qualifications for and to whom the board has duly issued a certificate as a land surveyor-in-training.

~~(9)~~(8) 'Person' means an individual ~~and~~ or any legal or commercial entity, including, by way of illustration and not limitation, a partnership, corporation, association, or governmental agency.

~~(10)~~(9) 'Professional engineer' means an individual who is qualified, by reason of knowledge of mathematics, the physical sciences, and the principles by which mechanical properties of matter are made useful to ~~man~~ mankind in structures and machines, acquired by professional education and practical experience, to engage in the practice of professional engineering and who possesses a current certificate of registration as a professional engineer issued by the board.

~~(11)~~(10) 'Professional engineering' means the practice of the ~~art~~ arts and sciences, known as engineering, by which mechanical properties of matter are made useful to ~~man~~ mankind in structures and machines and shall include any professional service, such as consultation, investigation, evaluation, planning, designing, or responsible supervision of construction or operation, in connection with any public or private utilities, structures, buildings, machines, equipment, processes, works, or projects, wherein the public welfare or the safeguarding of life, health, or property is concerned

or involved, when such professional service requires the application of engineering principles and data and training in the application of mathematical and physical sciences. ~~A person~~ An individual shall be construed to practice or offer to practice professional engineering, within the meaning of this chapter, who by verbal claim, sign, advertisement, letterhead, card, or in any other way represents or holds himself or herself out as a professional engineer or engineer or as able or qualified to perform engineering services or who ~~does perform~~ performs any of the services set out in this paragraph. Nothing contained in this chapter shall include the work ordinarily performed by ~~persons~~ individuals who operate or maintain machinery or equipment.

(11) 'Professional land surveyor' or 'registered land surveyor' or 'land surveyor' means an individual who is qualified to engage in the practice of land surveying and who possesses a current license as a professional land surveyor issued by the board. An individual shall be construed to practice or offer to practice land surveying within the meaning of this chapter who by verbal claim, sign, advertisement, letterhead, cards, or in any other way represents or holds himself or herself out as able or qualified to perform or who does perform land surveying services.

43-15-3.

(a) A State Board of Registration for Professional Engineers and Land Surveyors is created whose duty it shall be to administer this chapter.

(b) The board shall consist of six professional engineers, two professional land surveyors, and a member appointed from the public at large who has no connection with the professions of engineering and land surveying, all of whom shall be appointed by the Governor for a term of five years. Of the professional engineers appointed to the board, one shall be a structural engineer, one shall be a mechanical engineer, one shall be an electrical engineer, two shall be civil or sanitary engineers, and one shall be from any discipline of engineering. Each member of the board shall be a citizen of the United States and a resident of this state.

(c) Each member shall hold office until his or her successor has been duly appointed and qualified. All successors shall be appointed in the same manner as the original appointment.

(d) A vacancy on the membership of the board shall be filled by appointment by the Governor, in the same manner as the original appointment to the position vacated, for the unexpired term.

(e) Professional engineers appointed to the board shall have been engaged in the practice of engineering in their respective disciplines for at least 12 years and shall have been in responsible charge of important engineering work in their respective disciplines for at least five years. ~~Land~~ Professional land surveyors appointed to the board shall have been engaged in the practice of land surveying for at least 12 years and shall have been in responsible charge of important land surveying work for at least five years. Responsible charge of engineering or land surveying teaching may be construed as responsible charge of important engineering or land surveying work, respectively.

(f) Each member of the board shall be reimbursed as provided for in subsection (f) of

Code Section 43-1-2.

(g) The Governor may remove any member of the board for misconduct, incompetency, neglect of duty, or ~~for~~ any other sufficient and just cause.

43-15-4.

(a) The board shall adopt all necessary rules, regulations, and bylaws, not inconsistent with this chapter and the Constitution and laws of this state or of the United States, to govern its times and place of meetings for organization and reorganization, for the holding of examinations, for fixing the length of terms of its officers, and for governing all other matters requisite to the exercise of its powers, the performance of its duties, and the transaction of its businesses. The board shall adopt an official seal.

(b) The board shall meet at such times as the business of the board shall require, as the board or its chairman may determine, but shall hold one annual meeting each year at which time the board shall elect a chairman and a vice chairman.

(c) The board shall be assigned to the office of the division director for those purposes described in Chapter 1 of this title.

43-15-5.

The board shall keep records of its proceedings.

43-15-6.

(a) In carrying out this chapter, in addition to other powers conferred upon it under this chapter, the board shall have the power:

(1) To adopt and enforce regulations implementing this chapter, including regulations governing the professional conduct of those individuals registered by it;

(2) Under the hand of its chairman or his or her delegate and the seal of the board, to subpoena witnesses and compel their attendance and to require thereby the production of books, papers, documents, and other things relevant to such investigation in order to investigate conduct subject to regulation by the board; the chairman or the member of the board who is his or her delegate may administer oaths to witnesses appearing before the board; and the board may secure the enforcement of its subpoenas in the manner provided by Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act'; and

(3) To maintain in its name an action for injunctive or other appropriate legal or equitable relief to remedy violations of this chapter and, in pursuing equitable remedies, it shall not be necessary that the board allege or prove that it has no adequate remedy at law.

(b) In addition to other powers conferred upon the board under this chapter, the board shall through rules and regulations require each ~~person~~ individual seeking renewal of a certificate of registration as a professional engineer or a license as a professional land surveyor to complete board approved continuing education of not more than 30 hours biennially for professional engineers and not more than 15 hours biennially for professional land surveyors. The board shall be authorized to approve courses offered

by institutions of higher learning or offered by other institutions or organizations. The board shall randomly audit some applications for renewal of a certificate of registration or license to enforce compliance with this subsection. The continuing education requirements adopted by the board shall recognize the continuing education requirements imposed by other states to the extent that such continuing education courses meet the requirements imposed by the board. The board shall be authorized to waive the continuing education requirements in cases of hardship, disability, or illness or under such other circumstances as the board deems appropriate. The board shall waive the continuing education requirement for individuals over the age of 65 who have retired from active practice and who apply for an inactive license and for individuals over the age of 65 who are engaged in the active practice of their profession who have had a valid active license for the previous 25 consecutive years. The requirement for continuing education including the exemptions provided for in this subsection shall apply to each licensing renewal cycle which begins after the 1996 renewal cycle.

43-15-7.

- (a) It shall be unlawful for any person other than a professional engineer to practice or to offer to practice professional engineering in this state.
- (b) It shall be unlawful for any person other than a professional land surveyor to practice or to offer to practice land surveying in this state.

43-15-8.

To be eligible for certification as an engineer-in-training, an applicant must meet the following minimum requirements:

- (1)(A) Graduate in an engineering curriculum of not less than four years from a school or college approved by the board; and
- (B) Pass a written examination in fundamental engineering subjects (engineer-in-training examination);
- (2)(A) Graduate in an engineering curriculum of not less than four years or in a curriculum of four or more years in engineering technology or related science, from a school or college approved by the board; and
- (B) Pass a written examination in fundamental engineering subjects (engineer-in-training examination); or
- (3)(A) Acquire not less than eight years of experience in engineering work of a nature satisfactory to the board; and
- (B) Pass a written examination in fundamental engineering subjects (engineer-in-training examination).

43-15-9.

To be eligible for a certificate of registration as a professional engineer, an applicant must meet the following minimum requirements:

- (1)(A) Obtain certification by the board as an engineer-in-training under paragraph

- (1) of Code Section 43-15-8;
 - (B) Acquire a specific record of not less than four years' experience in engineering work of a character satisfactory to the board which indicates the applicant is competent to practice professional engineering; and
 - (C) Subsequently pass a written examination in the principles and practice of engineering (professional engineer's examination);
- (2)(A) Obtain certification by the board as an engineer-in-training under paragraph (2) of Code Section 43-15-8;
 - (B) Acquire a specific record of not less than seven years' experience in engineering work of a character satisfactory to the board which indicates the applicant is competent to practice professional engineering; and
 - (C) Subsequently pass a written examination in the principles and practice of engineering (professional engineer's examination);
- (3)(A) Obtain certification by the board as an engineer-in-training under paragraph (3) of Code Section 43-15-8;
 - (B) Acquire a specific record of not less than seven years' experience in engineering work of a character satisfactory to the board which indicates the applicant is competent to practice professional engineering; and
 - (C) Subsequently pass a written examination in the principles and practice of engineering (professional engineer's examination); or
- (4)(A) Graduate in an engineering or related science curriculum of not less than four academic years;
 - (B) Acquire a specific record of not less than 16 years' experience in engineering work, of which at least eight years have been in responsible charge of important engineering work of a character satisfactory to the board, which indicates the applicant is competent to practice professional engineering; and
 - (C) Subsequently pass a written examination in the principles and practice of engineering (professional engineer's examination).

43-15-10.

- (a) For the purpose of determining whether an applicant has acquired the experience required under Code Section 43-15-8 or 43-15-9:
 - (1) Responsible charge of engineering teaching may, in the board's sole discretion, be considered as responsible charge of engineering work;
 - (2) The satisfactory completion of each academic year of an approved course in engineering or engineering technology in a school or college approved by the board, without graduation, may be considered as equivalent to a year of engineering experience;
 - (3) Partial credit may be granted by the board for the successful completion of one or more scholastic years of a four-year engineering curriculum in a school or college not approved by the board or in a curriculum in related science in a school or college approved by the board. The degree of credit shall be determined by the board upon consideration of the mathematics, science, and engineering courses completed by the

applicant;

(4) No applicant shall receive experience credit for more than four years of undergraduate education; and

(5) The satisfactory completion of graduate study in an approved engineering curriculum may, in the board's sole discretion, be credited for not more than one year's experience.

(b) The execution, as a contractor, of work designed by a professional engineer or the supervision of the construction of such work as foreman, inspector, or superintendent shall not be deemed to be engineering experience unless such work involves the application of engineering principles and the applicant presents evidence of additional engineering experience of a character satisfactory to the board and indicating the applicant is competent to be placed in responsible charge of engineering work.

43-15-11.

An applicant for the professional engineer's examination shall designate the special branch of engineering in which the applicant proposes to engage. The scope of the professional engineer's examination administered to him or her shall be prescribed by the board with respect to that branch of engineering, with special reference to the applicant's ability to design and supervise engineering work so as to ensure the safety of life, health, and property.

43-15-12.

(a) To be eligible for certification as a land ~~surveyor-in-training~~ surveyor intern, an applicant must meet the following minimum requirements:

(1)(A) Earn a bachelor's degree in a curriculum approved by the board;

(B) Earn an associate degree, or its equivalent, in a curriculum approved by the board and acquire not less than two years of combined office and field experience in land surveying of a nature satisfactory to the board; or

(C) Earn a high school diploma, or its equivalent, and acquire not less than four years' experience in land surveying of a nature satisfactory to the board;

(2) Acquire a minimum of ~~15 quarter hours'~~ 18 semester hours of credit, or its equivalent, in land surveying subjects in a course of study approved by the board; ~~provided, however, that on and after January 1, 1995, the minimum requirement shall be 20 quarter hours' credit, five of which shall be in hydrology;~~ and

(3) Subsequently pass the board approved examination in the fundamentals of land surveying (~~land surveyor-in-training~~ surveyor intern examination).

(b) Land surveyor intern applicants may apply prior to July 1, 2020, with 15 quarter hours of credit in land surveying subjects in a course of study approved by the board and five quarter hours in hydrology. Such applicants applying prior to July 1, 2020, who meet the requirements of this subsection shall be eligible for licensure without the hydrology exam.

43-15-13.

To be eligible for a ~~certificate of registration~~ license as a professional land surveyor, an applicant must meet the following minimum requirements:

(1)(A) Obtain certification as a land ~~surveyor-in-training~~ surveyor intern under subparagraph (A) of paragraph (1) and paragraph (3) of subsection (a) of Code Section 43-15-12;

(B) Acquire a specific record of the equivalent of not less than four years of combined office and field experience in land surveying with a minimum of three years' experience in responsible charge of land surveying projects under the supervision of a ~~registered~~ professional land surveyor or such other supervision deemed by the board to be the equivalent thereof; and

(C) Subsequently pass a written examination on the principles and practices of land surveying and the laws of this state relating to land surveying (professional land surveyor examination);

(2)(A) Obtain certification as a land ~~surveyor-in-training~~ surveyor intern under subparagraph (B) of paragraph (1) and paragraph (3) of subsection (a) of Code Section 43-15-12;

(B) Acquire an additional specific record of the equivalent of not less than four years of combined office and field experience in land surveying which, together with the qualifying experience under subparagraph (B) of paragraph (1) of subsection (a) of Code Section 43-15-12, includes not less than four years' experience in responsible charge of land surveying projects under the supervision of a ~~registered~~ professional land surveyor or such other supervision deemed by the board to be the equivalent thereof; and

(C) Subsequently pass a written examination on the principles and practices of land surveying and the laws of Georgia relating to land surveying (professional land surveyor examination); or

(3)(A) Obtain certification as a land ~~surveyor-in-training~~ surveyor intern under subparagraph (C) of paragraph (1) and paragraph (3) of subsection (a) of Code Section 43-15-12;

(B) Acquire an additional specific record of not less than four years of experience in land surveying which, together with the qualifying experience under subparagraph (C) of paragraph (1) of subsection (a) of Code Section 43-15-12, includes not less than six years' experience in responsible charge of land surveying projects under the supervision of a ~~registered~~ professional land surveyor or such other supervision deemed by the board to be the equivalent thereof and of a grade and character satisfactory to the board indicating that the applicant is competent to practice land surveying; and

(C) Subsequently pass a written examination on the principles and practices of land surveying and laws of this state relating to land surveying (professional land surveyor examination).

43-15-13.1.

For an individual to be eligible to engage in the practices described in divisions (6)(D)(ii) through (iv) of Code Section 43-15-2, he or she shall:

- (1) Obtain licensure as a professional land surveyor, registered land surveyor, or land surveyor under this chapter prior to July 1, 2018; or
- (2) Complete an additional three semester hours of coursework in hydrology, possess the requisite required by the board, and pass the hydrology exam. The licensing record for such individual as available to the public shall be marked as 'hydrology and design authorized.'

43-15-14.

Board approval of an applicant for examination entitles the applicant to admission to the next four consecutive examination offerings without reapplication. Following the first offering to which the applicant is entitled to admission, the applicant shall not be admitted to any of the succeeding three examination offerings except upon payment of a fee for each examination, to be determined by the board. Admission to any future examinations will be at the discretion of the board which may require the applicant to file a new application. An examination offering occurs regardless of whether the applicant attends.

43-15-15.

- (a) Applications for certificates ~~and for~~, certificates of registration, and licenses shall be made under oath to the board and shall contain such information in the form and manner as shall be prescribed by the board. The application shall be accompanied by a fee in an amount prescribed by the board.
- (b) No individual shall be eligible for a certificate ~~or~~, a certificate of registration, or a license under this chapter who is not of good character and reputation.
- (c) If the board denies an application on the ground that the applicant lacks the requisite experience to admit him or her to the examination, the board may impose on the applicant a period of deferment on the filing of a new application, during which period the board shall not be required to accept for filing a new application by the applicant. The period of deferment shall not exceed the time reasonably required to acquire the requisite experience.
- (d) An application shall contain the names of not less than five ~~persons~~ individuals, not related to the applicant by blood or marriage, of whom at least three shall be professional engineers or professional land surveyors having personal knowledge of the experience on which the applicant predicates his or her qualifications.
- (e) Experience required under this chapter shall be of a character and nature approved by the board and consistent with the purposes of this chapter.

43-15-16.

- (a) The board may, in its discretion, upon application therefor and the payment of a fee prescribed by the board, issue a certificate of registration as a professional engineer to

any individual who holds a certificate of qualification or registration issued to him or her by proper authority of the National Council of Engineering Examiners or of any state or territory or possession of the United States if the requirements of the registration of professional engineers under which the certificate of qualification or registration was issued do not conflict with this chapter and are of a standard not lower than that specified in this chapter or if the applicant held such certificate on or before July 1, 1956. The fact that the statute under which the individual was issued a certificate of qualification or registration in another state does not provide that the required written examination be passed subsequent to the acquisition of the required experience shall not be deemed as a conflict with, or lower than, the Georgia requirements, provided that the written examination and the amount of experience required for registration are substantially equivalent to the Georgia requirements.

(b) The board may, in its discretion, upon application therefor and the payment of a fee prescribed by the board, issue a ~~certificate of registration~~ license as a professional land surveyor to any ~~person~~ individual who holds a ~~certificate of registration~~ license to practice land surveying issued by a state or territory or possession of the United States obtained:

(1) By written examination of not less than eight hours in duration prior to July 1, 1968;

(2) By written examination of not less than 16 hours in duration prior to July 1, 1978;
or

(3) Under qualifications comparable to those prescribed by this chapter; and in addition passes a written examination on the laws of Georgia relating to land surveying (professional land surveyor examination).

43-15-17.

(a) Certificates ~~and~~, certificates of registration, or licenses shall be issued to applicants who successfully complete the respective requirements therefor upon the payment of fees prescribed by the board.

(b) Certificates of registration or licenses shall be renewable biennially. Renewal may be effected for the succeeding two years by the payment of the fee prescribed by the board. Certificates of registration or licenses may be renewed subsequent to their expiration upon the payment of accumulated unpaid fees and of a penalty in an amount to be determined by the board. A certificate of registration ~~which~~ or license that has been expired for a period of greater than four years shall be automatically revoked.

(c) The division director shall give notice by mail to each ~~person~~ individual holding a certificate of registration or license under this chapter of the date of the expiration of the certificate of registration or license and the amount of the fee required for renewal, at least one month prior to the expiration date; but the failure to receive such notice shall not avoid the expiration of any certificate of registration or license not renewed in accordance with this Code section.

43-15-18.

(a) In the case of a ~~registered~~ professional engineer, the certificate of registration shall authorize the practice of professional engineering. In the case of a ~~registered~~ professional land surveyor, the ~~certificate of registration~~ license shall authorize the practice of land surveying. A certificate of registration or license shall show the full name of the registrant or licensee, shall have a serial number, and shall be signed by the chairman of the board and the division director under the seal of the board.

(b) The issuance of a certificate of registration or license by the board shall be evidence that the ~~person~~ individual named therein is entitled to all the rights and privileges of a ~~registered~~ professional engineer or a ~~registered~~ professional land surveyor, as the case may be, as long as the certificate or license remains unrevoked, unexpired, or unaffected by other discipline imposed by the board.

43-15-19.

(a) The board shall have the power, after notice and hearing, to deny any application made to it, to revoke or suspend any certificate ~~or~~ certificate of registration, or license issued by it, or to reprimand any ~~person~~ individual holding a certificate ~~or~~ certificate of registration, or license issued by it, upon the following grounds:

(1) Commission of any fraud or deceit in obtaining a certificate ~~or~~ certificate of registration, or license;

(2) Any gross negligence, incompetency, or unprofessional conduct in the practice of professional engineering or land surveying as a ~~registered~~ professional engineer or a professional land surveyor, respectively;

(3) Affixing a seal to any plan, specification, plat, or report contrary to Code Section 43-15-22;

(4) Conviction of a felony or crime involving moral turpitude in the courts of this state, the United States, or ~~of~~ any state or territory of the United States or the conviction of an offense in another jurisdiction which, if committed in this state, would be deemed a felony. 'Conviction' shall include a finding or verdict of guilt, a plea of guilty, or a plea of nolo contendere in a criminal proceeding, regardless of whether the adjudication of guilt or sentence is withheld or not entered thereon pursuant to Article 3 of Chapter 8 of Title 42 or any comparable rule or statute; or

(5) Any violation of this chapter or any rule or regulation promulgated by the board pursuant to the powers conferred on it by this chapter.

(b) 'Unprofessional conduct,' as referred to in paragraph (2) of subsection (a) of this Code section, includes a violation of those standards of professional conduct for professional engineers and professional land surveyors adopted by the board pursuant to the power conferred upon it to promulgate rules and regulations to effectuate the duties and powers conferred on it by this chapter.

43-15-20.

(a) The board, in its sole discretion, may reissue a certificate ~~or~~ a certificate of registration, or a license to any ~~person~~ individual whose certificate ~~or~~ certificate of

registration, or license has been revoked or may terminate any suspension imposed by it upon the affirmative vote of a majority of the members of the board and upon the payment of a fee prescribed by the board.

(b) A new certificate ~~or~~, certificate of registration, or license to replace any certificate or license lost, destroyed, or mutilated may be issued subject to the rules of the board upon the payment of a fee prescribed by the board.

43-15-21.

(a) The board, or its delegate, in its sole discretion, may issue a temporary permit to a ~~person~~ an individual who is not a resident of and who has no established place of business in this state, or who has recently become a resident thereof, to permit him or her, in accordance with the conditions of the temporary permit, to practice or offer to practice engineering in this state if:

(1) An application for a certificate of registration has been filed with the board and the fee required by this chapter has been paid;

(2) The applicant is legally qualified to practice such profession in the state or country of the applicant's residence or former residence; and

(3) The requirements and qualifications for obtaining a certificate of registration in that jurisdiction are not lower than those specified in this chapter.

(b) An application under subsection (a) of this Code section shall be made to the board in writing, containing such information and in the form and manner as shall be prescribed by the board.

(c) The temporary permit shall continue only for such time as the board requires for the consideration of the application for registration. The temporary permit shall contain such conditions with respect to the scope of the permission granted as the board deems necessary or desirable.

(d) Plans, specifications, plats, and reports issued by a ~~person~~ an individual holding a temporary permit shall bear his or her signature and a stamp containing his or her name, business address, and 'Georgia Professional Engineer Temporary Permit No. ____.' The signature and stamp shall be affixed only in accordance with the requirements of subsection (b) of Code Section 43-15-22.

(e) ~~A person~~ An individual who has obtained a temporary permit and practices in accordance therewith is deemed to be a professional engineer for purposes of this chapter, but a temporary permit shall not be deemed to be a registration under any provision of this chapter, including, by way of illustration and not limitation, Code Section 43-15-23.

43-15-22.

(a) Every professional engineer and professional land surveyor registered or licensed, as applicable, under this chapter shall, upon receipt of a certificate of registration or license, obtain a seal of the design authorized by the board, bearing the registrant's or licensee's name, certificate or license number, and the legend '~~Registered~~ Professional Engineer,' or '~~Registered~~ Professional Land Surveyor,' in accordance with the certificate

of registration or license.

(b) Plans, specifications, plats, and reports issued by a registrant or licensee shall be stamped or sealed and countersigned by the registrant or licensee; but it shall be unlawful for the registrant or licensee or any other person to stamp or seal any document with such seal after the certificate of the registrant or license of the licensee named thereon has expired, or has been revoked, or during the period of any suspension imposed by the board. No plans, specifications, plats, or reports shall be stamped with the seal of a registrant or a licensee unless such registrant or licensee has personally performed the engineering or land surveying work involved or, when the registrant or licensee has not personally performed the engineering or land surveying work reflected in any plan, specification, plat, or report, such registrant or licensee has affixed his or her seal thereto only if such document has been prepared by an employee or employees under the registrant's or licensee's direct supervisory control on a daily basis and after the registrant or licensee has thoroughly reviewed the work embodied in such document and has satisfied himself or herself completely that such work is adequate.

(c) No registrant or licensee shall affix his or her seal to any plan, specification, plat, or report unless he or she has assumed the responsibility for the accuracy and adequacy of the work involved.

(d) Any registrant or licensee who has affixed his or her seal to any plan, specification, plat, or report prepared by another ~~person~~ individual not under the registrant's or licensee's direct supervisory control on a daily basis, and without having thoroughly reviewed such work, shall be deemed to have committed a fraudulent act of misconduct in the practice of professional engineering or land surveying.

43-15-23.

(a) The practice of or offer to practice professional engineering, as defined in this chapter, by individual professional engineers registered under this chapter through a firm, corporation, professional corporation, partnership, association, or other entity offering engineering services to the public or by a firm, corporation, professional corporation, partnership, association, or other entity offering engineering services to the public through individual ~~registered~~ professional engineers as agents, employees, officers, members, or partners is permitted subject to the provisions of this chapter; provided, however, that one or more of the principals, officers, members, or partners of said firm, corporation, professional corporation, partnership, association, or other entity and all personnel of such firm, corporation, partnership, association, or entity who act in its behalf as professional engineers in this state shall be registered as provided in this chapter; and further provided that said firm, corporation, professional corporation, partnership, association, or entity has been issued a certificate of authorization by the board as provided in this chapter.

(b) A firm, corporation, professional corporation, partnership, association, or other entity desiring a certificate of authorization shall file with the board an application upon a form to be prescribed by the board and accompanied by the registration fee prescribed by the board.

(c)(1) A corporation or professional corporation shall file with the board, using a form provided by the board, the names and addresses of all officers and board members of the corporation, including the principal officer or officers duly registered to practice professional engineering in this state and of an individual or individuals duly registered to practice professional engineering within this state who shall be in responsible charge of the practice of professional engineering in this state by said corporation.

(2) A partnership shall file with the board, using a form provided by the board, the names and addresses of all partners of the partnership, including the partner or partners duly registered to practice professional engineering in this state and of an individual or individuals duly registered to practice professional engineering in this state who shall be in responsible charge of the practice of professional engineering in this state by said partnership.

(3) Any firm, limited liability company, association, or entity which is not a corporation, professional corporation, or partnership shall file with the board, using a form provided by the board, the names and addresses of all principals or members of the firm, association, or entity duly registered to practice professional engineering in this state who shall be in responsible charge of the practice of professional engineering in this state by said firm, association, or other entity.

(4) The forms provided in paragraphs (1) through (3) of this subsection must accompany a biennial renewal fee prescribed by the board. In the event there shall be a change in any of these persons, such change shall be designated on the same form and filed with the board by the firm, corporation, professional corporation, partnership, association, or entity within 30 days after the effective date of the change.

(d)(1) After all of the requirements of this Code section have been complied with, the board shall issue to such firm, corporation, professional corporation, partnership, association, or other entity a certificate of authorization.

(2) The board may refuse to issue a certificate if any facts exist which would entitle the board to suspend or revoke an existing certificate or if the board shall determine that any of the officers, directors, principals, members, agents, or employees of the entity to be licensed are not ~~persons~~ individuals of good character.

43-15-23.1.

(a) The practice of or offer to practice land surveying, as defined in this chapter, by individual professional land surveyors ~~registered~~ licensed under this chapter through a firm, corporation, professional corporation, partnership, association, or other entity offering land surveying services to the public or by a firm, corporation, professional corporation, partnership, association, or other entity offering land surveying services to the public through individual ~~registered~~ professional land surveyors as agents, employees, officers, members, or partners is permitted subject to the provisions of this chapter; provided, however, that one or more of the principals, officers, members, or partners of said firm, corporation, professional corporation, partnership, association, or other entity and all personnel of such firm, corporation, professional corporation,

partnership, association, or entity who act in its behalf as professional land surveyors in this state shall be ~~registered~~ licensed as provided in this chapter; and further provided that said firm, corporation, professional corporation, partnership, association, or entity has been issued a certificate of authorization by the board as provided in this chapter.

(b) A firm, corporation, professional corporation, partnership, association, or other entity desiring a certificate of authorization shall file with the board an application upon a form to be prescribed by the board and accompanied by the registration fee prescribed by the board.

(c)(1) A corporation or professional corporation shall file with the board, using a form provided by the board, the names and addresses of all officers and board members of the corporation, including the principal officer or officers duly ~~registered~~ licensed to practice land surveying in this state and of an individual or individuals duly ~~registered~~ licensed to practice land surveying within this state who shall be in responsible charge of the practice of land surveying in this state by said corporation.

(2) A partnership shall file with the board, using a form provided by the board, the names and addresses of all partners of the partnership, including the partner or partners duly ~~registered~~ licensed to practice land surveying in this state and of an individual or individuals duly ~~registered~~ licensed to practice land surveying in this state who shall be in responsible charge of the practice of land surveying in this state by said partnership.

(3) Any firm, limited liability company, association, or entity which is not a corporation, professional corporation, or partnership shall file with the board, using a form provided by the board, the names and addresses of all principals or members of the firm, association, or entity duly ~~registered~~ licensed to practice land surveying in this state who shall be in responsible charge of the practice of land surveying in this state by said firm, association, or other entity.

(4) The forms provided in paragraphs (1) through (3) of this subsection must accompany a biennial renewal fee prescribed by the board. In the event there shall be a change in any of these persons, such change shall be designated on the same form and filed with the board by the firm, corporation, professional corporation, partnership, association, or entity within 30 days after the effective date of the change.

(d)(1) After all of the requirements of this Code section have been complied with, the board shall issue to such firm, corporation, professional corporation, partnership, association, or other entity a certificate of authorization.

(2) The board may refuse to issue a certificate if any facts exist which would entitle the board to suspend or revoke an existing certificate of authorization or if the board shall determine that any of the officers, directors, principals, members, agents, or employees of the entity to be licensed are not ~~persons~~ individuals of good character.

(3) Every firm, partnership, corporation, or other entity which performs or offers to perform land surveying services shall have a resident ~~registered~~ professional land surveyor in responsible charge in each separate branch office in which land surveying services are performed or offered to be performed. ~~A resident~~ As used in this Code section, the term 'resident' means a registrant who spends the majority of his or her

normal working time at his or her place of business. The registrant can be the resident licensee at only one place of business at one time.

43-15-24.

(a) It shall be unlawful for this state or any of its political subdivisions such as a county, municipality, or school district, or agencies thereof, or for any private or commercial entity to engage in the construction of any work or structures involving professional engineering which by the nature of their function or existence could adversely affect or jeopardize the health, safety, or welfare of the public unless the plans and specifications have been prepared under the direct supervision or review of and bear the seal of, and the construction is executed under the direct supervision of or review by, a ~~registered~~ professional engineer or architect.

(b) Nothing in this Code section shall be held to apply to any construction, including alterations, of which the completed cost is less than \$100,000.00 or which is used exclusively for private or noncommercial purposes, or to private residences, or to noncommercial farm buildings, or to residence buildings not exceeding two stories in height, excluding basements.

(c) Any county, municipality, or other governing body in this state that issues building permits is required to maintain a permanent record of the permit application and issuance thereon, ~~which record shall indicate~~ indicating the name of the professional engineer or architect, if any, ~~that~~ who has sealed the plans, specifications, plats, or reports pursuant to which said building permit is issued, ~~said record to~~ Such record shall include details on the size, type of building or structure, use for said building or structure, and estimated cost of construction.

43-15-25.

(a) Any person may prefer charges of fraud, deceit, gross negligence, incompetency, or unprofessional conduct against any ~~person~~ individual holding a certificate ~~or~~ certificate of registration, or license. Such charges shall be in writing, shall be sworn to by the person making them, and shall be filed with the board.

(b) All such charges, unless dismissed by the board as unfounded or trivial, shall be acted upon by the board.

43-15-26.

(a) After notice and hearing, the board may issue an order prohibiting any person from violating Code Section 43-15-7 and may fine such person at least \$100.00 but not more than \$5,000.00 per violation.

(b) The violation of any order of the board issued under subsection (a) of this Code section shall subject the person violating the order to an additional civil penalty not in excess of \$100.00 for each transaction constituting a violation of such order. The board may maintain an action in the superior courts of this state in its own name to recover the penalties provided for in this Code section.

43-15-27.

(a) It shall be the duty of all duly constituted law enforcement officers of this state and of the political subdivisions of this state to enforce this chapter and to prosecute any person violating this chapter.

(b) The Attorney General or his or her designated assistant shall act as legal adviser to the board and render such legal assistance as may be necessary in carrying out this chapter.

(c) Except as provided in Code Section 25-2-14, it shall be the duty of all public officials charged with the responsibility of enforcing codes related to construction to require compliance with Code Section 43-15-24 before engineering plans, drawings, and specifications are approved by construction. Except as provided in Code Section 25-2-14, no construction which is subject to Code Section 43-15-24 and which requires the service of an engineer shall be built without such approval prior to construction.

43-15-28.

The board shall exercise the powers and duties conferred upon it in accordance with Chapter 13 of Title 50, the 'Georgia Administrative Procedure Act.'

43-15-29.

(a) Nothing in this chapter shall be construed as excluding a qualified architect registered in this state from such engineering practice as may be incident to the practice of his or her profession or as excluding a professional engineer from such architectural practice as may be incident to the practice of professional engineering.

(b) The following persons shall be exempt from this chapter:

(1) ~~A person~~ An individual working as an employee or a subordinate of ~~a person~~ an individual holding a certificate of registration or license under this chapter or an employee of ~~a person~~ an individual practicing lawfully under Code Section 43-15-21, provided that such work does not include final design decisions and is done under the supervision of, and responsibility therefor is assumed by, ~~a person~~ an individual holding a certificate of registration or license under this chapter or ~~a person~~ an individual practicing lawfully under Code Section 43-15-21;

(2) Officers and employees of the government of the United States while engaged within this state in the practice of professional engineering or land surveying for such government;

(3) All elected officers of the political subdivisions of this state while in the practice of professional engineering or land surveying in the performance of their official duties;

(4) Officers and employees of the Department of Transportation, except as required by Title 46, while engaged within this state in the practice of professional engineering or land surveying for such department;

(5) Any defense, aviation, space, or aerospace company. As used in this paragraph, the term 'company' shall mean any sole proprietorship, firm, limited liability company, partnership, joint venture, joint stock association, corporation, or other

business entity and any subsidiary or affiliate of such business entity; ~~and~~

(6) Any employee, contract worker, subcontractor, or independent contractor who works for a defense, aviation, space, or aerospace company that is not required to be licensed under the provisions of this chapter pursuant to paragraph (5) of this subsection and who provides engineering for aircraft, space launch vehicles, launch services, satellites, satellite services, missiles, rockets, or other defense, aviation, space, or ~~aerospace-related~~ aerospace related products or services, or any components thereof; and

(7) Any officer or employee of a state government agency or department, county or municipal government, regional commission, or utility authority who is engaged in the gathering, processing, managing, and sharing of geospatial and photogrammetric data for cataloging or mapping purposes for his or her respective agency.

(c) This chapter shall not be construed as requiring registration or licensing for the purpose of practicing professional engineering or land surveying by an individual, firm, or corporation on property owned or leased by such individual, firm, or corporation unless the same involves the public safety or public health or for the performance of engineering which relates solely to the design or fabrication of manufactured products.

(d) This chapter shall not be construed to prevent or affect the practice of professional engineering and land surveying with respect to utility facilities by any public utility subject to regulation by the Public Service Commission, the Federal Communications Commission, the Federal Power Commission, or like regulatory agencies, including its parents, affiliates, or subsidiaries; or by the officers and full-time permanent employees of any such public utility, including its parents, affiliates, or subsidiaries, except where such practice involves property lines of adjoining property owners, provided that this exception does not extend to any professional engineer or professional land surveyor engaged in the practice of professional engineering or land surveying whose compensation is based in whole or in part on a fee or to any engineering services performed by the ~~above-referenced~~ utility companies referenced in this subsection not directly connected with work on their facilities.

(e) This chapter shall not be construed to affect the lawful practice of a person acting within the scope of a certificate of registration or license granted by the state under any other law.

(f) Nothing in this chapter shall be construed to require a contractor or an employee of a contractor that is performing layouts and measurements for a highway or construction project of such contractor to be licensed as a professional land surveyor; provided, however, that such individuals shall be prohibited from providing or offering to provide any other land surveying services and from performing a layout for a highway or construction project relative to a buffer, setback, or property line.

43-15-30.

(a) Any person ~~who~~ that violates Code Section 43-15-7 shall be guilty of a misdemeanor.

(b) Any ~~person~~ individual presenting or attempting to use as his or her own the

certificate of registration or license or the seal of another obtained under this chapter shall be guilty of a misdemeanor.

(c) Any person ~~who~~ that gives any false or forged evidence of any kind to the board or to any member thereof in obtaining a certificate ~~or~~ certificate of registration, or license shall be guilty of a misdemeanor.

(d) Any person ~~who~~ that falsely impersonates any other registrant or licensee or any person ~~who~~ that attempts to use an expired or revoked certificate of registration or license shall be guilty of a misdemeanor.

~~(e) Each day or occurrence shall be considered a separate offense.~~

~~(f)~~(e) Any person offering services to the public ~~who~~ that uses by name, verbal claim, sign, advertisement, directory listing, ~~or~~ letterhead, or otherwise the words 'Engineer,' 'Engineers,' 'Professional Engineering,' 'Engineering,' or 'Engineered' shall be guilty of a misdemeanor unless said person has complied with the provisions of this chapter.

(f) Any person offering services to the public that uses by name, verbal claim, sign, advertisement, directory listing, letterhead, or otherwise the words 'Professional Land Surveyor,' 'Professional Land Surveyors,' 'Land Surveyor,' or 'Land Surveyors' shall be guilty of a misdemeanor unless such person has complied with the provisions of this chapter.

(g) Each day or occurrence in violation of any provision of this Code section shall be considered a separate offense."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Gooch of the 51st moved that the Senate agree to the House substitute to SB 425.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson

Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 50, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 425.

The following bill was taken up to consider House action thereto:

SB 330. By Senators Wilkinson of the 50th, Mullis of the 53rd, Walker III of the 20th, Black of the 8th, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to provide that the agricultural education program in this state is based on a three-component model; to provide for a pilot program to develop and implement agricultural education in elementary schools; to provide for selection of pilot sites; to provide for program requirements; to provide for a program evaluation; to provide for the Professional Standards Commission to extend in-field certification for agricultural education to include kindergarten through grade five; to provide for related matters; to provide for a short title; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," so as to provide that the agricultural education program is based on a three-component model; to provide for a pilot program to develop and implement agricultural education in elementary schools; to provide for selection of pilot sites; to provide for program requirements; to provide for a program evaluation; to provide for the Professional Standards Commission to extend in-field certification for agricultural education to include kindergarten through grade five; to provide for related matters; to provide for a short title; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

This Act shall be known and may be cited as the "Georgia Agricultural Education Act."

SECTION 2.

Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the "Quality Basic Education Act," is amended by adding new Code sections to Part 3, relating to educational programs, to read as follows:

"20-2-154.2.

The agricultural education program provided in this state to students in grades six through 12 shall be based on the nationally recognized three-component model of school based agricultural education: daily instruction in an organized classroom and lab environment; hands-on, experiential learning opportunities through a supervised agriculture experience (SAE) program; and leadership and learning opportunities through participation in the Georgia FFA Association, the National FFA Organization, and agricultural education. The Department of Education, through its agricultural education program employees, shall develop the curriculum and standards for the agricultural education program, with input from agricultural education teachers, so as to include all three components of such model and local school systems shall include all three components of such model whenever offering any agricultural education course approved by the State Board of Education. The Department of Education shall maintain an adequate number of full-time employees, certified in agricultural education and distributed regionally throughout the state, to provide accountability for state and federal funds for program delivery of agricultural education, to continue to develop and maintain pertinent agricultural education curriculum and standards, to assist local school systems on matters related to agricultural education, and to coordinate regional and state-wide activities of the Georgia FFA Association, the National FFA Organization, and agricultural education.

20-2-154.3.

(a) The Department of Education, through its agricultural education program, shall be authorized to establish a pilot program, beginning in the 2019-2020 school year, to provide for agricultural education in elementary schools in this state. The purpose of the pilot program shall be to determine whether and how to implement an elementary agricultural education program state wide.

(b) The Department of Education, through its agricultural education program employees described in Code Section 20-2-154.2, is authorized to select a minimum of six public elementary schools for participation in the pilot program, with one elementary school in each of the six existing regions established by the agricultural education program of the Department of Education. The local board of education for each elementary school selected to be in the pilot program shall agree to implement and fully fund an elementary agricultural education program in such school and to continue to provide such elementary agricultural education program for a period no shorter than three years. The local school system may employ an agricultural education teacher to provide such program for the elementary school.

(c) The Department of Education, through its agricultural education program employees described in Code Section 20-2-154.2, and local school systems shall

collaborate to establish the curriculum for each elementary agricultural education program. Such curriculum shall be grade-appropriate and include instruction in an organized classroom; collaborative learning experiences through investigation and inquiry, including laboratory and site-based learning activities; and personal and leadership development opportunities.

(d) The Department of Education, through its agricultural education program, shall provide for a program evaluation regarding the success and impact of the pilot program upon completion of the third year of the pilot program and shall report the results of such evaluation to the House Committee on Agriculture and Consumer Affairs and the Senate Agriculture and Consumer Affairs Committee and to the House Committee on Education and the Senate Education and Youth Committee."

SECTION 3.

Said article is further amended in Code Section 20-2-200, relating to regulation of certificated professional personnel by the Professional Standards Commission, by adding a new paragraph to subsection (b) to read as follows:

"(6) No later than July 1, 2019, the Professional Standards Commission shall extend in-field certification for agricultural education to include kindergarten through grade five."

SECTION 4.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senator Wilkinson of the 50th moved that the Senate agree to the House substitute to SB 330.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Butler	Y Kennedy	Tate
Y Cowsert	Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery

Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 330.

The following bill was taken up to consider House action thereto:

SB 436. By Senators Strickland of the 17th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Chapter 9 of Title 15 of the O.C.G.A., relating to probate courts, so as to change and modernize certain general provisions for probate courts; to amend Code Section 1-3-1, relating to construction of statutes generally, so as to conform a cross-reference; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to probate courts, so as to change and modernize certain general provisions for probate courts; to change provisions relating to training, the appointment of associate probate judges, bond, and the filling of a vacancy of the probate court judge and procedures connected thereto; to repeal provisions relating to the sheriff acting as administrator under certain circumstances; to change provisions relating to The Council of Probate Judges of Georgia; to change provisions relating to the authority of retired probate judges to perform marriage ceremonies; to change provisions relating to judges acting as clerk of probate court; to change provisions relating to recording of proceedings; to repeal provisions relating to fee systems being continued; to change provisions relating to probate court office hours; to require certain pleadings be verified; to change certain provisions relating to the Probate Judges Training Council; to conform cross-references; to amend Code Section 1-3-1 of the Official Code of Georgia Annotated, relating to construction of statutes generally, so as to conform a cross-reference; to amend Article 1 of Chapter 5 of Title 53 of the Official Code of Georgia Annotated, relating to general provisions for probate, so as to define a term for the purpose of the right to offer a will for probate; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Chapter 9 of Title 15 of the Official Code of Georgia Annotated, relating to probate courts, is amended by revising Code Section 15-9-1.1, relating to required training courses, filing certificate of completion, and expenses, as follows:

"15-9-1.1.

~~(a) Any person who is or was elected, appointed, or made a judge of the probate court by operation of law on or prior to January 1, 1990, shall satisfactorily complete the required initial training course in the performance of his or her duties conducted by the Institute of Continuing Judicial Education of Georgia and shall file a certificate of such training issued by such institute with the Probate Judges Training Council on or before December 31, 1990, in order to become a certified judge of the probate court. The time and place of such training course and number of hours shall be determined by the Probate Judges Training Council and the Institute of Continuing Judicial Education of Georgia.~~

~~(b)(a) Any person individual who is elected, appointed, or becomes a judge of the probate court by operation of law after January 1, 1990, and who does not after taking office as judge of the probate court, shall satisfactorily complete the initial a new judge orientation training course prescribed by the Probate Judges Training Council and the Institute of Continuing Judicial Education of Georgia or who does not file a certificate at the first occasion such course is offered. Such judge shall complete an attendance record of such training issued by the Institute of Continuing Judicial Education of Georgia and file it with the Probate Judges Training Council within one year after taking office as a judge of the probate court shall, subject to subsection (d) of this Code section, become a certified judge of the probate court upon completion of such requirements at any later time.~~

~~(c)(1)(b) Each judge of the probate court shall be required to complete additional training prescribed by the Probate Judges Training Council and the Institute of Continuing Judicial Education of Georgia during each year he or she serves as a judge of the probate court after the initial year of training and shall file a certificate of such additional and complete an attendance record of such training issued by the Institute of Continuing Judicial Education of Georgia and file it with the Probate Judges Training Council.~~

~~(2) For the calendar years 2009 and 2010 only, the Probate Judges Training Council may suspend, in whole or in part, the training requirements of this subsection. If the council suspends such requirements, and if any probate judge has completed all or a portion of the required training prior to suspension of the training requirements, credit for the training so completed shall be carried over and applied to calendar year 2010 or 2011.~~

~~(d)(c) Any judge who fails to become a certified judge within one year after taking~~

~~office as a judge of the probate court~~ complete the new judge orientation training course as required by subsection (a) of this Code section or to earn the required cumulative annual minimal credit hours of training during any one-year period after the ~~initial year~~ of new judge orientation training may be given a six-month administrative extension by the Probate Judges Training Council during which to fulfill this requirement. Individual requests for extensions beyond the initial six-month extension for reasons of disability, hardship, or extenuating circumstance may be approved on a case-by-case basis by the Probate Judges Training Council. Upon failure to earn the required hours within the six-month extension period or additional extension period or periods granted, the Probate Judges Training Council shall promptly notify the Judicial Qualifications Commission which shall recommend to the Supreme Court removal of the probate judge from office unless the Judicial Qualifications Commission finds that the failure was caused by ~~facts~~ circumstances beyond the control of the probate judge.

~~(e)~~(d) All expenses of training authorized or required by this Code section, including any tuition which may be fixed by the Institute of Continuing Judicial Education, shall be paid by the probate judge or probate judge elect taking the training; but the probate judge or probate judge elect shall be reimbursed by the Institute of Continuing Judicial Education of Georgia to the extent that funds are available to the institute for such purpose; provided, however, that if such funds are not available, each probate judge or probate judge elect shall be reimbursed from county funds by action of the county governing authority."

SECTION 1-2.

Said chapter is further amended by revising subsections (a) and (b) of Code Section 15-9-2, relating to eligibility for judgeship and restrictions on fiduciary role, as follows:

"(a)(1) Except as otherwise provided in subsection (c) of this Code section, no ~~person~~ individual shall be eligible to offer for election to or hold the office of judge of the probate court unless the ~~person~~ individual:

(A) Is a citizen of the United States;

(B) Is a resident of the county in which the ~~person~~ individual seeks the office of judge of the probate court for at least two years prior to qualifying for election to the office and remains a resident of such county during the term of office;

(C) Is a registered voter;

(D) Has attained the age of 25 years prior to the date of qualifying for election to the office, but this subparagraph shall not apply to any ~~person~~ individual who was holding the office of judge of the probate court on July 1, 1981;

(E) Has obtained a high school diploma or its recognized equivalent; and

(F) Has not been convicted of a felony offense or any offense involving moral turpitude contrary to the laws of this state, any other state, or the United States.

(2) Each ~~person~~ individual offering as a candidate for the office of judge of the probate court shall file an affidavit with the officer before whom such ~~person~~ individual has qualified to seek the office of judge of the probate court prior to or at the time of qualifying as a candidate. The affidavit shall affirm that the ~~person~~

individual meets all the qualifications required by subparagraphs (A), (C), (D), (E), and (F) of paragraph (1) of this subsection and either subparagraph (B) of paragraph (1) of this subsection or subsection (c) of this Code section.

(b) The judge of the probate court ~~cannot~~ shall not, during his or her term of office, be executor, administrator, or guardian, or other agent of a fiduciary nature required to account to his or her court. When any ~~person~~ individual holding such trust is elected judge of the probate court, his or her letters and powers immediately abate upon his or her qualification. However, a judge of the probate court may be an administrator, guardian, or executor in a case where the jurisdiction belongs to another county or in a special case ~~where~~ when he or she is allowed by law and required to account to the judge of the probate court of another county."

SECTION 1-3.

Said chapter is further amended by revising Code Section 15-9-2.1, relating to appointment, compensation, term, authority, qualifications, training, and other limitations of associate probate court judges, as follows:

"15-9-2.1.

(a) **Appointment, compensation, and term.**

(1) The judge of the probate court may appoint one or more ~~persons~~ individuals to serve as associate judges of the probate court in probate matters on a full-time or part-time basis subject to the approval of the governing authority of the county. Such associate judges of the probate court shall serve at the pleasure of the judge of the probate court.

(2) Whenever ~~a full-time~~ an associate judge of the probate court is appointed to serve in a probate court, the clerk of the probate court shall forward a certified copy of the order of appointment to the Council of Probate Court Judges of Georgia.

(3) ~~Full-time associate~~ Associate judges of the probate court shall be included in the list of members of the Council of Probate Court Judges of Georgia as set forth in Code Section 15-9-15. An associate judge of the probate court shall not be a voting member and shall not serve as an officer of the Council of Probate Court Judges of Georgia.

(4) Compensation of the associate judges of the probate court shall be fixed by the judge of the probate court subject to the approval of the governing authority or governing authorities of the county or counties for which the associate judge of the probate court is appointed. The salary and any employment benefits of each associate judge of the probate court shall be paid from county funds. No associate judge of the probate court shall be eligible to participate in the Judges of the Probate Courts Retirement Fund of Georgia.

~~(5) The term of employment of an associate judge of the probate court shall run concurrently with the term of the elected judge of the probate court pursuant to Code Section 15-9-1.~~

(b) **Authority.** Both full-time and part-time associate judges of the probate court shall be vested with all of the authority of the judge of the probate court of the county or

counties for which the associate judge of the probate court is appointed. In all proceedings before the court, the judgment of ~~the~~ an associate judge of the probate court shall be the final judgment of the court for appeal purposes.

(c) Qualifications and training requirements.

(1) With the exception of the residency requirement set forth in subparagraph (a)(1)(B) of Code Section 15-9-2, all associate judges of the probate court shall have the same qualifications required of the elected judge of the probate court of the county or counties for which the associate judge of the probate court is appointed.

(2) All full-time associate judges of the probate court shall complete the training requirements set forth for judges of the probate court in Code Section 15-9-1.1. All part-time associate judges of the probate court shall be required to attend a minimum of nine hours of of training in an area related to probate court, mental health, or traffic matters as determined by the elected judge of the probate court. All probate required training shall be paid for by the governing authority or governing authorities of the county or counties for which the associate judge of the probate court is appointed.

(d) Oath and bond.

(1) Before entering on the duties of their offices, all ~~full-time and part-time~~ associate judges of the probate court shall take the oaths required of all civil officers and, in addition, the following oath:

'I do swear that I will well and faithfully discharge the duties of associate judge of the probate court for the County of _____ during my continuation in office, according to law, to the best of my knowledge and ability, without favor or affection to any party. So help me God.'

(2) The clerk of the probate court shall make an entry of the oath of each associate judge of the probate court on the minutes of the probate court. In the case of an associate judge of the probate court serving as a magistrate, no oath, certificate, or commission shall be required except the oath and commission of the associate judge of the probate court as an associate judge of the probate court.

(e) Restriction on the practice of law and the fiduciary role.

(1) ~~It shall be unlawful for any full-time associate judge of the probate court to engage in any practice of law outside his or her role as an associate judge of the probate court; provided, however, that such prohibition shall not apply when he or she is serving as a judge advocate general or in any other military role in a reserve component of the United States Army, United States Navy, United States Marine Corps, United States Coast Guard, United States Air Force, United States National Guard, Georgia National Guard, Georgia Air National Guard, Georgia Naval Militia, or the State Defense Force.~~ It shall be unlawful for any ~~part-time~~ associate judge of the probate court to engage directly or indirectly in the practice of law in his or her own name or in the name of another as a partner in any manner in any case, proceeding, or matter of any kind in his or her own court or in any other court in any case, proceeding, or any other matters of which his or her own court has pending jurisdiction or has jurisdiction. It shall be unlawful for any associate judge of the probate court, ~~full-time or part-time~~, to give advice or counsel to any person

individual on any matter of any kind whatsoever that has arisen directly or indirectly in his or her own court, except such advice or counsel as he or she is called upon to give while performing the duties of an associate judge of the probate court. Nothing in this chapter shall be construed to limit in any way the ability of an associate judge of the probate court to serve as or offer advice in his or her role as a judge advocate or in any other military role in an active duty or reserve component of the United States Army, United States Navy, United States Marine Corps, United States Coast Guard, United States Air Force, United States National Guard, Georgia National Guard, Georgia Air National Guard, Georgia Naval Militia, the Georgia State Defense Force, or in the National Guard or Air National Guard of any state or territory of the United States.

(2) ~~The provisions of subsection~~ Subsection (b) of Code Section 15-9-2 regarding a judge's limitations on the fiduciary role shall apply to ~~both full-time and part-time~~ all associate judges of the probate court.

~~(f) **Assumption of duties upon vacancy in the office of judge of probate court.** Notwithstanding the provisions of subsection (c) of Code Section 15-9-2 or Code Sections 15-9-10, 15-9-11, and 15-9-11.1, the senior full-time associate judge of the probate court shall be the first in line to serve as judge of the probate court in the event of a vacancy in the office of the judge of probate court and shall dispense with any and all unfinished proceedings pursuant to Code Section 15-9-12. The associate judge of the probate court shall be eligible to fill a vacancy in the office of probate judge for the remainder of the unexpired term without regard to whether such associate probate judge meets any residency requirements otherwise imposed by law; however, the associate probate judge shall become a resident of the county before qualifying for election to the office of probate judge. Any associate probate judge taking office as authorized by this subsection shall thereafter be eligible to succeed himself or herself as long as he or she remains a resident of the county.~~

~~(g)~~**(f) Proceedings when an associate judge of the probate court is disqualified.** Whenever the judge of the probate court is ~~disqualified~~ unable to act in any case ~~pursuant to Code Section 15-9-13, the~~ because of a conflict of interest, an unlawful act or the accusation of an unlawful act by such judge, or other disqualification of such judge, any associate judge of the probate court shall also be disqualified."

SECTION 1-4.

Said chapter is further amended by revising Code Section 15-9-3, relating to restrictions on the practice of law, as follows:

"15-9-3.

No judge of a probate court shall engage, directly or indirectly, in the practice of law in his or her own name or in the name of another, as open or silent partner, or otherwise:

- (1) In any case or proceeding in his or her own court;
- (2) In another court in a case or matter of which his or her own court has, has had, or may have jurisdiction; or
- (3) In any court or any matter whatever, ~~in~~ on behalf of or against any executor,

administrator, guardian, trustee, or other ~~person~~ individual acting in a representative capacity whose duty it is to make returns to his or her court, except to give such advice or instructions as his or her duty may require ~~of him~~ as judge in his or her own court, for which he or she shall receive only such fees as are prescribed by law."

SECTION 1-5.

Said chapter is further amended by revising subsection (a) of Code Section 15-9-4, relating to additional judicial eligibility requirements in certain counties, as follows:

"(a) No ~~person~~ individual elected judge of the probate court in any county provided for in this Code section shall engage in the private practice of law."

SECTION 1-6.

Said chapter is further amended by revising Code Section 15-9-5, relating to when a judge is ineligible for election, as follows:

"15-9-5.

If any judge of the probate court fails to account faithfully as executor, administrator, or guardian after becoming judge, for all trusts he or she held at the time of his or her election, ~~he is~~ such judge shall be ineligible for reelection."

SECTION 1-7.

Said chapter is further amended by revising Code Section 15-9-7, relating to bond, as follows:

"15-9-7.

The judges of the probate courts ~~must~~ shall give bond or surety in the sum of ~~\$25,000.00~~ \$100,000.00, which amount may be increased in any county by local Act, for the faithful discharge of their duties as clerks of the judges of the probate courts. The county governing authority shall pay such bond."

SECTION 1-8.

Said chapter is further amended by revising Code Section 15-9-8, relating to qualification and bond, as follows:

"15-9-8.

The several judges of the superior courts in their respective circuits shall have the power and it shall be their duty to qualify the judges of the probate courts of the several counties in their circuits, to approve the official bonds of the judges of the probate courts, and to cause the bonds to be returned to the Secretary of State with the dedimus, to be filed with the office of the Secretary of State. In all cases a certified copy of the bond shall be sufficient original evidence on which to bring an action and recover. ~~This Code section shall extend to clerks of the superior courts when serving as judges of the probate court during vacancies in that office, and such officers must qualify at or before the spring term of the court after their election.~~"

SECTION 1-9.

Said chapter is further amended by revising Code Section 15-9-9, relating to when other security ordered and failure to comply, as follows:

"15-9-9.

If, at any time during the term of the judge of the probate court, it is made satisfactorily to appear to the judge of the superior court that the bond of the judge of the probate court is insufficient or the security thereof insolvent, it shall be his or her duty to require other security. On failure of the judge of the probate court to comply with the order of the superior court judge, a vacancy shall be declared as if ~~he~~ such judge had failed to give security in the first instance."

SECTION 1-10.

Said chapter is further amended by revising Code Section 15-9-10, relating to temporary filing of vacancy and compensation, as follows:

"15-9-10.

~~(a) Until a vacancy in the office of judge of the probate court is filled, the chief judge of the city or state court, as the case may be, shall serve as the judge and shall be vested with all the powers of the judge. If there is no such chief judge or if for some reason the chief judge cannot serve as judge, the clerk of the superior court of the county shall serve as judge and shall be vested with all the powers of the judge. In the event that the clerk of the superior court, for some reason, cannot serve as judge, the chief judge of the superior court of the county shall appoint a person to serve as judge; such person shall be vested with all the powers of the judge. If at any time there is a vacancy in the office of judge of the probate court, such vacancy shall be filled as set forth in Code Section 15-9-11. Any individual serving during such vacancy shall be vested with all the powers of the judge of the probate court.~~

(b)(1) Except as provided in subsection (b) of Code Section 15-9-11, until such time as a special election can be held, a vacancy shall be filled in the following order of priority:

(A) By an associate judge of the probate court, in order of seniority. In any county in which an associate judge of the probate court has been appointed and such associate judge meets all of the qualifications for serving as probate judge, then he or she shall discharge the duties of the office of judge of the probate court. An associate judge shall be eligible to fill a vacancy in the office of probate judge until the special election without regard to whether such associate judge meets the residency requirement set forth in subparagraph (a)(1)(B) of Code Section 15-9-2; provided, however, that the associate judge shall meet the requirements of law before qualifying for election to the office of judge of the probate court; or

(B) By the chief clerk of the probate court. In any county in which a chief clerk of the probate court has been appointed and such clerk meets all of the qualifications for serving as probate judge, then he or she shall discharge the duties of the office of judge of the probate court.

(2) If any individual designated in paragraph (1) of this subsection does not wish to

serve as judge of the probate court to fill a vacancy, he or she shall express that desire by delivering such declination in writing to the chief judge of the superior court for the circuit to which the county is assigned.

(3) If there is no associate judge for the probate court and the chief clerk is not eligible to serve or all such individuals decline to serve, the chief judge of the superior court in the circuit to which the county is assigned shall appoint an individual to serve as judge during a vacancy.

~~(c) The sole county commissioner or the board of county commissioners or, in those counties which have no commissioners, the chief judge of the superior court shall fix the compensation of the person individual who serves as judge until the vacancy is filled. The compensation shall be paid from the general funds of the county. The fees collected during such period of time shall be paid into the general funds of the county.~~

~~(b) Reserved."~~

SECTION 1-11.

Said chapter is further amended by revising Code Section 15-9-11, relating to special election to fill vacancy and term of person elected, as follows:

"15-9-11.

(a) When a vacancy occurs in the office of judge of the probate court in any county, it shall be the duty of the ~~person~~ individual who assumes the duties of the judge, as provided in Code Section 15-9-10, within ten days after the vacancy occurs, to order a special election for the purpose of filling the vacancy. ~~He or she~~ The election superintendent shall give notice of the special election by publication in the newspaper in which the citations of the judge of the probate court are published. The special election shall be held in accordance with Chapter 2 of Title 21.

~~(b) Notwithstanding the provisions of this subsection (a) of this Code section, if the vacancy occurs after January 1 in the last year of the term of office of the judge of probate court, the person individual assuming the duties of the judge of the probate court shall be commissioned for and shall serve the remainder of the unexpired term of office.~~

~~(b)(c) The person~~ If a special election is held, the individual elected to fill the vacancy shall be commissioned for the unexpired term."

SECTION 1-12.

Said chapter is further amended by revising Code Section 15-9-11.1, relating to assumption of duties by chief clerk upon vacancy in office of probate judge, the filling of the vacancy, and compensation, as follows:

~~"15-9-11.1.~~

~~(a) Notwithstanding the provisions of Code Sections 15-9-10 and 15-9-11, in any county in which a chief clerk of the probate judge has been appointed and said chief clerk meets all qualifications for the office of probate judge, the person serving as chief clerk at the time of occurrence of a vacancy in the office of probate judge shall discharge the duties of the office of the judge of the probate court.~~

~~(b) Vacancies in the office of judge of the probate court having a chief clerk as provided for in subsection (a) of this Code section shall be filled as follows:~~

~~(1) The chief clerk shall discharge such duties of the judge of the probate court until the first day of January following the next succeeding general election which occurs more than 60 days after the vacancy or the expiration of the remaining term of office, whichever occurs first; and~~

~~(2) If the next succeeding general election is not one at which county officers are elected and is more than 60 days after the occurrence of the vacancy, a duly qualified person shall be elected judge of the probate court at a special election held at the same time as the general election. The person so elected shall take office on the first day of January following such election and shall serve for the remainder of the unexpired term of office.~~

~~(c) The chief clerk performing the duties as judge of the probate court shall receive the same compensation, less any longevity raises received by the prior judge, and shall be paid in the same manner, as such judge of the probate court would have received."~~

SECTION 1-13.

Said chapter is further amended by revising Code Section 15-9-13, relating to procedure when judge disqualified or unable to act and compensation, as follows:

"15-9-13.

(a) Whenever a judge of the probate court is ~~disqualified~~ unable to act in any case ~~or because of sickness, absence, or any other reason is unable to act in any case,~~ an associate judge of the probate court, in order of seniority, shall exercise the jurisdiction of the probate court, unless he or she is disqualified under subsection (f) of Code Section 15-9-2.1. Whenever a judge of the probate court is unable to act in any case because of sickness, absence, or any other reason and an associate judge is unable to act, the judge of the probate court may appoint an attorney at law who is a member of the State Bar of Georgia to exercise the jurisdiction of the probate court. ~~If the judge of the probate court does not so appoint, the judge of the city or state court, as the case may be, shall exercise all the jurisdiction of the judge of the probate court in the case.~~ If, however, the inability of the probate judge to act arises from any unlawful act or the accusation of an unlawful act on the part of the probate judge, the probate judge ~~may~~ shall not appoint an attorney and only another judge shall exercise the jurisdiction of the probate court.

~~(b) If there is no such judge or if for some reason the judge cannot serve in the case, the clerk of the judge of the probate court shall exercise all the jurisdiction of the judge of the probate court in the case.~~

~~(c)(b) If for any reason the clerk of the judge of the probate court cannot serve in such case~~ fails to appoint an attorney to serve, the chief judge of the superior court shall appoint ~~a person~~ an individual to serve and exercise the jurisdiction of the judge of the probate court in the case.

~~(d)(c) Except as otherwise provided in paragraph (4) of subsection (a) of Code Section 15-9-2.1, the~~ The compensation of the person individual serving as provided in this

Code section shall be fixed by the board of county commissioners or, in those counties which have no county commissioners, by the chief judge of the superior court. The compensation shall be paid from the general funds of the county. All fees collected during ~~the~~ such service by an individual who is not an associate judge of the probate court shall be paid into the general funds of the county."

SECTION 1-14.

Said chapter is further amended by revising Code Section 15-9-14, relating to sheriffs to act as administrators when probate judge is superior court clerk in absence of county administrator, as follows:

"15-9-14.

~~When the judge of the probate court is also the clerk of the superior court and there is no county administrator or other person upon whom the law casts the administration of unrepresented estates, such administrations are cast upon the sheriffs of the several counties, who must become such administrators~~ Reserved."

SECTION 1-15.

Said chapter is further amended by revising subsection (a) of Code Section 15-9-15, relating to the Council of Probate Court Judges of Georgia, as follows:

"(a) There is created a council to be known as 'The Council of Probate Court Judges of Georgia.' The council shall be composed of the judges ~~and judges emeriti~~ of the probate courts of this state. The council is authorized to organize itself and to develop a constitution and bylaws. The officers of said council shall consist of a president, ~~first vice president, second~~ president-elect, vice president, secretary-treasurer, and such other officers and committees as the council shall deem necessary."

SECTION 1-16.

Said chapter is further amended by revising Code Section 15-9-16, relating to the authority of retired judge to perform marriage ceremonies, as follows:

"15-9-16.

A retired judge of a probate court of any county of this state shall be vested with the same authority as an active judge of this state for the purpose of performing marriage ceremonies. ~~For purposes of this Code section, a retired judge of a probate court shall be one who has served as probate judge not less than 12 years.~~"

SECTION 1-17.

Said chapter is further amended by revising Code Section 15-9-17, relating to serving a minor or incapacitated adult, as follows:

"15-9-17.

(a) Notwithstanding the provisions of Code Section 15-9-122 or any other provision of law to the contrary, in any action before the probate court in which the service of a minor or an incapacitated adult is required, such service may be made by:

- (1) Mailing by the probate court of a copy of the document to be served to the minor

or incapacitated adult by certified mail or statutory overnight delivery; and

(2) Serving the legal guardian or guardian ad litem of such minor or incapacitated adult if such legal guardian or guardian ad litem:

(A) Acknowledges receipt of such service; and

(B) Certifies that he or she has delivered a copy of the document so served to the minor or incapacitated adult.

(b) The acknowledgment and certification of the legal guardian or guardian ad litem and the certificate of the mailing to the minor or incapacitated adult shall be filed with the court as proof of such service."

SECTION 1-18.

Said chapter is further amended by revising Code Section 15-9-18, relating to remittance of interest from cash bonds, as follows:

"15-9-18.

Whenever the sheriff transfers cash bonds to the clerk of the court, pursuant to Code Section 15-16-27, the clerk of the probate court shall deposit such funds into interest-bearing trust accounts, and the interest from those funds shall be remitted to the Georgia Superior Court Clerks' Cooperative Authority in accordance with ~~the provisions of~~ subsections (c) through (i) of Code Section 15-6-76.1 for distribution to the Georgia Public Defender Council."

SECTION 1-19.

Said chapter is further amended by revising paragraph (9) of subsection (b) of Code Section 15-9-30, relating to probate court jurisdiction and additional powers, as follows:

"(9) ~~Receive pleas of guilty and impose sentences in~~ Hear cases of violations of game and fish laws;"

SECTION 1-20.

Said chapter is further amended by revising subsection (b) of Code Section 15-9-36, relating to the authority to appoint clerks, as follows:

"(b) The appointed clerks, including the chief clerk of the probate judge, may do all acts the judges of the probate courts could do which are not judicial in their nature ~~and may act for judges of the probate courts in those cases in which they are authorized to act for the judge by Code Section 15-9-13.~~ The chief clerk of the probate judge shall also have the authority prescribed in Code Section ~~15-9-11.1~~ 15-9-10."

SECTION 1-21.

Said chapter is further amended by revising Code Section 15-9-37, relating to duties of clerks or probate judges acting as clerks, by adding a new subsection to read as follows:

"(c) The judge of the probate court or any other authority performing the functions required to be performed by such judge or by the probate court in any county of this state shall be authorized to install and to use photostatic equipment or other photographic equipment for recording any documents authorized or required to be

recorded in the office of the judge or of the probate court or for recording and preserving the minutes of the court. Such equipment may be installed and used by the judge or by the probate court for the same purposes and in lieu of the commonly used method of printing, typing, and handwriting the documents, records, and minutes. Such equipment may be provided or its use permitted by the proper county authorities. The authority given by this subsection for the installation and use of photostatic and photographic equipment is permissive only."

SECTION 1-22.

Said chapter is further amended by revising Code Section 15-9-40, relating to the filing and recording of proceedings and fees, as follows:

"15-9-40.

The proceedings shall always be kept on file; and, whenever the final order is granted, the proceedings shall be recorded in a book to be kept for that such purpose, for which the judge of the probate court shall receive the same fees as are allowed clerks of the superior courts for similar services."

SECTION 1-23.

Said chapter is further amended by revising Code Section 15-9-42, relating to the docket of fiduciaries, as follows:

"15-9-42.

(a) The judge of the probate court shall keep a docket of all the executors, administrators, guardians, and trustees who are liable to make returns in his or her court, with regular entries of their returns, and of such fiduciaries as have failed to make returns as required by law and by the order of the court.

(b) Nothing in this Code section shall restrict or otherwise prohibit a clerk or a probate judge acting as such from electing to store for computer retrieval any or all books, records, dockets, files, or indices; nor shall a clerk or a probate judge acting as such be prohibited from combining or consolidating any books, records, dockets, files, or indices in connection with the filing for record of papers of the kind specified in this Code section or in any other law; provided, however, that any automated or computerized record-keeping method or system shall provide for the systematic and safe preservation and retrieval of all books, records, dockets, files, or indices. When the clerk or a probate judge acting as such elects to store for computer retrieval any or all books, records, dockets, files, or indices, the same data elements used in a manual system shall be used, and the same integrity and security shall be maintained."

SECTION 1-24.

Said chapter is further amended by revising Code Section 15-9-44, relating to the use of photostatic and photographic equipment, as follows:

"15-9-44.

~~(a) The judge of the probate court or any other authority performing the functions required to be performed by the judge or by the probate court in any county of the state~~

~~is authorized to install and to use photostatic equipment or other photographic equipment for recording any documents authorized or required to be recorded in the office of the judge or of the probate court or for recording and preserving the minutes of the court. The equipment may be installed and used by the judge or by the probate court for the same purposes and in lieu of the commonly used method of printing, typing, and handwriting the documents, records, and minutes. The equipment may be provided or its use permitted by the proper county authorities.~~

~~(b) The authority given by this Code section for the installation and use of photostatic and photographic equipment is permissive only Reserved.~~"

SECTION 1-25.

Said chapter is further amended by revising Code Section 15-9-45, relating to filing of photostatic records, as follows:

"15-9-45.

~~If and when the equipment specified in Code Section 15-9-44 is installed and used in the several counties for the purposes authorized by Code Section 15-9-44, provision shall be made for the proper and orderly filing in a book or receptacle provided for that purpose of the pictures or photostatic or other photographic results of the instruments in question or for the proper and orderly filing in a receptacle provided for that purpose of the films or negatives produced as a result of the photostatic or photographic method of recording Reserved.~~"

SECTION 1-26.

Said chapter is further amended by revising Code Section 15-9-65, relating to longevity increases, as follows:

"15-9-65.

The amounts provided in paragraph (1) of subsection (a) of Code Section 15-9-63 and Code Section 15-9-64, as increased by paragraph (2) of subsection (a) of Code Section 15-9-63, shall be increased by multiplying said amounts by the percentage which equals 5 percent times the number of completed four-year terms of office served by any judge of a probate court after December 31, 1976, effective the first day of January following the completion of each such period of service. This Code section shall not be construed to affect any local legislation except ~~where~~ when the local legislation provides for a salary lower than the salary provided in Code Sections 15-9-63, 15-9-64, 15-9-66, and this Code section, ~~and Code Sections 15-9-66 and 15-9-67~~, in which event Code Sections 15-9-63, 15-9-64, 15-9-66, and this Code section, ~~and Code Sections 15-9-66 and 15-9-67~~ shall prevail."

SECTION 1-27.

Said chapter is further amended by revising Code Section 15-9-66, relating to effect of minimum salary provisions on judges in office on July 1, 1991, and expenses not covered by salary, as follows:

"15-9-66.

Code Sections 15-9-63 through 15-9-65, and this Code section,~~and Code Section 15-9-67~~ shall not be construed to reduce the salary of any judge of a probate court in office on July 1, 1991; provided, however, that successors to such judges of the probate courts in office on July 1, 1991, shall be governed by the provisions of said Code sections. The minimum salaries provided for in Code Sections 15-9-63 through 15-9-65, and this Code section,~~and Code Section 15-9-67~~ shall be considered as salary only. Expenses for deputy clerks, equipment, supplies, copying equipment, and other necessary and reasonable expenses for the operation of a probate court shall come from funds other than the funds specified as salary in Code Sections 15-9-63 through 15-9-65, and this Code section,~~and Code Section 15-9-67.~~"

SECTION 1-28.

Said chapter is further amended by revising Code Section 15-9-67, relating to fee systems continued until enactment of local legislation, as follows:

"15-9-67.

~~Code Sections 15-9-63 through 15-9-66 and this Code section shall not be construed so as to place any judge of the probate court who is on the fee system of compensation on a salary system of compensation. Any judge of a probate court who is compensated under the fee system of compensation on July 1, 1978, shall continue to receive compensation under the fee system of compensation until local legislation is enacted by the General Assembly placing such judge of the probate court on an annual salary equal to the salary provided for in Code Sections 15-9-63 through 15-9-66 and this Code section~~ Reserved."

SECTION 1-29.

Said chapter is further amended by revising Code Section 15-9-83, relating to time for transacting business and calendar, as follows:

"15-9-83.

~~The judge of the probate court may transact business at any time except Sundays and may close his office not more than one other day in each week. Where authorized or not prohibited by law, any hearing or other proceeding may be had and any order or judgment may be rendered at any time. However, nothing in this Code section shall be construed as prohibiting the judge of the probate court from providing by calendar for the orderly and uniform transaction of business on designated days.~~

(a) The office of the judge of the probate court shall be open to conduct business a minimum of 40 hours each week as determined by the judge of the probate court.

(b) Nothing in this Code section shall be construed to require any office of the judge of the probate court to be open:

(1) On any public holiday, legal holiday, day of rest, or similar time that is recognized and designated as such by the laws of this state or by the governing authority of the county; or

(2) If other county offices are closed because of inclement weather or any other reason."

SECTION 1-30.

Said chapter is further amended by revising Code Section 15-9-86, relating to petitions and notice and service thereof, as follows:

"15-9-86.

Every application made to the judge of the probate court for the granting of any order shall be by verified petition in writing, stating the ground of such application and the order sought. Unless otherwise provided by law, if notice of the application, other than by published citation, is necessary under the law or in the judgment of the judge of the probate court, the judge shall cause a copy of the application, together with a notice of the time of hearing, to be served by the sheriff or some lawful officer upon each party who resides in this state and to be mailed by registered or certified mail or statutory overnight delivery to each party who resides outside this state at a known address, at least ten days, plus three days if mailed, before the hearing. An entry of such service shall be made on the original. In extraordinary cases, where it is necessary to act before such notice can be given, the judge of the probate court shall so direct the proceedings as to make no final order until notice has been given."

SECTION 1-31.

Said chapter is further amended by revising Code Section 15-9-88, relating to objections or caveats to order, as follows:

"15-9-88.

All objections or caveats to an order sought shall be in writing and verified, setting forth the grounds of such caveat."

SECTION 1-32.

Said chapter is further amended by revising Code Section 15-9-101, relating to powers, bond of personnel, and audits, as follows:

"15-9-101.

(a) As used in this Code section, the term 'training council' means the Probate Judges Training Council.

(b) ~~The Probate Judges Training Council~~ training council shall be a legal entity and an agency of the State of Georgia; shall have perpetual existence; may contract; may own property; may accept funds, grants, and gifts from any public or private source for use in defraying the expenses of the training council in carrying out its duties; may adopt and use an official seal; may establish a principal office; may employ such administrative or clerical personnel as may be necessary and appropriate to fulfill its necessary duties; and shall have such other powers, privileges, and duties as may be reasonable and necessary for the proper fulfillment of its purposes and duties.

~~(b)(c)~~ (c) The training council shall require a sufficient bond signed by some surety or guaranty company authorized to do business in this state of any administrative or clerical personnel employed by the training council and empowered to handle funds of the training council. The premiums on such bonds shall be paid by the training council from funds appropriated or otherwise available to the training council.

~~(e)~~(d) The training council shall establish such auditing procedures as may be required

in connection with the handling of public funds. The state auditor is authorized and directed to make an annual audit of the acts and doings of the training council and to make a complete report of the same to the General Assembly. The state auditor shall not be required to distribute copies of the audit to the members of the General Assembly but shall notify the members of the availability of the audit in the manner which he or she deems to be most effective and efficient. The report shall disclose all moneys received by the training council and all expenditures made by the training council, including administrative expense. He or she shall also make an audit of the affairs of the training council at any time required by a majority of the training council or the Governor of the state."

SECTION 1-33.

Said chapter is further amended by revising Code Section 15-9-102, relating to the composition of the Probate Judges Training Council, terms of office, and vacancies, as follows:

"15-9-102.

(a) As used in this Code section, the term:

(1) 'District' means an area of this state containing one or more counties which is designated and numbered as a district by The Council of Probate Court Judges of Georgia.

(2) 'Training council' means the Probate Judges Training Council.

(b)(1) The training council shall consist of one member from each district as elected by the judges of the probate courts within such district. Such elections shall occur prior to the annual spring business meeting of The Council of Probate Court Judges of Georgia. Training ~~council members~~ councilmembers shall serve four-year terms; provided, however, that members from odd-numbered districts shall serve an initial term of two years and members from even-numbered districts shall serve an initial term of four years. All members may succeed themselves, and successors shall be elected in the same manner as the original members immediately prior to the expiration of each member's term of office. The president of The Council of Probate Court Judges of Georgia shall be a voting member of the training council ex officio.

(2) The Council of Probate Judges of Georgia may add up to four additional members to the training council. Such members shall be selected from the members of The Council of Probate Judges of Georgia at large and serve for two-year terms. Such members may succeed themselves if they are reappointed by the council. If a vacancy occurs for the additional members added, the council shall determine how to fill the vacancy.

(c) In the event a vacancy occurs in the membership of the training council as a result of a death, resignation, removal, or failure of reelection as a probate judge, the members of the district in which such vacancy has occurred shall elect a qualified person from the district to serve for the remainder of the unexpired term of the member whose seat is vacant. The person elected to fill such vacancy shall take office immediately upon election."

SECTION 1-34.

Said chapter is further amended by revising Code Section 15-9-103, relating to meetings, officers, and reimbursement of expenses, as follows:

"15-9-103.

(a) As used in this Code section, the term 'training council' means the Probate Judges Training Council.

(b) The training council shall meet ~~immediately following~~ not later than the annual spring business meeting of The Council of Probate Court Judges of Georgia and at such other times and places as it shall determine necessary or convenient to perform its duties. The training council shall annually elect a chairperson and such other officers as it shall deem necessary and shall adopt such rules for the transaction of its business as it shall desire. The members of the training council shall receive no compensation for their services but shall be reimbursed for their actual expenses incurred in the performance of their duties as members of the training council."

SECTION 1-35.

Said chapter is further amended by revising Code Section 15-9-104, relating to the eligibility of a councilmember to hold office of judge of probate court, as follows:

"15-9-104.

Notwithstanding any other law, a councilmember shall not be ineligible to hold the office of judge of the probate court by virtue of his or her position as a member of the ~~training council~~ Probate Judges Training Council."

PART II**SECTION 2-1.**

Code Section 1-3-1 of the Official Code of Georgia Annotated, relating to construction of statutes generally, is amended by revising division (d)(2)(A)(iv), as follows:

"(iv) Code Sections 15-9-63 through ~~15-9-67~~ 15-9-66;"

PART III**SECTION 3-1.**

Article 1 of Chapter 5 of Title 53 of the Official Code of Georgia Annotated, relating to general provisions for probate, is amended by revising Code Section 53-5-2, relating to the right to offer a will for probate, as follows:

"53-5-2.

The right to offer a will for probate shall belong to the executor, if one is named. If for any reason the executor fails to offer the will for probate with reasonable promptness, or if no executor is named, any interested person may offer the will for probate. As used in this Code section, the term 'interested person' shall include, but shall not be limited to, any legatee, devisee, creditor of the decedent, purchaser from an heir of the decedent, an administrator appointed for the decedent prior to the discovery of the will, and any individual making a claim under an earlier will."

PART IV
SECTION 4-1.

All laws and parts of laws in conflict with this Act are repealed.

Senator Strickland of the 17th moved that the Senate agree to the House substitute to SB 436.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 53, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 436.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitutes to the following Resolutions of the House:

HR 1103. By Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Lumsden of the 12th and Ealum of the 153rd:

A RESOLUTION authorizing the conveyance of certain state owned real property located in Baldwin County, Bryan County, Chatham County,

Dougherty County, Fulton County, Hall County, and Putnam County; authorizing the ground lease of certain state owned real property located in Cherokee County, Fulton County, and Muscogee County; authorizing the conveyance of certain state owned real property located in Rabun County; authorizing the conveyance of certain state owned real property located in Rockdale County; authorizing the conveyance of certain state owned real property located in White County; to provide an effective date; to repeal conflicting laws; and for other purposes.

HR 1104. By Representatives Greene of the 151st, Dunahoo of the 30th, Pirkle of the 155th, Lumsden of the 12th and Ealum of the 153rd:

A RESOLUTION authorizing the granting of non-exclusive easements for the construction, operation and maintenance of facilities, utilities, roads, and ingress and egress in, on, over, under, upon, across, or through property owned by the State of Georgia in Bartow, Bulloch, Butts, Chatham, Clay, Columbia, Emanuel, Floyd, Forsyth, Fulton, Harris, Henry, Liberty, Macon, Montgomery, Murray, Tattnall, Towns, and White Counties, to provide for an effective date, to repeal conflicting laws, and for other purposes.

The House has agreed to the Senate amendment to the House substitute to the following Bill of the Senate:

SB 407. By Senators Strickland of the 17th, Walker III of the 20th, Stone of the 23rd, Miller of the 49th, Martin of the 9th and others:

A BILL to be entitled an Act to provide for comprehensive reform for offenders; to amend Title 15 and Chapter 6A of Title 35 of the O.C.G.A., relating to courts and the Criminal Justice Coordinating Council; to amend Title 17, Code Section 24-4-609, Chapter 5 of Title 40, Title 42, and Code Section 43-1-19 of the O.C.G.A., relating to criminal procedure, impeachment by evidence of conviction of a crime, drivers' licenses, penal institutions, and grounds for refusing to grant or revoking professional licenses; to amend Chapter 2 of Title 31 and Chapter 4 of Title 49 of the O.C.G.A., relating to the Department of Community Health and public assistance; to amend Title 16 of the O.C.G.A., relating to crimes and offenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Miller of the 49th was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

SB 321. By Senators Tillery of the 19th, Stone of the 23rd, Mullis of the 53rd, Parent of the 42nd and Cowsert of the 46th:

A BILL to be entitled an Act to amend Code Section 49-4-168.1 of the Official Code of Georgia Annotated, relating to civil penalties for false or fraudulent Medicaid claims, so as to increase the civil penalties that shall be imposed in order to allow this state to recover the maximum penalty authorized by federal law; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 49-4-168.1 of the Official Code of Georgia Annotated, relating to civil penalties for false or fraudulent Medicaid claims, so as to modify the civil penalties that shall be imposed in order to allow this state to recover the maximum penalty authorized by federal law; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 49-4-168.1 of the Official Code of Georgia Annotated, relating to civil penalties for false or fraudulent Medicaid claims, is amended by revising subsection (a) as follows:

"(a) Any person who:

- (1) Knowingly presents or causes to be presented to the Georgia Medicaid program a false or fraudulent claim for payment or approval;
- (2) Knowingly makes, uses, or causes to be made or used a false record or statement material to a false or fraudulent claim;
- (3) Conspires to commit a violation of paragraph (1), (2), (4), (5), (6), or (7) of this subsection;
- (4) Has possession, custody, or control of property or money used or to be used by the Georgia Medicaid program and knowingly delivers, or causes to be delivered, less than all of such property or money;
- (5) Is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Georgia Medicaid program and, intending to defraud the Georgia Medicaid program, makes or delivers the receipt without completely knowing that the information on the receipt is true;

(6) Knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Georgia Medicaid program who lawfully may not sell or pledge the property; or

(7) Knowingly makes, uses, or causes to be made or used a false record or statement material to an obligation to pay or transmit property or money to the Georgia Medicaid program, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit property or money to the Georgia Medicaid program,

shall be liable to the State of Georgia for a civil penalty of ~~not less than \$5,500.00 and not more than \$11,000.00 for each false or fraudulent claim~~ consistent with the civil penalties provision of the federal False Claims Act, 31 U.S.C. 3729(a), as adjusted by the federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461; Public Law 101-410), and as further amended by the federal Civil Penalties Inflation Adjustment Improvements Act of 2015 (Sec. 701 of Public Law 114-74), plus three times the amount of damages which the Georgia Medicaid program sustains because of the act of such person."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Tillery of the 19th moved that the Senate agree to the House substitute to SB 321.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison
 Y Harper
 Y Heath
 Henson
 Y Hill

Y Millar
 E Miller
 Y Mullis
 Orrock
 Y Parent

Y Watson
 Y Wilkinson
 Y Williams, M
 Y Williams, N

On the motion, the yeas were 45, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 321.

Senator Mullis of the 53rd asked unanimous consent that Senator Cowser of the 46th be excused. The consent was granted, and Senator Cowser was excused.

The following bill was taken up to consider House action thereto:

SB 458. By Senators Wilkinson of the 50th, Gooch of the 51st, Ginn of the 47th, Brass of the 28th and Mullis of the 53rd:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to provide the conditions upon which family owned farmed entities may elect to discontinue a qualifying use of bona fide conservation use property while incurring reduced penalties; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

**A BILL TO BE ENTITLED
 AN ACT**

To amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to change certain requirements for proof of bona fide conservation use; to provide for payment of attorney's fees and interest in certain situations; to provide conditions upon which family owned farmed entities may elect to discontinue a qualifying use of bona fide conservation use property while incurring a reduced penalty; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, is amended by revising

subsections (a), (b), (j), (k.1), (l), and (q) of Code Section 48-5-7.4, relating to bona fide conservation use property, as follows:

"(a) For purposes of this article, the term 'bona fide conservation use property' means property described in and meeting the requirements of paragraph (1) or (2) of this subsection, as follows:

(1) Not more than 2,000 acres of tangible real property of a single person, the primary purpose of which is any good faith production, including but not limited to subsistence farming or commercial production, from or on the land of agricultural products or timber, subject to the following qualifications:

(A) Such property includes the value of tangible property permanently affixed to the real property which is directly connected to such owner's production of agricultural products or timber and which is devoted to the storage and processing of such agricultural products or timber from or on such real property;

(A.1) In the application of the limitation contained in the introductory language of this paragraph, the following rules shall apply to determine beneficial interests in bona fide conservation use property held in a family owned farm entity as described in division (1)(C)(iv) of this subsection:

(i) A person who owns an interest in a family owned farm entity as described in division (1)(C)(iv) of this subsection shall be considered to own only the percent of the bona fide conservation use property held by such family owned farm entity that is equal to the percent interest owned by such person in such family owned farm entity; and

(ii) A person who owns an interest in a family owned farm entity as described in division (1)(C)(iv) of this subsection may elect to allocate the lesser of any unused portion of such person's 2,000 acre limitation or the product of such person's percent interest in the family owned farm entity times the total number of acres owned by the family owned farm entity subject to such bona fide conservation use assessment, with the result that the family owned farm entity may receive bona fide conservation use assessment on more than 2,000 acres;

(B) Such property excludes the entire value of any residence and its underlying property; as used in this subparagraph, the term 'underlying property' means the minimum lot size required for residential construction by local zoning ordinances or two acres, whichever is less. The board of tax assessors shall not require a recorded plat or survey to set the boundaries of the underlying property. This provision for excluding the underlying property of a residence from eligibility in the conservation use covenant shall only apply to property that is first made subject to a covenant or is subject to the renewal of a previous covenant on or after May 1, 2012;

(C) Except as otherwise provided in division (vii) of this subparagraph, such property must be owned by:

(i) One or more natural or naturalized citizens;

(ii) An estate of which the devisees or heirs are one or more natural or naturalized citizens;

(iii) A trust of which the beneficiaries are one or more natural or naturalized

citizens;

(iv) A family owned farm entity, such as a family corporation, a family partnership, a family general partnership, a family limited partnership, a family limited corporation, or a family limited liability company, all of the interest of which is owned by one or more natural or naturalized citizens related to each other by blood or marriage within the fourth degree of civil reckoning, except that, solely with respect to a family limited partnership, a corporation, limited partnership, limited corporation, or limited liability company may serve as a general partner of the family limited partnership and hold no more than a 5 percent interest in such family limited partnership, an estate of which the devisees or heirs are one or more natural or naturalized citizens, a trust of which the beneficiaries are one or more natural or naturalized citizens, or an entity created by the merger or consolidation of two or more entities which independently qualify as a family owned farm entity, and which family owned farm entity derived 80 percent or more of its gross income from bona fide conservation uses, including earnings on investments directly related to past or future bona fide conservation uses, within this state within the year immediately preceding the year in which eligibility is sought; provided, however, that in the case of a newly formed family farm entity, an estimate of the income of such entity may be used to determine its eligibility;

(v) A bona fide nonprofit ~~conservation~~ organization designated under Section 501(c)(3) of the Internal Revenue Code;

(vi) A bona fide club organized for pleasure, recreation, and other non-profitable purposes ~~pursuant to Section 501(c)(7) of the Internal Revenue Code~~; or

(vii) In the case of constructed storm-water wetlands, any person may own such property;

(D) Factors which may be considered in determining if such property is qualified may include, but not be limited to:

(i) The nature of the terrain;

(ii) The density of the marketable product on the land;

(iii) The past usage of the land;

(iv) The economic merchantability of the agricultural product; and

(v) The utilization or nonutilization of recognized care, cultivation, harvesting, and like practices applicable to the product involved and any implemented plans thereof;

(E) Such property shall, if otherwise qualified, include, but not be limited to, property used for:

(i) Raising, harvesting, or storing crops;

(ii) Feeding, breeding, or managing livestock or poultry;

(iii) Producing plants, trees, fowl, or animals, including without limitation the production of fish or wildlife by maintaining not less than ten acres of wildlife habitat either in its natural state or under management, which shall be deemed a type of agriculture; provided, however, that no form of commercial fishing or fish production shall be considered a type of agriculture; or

- (iv) Production of aquaculture, horticulture, floriculture, forestry, dairy, livestock, poultry, and apiarian products; and
 - (F) The primary purpose described in this paragraph includes land conservation and ecological forest management in which commercial production of wood and wood fiber products may be undertaken primarily for conservation and restoration purposes rather than financial gain; or
- (2) Not more than 2,000 acres of tangible real property, excluding the value of any improvements thereon, of a single owner of the types of environmentally sensitive property specified in this paragraph and certified as such by the Department of Natural Resources, if the primary use of such property is its maintenance in its natural condition or controlling or abating pollution of surface or ground waters of this state by storm-water runoff or otherwise enhancing the water quality of surface or ground waters of this state and if such owner meets the qualifications of subparagraph (C) of paragraph (1) of this subsection:
- (A) Environmentally sensitive areas, including any otherwise qualified land area 1,000 feet or more above the lowest elevation of the county in which such area is located that has a percentage slope, which is the difference in elevation between two points 500 feet apart on the earth divided by the horizontal distance between those two points, of 25 percent or greater and shall include the crests, summits, and ridge tops which lie at elevations higher than any such area;
 - (B) Wetland areas that are determined by the United States Army Corps of Engineers to be wetlands under their jurisdiction pursuant to Section 404 of the federal Clean Water Act, as amended, or wetland areas that are depicted or delineated on maps compiled by the Department of Natural Resources or the United States Fish and Wildlife Service pursuant to its National Wetlands Inventory Program;
 - (C) Significant ground-water recharge areas as identified on maps or data compiled by the Department of Natural Resources;
 - (D) Undeveloped barrier islands or portions thereof as provided for in the federal Coastal Barrier Resources Act, as amended;
 - (E) Habitats as certified by the Department of Natural Resources as containing species that have been listed as either endangered or threatened under the federal Endangered Species Act of 1973, as amended;
 - (F) River or stream corridors or buffers which shall be defined as those undeveloped lands which are:
 - (i) Adjacent to rivers and perennial streams that are within the 100 year flood plain as depicted on official maps prepared by the Federal Emergency Management Agency; or
 - (ii) Within buffer zones adjacent to rivers or perennial streams, which buffer zones are established by law or local ordinance and within which land-disturbing activity is prohibited; or
 - (G)(i) Constructed storm-water wetlands of the free-water surface type certified by the Department of Natural Resources under subsection (k) of Code Section 12-

2-4 and approved for such use by the local governing authority.

(ii) No property shall maintain its eligibility for current use assessment as a bona fide conservation use property as defined in this subparagraph unless the owner of such property files an annual inspection report from a licensed professional engineer certifying that as of the date of such report the property is being maintained in a proper state of repair so as to accomplish the objectives for which it was designed. Such inspection report and certification shall be filed with the county board of tax assessors on or before the last day for filing ad valorem tax returns in the county for each tax year for which such assessment is sought."

"(b) Except in the case of the underlying portion of a tract of real property on which is actually located a constructed storm-water ~~wetlands~~ wetland, the following additional rules shall apply to the qualification of conservation use property for current use assessment:

(1) When one-half or more of the area of a single tract of real property is used for a qualifying purpose, then such tract shall be considered as used for such qualifying purpose unless some other type of business is being operated on the unused portion; provided, however, that such unused portion must be minimally managed so that it does not contribute significantly to erosion or other environmental or conservation problems. The lease of hunting rights or the use of the property for hunting purposes shall not constitute another type of business. The charging of admission for use of the property for fishing purposes shall not constitute another type of business;

(2)(A) The owner of a tract, lot, or parcel of land totaling less than ten acres shall be required by the tax assessor to submit additional relevant records regarding proof of bona fide conservation use for qualified property that on or after May 1, 2012, is either first made subject to a covenant or is subject to a renewal of a previous covenant. ~~If the owner of the subject property provides proof~~ The provisions of this paragraph relating to requiring additional relevant records regarding proof of bona fide conservation use shall not apply to such property if the owner of the subject property provides one or more of the following:

(i) Proof that such owner has filed with the Internal Revenue Service a Schedule E, reporting farm related income or loss, or a Schedule F, with Form 1040, or, if applicable, a Form 4835, pertaining to such property, ~~the provisions of this paragraph, requiring additional relevant records regarding proof of bona fide conservation use, shall not apply to such property.;~~

(ii) Proof that such owner has incurred expenses for the qualifying use; or

(iii) Proof that such owner has generated income from the qualifying use.

Prior to a denial of eligibility under this paragraph, the tax assessor shall conduct and provide proof of a visual, on-site inspection of the property. Reasonable notice shall be provided to the property owner before being allowed a visual, on-site inspection of the property by the tax assessor.;

(B) The owner of a tract, lot, or parcel of land totaling ten acres or more shall not be required by the tax assessor to submit additional relevant records regarding proof of bona fide conservation use for qualified property that on or after May 1, 2012, is

either first made subject to a covenant or is subject to a renewal of a previous covenant;

(3) No property shall qualify as bona fide conservation use property if such current use assessment would result in any person who has a beneficial interest in such property, including any interest in the nature of stock ownership, receiving in any tax year any benefit of current use assessment as to more than 2,000 acres. If any taxpayer has any beneficial interest in more than 2,000 acres of tangible real property which is devoted to bona fide conservation uses, such taxpayer shall apply for current use assessment only as to 2,000 acres of such land;

(4) No property shall qualify as bona fide conservation use property if it is leased to a person or entity which would not be entitled to conservation use assessment;

(5) No property shall qualify as bona fide conservation use property if such property is at the time of application for current use assessment subject to a restrictive covenant which prohibits the use of the property for the specific purpose described in subparagraph (a)(1)(E) of this Code section for which bona fide conservation use qualification is sought; and

(6) No otherwise qualified property shall be denied current use assessment on the grounds that no soil map is available for the county in which such property is located; provided, however, that if no soil map is available for the county in which such property is located, the owner making an application for current use assessment shall provide the board of tax assessors with a certified soil survey of the subject property unless another method for determining the soil type of the subject property is authorized in writing by such board."

"(j)(1) All applications for current use assessment under this Code section, including the covenant agreement required under this Code section, shall be filed on or before the last day for filing ad valorem tax returns in the county for the tax year for which such current use assessment is sought, except that in the case of property which is the subject of a reassessment by the board of tax assessors an application for current use assessment may be filed in conjunction with or in lieu of an appeal of the reassessment. An application for continuation of such current use assessment upon a change in ownership of all or a part of the qualified property shall be filed on or before the last date for filing tax returns in the year following the year in which the change in ownership occurred. Applications for current use assessment under this Code section shall be filed with the county board of tax assessors who shall approve or deny the application. If the application is approved on or after July 1, 1998, the county board of tax assessors shall file a copy of the approved application in the office of the clerk of the superior court in the county in which the eligible property is located. The clerk of the superior court shall file and index such application in the real property records maintained in the clerk's office. Applications approved prior to July 1, 1998, shall be filed and indexed in like manner without payment of any fee. If the application is not so recorded in the real property records, a transferee of the property affected shall not be bound by the covenant or subject to any penalty for its breach. The fee of the clerk of the superior court for recording such applications

approved on or after July 1, 1998, shall be paid by the owner of the eligible property with the application for preferential treatment and shall be paid to the clerk by the board of tax assessors when the application is filed with the clerk. If the application is denied, the board of tax assessors shall notify the applicant in the same manner that notices of assessment are given pursuant to Code Section 48-5-306 and shall return any filing fees advanced by the owner. Appeals from the denial of an application by the board of tax assessors shall be made in the same manner that other property tax appeals are made pursuant to Code Section 48-5-311.

(2) If the final determination on appeal to superior court is to approve the application for current use assessment, the taxpayer shall recover costs of litigation and reasonable attorney's fees incurred in the action.

(3) Any final determination on appeal that causes a reduction in taxes and creates a refund that is owed to the taxpayer shall be paid by the tax commissioner to such taxpayer, entity, or transferee that paid the taxes within 60 days from the date of the final determination of value. Such refund shall include interest at the same rate specified in Code Section 48-2-35 which shall accrue from the due date of the taxable year in question or the date paid, whichever is later, through the date on which the final determination of value was made. In no event shall the amount of such interest exceed \$5,000.00. Any refund paid after the sixtieth day shall accrue interest from the sixty-first day until paid with interest at the same rate specified in Code Section 48-2-35. The interest accrued after the sixtieth day shall not be subject to the limits imposed by this subsection. The tax commissioner shall pay the tax refund and any interest for the refund from current collections in the same proportion for each of the levying authorities for which the taxes were collected.

(4) For the purposes of this Code section, any final determination on appeal that causes an increase in taxes and creates an additional billing shall be paid to the tax commissioner as any other tax due. After the tax bill notice has been mailed out, the taxpayer shall be afforded 60 days from the date of the postmark to make full payment of the adjusted bill. Once the 60 day payment period has expired, the bill shall be considered past due and interest shall accrue from the original billing due date as specified in Code Section 48-2-40 without limit until the bill is paid in full. Once past due, all other fees, penalties, and late and collection notices shall apply as prescribed in this chapter for the collection of delinquent taxes.

~~(2)~~(5) In the event such application is approved, the taxpayer shall continue to receive annual notification of any change in the fair market value of such property and any appeals with respect to such valuation shall be made in the same manner as other property tax appeals are made pursuant to Code Section 48-5-311."

"(k.1) In the case of an alleged breach of the covenant, the owner shall be notified in writing by the board of tax assessors. The owner shall have a period of 30 days from the date of such notice to cease and desist the activity alleged in the notice to be in breach of the covenant or to remediate or correct the condition or conditions alleged in the notice to be in breach of the covenant. Following a physical inspection of property, the board of tax assessors shall notify the owner that such activity or activities have or

have not properly ceased or that the condition or conditions have or have not been remediated or corrected. The owner shall be entitled to appeal the decision of the board of tax assessors and file an appeal disputing the findings of the board of tax assessors. Such appeal shall be conducted in the same manner that other property tax appeals are made pursuant to Code Section 48-5-311. If the final determination on appeal to superior court is to reverse the decision of the board of tax assessors to enforce the breach of the covenant, the taxpayer shall recover costs of litigation and reasonable attorney's fees incurred in the action.

(l) A penalty shall be imposed under this subsection if during the period of the covenant entered into by a taxpayer the covenant is breached. The penalty shall be applicable to the entire tract which is the subject of the covenant and shall be twice the difference between the total amount of tax paid pursuant to current use assessment under this Code section and the total amount of taxes which would otherwise have been due under this chapter for each completed or partially completed year of the covenant period. ~~Any such penalty shall bear interest at the rate specified in Code Section 48-2-40 from the date the covenant is breached.~~ No penalty shall be imposed until the appeal of the board of tax assessors' determination of breach is concluded. After the final determination on appeal, the taxpayer shall be afforded 60 days from issuance of the bill to make full payment. Once the 60 day payment period has expired, the bill shall be considered past due and interest shall accrue from the original billing due date as specified in Code Section 48-2-40 without limit until the bill is paid in full. Once past due, all other fees, penalties, and late and collection notices shall apply as prescribed in this chapter for the collection of delinquent taxes."

"(q) In the following cases, the penalty specified by subsection (l) of this Code section shall not apply and the penalty imposed shall be the amount by which current use assessment has reduced taxes otherwise due for the year in which the covenant is breached, such penalty to bear interest at the rate specified in Code Section 48-2-40 from the date of the breach:

(1) Any case in which a covenant is breached solely as a result of the foreclosure of a deed to secure debt or the property is conveyed to the lienholder without compensation and in lieu of foreclosure, if:

(A) The deed to secure debt was executed as a part of a bona fide commercial loan transaction in which the grantor of the deed to secure debt received consideration equal in value to the principal amount of the debt secured by the deed to secure debt;

(B) The loan was made by a person or financial institution who or which is regularly engaged in the business of making loans; and

(C) The deed to secure debt was intended by the parties as security for the loan and was not intended for the purpose of carrying out a transfer which would otherwise be subject to the penalty specified by subsection (l) of this Code section;

(2) Any case in which a covenant is breached solely as a result of a medically demonstrable illness or disability which renders the owner of the real property physically unable to continue the property in the qualifying use, provided that the

board of tax assessors shall require satisfactory evidence which clearly demonstrates that the breach is the result of a medically demonstrable illness or disability;

(3) Any case in which a covenant is breached solely as a result of an owner electing to discontinue the property in its qualifying use, provided such owner has renewed without an intervening lapse at least once the covenant for bona fide conservation use, has reached the age of 65 or older, and has kept the property in a qualifying use under the renewal covenant for at least three years. Such election shall be in writing and shall not become effective until filed with the county board of tax assessors; ~~or~~

(4) Any case in which a covenant is breached solely as a result of an owner electing to discontinue the property in its qualifying use, provided such owner entered into the covenant for bona fide conservation use for the first time after reaching the age of 67 and has either owned the property for at least 15 years or inherited the property and has kept the property in a qualifying use under the covenant for at least three years. Such election shall be in writing and shall not become effective until filed with the county board of tax assessors; or

(5) Any case in which a covenant is breached solely as a result of an owner that is a family owned farm entity as described in division (a)(1)(C)(iv) of this Code section electing to discontinue the property in its qualifying use on or after the effective date of this paragraph, provided the owner has renewed at least once, without an intervening lapse, the covenant for bona fide conservation use, has kept the property in a qualifying use under the renewal covenant for at least three years, and any current shareholder, member, or partner of such family owned farm entity has reached the age of 65 and such shareholder, member, or partner held some beneficial interest, directly or indirectly through a family owned farm entity, in the property continuously since the time the covenant immediately preceding the current renewal covenant was entered. Such election shall be in writing and shall not become effective until filed with the county board of tax assessors."

SECTION 2.

This Act shall become effective on July 1, 2018.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Wilkinson of the 50th moved that the Senate agree to the House substitute to SB 458.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer

Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
E Cowsert	Y Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Martin	Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	E Miller	Y Wilkinson
N Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 46, nays 3; the motion prevailed, and the Senate agreed to the House substitute to SB 458.

Senator Kennedy of the 18th was excused as a Conferee.

The following bill was taken up to consider House action thereto:

SB 327. By Senators Albers of the 56th and Harper of the 7th:

A BILL to be entitled an Act to amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, so as to clarify when a medical examiner's inquiry is required to be conducted; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, so as to clarify when a medical examiner's inquiry is required to be conducted; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 16 of Title 45 of the Official Code of Georgia Annotated, relating to death investigations, is amended by revising subsections (a) and (b) of Code Section 45-

16-24, relating to notification of suspicious or unusual deaths, court ordered medical examiner's inquiry, and written report of inquiry, as follows:

"(a) When any individual dies in any county in this state:

(1) As a result of violence;

(2) By suicide or casualty;

(3) Suddenly when in apparent good health;

~~(4) When unattended by a physician;~~

~~(5)~~(4) In any suspicious or unusual manner, with particular attention to those individuals 16 years of age and under;

~~(6)~~(5) After birth but before seven years of age if the death is unexpected or unexplained;

~~(7)~~(6) As a result of an execution carried out pursuant to the imposition of the death penalty under Article 2 of Chapter 10 of Title 17;

~~(8)~~(7) When an inmate of a state hospital or a state, county, or city penal institution;

~~(9)~~(8) After having been admitted to a hospital in an unconscious state and without regaining consciousness within 24 hours of admission; ~~or~~

~~(10)~~(9) As a result of an apparent drug overdose; or

(10) When unattended by a physician,

it shall be the duty of any law enforcement officer or other person having knowledge of such death to notify immediately the coroner or county medical examiner of the county in which the acts or events resulting in the death occurred or the body is found. For the purposes of this Code section, no individual shall be deemed to have died unattended when the death occurred while he or she was a patient of a hospice licensed under Article 9 of Chapter 7 of Title 31.

(b) A coroner or county medical examiner who is notified of a death pursuant to subsection (a) of this Code section under circumstances specified in paragraphs (1) through (9) of such subsection shall order a medical examiner's inquiry of that death. This subsection shall not be construed to prohibit a medical examiner's inquiry of a death if a coroner or county medical examiner is notified of a death under circumstances specified in paragraph (10) of subsection (a) of this Code section."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Albers of the 56th moved that the Senate agree to the House substitute to SB 327.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Jones, E	Y Sims

Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	C Kennedy	Y Tate
Y Cowsert	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 47, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 327.

Senator Wilkinson of the 50th was excused as a Conferee.

The following bill was taken up to consider House action thereto:

SB 353. By Senators Anderson of the 24th, Jones of the 25th, Stone of the 23rd, Albers of the 56th, Dugan of the 30th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 15 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of boilers and pressure vessels, so as to establish civil enforcement and penalty authority in the Safety Fire Commissioner for violations concerning the regulation of boilers and pressure vessels; to provide for conditions; to provide for a civil penalty; to provide for rules and regulations; to provide for authority to institute civil actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 15 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of boilers and pressure vessels, so as to establish civil enforcement and penalty authority in the Safety Fire Commissioner for violations concerning the regulation of boilers and pressure vessels; to provide for conditions; to provide for a civil

penalty; to provide for rules and regulations; to provide for authority to institute civil actions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 15 of Title 25 of the Official Code of Georgia Annotated, relating to regulation of boilers and pressure vessels, is amended by adding a new Code section to read as follows:

"25-15-31.

(a) Except as provided for in subsection (a) of Code Section 25-15-25, any person who violates any provision of this article or any rule, regulation, or order issued by the Commissioner under this article shall, after notice and hearing, be subject to a civil penalty imposed by the Commissioner of not more than \$5,000.00. The imposition of a penalty for a violation of this article shall not be construed as excusing the violation or permitting it to continue. The Commissioner shall promulgate rules and regulations for the implementation of this subsection.

(b) In addition to other powers granted to the Commissioner under this article, the Commissioner may bring a civil action to enjoin a violation of any provision of this chapter or of any rule, regulation, or order issued by the Commissioner under this article."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Anderson of the 24th moved that the Senate agree to the House substitute to SB 353.

On the motion, a roll call was taken and the vote was as follows:

Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Strickland
Y Butler	C Kennedy	Y Tate
Y Cowsert	Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Gooch	Y Martin	Y Unterman

Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	C Wilkinson
Y Heath	Mullis	Y Williams, M
Y Henson	Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 45, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 353.

The following bill was taken up to consider House action thereto:

SB 342. By Senators Harbin of the 16th, Albers of the 56th, Watson of the 1st, Thompson of the 14th, Brass of the 28th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, so as to permit the owner or operator of a vehicle which has a valid number license plate without the required revalidation decal affixed to the plate to retain custody of the vehicle under certain conditions; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, so as to permit the owner or operator of a vehicle which has a valid number license plate without the required revalidation decal affixed to the plate to retain custody of the vehicle under certain conditions; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles generally, is amended in Code Section 40-2-8, relating to operation of unregistered vehicle or vehicle without current license plate or revalidation decal, by revising paragraphs (1) and (4) of subsection (b) as follows:

"(b)(1) Any vehicle operated in the State of Georgia which is required to be registered and which does not have attached to the rear thereof a numbered license plate ~~and current revalidation decal affixed to a corner or corners of the license plate~~

~~as designated by the commissioner, if required, issued to such vehicle by the department~~ shall be stored at the owner's risk and expense by any law enforcement officer of the State of Georgia, unless such operation is otherwise permitted by this chapter."

"(4) The ~~purchaser~~ owner and operator of a vehicle shall not be subject to the penalties set forth in this Code section during the period allowed for the registration. If the owner of such vehicle presents evidence that such owner has properly applied for the registration of such vehicle, but that the license plate ~~or revalidation decal~~ has not been delivered to such owner, then the owner shall not be subject to the penalties enumerated in this subsection."

SECTION 2.

Said article is further amended by revising Code Section 40-2-8.1, relating to operation of vehicle without revalidation decal on license plate, as follows:

"40-2-8.1.

Notwithstanding Code Section 40-2-8 or any other provision of law, a any person who operates a vehicle or any owner who knowingly permits a vehicle to be operated which is required to be registered in this state and which has attached to the rear thereof a valid numbered license plate without having the required revalidation decal affixed upon that plate, which person is otherwise guilty of a misdemeanor for not having such decal affixed to the plate, shall be subject for that offense only to a fine not to exceed \$25.00 if shall be guilty of a misdemeanor, provided that, if any person convicted of a violation of this Code section shows to the court having jurisdiction of the offense that the proper revalidation decal had been obtained prior to the time of the offense is displayed on such vehicle upon his or her appearance before the court, a fine of no greater than \$50.00 shall be imposed. The motor vehicle upon which a conviction for a violation of this Code section was based shall be subject to storage at the owner's risk and expense by law enforcement unless the person convicted provides the court having jurisdiction of the offense with evidence that the proper revalidation decal is displayed on such vehicle."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Harbin of the 16th moved that the Senate agree to the House substitute to SB 342.

On the motion, a roll call was taken and the vote was as follows:

Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	N James	Y Seay
Y Beach	Y Jones, B	Y Shafer

Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Gooch	Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	N Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 48, nays 2; the motion prevailed, and the Senate agreed to the House substitute to SB 342.

The following Senators were excused as Conferees:

Gooch of the 51st Kennedy of the 18th

Senator Kirk of the 13th was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

SB 404. By Senators Brass of the 28th, Harper of the 7th, Albers of the 56th, Mullis of the 53rd, Jones of the 25th and others:

A BILL to be entitled an Act to amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to public water systems, so as to prohibit county, municipal, and other public water systems from charging or assessing a separate fee for standby water service for fire sprinkler system connections; to provide for a purpose; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to public water systems, so as to prohibit county, municipal, and

other public water systems from charging or assessing a separate fee for water service for fire sprinkler protection systems; to provide for a purpose; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 5 of Article 3 of Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to public water systems, is amended by adding a new Code section to read as follows:

"12-5-180.2.

(a) The purpose of this Code section is to encourage the use of fire sprinkler protection systems.

(b) No county, municipal, or other public water system shall charge or assess a separate fee for water service for fire sprinkler protection systems for more than the costs to provide such service."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Brass of the 28th moved that the Senate agree to the House substitute to SB 404.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
C Burke	N Jordan	Y Strickland
N Butler	C Kennedy	N Tate
Y Cowsert	E Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
N Ginn	Y Lucas	Y Tippins
C Gooch	Martin	Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	Y Williams, N
Y Hill	N Parent	

On the motion, the yeas were 39, nays 9; the motion prevailed, and the Senate agreed to the House substitute to SB 404.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House insists on its position in amending the Senate substitute, and has appointed a Committee of Conference to confer with a like committee on the part of the Senate on the following Bill of the House:

HB 93. By Representatives Corbett of the 174th, Kelley of the 16th, Watson of the 172nd, Blackmon of the 146th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Code Section 48-2-35.1 of the Official Code of Georgia Annotated, relating to refunds of sales and use taxes, so as to provide that no interest shall be paid on refunds of sales and use taxes to a purchaser that held a certificate or exemption letter if such purchaser did not use such document during the purchase; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Speaker has appointed on the part of the House, Representatives Powell of the 171st, Stephens of the 164th, and Corbett of the 174th.

The House recedes from its position in insisting on its substitute to the following Bill of the Senate:

SB 338. By Senators Ligon, Jr. of the 3rd, Cowser of the 46th, McKoon of the 29th, Millar of the 40th, Gooch of the 51st and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 13 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions for administrative procedure, so as to modify requirements for agency rule making; to modify legislative objections to and staying of proposed agency rules; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House insists on its position in substituting the following Bills of the Senate:

SB 385. By Senators Jones of the 25th, Black of the 8th, Harper of the 7th, Lucas of the 26th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost reimbursement fees and

surcharges, so as to change the surcharge imposed by host local governments regarding solid waste disposal facilities operated by private enterprises; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 432. By Senators Albers of the 56th, Hufstetler of the 52nd, Dugan of the 30th, Hill of the 4th, Ligon, Jr. of the 3rd and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the O.C.G.A., relating to imposition, rate, computation, and exemptions from state income tax, so as to provide for the expiration of certain tax credits; to amend Code Section 48-8-3 of the O.C.G.A., relating to exemptions from state sales and use taxes, so as to repeal and reserve certain exemptions from state sales and use taxes; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted the report of the Committee of Conference on the following Bill of the House:

HB 217. By Representatives Carson of the 46th, Kelley of the 16th, Knight of the 130th, Ehrhart of the 36th, Stephens of the 164th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, computation, and exemptions from state income taxes, so as to increase the amount of the aggregate cap on contributions to certain scholarship organizations in order to receive income tax credits; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following Senators were excused as Conferees:

Albers of the 56th Unterman of the 45th

The following bill was taken up to consider House action thereto:

SB 194. By Senators Stone of the 23rd, Albers of the 56th, Tillery of the 19th and Harbin of the 16th:

A BILL to be entitled an Act to amend Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, so as to change the maximum part of disposable earnings subject to garnishment and conform the form used therewith; to clarify various provisions; to change provisions relating to serving the defendant; to change provisions relating to

the introduction of evidence and how judgments are paid; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, so as to eliminate provisions relating to requiring the clerk of court to approve an affidavit for garnishment; to change the maximum part of disposable earnings subject to garnishment and conform the form used therewith; to clarify various provisions; to change provisions relating to serving the defendant; to change provisions relating to the introduction of evidence and how judgments are paid; to amend Code Section 44-7-50 of the Official Code of Georgia Annotated, relating to demand for possession, procedure upon a tenant's refusal, and concurrent issuance of federal lease termination notice; to provide a conforming cross-reference; to provide for an effective date; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 4 of Title 18 of the Official Code of Georgia Annotated, relating to garnishment proceedings, is amended by revising subsection (b) of Code Section 18-4-3, relating to affidavit and requirements, summons of garnishment, and form for affidavit, as follows:

"(b) Upon the filing of the affidavit described in subsection (a) of this Code section with the clerk of any court having jurisdiction to preside over garnishment proceedings, such clerk shall cause a summons of garnishment to issue, provided that the plaintiff's affidavit is:

- (1) ~~Made~~ made before any officer authorized to administer oaths, a notary public, such clerk, or the deputy clerk of the court in which the garnishment is filed; ~~and~~
- (2) ~~Submitted to and approved by any judge of the court in which the garnishment is filed or submitted to and approved by any clerk or deputy clerk of such court if the court has promulgated rules authorizing the clerk or deputy clerk of such court to review and approve affidavits of garnishment.~~

SECTION 2.

Said chapter is further amended by revising subparagraph (a)(1)(B) and paragraph (2) of subsection (a) of Code Section 18-4-5, relating to the maximum part of disposable earnings subject to garnishment, as follows:

"(B) The amount by which the defendant's disposable earnings for that week exceed ~~\$217.00~~ \$217.50.

- (2) In case of earnings for a period other than a week, a the proportionate fraction or multiple of 30 hours per week at \$7.25 per hour shall be used."

SECTION 3.

Said chapter is further amended by revising paragraph (2) of subsection (b) of Code Section 18-4-7, relating to the required information on summons of garnishment or attachment thereto, form usage, and failure to use correct form, as follows:

"(2) The form for a A summons of garnishment on a financial institution shall not be used for a continuing garnishment or continuing garnishment for support. A summons of garnishment on a financial institution, or an attachment thereto, shall also state with particularity the defendant's account, identification, or tracking numbers known to the plaintiff used by the garnishee in the identification or administration of the defendant's funds or property; provided, however, that if such summons is filed with a court, the court filing shall be redacted in accordance with Code Section 9-11-7.1 or 15-10-54, as applicable. The defendant's account, identification, or tracking numbers shall be made known to the garnishee and defendant in accordance with Code Section 9-11-7.1 or 15-10-54, as applicable, to the extent such information is known to the plaintiff."

SECTION 4.

Said chapter is further amended by revising subparagraph (b)(1)(C) of Code Section 18-4-8, relating to required documents and service thereof, as follows:

"(C)(i) To be sent to the defendant by regular mail at the address at which the defendant was:

(I) Accepted service in the action resulting in the judgment;

(II) Identified as his or her residence in any pleading in the action resulting in the judgment; or

(III) Was served as shown on the return of service in the action resulting in the judgment when it shall appear by affidavit to the satisfaction of the clerk of the court that the defendant resides out of this state; has departed this state; cannot, after due diligence, be found within this state; or has concealed his or her place of residence from the plaintiff.

(ii) A certificate of such mailing shall be filed with the clerk of the court in which the garnishment is pending by the person mailing such notice."

SECTION 5.

Said chapter is further amended by revising subsection (b) of Code Section 18-4-9, relating to periodic summonses and original filing date limiting extension, as follows:

"(b) No new summons of garnishment on the same affidavit of garnishment shall be issued after two years from the date of the original filing of such affidavit. After two years, the ~~The~~ garnishment proceeding based on such affidavit shall automatically stand dismissed unless there are funds remaining in the registry of the court or a new summons of garnishment has been issued in the preceding 30 days."

SECTION 6.

Said chapter is further amended by revising subsections (c) and (d) of and adding a new

subsection to Code Section 18-4-19, relating to order of trial, introduction of evidence, and expenses, to read as follows:

"(c) When the defendant, garnishee, or third-party claimant prevails upon the trial of his or her claim:

(1) That the plaintiff does not have a judgment against the defendant or that the plaintiff's affidavit of garnishment is untrue or is legally insufficient, the garnishment case shall be dismissed by the court, and any money or other property belonging to the defendant in the possession of the court shall be restored to the defendant unless another claim or traverse thereto has been filed;

(2) That the amount shown to be due on the plaintiff's affidavit of garnishment is incorrect, the court may allow the summons of garnishment to be amended to the amount proven to be owed, and if such amount is less than the amount shown to be due by the plaintiff, any money or other property belonging to the defendant in the possession of the court in excess of the amount due shall be restored to the defendant unless another claim or traverse thereto has been filed;

(3) That the money or other property belonging to the defendant in the possession of the court is exempt from garnishment, such exempt money or other property shall be restored directly to the defendant. The court shall order such restoration within 48 hours; and

(4) Based on any legal or statutory defense or that money or other property in the possession of the court may be subject to a claim held by a third party that is superior to the judgment described in the affidavit of garnishment, the court shall determine the disposition of the money or other property belonging to the defendant in the possession of the court.

(d) On the trial of the plaintiff's traverse, if the court finds the garnishee has failed to respond properly to the summons of garnishment, the court shall disallow any expenses demanded by the garnishee and shall enter a judgment for any money or other property ~~paid or delivered to the court with the garnishee's answer, plus any money or other property~~ the court finds subject to garnishment which the garnishee has failed to pay or deliver to the court; provided, however, that the total amount of such judgment shall not exceed the amount shown to be due by the plaintiff, together with the costs of the garnishment proceeding.

(e) A defendant shall not be allowed to present evidence, make an argument, or prevail on a claim that money or other property in a garnishment may be subject to a claim by a third party. When a claim of exemption or defense to a garnishment proceeding belongs to a defendant, a third-party claimant shall not be allowed to present evidence, make an argument, or prevail on any such claim."

SECTION 7.

Said chapter is further amended by revising Code Section 18-4-82, relating to the notice to defendant of right against garnishment of money, including wages, and other property, as follows:

"18-4-82.

'IN THE _____ COURT OF _____ COUNTY
STATE OF GEORGIA

Plaintiff:

Name

Plaintiff's contact information:

Name

Street Address

City State ZIP Code

E-mail Address

Phone Number

Bar Number

v.

Defendant:

Name

Street Address

Garnishee:

Name

Street Address

City State ZIP Code

Civil Action File No.

**NOTICE TO DEFENDANT OF RIGHT AGAINST
GARNISHMENT OF MONEY, INCLUDING WAGES, AND
OTHER PROPERTY**

You received this notice because money, including wages, and other property belonging to you have been garnished to pay a court judgment against you.

HOWEVER, YOU MAY BE ABLE TO KEEP YOUR MONEY, INCLUDING WAGES, OR OTHER PROPERTY.

READ THIS NOTICE CAREFULLY.

State and federal law protects some money, including wages, from garnishment even if it is in a bank. Some common exemptions are benefits from social security, supplemental security income, unemployment, workers' compensation, the Veterans' Administration, state pension, retirement funds, and disability income. This list of exemptions does not include all possible exemptions. A more detailed list of exemptions is available at the Clerk of Court's office located at _____ (Name of Court), _____ (Address), _____ (City), Georgia _____ (ZIP Code), and on the website for the Attorney General (www.law.ga.gov).

Garnishment of your earnings from your employment is limited to the lesser of 25 percent of your disposable earnings for a week or the amount by which your disposable earnings for a week exceed ~~\$217.00~~ \$217.50. More than 25 percent of your disposable earnings may be taken from your earnings for the payment of child support or alimony or if a Chapter 13 bankruptcy allows a higher amount.

TO PROTECT YOUR MONEY, INCLUDING WAGES, AND OTHER PROPERTY FROM BEING GARNISHED, YOU MUST:

1. Complete the Defendant's Claim Form as set forth below; and
2. File this completed claim form with the Clerk of Court's office located at _____ (Name of Court), _____ (Address), _____ (City), Georgia _____ (ZIP Code).

FILE YOUR COMPLETED CLAIM FORM AS SOON AS POSSIBLE. You may lose your right to claim an exemption if you do not file your claim form within 20 days after the Garnishee's Answer is filed or if you do not mail or deliver a copy of your completed claim form to the Plaintiff and the Garnishee at the addresses listed on this notice.

The Court will schedule a hearing within ten days from when it receives your claim form. The Court will mail you the time and date of the hearing at the address that you provide on your claim form. You may go to the hearing with or without an attorney. You will need to give the Court documents or other proof that your money is exempt.

The Clerk of Court cannot give you legal advice. **IF YOU NEED LEGAL ASSISTANCE, YOU SHOULD SEE AN ATTORNEY.** If you cannot afford a private attorney, legal services may be available.

DEFENDANT'S CLAIM FORM

I CLAIM EXEMPTION from garnishment. Some of my money or property held by the garnishee is exempt because it is: (check all that apply)

- 1. Social security benefits.
- 2. Supplemental security income benefits.
- 3. Unemployment benefits.
- 4. Workers' compensation.
- 5. Veterans' benefits.
- 6. State pension benefits.
- 7. Disability income benefits.
- 8. Money that belongs to a joint account holder.
- 9. Child support or alimony.
- 10. Exempt wages, retirement, or pension benefits.
- 11. Other exemptions as provided by law.

Explain:

I further state: (check all that apply)

- 1. The Plaintiff does not have a judgment against me.
- 2. The amount shown due on the Plaintiff's Affidavit of Garnishment is incorrect.
- 3. The Plaintiff's Affidavit of Garnishment is untrue or legally insufficient.

Send the notice of the hearing on my claim to me at:

Address: _____

Phone Number: _____

E-mail Address: _____

The statements made in this claim form are true to the best of my knowledge and belief.

_____, 20____
 Defendant's signature Date

 Print name of Defendant

CERTIFICATE OF SERVICE

This is to certify that I have this day served the Plaintiff or Plaintiff's Attorney and the Garnishee in the foregoing matter with a copy of this pleading by depositing it in the United States Mail in a properly addressed envelope with adequate postage thereon.

This _____ day of _____, 20__.

 Defendant or Defendant's Attorney"

SECTION 8.

Code Section 44-7-50 of the Official Code of Georgia Annotated, relating to demand for possession, procedure upon a tenant's refusal and concurrent issuance of federal lease termination notice, is amended by revising subsection (a) as follows:

"(a) In all cases ~~where~~ when a tenant holds possession of lands or tenements over and beyond the term for which they were rented or leased to ~~the~~ such tenant or fails to pay the rent when it becomes due and in all cases ~~where~~ when lands or tenements are held and occupied by any tenant at will or sufferance, whether under contract of rent or not, when the owner of ~~the~~ such lands or tenements desires possession of ~~the~~ such lands or tenements, ~~the~~ such owner may, individually or by an agent, attorney in fact, or attorney at law, demand the possession of the property so rented, leased, held, or occupied. If the tenant refuses or fails to deliver possession when so demanded, the owner or the agent, attorney at law, or attorney in fact of ~~the~~ such owner may immediately go before the judge of the superior court, the judge of the state court, or the clerk or deputy clerk of either court, or the judge or the clerk or deputy clerk of any other court with jurisdiction over the subject matter, or a magistrate in the district where the land lies and make an affidavit under oath to the facts. The affidavit may likewise be made before a notary public, ~~subject to the same requirements for judicial approval specified in Code Section 18-4-3.~~"

SECTION 9.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 10.

All laws and parts of laws in conflict with this Act are repealed.

Senator Stone of the 23rd moved that the Senate agree to the House substitute to SB 194.

On the motion, a roll call was taken and the vote was as follows:

C Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Jordan	Strickland
Y Butler	C Kennedy	Y Tate
Y Cowsert	E Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	C Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Watson
Y Harper	Y Miller	Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 45, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 194.

The following bill was taken up to consider House action thereto:

SB 397. By Senators Watson of the 1st, Stone of the 23rd, Cowsert of the 46th, Hufstetler of the 52nd, Kirk of the 13th and others:

A BILL to be entitled an Act to amend Chapter 37 of Title 36 of the Official Code of Georgia Annotated, relating to the acquisition and disposition of real and personal property generally, so as to allow municipalities to hire state licensed real estate brokers to assist in the sale of real property; to provide for the duties of the state licensed real estate broker; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment was as follows:

Amend SB 397 (LC 45 0026) by replacing lines 1 through 3 with the following:

To amend Chapter 9 and Chapter 37 of Title 36 of the Official Code of Georgia Annotated, relating to county property generally and the acquisition and disposition of real and personal property generally, respectively, so as to allow counties and municipalities to hire state licensed real estate brokers to assist in the sale of real property;

By inserting between lines 7 and 8 the following:

Chapter 9 of Title 36 of the Official Code of Georgia Annotated, relating to county property generally, is amended in subsection (a) of Code Section 36-9-3, relating to the sale or disposition of county real property generally, by revising paragraph (2) and adding a new paragraph to read as follows:

"(2)(A) Counties may retain the services of a Georgia licensed real estate broker to assist in the disposition of surplus real property; said brokerage services shall be procured by request for proposals in response to an issued solicitation. The proposal

shall include the minimum stated broker qualifications and experience.

(B) In the event a county does retain the services of a qualified and experienced Georgia licensed real estate broker to assist in the disposition of surplus real property, the broker so retained shall:

(i) Represent the county and comply with the requirements of this Code section, including, but not limited to, issuing a call or request for sealed bids from the public and causing notice to be published once in the official legal organ of the county not less than 15 days nor more than 60 days preceding the day of the auction or, if the sale is by sealed bids, preceding the last day for the receipt of proposals. The legal notice shall include a legal description of the real property to be sold. The notice shall also contain a request for proposals and shall state the conditions of the proposed sale, the address at which bid blanks and other written materials connected with the proposed sale may be obtained, and the date, time, and place for the opening of bids;

(ii) Actively market the disposition of the real property;

(iii) Comply with all federal, state, and local laws;

(iv) Create a website which posts: the request for sealed bids; questions submitted by interested parties; responses to submitted questions as prepared by the county; dates the real property will be made available for public inspection; public information regarding the property; and other related communication and marketing information;

(v) Immediately forward the sealed bids to the governing authority of the county, which shall open such bids at the specified date, time, and place;

(vi) Only serve in the capacity of a broker engaged by a seller as provided for in Code Section 10-6A-5. A real estate broker representing a county shall be prohibited from working with or aiding a prospective buyer in connection with the disposition of real property for which the real estate broker was contracted; and

(vii) Agree to accept the agreed upon sales commission based on the highest responsive bid received as so adjudicated by the governing authority of the county, in its sole discretion.

(C) In the event the county decides to reject all bids and not award the sale to any of the bidders, the broker shall agree to accept the minimum payment in lieu of the commission as so agreed upon by the parties in an engagement contract.

~~(2)~~(3) This subsection shall not apply to:

(A) Redemption of property held by any county under a tax deed; the granting of easements and rights of way; the sale, conveyance, or transfer of road rights of way; the sale, transfer, or conveyance to any other body politic; and any sale, transfer, or conveyance to a nonprofit corporation in order to effectuate a lease-purchase transaction pursuant to Code Section 36-60-13;

(B) Any option to sell or dispose of any real property belonging to any county of this state if that option was granted by said county prior to March 17, 1959;

(C) The sale of any real property belonging to any county in this state where the proper governing authority of the county advertised the property for ten consecutive

days in the newspaper in which the sheriff's advertisements for the county are published, and where the sale was awarded thereafter to the highest and best bidder, in accordance with the terms of the advertisement, and an option given in accordance with the sale for the purchaser who had deposited a part of the purchase price to pay the balance within 365 days from the date of the execution of the option, where the sale was awarded and the option granted prior to May 1, 1961; or (D) The exchange of real property belonging to any county in this state for other real property where the property so acquired by exchange shall be of equal or greater value than the property previously belonging to the county; provided, however, that within six weeks preceding the closing of any such proposed exchange of real property, a notice of the proposed exchange of real property shall be published in the official organ of the county once a week for four weeks. The value of both the property belonging to the county and that to be acquired through the exchange shall be determined by appraisals and the value so determined shall be approved by the proper authorities of said county."

SECTION 2.

By replacing "must" with "shall" on lines 40 and 73.

By redesignating Section 2 as Section 3.

Senator Watson of the 1st moved that the Senate agree to the House amendment to SB 397.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	C Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	C Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Wilkinson

Y Heath
Y Henson
Hill

Mullis
Y Orrock
Parent

Y Williams, M
Y Williams, N

On the motion, the yeas were 44, nays 0; the motion prevailed, and the Senate agreed to the House amendment to SB 397.

The following bill was taken up to consider House action thereto:

HB 605. By Representatives Spencer of the 180th, Oliver of the 82nd, Brockway of the 102nd, Frye of the 118th, Rakestraw of the 19th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, so as to change provisions relating to the revival of certain claims involving childhood sexual abuse; to provide for civil actions by the Attorney General under certain circumstances; to provide for a civil penalty; to provide for a report; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senator Kirk of the 13th asked unanimous consent that the Senate insist on its substitute to HB 605.

The consent was granted, and the Senate insisted on its substitute to HB 605.

The following bill was taken up to consider House action thereto:

SB 451. By Senators Walker III of the 20th, Martin of the 9th, Strickland of the 17th, Wilkinson of the 50th and Black of the 8th:

A BILL to be entitled an Act to amend Code Section 2-6-27 of the O.C.G.A., relating to the State Soil and Water Conservation Commission - additional duties and powers, so as to remove authority of the State Soil and Water Conservation Commission to formulate certain rules and regulations in consultation with the Environmental Protection Division of the Department of Natural Resources; to amend Chapter 5 of Title 12 of the O.C.G.A., relating to water resources, so as to modify provisions relating to regulated riparian rights to surface waters for general or farm use, permits for withdrawal, diversion or impoundment, coordination with water plans, metering of farm use, interbasin transfers, and appeal procedures; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

**A BILL TO BE ENTITLED
AN ACT**

To amend Code Section 2-6-27 of the Official Code of Georgia Annotated, relating to the State Soil and Water Conservation Commission – additional duties and powers, so as to remove authority of the State Soil and Water Conservation Commission to formulate certain rules and regulations in consultation with the Environmental Protection Division of the Department of Natural Resources; to amend Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water resources, so as to modify provisions relating to regulated riparian rights to surface waters for general or farm use, permits for withdrawal, diversion or impoundment, coordination with water plans, metering of farm use, interbasin transfers, and appeal procedures, so as to modify provisions relating to regulated reasonable use of ground water for farm use, permits to withdraw, obtain, or utilize same, metering of same, and related procedures; to modify procedures relating to applications for such permits; to modify procedures relating to the suspension of farm use permits; to modify provisions relating to measuring farm uses of water; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 2-6-27 of the Official Code of Georgia Annotated, relating to the State Soil and Water Conservation Commission – additional duties and powers, is amended by deleting paragraph (7.2).

SECTION 2.

Chapter 5 of Title 12 of the Official Code of Georgia Annotated, relating to water resources, is amended by revising paragraph (3) of subsection (b), paragraph (6.1) of subsection (k), and subsection (m.1) of Code Section 12-5-31, relating to regulated riparian rights to surface waters for general or farm use, permits for withdrawal, diversion or impoundment, coordination with water plans, metering of farm use, interbasin transfers, and appeal procedures, as follows:

"(3)(A) Notwithstanding any other provision of this Code section to the contrary, a permit for the withdrawal or diversion of surface waters for farm uses shall be issued by the director to any person when the applicant submits an application which provides reasonable proof that the applicant's farm use of surface waters occurred prior to July 1, 1988, and when any such application is submitted prior to July 1, 1991. If submitted prior to July 1, 1991, an application for a permit to be issued based upon farm uses of surface waters occurring prior to July 1, 1988, shall be granted for the withdrawal or diversion of surface waters at a rate of withdrawal or diversion equal to the greater of the operating capacity in place for withdrawal or

diversion on July 1, 1988, or, when measured in gallons per day on a monthly average for a calendar year, the greatest withdrawal or diversion capacity during the five-year period immediately preceding July 1, 1988. If submitted after July 1, 1991, or, regardless of when submitted, if it is based upon a withdrawal or diversion of surface waters for farm uses occurring or proposed to occur on or after July 1, 1988, an application shall be subject to evaluation and classification pursuant to subsections (e), (f), and (g) of this Code section, but a permit based upon such evaluation and classification shall be issued to ensure the applicant's right to a reasonable use of such surface waters. Any permit issued pursuant to this paragraph shall be conditioned upon the requirement that the permittee shall provide, on forms prescribed by the director, information relating to a general description of the lands and number of acres subject to irrigation and the permit; a description of the general type of irrigation system used; the source of withdrawal water such as river, stream, or impoundment; and pump information, including rated capacity, pump location, and power information.

~~(B) Applications under this paragraph submitted on or after April 20, 2006, for farm use within the Flint River basin shall be assessed a nonrefundable application fee in the amount of \$250.00 per application. Permits applied for under this paragraph on or after April 20, 2006, for farm use in the Flint River basin shall have a term of 25 years and shall be automatically renewed at the original permitted capacity unless an evaluation ~~of the water supply~~ by the division indicates that renewal at the original capacity would have unreasonable adverse effects upon other water uses. The division may renew the original permit at a lower capacity, but such capacity shall be based on the reasonable use of the permittee and evaluation of the resource.~~

~~(C) All permits~~ A permittee may apply to have a permit issued under this paragraph may be modified, amended, transferred, or assigned to subsequent owners of the lands which are the subject of such permit; provided, however, that:

(i) ~~the~~ The division shall receive written notice of any such transfer or assignment;

(ii) Any modification in ~~or amendment to~~ the use or capacity conditions contained in the permit or in the lands which are the subject of such permit shall require the permittee to submit an application for review and approval by the director consistent with this Code section;

(iii) ~~The permittee may commence withdrawing water under the modified, amended, transferred, or assigned permit on the effective date stated on the revised permit for farm use; and~~

(iv) For all permits for which such modification, amendment, transfer, or assignment is effective on or after April 20, 2018, and for which no water-measuring device is installed, the permittee shall have one year from the updated effective date stated on the revised permit for farm use to have an acceptable type of water-measuring device installed, to have such device in operation at each point of permitted withdrawal, and to notify the division in writing once the installation

has occurred. The division shall approve or disapprove the installation within 60 days of the date of notification. The permittee shall be responsible for all associated costs.

(D) Nothing in this paragraph shall be construed as a repeal or modification of Code Section 12-5-46."

"(6.1) The director may permanently revoke any permit under this Code section for farm use within the Flint River Basin applied for on or after April 20, 2006, if initial use for the purpose indicated on the permit application, as measured by a flow meter approved by the ~~State Soil and Water Conservation Commission~~ division, has not commenced within two years of the date of issuance of the permit unless the permittee can reasonably demonstrate that his or her nonuse was due to financial hardship or circumstances beyond his or her control;"

"(m.1)(1) The ~~State Soil and Water Conservation Commission~~ division shall have the duty of implementing a program of measuring farm uses of water in order to obtain clear and accurate information on the patterns and amounts of such use, which information is essential to proper management of water resources by the state and useful to farmers for improving the efficiency and effectiveness of their use of water, meeting the requirements of ~~subsection~~ subsections (b) and (m) of this Code section, and improving water conservation. ~~Accordingly, the State Soil and Water Conservation Commission shall on behalf of the state purchase, install, operate, and maintain water measuring devices for farm uses that are required by this Code section to have permits. As used in this paragraph, the term 'operate' shall include reading the water measuring device, compiling data, and reporting findings.~~

(2) ~~For purposes of this subsection, the State Soil and Water Conservation Commission~~ The division:

(A) May conduct its duties with ~~commission~~ division staff and may contract with other persons to conduct any of its duties;

(B) May receive and use state appropriations, gifts, grants, or other sources of funding to carry out its duties;

(C) ~~In consultation with the director, shall~~ Shall develop a priority system for the installation of ~~water measuring~~ measurement of farm uses of water at the points of those withdrawals for which a that have permits permit was issued as of July 1, 2003. ~~The commission shall, provided that adequate funding is received, install and commence operation and maintenance of water measuring devices for all such farm uses by July 1, 2009; provided, however, that the commission shall not install a water measuring device on any irrigation system for such a farm use if such irrigation system is equipped with a meter as of July 1, 2003, and such meter is determined by the commission to be properly installed and operable, but any subsequent replacement or maintenance of such an irrigation system that necessitates replacement of such meter shall necessitate installation of a water measuring device by the commission; The division may refine the priority system from time to time based on the amount of funding received by the division, considerations regarding cost effectiveness, new technical information, changes in~~

resource use or conditions, or other factors as deemed relevant by the director;

(D) May charge any permittee the commission's reasonable costs for purchase and installation of a water measuring device for any farm use permit issued by the director after July 1, 2003; however, for permit applications submitted to the division prior to December 31, 2002, Shall, on behalf of the state, contract for the purchase and installation of that subset of water-measuring devices according to the priority system required by this Code section and no charge shall be made to the permittee for such costs. However, when the division assesses the site or attempts to install such water-measuring devices and finds that the site lacks withdrawal or irrigation infrastructure, the division shall document such withdrawal or irrigation infrastructure conditions, and notify the permittee in writing that a state funded water-measuring device or devices could not be installed, that a device or devices are still required. After the expiration of five years such permittee shall be responsible for having an acceptable type of water-measuring device installed and placed into operation and all associated costs. The permittee shall notify the division in writing once the installation has occurred. The division shall approve or disapprove the installation within 60 days of the date of notification; and

(E) Shall, at monthly intervals, read an appropriate proportion of water-measuring devices installed for measuring farm use of surface water and compile the collected data for use in meeting the purposes in paragraph (1) of this subsection, and the division shall communicate in advance with private property owners to establish reasonable times for such readings. In the event that a permittee's water-measuring devices are selected for monthly readings, the permittee may choose to perform those readings and transmit that information to the division; and

(F) Shall issue an annual progress report on the status of water-measuring device installation.

(3) Any person whose permit for agricultural water use was issued before July 1, 2003, and who desires to install a water-measuring device at no cost to the state may do so, provided that the permittee shall have an acceptable type of water-measuring device installed and placed in operation at each point of permitted withdrawal and the permittee shall notify the division in writing once the installation has occurred. The division shall approve or disapprove the installation within 60 days of the date of notification.

(3)(4) Any person who desires to commence a farm use of water for which a permit is issued after July 1, 2003, shall not commence such use prior to the installation of a receiving approval from the division that such person has installed an acceptable type of water-measuring device installed by the commission at each point of permitted withdrawal. The permittee shall be responsible for all such costs.

(4) Subject to the provisions of subparagraph (C) of paragraph (2) of this subsection, after July 1, 2009, no one shall use water for a farm use required to have a permit under this Code section without having a water measuring device in operation that has been installed by the commission.

(5) Employees, contractors or agents of the commission division are authorized to

enter upon private property at reasonable times and upon reasonable notice to conduct the duties of the ~~commission~~ division under this subsection.

(6) Regarding all permits for which a water-measuring device is installed, regardless of when the permit was issued, the division shall contract for the annual reading of such water-measuring devices. The division shall require each contractor conducting such annual readings to transmit complete and accurate data required by the division to the division annually.

(7) The division shall audit a subset of reported water-measuring device readings submitted by permittees for the purpose of understanding and improving the accuracy of such readings.

(8) The division shall contract for any maintenance, repair, or replacement of water-measuring devices installed pursuant to this Code section where maintenance, repair, or replacement is required to ensure that such water-measuring devices accurately reflect the amount of water used, and no charge shall be made to the permittee for such costs.

(9) If the division determines that the permittee or the permittee's employees, tenants, licensees, or agents have willfully dismantled, sold, relocated, or removed any water-measuring device installed pursuant to this Code section, the permittee may be subject to enforcement action by the division, including but not limited to imposition of civil penalties.

~~(6)~~(10) Any reports of amounts of use for recreational purposes under this Code section shall be compiled separately from amounts reported for all other farm uses."

SECTION 3.

Said chapter is further amended by revising subsections (c) and (d) of Code Section 12-5-97, relating to duration of permits; renewal; transfer; certified statements by holders; monitoring water use; granting permit to person withdrawing ground water prior to July 1, 1973; prior investments in land and nature of plans for water use; continued withdrawal pending decision on permit, as follows:

"(c) Except as provided in ~~paragraph (1) of~~ subsection (b) of Code Section 12-5-105, permits shall not be transferred except with the approval of the division.

(d) Except as provided in ~~paragraph (1) of~~ subsection (b) of Code Section 12-5-105, every person who is required by this part to secure a permit shall file with the division, in the manner prescribed by the division, a certified statement of quantities of water used and withdrawn, sources of water, and the nature of the use thereof not more frequently than at 30 day intervals. Such statements shall be filed on forms furnished by the division within 90 days after the issuance of regulations. Water users not required to secure a permit shall comply with procedures established to protect and manage the water resources of the state. Such procedures shall be within the provisions of this part and shall be adopted after public hearing. The requirements embodied in the two preceding sentences shall not apply to individual domestic water use."

SECTION 4.

Said chapter is further amended by revising subsections (b) and (b.1) of Code Section 12-5-105, relating to regulated reasonable use of ground water for farm use, permits to withdraw, obtain, or utilize same, metering of same, and related procedures, as follows:

"(b) Notwithstanding any provisions of Code Section 12-5-95, 12-5-96, or 12-5-97 to the contrary, permits to withdraw, obtain, or utilize ground waters for farm uses, as that term is defined in paragraph (5.1) of Code Section 12-5-92, whether for new withdrawals or under subsection (a) of this Code section, shall be governed as follows:

(1) ~~A permit issued, modified, or amended after July 1, 2003, for farm uses shall have annual reporting requirements.~~ Permits applied for under this Code section on or after April 20, 2006, for farm use within the Flint River basin shall have a term of 25 years and shall be automatically renewed at the original permitted capacity unless an evaluation ~~of the water supply~~ by the division indicates that renewal at the original capacity would have unreasonable adverse effects upon other water uses. The division may renew the original permit at a lower capacity, but such capacity shall be based on the reasonable use of the permittee and evaluation of the resource;

(2) ~~All permits~~ A permittee may apply to have a permit issued under this Code section may be modified, amended, transferred, or assigned to subsequent owners of the lands which are the subject of such permit; provided, however, that:

(A) the ~~The~~ division shall receive written notice of any such transfer or assignment; ~~and;~~

(B) any ~~Any~~ modification in or amendment to the use or capacity conditions contained in the permit or in the lands which are the subject of such permit shall require the permittee to submit an application for review and approval by the director consistent with the requirements of this part;

(C) The permittee may commence withdrawing water under the modified, amended, transferred, or assigned permit on the effective date stated on the revised permit for farm use; and

(D) For all permits for which such modification, amendment, transfer, or assignment is effective on or after April 20, 2018, and for which no water-measuring device is installed, the permittee shall have one year from the updated effective date stated on the revised permit for farm use to have an acceptable type of water-measuring device installed, to have such device in operation at each point of permitted withdrawal, and to notify the division in writing once the installation has occurred. The division shall approve or disapprove the installation within 60 days of the date of notification. The permittee shall be responsible for all associated costs;

~~(2)(3)~~ Permits for farm use, after initial use has commenced, shall not be revoked, in whole or in part, for nonuse; except that the director may permanently revoke any permit under this Code section for farm use within the Flint River Basin applied for on or after April 20, 2006, if initial use for the purpose indicated on the permit application, as measured by a flow meter approved by the ~~State Soil and Water Conservation Commission~~ division has not commenced within two years of the date

of issuance of the permit unless the permittee can reasonably demonstrate that his or her nonuse was due to financial hardship or circumstances beyond his or her control;

~~(3)~~(4) The director may suspend or modify a permit for farm use if he or she should determine through inspection, investigations, or otherwise that the quantity of water allowed would prevent other applicants from reasonable use of ground water beneath their property for farm use;

~~(4)~~(5) During emergency periods of water shortage, the director shall give first priority to providing water for human consumption and second priority to farm use; and

~~(5)~~(6) The importance and necessity of water for industrial purposes are in no way modified or diminished by this Code section.

(b.1)(1) ~~The State Soil and Water Conservation Commission~~ division shall have the duty of implementing a program of measuring farm uses of water in order to obtain clear and accurate information on the patterns and amounts of such use, which information is essential to proper management of water resources by the state and useful to farmers for improving the efficiency and effectiveness of their use of water, meeting the requirements of ~~paragraph (1) of subsection~~ subsections (b) and (b.1) of this Code section, and improving water conservation. ~~Accordingly, the State Soil and Water Conservation Commission shall on behalf of the state purchase, install, operate, and maintain water measuring devices for farm uses that are required by this Code section to have permits. As used in this paragraph, the term 'operate' shall include reading the water measuring device, compiling data, and reporting findings.~~

(2) ~~For purposes of this subsection, the State Soil and Water Conservation Commission~~ The division:

(A) May conduct its duties with ~~commission~~ division staff and may contract with other persons to conduct any of its duties;

(B) May receive and use state appropriations, gifts, grants, or other sources of funding to carry out its duties;

(C) ~~In consultation with the director, shall~~ Shall develop a priority system for the installation of water measuring devices for measurement of farm uses that have permits of water at the points of those withdrawals for which a permit was issued as of July 1, 2003. The commission shall, provided that adequate funding is received, install and commence operation and maintenance of water measuring devices for all such farm uses by July 1, 2009; provided, however, that the commission shall not install a water measuring device on any irrigation system for such a farm use if such irrigation system is equipped with a meter as of July 1, 2003, and such meter is determined by the commission to be properly installed and operable, but any subsequent replacement or maintenance of such an irrigation system that necessitates replacement of such meter shall necessitate installation of a water measuring device by the commission The division may refine the priority system from time to time based on the amount of funding received by the division, considerations regarding cost effectiveness, new technical information, changes in resource use or conditions, or other factors as deemed relevant by the director;

- ~~(D) May charge any permittee the commission's reasonable costs for purchase and installation of a water measuring device for any farm use permit issued by the director after July 1, 2003; however, for permit applications submitted to the division prior to December 31, 2002, Shall, on behalf of the state, contract for the purchase and installation of that subset of water-measuring devices according to the priority system required by this Code section and no charge shall be made to the permittee for such costs. However, when the division assesses the site or attempts to install such water-measuring devices and finds that the site lacks the withdrawal or irrigation infrastructure, the division shall document such withdrawal or irrigation infrastructure conditions and notify the permittee in writing that a state funded water-measuring device or devices could not be installed, that a device or devices are still required. After the expiration of five years such permittee shall be responsible for having an acceptable type of water-measuring device installed and placed into operation and all associated costs. The permittee shall notify the division in writing once the installation has occurred. The division shall approve or disapprove the installation within 60 days of the date of notification; and~~
- (E) Shall, at monthly intervals, read an appropriate proportion of water-measuring devices installed for measuring farm use of ground water and compile the collected data for use in meeting the purposes in paragraph (1) of this Code section, and the division shall communicate in advance with private property owners to establish reasonable times for such readings. In the event that a permittee's water-measuring devices are selected for monthly readings, the permittee may choose to perform those readings and transmit that information to the division; and
- (F) Shall issue an annual progress report on the status of water-measuring device installation.
- (3) Any person whose permit for agricultural water use was issued before July 1, 2003, and who desires to install a water-measuring device at no cost to the state may do so, provided that the permittee shall have an acceptable type of water-measuring device installed and placed in operation at each point of permitted withdrawal and the permittee shall notify the division in writing once the installation has occurred. The division shall approve or disapprove the installation within 60 days of the date of notification.
- (4) Any person who desires to commence a farm use of water for which a permit is issued after July 1, 2003, shall not commence such use prior to the installation of a receiving approval from the division that such person has installed an acceptable type of water-measuring device installed by the commission at each point of permitted withdrawal. The permittee shall be responsible for all such costs.
- ~~(4) Subject to the provisions of subparagraph (C) of paragraph (2) of this subsection, after July 1, 2009, no one shall use water for a farm use required to have a permit under this Code section without having a water measuring device in operation that has been installed by the commission.~~
- (5) Regarding all permits for which a water-measuring device is installed, regardless of when the permit was issued, the division shall contract for the annual reading of

such water-measuring devices. The division shall require each contractor conducting such annual readings to transmit complete and accurate data required by the division to the division annually.

(6) The division shall audit a subset of reported water-measuring device readings submitted by permittees for the purpose of understanding and improving the accuracy of such readings.

(7) Employees, contractors, or agents of the ~~commission~~ division are authorized to enter upon private property at reasonable times and upon reasonable notice to conduct the duties of the ~~commission~~ division under this subsection.

(8) The division shall contract for any maintenance, repair, or replacement of water-measuring devices installed pursuant to this Code section where maintenance, repair, or replacement is required to ensure that such water-measuring devices accurately reflect the amount of water used, and no charge shall be made to the permittee for such costs.

(9) If the division determines that the permittee or the permittee's employees, tenants, licensees, or agents have willfully dismantled, sold, relocated, or removed any water-measuring device installed pursuant to this Code Section, the permittee may be subject to enforcement action by the division, including but not limited to imposition of civil penalties.

~~(6)~~(10) Any reports of amounts of use for recreational purposes under this part shall be compiled separately from amounts reported for all other farm uses."

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

Senator Walker III of the 20th moved that the Senate agree to the House substitute to SB 451.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
C Burke	Y Jordan	Y Strickland
Y Butler	C Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Martin	C Unterman

Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
N Hill	Y Parent	

On the motion, the yeas were 47, nays 2; the motion prevailed, and the Senate agreed to the House substitute to SB 451.

The following bill was taken up to consider House action thereto:

SB 461. By Senator Stone of the 23rd:

A BILL to be entitled an Act to amend Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to barbers and cosmetologists, so as to change certain provisions relating to barbering and the occupation of a cosmetologist; to provide for and change certain definitions; to provide for licensing; to add hair relaxing and straightening to the scope of practice of certain occupations licensed by the State Board of Cosmetology and Barbers; to provide for regulation of shops, salons, and schools by local governments; to change certain provisions related to instruction to be provided to licensees; to revise certain provisions related to penalties and the unlicensed practice of occupations licensed by the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 40 of Title 31 and Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to tattoo studios and barbers and cosmetologists, respectively, so as to change certain provisions relating to cosmetic and other services and procedures performed in this state; to provide that microblading of the eyebrow is included as tattooing; to provide that microblading of the eyebrow is not considered illegal tattooing near the eye; to provide for and change certain definitions relative to barbers and the practice of cosmetology; to provide for licensing of such professions; to add hair relaxing and straightening to the scope of practice of certain occupations licensed by the State Board of Cosmetology and Barbers; to provide for regulation of shops, salons, and schools by local governments; to change certain provisions related to instruction to be provided to licensees; to change certain provisions related to inspections of certain shops, salons, and schools; to change certain provisions relating to applications

for registration; to provide for certain schools to offer additional courses of study; to provide for the board to be the repository for certain education records; to require schools to display certain documents to certain locations; to require certain schools to teach specific courses; to revise certain provisions related to penalties and the unlicensed practice of occupations licensed by the board; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 40 of Title 31 of the Official Code of Georgia Annotated, relating to tattoo studios, is amended by revising Code Section 31-40-1, relating to definitions, as follows:

"31-40-1.

As used in this chapter, the term:

(1) 'Microblading of the eyebrow' means a form of cosmetic tattoo artistry where ink is deposited superficially in the upper three layers of the epidermis using a handheld tool made up of needles known as a microblade to improve or create eyebrow definition, to cover gaps of lost or missing hair, to extend the natural eyebrow pattern, or to create a full construction if the eyebrows have little to no hair.

~~(1)~~(2) 'Tattoo' means to mark or color the skin by pricking in, piercing, or implanting indelible pigments or dyes under the skin. Such term includes microblading of the eyebrow.

~~(2)~~(3) 'Tattoo artist' means any person who performs tattooing, except that the term tattoo artist shall not include in its meaning any physician or osteopath licensed under Chapter 34 of Title 43, nor shall it include any technician acting under the direct supervision of such licensed physician or osteopath, pursuant to subsection (a) of Code Section 16-5-71.

~~(3)~~(4) 'Tattoo studio' means any facility or building on a fixed foundation wherein a tattoo artist performs tattooing."

SECTION 2.

Said chapter is further amended by revising Code Section 31-40-10, relating to criminal law not repealed, as follows:

"31-40-10.

Nothing in this chapter shall be construed to repeal the provisions of Code Section 16-12-5; provided, however, that Code Section 16-12-5 shall not apply to microblading of the eyebrow."

SECTION 3.

Chapter 10 of Title 43 of the Official Code of Georgia Annotated, relating to barbers and cosmetologists, is amended by revising Code Section 43-10-1, relating to definitions, as follows:

"43-10-1.

As used in this chapter, the term:

- (1) 'Barber apprentice' means an individual who practices barbering under the constant and direct supervision of a licensed master barber.
- (2) 'Barber II' means an individual who performs any one or more of the following services for compensation:
 - (A) Shaving or trimming the beard;
 - (B) Cutting or dressing the hair;
 - (C) Giving facial or scalp massages; or
 - (D) Giving facial or scalp treatment with oils or cream or other preparations made for this purpose, either by hand or by means of mechanical appliances.
- (3) 'Barbering' means the occupation of shaving or trimming the beard, cutting or dressing the hair, giving facial or scalp massages, giving facial or scalp treatment with oils or cream or other preparations made for this purpose, either by hand or by means of mechanical appliances, singeing and shampooing the hair, coloring or dyeing the hair, or permanently waving, relaxing, or straightening the hair of an individual for compensation.
- (4) 'Beautician' means 'cosmetologist' as such term is defined in this Code section.
- (5) 'Beauty shop' or 'beauty salon' or 'barber shop' means any premises where one or more ~~persons~~ individuals engage in barbering or in the occupation of a cosmetologist.
- (6) 'Board' means the State Board of Cosmetology and Barbers.
- (7) 'Cosmetologist' means any individual who performs any one or more of the following services for compensation:
 - (A) Cuts or dresses the hair;
 - (B) Gives facial or scalp ~~massage~~ massages or facial and scalp treatment with oils or ~~creams and cream~~ or other preparations made for this purpose, either by hand or by means of mechanical appliance appliances;
 - (C) Singes and shampoos the hair, colors or dyes the hair, or does permanent waving, relaxing, or straightening of the hair;
 - (D) Performs ~~nail care, pedicure, or manicuring~~ the services of a nail technician as defined in paragraph ~~(9)~~ (12) of this Code section; or
 - (E) Performs the services of an esthetician as defined in paragraph ~~(5)~~ (8) of this Code section.

Such individual shall be considered as practicing the occupation of a cosmetologist within the meaning of this Code section; provided, however, that such term shall not mean an individual who only braids the hair by hairweaving; interlocking; twisting; plaiting; wrapping by hand, chemical, or mechanical devices; or using any natural or synthetic fiber for extensions to the hair, and no such individual shall be subject to the provisions of this chapter. Such term shall not apply to an individual whose activities are limited to the application of cosmetics which are marketed to individuals and are readily commercially available to consumers.

- (8) 'Esthetician' or 'esthetics operator' means an individual who, for compensation, engages in any one or a combination of the following practices, esthetics, or cosmetic skin care:

- (A) Massaging the face, neck, décolletage, or arms of ~~a person~~ an individual;
- (B) Trimming, tweezing, shaping, or threading eyebrows;
- (C) Dyeing eyelashes or eyebrows or applying eyelash extensions; or
- (D) Waxing, threading, stimulating, cleansing, or beautifying the face, neck, arms, ~~shoulders, back, chest,~~ torso, or legs of ~~a person~~ an individual by any method with the aid of the hands or any mechanical or electrical apparatus or by the use of a cosmetic preparation.

Such practices of esthetics shall not include the diagnosis, treatment, or therapy of any dermatological condition or medical aesthetics or the use of lasers. Such term shall not apply to an individual whose activities are limited to the application of cosmetics during the production of film, television, or musical entertainment or to the application of cosmetics in a retail environment in which cosmetics are marketed to individuals and are readily commercially available to consumers.

(9) 'Hair designer' means an individual who performs any one or more of the following services for compensation:

- (A) Cuts or dresses the hair; or
- (B) Singes and shampoos the hair, applies a permanent ~~or~~ relaxer or straightener to the hair, or colors or dyes the hair.

(9.1) 'License' means a certificate of registration or other document issued by the board or by the division director on behalf of the board pursuant to the provisions of this chapter permitting an individual to practice in an occupation or operate a school.

(10) 'Master barber' means an individual who performs any one or more of the following services for compensation;

- (A) Shaving or trimming the beard;
- (B) Cutting or dressing the hair;
- (C) Giving facial or scalp massages;
- (D) Giving facial or scalp treatment with oils or cream or other preparations made for this purpose, either by hand or by means of mechanical appliances; or
- (E) Singeing and shampooing the hair, coloring or dyeing the hair, or permanently waving, relaxing, or straightening the hair.

(11) 'Master cosmetologist' means a cosmetologist who is possessed of the requisite skill and knowledge to perform properly all the services set forth in paragraph (7) of this Code section for compensation.

(12) 'Nail technician' means an individual who, for compensation, performs manicures or pedicures; or who trims, files, shapes, decorates, applies sculptured or otherwise artificial nail extensions, or in any way cares for the nails of another ~~person~~ individual.

(13) 'Person' means any individual, proprietorship, partnership, corporation, association, or ~~any~~ other legal entity.

(14) 'School of barbering' means any establishment that receives compensation for training more than one individual in barbering. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not ~~'barbering schools'~~ 'schools of barbering' within the meaning of

this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'

(15) 'School of cosmetology' means any establishment that receives compensation for training more than one individual in the occupation of a cosmetologist. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not 'schools of cosmetology' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'

(16) 'School of esthetics' means any establishment that receives compensation for training more than one individual in the occupation of an esthetician. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not 'schools of esthetics' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'

(17) 'School of hair design' means any establishment that receives compensation for training more than one individual in the occupation of a hair designer. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not ~~schools of hair design~~ 'schools of hair design' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'

(18) 'School of nail care' means any establishment that receives compensation for training more than one ~~person~~ individual in the occupation of a nail technician. Technical colleges whose programs have been approved by the Technical College System of Georgia or the Department of Education are not 'schools of nail care' within the meaning of this chapter; provided, however, that all such colleges and their programs shall be considered to be 'board approved.'"

SECTION 4.

Said chapter is further amended by revising Code Section 43-10-6, relating to rules and regulations as to sanitary requirements, instruction on HIV and AIDS, inspections, and unsanitary condition as nuisance, as follows:

"43-10-6.

(a) The board is authorized to adopt reasonable rules and regulations prescribing the sanitary requirements of beauty shops, beauty salons, barber shops, schools of cosmetology, schools of esthetics, schools of hair design, schools of nail care, and schools of barbering ~~subject to the approval of the Department of Public Health~~, and to cause the rules and regulations or any subsequent revisions to be in suitable form; provided, however, that nothing in this chapter shall prevent a county or municipal corporation from adopting ordinances, rules, or regulations governing a business or occupational tax license or certificate; health or facility regulations; zoning; local licensing; or the operation of such shops, salons, or schools in addition to any requirements that may be imposed on such shops, salons, or schools under this chapter or by the board. The board shall make ~~the~~ its rules and regulations available to the

proprietor of each beauty shop, beauty salon, barber shop, school of cosmetology, school of esthetics, school of hair design, school of nail care, and school of barbering. It shall be the duty of every proprietor or person operating a beauty shop, beauty salon, barber shop, school of cosmetology, school of esthetics, school of hair design, school of nail care, and school of barbering in this state to keep a copy of such rules and regulations posted in a conspicuous place in such business, so as to be easily read by customers thereof. Posting such rules and regulations by electronic means shall be allowed.

(b) The board is authorized to adopt reasonable rules and regulations requiring that individuals issued ~~certificates of registration~~ licenses under this chapter undergo instruction on Human Immunodeficiency Virus and Acquired Immune Deficiency Syndrome.

(c) Any investigator or inspector employed by the Secretary of State shall have the power to enter and make reasonable examination of any beauty shop, beauty salon, barber shop, ~~or~~ school of cosmetology, school of hair design, school of esthetics, school of nail care, ~~and~~ or school of barbering in the state during business hours; during hours advertised by a shop, salon, or school as being open; and during hours a shop, salon, or school is open as indicated by the presence of patrons for the purpose of enforcing the rules and regulations of the board and for the purpose of ascertaining the sanitary conditions thereof.

(d) Any beauty shop, beauty salon, barber shop, ~~or~~ school of cosmetology, school of hair design, school of esthetics, school of nail care, and school of barbering in which tools, appliances, and furnishings used therein are kept in an unclean and unsanitary condition so as to endanger health is declared to be a public nuisance."

SECTION 5.

Said chapter is further amended by revising subsection (h) of Code Section 43-10-9, relating to application for certificate of registration, as follows:

"(h)(1) On and after July 1, 2015, but prior July 1, 2018, any ~~applicant~~ individual applying for a certificate of registration pursuant to this Code section shall pass both a board approved written and ~~the~~ practical examination within a 24 month period after having obtained the required credit hours or shall be required to repeat all of such required credit hours before retaking the ~~examination~~ examinations. Should an applicant fail to pass either the written or ~~the~~ practical examination, the board or the board's designee shall furnish the applicant a statement in writing, stating in what manner the applicant was deficient.

(2) On and after July 1, 2018, any individual applying for a certificate of registration pursuant to this Code section shall pass both a board approved written and practical examination within a 48 month period after having obtained the required credit hours or shall be required to repeat all of such required credit hours before retaking the examinations. Should an applicant fail to pass either the written or practical examination, the board or the board's designee shall furnish the applicant a statement in writing, stating in what manner the applicant was deficient. Board members may

attend and observe all written and practical examinations held for licenses or certificates of registration pursuant to this Code section."

SECTION 6.

Said chapter is further amended by revising subsections (a) through (c) of Code Section 43-10-12, relating to regulation and permits for schools, teachers and instructors, registration of apprentices, and certification as teacher by Department of Education, as follows:

"(a)(1) All schools of barbering, schools of cosmetology, schools of esthetics, schools of hair design, ~~or~~ and schools of nail care shall:

(A) Cause to be registered in writing with the board, at the time of opening, 15 bona fide students; provided, however, that any such school may petition to the board to add additional courses of study with a minimum of five students per course if such school has an active license in good standing;

(B) Have not less than one instructor for every 20 students or a fraction thereof;

(C) Keep permanently displayed a sign reading 'School of Cosmetology,' 'School of Hair Design,' 'School of Esthetics,' 'School of Nail Care,' or 'School of Barbering' as ~~the case may be~~ applicable; and all such signs shall also display the words 'Service by Students Only.' Where service is rendered by a student, no commissions or premiums shall be paid to such student for work done in the schools; nor shall any ~~person~~ individual be employed by the schools to render professional service to the public; and

(D) Provide transcripts to students upon graduation or withdrawal from the school, provided that all tuition and fees due to the school have been satisfied. Student records shall be maintained by the schools for a minimum of five years. If a school closes its business, the owner is required to provide copies of all student records, including, but not limited to, transcripts, to the ~~Non-Public Postsecondary Education Commission~~ board within ~~thirty~~ 30 days of the school closure.

(2) All schools of cosmetology, schools of hair design, schools of esthetics, schools of nail care, and schools of barbering ~~are required to~~ shall keep in a conspicuous place as determined by the board through rules and regulations in such schools a copy of the rules and regulations adopted by the board.

(3) All ~~master barbers and~~ master cosmetologists, hair designers, estheticians, nail care technicians, master barbers, and barbers II who take an apprentice pursuant to Code Section 43-10-14 shall file immediately with the board through the division director the name and age of such apprentice; and the board shall cause such information to be entered on a register kept by the division director for that purpose.

(b) Any person desiring to operate or conduct a school of cosmetology, school of hair design, school of esthetics, school of nail care, or school of barbering prior to opening shall first secure from the board a permit license to do so and shall keep the permit license prominently displayed in the school in a location determined by the board through rules and regulations.

(c) The board shall have the authority to pass upon the qualifications, appointments,

courses of study, and hours of study in the school of cosmetology, school of hair design, school of esthetics, school of nail care, or school of barbering, provided that:

(1) All schools of cosmetology shall be required to teach the following courses: theory, permanent and cold hair waving, hair coloring ~~and~~, hair bleaching, hair relaxing, hair straightening, hair and scalp treatments, massaging the face, neck, and scalp, hair and scalp conditioning, hair cutting and shaping, hairdressing, shampooing, styling, comb out, ~~charm~~, waxing, threading, tweezing, reception, desk work, ~~art and laboratory~~, facials, makeup and arching, skin care, nail care, state law, state board rules and regulations, and any other subjects related to cosmetology and sanitation;

(1.1) All schools of hair design shall be required to teach the following courses: theory, permanent and cold hair waving, hair coloring, hair bleaching, hair relaxing, hair straightening, hair and scalp treatments, massaging the scalp, hair and scalp conditioning, hair cutting and shaping, hairdressing, shampooing, styling, comb out, reception, desk work, state law, board rules and regulations, and any other subjects related to hair design and sanitation;

(2) All schools of esthetics shall be required to teach the following courses: theory, skin care, facials, makeup and arching, eyelash extensions, ~~charm~~, reception, desk work, ~~art and laboratory~~, massaging the face, neck, ~~decolletage~~, décolletage, or arms, trimming, tweezing, or threading eyebrows and other facial hair, dyeing, waxing, stimulating, cleansing, or beautifying, state law, state board rules and regulations, and any other subjects related to esthetics and sanitation;

(3) All schools of nail care shall be required to teach the following courses: theory, trimming, filing, shaping, decorating, sculpturing and artificial nails, nail care, pedicuring, ~~charm~~, reception, desk work, ~~art and laboratory~~, state law, state board rules and regulations, and any other subjects related to nail care and sanitation; and

(4) All schools of barbering shall be required to teach the following courses: theory, hair and scalp treatments, massaging the face, neck, and scalp, shampooing and conditioning, shaving, coloring of hair, hair cutting and styling, facial hair design ~~and~~, facial hair waxing, permanent and cold hair waving, hair relaxing, ~~and~~ hair straightening, chemical application, reception, desk work, state law, board rules and regulations, and any other subjects related to barbering and sanitation."

SECTION 7.

Said chapter is further amended by revising Code Section 43-10-16, relating to injunction against unlicensed or unregistered practice, as follows:

"43-10-16.

The board may bring an action to enjoin any person, ~~firm, or corporation~~ from engaging in barbering or the practice or the occupation of a cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II if such person without being licensed ~~or registered~~ to do so by the board, engages in or practices barbering or the practice or occupation of cosmetology a cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II. The action shall be brought in the county in which such individual resides or, in the case of a firm or corporation, where the firm or

corporation maintains its principal office; and, unless it appears that such person, ~~firm, or corporation~~ so engaging or practicing in barbering or the practice or occupation of a cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II is licensed ~~or registered~~, the injunction shall be issued, and such person, shall be perpetually enjoined from engaging or practicing in such activities throughout the state. It shall not be necessary in order to obtain the equitable relief provided in this Code section for the board to allege and prove that there is no adequate remedy at law. It is declared that the unlicensed activities referred to in this Code section are a menace and a nuisance dangerous to the public health, safety, and welfare."

SECTION 8.

Said chapter is further amended by revising subsection (a) of Code Section 43-10-19, relating to penalty, as follows:

"(a) If any ~~person~~ individual not lawfully entitled to a ~~certificate of registration license~~ under this chapter shall practice the occupation of a ~~barber or~~ cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II; or if any such ~~person~~ individual shall endeavor to learn the trade of a ~~barber or~~ cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II by practicing the same under the instructions of a ~~barber or~~ cosmetologist, hair designer, esthetician, nail technician, master barber, barber II, or other person individual, other than as provided in this chapter; or if any such person shall instruct or attempt to instruct any ~~person~~ individual in such trade; or if any proprietor of or person in control of or operating any beauty shop, beauty salon, school of cosmetology, school of hair design, school of esthetics, school of nail care, or school of barbering shall knowingly employ for the purpose of practicing such occupation any ~~barber or~~ cosmetologist, hair designer, esthetician, nail technician, master barber, or barber II not ~~registered~~ licensed under this chapter; or if any person, beauty shop, beauty salon, barber shop, school of cosmetology, school of hair design, school of esthetics, school of nail care, or school of barbering shall engage in any of the acts covered in this chapter though not ~~registered~~ licensed under the provisions of this chapter; or if any ~~person~~ individual shall falsely or fraudulently pretend to be qualified under this chapter to practice or learn such trade or occupation; or if any person shall violate any provision of ~~the~~ this chapter for which a penalty is not specifically provided, such person shall be guilty of a misdemeanor."

SECTION 9.

All laws and parts of laws in conflict with this Act are repealed.

Senator Stone of the 23rd moved that the Senate agree to the House substitute to SB 461.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
C Burke	Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	C Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 48, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 461.

Senator Harper of the 7th was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

HB 441. By Representatives Fleming of the 121st, Morris of the 156th, Coomer of the 14th and Beskin of the 54th:

A BILL to be entitled an Act to amend Chapter 12 of Title 53 of the O.C.G.A., relating to trusts, so as to establish qualified self-settled spendthrift trusts; to provide for definitions; to provide for exceptions for spendthrift provisions of trusts which are not within qualified self-settled spendthrift trusts; to provide for claims by creditors for such trusts; to provide for the creation of such trusts; to provide for transfers to such trusts; to provide for vacancies of trustees; to provide for standards for such trusts to be considered nonrevocable; to provide for beneficiary rights to withdrawal; to provide for claims for relief; to amend Part 4 of Article 9 of Title 11 of the O.C.G.A., relating to rights of third parties to secured transactions, so as to exclude qualified self-settled spendthrift trusts from restrictions on assignment; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate substitute to HB 441 (HB 441/SCSFA) by replacing lines 181 through 183 with the following:

beneficiary; or

(5) Judgments for necessities.

Senator Cowsert of the 46th moved that the Senate agree to the House amendment to the Senate substitute to HB 441.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
C Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	C Unterman
Y Harbin	McKoon	Y Walker
Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	Y Orrock	Y Williams, N
Y Hill	N Parent	

On the motion, the yeas were 43, nays 6; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 441.

The following communication was received by the Secretary:

March 29, 2018

I inadvertently voted "YES" on HB 441. Please reflect in the Journal that my intent was to vote "NO".

/s/ Tonya Anderson
District 43

The following bill was taken up to consider House action thereto:

HB 93. By Representatives Corbett of the 174th, Kelley of the 16th, Watson of the 172nd, Blackmon of the 146th, Nimmer of the 178th and others:

A BILL to be entitled an Act to amend Code Section 48-2-35.1 of the Official Code of Georgia Annotated, relating to refunds of sales and use taxes, so as to provide that no interest shall be paid on refunds of sales and use taxes to a purchaser that held a certificate or exemption letter if such purchaser did not use such document during the purchase; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Albers of the 56th asked unanimous consent that the Senate adhere to its disagreement to the House amendment to the Senate substitute to HB 93 and that a Conference Committee be appointed.

The consent was granted, and the President appointed as a Conference Committee the following Senators: Albers of the 56th, Hufstetler of the 52nd and Dugan of the 30th.

The following bill was taken up to consider House action thereto:

SB 339. By Senators Ligon, Jr. of the 3rd, Shafer of the 48th, McKoon of the 29th, Tippins of the 37th, Miller of the 49th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the board of regents and university system, so as to provide for the establishment of free speech policies for institutions of the university system; to provide for a cause of action and remedies; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the board of regents and university system, so as to require the board of regents to develop a policy providing for free speech or free press to be implemented at all institutions of the university system; to provide requirements for such policy; to provide for reports and the content of reports; to provide for disciplinary measures; to provide for exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 2 of Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to the board of regents and university system, is amended by adding a new part to read as follows:

"Part 1D

20-3-48.

(a) The board of regents shall adopt regulations and policies relevant to free speech and expression on the campuses of state institutions of higher education that address the following:

(1) To assure that freedom of speech or of the press is protected for all persons;

(2) To foster the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate of different ideological positions;

(3) Each such institution shall maintain and publish policies addressing content-neutral time, place, and manner restrictions on expressive activities with the least restrictive means, in accordance with relevant First Amendment jurisprudence, necessary for providing use of facilities and resources under the control of the institution to all student groups and invited speakers, including security and rental fees for such use, to foster the discovery, improvement, transmission, and dissemination of knowledge by means of research, teaching, discussion, and debate of different ideological positions;

(4) To assure that each such institution does not shield students, staff, or individuals on campus from speech protected by the First Amendment of the United States Constitution, including ideas and opinions which such students, staff, or individuals on campus find unwelcoming, disagreeable, or even offensive;

(5) To assure students and faculty are permitted to assemble and engage in spontaneous expressive activity, as long as such activity is not unlawful and does not disrupt or interfere with the functioning of the institution or classroom instruction, and complies with the applicable institution's content-neutral time, place, and manner restrictions;

(6) To assure that each such institution is open to any invited speaker whom a student group or members of the faculty have invited, provided any such speaker complies with the applicable institution's content-neutral time, place, and manner restrictions; and

(7) To assure that any student or his or her invitee lawfully present on campus of these institutions may peacefully protest or demonstrate, provided any such students or invitees comply with the applicable institution's content-neutral time, place, and manner restrictions and:

(A) Do not interfere with other previously scheduled events or activities on campus

occurring at the same time; and

(B) Do not prevent professors or other instructors from maintaining order in the classroom.

(b) Subject to notice, hearing, and due process requirements, the board of regents shall establish a range of disciplinary sanctions for anyone under the jurisdiction of the state institution of higher learning who is found by his or her conduct to have interfered with the board of regents' regulations and policies relevant to free speech and expression on the campus of each such institution.

20-3-48.1

The board of regents shall make and publish an annual report and provide a copy to the Governor and each chamber of the General Assembly on July 1 of each year addressing the following from the previous calendar year:

(1) Any barriers to, or disruptions of, free expression within state institutions of higher education;

(2) Administrative response and discipline relating to violation of regulations and policies established pursuant to Code Section 20-3-48;

(3) Actions taken by state institutions of higher learning, including difficulties, controversies, or successes, in maintaining a posture of administrative and institutional neutrality with regard to political or social issues; and

(4) Any assessments, criticisms, commendations, or recommendations the board of regents deems appropriate to further include in the report.

20-3-48.2.

(a) Nothing in Code Section 20-3-48 shall be construed to prevent institutions from regulating student speech or activity that is prohibited by law.

(b) Except as further limited by this part, institutions shall be allowed to restrict student expression only for expressive activity not protected by the First Amendment and shall be able to require reasonable time, place, and manner restrictions on expressive activities consistent with Code Section 20-3-48."

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Ligon, Jr. of the 3rd moved that the Senate agree to the House substitute to SB 339.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Jones, B	Y Shafer

Y Black	Y Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
C Gooch	Y Martin	C Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 35, nays 17; the motion prevailed, and the Senate agreed to the House substitute to SB 339.

The following bill was taken up to consider House action thereto:

SB 331. By Senators Henson of the 41st, Kirk of the 13th, Mullis of the 53rd, Orrock of the 36th, Butler of the 55th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding the Georgia Lottery for Education Act, so as to allow a winner of a lottery prize to remain anonymous under certain conditions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding the Georgia Lottery for Education Act, so as to allow a winner of a lottery prize to remain anonymous under certain conditions; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 27 of Title 50 of the Official Code of Georgia Annotated, relating to general provisions regarding the Georgia Lottery for Education Act, is amended by adding a new subsection to Code Section 50-27-25, relating to confidentiality of information, investigations, supervision and inspections, reports of suspected violations, and assistance in investigation of violations, to read as follows:

"(d) The corporation shall keep all information regarding the winner of awards of \$250,000.00 or greater confidential upon the prize winner making a written request that his or her information be kept confidential."

SECTION 2.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Henson of the 41st moved that the Senate agree to the House substitute to SB 331.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
N Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
N Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 50, nays 4; the motion prevailed, and the Senate agreed to the House substitute to SB 331.

The following resolution was taken up to consider House action thereto:

SR 745. By Senators Millar of the 40th, Shafer of the 48th, Henson of the 41st and Unterman of the 45th:

A RESOLUTION recognizing Robert H. "Bob" Bell and dedicating interchanges in his honor; and for other purposes.

The House substitute was as follows:

A RESOLUTION

Dedicating certain portions of the state highway system; repealing a portion of a resolution dedicating certain portions of the state highway system as approved on May 9, 2017 (Ga. L. 2017, p. 825); and for other purposes.

PART I

WHEREAS, Robert H. "Bob" Bell honorably served this state as a member of the Georgia General Assembly from 1969 through 1982, serving four years in the House of Representatives and ten years in the Senate; and

WHEREAS, for his service in the General Assembly, he was honored by the *Atlanta Journal-Constitution Magazine* as one of Georgia's Ten Best Legislators in 1980 and by the National Conference of State Legislatures as one of the nation's Ten Outstanding Legislators in 1981; and

WHEREAS, he has been recognized with numerous honors and accolades, including the Georgia Municipal Association Award for outstanding service to Georgia citizens, the Association of the United States Army award for exceptional service in support of national defense, the Friend of the Children award of the Council for Children for his work in juvenile justice reform, and the Red Cross award for outstanding legislative contributions and was cited by the National Rifle Association and the Georgia Wildlife Association for his legislative service; and

WHEREAS, his leadership and guidance were instrumental as chairman of the Republican Party of Georgia, and he was the Republican Party nominee for Governor in 1982; and

WHEREAS, he served the citizens of Georgia with honor and distinction, and his vision and unyielding commitment set the standard for public service; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating interchanges in his honor.

PART II

WHEREAS, Honorable William "Bill" Jones serves as CEO of Jones Petroleum and JP Capital & Insurance, Inc.; and

WHEREAS, a native of Jackson, Georgia, Mr. Jones earned bachelor's and master's degrees from the University of Georgia and an L.L.B. degree from Atlanta Law School; and

WHEREAS, he founded Jones Petroleum in 1968 with the purchase of a single convenience store and through dedication and sacrifice built a diversified company with over 500 employees; and

WHEREAS, Mr. Jones served four terms in the Georgia General Assembly and is the youngest professional in Georgia history to serve as Superintendent of Schools in Butts County; and

WHEREAS, his leadership and guidance were instrumental as chairman of the Butts County Water & Sewage Department and the Industrial Development Authority of Butts County as well as numerous organizations, including the Georgia Oilman's Association, Georgia Food Industry Association, C&S National Bank, Gordon State College Foundation, Partners for Smart Growth, National Senatorial Committee, Convenient Stores Association of Georgia, and the Piedmont and Georgia Cattleman's Associations; and

WHEREAS, Mr. Jones has been recognized with numerous honors and accolades, including the 2012 Butts County Chamber of Commerce Hall of Fame Award and the 2013 University of Georgia Graduate School Alumni of Distinction Award; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART III

WHEREAS, Mr. A. Frank Williams has long been recognized by the citizens of this state for the vital role that he has played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he has diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his 44 years of superlative service with the City of Hephzibah Commission; and

WHEREAS, Mr. Williams' significant organizational and leadership talents, his remarkable patience and diplomacy, his keen sense of vision, and his sensitivity to the needs of the citizens of this state earned him the respect and admiration of his colleagues and associates; and

WHEREAS, he is a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness; and

WHEREAS, Mr. Williams served with honor and distinction with the City of Hephzibah Commission, and his vision and unyielding commitment set the standard for public service; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART IV

WHEREAS, Attorney General Thurbert Baker served as attorney general for the State of Georgia for 13 years under three different Governors; and

WHEREAS, he earned a bachelor's degree from the University of North Carolina at Chapel Hill and a law degree from Emory University; and

WHEREAS, Attorney General Baker began his career in politics with the Georgia General Assembly, spending eight years in the House of Representatives, where he served as the House Floor Leader for Governor Zell Miller and was instrumental in shepherding the passage of legislation establishing the HOPE scholarship program; and

WHEREAS, Attorney General Baker has been consistently selected as one of the "100 Most Influential Georgians" by *Georgia Trend* magazine; and

WHEREAS, in 2009, he received the first annual Barack Obama Political Leadership award from the National Bar Association, and he was recently selected by *Men Looking Ahead* magazine as its Man of the Year; and

WHEREAS, his leadership and guidance have been instrumental to numerous organizations, including the National Association of Attorneys General, the American Bar Association's House of Delegates, the Democratic Attorneys General Association, and the Republican Attorneys General Association; and

WHEREAS, it is abundantly fitting and proper that the extraordinary accomplishments of this distinguished Georgian be appropriately recognized by dedicating an interchange in his honor.

PART V

WHEREAS, Mr. Troy Simpson was born in Habersham County, Georgia, on August 5, 1933, and was a lifelong resident of the community; and

WHEREAS, a man of deep and abiding faith, Mr. Simpson was a devoted member of Hazel Creek Baptist Church and served as a Habersham County Rotarian; and

WHEREAS, Mr. Simpson sacrificed his own safety and comfort to protect and serve this nation in the United States Army and began a career in the automobile industry upon returning home from defending our nation; and

WHEREAS, Mr. Simpson dedicated himself to public service for more than 20 years, including service as a Habersham County Commissioner; and

WHEREAS, Mr. Simpson served with honor and distinction on the State Transportation Board from 1969 until 1982, which included a term as chairman; and

WHEREAS, during his service on the State Transportation Board, Mr. Simpson was instrumental in the development of one of the most prominent roadway projects in Georgia with the completion of State Route 365; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his honor.

PART VI

WHEREAS, Mr. Horace Fitzpatrick was born on January 18, 1930, the beloved son of Ernest Obediah Fitzpatrick and Chester Bonnie White and youngest of 13 children; and

WHEREAS, a graduate of Ila High School in 1947 where he served as class president, Mr. Fitzpatrick earned his bachelor's degree, master's degree, and specialist degree from the University of Georgia; and

WHEREAS, he dedicated 16 years to inspiring the future leaders of this state as an educator in White County, where he instilled in his pupils his core values, morals, and respect for others and how to become a valuable and contributing member of society; and

WHEREAS, a hero to many of his students, Mr. Fitzpatrick was elected to serve as White County Superintendent of Schools in 1968 and served in this position for 12 years; and

WHEREAS, he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of education for all Georgians as further evidenced by his ten years of service with the Department of Education; and

WHEREAS, he was a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating an intersection in his honor.

PART VII

WHEREAS, Mr. Rudy Bowen was born in Atlanta, Georgia, and attended Dawson County High School as well as the University of Georgia; and

WHEREAS, a former lumber salesman, Mr. Bowen founded Bowen Family Homes in 1969 when he built a new home in Gwinnett County; and

WHEREAS, over the next five years, Mr. Bowen constructed an average of 50 homes a year and, in 1985, the company began its own land development efforts, which allowed the company to avoid third-party costs; and

WHEREAS, to this day, Bowen Family Homes constructs entire communities and provides customers with a total home buying experience; and

WHEREAS, Bowen Family Homes was the fourth largest in metro Atlanta with 59 homes closed, according to the 2009-2010 *Atlanta Business Chronicle* Book of Lists, and it generated \$165 million in revenue in 2008 with 30 full-time employees; and

WHEREAS, Bowen Family Homes was recognized as the 25th largest privately owned builder in the country by *Builder Magazine* for 2005 and in 2007 and was named Georgia Family Business of the Year among medium sized companies by *Georgia Trend* and the Cox Family Enterprise Center at Kennesaw State University; and

WHEREAS, *The Atlanta Business Chronicle* ranked Bowen Family Homes fifth among metro Atlanta builders in 2007 and 40th among Atlanta's Top Private Companies for 2007; and

WHEREAS, Bowen Family Homes was ranked 83rd on the 2007 Professional Builder Giant 400 largest homebuilders in the United States list; and

WHEREAS, Mr. Bowen has been happily married to his wife, Jean, for 56 years; is the father of Allison, Beth, and David; and has eight wonderful grandchildren; and

WHEREAS, he has performed many unspoken acts of stewardship on behalf of the Gwinnett County community and the State of Georgia and made donations to Children's Healthcare of Atlanta and Gwinnett Children's Center; and

WHEREAS, Bowen Family Homes helped build a hospice for the children in Gwinnett, donated to the American Red Cross after Hurricane Katrina, and participated in several other civic projects and causes; and

WHEREAS, Mr. Bowen has served diligently on the Department of Transportation Board since 2007, representing the 7th Congressional District, and he previously served as chairman; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be appropriately recognized by dedicating a road in his honor.

PART VIII

WHEREAS, Mr. John D. Stephens may be best known for his long and accomplished career in construction, real estate, banking, and waste management, but he has also made his mark on the civic community of the Atlanta region; and

WHEREAS, in 2000, a lifetime in the contracting business led Mr. Stephens to take on what may be his legacy project - the construction of the fifth runway of the world's busiest airport at Hartsfield-Jackson International Airport; and

WHEREAS, needing 17 million cubic yards of fill to build up the runway, he and his three sons, Mike, Mark, and Mitch, formed Stephens MDS LP and acquired 485 acres of property adjacent to the airport; and

WHEREAS, to complete this mammoth project, the company built a four-mile overland conveyor system that crossed streams and interstate highways and, over a two-year period, moved enough dirt and rock to fill the Georgia Dome six times; and

WHEREAS, the conveyor system was reliable and cost efficient and hailed for limiting the project's impact on the environment; and

WHEREAS, as that project neared completion, Mr. Stephens recognized that the residential and commercial development trends in the region would produce a demand for a sustainable waste management facility, so he opened a construction and demolition disposal facility on the very land from which he borrowed fill for the runway project; and

WHEREAS, by 2005, Mr. Stephens had organized Stephens Rock and Dirt, Inc., an on-site recycling operation that accepts soil, concrete, and other inert materials which are processed and resold as raw materials, thereby preserving precious landfill space; and

WHEREAS, Stephens MDS continues to provide dirt and aggregate rock fill to the City of Atlanta for ongoing construction at the world's busiest airport, Hartsfield-Jackson International Airport; and

WHEREAS, his leadership and guidance have been instrumental to numerous organizations, including on the Board of Trustees of Georgia Gwinnett College, the Board of Directors of the Gwinnett County Chamber of Commerce, the Georgia Utility Contractors Association, and the Georgia Board of Industry, Trade, and Tourism; and

WHEREAS, he has been recognized with numerous honors and accolades, including the Citizen of the Year Award in 2006, the Gwinnett Clean and Beautiful Environmental Legacy Award in 2007, and the naming of the Gwinnett County Chamber of Commerce's Education Center in his honor; and

WHEREAS, Mr. Stephens and his wife, Beverly, reside in Snellville, Georgia, where they enjoy their five children and nine grandchildren and are active supporters of many charitable causes, including the American Heart Association, American Cancer Society, Boy Scouts of America, Hi-Hope Service Center in Lawrenceville, and Gwinnett Children's Shelter; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART IX

WHEREAS, Mr. Virgil R. Williams graduated from the Georgia Institute of Technology in 1963 and as a senior, developed a 40 home subdivision, a gas station, and 12 unit apartment project in his native Atlanta; and

WHEREAS, upon graduation, he became president of Williams Contracting, a company that has made its mark in industrial contracting, environmental services, civil and industrial engineering, construction services, and real estate; and

WHEREAS, Mr. Williams conceived the "Williams Plan," which showed companies how to save millions of dollars in maintenance costs and reinvented service in the heavy and complicated manufacturing and utility industries; and

WHEREAS, in the early 1980s, he purchased a small group of banks in the Atlanta area and convinced Kroger supermarkets to allow him to open branches in their Georgia stores; and

WHEREAS, this innovation changed the face of modern banking, with Mr. Williams utilizing this idea nationwide in the form of International Banking Technologies; his

financial institutions eventually became part of Bank of America, one of the largest banks in the United States; and

WHEREAS, Mr. Williams was a member of the Bank of America Board of Directors, where he served on the Executive Committee and the Compensation Committee and chaired the Governance Committee until his retirement; and

WHEREAS, he served as Governor Zell Miller's chief of staff from 1991 to 1995, where he chaired a monumental study on effectiveness and economy in government; during his tenure in state government, Mr. Williams also served on the Georgia Board of Regents and assisted in other activities for Governor Miller; and

WHEREAS, Mr. Williams has served on the Board of Trustees at Young Harris College, the Board of Councilors of the Carter Center, and serves on the Board of the Savannah College of Art and Design; he is also a past director of the Georgia Chamber of Commerce and past executive committee member of the Metro Atlanta Chamber of Commerce; and he continues to serve as a director of the Gwinnett County Chamber of Commerce; and

WHEREAS, in 1994, he was recognized as a Distinguished Alumni by both the Georgia Institute of Technology School of Engineering and the School of Industrial Systems Engineering, and in 2005, became the managing member of LLI Management Company, LLC, a resort enterprise of the Virgil R. Williams Family, which owns the long-term leasehold interests in Lake Lanier Islands Resort; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART X

WHEREAS, United States Army Captain Corry Paul Tyler was born on December 12, 1977, in Atlanta, Georgia, and graduated from Camden County High School in 1995; and

WHEREAS, he earned a bachelor's degree from the United States Military Academy at West Point and was commissioned as a Second Lieutenant in the Army Aviation after graduation; and

WHEREAS, Captain Tyler served as a guardian of this nation's freedom and liberty with three tours in Iraq in 2003, 2006, and 2007; and

WHEREAS, on August 22, 2007, while deployed in Multaka, Iraq, Captain Tyler, along with 13 others, made the ultimate sacrifice when their Black Hawk helicopter crashed during a nighttime mission; and

WHEREAS, Captain Tyler's service was recognized with numerous decorations including two Bronze Stars, three Army Commendation medals, two National Defense Service medals, the Air Medal, Valorous Unit Award, Iraq Campaign Medal, Global War on Terrorism Expeditionary Medal, Global War on Terror Service Medal, Army Service Ribbon, Overseas Service Ribbon, Air Assault Badge, and Army Aviator Badge; and

WHEREAS, Captain Tyler embodied the spirit of service, willing to find meaning in something greater than himself, and it is abundantly fitting and proper that this remarkable and distinguished American be recognized appropriately by dedicating an interchange in his memory.

PART XI

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, Mr. Walter James Gaskins was born on June 27, 1922, a lifelong resident of Berrien County, Georgia; and

WHEREAS, he served as a guardian of this nation's freedom and liberty with the United States Navy, valiantly and courageously defending America during World War II from 1940 to 1946; and

WHEREAS, Mr. Gaskins served on the USS Arizona and survived the attack on Pearl Harbor; and

WHEREAS, he demonstrated a deep personal commitment to protecting democracy and a willingness to sacrifice his own personal safety and comfort to ensure the well-being of his fellow man; and

WHEREAS, Mr. Gaskins embodied the spirit of service, willing to find meaning in something greater than himself, and it is abundantly fitting and proper that the outstanding accomplishments and sacrifices of this remarkable and distinguished American be honored appropriately by dedicating a road in his memory.

PART XII

WHEREAS, the State of Georgia continues to mourn the loss of one of its most distinguished citizens with the passing of Polk County Police Detective Kristen Snead Hearne on September 29, 2017; and

WHEREAS, Detective Hearne was born in Summerville, Georgia, on November 15, 1987, the beloved daughter of Sidney Snead and Trish Snead Brewer; and

WHEREAS, a graduate of Rockmart High School, Detective Hearne began her career in law enforcement in 2008 at the Floyd County jail; and

WHEREAS, in 2010, Detective Hearne became a deputy sheriff with the Floyd County Sheriff's Department, and in 2012, she returned to Polk County to work patrol with the Polk County Police Department; and

WHEREAS, she worked as an investigator with the Polk County Police Department from 2013 to 2017; and

WHEREAS, Detective Hearne's life was tragically cut short when she and another officer were ambushed by gunfire from two suspects upon responding to a call involving a suspected stolen vehicle; and

WHEREAS, Detective Hearne was united in love and marriage to her husband, Matt Hearne, and was blessed with a remarkable son, Isaac; and

WHEREAS, a compassionate and generous woman, Detective Hearne will long be remembered for her love of family and friendship, and this loyal wife, daughter, mother, and friend will be missed by all who had the great fortune of knowing her; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in her memory.

PART XIII

WHEREAS, Mr. Hoyt Dean "Dink" McCoy was a lifelong resident of Banks County, Georgia, where he was known by many as the mayor emeritus of Bushville; and

WHEREAS, Mr. McCoy was the owner of McCoy Grading Company and was a passionate fan of NASCAR; and

WHEREAS, a man of deep and abiding faith, Mr. McCoy was an active member of Webbs Creek Baptist Church; and

WHEREAS, he was a loving and devoted father to his daughters, Marsha, Chris, and Kim, who blessed him with four grandchildren and five great-grandchildren; and he was a supportive brother to his sisters, Jean, Nan, Mary, Jimmie, and Sid; and

WHEREAS, a politics buff, Mr. McCoy enjoyed attending the legislature's annual Wild Hog Supper and, along with "Boll Weevil" Rylee, is said to have manufactured and delivered more nontaxed clear spirits to the Georgia State Capitol than any other Georgian; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his memory.

PART XIV

WHEREAS, Mr. L. Douglas Griffith has lived in his home on Georgia Highway 92 in Paulding County since his parents, Lemon Gray and Mable Clara Annie Grogan Griffith, purchased it on September 4, 1944, when he was just nine months old; and

WHEREAS, Mr. Griffith has long been recognized by his neighbors in Crossroads, Georgia, for his leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, his vision and guidance have been instrumental to numerous local organizations, including Citizens to Save Paulding County, the Paulding County Archaeology Association, the Paulding County Historical Society, and the county's Sesquicentennial Committee; and

WHEREAS, a man of deep and abiding faith, Mr. Griffith is a faithful member of Crossroads Baptist Church of Christ and has served as a delegate to the First District Union Meeting of the New Hope Baptist Association; and

WHEREAS, he has tirelessly worked to keep Georgia Highway 92 clean and in a state of safe repair for the traveling public; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART XV

WHEREAS, Representative Lynmore James has long been recognized by the citizens of this state for the vital role that he has played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his service with the Georgia House of Representatives; and

WHEREAS, a native of Byromville, Georgia, Representative James was elected to the Georgia General Assembly in 1992 and served on the House Committees on Agriculture and Consumer Affairs, Appropriations, Regulated Industries, and Retirement until his retirement in 2012; and

WHEREAS, he graduated from Flint River Farm High School and earned a bachelor's degree from Tuskegee University in Alabama; and

WHEREAS, he worked in the quality control division of Ford Motor Company, and his leadership and guidance were instrumental to the Flag Bank Board of Directors, Flint River Community Hospital Governing Board, Macon County Kiwanis, Georgia Agri-Leaders Forum, Fort Valley State University Foundation Board, and Alpha Phi Alpha Fraternity, Inc.; and

WHEREAS, a man of deep and abiding faith, Representative James is an active member of Shade Arnold Baptist Church in Macon County; and

WHEREAS, he has been united in love and marriage to his wife, Faye, for 46 wonderful years and blessed with three amazing sons, Lynorris, Mack Carlton, and Jeffrey; seven outstanding grandchildren; and three incredible great-grandchildren; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART XVI

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, Mr. J. Marion Thomason was born in Toccoa, Georgia, on June 27, 1926, the beloved son of Gartrell and Lou Ella Thomason; and

WHEREAS, a graduate of Toccoa High School, he served as a guardian of this nation's freedom and liberty with the United States Army 8th Air Force, valiantly and courageously defending America during World War II; and

WHEREAS, he earned a degree in civil engineering from Clemson Agricultural College and began his distinguished career in the civil engineering program of the State Highway Department; and

WHEREAS, after many years of service with the state, Mr. Thomason joined Tugalo Construction Company, where he served as a partner until his retirement; and

WHEREAS, a man of deep and abiding faith, Mr. Thomason was an active member of First Baptist Church of Toccoa, where he served as a deacon and participated in several mission trips; and

WHEREAS, his leadership and guidance were instrumental to numerous organizations, including the Lions Club, Stephens County Food Bank, Georgia Mountain Regional Development Center, and Toccoa Masonic Lodge; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART XVII

WHEREAS, Senator Edward H. Zipperer has long been recognized by the citizens of this state for the vital role that he has played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his service with the Georgia Senate from 1967 to 1975; and

WHEREAS, while in the Georgia General Assembly, Senator Zipperer served on 13 committees and was instrumental in obtaining public recreational areas for Skidaway Island State Park, Fort McAllister State Park, and King's Ferry Ogeechee River; and

WHEREAS, Senator Zipperer's significant organizational and leadership talents, his remarkable patience and diplomacy, his keen sense of vision, and his sensitivity to the needs of the citizens of this state have earned him the respect and admiration of his colleagues and associates; and

WHEREAS, he is a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his honor.

PART XVIII

WHEREAS, the State of Georgia mourns the loss of one of its most noble, patriotic, and selfless citizens with the passing of Special Forces soldier Staff Sergeant Dustin Michael Wright on October 4, 2017; and

WHEREAS, Staff Sergeant Wright was serving his third deployment in Niger when he lost his life in the line of duty while on a Special Forces mission; and

WHEREAS, Staff Sergeant Wright of Lyons, Georgia, was 29 years old at the time of his passing and a beloved son of Arnold Edgar "Ardie" Wright and Terri Trull Criscio; and

WHEREAS, he attended Georgia Southern University and Fayetteville State University and was a partner of Southern Rain Control with Rick Grisham before taking over ownership of the business; and

WHEREAS, he joined the United States Army in 2012 to continue his family's military legacy, graduated from Advanced Individual Training, and completed Army Airborne School training, the Special Operations Preparation Course, and the Special Forces Assessment and Selection Course; and

WHEREAS, Staff Sergeant Wright earned the status of United States Army Special Forces and was awarded the coveted Green Beret in 2014; and

WHEREAS, a compassionate and courageous man, Staff Sergeant Wright will long be remembered for his love of family and friendship, fidelity to country and the Constitution, and heroism in the face of enormous adversity; and

WHEREAS, Staff Sergeant Wright will be missed by all who had the great fortune of knowing him, his legacy will serve as an inspiration to countless men and women, and his noble sacrifice resounds in history as a shining example of patriotism in defense of these United States of America; and

WHEREAS, Staff Sergeant Wright embodied the spirit of service, willing to find meaning in something greater than himself, and it is abundantly fitting and proper that the outstanding accomplishments and sacrifices of this remarkable and distinguished American be honored appropriately by dedicating a road in his memory.

PART XIX

WHEREAS, Mr. Roy E. Herrington has long been recognized by the citizens of this state for the vital role that he has played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, a native of Baxley, Georgia, Mr. Herrington graduated from Appling County High School and Marsh Business College and served as a guardian of this nation's freedom and liberty with the United States Air Force; and

WHEREAS, he served as the District 1 representative on the Georgia Department of Transportation Board from 2005 to 2010 and was honored as Appling County Citizen of the Year in 1981; and

WHEREAS, his leadership has been instrumental to numerous organizations, including Appling County Chamber of Commerce Board of Directors, Baxley State Bank Board of Directors, Community Bank of Georgia Board of Directors, Baxley Kiwanis Club,

Appling County Industrial Development Authority, and Appling County Stockman's Association; and

WHEREAS, Mr. Herrington's significant organizational and leadership talents, his remarkable patience and diplomacy, his keen sense of vision, and his sensitivity to the needs of the citizens of this state have earned him the respect and admiration of his colleagues and associates; and

WHEREAS, he is a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness; and

WHEREAS, it is abundantly fitting and proper that the outstanding accomplishments and sacrifices of this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART XX

WHEREAS, the State of Georgia continues to mourn the loss of one of its most distinguished citizens with the passing of Mr. Milton Lonzo Priest on July 5, 1988; and

WHEREAS, a native of Ellijay, Georgia, Mr. Priest owned and operated the Priest Store at the intersection of Georgia's State Route 136 and State Route 382; and

WHEREAS, a pillar of the Ellijay community, Mr. Priest helped run the local voting precinct and helped drive school buses; and

WHEREAS, Mr. Priest was a mainstay of the community and played an instrumental role in getting State Route 136 paved for the benefit of his neighbors and visitors to the area; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating an intersection in his memory.

PART XXI

WHEREAS, Honorable Floyd Adams, Jr., has long been recognized by the citizens of this state for the vital role that he played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his superlative service to the City of Savannah; and

WHEREAS, Mayor Adams was born in Savannah on May 11, 1945, the beloved son of Floyd "Pressboy" Adams, Sr., and Wilhelmina Anderson Adams; and

WHEREAS, he attended St. Anthony Catholic School, St. Pius X Catholic School, Brooklyn College, and Armstrong State College; and

WHEREAS, Mayor Adams took over his family's printing business, The Herald of Savannah, Inc., and became a master printer and professional photographer and served as the *Herald of Savannah's* publisher and president, which is now known as *Savannah Herald*; and

WHEREAS, he was elected as District One alderman for the City of Savannah in 1982, a position he held until 1991 when he was elected to serve as alderman-at-large for Post One; and

WHEREAS, Mayor Adams was the first African American elected to a city-wide post in Savannah and later made history again by being elected as the first African American mayor for the city; and

WHEREAS, Mayor Adams' leadership and guidance were instrumental to numerous organizations, including the United Way, Private Industry Council, Georgia Black Elected Officials Association, National Black Council of Local Elected Officials, Savannah's Printers Association, Savannah's Photography Association, the Savannah Branch of the NAACP, Cloverdale Civic Improvement Association, and Prince Hall Masons; and

WHEREAS, he was recognized with numerous honors and accolades, including a Freedom Fighter Award from the NAACP and 1996 Citizen of the Year by Omega Psi Phi Fraternity, Mu Phi Chapter; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his memory.

PART XXII

WHEREAS, Representative Paul Smith has long been recognized by the citizens of this state for the vital role that he has played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his 18 years of superlative service with the Georgia House of Representatives; and

WHEREAS, after his retirement from the Georgia Extension Service, Representative Smith was elected to the Georgia General Assembly, where he served on the House Committees on Appropriations, State Planning and Community Affairs, and Ways and Means; and

WHEREAS, he served as Secretary and Chairman of the House Committee on Transportation, helping secure much needed funding for important transportation projects for the northwest Georgia region; and

WHEREAS, his leadership and guidance have been instrumental to the Rome Exchange Club, where he has dedicated 63 years to assisting with the Coosa Valley Fair in Rome and ensuring the event is a fun filled family event for all in attendance; and

WHEREAS, he has been recognized as Georgia Fairman of the Year for 2018 by the Association of Agricultural Fairs; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating an interchange in his honor.

PART XXIII

WHEREAS, Mr. Phillip "Philly" J. Meyers served as a guardian of this nation's freedom and liberty with the United States Marine Corps, valiantly and courageously defending his fellow Americans during the Vietnam War; and

WHEREAS, a strong advocate for labor, Mr. Meyers was a member of the New York Newspaper Printing Pressman's Union Local #2 for several decades before moving to Savannah to continue his work, advocating on behalf of labor, income equality, civil rights, and the environment; and

WHEREAS, in 2010, Mr. Meyers helped organize the RUFFians, Retirees Unite for the Future, an advocacy group of senior retirees, and served as the organization's president; and

WHEREAS, his leadership and guidance to the RUFFians was invaluable, as he assisted the group in staging information tables at events and organizing rallies, marches, and other direct action initiatives in support of improving important social issues such as increased minimum wage, expansion of Medicare and social security, tax reform, clean energy, and equal voting rights; and

WHEREAS, it is abundantly fitting and proper that the outstanding accomplishments and sacrifices of this remarkable and distinguished Georgian be recognized appropriately by dedicating a bridge in his honor.

PART XXIV

WHEREAS, South Georgia is one of the few areas remaining in the United States where there are miles of rural landscape, historic small towns, and abundant agricultural operations; and

WHEREAS, the promotion of agritourism represents a readily available and effective tool with which to spur economic development; and

WHEREAS, the portions of highways to be included in the Georgia Grown Trail: 17 wind through miles of family owned farms; pristine hunting plantations; u-pick farms, farm stands, and hands-on educational farm experiences; farm-to-table restaurants and establishments dedicated to preserving and sharing local recipes, traditions, and crops and farming techniques; and

WHEREAS, dedication of this route as a scenic highway will promote economic well-being through agritourism.

PART XXV

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, United States military veterans have demonstrated a deep personal commitment to protecting democracy and a willingness to sacrifice their own personal safety and comfort to ensure the well-being of their fellow man; and

WHEREAS, they have served as guardians of this nation's freedom and liberty and have diligently and conscientiously undergone intensive and rigorous training in order to serve their country with honor and distinction during times of war and peace; and

WHEREAS, it is important that veterans are thanked for their selfless service to this nation and honored for their unyielding commitment to protecting the people and ideals of the United States; and

WHEREAS, veterans embody the spirit of service, willing to find meaning in something greater than themselves, and it is abundantly fitting and proper that the outstanding accomplishments and sacrifices of these remarkable and distinguished Americans be honored appropriately.

PART XXVI

WHEREAS, Representative "Doc" Gene Maddox has long been recognized by the citizens of this state for the vital role that he has played in leadership and his deep personal commitment to the welfare of the citizens of Georgia; and

WHEREAS, he diligently and conscientiously devoted innumerable hours of his time, talents, and energy toward the betterment of his community and state as evidenced dramatically by his service with the Georgia House of Representatives for eight years as representative for House District 172; and

WHEREAS, while in the Georgia General Assembly, Representative Maddox served on the House Committees on Health and Human Services, Economic Development and Tourism, Agriculture and Consumer Affairs, Retirement, and Human Relations and Aging and his diligence and hard work were instrumental in the passage of the spay and neuter specialty license plate and a bill to combat vicious dogs; and

WHEREAS, a graduate of Jackson High School, Representative Maddox attended Abraham Baldwin College and graduated from the University of Georgia's School of Veterinary Medicine; and

WHEREAS, he has been recognized with numerous honors and accolades, including 2006 Veterinarian of the Year, 2009 University of Georgia Distinguished Alumni, 2010 Legislator of the Year by the Georgia Firefighters Association, and a 2005 Community Service Award from the Grady County Chamber of Commerce; and

WHEREAS, Representative Maddox's significant organizational and leadership talents, his remarkable patience and diplomacy, his keen sense of vision, and his sensitivity to the needs of the citizens of this state have earned him the respect and admiration of his colleagues and associates; and

WHEREAS, he is a person of magnanimous strengths with an unimpeachable reputation for integrity, intelligence, fairness, and kindness; and

WHEREAS, Representative Maddox has been blessed with the love and support of his wife, Patsy, and four sons, nine grandchildren, and two great-grandchildren and a third who was called to Heaven, with two more great-grandchildren expected soon; and

WHEREAS, it is abundantly fitting and proper that this remarkable and distinguished Georgian be recognized appropriately by dedicating a road in his honor.

PART XXVII

WHEREAS, our nation's security continues to rely on patriotic men and women who put their personal lives on hold in order to place themselves in harm's way to protect the freedoms that all United States citizens cherish; and

WHEREAS, SPC Jackie Marcell Morgan was born on March 6, 1941, and served as a guardian of this nation's freedom and liberty with the United States Armed Forces during the Vietnam War; and

WHEREAS, he demonstrated a deep personal commitment to protecting democracy and a willingness to sacrifice his own personal safety and comfort to ensure the well-being of his fellow man; and

WHEREAS, SPC Morgan gave the ultimate sacrifice for his country, and he embodied the spirit of service, willing to find meaning in something greater than himself; and

WHEREAS, it is abundantly fitting and proper that the sacrifices of this remarkable and distinguished American be honored appropriately by dedicating a bridge in his memory.

PART XXVIII

NOW, THEREFORE, BE IT RESOLVED AND ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA that the north and south interchanges of Interstate 85 at Exit 94/Chamblee Tucker Road are dedicated as the Robert H. "Bob" Bell Interchanges.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 16 from Interstate 75/State Route 401 to State Route 42 in Butts County is dedicated as the Honorable William "Bill" Jones Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of Georgia Highway 88 within the City of Hephzibah in Richmond County is dedicated as the A. Frank Williams Highway.

BE IT FURTHER RESOLVED AND ENACTED that the interchange on Interstate 20 at State Route 12/State Route 124/Turner Hill Road in DeKalb County is dedicated as the Thurbert Baker Interchange.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on Historic US 441 in Habersham County is dedicated as the Troy Simpson Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the intersection of U.S. 129 with Westmoreland Road in White County is dedicated as the Horace Fitzpatrick Intersection.

BE IT FURTHER RESOLVED AND ENACTED that the portion of GA 20 from Windermere Parkway in Forsyth County to Suwanee Dam Road in Gwinnett County is dedicated as the Rudy Bowen Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of GA 124 from State Route 10/US 78 to GA 316 in Gwinnett County is dedicated as the John D. Stephens Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of GA 347 from Interstate 985/GA 365 to McEver Road in Hall County is dedicated as the Virgil Williams Highway.

BE IT FURTHER RESOLVED AND ENACTED that the interchange at Interstate 95 and Exit 14 in Camden County is dedicated as the Army Captain Corry Paul Tyler Memorial Interchange.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 76 from Ten Mile Creek Road to Giddens Road in Berrien County is dedicated as the Walter James Gaskins Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on Sybil Brannon Parkway over Highway 278 in Polk County is dedicated as the Detective Kristen Snead Hearne Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 164 from U.S. Route 441 to State Route 59 in Banks County is dedicated as the Hoyt Dean "Dink" McCoy, Mayor "Emeritus" of Bushville, Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the one-mile portion of Highway 92 heading north from Due West Road in Paulding County is dedicated as the L. Douglas Griffith Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 26 from Flint River School Road to the Interstate 75 intersection in Macon County is dedicated as the Lynmore James Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 17 from GA 123 to Rose Lane in Stephens County is dedicated as the J. Marion Thomason Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 204 at King George Boulevard in Chatham County is dedicated as the Edward H. Zipperer Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 4/US 1 through Toombs County is dedicated as the Staff Sergeant Dustin Michael Wright Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 4/US 1 through Appling County is dedicated as the Roy E. Herrington Highway.

BE IT FURTHER RESOLVED AND ENACTED that the intersection of State Route 136 and State Route 382 in Gilmer County is dedicated as the Milton Lonzo Priest Memorial Intersection.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on Interstate 516 over West Bay Street in Chatham County is dedicated as the Mayor Floyd Adams, Jr., Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the interchange at Cedartown Highway/US Highway 27 and the South Rome Bypass/State Route 746 in Floyd County is dedicated as the Paul Smith Interchange.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 204 over Ogeechee Road in Chatham County is dedicated as the Philly J. Meyers Bridge.

BE IT FURTHER RESOLVED AND ENACTED that the portion of State Route 17 from Kingsland at the Florida state line to Savannah at the South Carolina state line is dedicated as the Georgia Grown Trail: 17.

BE IT FURTHER RESOLVED AND ENACTED that this body hereby joins in honoring United States military veterans and dedicates the portion of U.S. Highway 280 from the western city limit of Belleville in Evans County to the Tattnall County line as the Veterans Memorial Highway.

BE IT FURTHER RESOLVED AND ENACTED that the portion of Highway 112 within Grady County is dedicated as the Representative "Doc" Gene Maddox Highway.

BE IT FURTHER RESOLVED AND ENACTED that the bridge on State Route 38 over Woodyard Creek in Clinch County is dedicated as the Jackie Marcell Morgan Memorial Bridge.

BE IT FURTHER RESOLVED AND ENACTED that a resolution dedicating certain portions of the state highway system as approved on May 9, 2017 (Ga. L. 2017, p. 825), is amended by repealing the fifth undesignated paragraph of Part XIX relating to the dedication of the Tyler Perry Highway.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized and directed to erect and maintain appropriate signs dedicating the road facilities named in this resolution.

BE IT FURTHER RESOLVED that the Department of Transportation is authorized to correct any errors in the spelling of names included in this resolution without further action from the General Assembly.

BE IT FURTHER RESOLVED that the Secretary of the Senate is authorized and directed to make appropriate copies of this resolution available for distribution to the Department of Transportation; to Robert H. "Bob" Bell, Honorable William "Bill" Jones, Mr. A. Frank Williams, Attorney General Thurbert Baker, Mr. Rudy Bowen, Mr. John D. Stephens, Mr. Virgil R. Williams; Mr. L. Douglas Griffith; Representative Lynmore James; Senator Edward H. Zipperer; Mr. Roy E. Herrington; Representative Paul Smith; and Representative "Doc" Gene Maddox; and to the families of Mr. Troy Simpson; Mr. Horace Fitzpatrick; Captain Corry Paul Tyler; Mr. Walter James Gaskins; Detective Kristen Snead Hearne; Mr. Hoyt Dean "Dink" McCoy; Mr. J. Marion Thomason; Staff Sergeant Dustin Michael Wright; Mr. Milton Lonzo Priest; Honorable Floyd Adams, Jr.; Mr. Phillip "Philly" J. Meyers; and SPC Jackie Marcell Morgan.

Senator Millar of the 40th moved that the Senate agree to the House substitute to SR 745.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 50, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SR 745.

The following messages were received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 721. By Representatives Powell of the 32nd and Epps of the 144th:

A BILL to be entitled an Act to amend Code Section 40-5-27 of the Official Code of Georgia Annotated, relating to examination of applicants, so as to revise the criteria by which the Department of Driver Services shall authorize licensed driver training schools to administer the on-the-road driving skills testing; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitutes to the following Bills and Resolution of the House:

HB 374. By Representative Knight of the 130th:

A BILL to be entitled an Act to amend Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, so as to allow for electronic filing of returns in certain cases; to provide for certain changes in proceedings before the county board of equalization; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 410. By Representatives Powell of the 32nd, Clark of the 98th, Teasley of the 37th and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 3 of Title 44 of the Official Code of Georgia Annotated, relating to regulation of specialized land transactions, so as to provide for limits on certain fees imposed on purchasers of condominiums and lots in a property owners' association; to provide for fees for statements of amounts owing to a property owners' association; to provide for the manner of providing such statements; to provide for expedited fees; to provide for related matters; to repeal conflicting laws; and for other purposes.

HR 444. By Representative McCall of the 33rd:

A RESOLUTION honoring the life of Mr. Willie Thomas Murray and dedicating a bridge in his memory; and for other purposes.

Mr. President:

The House has agreed to the Senate substitute to the following Bill of the House:

HB 751. By Representatives Powell of the 32nd, Rogers of the 10th, Rhodes of the 120th, Efstoration of the 104th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 3 of Title 38 of the O.C.G.A., relating to emergency management, so as to establish the Georgia Emergency Communications Authority; to amend Title 46 of the O.C.G.A., relating to public utilities and public transportation, so as to revise the Georgia Emergency Telephone Number 9-1-1 Service Act of 1977 to account for the establishment of the authority; to amend Chapter 8 of Title 35, Title 45, and Article 1 of Chapter 2 of Title 48 of the O.C.G.A., relating to employment and training of peace officers, public officers and employees, and state administrative organization, respectively, so as to make conforming changes; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

The House has disagreed to the Senate substitute to the following Bill of the House:

HB 59. By Representatives Stephens of the 164th, Powell of the 171st, Williams of the 119th and Buckner of the 137th:

A BILL to be entitled an Act to amend Code Section 48-7-29.8 of the Official Code of Georgia Annotated, relating to tax credits for the rehabilitation of historic structures, so as to revise procedures, conditions, and limitations; to provide for related matters; to provide an effective date; to provide for applicability; to provide for a sunset date; to repeal conflicting laws; and for other purposes.

The following bill was taken up to consider House action thereto:

SB 427. By Senators Kennedy of the 18th, Stone of the 23rd, Tillery of the 19th, Cowsert of the 46th, Jones II of the 22nd and others:

A BILL to be entitled an Act to amend Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, so as to change provisions relating to the court's discretion in making a final determination of support; to change provisions relating to reliable evidence of income, voluntary unemployment,

and involuntary loss of income to account for a parent's incarceration; to change provisions relating to health insurance; to change provisions relating to specific and nonspecific deviations; to change provisions relating to work related child care costs; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

**A BILL TO BE ENTITLED
AN ACT**

To amend Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, so as to change provisions relating to the court's discretion in making a final determination of support; to enact reforms recommended by the Georgia Child Support Commission; to clarify and revise a definition; to clarify the process of calculating child support when there is more than one child for whom support is being determined under certain circumstances; to change provisions relating to reliable evidence of income, voluntary unemployment, and involuntary loss of income to account for a parent's incarceration; to change provisions relating to health insurance; to change provisions relating to specific deviations; to change provisions relating to work related child care costs; to amend Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the Child Support Recovery Act, so as to increase fees charged by the department; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

**PART I
SECTION 1-1.**

Code Section 19-6-15 of the Official Code of Georgia Annotated, relating to child support in final verdict or decree, guidelines for determining amount of award, continuation of duty to provide support, and duration of support, is amended by revising paragraph (11) of subsection (a) as follows:

"(11) 'Final child support ~~order~~ amount' means the presumptive amount of child support adjusted by any deviations."

SECTION 1-1A.

Said Code section is further amended by revising paragraphs (9) and (11) of subsection (b) as follows:

"(9) Any benefits which the child receives under Title II of the federal Social Security Act shall be applied against the final child support ~~order~~ amount. The final

child support amount for each parent shall be entered on the child support worksheet, together with the information from each of the utilized schedules;"

"(11) In a split parenting case, there shall be a separate calculation and final ~~child support~~ order for each parent; and"

SECTION 1-1B.

Said Code section is further amended by revising paragraph (12) of subsection (b) as follows:

"(12) When there is more than one child for whom support is being determined, the court shall establish the amount of support and the duration of such support in accordance with subsection (e) of this Code section. When, within two years of a final order being entered, there is a likelihood that a child will become ineligible to receive support, the court may allow for the use of separate worksheets. Separate worksheets shall be utilized for such determination and show the final child support amount to be paid for all such children and the adjusted amount of support to be paid as each child becomes ineligible to receive support during such two-year period. Such worksheets shall be attached to the final ~~child support~~ order. Such order shall contain findings as required by law. A final order entered pursuant to this paragraph shall not preclude a petition for modification."

SECTION 1-1C.

Said Code section is further amended by revising subsection (d) as follows:

"(d) **Nature of guidelines; court's discretion.** In the event of a hearing or trial on the issue of child support, the guidelines enumerated in this Code section are intended by the General Assembly to be guidelines only and any court so applying these guidelines shall not abrogate its responsibility in making the final determination of child support based on the evidence presented to it at the time of the hearing or trial. A court's final determination of child support shall take into account the obligor's earnings, income, and other evidence of the obligor's ability to pay. The court shall also consider the basic subsistence needs of the parents and the child for whom support is to be provided."

SECTION 1-2.

Said Code section is further amended by revising paragraph (3) of subsection (f), subparagraphs (f)(4)(A) and (f)(4)(B), and the introductory language of subparagraph (f)(4)(D) as follows:

"(3) **Social Security benefits.**

(A) Benefits received under Title II of the federal Social Security Act by a child on the obligor's account shall be counted as child support payments and shall be applied against the final child support ~~order~~ amount to be paid by the obligor for the child.

(B) After calculating the obligor's monthly gross income, including the countable social security benefits as specified in division (1)(A)(xiii) of this subsection, and

after calculating the amount of child support, if the presumptive amount of child support, as increased or decreased by deviations, is greater than the social security benefits paid on behalf of the child on the obligor's account, the obligor shall be required to pay the amount exceeding the social security benefit as part of the final ~~child support~~ order in the case.

(C) After calculating the obligor's monthly gross income, including the countable social security benefits as specified in division (1)(A)(xiii) of this subsection, and after calculating the amount of child support, if the presumptive amount of child support, as increased or decreased by deviations, is equal to or less than the social security benefits paid to the nonparent custodian or custodial parent on behalf of the child on the obligor's account, the child support responsibility of that parent shall have been met and no further child support shall be paid.

(D) Any benefit amounts under Title II of the federal Social Security Act as determined by the Social Security Administration sent to the nonparent custodian or custodial parent by the Social Security Administration for the child's benefit which are greater than the final child support ~~order~~ amount shall be retained by the nonparent custodian or custodial parent for the child's benefit and shall not be used as a reason for decreasing the final child support ~~order~~ amount or reducing arrearages."

"(A) **Imputed income.** When establishing the amount of child support, if a parent fails to produce reliable evidence of income, such as tax returns for prior years, check stubs, or other information for determining current ability to pay child support or ability to pay child support in prior years, and the court or the jury has no other reliable evidence of the parent's income or income potential, gross income for the current year ~~shall be determined by imputing gross income based on a 40 hour workweek at minimum wage~~ may be imputed. When imputing income, the court shall take into account the specific circumstances of the parent to the extent known, including such factors as the parent's assets, residence, employment and earnings history, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the parent, prevailing earnings level in the local community, and other relevant background factors in the case. If a parent is incarcerated, the court shall not assume an ability for earning capacity based upon pre-incarceration wages or other employment related income, but income may be imputed based upon the actual income and assets available to such incarcerated parent.

(B) **Modification.** When cases with established orders are reviewed for modification and a parent fails to produce reliable evidence of income, such as tax returns for prior years, check stubs, or other information for determining current ability to pay child support or ability to pay child support in prior years, and the court or jury has no other reliable evidence of such parent's income or income potential, the court or jury may impute income as set forth in subparagraph (A) of this paragraph, or may increase the child support of the parent failing or refusing to produce evidence of income by an

increment of at least 10 percent per year of such parent's gross income for each year since the final ~~child support~~ order was entered or last modified and shall calculate the basic child support obligation using the increased amount as such parent's gross income."

"(D) **Willful or voluntary unemployment or underemployment.** In determining whether a parent is willfully or voluntarily unemployed or underemployed, the court or the jury shall ascertain the reasons for the parent's occupational choices and assess the reasonableness of these choices in light of the parent's responsibility to support his or her child and whether such choices benefit the child. A determination of willful or voluntary unemployment or underemployment shall not be limited to occupational choices motivated only by an intent to avoid or reduce the payment of child support but can be based on any intentional choice or act that affects a parent's income. A determination of willful or voluntary unemployment or underemployment shall not be made when an individual's incarceration prevents employment. In determining willful or voluntary unemployment or underemployment, the court may examine whether there is a substantial likelihood that the parent could, with reasonable effort, apply his or her education, skills, or training to produce income. Specific factors for the court to consider when determining willful or voluntary unemployment or underemployment include, but are not limited to:"

SECTION 1-3.

Said Code section is further amended by revising the introductory language of subsection (h), subparagraph (h)(1)(F), subdivision (h)(2)(B)(iii), and paragraph (3) of subsection (h) as follows:

"(h) **Adjusted support obligation.** The child support obligation table does not include the cost of the parent's work related child care costs, health insurance premiums, or uninsured health care expenses. The additional expenses for the child's health insurance premiums and work related child care costs shall be included in the calculations to determine child support. A nonparent custodian's expenses for work related child care costs and health insurance premiums shall be taken into account when establishing a final ~~child support~~ order."

"(F)(i) The total amount of work related child care costs shall be divided between the parents pro rata to determine the presumptive amount of child support and shall be included in the worksheet and the final ~~child support~~ order.

(ii) In situations in which work related child care costs may be variable, the court or jury may, in its discretion, remove work related child care costs from the calculation of support, and divide the work related child care costs pro rata, to be paid within a time specified in the final ~~child support~~ order. If a parent or nonparent custodian fails to comply with the final ~~child support~~ order:

(I) The other parent or nonparent custodian may enforce payment of the work related child care costs by any means permitted by law; or

(II) Child support services shall pursue enforcement when such unpaid costs

have been reduced to a judgment in a sum certain."

"(iii) Eligibility for or enrollment of the child in Medicaid, ~~or the~~ PeachCare for Kids Program, or other public health care program shall ~~not~~ satisfy the requirement that the final ~~child support~~ order provide for the child's health care needs. Health coverage through Medicaid, the PeachCare for Kids Program and Medicaid, or other public health care program shall not prevent a court from also ordering either or both parents to obtain other health insurance for the child.

(3) Uninsured health care expenses.

(A) The child's uninsured health care expenses shall be the financial responsibility of both parents. The final ~~child support~~ order shall include provisions for payment of ~~the~~ uninsured health care expenses; provided, however, that ~~the~~ uninsured health care expenses shall not be used for the purpose of calculating the amount of child support. The parents shall divide ~~the~~ uninsured health care expenses pro rata, unless otherwise specifically ordered by the court.

(B) If a parent fails to pay his or her pro rata share of the child's uninsured health care expenses, as specified in the final ~~child support~~ order, within a reasonable time after receipt of evidence documenting the uninsured portion of the expense:

(i) The other parent or the nonparent custodian may enforce payment of the expense by any means permitted by law; or

(ii) Child support services shall pursue enforcement of payment of such unpaid expenses only if the unpaid expenses have been reduced to a judgment in a sum certain amount."

SECTION 1-4.

Said Code section is further amended by revising subparagraph (i)(1)(A) and division (i)(2)(B)(iii) as follows:

"(A) The amount of child support established by this Code section and the presumptive amount of child support are rebuttable and the court or the jury may deviate from the presumptive amount of child support in compliance with this subsection. In deviating from the presumptive amount of child support, ~~primary~~ consideration shall be given to the best interest of the child for whom support under this Code section is being determined. A nonparent custodian's expenses may be the basis for a deviation as well as a noncustodial parent's ability or inability to pay the presumptive amount of child support."

"(iii) The court or the jury shall examine all attributable and excluded sources of income, assets, and benefits available to the noncustodial parent and may consider the noncustodial parent's basic subsistence needs and all of his or her reasonable expenses of the noncustodial parent, ensuring that such expenses are actually paid by the noncustodial parent and are clearly justified expenses."

SECTION 1-4A.

Said Code section is further amended by revising subparagraphs (i)(1)(D) and (i)(2)(J) as follows:

"(D) If the circumstances which supported the deviation cease to exist, the final ~~child support~~ order may be modified as set forth in subsection (k) of this Code section to eliminate the deviation."

"(J) **Extraordinary expenses.** The child support obligation table includes average child rearing expenditures for families given the parents' combined adjusted income and number of children. Extraordinary expenses are in excess of average amounts estimated in the child support obligation table and are highly variable among families. Extraordinary expenses shall be considered on a case-by-case basis in the calculation of support and may form the basis for deviation from the presumptive amount of child support so that the actual amount of ~~the~~ such expense is considered in the ~~calculation of the final child support~~ order for only those families actually incurring the expense. Extraordinary expenses shall be prorated between the parents by assigning or deducting credit for actual payments for extraordinary expenses."

SECTION 1-5.

Said Code section is further amended by revising paragraph (1) of subsection (j) as follows:

"(1) In the event a parent suffers an involuntary termination of employment, has an extended involuntary loss of average weekly hours, is involved in an organized strike, incurs a loss of health, becomes incarcerated, or similar involuntary adversity resulting in a loss of income of 25 percent or more, then the portion of child support attributable to lost income shall not accrue from the date of the service of the petition for modification, provided that service is made on the other parent. It shall not be considered an involuntary termination of employment if the parent has left the employer without good cause in connection with the parent's most recent work."

PART II SECTION 2-1.

Article 1 of Chapter 11 of Title 19 of the Official Code of Georgia Annotated, relating to the Child Support Recovery Act, is amended by revising subsection (f) of Code Section 19-11-6, relating to enforcement of child support payments and alimony for public assistance recipients, as follows:

"(f) The department shall be authorized to charge the obligor a federal Deficit Reduction Act of 2005 fee of ~~\$25.00~~ \$35.00 for each case. Such fee shall only apply to an obligor when the obligee has never received public assistance payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act. The department shall retain such fee and collect such fee through income withholding, as well as by any other enforcement remedy available to the entity within the department authorized to enforce a duty of support."

SECTION 2-2.

Said article is further amended by revising subsection (e) of Code Section 19-11-8,

relating to the departments' duty to enforce support of abandoned minor public assistance recipient and scope of action, as follows:

"(e) The department shall be authorized to charge the obligor a federal Deficit Reduction Act of 2005 fee of ~~\$25.00~~ \$35.00 for each case. Such fee shall only apply to an obligor when the obligee has never received public assistance payments pursuant to Title IV-A or Title IV-E of the federal Social Security Act. The department shall retain such fee and collect such fee through income withholding, as well as by any other enforcement remedy available to the entity within the department authorized to enforce a duty of support."

PART III
SECTION 3-1.

This part and Part I of this Act shall become effective on July 1, 2018, and Part II of this Act shall become effective on October 1, 2018.

SECTION 3-2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Kennedy of the 18th moved that the Senate agree to the House substitute to SB 427.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Hill	Y Parent	

On the motion, the yeas were 47, nays 0; the motion prevailed, and the Senate agreed to the House substitute to SB 427.

The following bill was taken up to consider House action thereto:

HB 904. By Representatives Hanson of the 80th, Willard of the 51st, Fleming of the 121st, Kelley of the 16th and Harrell of the 106th:

A BILL to be entitled an Act to amend Code Section 51-3-25 of the Official Code of Georgia Annotated, relating to certain liability not limited, so as to clarify provisions relating to the effect of an owner of land charging an admission price or fee; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate substitute to HB 904 (HB 904/SCSFA) by replacing lines 9 through 12 with the following:

"(2) ~~For injury suffered in any case~~ On a date when the owner of land charges the person or persons any individual who enter or go on the lawfully enters such land for the recreational use thereof, except and any individual is injured in connection with the recreational use for which the charge was made, provided that, in the case of land leased to the state or a subdivision thereof, any

Senator Tillery of the 19th moved that the Senate agree to the House amendment to the Senate substitute to HB 904.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
C Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker

Y Harbison
E Harper
N Heath
Y Henson
Y Hill

Y Millar
Y Miller
Y Mullis
Y Orrock
Y Parent

Y Watson
N Wilkinson
Y Williams, M
Y Williams, N

On the motion, the yeas were 48, nays 2; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 904.

The following bill was taken up to consider House action thereto:

HB 792. By Representatives Rogers of the 10th, Rhodes of the 120th, Efstration of the 104th and Nix of the 69th:

A BILL to be entitled an Act to amend Chapter 8 of Title 12 of the Official Code of Georgia Annotated, relating to waste management, so as to extend the sunset date for certain solid waste surcharges and hazardous waste fees; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the substitute to HB 792 (LC 44 0878S) by inserting after "waste" on line 4 the following:

, inert waste, and coal ash; to change the uses of such surcharge funds; to provide effective dates for such surcharges; to provide for the use of funds collected from such surcharges; to provide for contractual negotiation of such surcharges

By replacing lines 12 through 23 with the following:

"(d)(1)(A) Effective January 1, 1992 Until June 30, 2019, when a municipal solid waste disposal facility is operated by private enterprise, the host local government is authorized and required to impose a surcharge of \$1.00 per ton or volume equivalent, in addition to any other negotiated charges or fees which shall be imposed by and paid to the host local government for the facility, and shall be used to offset the impact of the facility, public education efforts for solid waste management, the cost of solid waste management, and the administration of the local or regional solid waste management plan; provided, however, that such
Except as otherwise provided in subparagraphs (B) and (C) of this paragraph, effective July 1, 2019, when a municipal solid waste disposal facility is owned by private enterprise, the host local government is authorized and required to impose a surcharge of \$2.50 per ton or volume equivalent, in addition to any other negotiated charges or fees which shall be imposed by and paid to the host local government for the facility.

(B) When a municipal solid waste disposal facility is operated by private enterprise, the host local government is authorized and required to impose a surcharge of \$1.00 per ton or volume equivalent until June 30, 2025, and a surcharge of \$2.00 per ton or volume equivalent effective July 1, 2025, for fly ash, bottom ash, boiler slag, or flue gas desulfurization materials generated from burning coal for the purpose of generating electricity by electric utilities and independent power producers, in addition to any other negotiated charges or fees which shall be imposed by and paid to the host local government for the facility.

(C) When a municipal solid waste disposal facility is operated by private enterprise, the host local government is authorized and required to impose a surcharge of \$1.00 per ton or volume equivalent for construction or demolition waste or inert waste, in addition to any other negotiated charges or fees which shall be imposed by and paid to the host local government for the facility.

(2)(A) At least 50 percent of the surcharges collected pursuant to this subsection shall be expended for the following purposes:

(i) To offset the impact of the facility;

(ii) Public education efforts for solid waste management, hazardous waste management, and litter control;

(iii) The cost of solid waste management;

(iv) Administration of the local or regional solid waste management plan;

(v) Repair of damage to roads and highways associated with the facility;

(vi) Enhancement of litter control programs;

(vii) Ground-water and air monitoring and protection associated with the location of the facility;

(viii) Remediation and monitoring of closed or abandoned facilities within the jurisdiction of the host local government;

(ix) Infrastructure improvements associated with the facility;

(x) Allocation of such funds in any fiscal year to a reserve fund designated for use for the above purposes in future fiscal years; and

(xi) For the acquisition of property and interests in property adjacent to or in reasonable proximity to the facility upon a determination by the host local government that such acquisition will serve beautification, environmental, buffering, or recreational purposes such as will ameliorate the impact of the facility.

(B) Those surcharges not expended or allocated as provided for in subparagraph (A) of this paragraph may be used for other governmental expenses to the extent not required to meet the above or other solid waste management needs.

(3) Host local governments may negotiate for and obtain by contract surcharges higher than those set forth in this subsection; furthermore, nothing in this subsection shall reduce any such surcharge in existence on July 1, 2019."

Senator Walker III of the 20th moved that the Senate agree to the House amendment to the Senate substitute to HB 792.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
C Gooch	Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 48, nays 4; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 792.

At 9:35 p.m. the President announced that the Senate would stand at ease until 9:45 p.m.

At 10:00 p.m. the President called the Senate to order.

The following resolutions were read and adopted:

SR 1153. By Senator Henson of the 41st:

A RESOLUTION recognizing and commending Michelle "Mz. Wallstreet" Hodges; and for other purposes.

SR 1154. By Senators Davenport of the 44th, Seay of the 34th, Butler of the 55th and Tate of the 38th:

A RESOLUTION commending the Lovejoy Lady Wildcats basketball team for winning the 2018 GHSA Class 6A State Basketball Championship; and for other purposes.

SR 1155. By Senators Davenport of the 44th, Sims of the 12th, Harbison of the 15th, Butler of the 55th and Orrock of the 36th:

A RESOLUTION honoring the life and memory of Ralph Worrell; and for other purposes.

SR 1156. By Senator Williams of the 27th:

A RESOLUTION congratulating and commending Riverwatch Middle School Band; and for other purposes.

SR 1157. By Senators Tate of the 38th, Jones II of the 22nd, Sims of the 12th, Harbison of the 15th, Butler of the 55th and others:

A RESOLUTION commending Wallace V. Linsey, Sr., for his outstanding service to the Georgia State Senate and extending congratulations to him in recognition of his retirement as a Senate Doorkeeper; and for other purposes.

SR 1158. By Senator Tate of the 38th:

A RESOLUTION recognizing and commending Beaus and Debutantes; and for other purposes.

SR 1159. By Senators Ginn of the 47th, Wilkinson of the 50th, Unterman of the 45th, Williams of the 27th and Anderson of the 24th:

A RESOLUTION recognizing and commending Jerry Bonds on his outstanding community service; and for other purposes.

SR 1160. By Senator Sims of the 12th:

A RESOLUTION recognizing and commending Sergeant Jerome Brackins; and for other purposes.

SR 1161. By Senators Butler of the 55th and Henson of the 41st:

A RESOLUTION recognizing and commending Overcomers House, Inc.; and for other purposes.

SR 1162. By Senator Watson of the 1st:

A RESOLUTION commending and congratulating Gabriella Guidera; and for other purposes.

SR 1163. By Senator Watson of the 1st:

A RESOLUTION commending and congratulating Abigail Floyd; and for other purposes.

SR 1164. By Senator Watson of the 1st:

A RESOLUTION recognizing and commending the students and teachers of Islands High School for their exemplary work with Teens in the Driver Seat; and for other purposes.

SR 1165. By Senator Watson of the 1st:

A RESOLUTION commending and congratulating Cera Schulke; and for other purposes

SR 1170. By Senators Hill of the 4th and Tillery of the 19th:

A RESOLUTION creating the Senate Study Committee on Local Government Fees; and for other purposes.

SR 1171. By Senators Hill of the 4th and Tillery of the 19th:

A RESOLUTION congratulating and commending the Rotary Corporation; and for other purposes.

The President recognized House of Representatives Speaker David Ralston who addressed the Senate briefly.

Senator Unterman of the 45th was excused as a Conferee.

The following bill was taken up to consider House action thereto:

HB 871. By Representatives LaRiccia of the 169th, Parrish of the 158th, Powell of the 171st, Burns of the 159th, Pirkle of the 155th and others:

A BILL to be entitled an Act to amend Chapter 8 of Title 48 of the Official Code of Georgia Annotated, relating to sales and use taxes, so as to create an exemption from state sales and use tax for 50 percent of the sales price of manufactured homes to be converted into real property in this state; to require proof of a qualifying purchase; to provide for recapture for unproven exemptions; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate substitute to HB 871 (LC 34 5428S) by replacing "a width of at least 16 feet and 1 inch" in line 23 with "contain an area of at least 650 square feet"

Senator Brass of the 28th moved that the Senate agree to the House amendment to the Senate substitute to HB 871.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	C Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 2; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 871.

The following communication was received by the Secretary:

3/29/2018

I inadvertently voted "No" on HB 871. Please reflect in the Journal that my intent was to vote "Yes".

/s/ Gloria Butler
District 55

The following bill was taken up to consider House action thereto:

HB 85. By Representatives Powell of the 171st, England of the 116th, McCall of the 33rd, Williams of the 119th and Greene of the 151st:

A BILL to be entitled an Act to amend Code Section 48-5-271 of the Official Code of Georgia Annotated, relating to table of values for conservation use value of forest land, so as to revise the methodology used to establish forest land fair market value; to provide for a sales data bank; to provide for publication; to provide for appeals; to provide for an administrative fee; to provide for related matters; to provide for a contingent effective date; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate substitute to HB 85 (LC 43 0990S) by deleting "assessed" in line 198.

Senator Black of the 8th moved that the Senate agree to the House amendment to the Senate substitute to HB 85.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Rhett
Y Anderson, T	James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	C Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Henson	Orrock	Y Williams, N
Hill	Y Parent	

On the motion, the yeas were 43, nays 1; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 85.

The following bill was taken up to consider House action thereto:

SB 376. By Senators Shafer of the 48th, Kirk of the 13th, Albers of the 56th, Thompson of the 14th, Heath of the 31st and others:

A BILL to be entitled an Act to amend Article 34 of Chapter 1 of Title 10 of the Official Code of Georgia Annotated, relating to identity theft, so as to prohibit consumer credit reporting agencies from charging a fee for placing or removing a security freeze on a consumer's account; to repeal conflicting laws; and for other purposes.

The House amendment was as follows:

Amend SB 376 (LC 21 5917) by adding after "account;" on line 3 the following:

to amend Chapter 3 of Title 10 of the Official Code of Georgia Annotated, relating to notes and other evidences of debt, so as to authorize a letter of credit from a bank operating under the authority of any territory of the United States;

By deleting line 268 and inserting in lieu thereof the following:

SECTION 3.

Chapter 3 of Title 10 of the Official Code of Georgia Annotated, relating to notes and other evidences of debt, is amended by adding a new Code section to read as follows:

"10-3-6.

Notwithstanding any provision of law to the contrary, a bank operating under the authority of any territory of the United States shall satisfy the definition of an issuer provided in Code Section 11-5-102."

SECTION 4.

Senator Shafer of the 48th moved that the Senate agree to the House amendment to SB 376.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
Y Cowsert	Y Kirk	Y Thompson, B

Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	C Unterman
Y Harbin	McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 51, nays 0; the motion prevailed, and the Senate agreed to the House amendment to SB 376.

The following message was received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 89. By Senators Shafer of the 48th, Gooch of the 51st, Cowsert of the 46th, Albers of the 56th, Mullis of the 53rd and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 2 of Title 32 of the Official Code of Georgia Annotated, relating to officers in the Department of Transportation, so as to provide for state investment in railways and railroad facilities and equipment; to provide that the commissioner of transportation may administer a Georgia Freight Railroad Program; to provide for subprograms within such program; to provide for annual reporting; to provide for a short title; to provide for legislative findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted the report of the Committee of Conference on the following Bill of the House:

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstrotation of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public

records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute, as amended by the House, to the following Bill of the House:

HB 982. By Representatives Nimmer of the 178th, LaRiccia of the 169th, Ballinger of the 23rd, Corbett of the 174th, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to dependency proceedings, so as to change provisions relating to relative searches conducted by DFCS; to change provisions relating to termination of parental rights; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute to the following Bill of the House:

HB 729. By Representatives Harrell of the 106th, Frye of the 118th, Corbett of the 174th, Bentley of the 139th and Teasley of the 37th:

A BILL to be entitled an Act to amend Article 1 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to general provisions regarding ad valorem taxation of property, so as to repeal certain provisions relating to state ad valorem tax; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following bill was taken up to consider House action thereto:

HB 673. By Representatives Carson of the 46th, Lumsden of the 12th, Golick of the 40th, Trammell of the 132nd, Smith of the 134th and others:

A BILL to be entitled an Act to amend Title 40 of the O.C.G.A., relating to motor vehicles and traffic, so as to prohibit actions which distract a driver while operating a motor vehicle; to provide for the proper and safe use of wireless telecommunications devices while driving; to provide for definitions; to provide for violations; to provide for punishments; to provide for the assessment of points upon conviction; to provide for additional fines to be collected by the Department of Driver Services; to provide for applicability; to provide for punishments for homicide by vehicle and for serious bodily injury by vehicle when driver was operating such motor vehicle while using a wireless telecommunications device; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the Senate substitute to HB 673 (HB 673/SCSFA) by replacing lines 144 through 147 with the following:

(2) A person convicted of a first violation of subsection (c) of this Code section shall be fined no more than \$10.00 if he or she produces in court a device or proof of purchase of such device that will allow such person to comply with such paragraph in the future.

Senator Martin of the 9th moved that the Senate agree to the House amendment to the Senate substitute to HB 673 as amended by the following amendment:

Senators McKoon of the 29th, Thompson of the 14th, Ligon, Jr. of the 3rd and Harbin of the 16th offered the following amendment #1:

Amend AM 29 2843 House Amendment to HB 673 by deleting "or" on line 157, by replacing the period and quotation mark with "; or " on line 124 and inserting between lines 124 and 125 the following:"(5) While in a motor vehicle which is at a full and complete stop."

Senator McKoon of the 29th asked unanimous consent that his amendment be withdrawn. The consent was granted, and the McKoon, et al. amendment #1 to the House amendment to the Senate substitute was withdrawn.

Senators McKoon of the 29th, Cowsert of the 46th, Harper of the 7th, Ligon, Jr. of the 3rd, Harbin of the 16th and others offered the following amendment #2:

Amend the House amendment to HB 673 (AM 29 2843) by replacing "147" with "158" on line 1.

By replacing lines 3 through 5 with the following:

(2) Any person appearing before a court for a first offense of violating paragraph (1) of subsection (c) of this Code section who produces in court a device or proof of purchase of such device that would allow such person to comply with such paragraph in the future shall not be guilty of such offense.

(g) Subsections (c) and (d) of this Code section shall not apply when the prohibited conduct occurred:

(1) While reporting a traffic accident, medical emergency, fire, an actual or potential criminal or delinquent act, or road condition which causes an immediate and serious traffic or safety hazard;

(2) By an employee or contractor of a utility services provider acting within the scope of his or her employment while responding to a utility emergency;

(3) By a law enforcement officer, firefighter, emergency medical services personnel,

ambulance driver, or other similarly employed public safety first responder during the performance of his or her official duties;

(4) While in a motor vehicle which is lawfully parked; or

(5) While in a motor vehicle which is at a full and complete stop."

Senator McKoon of the 29th asked unanimous consent that his amendment be withdrawn. The consent was granted, and the McKoon, et al. amendment #2 to the House amendment to the Senate substitute was withdrawn.

Senators Cowsert of the 46th, Miller of the 49th, Mullis of the 53rd, McKoon of the 29th, Heath of the 31st and others offered the following amendment #3:

Amend the House amendment to HB 673 (AM 29 2843) by deleting lines 3 through 5 and replacing with the following:

(2) Any person appearing before a court for a first offense of violating paragraph (1) of subsection (c) of this Code section who produces in court a device or proof of purchase of such device that would allow such person to comply with such paragraph in the future shall not be guilty of such offense. The court shall require the person to affirm that they have not previously utilized the privilege under this paragraph. Upon adjudication pursuant to this paragraph, the court shall forward a record of the court disposition to the Department of Driver Services.

Senators Martin of the 9th and Cowsert of the 46th offered the following amendment #3a:

Amend the Senate amendment to the House Amendment to the Senate Substitute to HB 673 by on line 3 strike "offense" and replace with "charge"

Delete lines 7 - 9 and replace with "have not previously utilized the privilege under this paragraph."

On the adoption of amendment #3a, there were no objections, and the Martin, Cowsert amendment #3a to the Cowsert, et al. amendment #3 was adopted.

On the adoption of amendment #3, there were no objections, and the Cowsert, et al. amendment #3 was adopted as amended.

On the motion to agree to the House amendment to the Senate substitute to HB 673 as amended by Senate, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer

Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	C Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 52, nays 1; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 673 as amended by the Senate.

The following messages were received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House insists on its position in disagreeing to the Senate substitute, and has appointed a Committee of Conference to confer with a like committee on the part of the Senate on the following Bill of the House:

HB 605. By Representatives Spencer of the 180th, Oliver of the 82nd, Brockway of the 102nd, Frye of the 118th, Rakestraw of the 19th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, so as to change provisions relating to the revival of certain claims involving childhood sexual abuse; to provide for civil actions by the Attorney General under certain circumstances; to provide for a civil penalty; to provide for a report; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The Speaker has appointed on the part of the House, Representatives Spencer of the 180th, Golick of the 40th, and Reeves of the 34th.

The House has agreed to the Senate substitutes to the following Bills of the House:

HB 785. By Representatives Nix of the 69th, McCall of the 33rd, Nimmer of the 178th, Tankersley of the 160th and Buckner of the 137th:

A BILL to be entitled an Act to amend Code Section 12-8-22 of the Official Code of Georgia Annotated, relating to definitions relative to solid waste management, so as to modify certain definitions and enact new definitions; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 853. By Representatives Dempsey of the 13th, Efstration of the 104th, Oliver of the 82nd, Benton of the 31st and Coleman of the 97th:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to the short title and purpose of the "Quality Basic Education Act," so as to provide that children placed in psychiatric residential treatment facilities pursuant to a physician's order may not be charged tuition; to provide for eligibility for enrollment; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate amendment, as amended by the House, to the following Bill of the House:

HB 917. By Representatives Dollar of the 45th, Frye of the 118th, Rakestraw of the 19th, Fleming of the 121st, Wallace of the 119th and others:

A BILL to be entitled an Act to amend Code Section 16-8-60 of the Official Code of Georgia Annotated, relating to reproduction of recorded material, transfer, sale, distribution, circulation, civil forfeiture, and restitution, so as to update terminology and change provisions relating to restitution; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has passed, by substitute, by the requisite constitutional majority the following Bills of the Senate:

SB 332. By Senators Harper of the 7th, Heath of the 31st, Brass of the 28th, Ginn of the 47th, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or

fishing, so as to provide for a hunter mentor program within the Department of Natural Resources; to provide for definitions; to provide for program criteria and terms and conditions; to provide for a special hunting passport for program participants; to provide for findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 403. By Senators Thompson of the 14th, Brass of the 28th, Mullis of the 53rd, Albers of the 56th, Beach of the 21st and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide for uniform election equipment in this state; to provide that direct recording electronic voting systems shall not be used in primaries or elections in this state after January 1, 2024; to provide for definitions; to provide for ballot marking devices and standards and procedures for such devices; to provide for audits of election results and procedures therefor; to provide for conforming changes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

SB 430. By Senators Brass of the 28th and Jones of the 25th:

A BILL to be entitled an Act to amend Title 15, Chapter 2 of Title 21, and Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to courts, primaries and elections generally, and ad valorem taxation of property, respectively, so as to modify the compensation of various local government officials; to provide a salary increase for various local government officials; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 485. By Senators Jordan of the 6th, Tate of the 38th, Williams of the 39th, Parent of the 42nd, Orrock of the 36th and others:

A BILL to be entitled an Act to amend an Act providing a homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that school district, approved May 4, 1992 (Ga. L. 1992, p. 7003), as amended, so as to increase the exemption amount to \$50,000.00; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

SB 486. By Senators Jordan of the 6th, Tate of the 38th, Williams of the 39th, Parent of the 42nd, Orrock of the 36th and others:

A BILL to be entitled an Act to provide a homestead exemption from City of Atlanta independent school district ad valorem taxes for educational purposes in the amount of \$100,000.00 of the assessed value of the homestead for residents of that school district who are 65 years of age or older; to provide for definitions; to specify the terms and conditions of the exemption and the procedures relating thereto; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The following bill was taken up to consider the Conference Committee Report thereto:

HB 329. By Representatives Powell of the 171st, Kelley of the 16th, Williamson of the 115th, Harrell of the 106th, Blackmon of the 146th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, and computation of and exemptions from income taxes, so as to modify the rate of tax imposed on the Georgia taxable net income of individuals; to add Georgia income tax paid by an individual to his or her Georgia taxable income to the extent deducted in determining federal taxable income; to provide for a nonrefundable earned income tax credit; to provide for rules and regulations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The Conference Committee Report was as follows:

The Committee of Conference on HB 329 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 329 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Senator Hufstetler of the 52nd
/s/ Senator Hill of the 4th
/s/ Senator Millar of the 40th

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Representative Powell of the 171st
/s/ Representative Williamson of the 115th
/s/ Representative Harrell of the 106th

COMMITTEES OF CONFERENCE SUBSTITUTE TO HB 329

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5C of Title 48 of the Official Code of Georgia Annotated, relating to alternative ad valorem tax on motor vehicles, so as to change the manner for determining fair market value of motor vehicles subject to the tax; to provide for the fair market value determination of kit cars; to change the manner of distribution of the proceeds of such tax; to provide for fees of the tag agent; to provide for the promulgation of a standardized form; to provide for the submission of title applications and title ad valorem tax fees by dealers; to provide for penalties for failure to timely submit title applications and title ad valorem tax fees; to provide for the tax amounts on vehicles which were registered in other states; to provide for tax amount on certain vehicles; to provide for certain refunds; to provide for transfers as a result of a divorce decree or court order; to amend Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, so as to provide for an expiration period for temporary license plates; to require that applications be submitted to the county where the vehicle will be registered; to provide for extensions of the registration period under certain circumstances; to provide for conditional titles for certain motor vehicles; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5C of Title 48 of the Official Code of Georgia Annotated, relating to alternative ad valorem tax on motor vehicles, is amended by revising Code Section 48-5C-1, relating to definitions, exemption from taxation, allocation and disbursement of proceeds collected by tag agents, fair market value of vehicle appealable, and report, as follows:

"48-5C-1.

(a) As used in this Code section, the term:

(1) 'Fair market value of the motor vehicle' means:

(A) For a used motor vehicle, the average of the current fair market value and the current wholesale value of a motor vehicle for a vehicle listed in the current motor vehicle ad valorem assessment manual utilized by the state revenue commissioner and based upon a nationally recognized motor vehicle industry pricing guide for fair market and wholesale market values in determining the taxable value of a motor vehicle under Code Section 48-5-442, and, in the case of a used car dealer, less any reduction for the trade-in value of another motor vehicle;

(B) For a used motor vehicle which is not listed in such current motor vehicle ad valorem assessment manual, the value from the bill of sale or the value from a reputable used car market guide designated by the commissioner, whichever is greater, and, in the case of a used car dealer, less any reduction for the trade-in value of another motor vehicle;

(C) Upon written application and supporting documentation submitted by an applicant under this Code section, a county tag agent may deviate from the fair market value as defined in subparagraph (A), ~~or (B), or (D)~~ of this paragraph based upon mileage and condition of the used vehicle. Supporting documentation may include, but not be limited to, bill of sale, odometer statement, and values from reputable pricing guides. The fair market value as determined by the county tag agent pursuant to this subparagraph shall be appealable as provided in subsection (e) of this Code section;

(D) For a new motor vehicle, the greater of the retail selling price ~~or, in the case of a lease of a new motor vehicle, the agreed upon value of the vehicle pursuant to the lease agreement~~ or the average of the current fair market value and the current wholesale value of a motor vehicle for a vehicle listed in the current motor vehicle ad valorem assessment manual utilized by the state revenue commissioner in determining the taxable value of a motor vehicle under Code Section 48-5-442, less any reduction for the trade-in value of another motor vehicle and any rebate ~~or any cash discounts provided by the selling dealer and taken at the time of sale~~. The retail selling price ~~or agreed upon value~~ shall include any charges for labor, freight, delivery, dealer fees, and similar charges, tangible accessories, and dealer add-ons, and mark-ups, but shall not include any federal retailers' excise tax or extended warranty, service contract, or maintenance agreement, or similar products itemized on the dealer's invoice to the customer or any finance, insurance, and interest charges for deferred payments billed separately. No reduction for the trade-in value of another motor vehicle shall be taken unless the name of the owner and the vehicle identification number of such trade-in motor vehicle are shown on the bill of sale; ~~or~~

(E) For a ~~new~~ motor vehicle that is leased;

(i) In the case of a motor vehicle that is leased to a lessee for use primarily in the lessee's trade or business and for which the lease agreement contains a provision for the adjustment of the rental price as described in Code Section 40-3-60, the agreed upon value of the motor vehicle less any reduction for the trade-in value of another motor vehicle and any rebate; or

(ii) In the case of a motor vehicle that is leased other than described in division (i) of this subparagraph, the total of the base payments pursuant to the lease agreement plus any down payments.

The term 'any down payments' as used in this subparagraph shall mean cash collected from the lessee at the inception of the lease which shall include cash supplied as a capital cost reduction; shall not include rebates, noncash credits, or net trade allowances; and shall include any upfront payments collected from the lessee at the inception of the lease except for taxes or fees imposed by law and monthly lease payments made in advance; or

(F) For a kit car which is assembled by the purchaser from parts supplied by a manufacturer, the greater of the retail selling price of the kit or the average of the current fair market value and the current wholesale value of the motor vehicle if listed in the current motor vehicle ad valorem assessment manual utilized by the

state revenue commissioner and based upon a nationally recognized motor vehicle industry pricing guide for fair market and wholesale market values in determining the taxable value of a motor vehicle under Code Section 48-5-442. A kit car shall not include a rebuilt or salvage vehicle.

(2) 'Immediate family member' means spouse, parent, child, sibling, grandparent, or grandchild.

(3) 'Loaner vehicle' means a motor vehicle owned by a dealer which is withdrawn temporarily from dealer inventory for exclusive use as a courtesy vehicle loaned at no charge for a period not to exceed 30 days within a 366 day period to any one customer whose motor vehicle is being serviced by such dealer.

(4) 'Rental charge' means the total value received by a rental motor vehicle concern for the rental or lease for 31 or fewer consecutive days of a rental motor vehicle, including the total cash and nonmonetary consideration for the rental or lease, including, but not limited to, charges based on time or mileage and charges for insurance coverage or collision damage waiver but excluding all charges for motor fuel taxes or sales and use taxes.

(5) 'Rental motor vehicle' means a motor vehicle designed to carry 15 or fewer passengers and used primarily for the transportation of persons that is rented or leased without a driver.

(6) 'Rental motor vehicle concern' means a person or legal entity which owns or leases five or more rental motor vehicles and which regularly rents or leases such vehicles to the public for value.

(7) 'Trade-in value' means the value of the motor vehicle as stated in the bill of sale for a vehicle which has been traded in to the dealer in a transaction involving the purchase of another vehicle from the dealer.

(b)(1)(A) Except as otherwise provided in this subsection, any motor vehicle for which a title is issued in this state on or after March 1, 2013, shall be exempt from sales and use taxes to the extent provided under paragraph (95) of Code Section 48-8-3 and shall not be subject to the ad valorem tax as otherwise required under Chapter 5 of this title. Any such motor vehicle shall be titled as otherwise required under Title 40 but shall be subject to a state title fee and a local title fee which shall be alternative ad valorem taxes as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution. Motor vehicles registered under the International Registration Plan shall not be subject to state and local title ad valorem tax fees but shall continue to be subject to apportioned ad valorem taxation under Article 10 of Chapter 5 of this title.

~~(B)(i) As used in this subparagraph, the term:~~

~~(I) 'Local base amount' means \$1 billion.~~

~~(II) 'Local current collection amount' means the total amount of sales and use taxes on the sale of motor vehicles under Chapter 8 of this title and motor vehicle local ad valorem tax proceeds under this Code section and Chapter 5 of this title which were collected during the calendar year which immediately precedes the tax year in which the title ad valorem tax adjustments are required~~

to be made under this subparagraph.

~~(III) 'Local target collection amount' means an amount equal to the local base amount added to the product of 2 percent of the local base amount multiplied by the number of years since 2012 with a maximum amount of \$1.2 billion.~~

~~(IV) 'State base amount' means \$535 million.~~

~~(V) 'State current collection amount' means the total amount of sales and use taxes on the sale of motor vehicles under Chapter 8 of this title and motor vehicle state ad valorem tax proceeds under this Code section and Chapter 5 of this title which were collected during the calendar year which immediately precedes the tax year in which the state and local title ad valorem tax rate is to be reviewed for adjustment under division (xiv) of this subparagraph. Notwithstanding the other provisions of this subdivision to the contrary, the term 'state current collection amount' for the 2014 calendar year for the purposes of the 2015 review under division (xiv) of this subparagraph shall be adjusted so that such amount is equal to the amount of motor vehicle state ad valorem tax proceeds that would have been collected under this Code section in 2014 if the combined state and local title ad valorem tax rate was 7 percent of the fair market value of the motor vehicle less any trade-in value plus the total amount of motor vehicle state ad valorem tax proceeds collected under Chapter 5 of this title during 2014.~~

~~(VI) 'State target collection amount' means an amount equal to the state base amount added to the product of 2 percent of the state base amount multiplied by the number of years since 2012 Reserved.~~

(ii) The combined state and local title ad valorem tax shall be at a rate equal to:

~~(I) For the period commencing March 1, 2013, through December 31, 2013, 6.5 percent of the fair market value of the motor vehicle;~~

~~(II) For the 2014 tax year, 6.75 percent of the fair market value of the motor vehicle; and~~

~~(III) Except as provided in division (xiv) of this subparagraph, for the 2015 and subsequent tax years, 7 percent of the fair market value of the motor vehicle.~~

(iii) ~~For the period commencing March 1, 2013, through December 31, 2013, the state title ad valorem tax shall be at a rate equal to 57 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 43 percent of the tax rate specified in division (ii) of this subparagraph. Beginning on July 1, 2019, the state and local title ad valorem tax proceeds each month shall be distributed by each county remitting 35 percent of the funds to the state revenue commissioner as provided in subparagraph (c)(2)(A) of this Code section and distributing 65 percent of the funds as provided in paragraph (3) of subsection (c) of this Code section.~~

~~(iv) For the 2014 tax year, the state title ad valorem tax shall be at a rate equal to 55 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 45 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(v) For the 2015 tax year, the state title ad valorem tax shall be at a rate equal to 55 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 45 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(vi) For the 2016 tax year, except as otherwise provided in division (xiii) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 53.5 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 46.5 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(vii) For the 2017 tax year, except as otherwise provided in divisions (xiii) and (xiv) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 44 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 56 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(viii) For the 2018 tax year, except as otherwise provided in division (xiii) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 40 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 60 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(ix) For the 2019 tax year, except as otherwise provided in divisions (xiii) and (xiv) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 36 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 64 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(x) For the 2020 tax year, except as otherwise provided in division (xiii) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 34 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 66 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(xi) For the 2021 tax year, except as otherwise provided in division (xiii) of this subparagraph, the state title ad valorem tax shall be at a rate equal to 30 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 70 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(xii) For the 2022 and all subsequent tax years, except as otherwise provided in division (xiii) of this subparagraph for tax years 2022, 2023, and 2024 and except as otherwise provided in division (xiv) of this subparagraph for tax year 2023, the state title ad valorem tax shall be at a rate equal to 28 percent of the tax rate specified in division (ii) of this subparagraph, and the local title ad valorem tax shall be at a rate equal to 72 percent of the tax rate specified in division (ii) of this subparagraph.~~

~~(xiii) Beginning in 2016, by not later than January 15 of each tax year through the 2022 tax year, the state revenue commissioner shall determine the local target~~

~~collection amount and the local current collection amount for the preceding calendar year. If such local current collection amount is equal to or within 1 percent of the local target collection amount, then the state title ad valorem tax rate and the local title ad valorem tax rate for such tax year shall remain at the rate specified in this subparagraph for that year. If the local current collection amount is more than 1 percent greater than the local target collection amount, then the local title ad valorem tax rate for such tax year shall be reduced automatically by operation of this division by such percentage amount as may be necessary so that, if such rate had been in effect for the calendar year under review, the local current collection amount would have produced an amount equal to the local target collection amount, and the state title ad valorem tax rate for such tax year shall be increased by an equal amount to maintain the combined state and local title ad valorem tax rate at the rate specified in division (ii) of this subparagraph. If the local current collection amount is more than 1 percent less than the local target collection amount, then the local title ad valorem tax rate for such tax year shall be increased automatically by operation of this division by such percentage amount as may be necessary so that, if such rate had been in effect for the calendar year under review, the local current collection amount would have produced an amount equal to the local target collection amount, and the state title ad valorem tax rate for such tax year shall be reduced by an equal amount to maintain the combined state and local title ad valorem tax rate at the rate specified in division (ii) of this subparagraph. In the event of an adjustment of such ad valorem tax rates, by not later than January 31 of such tax year, the state revenue commissioner shall notify the tax commissioner of each county in this state of the adjusted rate amounts. The effective date of such adjusted rate amounts shall be January 1 of such tax year.~~

~~(xiv) In tax years 2015, 2018, and 2022, by not later than July 1 of each such tax year, the state revenue commissioner shall determine the state target collection amount and the state current collection amount for the preceding calendar year. If such state current collection amount is greater than, equal to, or within 1 percent of the state target collection amount after making the adjustment, if any, required in division (xiii) of this subparagraph, then the combined state and local title ad valorem tax rate provided in division (ii) of this subparagraph shall remain at the rate specified in such division. If the state current collection amount is more than 1 percent less than the state target collection amount after making the adjustment, if any, required by division (xiii) of this subparagraph, then the combined state and local title ad valorem tax rate provided in division (ii) of this subparagraph shall be increased automatically by operation of this division by such percentage amount as may be necessary so that, if such rate had been in effect for the calendar year under review, the state current collection amount would have produced an amount equal to the state target collection amount, and the state title ad valorem tax rate and the local title ad valorem tax rate for the tax year in which such increase in the combined state and local title ad valorem tax rate shall become effective shall be~~

~~adjusted from the rates specified in this subparagraph or division (xiii) of this subparagraph for such tax year such that the proceeds from such increase in the combined state and local title ad valorem tax rate shall be allocated in full to the state. In the event of an adjustment of the combined state and local title ad valorem tax rate, by not later than August 31 of such tax year, the state revenue commissioner shall notify the tax commissioner of each county in this state of the adjusted combined state and local title ad valorem tax rate for the next calendar year. The effective date of such adjusted combined state and local title ad valorem tax rate shall be January 1 of the next calendar year. Notwithstanding the provisions of this division, the combined state and local title ad valorem tax rate shall not exceed 9 percent.~~

~~(xv)(iv)~~ (iv) The state revenue commissioner shall promulgate such rules and regulations as may be necessary and appropriate to implement and administer this Code section, including, but not limited to, rules and regulations regarding appropriate public notification of ~~any changes in~~ rate amounts ~~and the effective date of such changes~~ and rules and regulations regarding appropriate enforcement and compliance procedures and methods for the implementation and operation of this Code section. The state revenue commissioner shall promulgate a standardized form to be used by all dealers of new and used vehicles in this state in order to ease the administration of this Code section. The state revenue commissioner may promulgate and implement rules and regulations as may be necessary to permit seller financed sales of used vehicles to be assessed 2.5 percentage points less than the rate specified in division (ii) of this subparagraph.

(C) The application for title and the state and local title ad valorem tax fees provided for in subparagraph (A) of this paragraph shall be paid to the tag agent in the county where the motor vehicle is to be registered and shall be paid at the time the application for a certificate of title is submitted or, in the case of an electronic title transaction, at the time when the electronic title transaction is finalized. In an electronic title transaction, the state and local title ad valorem tax fees shall be remitted electronically directly to the county tag agent. A dealer of new or used motor vehicles ~~may accept~~ shall make such application for title and state and local title ad valorem tax fees on behalf of the purchaser of a new or used motor vehicle for the purpose of submitting or, in the case of an electronic title application, finalizing such title application and remitting state and local title ad valorem tax fees. The state and local title ad valorem tax fees provided for in this chapter shall be imposed on the purchaser, including a lessor, that acquires title to the motor vehicle; provided, however, that a lessor that pays such state and local title ad valorem tax fees may seek reimbursement for such state and local title ad valorem tax fees from the lessee.

(D) There shall be a penalty imposed on any person who, in the determination of the commissioner, falsifies any information in any bill of sale used for purposes of determining the fair market value of the motor vehicle. Such penalty shall not exceed \$2,500.00 as a state penalty and shall not exceed \$2,500.00 as a local penalty

as determined by the commissioner. Such determination shall be made within 60 days of the commissioner receiving information of a possible violation of this paragraph.

(E) Except in the case in which an extension of the registration period has been granted by the county tag agent under Code Section 40-2-20, a dealer of new or used motor vehicles that ~~accepts~~ makes an application for title and collects state and local title ad valorem tax fees from a purchaser of a new or used motor vehicle and does not submit or, in the case of an electronic title transaction, finalize such application for title and remit such state and local title ad valorem tax fees to the county tag agent within 30 days following the date of purchase shall be liable to the county tag agent for an amount equal to 5 percent of the amount of such state and local title ad valorem tax fees. An additional penalty equal to 10 percent of the amount of such state and local title ad valorem tax fees shall be imposed if such payment is not transmitted within 60 days following the date of purchase. An additional penalty equal to 15 percent of the amount of such state and local title ad valorem tax fees shall be imposed if such payment is not transmitted within 90 days following the date of purchase, and an additional penalty equal to 20 percent of the amount of such state and local title ad valorem tax fees shall be imposed if such payment is not transmitted within 120 days following the date of purchase. An additional penalty equal to 25 percent of the amount of such state and local title ad valorem tax fees shall be imposed for each subsequent 30 day period in which the payment is not transmitted.

(F) A dealer of new or used motor vehicles that ~~accepts~~ makes an application for title and collects state and local title ad valorem tax fees from a purchaser of a new or used motor vehicle and converts such fees to his or her own use shall be guilty of theft by conversion and, upon conviction, shall be punished as provided in Code Section 16-8-12.

(2) A person or entity acquiring a salvage title pursuant to subsection (b) of Code Section 40-3-36 shall not be subject to the fee specified in paragraph (1) of this subsection but shall be subject to a state title ad valorem tax fee in an amount equal to 1 percent of the fair market value of the motor vehicle. Such state title ad valorem tax fee shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(c)(1) The amount of proceeds collected by tag agents each month as state and local title ad valorem tax fees, state salvage title ad valorem tax fees, administrative fees, penalties, and interest pursuant to subsection (b) of this Code section shall be allocated and disbursed as provided in this subsection.

(2) For the 2013 tax year and in each subsequent tax year, the amount of such funds shall be disbursed within 20 days following the end of each calendar month as follows:

(A) State title ad valorem tax fees, state salvage title ad valorem tax fees, administrative fees, penalties, and interest shall be remitted to the state revenue commissioner who shall deposit such proceeds in the general fund of the state less

an amount to be retained by the tag agent not to exceed 1 percent of the total amount otherwise required to be remitted under this subparagraph to defray the cost of administration. Such retained amount shall be remitted to the collecting county's general fund. Failure by the tag agent to disburse within such 20 day period shall result in a forfeiture of such administrative fee plus interest on such amount at the rate specified in Code Section 48-2-40; and

(B) Local title ad valorem tax fees, administrative fees, penalties, and interest shall be designated as local government ad valorem tax funds. The tag agent shall then distribute the proceeds as specified in paragraph (3) of this subsection, less an amount to be retained by the tag agent not to exceed 1 percent of the total amount otherwise required to be remitted under this subparagraph to defray the cost of administration. Such retained amount shall be remitted to the collecting county's general fund. Failure by the tag agent to disburse within such 20 day period shall result in a forfeiture of such administrative fee plus interest on such amount at the rate specified in Code Section 48-2-40.

(3) ~~The local~~ Beginning July 1, 2019, the portion of the title ad valorem tax fee proceeds required under this subsection to be retained by the county pursuant to division (b)(1)(B)(iii) of this Code section shall be distributed as follows:

(A) ~~The tag agent of the county shall within 20 days following the end of each calendar month allocate and distribute to the county governing authority and to municipal governing authorities, the board of education of the county school district, the board of education of any independent school district located in such county, the water and sewerage authority for which the county has levied an ad valorem tax in accordance with a local constitutional amendment, and in a county in which a sales and use tax is levied for purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Ga. L. 1964, p. 1008, the governing body of the transportation authority created by the Metropolitan Atlanta Rapid Transit Authority Act of 1965, Ga. L. 1965, p. 2243, as amended, and the amendment to the Constitution set out at Ga. L. 1964, p. 1008, an amount of those proceeds necessary to offset any reduction in (i) ad valorem tax on motor vehicles collected under Chapter 5 of this title in the taxing jurisdiction of each governing authority, school district, and water and sewerage authority from the amount of ad valorem taxes on motor vehicles collected under Chapter 5 of this title in each such governing authority, school district, and water and sewerage authority during the same calendar month of 2012 and (ii) with respect to the transportation authority, the monthly average portion of the sales and use tax levied for purposes of a metropolitan area system of public transportation applicable to any motor vehicle titled in a county which levied such tax in 2012. Such amount of tax may be determined by the commissioner for counties which levied such tax in 2012, and any counties which subsequently levy a tax pursuant to a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Ga. L. 1964, p. 1008, the governing body of the transportation authority created by the Metropolitan Atlanta Rapid Transit Authority Act of 1965, Ga. L. 1965, p.~~

~~2243, as amended, and the amendment to the Constitution set out at Ga. L. 1964, p. 1008, the Commissioner may determine what amount of sales and use tax would have been collected in 2012, had such tax been levied. This reduction shall be calculated, with respect to (i) above, by subtracting the amount of ad valorem tax on motor vehicles collected under Chapter 5 of this title in each such taxing jurisdiction from the amount of ad valorem tax on motor vehicles collected under Chapter 5 of this title in that taxing jurisdiction in the same calendar month of 2012. In the event that the local title ad valorem tax fee proceeds are insufficient to fully offset such reduction in ad valorem taxes on motor vehicles or the portion of the sales and use tax described in (ii) above, the tag agent shall allocate a proportionate amount of the proceeds to each governing authority, the board of education of each such school district, the water and sewerage authority, and the transportation authority, and any remaining shortfall shall be paid from the following month's local title ad valorem tax fee proceeds. In the event that a shortfall remains, the tag agent shall continue to first allocate local title ad valorem tax fee proceeds to offset such shortfalls until the shortfall has been fully repaid; and The tag agent of the county shall within 20 days following the end of each calendar month allocate and distribute to the water and sewerage authority for which the county has levied an ad valorem tax in accordance with a local constitutional amendment, and in a county in which a sales and use tax is levied for purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Ga. L. 1964, p. 1008, the governing body of the transportation authority created by the Metropolitan Atlanta Rapid Transit Authority Act of 1965, Ga. L. 1965, p. 2243, as amended, and the amendment to the Constitution set out at Ga. L. 1964, p. 1008, an amount of those proceeds necessary to offset any reduction in:~~

- ~~(i) Ad valorem taxes on motor vehicles collected under Chapter 5 of this title on behalf of such water and sewerage authority during calendar year 2012; and~~
- ~~(ii) With respect to the transportation authority, the monthly average portion of the sales and use tax levied for purposes of a metropolitan area system of public transportation applicable to any motor vehicle titled in a county which levied such tax in 2012.~~

~~Such amount of tax under division (ii) of this subparagraph may be determined by the commissioner for counties which levied such tax in 2012, and in any counties which subsequently levy a tax pursuant to a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Ga. L. 1964, p. 1008, the governing body of the transportation authority created by the Metropolitan Atlanta Rapid Transit Authority Act of 1965, Ga. L. 1965, p. 2243, as amended, and the amendment to the Constitution set out at Ga. L. 1964, p. 1008, the commissioner may determine what amount of sales and use tax would have been collected in calendar year 2012, had such tax been levied. The amount of the reduction to be offset under this subparagraph with respect to division (i) of this subparagraph shall be calculated by the county governing authority by subtracting the amount of title ad valorem tax on motor vehicles collected under Chapter 5 of~~

this title on behalf of such water and sewerage authority in the current calendar month from one-twelfth of the amount of such ad valorem tax on motor vehicles collected on behalf of such water and sewerage authority in calendar year 2012. The amount of the reduction to be offset under this subparagraph with respect to division (ii) of this subparagraph shall be calculated by the county governing authority by subtracting the amount of sales tax collected or determined to have been collected on such motor vehicles by the state revenue commissioner in the current calendar month in any such county from one-twelfth of the amount of sales and use tax collected, or determined to have been collected, on such motor vehicles, by the state revenue commissioner in calendar year 2012 in such county. In the event that the local title ad valorem tax proceeds are insufficient to offset fully such reduction in ad valorem taxes on motor vehicles or the portion of the sales and use tax described in division (ii) of this subparagraph, the tag agent shall allocate a proportionate amount of the proceeds to such water and sewerage authority and the transportation authority, as appropriate, and any remaining shortfall shall be paid from the following month's local title ad valorem tax fee proceeds. In the event that a shortfall remains, the tag agent shall continue to first allocate local title ad valorem tax fee proceeds to offset such shortfalls until the shortfall has been fully repaid;

~~(B) Of the proceeds remaining following the allocation and distribution under subparagraph (A) of this paragraph, the tag agent shall allocate and distribute to the county governing authority and to municipal governing authorities, the board of education of the county school district, and the board of education of any independent school district located in such county the remaining amount of those proceeds in the manner provided in this subparagraph. Such proceeds shall be deposited in the general fund of such governing authority or board of education and shall not be subject to any use or expenditure requirements provided for under any of the following described local sales and use taxes but shall be authorized to be expended in the same manner as authorized for the ad valorem tax revenues on motor vehicles under Chapter 5 of this title which would otherwise have been collected for such governing authority or board of education. Of such remaining proceeds:~~

~~(i) An amount equal to one third of such proceeds shall be distributed to the board of education of the county school district and the board of education of each independent school district located in such county in the same manner as required for any local sales and use tax for educational purposes levied pursuant to Part 2 of Article 3 of Chapter 8 of this title currently in effect. If such tax is not currently in effect, such proceeds shall be distributed to such board or boards of education in the same manner as if such tax were in effect;~~

~~(ii)(I) Except as otherwise provided in this division, an amount equal to one-third of such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county in the same manner as specified under the distribution certificate for the joint county and municipal sales and use tax under Article 2 of Chapter 8 of~~

~~this title currently in effect.~~

~~(II) If such tax were never in effect, such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county on a pro rata basis according to the ratio of the population that each such municipality bears to the population of the entire county.~~

~~(III) If such tax is currently in effect as well as a local option sales and use tax for educational purposes levied pursuant to a local constitutional amendment, an amount equal to one third of such proceeds shall be distributed in the same manner as required under subdivision (I) of this division and an amount equal to one third of such proceeds shall be distributed to the board of education of the county school district.~~

~~(IV) If such tax is not currently in effect and a local option sales and use tax for educational purposes levied pursuant to a local constitutional amendment is currently in effect, such proceeds shall be distributed to the board of education of the county school district and the board of education of any independent school district in the same manner as required under that local constitutional amendment.~~

~~(V) If such tax is not currently in effect and a homestead option sales and use tax under Article 2A of Chapter 8 of this title is in effect, such proceeds shall be distributed to the governing authority of the county, each qualified municipality, and each existing municipality in the same proportion as otherwise required under Code Section 48-8-104; and~~

~~(iii)(I) An amount equal to one third of such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county in the same manner as specified under an intergovernmental agreement or as otherwise required under the county special purpose local option sales and use tax under Part 1 of Article 3 of Chapter 8 of this title currently in effect; provided, however, that this subdivision shall not apply if subdivision (III) of division (ii) of this subparagraph is applicable.~~

~~(II) If such tax were in effect but expired and is not currently in effect, such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county in the same manner as if such tax were still in effect according to the intergovernmental agreement or as otherwise required under the county special purpose local sales and use tax under Part 1 of Article 3 of Chapter 8 of this title for the 12 month period commencing at the expiration of such tax. If such tax is not renewed prior to the expiration of such 12 month period, such amount shall be distributed in accordance with subdivision (I) of division (ii) of this subparagraph; provided, however, that if a tax under Article 2 of Chapter 8 of this title is not in effect, such amount shall be distributed in accordance with subdivision (II) of division (ii) of this subparagraph.~~

~~(III) If such tax is not currently in effect in a county in which a tax is levied for~~

~~purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Ga. L. 1964, p. 1008; the continuation of such amendment under Article XI, Section I, Paragraph IV(d) of the Constitution; and the laws enacted pursuant to such constitutional amendment, such proceeds shall be distributed in such county, in the same manner as ad valorem tax on motor vehicles collected under Chapter 5 of this title in the taxing jurisdiction of each governing authority and school district from the amount of ad valorem taxes on motor vehicles collected under Chapter 5 of this title in each such governing authority and school district during the same calendar month of 2012.~~

~~(IV) If such tax were never in effect, such proceeds shall be distributed in the same manner as specified under the distribution certificate for the joint county and municipal sales and use tax under Article 2 of Chapter 8 of this title currently in effect; provided, however, that if such tax under such article is not in effect, such proceeds shall be distributed to the governing authority of the county and the governing authority of each qualified municipality located in such county on a pro rata basis according to the ratio of the population that each such municipality bears to the population of the entire county. As to the proceeds remaining after the distribution provided for in subparagraph (A) of this paragraph, with regard to the proceeds associated with and collected on motor vehicle titles for motor vehicles registered in the unincorporated areas of the county, the tag agent of the county shall within 20 days following the end of each calendar month allocate and distribute 51 percent of such proceeds to the county governing authority and distribute 49 percent of such proceeds to the board of education of the county school district; and~~

~~(C) As to the proceeds remaining after the distribution provided for in subparagraph (A) of this paragraph, with regard to the proceeds associated with and collected on motor vehicle titles for motor vehicles registered in the incorporated areas of the county, the tag agent of the county shall within 20 days following the end of each calendar month allocate such proceeds by the municipality from which the proceeds were derived and then, for each such municipality, distribute 28 percent of such proceeds to the county governing authority and 23 percent of such proceeds to the governing authority of such municipality, and the remaining 49 percent of such proceeds shall be distributed to the board of education of the county school district; provided, however, that, if there is an independent school district in such municipality, then such remaining 49 percent of such proceeds shall be distributed to the board of education of the independent school district.~~

(d)(1)(A) Upon the death of an owner of a motor vehicle which has not become subject to paragraph (1) of subsection (b) of this Code section, the immediate family member or immediate family members of such owner who receive such motor vehicle pursuant to a will or under the rules of inheritance shall, subsequent to the transfer of title of such motor vehicle, continue to be subject to ad valorem tax under Chapter 5 of this title and shall not be subject to the state and local title ad valorem

tax fees provided for in paragraph (1) of subsection (b) of this Code section unless the immediate family member or immediate family members make an affirmative written election to become subject to paragraph (1) of subsection (b) of this Code section. In the event of such election, such transfer shall be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section.

(B) Upon the death of an owner of a motor vehicle which has become subject to paragraph (1) of subsection (b) of this Code section, the immediate family member or immediate family members of such owner who receive such motor vehicle pursuant to a will or under the rules of inheritance shall be subject to a state title ad valorem tax fee in an amount equal to one-quarter of 1 percent of the fair market value of the motor vehicle and a local title ad valorem tax fee in an amount equal to one-quarter of 1 percent of the fair market value of the motor vehicle. Such title ad valorem tax fees shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(2)(A) Upon the transfer from an immediate family member of a motor vehicle which has not become subject to paragraph (1) of subsection (b) of this Code section, the immediate family member or immediate family members who receive such motor vehicle shall, subsequent to the transfer of title of such motor vehicle, continue to be subject to ad valorem tax under Chapter 5 of this title and shall not be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section unless the immediate family member or immediate family members make an affirmative written election to become subject to paragraph (1) of subsection (b) of this Code section. In the event of such election, such transfer shall be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section.

(B) Upon the transfer from an immediate family member of a motor vehicle which has become subject to paragraph (1) of subsection (b) of this Code section, the immediate family member who receives such motor vehicle shall transfer title of such motor vehicle to such recipient family member and shall be subject to a state title ad valorem tax fee in an amount equal to one-quarter of 1 percent of the fair market value of the motor vehicle and a local title ad valorem tax fee in an amount equal to one-quarter of 1 percent of the fair market value of the motor vehicle. Such title ad valorem tax fees shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(C) Any title transfer under this paragraph shall be accompanied by an affidavit of the transferor and transferee that such persons are immediate family members to one another. There shall be a penalty imposed on any person who, in the determination of the state revenue commissioner, falsifies any material information in such affidavit. Such penalty shall not exceed \$2,500.00 as a state penalty and shall not exceed \$2,500.00 as a local penalty as determined by the state revenue commissioner. Such determination shall be made within 60 days of the state revenue commissioner receiving information of a possible violation of this

paragraph.

(3) Any individual who:

(A) Is required by law to register a motor vehicle or motor vehicles in this state which were registered in the state in which such person formerly resided; and

(B) Is required to file an application for a certificate of title under Code Section 40-3-21 or 40-3-32

shall ~~only~~ be required to pay state and local title ad valorem tax fees in ~~the~~ an amount equal to 3 percent of the fair market value of the motor vehicle ~~of 50 percent of the amount which would otherwise be due and payable under this subsection at the time of filing the application for a certificate of title, and the remaining 50 percent shall be paid within 12 months.~~

(4) The state and local title ad valorem tax fees provided for under this Code section shall not apply to corrected titles, replacement titles under Code Section 40-3-31, or titles reissued to the same owner pursuant to Code Sections 40-3-50 through 40-3-56.

(5) Any motor vehicle subject to state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section shall continue to be subject to the title, license plate, revalidation decal, and registration requirements and applicable fees as otherwise provided in Title 40 in the same manner as motor vehicles which are not subject to state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section.

(6) Motor vehicles owned or leased by or to the state or any county, consolidated government, municipality, county or independent school district, or other government entity in this state shall not be subject to the state and local title ad valorem tax fees provided for under paragraph (1) of subsection (b) of this Code section; provided, however, that such other government entity shall not qualify for the exclusion under this paragraph unless it is exempt from ad valorem tax and sales and use tax pursuant to general law.

(7)(A) Any motor vehicle which is exempt from sales and use tax pursuant to paragraph (30) of Code Section 48-8-3 shall be exempt from state and local title ad valorem tax fees under this subsection.

(B) Any motor vehicle which is exempt from ad valorem taxation pursuant to Code Section 48-5-478, 48-5-478.1, 48-5-478.2, or 48-5-478.3 shall be exempt from state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section.

(7.1)(A) As used in this paragraph, the term 'for-hire charter bus or motor coach' means a motor vehicle designed for carrying more than 15 passengers and used for the transportation of persons for compensation.

(B) In the case of for-hire charter buses or motor coaches, the person applying for a certificate of title shall be required to pay title ad valorem tax fees in the amount of 50 percent of the amount which would otherwise be due and payable under this subsection at the time of filing the application for a certificate of title, and the remaining 50 percent shall be paid within 12 months following the filing of such application.

(8) There shall be a penalty imposed on the transfer of all or any part of the interest in a business entity that includes primarily as an asset of such business entity one or more motor vehicles, when, in the determination of the state revenue commissioner, such transfer is done to evade the payment of state and local title ad valorem tax fees under this subsection. Such penalty shall not exceed \$2,500.00 as a state penalty per motor vehicle and shall not exceed \$2,500.00 as a local penalty per motor vehicle, as determined by the state revenue commissioner, plus the amount of the state and local title ad valorem tax fees. Such determination shall be made within 60 days of the state revenue commissioner receiving information that a transfer may be in violation of this paragraph.

(9) Any owner of any motor vehicle who fails to submit within 30 days of the date such owner is required by law to register such vehicle in this state an application for a first certificate of title under Code Section 40-3-21 or a certificate of title under Code Section 40-3-32 shall be required to pay a penalty in the amount of 10 percent of the state title ad valorem tax fees and 10 percent of the local title ad valorem tax fees required under this Code section and, if such state and local title ad valorem tax fees and the penalty are not paid within 60 days following the date such owner is required by law to register such vehicle, interest at the rate of ~~4-0~~ 1 percent per month shall be imposed on the state and local title ad valorem tax fees due under this Code section, unless a temporary permit has been issued by the tax commissioner. The tax commissioner shall grant a temporary permit in the event the failure to timely apply for a first certificate of title is due to the failure of a lienholder to comply with Code Section 40-3-56, regarding release of a security interest or lien, and no penalty or interest shall be assessed. Such penalty and interest shall be in addition to the penalty and fee required under Code Section 40-3-21 or 40-3-32, as applicable.

(10) The owner of any motor vehicle for which a title was issued in this state on or after January 1, 2012, and prior to March 1, 2013, shall be authorized to opt in to the provisions of this subsection at any time prior to February 28, 2014, upon compliance with the following requirements:

(A)(i) The total amount of Georgia state and local title ad valorem tax fees which would be due from March 1, 2013, to December 31, 2013, if such vehicle had been titled in 2013 shall be determined; and

(ii) The total amount of Georgia state and local sales and use tax and Georgia state and local ad valorem tax under Chapter 5 of this title which were due and paid in 2012 for that motor vehicle and, if applicable, the total amount of such taxes which were due and paid for that motor vehicle in 2013 and 2014 shall be determined; and

(B)(i) If the amount derived under division (i) of subparagraph (A) of this paragraph is greater than the amount derived under division (ii) of subparagraph (A) of this paragraph, the owner shall remit the difference to the tag agent. Such remittance shall be deemed local title ad valorem tax fee proceeds; or

(ii) If the amount derived under division (i) of subparagraph (A) of this paragraph is less than the amount derived under division (ii) of subparagraph (A) of this

paragraph, no additional amount shall be due and payable by the owner.

Upon certification by the tag agent of compliance with the requirements of this paragraph, such motor vehicle shall not be subject to ad valorem tax as otherwise required under Chapter 5 of this title in the same manner as otherwise provided in paragraph (1) of subsection (b) of this Code section.

(11)(A) In the case of rental motor vehicles owned by a rental motor vehicle concern, the state title ad valorem tax fee shall be in an amount equal to .625 percent of the fair market value of the motor vehicle, and the local title ad valorem tax fee shall be in an amount equal to .625 percent of the fair market value of the motor vehicle, but only if in the immediately prior calendar year the average amount of sales and use tax attributable to the rental charge of each such rental motor vehicle was at least \$400.00 as certified by the state revenue commissioner. If, in the immediately prior calendar year, the average amount of sales and use tax attributable to the rental charge of each such rental motor vehicle was not at least \$400.00, this paragraph shall not apply and such vehicles shall be subject to the state and local title ad valorem tax fees prescribed in division (b)(1)(B)(ii) of this Code section.

(B) Such title ad valorem tax fees shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(12) A loaner vehicle shall not be subject to state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section for a period of time not to exceed 366 days commencing on the date such loaner vehicle is withdrawn temporarily from inventory. Immediately upon the expiration of such 366 day period, if the dealer does not return the loaner vehicle to inventory for resale, the dealer shall be responsible for remitting state and local title ad valorem tax fees in the same manner as otherwise required of an owner under paragraph (9) of this subsection and shall be subject to the same penalties and interest as an owner for noncompliance with the requirements of paragraph (9) of this subsection.

(13) Any motor vehicle which is donated to a nonprofit organization exempt from taxation under Section 501(c)(3) of the Internal Revenue Code ~~for the purpose of being transferred to another person~~ shall, when titled in the name of such nonprofit organization, not be subject to state and local title ad valorem tax fees under paragraph (1) of subsection (b) of this Code section but shall be subject to state and local title ad valorem tax fees ~~otherwise applicable to salvage titles under paragraph (2) of subsection (b) of this Code section~~ in the amount of 1 percent of the fair market value of the motor vehicle. Such title ad valorem tax fees shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(14)(A) A lessor of motor vehicles that leases motor vehicles for more than 31 consecutive days to lessees residing in this state shall register with the department. The department shall collect an annual fee of \$100.00 for such registrations. Failure of a lessor to register under this subparagraph shall subject such lessor to a civil penalty of \$2,500.00.

(B) A lessee residing in this state who leases a motor vehicle under this paragraph shall register such motor vehicle with the tag agent in such lessee's county of residence within 30 days of the commencement of the lease of such motor vehicle or beginning residence in this state, whichever is later.

(C) A lessor that leases a motor vehicle under this paragraph to a lessee residing in this state shall apply for a certificate of title in this state within 30 days of the commencement of the lease of such motor vehicle.

(15) There shall be no liability for any state or local title ad valorem tax fees in any of the following title transactions:

(A) The addition or substitution of lienholders on a motor vehicle title so long as the owner of the motor vehicle remains the same;

(B) The acquisition of a bonded title by a person or entity pursuant to Code Section 40-3-28 if the title is to be issued in the name of such person or entity;

(C) The acquisition of a title to a motor vehicle by a person or entity as a result of the foreclosure of a mechanic's lien pursuant to Code Section 40-3-54 if such title is to be issued in the name of such lienholder;

(D) The acquisition of a title to an abandoned motor vehicle by a person or entity pursuant to Chapter 11 of Title 40 if such person or entity is a manufacturer or dealer of motor vehicles and the title is to be issued in the name of such person or entity;

(E) The obtaining of a title to a stolen motor vehicle by a person or entity pursuant to Code Section 40-3-43;

(F) The obtaining of a title by and in the name of a motor vehicle manufacturer, licensed distributor, licensed dealer, or licensed rebuilder for the purpose of sale or resale or to obtain a corrected title, provided that the manufacturer, distributor, dealer, or rebuilder shall submit an affidavit in a form promulgated by the commissioner attesting that the transfer of title is for the purpose of accomplishing a sale or resale or to correct a title only;

(G) The obtaining of a title by and in the name of the holder of a security interest when a motor vehicle has been repossessed after default in accordance with Part 6 of Article 9 of Title 11 if such title is to be issued in the name of such security interest holder;

(H) The obtaining of a title by a person or entity for purposes of correcting a title, changing an odometer reading, or removing an odometer discrepancy legend, provided that, subject to subparagraph (F) of this paragraph, title is not being transferred to another person or entity; ~~and~~

(I) The obtaining of a title by a person who pays state and local title ad valorem tax fees on a motor vehicle and subsequently moves out of this state but returns and applies to retitle such vehicle in this state;

(J) The transfer of a title made as a result of a business reorganization when the owners, partners, members, or stockholders of the business being reorganized maintain the same proportionate interest or share in the newly formed business reorganization;

(K) The transfer of a title from a company to an owner of the company for the purpose of such individual obtaining a prestige or special license plate for the motor vehicle; and

(L) The transfer of a title from an owner of a company to the company.

(16) It shall be unlawful for a person to fail to obtain a title for and register a motor vehicle in accordance with the provisions of this chapter. Any person who knowingly and willfully fails to obtain a title for or register a motor vehicle in accordance with the provisions of this chapter shall be guilty of a misdemeanor.

(17)(A) Any person who purchases a 1963 through 1985 model year motor vehicle for which such person obtains a title shall be subject to this Code section, but the state title ad valorem tax fee shall be in an amount equal to ~~.50~~ 0.5 percent of the fair market value of such motor vehicle, and the local title ad valorem tax fee shall be in an amount equal to ~~.50~~ 0.5 percent of the fair market value of such motor vehicle.

(B) The owner of a 1962 or earlier model year motor vehicle who obtains a conditional title pursuant to Code Section 40-3-21.1 for such motor vehicle shall be authorized to opt in to the provisions of this subsection upon the payment of a state title ad valorem tax fee in an amount equal to 0.5 percent of the fair market value of such motor vehicle and a local title ad valorem tax fee in an amount equal to 0.5 percent of the fair market value of such motor vehicle. Upon certification by the tag agent of compliance with the requirements of this subparagraph, such motor vehicle shall not be subject to ad valorem tax as otherwise required under Chapter 5 of this title in the same manner as otherwise provided in paragraph (1) of subsection (b) of this Code section.

(18)(A) Upon the transfer of title as the result of a divorce decree or court order of a motor vehicle which has not become subject to paragraph (1) of subsection (b) of this Code section, the person who receives such motor vehicle shall, subsequent to the transfer of title of such motor vehicle, continue to be subject to the ad valorem tax under Chapter 5 of this title and shall not be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section unless such person makes an affirmative written election to become subject to paragraph (1) of subsection (b) of this Code section. In the event of such election, such transfer shall be subject to the state and local title ad valorem tax fees provided for in paragraph (1) of subsection (b) of this Code section.

(B) Upon the transfer of title as the result of a divorce decree or court order of a motor vehicle which has become subject to paragraph (1) of subsection (b) of this Code section, the person who receives such motor vehicle shall, at the time of the transfer of title of such motor vehicle, be subject to a state title ad valorem tax fee in an amount equal to one-half of 1 percent of the fair market value of the motor vehicle and a local title ad valorem tax fee in an amount equal to one-half of 1 percent of the fair market value of the motor vehicle. Such title ad valorem tax fees shall be an alternative ad valorem tax as authorized by Article VII, Section I, Paragraph III(b)(3) of the Georgia Constitution.

(C) Any title transfer under this paragraph shall be accompanied by an affidavit of the transferee that such transfer is pursuant to a divorce decree or court order, and the transferee shall attach such decree or order to the affidavit. There shall be a penalty imposed on any person who, in the determination of the state revenue commissioner, falsifies any material information in such affidavit. Such penalty shall not exceed \$2,500.00 as a state penalty and shall not exceed \$2,500.00 as a local penalty as determined by the state revenue commissioner. Such determination shall be made within 60 days of the state revenue commissioner receiving information of a possible violation of this paragraph.

(e) The fair market value of any motor vehicle subject to this Code section shall be appealable in the same manner as otherwise authorized for a motor vehicle subject to ad valorem taxation under Code Section 48-5-450; provided, however, that the person appealing the fair market value shall first pay the full amount of the state and local title ad valorem tax prior to filing any appeal. If the appeal is successful, the amount of the tax owed shall be recalculated and, if the amount paid by the person appealing the determination of fair market value is greater than the recalculated tax owed, the person shall be promptly given a refund of the difference.

(f) Beginning in 2014, on or before January 31 of each year, the department shall provide a report to the chairpersons of the House Committee on Ways and Means and the Senate Finance Committee showing the state and local title ad valorem tax fee revenues collected pursuant to this chapter and the motor vehicle ad valorem tax proceeds collected pursuant to Chapter 5 of this title during the preceding calendar year.

(g) A motor vehicle dealer shall be authorized to apply to the county tag agent of the county in which such motor vehicle is registered for a refund of state and local title ad valorem taxes on behalf of the person who purchased a motor vehicle from such dealer. Such dealer shall promptly pay to such purchaser any refund received by the dealer which is owed to the purchaser, and in any event, such payment shall be made no later than ten days following the receipt of such refund by the dealer. The county tag agent shall approve or deny the request for refund within 30 days after the filing of the application for refund. If the county tag agent denies the refund, the county tag agent shall specify the reasons for such denial. The motor vehicle dealer shall be authorized to appeal such denial to the commissioner within 30 days following such denial."

SECTION 2.

Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is amended by revising subsection (b) of Code Section 40-2-8, relating to the operation of unregistered vehicles, as follows:

"(b)(1) Any vehicle operated in the State of Georgia which is required to be registered and which does not have attached to the rear thereof a numbered license plate and current revalidation decal affixed to a corner or corners of the license plate as designated by the commissioner, if required, shall be stored at the owner's risk and expense by any law enforcement officer of the State of Georgia, unless such operation is otherwise permitted by this chapter.

(2)(A) It shall be a misdemeanor to operate any vehicle required to be registered in the State of Georgia without a valid numbered license plate properly validated, unless such operation is otherwise permitted under this chapter; and provided, further, that the purchaser of a new vehicle or a used vehicle from a dealer of new or used motor vehicles who displays a temporary plate issued as provided by subparagraph (B) of this paragraph may operate such vehicle on the public highways and streets of this state without a current valid license plate during the period within which the purchaser is required by Code Section 40-2-20. An owner acquiring a motor vehicle from an entity that is not a new or used vehicle dealer shall register such vehicle as provided for in Code Section 40-2-29 unless such vehicle is to be registered under the International Registration Plan pursuant to Article 3A of this chapter.

(B)(i) Any dealer of new or used motor vehicles shall issue to the purchaser of a vehicle at the time of sale thereof, unless such vehicle is to be registered under the International Registration Plan, a temporary plate as provided for by department rules or regulations which may bear the dealer's name and location and shall bear ~~the an~~ an expiration date of the period within which the purchaser is required by Code Section 40-2-20 to register such vehicle 45 days from the date of purchase. The expiration date of such a temporary plate may be revised and extended by the county tag agent upon application by the dealer, the purchaser, or the transferee if an extension of the purchaser's initial registration period has been granted as provided by Code Section 40-2-20. Such temporary plate shall not resemble a license plate issued by this state and shall be issued without charge or fee. The requirements of this subparagraph ~~do~~ shall not apply to a dealer whose primary business is the sale of salvage motor vehicles and other vehicles on which total loss claims have been paid by insurers.

(ii) All temporary plates issued by dealers to purchasers of vehicles shall be of a standard design prescribed by regulation promulgated by the department. The department may provide by rule or regulation for the sale and distribution of such temporary plates by third parties in accordance with paragraph (3) of this subsection.

(3) All sellers and distributors of temporary license plates shall maintain an inventory record of temporary license plates by number and name of the dealer.

(4) The purchaser and operator of a vehicle shall not be subject to the penalties set forth in this Code section during the period allowed for the registration of such vehicle. If the owner of such vehicle presents evidence that such owner has properly applied for the registration of such vehicle, but that the license plate or revalidation decal has not been delivered to such owner, then the owner shall not be subject to the penalties enumerated in this subsection."

SECTION 3.

Said title is further amended by revising subsection (c) of Code Section 40-2-29, relating to registration and license plate requirement, license fee to accompany application,

temporary operating permit, and penalties, as follows:

"(c) A person unable to fully comply with the requirements of subsection (a) of this Code section shall register such vehicle and receive a temporary operating permit that will be valid until the end of the initial registration period as provided for in paragraph (.1) of subsection (a) of Code Section 40-2-21. The commissioner may provide by rule or regulation for one 30 day extension of such initial registration period which may be granted by the county tag agent if the transferor has not provided such purchaser or other transferee owner with a title to the motor vehicle more than five business days prior to the expiration of such initial registration period. The county tag agent shall grant an extension of the initial registration period when the transferor, purchaser, or transferee can demonstrate by affidavit in a form provided by the commissioner that title has not been provided to the purchaser or transferee due to the failure of a security interest holder or lienholder to timely release a security interest or lien in accordance with Code Section 40-3-56."

SECTION 4.

Said title is further amended by revising Code Section 40-3-21, relating to the application for the first certificate of title, as follows:

"40-3-21.

(a) The application for the first certificate of title of a vehicle in this state shall be made ~~by the owner to the commissioner or to the commissioner's~~ to the commissioner's duly authorized county tag agent on the prescribed form. Except as provided in subsection (b) of this Code section, the application ~~must~~ shall be submitted to ~~the commissioner or the~~ appropriate authorized county tag agent by the owner of the vehicle within 30 days from the date of purchase of the vehicle or from the date the owner is otherwise required by law to register the vehicle in this state. If the owner does not submit the application within that time, the owner of the vehicle shall be required to pay a penalty of \$10.00 in addition to the ordinary title fee provided for by this chapter. If the documents submitted in support of the title application are rejected, the party submitting the documents shall have 60 days from the date of rejection to resubmit the documents required by the commissioner ~~or the authorized county tag agent~~ for the issuance of a certificate of title. Should the documents not be properly resubmitted within the 60 day period, there shall be an additional \$10.00 penalty assessed, and the owner of the vehicle shall be required to remove immediately the license plate of the vehicle and return the same to ~~the commissioner or the~~ authorized county tag agent. The license plate shall be deemed to have expired at 12:00 Midnight of the sixtieth day following the initial rejection of the documents submitted, if the documents have not been resubmitted as required under this subsection. Such application shall contain:

- (1) The full legal name, driver's license number, residence, and mailing address of the owner;
- (2) A description of the vehicle, including, so far as the following data exist: its make, model, identifying number, type of body, the number of cylinders, and whether new, used, or a demonstrator and, for a manufactured home, the manufacturer's

statement or certificate of origin and the full serial number for all manufactured homes sold in this state on or after July 1, 1994;

(3) The date of purchase by the applicant and, except as provided in paragraph (2) of subsection (c) of this Code section, the name and address of the person from whom the vehicle was acquired and the names and addresses of the holders of all security interests and liens in order of their priority; and

(4) Any further information the commissioner reasonably requires to identify the vehicle and to enable the commissioner or the authorized county tag agent to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the vehicle and liens on the vehicle.

(b)(1) As used in this subsection, the term 'digital signature' means a digital or electronic method executed or adopted by a party with the intent to be bound by or to authenticate a record, which is unique to the person using it, is capable of verification, is under the sole control of the person using it, and is linked to data in such a manner that if the data are changed, the digital or electronic signature is invalidated.

(2) If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of the holder of any security interest created or reserved at the time of the sale by the dealer. The application shall be signed by the owner and, unless the dealer's signature appears on the certificate of title or manufacturer's statement of origin submitted in support of the title application, the dealer, provided that as an alternative to a handwritten signature, the commissioner may authorize use of a digital signature as so long as appropriate security measures are implemented which assure security and verification of the digital signature process, in accordance with regulations promulgated by the commissioner. The dealer shall ~~promptly mail or deliver mail, deliver, or electronically submit~~ the application to the ~~commissioner or the county tag agent of the county in which the seller is located, of the county in which the sale takes place, of the county in which the vehicle is delivered, or of the county wherein the vehicle owner resides so as to have the application submitted to the commissioner or such~~ authorized county tag agent in the county where the vehicle will be registered within 30 days from the date of the sale of the vehicle. If the application is not submitted within that time, the dealer, or in nondealer sales the transferee, shall be required to pay a penalty of \$10.00 in addition to the ordinary title fee paid by the transferee provided for in this chapter. If the documents submitted in support of the title application are rejected, the dealer submitting the documents shall have 60 days from the date of initial rejection to resubmit the documents required by the commissioner ~~or authorized county tag agent~~ for the issuance of a certificate of title. Should the documents not be properly resubmitted within 60 days, there shall be an additional penalty of \$10.00 assessed against the dealer. The willful failure of a dealer to obtain a certificate of title for a purchaser shall be grounds for suspension or revocation of the dealer's state issued license and registration for the sale of motor vehicles.

(c)(1) If the application refers to a vehicle last previously registered in another state or country, the application shall contain or be accompanied by:

- (A) Any certificate of title issued by the other state or country; and
 - (B) Any other information and documents the commissioner ~~or authorized county tag agent~~ reasonably requires to establish the ownership of the vehicle and the existence or nonexistence of security interests in it and liens against it.
- (2) If the application refers to a vehicle last previously registered in another state and if the applicant is the last previously registered owner in such state, the application need not contain the name and address of the person from whom the vehicle was acquired."

SECTION 5.

Said title is further amended by adding a new Code section to read as follows:

"40-3-21.1.

For a 1962 or earlier model year motor vehicle, the owner of such motor vehicle may apply to the commissioner through the county tag agent for a conditional title for such motor vehicle. The application shall be made under oath on a form prescribed by the commissioner for such purpose. Such form shall require the applicant to provide such information as the commissioner shall determine, including all liens and other encumbrances known to the applicant at the time of application, which the commissioner shall cause to be listed on the conditional title upon its issuance. Upon receipt of the application, the commissioner or the commissioner's duly authorized county tag agent shall file such application and, when satisfied as to its genuineness and regularity and that the applicant is entitled to the issuance of a conditional certificate of title under the provisions of this chapter, shall issue a conditional certificate of title for the motor vehicle. The conditional certificate of title shall be clearly marked as such and shall contain a disclaimer that states that the title may not reflect all liens or other encumbrances affecting the motor vehicle. The commissioner may impose a fee for the issuance of a conditional title which shall not exceed \$20.00. The duly authorized county tag agent shall retain 50 percent of such fee for the general fund of the county and shall transmit the remaining 50 percent to the department for deposit into the state treasury."

SECTION 6.

Said title is further amended by revising subsection (b) of Code Section 40-3-32, relating to the transfer of vehicles, as follows:

"(b) Except as provided in Code Section 40-3-33, the transferee, promptly after delivery to him or her of the vehicle and certificate of title, shall execute the application for a new certificate of title on the form the commissioner prescribes and cause the application and the certificate of title to be mailed or delivered to the ~~commissioner or his appropriate~~ authorized county tag agent in the county where the vehicle will be registered together with the application for change of registration for the vehicle, so that the title application shall be received within 30 days from the date of the transfer of the vehicle. If the title application is not received within that time, the owner shall be required to pay a penalty of \$10.00 in addition to the ordinary title fee provided for by

this chapter. If the documents submitted in support of the title application are rejected, the party submitting the documents shall have 60 days from the date of initial rejection to resubmit the documents required by the commissioner for the issuance of title. If the documents are not properly resubmitted within 60 days, there shall be an additional \$10.00 penalty assessed, and the owner of the vehicle shall be required to remove immediately the license plate of the vehicle and return the same to the ~~commissioner~~ authorized county tag agent. The license plate shall be deemed to have expired at 12:00 Midnight of the sixtieth day following the initial rejection of the documents, if the documents have not been resubmitted as required under this subsection."

SECTION 7.

This Act shall become effective on July 1, 2019.

SECTION 8.

All laws and parts of laws in conflict with this Act are repealed.

Senator Hufstetler of the 52nd moved that the Senate adopt the Conference Committee Report on HB 329.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	N Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 4; the motion prevailed, and the Senate adopted the Conference Committee Report on HB 329.

The following bill was taken up to consider the Conference Committee Report thereto:

HB 906. By Representatives Dempsey of the 13th, Ballinger of the 23rd, Houston of the 170th, Efstoration of the 104th and Thomas of the 39th:

A BILL to be entitled an Act to amend Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public records, so as to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Conference Committee Report was as follows:

The Committee of Conference on HB 906 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 906 be adopted.

Respectfully submitted,

FOR THE SENATE:

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Senator Kennedy of the 18th

/s/ Representative Dempsey of the 13th

/s/ Senator Tillery of the 19th

/s/ Representative Reeves of the 34th

/s/ Senator Strickland of the 17th

/s/ Representative Fleming of the 121st

COMMITTEES OF CONFERENCE SUBSTITUTE TO HB 906:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 11 of Title 15 and Code Section 49-5-8 of the Official Code of Georgia Annotated, relating to the Juvenile Code and powers and duties of the Department of Human Services, respectively, so as to allow the Division of Family and Children Services of the Department of Human Services to offer extended care youth services to youths between 18 and 21 years of age under certain circumstances; to change a definition; to clarify juvenile court jurisdiction and the termination of dependency orders; to provide for voluntary agreements for services and court oversight; to change provisions relating to the Department of Human Services' powers and duties; to amend Part 1 of Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to dependency proceedings, so as to require certain information be provided to a caregiver, foster parent, preadoptive parent, or relative by DFCS upon placement of a child; to amend Article 4 of Chapter 18 of Title 50 of the

Official Code of Georgia Annotated, relating to inspection of public records, so as to repeal certain provisions in order to clarify the law regarding the legislative branch of government; to exclude public disclosure of personal information of certain foster parents or former foster parents; to provide for related matters; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to the Juvenile Code, is amended by revising paragraph (10) of Code Section 15-11-2, relating to definitions, as follows:

"(10) 'Child' means any individual who is:

- (A) Under the age of 18 years;
- (B) Under the age of 17 years when alleged to have committed a delinquent act;
- (C) Under the age of 22 years and in the care of DFCS as a result of being adjudicated dependent before reaching 18 years of age; Between 18 and 21 years of age and receiving extended care youth services from DFCS; or
- (D) Under the age of 23 years and eligible for and receiving independent living services through DFCS as a result of being adjudicated dependent before reaching 18 years of age; or
- (E) Under the age of 21 years who committed an act of delinquency before reaching the age of 17 years and who has been placed under the supervision of the court or on probation to the court for the purpose of enforcing orders of the court."

SECTION 1-2.

Said chapter is further amended by revising subparagraph (F) of paragraph (1) of Code Section 15-11-10, relating to exclusive original jurisdiction, as follows:

"(F) ~~Has remained in foster care after such child's eighteenth birthday or who is receiving independent living services from DFCS after such child's eighteenth birthday; provided, however, that such jurisdiction shall be for the purpose of reviewing the status of such child and the services being provided to such child as a result of such child's independent living plan or status as a child in foster care~~ Is receiving extended care youth services; provided, however, that such jurisdiction shall be for the purpose of reviewing the status of the case, determining that extended care youth services are in the best interests of such child, adopting a transition plan for such child, ensuring the provision of developmentally appropriate services and supports consistent with such plans, and determining whether reasonable efforts are being made to transition such child to independent living or another planned permanent adult living arrangement; or"

SECTION 1-3.

Said chapter is further amended by revising paragraph (16) of subsection (b) of Code Section 15-11-201, relating to DFCS case plan contents, as follows:

"(16) A requirement that the DFCS case manager and staff and, as appropriate, other representatives of such child provide him or her with assistance and support in developing a transition plan that is personalized at the direction of such child, including specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and ~~work-free~~ workforce supports and employment services, and is as detailed as such child may elect. The transition plan shall be completed in the 90 day period:

(A) ~~Immediately~~ immediately prior to the date on which such child will attain 18 years of age; ~~or~~

(B) ~~If such child remains in the care of DFCS past his or her eighteenth birthday, before his or her planned exit from DFCS care."~~

SECTION 1-4.

Said chapter is further amended by revising subsection (c) of Code Section 15-11-214, relating to duration of disposition orders, as follows:

"(c) ~~Unless a child remains in DFCS care or continues to receive services from DFCS, when~~ When a child adjudicated as a dependent child reaches 18 years of age, all orders in connection with dependency proceedings affecting him or her then in force terminate and he or she shall be discharged from further obligation or control."

SECTION 1-5.

Said chapter is further amended by adding a new article to read as follows:

ARTICLE 4A**15-11-340.**

(a) A child may receive extended care youth services from DFCS. In order to receive such services, he or she must be between 18 and 21 years of age, sign a voluntary placement agreement with DFCS, and meet objective eligibility criteria established by DFCS, which shall include one or more of the following requirements:

(1) Be completing secondary education or a program leading to an equivalent credential;

(2) Be enrolled in an institution which provides postsecondary or vocational education;

(3) Be a participant in a program or activity designed to promote or remove barriers to employment;

(4) Be employed for at least 120 hours per month;

(5) Be employed for 80 hours per month, provided that he or she is also engaged in one of the activities described in paragraphs (1) through (3) of this subsection or can only work 80 hours per month due to a medical condition; or

- (6) Be incapable of doing any of the activities described in paragraphs (1) through (5) of this subsection due to a medical condition.
- (b) When a child is receiving extended care youth services from DFCS, a DFCS case manager and staff, other representatives of such child and, as appropriate, such child shall develop a transition plan that is personalized at the direction of such child, including an option to execute a durable power of attorney for health care, health care proxy, or other similar document recognized by law with respect to health care and specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and workforce supports and employment services, and is as detailed as such child may elect. Such transition plan shall be completed within 30 days of the child agreeing to such services and shall be updated as required by this article.
- (c) A child may terminate a voluntary placement agreement and stop receiving extended care youth services at any time.
- (d) Every 60 days, a DFCS case manager shall determine if a child is still eligible for extended care youth services. If DFCS determines that a child is no longer eligible for extended care youth services, DFCS may terminate the voluntary placement agreement with such child and stop providing extended care youth services. DFCS shall provide written or electronic notice to such child regarding such termination and to the court that approved such services.
- (e) A child who is within 12 months of becoming 21 years of age shall not be permitted to sign a voluntary placement agreement with DFCS for extended care youth services.

15-11-341.

- (a) No later than 120 days after a voluntary placement agreement is signed by a child, DFCS shall file with the court a written report which shall contain the following:
- (1) The child's name, date of birth, race, gender, and current address;
 - (2) Facts to support a finding that the child meets the eligibility criteria for extended care youth services and an explanation as to why it is in the child's best interests to receive extended care youth services;
 - (3) A copy of the signed voluntary placement agreement;
 - (4) A plan for such child to transition to independent living or another planned permanent adult living arrangement which is appropriate for the age and independence of the child using a form adopted by DFCS;
 - (5) Any information the child wants the court to consider; and
 - (6) Any other information DFCS wants the court to consider.
- (b) Within 30 days of the filing of the written report required by this Code section, the court shall hold a review hearing and make written findings of fact for the purpose of determining whether extended care youth services are in the best interests of such child. The court shall issue an order with regard to the child having extended care youth services if it has determined that such services are in the best interests of the child and, as appropriate, approve or reject the plan for transition to independent living or another planned permanent adult living arrangement submitted by DFCS.

15-11-342.

(a) When a child is receiving services under this article, the date such child is considered to have entered foster care shall be 60 days after such child signed the voluntary placement agreement.

(b)(1) No later than 12 months after a child is considered to have entered foster care, the court shall hold a hearing and make findings of fact for the purpose of determining whether:

(A) The services and supports provided by DFCS under the child's voluntary placement agreement are developmentally appropriate;

(B) DFCS has made reasonable efforts to finalize the child's plan for transition to independent living or another planned permanent adult living arrangement; and

(C) The child is making progress toward achieving independence.

(2) The court shall issue an order adopting or rejecting any updated transition plan for such child.

(c) So long as a child is eligible for and remains in extended care youth services, the court shall conduct periodic review hearings and make written findings of fact in accordance with subsection (b) of this Code section no later than 12 months following the previous hearing. Such periodic review hearings shall continue so long as such child is eligible for and remains in extended care youth services.

(d) Five days prior to any hearing conducted under this Code section, DFCS shall submit a report for the court's consideration, on a form adopted by DFCS, recommending a plan for transition to independent living or another permanent planned adult living arrangement and include the child's name, address, and telephone number, the date he or she entered extended care youth services, and the placement and services being provided for such child.

(e) Within the 90 day period prior to a child no longer receiving extended care youth services from DFCS, a DFCS case manager and staff, and other representatives of such child and, as appropriate, such child shall develop a final transition plan that is personalized at the direction of such child, including an option to execute a durable power of attorney for health care, health care proxy, or other similar document recognized by law with respect to health care and specific options on housing, health insurance, education, local opportunities for mentors and continuing support services, and workforce supports and employment services, and is as detailed as such child may elect."

PART II

SECTION 2-1.

Code Section 49-5-8 of the Official Code of Georgia Annotated, relating to the powers and duties of the Department of Human Services, is amended in subsection (a) by deleting "and" at the end of paragraph (10), by replacing the period with "; and" at the end of paragraph (11), and by adding a new paragraph to read as follows:

"(12) Extended care youth services for youths between 18 and 21 years of age as set

forth in Article 4A of Chapter 11 of Title 15 and to receive federal reimbursement for providing such services in accordance with 42 U.S.C. Section 675, as it existed on February 1, 2018."

PART III
SECTION 3-1.

Part 1 of Article 3 of Chapter 11 of Title 15 of the Official Code of Georgia Annotated, relating to general provisions relative to dependency proceedings, is amended by revising Code Section 15-11-109, relating to notice of hearings to specified nonparties, as follows: "15-11-109.

(a) In advance of each hearing or review, DFCS shall give written notice of the date, time, place, and purpose of the review or hearing, including the right to be heard, to the caregiver of a child, the foster parent of a child, any preadoptive parent, or any relative providing care for a child. The written notice shall be delivered to the recipient at least 72 hours before the review or hearing, except in the case of preliminary protective hearings or emergency hearings when such notice is not possible, by United States mail, e-mail, or hand delivery.

(b) Notice of a hearing or review shall not be construed to require a legal custodian, foster parent, preadoptive parent, or relative caring for a child to be made a party to the hearing or review solely on the basis of such notice and opportunity to be heard.

(c) Upon placement of a child, DFCS shall provide the caregiver, foster parent, preadoptive parent, or relative providing care for such child with the following information in writing:

(1) At the time of placement:

(A) An explanation of the process for enrolling the child in school and any information necessary to complete the process;

(B) A description of any financial assistance for which the caregiver, foster parent, preadoptive parent, or relative may be eligible, including any financial assistance available for child care;

(C) A description of the reasonable and prudent parenting standard defined in Code Section 49-5-3; and

(D) Contact information for a county or district department of family and children services; and

(2) At the time of placement, if available:

(A) A copy of or recommendations from the child's most recent physical and dental examinations and any available information on the child's known medical conditions and current medications;

(B) A copy of or recommendations from the child's most recent developmental assessment, trauma assessment, and psychological evaluation;

(C) A copy of any court scheduling order or the dates and times for any scheduled hearings relating to the child; and

(D) Health insurance information for the child, including the child's Medicaid

number.

If the information listed in this paragraph is not available to DFCS at the time of placement, DFCS shall request such information no later than 15 days after the child enters foster care and provide such information to the caregiver, foster parent, preadoptive parent, or relative providing care for the child. Provision of records in accordance with this paragraph shall not be considered a violation of subsection (b) of Code Section 49-5-40."

PART IV SECTION 4-1.

Article 4 of Chapter 18 of Title 50 of the Official Code of Georgia Annotated, relating to inspection of public records, is amended in subsection (a) of Code Section 50-18-72, relating to when public disclosure is not required, by repealing and reserving paragraph (12) and by adding a new paragraph to read as follows:

"(21.1)(A) Records of the Department of Human Services concerning any foster parent or former foster parent that reveal his or her home address, home telephone number, day and month of birth, social security number, insurance or medical information, mother's birth name, credit card information, debit card information, bank account information, account number, utility account number, password used to access his or her account, financial data or information other than compensation by a government agency, or unlisted telephone number if so designated in a public record or that reveal the identity of his or her immediate family members or dependents.

(B) For the purposes of this paragraph, the term 'foster parent or former foster parent' means individuals who were approved to serve in such capacity by the Division of Family and Children Services of the Department of Human Services or a child-placing agency licensed in accordance with Code Section 49-5-12;"

PART V SECTION 5-1.

This part and Part IV of this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval. Part II and Part III of this Act shall become effective on July 1, 2018. Part I of this Act shall become effective on July 1, 2020.

SECTION 5-2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Tillery of the 19th moved that the Senate adopt the Conference Committee Report on HB 906.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 52, nays 0; the motion prevailed, and the Senate adopted the Conference Committee Report on HB 906.

The following bill was taken up to consider House action thereto:

HB 657. By Representatives Petrea of the 166th, Gilliard of the 162nd, Stephens of the 164th, Clark of the 147th, Hitchens of the 161st and others:

A BILL to be entitled an Act to amend Part 1 of Article 4 of Chapter 11 of Title 16 of the Official Code of Georgia Annotated, relating to general provisions regarding dangerous instrumentalities and practices, so as to make unlawful the knowing and intentional provision of any firearm for the purpose of providing such firearm to any person known to be on probation as a felony first offender or to have been convicted of a felony; to provide for criminal penalties; to clarify that affirmative confirmation by firearm provider is not required; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the substitute to HB 657 (LC 29 8114S) by replacing line 5 with the following:
 or to have been convicted of a felony; to provide for exceptions; to provide for criminal penalties; to provide for an

By inserting between lines 29 and 30 the following:

(3) This subsection shall not apply to any person providing a firearm to any other person who has been:

(A) Pardoned for the felony by the President of the United States, the State Board of Pardons and Paroles, or the person or agency empowered to grant pardons under the constitutions or laws of any other state of the United States or of a foreign nation and, by the terms of the pardon, has expressly been authorized to receive, possess, or transport a firearm; or

(B) Otherwise granted relief from the disabilities of Code Section 16-11-131 pursuant to subsections (c) and (d) of such Code section.

Senator Watson of the 1st moved that the Senate agree to the House amendment to the Senate substitute to HB 657.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Jones, B	Y Shafer
Y Black	Y Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 49, nays 1; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 657.

The following Senators were excused for business outside the Senate Chamber:

Harper of the 7th

Martin of the 9th

Shafer of the 48th

The following bill was taken up to consider House action thereto:

HB 65. By Representatives Peake of the 141st, Gravley of the 67th, Powell of the 32nd, Clark of the 98th, Battles of the 15th and others:

A BILL to be entitled an Act to amend Code Section 31-2A-18 of the Official Code of Georgia Annotated, relating to the establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards, quarterly reports, and waiver forms, so as to change provisions relating to conditions and eligibility; to provide a definition; to remove certain reporting requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend the substitute to HB 65 (HB 65/SCSFA) by replacing lines 1 through 66 with the following:

To amend Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Public Health, so as to provide for the creation of the Joint Study Commission on Low THC Medical Oil Access; to provide for an automatic repealer; to provide for recommendations by the Georgia Composite Medical Board on additional conditions that may be treated by low THC oil; to revise and provide for defined terms in connection to low THC oil; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2A of Title 31 of the Official Code of Georgia Annotated, relating to general provisions relative to the Department of Public Health, is amended by adding a new Code section to read as follows:

"31-2A-19.

(a) The Joint Study Commission on Low THC Medical Oil Access is hereby created. The commission shall study the in-state access of medical cannabis and low THC oil, including, but not limited to, the security and control of all aspects of the process from acquisition and planting of seeds to final destruction of any unused portion of the plant; quality control of all aspects of the manufacturing process, including, but not limited to, product labeling and independent testing for purity and safety; and all aspects of dispensing the final product, including, but not limited to, security, competency of the dispensing staff, training on dosing, and proper delivery methods. The commission shall study and identify how to ensure proper security safeguards and systems for evaluating qualifications of potential licensees and implement a plan to ensure that low THC oil is readily available in all parts of the state at an affordable price to patients and caregivers who are properly registered in the state.

(b) The commission shall be composed of ten members as follows:

(1) The President of the Senate shall appoint three members of the Senate as members of the commission and shall designate one of such members as cochairperson. The President of the Senate shall also appoint two citizens of this state to serve as members; and

(2) The Speaker of the House of Representatives shall appoint three members of the House of Representatives as members of the commission and shall designate one of such members as cochairperson. The Speaker of the House of Representatives shall also appoint two citizens of this state to serve as members.

(c) The cochairpersons shall call all meetings of the commission. The commission may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this Code section.

(d) The legislative members of the commission shall receive the allowances provided for in Code Section 28-1-8. Any members of the commission who are not legislators shall receive a daily expense allowance in an amount the same as that specified in subsection (b) of Code Section 45-7-21, as well as the mileage or transportation allowance authorized for state employees. The allowances and expenses authorized by this Code section shall not be received by any member of the commission for more than five days unless additional days are authorized. Funds necessary to carry out the provisions of this Code section shall come from funds appropriated to the Senate and the House of Representatives.

(e) The commission shall report its findings and recommendations, including any proposed legislation, no later than December 31, 2018, to the Governor, Lieutenant Governor, Speaker of the House of Representatives, and chairpersons of the Senate Health and Human Services Committee and the House Committee on Health and Human Services.

(f) The commission shall stand abolished and this Code section shall stand repealed by operation of law on December 31, 2018."

SECTION 2.

Said article is further amended in Code Section 31-2A-18, relating to the establishment of the Low THC Oil Patient Registry, definitions, purpose, registration cards, semiannual reports, and waiver forms, in subsection (a) by redesignating paragraphs (5) through (7) as paragraphs (6) through (8), respectively, by adding a new paragraph (5), and by deleting "or" at the end of subparagraph (M) and replacing the period with a semicolon at the end of subparagraph (N) of, and by adding two new subparagraphs to, paragraph (3) and by adding a new subsection to read as follows:

"(5) 'Intractable pain' means pain that has a cause that cannot be removed and for which, according to generally accepted medical practice, the full range of pain management modalities appropriate for the patient has been used for a period of at least six months without adequate results or with intolerable side effects."

"(O) Post-traumatic stress disorder resulting from direct exposure to or the

witnessing of a trauma for a patient who is at least 18 years of age; or
(P) Intractable pain."

"(h) The board shall annually review the conditions included in paragraph (3) of subsection (a) of this Code section and recommend additional conditions that have been shown through medical research to be effectively treated with low THC oil. Such recommendations shall include recommended dosages for a particular condition, patient responses to treatment with respect to the particular condition, and drug interactions with other drugs commonly taken by patients with the particular condition. Such recommendations shall be made to the General Assembly no later than December 1 of each year."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Brass of the 28th moved that the Senate agree to the House amendment to the Senate substitute to HB 65.

On the motion, a roll call was taken and the vote was as follows:

N Albers	Hufstetler	N Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	E Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
N Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
N Cowsert	N Kirk	N Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
Y Ginn	Y Lucas	N Tippins
N Gooch	E Martin	N Unterman
N Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
E Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 38, nays 14; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 65.

The following bill was taken up to consider House action thereto:

SB 263. By Senator Jeffares of the 17th:

A BILL to be entitled an Act to incorporate the City of Eagles Landing; to provide a charter for the City of Eagles Landing; to provide for other matters relative to the foregoing; to provide for a referendum; to provide effective dates; to provide for transition of powers and duties; to provide for community improvement districts; to provide for directory nature of dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To incorporate the City of Eagle's Landing; to provide a charter for the City of Eagle's Landing; to provide for incorporation, boundaries, and powers of the city; to provide for a governing authority of such city and the powers, duties, authority, election, terms, method of filling vacancies, compensation, qualifications, prohibitions, and removal from office relative to members of such governing authority; to provide for inquiries and investigations; to provide for organization and procedures; to provide for ordinances and codes; to provide for the offices of mayor and city manager and certain duties and powers relative to those offices; to provide for administrative responsibilities; to provide for boards, commissions, and authorities; to provide for a city attorney and a city clerk; to provide for rules and regulations; to provide for a municipal court and the judge or judges thereof; to provide for practices and procedures; to provide for taxation and fees; to provide for franchises, service charges, and assessments; to provide for bonded and other indebtedness; to provide for accounting and budgeting; to provide for purchases; to provide for the sale of property; to provide for bonds for officials; to provide for definitions and construction; to provide for other matters relative to the foregoing; to provide for a referendum; to provide effective dates; to provide for transition of powers and duties; to provide for community improvement districts; to provide for directory nature of dates; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

ARTICLE I
INCORPORATION AND POWERS
SECTION 1.10.

Name.

This city and the inhabitants thereof are incorporated by the enactment of this charter and are hereby constituted and declared a body politic and corporate under the name and style Eagle's Landing, Georgia, and by that name shall have perpetual succession.

SECTION 1.11.

Corporate boundaries.

- (a) The corporate boundaries of this city shall be as described and set forth in Appendix A of this charter, and said Appendix A is incorporated into and made a part of this charter.
- (b) The city council shall maintain a current map and written legal description of the corporate boundaries of the city, and such map and description shall incorporate any changes which may hereafter be made in such corporate boundaries.

SECTION 1.12.

Powers and construction.

- (a) This city shall have all powers possible for a city to have under the present or future constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter. This city shall have all the powers of self-government not otherwise prohibited by this charter or by general law.
- (b) The powers of this city shall be construed liberally in favor of the city. The specific mention or failure to mention particular powers shall not be construed as limiting in any way the powers of this city.

SECTION 1.13.

Examples of powers.

- (1) Animal regulations. To regulate and license or to prohibit the keeping or running at-large of animals and fowl, and to provide for the impoundment of same if in violation of any ordinance or lawful order; to provide for the disposition by sale, gift, or humane destruction of animals and fowl when not redeemed as provided by ordinance; and to provide punishment for violation of ordinances enacted hereunder;
- (2) Appropriations and expenditures. To make appropriations for the support of the government of the city; to authorize the expenditure of money for any purposes authorized by this charter and for any purpose for which a municipality is authorized by the laws of the State of Georgia; and to provide for the payment of expenses of the city;
- (3) Building regulation. To regulate and to license the erection and construction of buildings and all other structures; to adopt building, housing, plumbing, fire safety, electrical, gas, and heating and air conditioning codes; and to regulate all housing and building trades;
- (4) Business regulation and taxation. To levy and to provide for the collection of regulatory fees and taxes on privileges, occupations, trades, and professions as authorized by Title 48 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted; to permit and regulate the same; to provide for the manner and method of payment of such regulatory fees and taxes; and to revoke such permits after

due process for failure to pay any city taxes or fees;

(5) Condemnation. To condemn property, inside or outside the corporate limits of the city, for present or future use and for any corporate purpose deemed necessary by the governing authority, utilizing procedures enumerated in Title 22 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted;

(6) Contracts. To enter into contracts and agreements with other governmental entities and with private persons, firms, and corporations;

(7) Emergencies. To establish procedures for determining and proclaiming that an emergency situation exists within or without the city, and to make and carry out all reasonable provisions deemed necessary to deal with or meet such an emergency for the protection, safety, health, or well-being of the citizens of the city;

(8) Environmental protection. To protect and preserve the natural resources, environment, and vital areas of the city, the region, and the state through the preservation and improvement of air quality, the restoration and maintenance of water resources, the control of erosion and sedimentation, the control, regulation, and management of stormwater and establishment of a stormwater utility, the management of solid and hazardous waste, and other necessary actions for the protection of the environment;

(9) Fire regulations. To fix and establish fire limits and from time to time to extend, enlarge, or restrict the same; to prescribe fire safety regulations not inconsistent with general law, relating to both fire prevention and detection and to fire fighting; and to prescribe penalties and punishment for violations thereof;

(10) Garbage fees. To levy, fix, assess, and collect a garbage, refuse, and trash collection and disposal, and other sanitary service charge, tax, or fee for such services as may be necessary in the operation of the city from all individuals, firms, and corporations residing in or doing business therein benefiting from such services; to enforce the payment of such charges, taxes, or fees; and to provide for the manner and method of collecting such service charges;

(11) General health, safety, and welfare. To define, regulate, and prohibit any act, practice, conduct, or use of property which is detrimental to health, sanitation, cleanliness, welfare, and safety of the inhabitants of the city, and to provide for the enforcement of such standards;

(12) Gifts. To accept or refuse gifts, donations, bequests, or grants from any source for any purpose related to powers and duties of the city and the general welfare of its citizens, on such terms and conditions as the donor or grantor may impose;

(13) Health and sanitation. To prescribe standards of health and sanitation and to provide for the enforcement of such standards;

(14) Jail sentences. To provide that persons given jail sentences in the city's court may fulfill such sentences in any public works or on the streets, roads, drains, and other public property in the city; to provide for commitment of such persons to any jail; and to provide for the use of pretrial diversion and any alternative sentencing allowed by law, or to provide for commitment of such persons to any county work camp or county jail by agreement with the appropriate county officials;

- (15) Motor vehicles. To regulate the operation of motor vehicles and exercise control over all traffic, including parking upon or across the streets, roads, alleys, and walkways of the city;
- (16) Municipal agencies and delegation of power. To create, alter, or abolish departments, boards, offices, commissions, and agencies of the city, and to confer upon such agencies the necessary and appropriate authority for carrying out all the powers conferred upon or delegated to the same;
- (17) Municipal debts. To appropriate and borrow money for the payment of debts of the city and to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized by this charter or the laws of the State of Georgia;
- (18) Municipal property ownership. To acquire, dispose of, lease, and hold in trust or otherwise, any real, personal, or mixed property, in fee simple or lesser interest, inside or outside the property limits of the city;
- (19) Municipal property protection. To provide for the preservation and protection of property and equipment of the city, and the administration and use of same by the public and to prescribe penalties and punishment for violations thereof;
- (20) Municipal utilities. To acquire, lease, construct, operate, maintain, sell, and dispose of public utilities, including, but not limited to, a system of waterworks, sewers and drains, sewage disposal, stormwater management, gas works, electric light plants, cable television and other telecommunications, transportation facilities, public airports, and any other public utility; to fix the taxes, charges, rates, fares, fees, assessments, regulations, and penalties relative to such utilities, and to provide for the withdrawal of service for refusal or failure to pay the same;
- (21) Nuisance. To define a nuisance and provide for its abatement whether on public or private property;
- (22) Penalties. To provide penalties for violation of any ordinances adopted pursuant to the authority of this charter and the laws of the State of Georgia;
- (23) Planning and zoning. To provide comprehensive city planning for development by zoning and to provide subdivision regulation and the like as the city council deems necessary and reasonable to insure a safe, healthy, and aesthetically pleasing community;
- (24) Police and fire protection. To exercise the power of arrest through duly appointed police officers and to establish, operate, or contract for a police and a firefighting agency;
- (25) Public hazards: Removal. To provide for the destruction and removal of any building or other structure which is or may become dangerous or detrimental to the public;
- (26) Public improvements. To provide for the acquisition, construction, building, operation, and maintenance of public ways, parks and playgrounds, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, and charitable, cultural, educational, recreational, parking, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities; to provide any other public improvements, inside or outside

the corporate limits of the city; to regulate the use of public improvements; and for such purposes, property may be acquired by condemnation under Title 22 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted;

(27) Public peace. To provide for the prevention and punishment of loitering, disorderly conduct, drunkenness, riots, and public disturbances;

(28) Public transportation. To organize and operate such public transportation systems as are deemed beneficial;

(29) Public utilities and services. To grant franchises or make contracts for or impose taxes on public utilities and public service companies and to prescribe the rates, fares, regulations, and standards and conditions of service applicable to the service to be provided by the franchise grantee or contractor, insofar as not in conflict with valid regulations of the Public Service Commission;

(30) Regulation of roadside areas. To prohibit or regulate and control the erection, removal, and maintenance of signs, billboards, trees, shrubs, fences, buildings, and any and all other structures or obstructions upon or adjacent to the rights-of-way of streets and roads or within view thereof, within or abutting the corporate limits of the city and to prescribe penalties and punishment for violation of such ordinances;

(31) Retirement. To provide and maintain a retirement plan and other employee benefit plans and programs for officers and employees of the city;

(32) Roadways. To lay out, open, extend, widen, narrow, establish, or change the grade of, abandon or close, construct, pave, curb, gutter, adorn with shade trees, or otherwise improve, maintain, repair, clean, prevent erosion of, and light the roads, alleys, and walkways within the corporate limits of the city; to grant franchises and rights-of-way throughout the streets and roads, and over the bridges and viaducts for the use of public utilities; and to require real estate owners to repair and maintain in a safe condition the sidewalks adjoining their lots or lands, and to impose penalties for failure to do so;

(33) Sewer and water fees. To levy a fee, charge, or sewer or water tax as necessary to assure the acquiring, constructing, equipping, operating, maintaining, and extending, both within and without of the city, of a sewage disposal plant and sewerage system and a water system, to levy on those to whom sewers and sewerage systems are made available a sewer service fee, charge, or sewer tax for the availability or use of the sewers, and to levy on those to whom water systems are made available a water service fee, charge, or tax for the availability or use of the water system; to provide for the manner and method of collecting such service charges and for enforcing payment of the same; and to charge, impose, and collect a sewer connection fee or fees to those connected with the sewer system and a water connection fee or fees to those connected with the water system;

(34) Solid waste disposal. To provide for the collection and disposal of garbage, rubbish, and refuse; to regulate the collection and disposal of garbage, rubbish, and refuse by others; and to provide for the separate collection of glass, tin, aluminum, cardboard, paper, and other recyclable materials and to provide for the sale of such items;

(35) Special areas of public regulation. To regulate or prohibit junk dealers, the manufacture and sale of intoxicating liquors; to regulate the transportation, storage, and use of combustible, explosive, and inflammable materials, the use of lighting and heating equipment, and any other business or situation which may be dangerous to persons or property; to regulate and control the conduct of peddlers and itinerant traders, theatrical performances, exhibitions, and shows of any kind, by taxation or otherwise; to license and tax professional fortunetelling, palmistry, and massage parlors; and to restrict adult bookstores to certain areas;

(36) Special assessments. To levy and provide for the collection of special assessments to cover the costs for any public improvements;

(37) Taxes: Ad valorem. To levy and provide for the assessment, valuation, revaluation, and collection of taxes on all property subject to taxation provided, however, that, unless eliminated or adjusted by the municipal governing authority by home rule pursuant to Chapter 35 of Title 36 of the O.C.G.A., except for special tax districts and general obligation bond indebtedness, the millage rate imposed for ad valorem taxes on real property shall not exceed 5.00 unless a higher limit is recommended by resolution of the city council and subsequently approved by a majority vote of the qualified voters of the City of Eagle's Landing voting on the issue in a referendum. For the purposes of this paragraph, the term "qualified voters" means those voters of the city who are qualified to vote in city elections and cast a vote for or against such measure in such referendum. The question to be presented to the voters in the referendum on increasing the millage rate shall be, "Do you approve increasing taxes on residential and nonresidential property for City of Eagle's Landing property owners by raising from [current millage rate], which was capped in the original charter for the city, to [proposed millage rate] the operating budget millage rate?" If such millage rate increase is approved by the qualified voters of the City of Eagle's Landing voting in the referendum, the new rate shall become the maximum limit until changed again by resolution of the city council and approval by a majority of the qualified voters of the City of Eagle's Landing voting in such referendum;

(38) Taxes: Other. To levy and collect such other taxes as may be allowed now or in the future by law;

(39) Taxicabs. To regulate and license vehicles operated for hire in the city; to limit the number of such vehicles; to require the operators thereof to be licensed; to require public liability insurance on such vehicles in the amounts to be prescribed by ordinance; and to regulate the parking of such vehicles;

(40) Urban redevelopment. To organize and operate an urban redevelopment program; and

(41) Other powers. To exercise and enjoy all other powers, functions, rights, privileges, and immunities necessary or desirable to promote or protect the safety, health, peace, security, good order, comfort, convenience, or general welfare of the city and its inhabitants; to exercise all implied powers necessary or desirable to carry into execution all powers granted in this charter as fully and completely as if such powers were fully stated herein; and to exercise all powers now or in the future

authorized to be exercised by other municipal governments under other laws of the State of Georgia, and no listing of particular powers in this charter shall be held to be exclusive of others, nor restrictive of general words and phrases granting powers, but shall be held to be in addition to such powers unless expressly prohibited to municipalities under the Constitution or applicable laws of the State of Georgia.

SECTION 1.14.

Exercise of powers.

All powers, functions, rights, privileges, and immunities of the city, its officers, agencies, or employees shall be carried into execution as provided by this charter. If this charter makes no provision, such shall be carried into execution as provided by ordinance or as provided by pertinent laws of the State of Georgia.

ARTICLE II

GOVERNMENT STRUCTURE

SECTION 2.10.

City council creation; number; election.

The legislative authority of the government of this city, except as otherwise specifically provided in this charter, shall be vested in a city council to be composed of a mayor and four councilmembers. The mayor and councilmembers shall be elected in the manner provided by general law and this charter.

SECTION 2.11.

City council terms and qualifications for office.

(a) Except for the initial terms of office under subsection (d) of Section 5.11 of this charter, the mayor and other members of the city council shall serve for terms of four years and until their respective successors are elected and qualified, except as otherwise provided in this section and in subsection (f) of Section 5.11 of this charter. No person shall be eligible to serve as mayor or councilmember unless that person is at least 21 years of age or older on the date of qualification, shall have been a resident of the area encompassed by the corporate boundaries of the city for at least 12 months immediately prior to the date of his or her election, and, in the case of councilmembers, a resident of the area encompassed by the district from which he or she seeks election for a period of at least 12 months immediately prior to his or her election. The mayor and each councilmember shall continue to reside within such corporate boundaries during their respective periods of service and be registered and qualified to vote in municipal elections of this city. In addition, the councilmembers elected by district shall continue to reside in the district from which elected during their respective periods of service.

(b) Upon serving three full, consecutive terms as a member of the city council, such member shall be ineligible to seek reelection to such office. Upon serving three full,

consecutive terms as mayor, such individual shall be ineligible to seek reelection as mayor. Although a member of the city council may become ineligible to serve another consecutive term in such office, such member shall be eligible to seek the office of mayor and, although the mayor may become ineligible to serve another consecutive term in such office, such individual shall be eligible to seek election as a member of the city council. Partial terms of office or initial terms of office of less than four years under subsection (d) of Section 5.11 of this charter shall not be counted in determining the number of terms served.

SECTION 2.12.

Vacancy; filling of vacancies.

(a) The office of mayor or councilmember shall become vacant upon the incumbent's death, resignation, forfeiture of office, or occurrence of any event specified by the Constitution of the State of Georgia, Title 45 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

(b) A vacancy in the office of mayor or councilmember shall be filled for the remainder of the unexpired term, if any, by appointment by the city council or those members remaining if less than 12 months remains in the unexpired term. If such vacancy occurs 12 months or more prior to the expiration of the term of that office, it shall be filled for the remainder of the unexpired term by a special election, as provided for in Section 5.14 of this charter and in accordance with Titles 21 and 45 of the O.C.G.A., or other such laws as are or may hereafter be enacted.

(c) This provision shall also apply to a temporary vacancy created by the suspension from office of the mayor or any councilmember.

SECTION 2.13.

Compensation and expenses.

The initial annual salary of the mayor shall be \$12,000.00 and the initial annual salary of each councilmember shall be \$8,000.00. Thereafter, such salaries may be adjusted by the governing authority in accordance with Code Section 36-35-4 of the O.C.G.A. Such salaries shall be paid from municipal funds in equal monthly installments. The city council may provide for the reimbursement of expenses actually and necessarily incurred by the mayor and councilmembers in carrying out their official duties; provided, however, that the annual total of such reimbursement shall not exceed \$6,000.00 for the mayor and \$4,000.00 for any councilmember.

SECTION 2.14.

Conflicts of interest; holding other offices.

(a) Elected and appointed officers of the city are trustees and servants of the residents of the city and shall act in a fiduciary capacity for the benefit of such residents.

(b) No elected official, appointed officer, or employee of the city or any agency or political entity to which this charter applies shall knowingly:

(1) Engage in any business or transaction, or have a financial or other personal interest, direct or indirect, which is incompatible with the proper discharge of that person's official duties or which would tend to impair the independence of the official's judgment or action in the performance of those official duties;

(2) Engage in or accept private employment, or render services for private interests when such employment or service is incompatible with the proper discharge of that person's official duties or would tend to impair the independence of the official's judgment or action in the performance of those official duties;

(3) Disclose confidential information, including information obtained at meetings which are closed pursuant to Chapter 14 of Title 50 of the O.C.G.A., concerning the property, government, or affairs of the governmental body by which the official is engaged without proper legal authorization; or use such information to advance the financial or other private interest of the official or others;

(4) Accept any valuable gift, whether in the form of service, loan, thing, or promise, from any person, firm, or corporation which to the official's knowledge is interested, directly or indirectly, in any manner whatsoever, in business dealings with the governmental body by which the official is engaged; provided, however, that an elected official who is a candidate for public office may accept campaign contributions and services in connection with any such campaign;

(5) Represent other private interests in any action or proceeding against this city or any portion of its government; or

(6) Vote or otherwise participate in the negotiation or in the making of any contract with any business or entity in which the official has a financial interest.

(c) Any elected official, appointed officer, or employee who shall have any financial interest, directly or indirectly, in any contract or matter pending before or within any department of the city shall disclose such interest to the city council. The mayor or any councilmember who has a financial interest in any matter pending before the city council shall disclose such interest and such disclosure shall be entered on the records of the city council, and that official shall disqualify himself or herself from participating in any discussion, decision, or vote relating thereto. Any elected official, appointed officer, or employee of any agency described in paragraph (16) of Section 1.13 of this charter or political entity to which this charter applies who shall have any financial interest, directly or indirectly, in any contract or matter pending before or within such entity shall disclose such interest to the governing body of such agency or entity.

(d) No elected official, appointed officer, or employee of the city or any agency or entity to which this charter applies shall use property owned by such governmental entity for personal benefit or profit but shall use such property only in their capacity as an officer or employee of the city.

(e) Any violation of this section which occurs with the knowledge, express or implied, of a party to a contract or sale shall render said contract or sale voidable at the option of the city council.

(f) Except where authorized by law, neither the mayor nor any councilmember shall hold any other elective or appointive office in the city or otherwise be employed by such government or any agency thereof during the term for which that official was elected. No former mayor and no former councilmember shall hold any appointive office in the city until one year after the expiration of the term for which that official was elected.

(g) No appointive officer of the city shall continue in such employment upon qualifying as a candidate for nomination or election to any public office. No employee of the city shall continue in such employment upon qualifying for or election to any public office in this city or any other public office which is inconsistent, incompatible, or in conflict with the duties of the city employee. Such determination shall be made by the mayor and council either immediately upon election or at any time such conflict may arise.

(h)(1) Any city officer or employee who knowingly conceals such financial interest or knowingly violates any of the requirements of this section shall be guilty of malfeasance in office or position and shall be deemed to have forfeited that person's office or position.

(2) Any officer or employee of the city who shall forfeit an office or position as described in paragraph (1) of this subsection shall be ineligible for appointment or election to or employment in a position in the city government for a period of three years thereafter.

SECTION 2.15.

Inquiries and investigations.

Following the adoption of an authorizing resolution, the city council may make inquiries and investigations into the affairs of the city and the conduct of any department, office, or agency thereof, and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Any person who fails or refuses to obey a lawful order issued in the exercise of these powers by the city council shall be punished as provided by ordinance.

SECTION 2.16.

General power and authority of the city council.

(a) Except as otherwise provided by law or this charter, the city council shall be vested with all the powers of government of this city.

(b) In addition to all other powers conferred upon it by law, the council shall have the authority to adopt and provide for the execution of such ordinances, resolutions, rules, and regulations, not inconsistent with this charter and the Constitution and the laws of the State of Georgia, which it shall deem necessary, expedient, or helpful for the peace, good order, protection of life and property, health, welfare, sanitation, comfort, convenience, prosperity, or well-being of the inhabitants of the City of Eagle's Landing and may enforce such ordinances by imposing penalties for violation thereof.

(c) The city council shall have the power to discipline, suspend, and remove all appointed officials of the city, city employees, and city contractors.

(d) Appeals from decisions and judgments of the city council shall be by certiorari unless otherwise provided by law, and such certiorari shall be obtained under the sanction of a judge of the Superior Court of Henry County under the laws of the State of Georgia regulating the granting and issuance of writs of certiorari.

SECTION 2.17.

Eminent domain.

The city council is hereby empowered to acquire, construct, operate, and maintain public ways, parks and playgrounds, public grounds, cemeteries, markets and market houses, public buildings, libraries, public housing, airports, hospitals, terminals, docks, sewers, drains, sewage treatment, waterworks, electrical systems, gas systems, and charitable, cultural, educational, recreational, parking, conservation, sport, curative, corrective, detentional, penal, and medical institutions, agencies, and facilities, and any other public improvements inside or outside the city, and to regulate the use thereof, and for such purposes, property may be condemned under procedures established under general law applicable now or as provided in the future.

SECTION 2.18.

Organizational meeting; regular and special meetings.

(a) The city council shall hold an organizational meeting on the first Tuesday in January of each year or on a date prescribed by ordinance; provided, however, that, if such date is a legal holiday, the organizational meeting shall be held on the next succeeding business day. The meeting shall be called to order by the mayor or the city clerk.

(b) The city council shall hold regular meetings at such times and places as shall be prescribed by ordinance.

(c) Special meetings of the city council may be held on call of the mayor or three members of the city council. Notice of such special meetings shall be served on all other members personally, or by telephone personally, at least 48 hours in advance of the meeting. Such notice to councilmembers shall not be required if the mayor and all councilmembers are present when the special meeting is called. Such notice of any special meeting may be waived by a councilmember in writing before or after such a meeting, and attendance at the meeting shall also constitute a waiver of notice on any business transacted in such councilmembers presence. Only the business stated in the call may be transacted at the special meeting.

(d) All meetings of the city council shall be public to the extent required by law and notice to the public of special meetings shall be made fully as is reasonably possible as provided by Code Section 50-14-1 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted.

SECTION 2.19.

Rules of procedure.

(a) The city council shall adopt its rules of procedure and order of business consistent with the provisions of this charter and shall provide for keeping a journal of its proceedings, which shall be a public record.

(b) All committees and committee chairs and officers of the city council shall be appointed by the mayor and shall serve at the pleasure of the mayor. The mayor shall have the power to appoint new members to any committee at any time.

SECTION 2.20.

Quorum: voting.

(a) Three members of the city council, excluding the mayor, shall constitute a quorum and shall be authorized to transact business of the city council. Voting on the adoption of ordinances shall be by voice vote and the vote shall be recorded in the journal, but any member of the city council shall have the right to request a roll call vote and such vote shall be recorded in the journal. Except as otherwise provided in this charter, the affirmative vote of three councilmembers shall be required for the adoption of any ordinance, resolution, or motion.

(b) No member of the city council shall abstain from voting on any matter properly brought before the council for official action except when such councilmember has a conflict of interest which is disclosed in writing prior to or at the meeting and made a part of the minutes. Any member of the city council present and eligible to vote on a matter and refusing to do so for any reason other than a properly disclosed and recorded conflict of interest shall be deemed to have acquiesced or concurred with the members of the majority who did vote on the question involved.

SECTION 2.21.

Ordinance form; procedures.

(a) Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain a subject which is not expressed in its title. The enacting clause shall be "It is hereby ordained by the governing authority of the City of Eagle's Landing ..." and every ordinance shall so begin.

(b) An ordinance may be introduced by any councilmember and be read at a regular or special meeting of the city council. Ordinances shall be considered and adopted or rejected by the city council in accordance with the rules which it shall establish; provided, however, an ordinance shall not be adopted the same day it is introduced, except for emergency ordinances provided in Section 2.23. Upon introduction of any ordinance, the clerk shall as soon as possible distribute a copy to the mayor and to each councilmember and shall file a reasonable number of copies in the office of the clerk and at such other public places as the city council may designate.

SECTION 2.22.

Action requiring an ordinance.

Acts of the city council which have the force and effect of law shall be enacted by ordinance.

SECTION 2.23.

Emergencies.

(a) To meet a public emergency affecting life, health, property or public peace, the city council may convene on call of the mayor or three councilmembers and promptly adopt an emergency ordinance, but such ordinance may not levy taxes; grant, renew, or extend a franchise; regulate the rate charged by any public utility for its services; or authorize the borrowing of money except for loans to be repaid within 30 days. An emergency ordinance shall be introduced in the form prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists, and describing the emergency in clear and specific terms. An emergency ordinance may be adopted, with or without amendment, or rejected at the meeting at which it is introduced, but the affirmative vote of at least three councilmembers shall be required for adoption. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance shall automatically stand repealed 30 days following the date upon which it was adopted, but this shall not prevent reenactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

(b) Such meetings shall be open to the public to the extent required by law and notice to the public of emergency meetings shall be made as fully as is reasonably possible in accordance with Code Section 50-14-1 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

SECTION 2.24.

Codes of technical regulations.

(a) The city council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such adopting ordinance shall be as prescribed for ordinances generally except that:

(1) The requirements of subsection (b) of Section 2.21 of this charter for distribution and filing of copies of the ordinance shall be construed to include copies of any code of technical regulations, as well as the adopting ordinance; and

(2) A copy of each adopted code of technical regulations, as well as the adopting ordinance, shall be authenticated and recorded by the clerk pursuant to Section 2.25 of this charter.

(b) Copies of any adopted code of technical regulations shall be made available by the clerk for inspection by the public.

SECTION 2.25.

Signing; authenticating; recording; codification; printing.

(a) The city clerk shall authenticate by his or her signature and record in full in a properly indexed book kept for that purpose, all ordinances adopted by the council.

(b) The city council shall provide for the preparation of a general codification of all the ordinances of the city having the force and effect of law. The general codification shall be adopted by the city council by ordinance and shall be published promptly, together with all amendments thereto and such codes of technical regulations and other rules and regulations as the city council may specify. This compilation shall be known and cited officially as "The Code of the City of Eagle's Landing, Georgia." Copies of the code shall be furnished to all officers, departments, and agencies of the city, and made available for purchase by the public at a reasonable price as fixed by the city council.

(c) The city council shall cause each ordinance and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances and charter amendments shall be made available for purchase by the public at reasonable prices to be fixed by the city council. Following publication of the first code under this charter and at all times thereafter, the ordinances and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for incorporation therein. The city council shall make such further arrangements as deemed desirable for the reproduction and distribution of any current changes in or additions to codes of technical regulations and other rules and regulations included in the code.

SECTION 2.26.

City manager; appointment; qualifications; compensation.

The city council may appoint a city manager to serve at the pleasure of the city council and, if so appointed, shall fix the city manager's compensation. The city manager shall be appointed solely on the basis of executive and administrative qualifications.

SECTION 2.27.

Removal of city manager.

If a city manager is appointed by the city council, then the city council may establish procedures for the suspension or removal of such city manager from office.

SECTION 2.28.

Acting city manager.

When a city manager has been appointed by the city council, and in the event of absence or disability, the city manager may, by a letter filed with the city clerk, designate, subject

to approval of the city council, a qualified city administrative officer to exercise the powers and perform the duties of city manager during the city manager's temporary absence or physical or mental disability. During such absence or disability, the city council may revoke such designation at any time and appoint another officer of the city to serve until the city manager shall return or the city manager's absence or disability shall cease.

SECTION 2.29.

Powers and duties of the city manager.

When a city manager has been appointed by the city council, the city manager shall be the chief executive and administrative officer of the city. The city manager shall be responsible to the city council for the administration of all city affairs placed in the city manager's charge by the city council or this charter. As the chief executive and administrative officer, the city manager shall:

- (1) Other than appointments reserved for the mayor in subsection (e) of Section 3.10, hire and, when the city manager deems it necessary for the good of the city, discipline, suspend, or remove any city employees and administrative officers that the city manager hires, except as otherwise provided by law or personnel ordinances adopted pursuant to this charter. The city manager may authorize any administrative officer who is subject to the city manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;
- (2) Direct and supervise the administration of all departments, offices, and agencies of the city, except as otherwise provided by this charter or by law;
- (3) Attend all city council meetings except for closed meetings held for the purposes of deliberating on the appointment, discipline, or removal of the city manager and have the right to take part in discussion but not vote;
- (4) See that all laws, provisions of this charter, and acts of the city council, subject to enforcement by the city manager or by officers subject to the city manager's direction and supervision, are faithfully executed;
- (5) Prepare and submit the annual operating budget and capital budget to the city council;
- (6) Submit to the city council and make available to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year;
- (7) Issue such other reports as the city council may require concerning the operations of city departments, offices, and agencies subject to the city manager's direction and supervision;
- (8) Keep the city council fully advised as to the financial condition and future needs of the city, and make such recommendations to the city council concerning the affairs of the city as the city manager deems desirable; and
- (9) Perform other such duties as are specified in this charter or as may be required by the city council.

SECTION 2.30.

Council interference with administration.

When a city manager has been appointed by the city council, except for the purpose of inquiries and investigations under Section 2.15 of this charter, the city council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the city council nor its members shall give orders to any such officer or employee, either publicly or privately.

SECTION 2.31.

Election of mayor; forfeiture; compensation.

Except as otherwise provided in this charter, the mayor shall be elected and serve for a term of four years and until a successor is elected and qualified. The mayor shall be a qualified elector of this city and shall have been a resident of the city for at least 12 months immediately prior to his or her election. The mayor shall continue to reside in this city during the period of service. The mayor shall forfeit the office on the same grounds and under the same procedure as for councilmembers. The compensation of the mayor shall be established in the same manner as for councilmembers.

SECTION 2.32.

Mayor pro tem.

By a majority vote at the first meeting of the city council in January of each year, the city council shall elect a councilmember to serve as mayor pro tem who shall serve until the first regular meeting of the city council in the immediately following year. The mayor pro tem shall assume the duties and powers of the mayor during the mayor's physical or mental disability, suspension from office, or absence. Any such disability or absence shall be declared by a majority vote of the city council. The mayor pro tem shall sign all contracts and ordinances in which the mayor has a disqualifying financial interest as provided in Section 2.14 of this charter. When acting as mayor, the mayor pro tem shall continue to have only one vote as a member of the council and shall exercise that power notwithstanding paragraph (5) of Section 2.33 of this charter. A vacancy in the position of mayor pro tem resulting from the mayor pro tem ceasing to serve as a councilmember, or from any other cause, shall be filled for the remainder of the unexpired term in the same manner as the original election.

SECTION 2.33.

Powers and duties of mayor.

The mayor shall:

- (1) Preside at all meetings of the city council;
- (2) Be the head of the city for the purpose of service of process and for ceremonial

purposes, and be the official spokesperson for the city and the chief advocate of policy adopted by the city council;

(3) Have the power to administer oaths and to take affidavits;

(4) Sign as a matter of course on behalf of the city all written and approved contracts, ordinances, and other instruments executed by the city which by law are required to be in writing;

(5) Vote on matters before the city council only in order to break a tie or as otherwise provided in this charter;

(6) If no city manager has been appointed, prepare and submit to the city council a recommended annual operating budget and recommended capital budget; and

(7) Fulfill such other executive and administrative duties as the city council shall by ordinance establish.

SECTION 2.34.

Submission of ordinances to the mayor; veto power.

(a) Every ordinance adopted by the city council shall be presented promptly by the clerk to the mayor.

(b) The mayor, within ten calendar days of receipt of an ordinance, shall return it to the clerk with or without the mayor's approval, or with the mayor's disapproval. If the ordinance has been approved by the mayor, it shall become law upon its return to the clerk; if the ordinance is neither approved nor disapproved, it shall become law at 12:00 Noon on the tenth calendar day after its adoption; if the ordinance is disapproved, the mayor shall submit to the city council through the clerk a written statement of reasons for the veto. The clerk shall record upon the ordinance the date of its delivery to and receipt from the mayor.

(c) Ordinances vetoed by the mayor shall be presented by the clerk to the city council at its next meeting. If the city council then or at its next meeting adopts the ordinance by an affirmative vote of four members, it shall become law.

(d) The mayor may disapprove or reduce any item or items of appropriation in any ordinance. The approved part or parts of any ordinance making appropriations shall become law, and the part or parts disapproved shall not become law unless subsequently passed by the city council over the mayor's veto as provided herein. The reduced part or parts shall be presented to city council as though disapproved and shall not become law unless overridden by the council as provided in subsection (c) of this section.

ARTICLE III

ADMINISTRATIVE AFFAIRS

SECTION 3.10.

Administrative and service departments.

(a) Except as otherwise provided in this charter, the city council, by ordinance, shall prescribe the functions or duties, and establish, abolish, alter, consolidate, or leave vacant

all nonelective offices, positions of employment, departments, and agencies of the city, as necessary for the proper administration of the affairs and government of this city.

(b) Except as otherwise provided by this charter or by law, the directors of departments and other appointed officers of the city shall be appointed solely on the basis of their respective administrative and professional qualifications.

(c) All appointive officers and directors of departments shall receive such compensation as prescribed by ordinance or resolution.

(d) There shall be a director of each department or agency who shall be its principal officer. Each director shall, subject to the direction and supervision of the mayor or, in the case where the city council has appointed a city manager, the city manager, be responsible for the administration and direction of the affairs and operations of that director's department or agency.

(e) All appointive officers and directors under the supervision of the mayor or, in the case where the city council has appointed a city manager, the city manager, shall be nominated by the mayor with confirmation of appointment by at least two of the other members of the city council. If the other members of the city council reject an officer or director of the mayor, such other members of the city council shall then proceed to fill such appointment by majority vote of the city council. Appointments by the city council shall be subject to veto by the mayor which may be overridden by the vote of four members of the city council. All appointive officers and directors shall be employees at-will and subject to removal, suspension, or other discipline at any time by the city council. In the case where the city council has appointed a city manager, the city manager, unless otherwise provided by law or ordinance, may remove, suspend, or discipline at any time any appointed officers, directors, or employees of the city, except for the city clerk, the municipal judge or associate judges, and the city attorney.

SECTION 3.11.

Boards, commissions, and authorities.

(a) The city council shall create by ordinance such boards, commissions, and authorities to fulfill any investigative, quasi-judicial, or quasi-legislative function the city council deems necessary, and shall by ordinance establish the composition, period of existence, duties, and powers thereof.

(b) All members of boards, commissions, and authorities of the city shall be appointed by a majority vote of the city council, except where other appointing authority, terms of office, or manner of appointment is prescribed by this charter or by law. Except as otherwise provided by this charter or by law, each board, commission, or authority shall consist of five members with one member being appointed by each member of the city council and the mayor. Members appointed by the mayor may reside anywhere within the corporate limits of the city, but a member appointed by a member of the city council shall reside within the district of the councilmember who appointed such member.

(c) The city council, by ordinance, may provide for the compensation and reimbursement for actual and necessary expenses of the members of any board, commission, or

authority.

(d) Except as otherwise provided by charter or by law, no member of any board, commission, or authority shall hold any elective office in the city.

(e) Any vacancy on a board, commission, or authority of the city shall be filled for the unexpired term in the manner prescribed herein for original appointment, except as otherwise provided by this charter or by law.

(f) No member of a board, commission, or authority shall assume office until that person has executed and filed with the clerk of the city an oath obligating himself to faithfully and impartially perform the duties of that member's office, such oath to be prescribed by ordinance and administered by the mayor.

(g) All board, commission, or authority members serve at-will and may be removed at any time by a vote of three members of the city council unless otherwise provided by law.

(h) Except as otherwise provided by this charter or by law, each board, commission, or authority of the city shall elect one of its members as chair and one member as vice-chair, and may elect as its secretary one of its own members or may appoint as secretary an employee of the city. Each board, commission, or authority of the city government may establish such bylaws, rules, and regulations, not inconsistent with this charter, ordinances of the city, or law, as it deems appropriate and necessary for the fulfillment of its duties or the conduct of its affairs. Copies of such bylaws, rules, and regulations shall be filed with the clerk of the city.

SECTION 3.12.

City attorney.

The city council shall appoint a city attorney, together with such assistant city attorneys as may be authorized, and shall provide for the payment of such attorney or attorneys for services rendered to the city. The city attorney shall be responsible for providing for the representation and defense of the city in all litigation in which the city is a party; may be the prosecuting officer in the municipal court; shall attend the meetings of the council as directed; shall advise the city council, mayor, and other officers and employees of the city concerning legal aspects of the city's affairs; and shall perform such other duties as may be required by virtue of the person's position as city attorney. The city attorney shall not be a public official of the city and shall not take an oath of office. The city attorney shall at all times be an independent contractor. A law firm, rather than an individual, may be designated as the city attorney. The city attorney shall serve at the pleasure of the city council.

SECTION 3.13.

City clerk.

The city council shall appoint a city clerk who shall not be a councilmember. The city clerk shall be custodian of the official city seal and city records; maintain city council

records required by this charter; and perform such other duties as may be required by the city council. The city clerk shall serve at the pleasure of the city council.

SECTION 3.14.

Position classification and pay plans.

The mayor or, in the case where the city council has appointed a city manager, the city manager, shall be responsible for the preparation of a position classification and pay plan which shall be submitted to the city council for approval. Such plan may apply to all employees of the city and any of its agencies, departments, boards, commissions, or authorities. When a pay plan has been adopted, the city council shall not increase or decrease the salary range applicable to any position except by amendment of such pay plan. For purposes of this section, all elected and appointed city officials are not city employees.

SECTION 3.15.

Personnel policies.

All employees shall serve at-will and may be removed from office at any time unless otherwise provided by ordinance.

**ARTICLE IV
JUDICIAL BRANCH**

SECTION 4.10.

Creation; name.

There shall be a court to be known as the Municipal Court of the City of Eagle's Landing.

SECTION 4.11.

Chief judge; associate judge.

- (a) The municipal court shall be presided over by a chief judge and such part-time, full-time, or stand-by judges as shall be provided by ordinance.
- (b) No person shall be qualified or eligible to serve as a judge on the municipal court unless that person shall have attained the age of 21 years, shall be a member of the State Bar of Georgia, and shall possess all qualifications required by law. All judges shall be appointed by the city council and shall serve until a successor is appointed and qualified.
- (c) Compensation of the judges shall be fixed by ordinance.
- (d) Judges serve at-will and may be removed from office at any time by the city council unless otherwise provided by ordinance.
- (e) Before assuming office, each judge shall take an oath, given by the mayor, that the judge will honestly and faithfully discharge the duties of the office to the best of that person's ability and without fear, favor or partiality. The oath shall be entered upon the minutes of the city council journal required in Section 2.19 of this charter.

SECTION 4.12.

Convening.

The municipal court shall be convened at regular intervals as provided by ordinance.

SECTION 4.13.

Jurisdiction; powers.

- (a) The municipal court shall have jurisdiction and authority to try and punish violations of this charter, all city ordinances, and such other violations as provided by law.
- (b) The municipal court shall have authority to punish those in its presence for contempt, provided that such punishment shall not exceed \$200.00 or ten days in jail.
- (c) The municipal court may fix punishment for offenses within its jurisdiction not exceeding a fine of \$1,000.00 or imprisonment for 180 days or both such fine and imprisonment or may fix punishment by fine, imprisonment, or alternative sentencing as now or hereafter provided by law.
- (d) The municipal court shall have authority to establish a schedule of fees to defray the cost of operation, and shall be entitled to reimbursement of the cost of meals, transportation, and caretaking of prisoners bound over to superior courts for violations of state law.
- (e) The municipal court shall have authority to establish bail and recognizances to ensure the presence of those charged with violations before such court, and shall have discretionary authority to accept cash or personal or real property as surety for the appearance of persons charged with violations. Whenever any person shall give bail for that person's appearance and shall fail to appear at the time fixed for trial, the bond shall be forfeited by the judge presiding at such time, and an execution issued thereon by serving the defendant and the defendant's sureties with a rule nisi, at least two days before a hearing on the rule nisi. In the event that cash or property is accepted in lieu of bond for security for the appearance of a defendant at trial, and if such defendant fails to appear at the time and place fixed for trial, the cash so deposited shall be on order of the judge declared forfeited to the city, or the property so deposited shall have a lien against it for the value forfeited which lien shall be enforceable in the same manner and to the same extent as a lien for city property taxes.
- (f) The municipal court shall have the same authority as superior courts to compel the production of evidence in the possession of any party; to enforce obedience to its orders, judgments, and sentences; and to administer such oaths as are necessary.
- (g) The municipal court may compel the presence of all parties necessary to a proper disposal of each case by the issuance of summonses, subpoenas, and warrants which may be served as executed by any officer as authorized by this charter or by law.
- (h) Each judge of the municipal court shall be authorized to issue warrants for the arrest of persons charged with offenses against any ordinance of the city, and each judge of the municipal court shall have the same authority as a magistrate of the state to issue warrants for offenses against state laws committed within the city.

SECTION 4.14.

Certiorari.

The right of certiorari from the decision and judgment of the municipal court shall exist in all criminal cases and ordinance violation cases, and such certiorari shall be obtained under the sanction of a judge of the Superior Court of Henry County under the laws of the State of Georgia regulating the granting and issuance of writs of certiorari.

SECTION 4.15.

Rules for court.

With the approval of the city council, the judge shall have full power and authority to make reasonable rules and regulations necessary and proper to secure the efficient and successful administration of the municipal court; provided, however, that the city council may adopt in part or in toto the rules and regulations applicable to municipal courts. The rules and regulations made or adopted shall be filed with the city clerk, shall be available for public inspection, and, upon request, a copy shall be furnished to all defendants in municipal court proceedings at least 48 hours prior to said proceedings.

ARTICLE V

ELECTIONS AND REMOVAL

SECTION 5.10.

Applicability of general law.

All primaries and elections shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

SECTION 5.11.

Election, terms, and oath of office of the city council and mayor.

(a) Except for the initial elections under subsection (d) of this section, municipal general elections for the city shall be held biennially in the odd-numbered years on the Tuesday next following the first Monday in November.

(b) There shall be elected the mayor and councilmembers from Council Districts 3 and 4 at one election and at every other regular election thereafter. The remaining city council seats from Council Districts 1 and 2 shall be filled at the election alternating with the first election so that a continuing body is created.

(c) Each councilmember shall be elected by a majority vote of the qualified electors of his or her respective council district voting at the elections of the city. For the purpose of electing members of the city council, the City of Eagle's Landing shall consist of four council districts as described in Appendix B of this charter, which is attached and incorporated into this charter by reference. Each candidate for election to the city council other than the mayor shall reside in the council district he or she seeks to represent.

(d) If the city is formed as a result of the referendum held in the 2018 general primary, the first election for mayor and councilmembers shall be a special election held in conjunction with the 2018 November general election. At such election, the mayor and councilmembers elected from Council Districts 3 and 4 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2023. The councilmembers elected from Council Districts 1 and 2 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2021. Thereafter, successors to the mayor and councilmembers shall be elected at the November general election immediately preceding the end of their respective terms of office, and such successors shall take office in accordance with subsection (g) of this section for terms of four years and until their respective successors are elected and qualified.

(e) If the city is formed as a result of a referendum held in a special election after the 2018 general primary but on or before the 2018 November general election, then the first election for mayor and councilmembers shall be a special election to be held on the first special election date pursuant to Code Section 21-2-540 of the O.C.G.A. in 2019. At such special election, the mayor and councilmembers elected from Council Districts 3 and 4 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2023. The councilmembers from Council Districts 1 and 2 shall be elected for initial terms of office beginning immediately after their election and expiring upon the election and qualification of their respective successors in 2021. Thereafter, successors to the mayor and councilmembers shall be elected at the November general election immediately preceding the end of their respective terms of office, and such successors shall take office in accordance with subsection (g) of this section for terms of four years and until their respective successors are elected and qualified.

(f) The mayor, for the special election and each subsequent election for mayor, shall be elected by the qualified electors of the city at large voting in such elections of the city.

(g) Except for the initial election of the mayor and council, the terms of office of the mayor and councilmembers shall begin on the Monday following such person's election which is at least five days following the certification of the results of such person's election to such office unless a petition to contest the results of such person's election to such office is filed pursuant to Article 13 of Chapter 2 of Title 21 of the O.C.G.A. If a petition to contest the election results is filed, such person shall not be sworn in until a judgment has been entered pursuant to Code Section 21-2-527 of the O.C.G.A. or such petition has been withdrawn or dismissed. In such case, the person's term of office shall begin on the Monday following the entry of such judgment or the withdrawal or dismissal of such petition. Such officeholder shall be sworn in at the next meeting of the governing authority, which shall be held not later than two weeks following the beginning of such person's term of office, and shall hold office until his or her successor's term begins in accordance with this subsection.

(h) The oath of office to be administered to newly elected members shall be administered

by a judicial officer authorized to administer oaths and shall, to the extent that it comports with federal and state law, be as follows:

"I do solemnly (swear)(affirm) that I will faithfully perform the duties of (mayor)(councilmember) of this city and that I will support and defend the charter thereof as well as the Constitution and laws of the State of Georgia and of the United States of America. I am not the holder of any unaccounted for public money due this state or any political subdivision or authority thereof. I am not the holder of any office of trust under the government of the United States, any other state, or any foreign state which I, by the laws of the State of Georgia, am prohibited from holding. I am otherwise qualified to hold said office according to the Constitution and laws of the State of Georgia. I have been a resident of (my district and) the City of Eagle's Landing for the time required by the Constitution and laws of this state and by the municipal charter. I will perform the duties of my office in the best interest of the City of Eagle's Landing to the best of my ability without fear, favor, affection, reward, or expectation thereof."

SECTION 5.12.

Nonpartisan elections.

Political parties shall not conduct primaries for city offices and all names of candidates for city offices shall be listed without party designations.

SECTION 5.13.

Election by majority.

The person receiving a majority of the votes cast for any city office shall be elected.

SECTION 5.14.

Special elections; vacancies.

In the event that the office of mayor or councilmember shall become vacant as provided in Section 2.12 of this charter, the city council or those remaining shall order a special election to fill the balance of the unexpired term of such official; provided, however, if such vacancy occurs within 12 months of the expiration of the term of that office, the city council or those remaining shall appoint a successor for the remainder of the term. In all other respects, the special election shall be held and conducted in accordance with Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," as now or hereafter amended.

SECTION 5.15.

Other provisions.

Except as otherwise provided by this charter, the city council shall, by ordinance, prescribe such rules and regulations it deems appropriate to fulfill any options and duties under the Georgia Election Code.

SECTION 5.16.

Removal of officers.

(a) The mayor, councilmembers, or other appointed officers provided for in this charter shall be removed from office for any one or more of the causes provided in Title 45 of the O.C.G.A., or such other applicable laws as are or may hereafter be enacted.

(b) Removal of an officer pursuant to subsection (a) of this section shall be accomplished one of the following methods:

(1) Following a hearing at which an impartial panel shall render a decision. In the event an elected officer is sought to be removed by the action of the city council, such officer shall be entitled to a written notice specifying the ground or grounds for removal and to a public hearing which shall be held not less than ten days after the service of such written notice. The city council shall provide by ordinance for the manner in which such hearings shall be held. Any elected officer sought to be removed from office as herein provided shall have the right of appeal from the decision of the city council to the Superior Court of Henry County. Such appeal shall be governed by the same rules as govern appeals to the superior court from the probate court; or

(2) By a final order of the Superior Court of Henry County following a hearing on a complaint seeking such removal brought by any resident of the City of Eagle's Landing.

ARTICLE VI**FINANCE****SECTION 6.10.**

Property tax.

The city council may assess, levy, and collect an ad valorem tax on all real and personal property within the corporate limits of the city that is subject to such taxation by the state and county. This tax is for the purpose of raising revenues to defray the costs of operating the city government, of providing governmental services, for the repayment of principal and interest on general obligations, and for any other public purpose as determined by the city council in its discretion.

SECTION 6.11.

Millage rate; due dates; payment methods.

(a) Subject to the limitations contained in paragraph (37) of Section 1.13 of this charter, the city council, by ordinance, shall establish a millage rate for the city property tax, a due date, and the time period within which these taxes must be paid. The city council, by ordinance, may provide for the payment of these taxes by two installments or in one lump sum, as well as authorize the voluntary payment of taxes prior to the time when due.

(b) For all years, except for special tax districts and general obligation bond indebtedness, the millage rate imposed for ad valorem taxes on real property shall not exceed 5.00 unless a higher millage rate is recommended by resolution of the city council

and subsequently approved by a majority of the qualified voters of the City of Eagle's Landing voting on the issue in a referendum. For the purposes of this subsection, the term 'qualified voters' means those voters of the city who are qualified to vote in city elections and cast a vote for or against such measure in such referendum. The question to be presented to the voters in the referendum on increasing the millage rate shall be, "Do you approve increasing taxes on residential and nonresidential property for City of Eagle's Landing property owners by raising from [current millage rate], which was capped in the original charter for the city, to [proposed millage rate] the operating budget millage rate?" If such millage rate increase is approved by the qualified voters of the City of Eagle's Landing voting in the referendum, the new rate shall become the maximum limit until changed again by resolution of the city council and approval by a majority of the qualified voters of the City of Eagle's Landing voting in such referendum. This millage rate limit shall apply to the millage rate actually levied and shall not apply to the hypothetical millage rate computed under subsection (a) of Code Section 48-8-91 of the O.C.G.A., relating to conditions on imposition of the joint county and municipal sales tax.

SECTION 6.12.

Occupation and business taxes.

The city council by ordinance shall have the power to levy such occupation or business taxes as are not denied by law. The city council may classify businesses, occupations or professions for the purpose of such taxation in any way which may be lawful and may compel the payment of such taxes as provided in Section 6.18 of this charter.

SECTION 6.13.

Regulatory fees; permits.

The city council by ordinance shall have the power to require businesses or practitioners doing business within this city to obtain a permit for such activity from the city and pay a reasonable regulatory fee for such permit as provided by general law. Such fees shall reflect the total cost to the city of regulating the activity, and if unpaid, shall be collected as provided in Section 6.18 of this charter.

SECTION 6.14.

Franchises.

(a) The city council shall have the power to grant franchises for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, electric membership corporations, cable television and other telecommunications companies, gas companies, transportation companies, and other similar organizations. The city council shall determine the duration, terms, whether the same shall be exclusive or nonexclusive, and the consideration for such franchises;

provided, however, no franchise shall be granted for a period in excess of 35 years and no franchise shall be granted unless the city receives just and adequate compensation therefor. The city council shall provide for the registration of all franchises with the city clerk in a registration book kept by the clerk. The city council may provide by ordinance for the registration within a reasonable time of all franchises previously granted.

(b) If no franchise agreement is in effect, the city council has the authority to impose a tax on gross receipts for the use of this city's streets and alleys for the purposes of railroads, street railways, telephone companies, electric companies, electric membership corporations, cable television and other telecommunications companies, gas companies, transportation companies, and other similar organizations.

SECTION 6.15.

Service charges.

The city council by ordinance shall have the power to assess and collect fees, charges, assessments, and tolls for sewers, sanitary and health services, stormwater management, or any other services provided or made available within and without the corporate limits of the city. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.16.

Special assessments.

The city council by ordinance shall have the power to assess and collect the cost of constructing, reconstructing, widening, or improving any public way, street, sidewalk, curbing, gutters, sewers, or other utility mains and appurtenances from the abutting property owners. If unpaid, such charges shall be collected as provided in Section 6.18 of this charter.

SECTION 6.17.

Construction; other taxes and fees.

This city shall be empowered to levy any other tax or fee allowed now or hereafter by law, and the specific mention of any right, power, or authority in this article shall not be construed as limiting in any way the general powers of this city to govern its local affairs.

SECTION 6.18.

Collection of delinquent taxes and fees.

The city council, by ordinance, may provide generally for the collection of delinquent taxes, fees, or other revenue due the city under Sections 6.10 through 6.17 of this charter by whatever reasonable means as are not precluded by law. This shall include providing for the dates when the taxes or fees are due; late penalties or interest; issuance and

execution of fi.fa.; creation and priority of liens; making delinquent taxes and fees personal debts of the persons required to pay the taxes or fees imposed; revoking city permits for failure to pay any city taxes or fees; and providing for the assignment or transfer of tax executions.

SECTION 6.19.

General obligation bonds.

The city council shall have the power to issue bonds for the purpose of raising revenue to carry out any project, program, or venture authorized under this charter or the laws of the state. Such bonding authority shall be exercised in accordance with the laws governing bond issuance by municipalities in effect at the time said issue is undertaken.

SECTION 6.20.

Revenue bonds.

Revenue bonds may be issued by the city council as state law now or hereafter provides. Such bonds are to be paid out of any revenue produced by the project, program, or venture for which they were issued.

SECTION 6.21.

Short-term loans.

The city may obtain short-term loans and shall repay such loans not later than December 31 of each year, unless otherwise provided by law.

SECTION 6.22.

Lease-purchase contracts.

The city may enter into multiyear lease, purchase, or lease-purchase contracts for the acquisition of goods, materials, real and personal property, services, and supplies provided the contract terminates without further obligation on the part of the municipality at the close of the calendar year in which it was executed and at the close of each succeeding calendar year for which it may be renewed. Contracts must be executed in accordance with the requirements of Code Section 36-60-13 of the O.C.G.A., or other such applicable laws as are or may hereafter be enacted.

SECTION 6.23.

Fiscal year.

The city council shall set the fiscal year by ordinance. This fiscal year shall constitute the budget year and the year for financial accounting and reporting of each and every office, department, agency, and activity of the city government unless otherwise provided by state or federal law.

SECTION 6.24.

Preparation of budgets.

The city council shall provide an ordinance on the procedures and requirements for the preparation and execution of an annual operating budget, a capital improvement plan, and a capital budget, including requirements as to the scope, content, and form of such budgets and plans.

SECTION 6.25.

Submission of operating budget to city council.

On or before a date fixed by the city council but not later than 30 days prior to the beginning of each fiscal year, the mayor or, in the case where the city council has appointed a city manager, the city manager, shall submit to the city council a proposed operating budget for the ensuing fiscal year. The budget shall be accompanied by a message from the mayor or city manager, as the case may be, containing a statement of the general fiscal policies of the city, the important features of the budget, explanations of major changes recommended for the next fiscal year, a general summary of the budget, and such other pertinent comments and information. The operating budget and the capital budget hereinafter provided for, the budget message, and all supporting documents shall be filed in the office of the city clerk and shall be open to public inspection.

SECTION 6.26.

Action by city council on budget.

(a) The city council may amend the operating budget proposed by the mayor or the city manager, as the case may be; except, that the budget as finally amended and adopted must provide for all expenditures required by state law or by other provisions of this charter and for all debt service requirements for the ensuing fiscal year, and the total appropriations from any fund shall not exceed the estimated fund balance, reserves, and revenues.

(b) The city council by ordinance shall adopt the final operating budget for the ensuing fiscal year not later than 15 days prior to the beginning of such fiscal year. If the city council fails to adopt the budget by this date, the amounts appropriated for operation for the current fiscal year shall be deemed adopted for the ensuing fiscal year on a month-to-month basis, with all items prorated accordingly until such time as the city council adopts a budget for the ensuing fiscal year. Adoption of the budget shall take the form of an appropriations ordinance setting out the estimated revenues in detail by sources and making appropriations according to fund and by organizational unit, purpose, or activity as set out in the budget preparation ordinance adopted pursuant to Section 6.24 of this charter.

(c) The amount set out in the adopted operating budget for each organizational unit shall

constitute the annual appropriation for such, and no expenditure shall be made or encumbrance created in excess of the otherwise unencumbered balance of the appropriations or allotment thereof, to which it is chargeable.

SECTION 6.27.

Tax levies.

The city council shall levy by ordinance such taxes as are necessary. The taxes and tax rates set by such ordinances shall be such that reasonable estimates of revenues from such levy shall at least be sufficient, together with other anticipated revenues, fund balances, and applicable reserves, to equal the total amount appropriated for each of the several funds set forth in the annual operating budget for defraying the expenses of the general government of this city.

SECTION 6.28.

Changes in appropriations.

The city council by ordinance may make changes in the appropriations contained in the current operating budget, at any regular, special, or emergency meeting called for such purpose, but any additional appropriations may be made only from an existing unexpended surplus.

SECTION 6.29.

Capital budget.

(a) On or before the date fixed by the city council but no later than 30 days prior to the beginning of each fiscal year, the mayor or, in the case where the city council has appointed a city manager, the city manager, shall submit to the city council a proposed capital improvements plan with a recommended capital budget containing the means of financing the improvements proposed for the ensuing fiscal year. The city council shall have power to accept, with or without amendments, or reject the proposed plan and proposed budget. The city council shall not authorize an expenditure for the construction of any building, structure, work, or improvement, unless the appropriations for such project are included in the capital budget, except to meet a public emergency as provided in Section 2.23 of this charter.

(b) The city council shall adopt by ordinance the final capital budget for the ensuing fiscal year not later than 15 days prior to the beginning of such fiscal year. No appropriation provided for in a prior capital budget shall lapse until the purpose for which the appropriation was made shall have been accomplished or abandoned; provided, however, the mayor or the city manager, as the case may be, may submit amendments to the capital budget at any time during the fiscal year, accompanied by recommendations. Any such amendments to the capital budget shall become effective only upon adoption by ordinance.

SECTION 6.30.
Independent audit.

There shall be an annual independent audit of all city accounts, funds, and financial transactions by a certified public accountant selected by the city council. The audit shall be conducted according to generally accepted auditing principles. Any audit of any funds by the state or federal governments may be accepted as satisfying the requirements of this charter. Copies of annual audit reports shall be available at printing costs to the public.

SECTION 6.31.
Contracting procedures.

No contract with the city shall be binding on the city unless:

- (1) It is in writing;
- (2) It is drawn by or submitted to and reviewed by the city attorney, and as a matter of course, is signed by the city attorney to indicate such drafting or review; and
- (3) It is made or authorized by the city council and such approval is entered in the city council journal of proceedings pursuant to Section 2.20 of this charter.

SECTION 6.32.
Centralized purchasing.

The city council shall by ordinance prescribe procedures for a system of centralized purchasing for the city.

SECTION 6.33.
Sale and lease of city property.

- (a) The city council may sell and convey, or lease any real or personal property owned or held by the city for governmental or other purposes as now or hereafter provided by law.
- (b) The city council may quitclaim any rights it may have in property not needed for public purposes upon report by the mayor or the city manager, as the case may be, and adoption of a resolution, both finding that the property is not needed for public or other purposes and that the interest of the city has no readily ascertainable monetary value.
- (c) Whenever in opening, extending, or widening any street, avenue, alley, or public place of the city, a small parcel or tract of land is cut off or separated by such work from a larger tract or boundary of land owned by the city, the city council may authorize the mayor or the city manager, as the case may be, to sell and convey said cut-off or separated parcel or tract of land to an abutting or adjoining property owner or owners where such sale and conveyance facilitate the enjoyment of the highest and best use of the abutting owner's property. Included in the sales contract shall be a provision for the rights-of-way of said street, avenue, alley, or public place. Each abutting property owner shall be notified of the availability of the property and given the opportunity to purchase

said property under such terms and conditions as set out by ordinance. All deeds and conveyances heretofore and hereafter so executed and delivered shall convey all title and interest the city has in such property, notwithstanding the fact that no public sale after advertisement was or is hereafter made.

ARTICLE VII
GENERAL PROVISIONS
SECTION 7.10.
Bonds for officials.

The officers and employees of this city, both elective and appointive, shall execute such surety or fidelity bonds in such amounts and upon such terms and conditions as the city council shall from time to time require by ordinance or as may be provided by law.

SECTION 7.11.
Construction.

- (a) Section captions in this charter are informative only and are not to be considered as a part thereof.
- (b) The word "shall" is mandatory and the word "may" is permissive.
- (c) The singular shall include the plural, the masculine shall include the feminine, and vice versa.

SECTION 7.12.
Qualified electors.

- (a) For the purposes of the referendum election provided for in Section 7.13 of this charter and for the purposes of the special election to be held in conjunction with the 2018 November general election, the qualified electors of the City of Eagle's Landing shall be those qualified electors of Henry County residing within the proposed corporate limits of the City of Eagle's Landing as described by Appendix B of this charter. At subsequent municipal elections, the qualified electors of the City of Eagle's Landing shall be determined pursuant to the authority of Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code."
- (b) Only for the purpose of holding and conducting the referendum election provided for by Section 7.13 of this charter and only for the purpose of holding and conducting the special election of the City of Eagle's Landing to be held in conjunction with the 2018 November general election, the election superintendent of Henry County is vested with the powers and duties of the election superintendent of the City of Eagle's Landing and the powers and duties of the governing authority of the City of Eagle's Landing.

SECTION 7.13.

Referendum.

The election superintendent of Henry County shall call a special election for the purpose of submitting this Act to the qualified voters of the proposed City of Eagle's Landing, as provided in Section 7.12 of this charter, for approval or rejection. The superintendent shall set the date of such election for the date of the 2018 general primary. The superintendent shall issue the call for such election at least 30 days prior to the date thereof. The superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of Henry County. The ballot shall have written or printed thereon the words:

"() YES Shall the Act incorporating the City of Eagle's Landing in Henry County,
() NO imposing term limits, prohibiting conflicts of interest, and creating community improvement districts be approved?"

All persons desiring to vote for approval of the Act shall vote "Yes," and those persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, it shall become of full force and effect; otherwise, it shall thereafter be void and of no force and effect. The expense of the special election set forth in this section shall be borne by Henry County. It shall be the duty of the superintendent to hold and conduct such election. It shall be his or her further duty to certify the result thereof to the Secretary of State.

SECTION 7.14.

Effective dates.

- (a) Those provisions of this charter necessary for the special election provided for in Section 7.13 of this charter shall become effective immediately upon this Act's approval by the Governor or upon its becoming law without such approval.
- (b) Those provisions of this Act necessary for the special election to be held in conjunction with the 2018 November general election shall be effective upon the certification of the results of the referendum election provided for by Section 7.13 of this charter, if this Act is approved at such referendum election.
- (c) The remaining provisions of this Act shall become of full force and effect for all purposes on January 1, 2019, except that the initial mayor and councilmembers shall take office immediately following their election and by action of a quorum may, prior to January 1, 2019, meet and take actions binding on the city.

SECTION 7.15.

Transition.

- (a) A period of time will be needed for an orderly transition of various government functions from Henry County to the City of Eagle's Landing. Accordingly, there shall be

a transition period beginning on January 1, 2019, and ending at midnight on the last day of the twenty-fourth month following such date. During such transition period, all provisions of this charter shall be effective as law, but not all provisions of this charter shall be implemented.

(b) During such transition period, Henry County shall provide within the total territorial limits of the City of Eagle's Landing all government services and functions which Henry County provided in that portion of the area which was previously unincorporated and which is now within the corporate limits of the City of Eagle's Landing during 2018 and at the same actual cost, except to the extent otherwise provided in this section; provided, however, that upon at least 30 days' prior written notice to Henry County by the City of Eagle's Landing, responsibility for any such service or function shall be transferred to the City of Eagle's Landing. Beginning on January 1, 2019, the City of Eagle's Landing shall collect taxes, fees, assessments, fines and forfeitures, and other moneys within the territorial limits of the City of Eagle's Landing; provided, however, that upon at least 30 days' prior written notice to Henry County by the City of Eagle's Landing, the authority to collect any tax, fee, assessment, fine or forfeiture, or other moneys shall remain with Henry County after January 1, 2019, until such time as Henry County receives subsequent notice from the City of Eagle's Landing that such authority shall be transferred to the City of Eagle's Landing.

(c) During the transition period, the governing authority of the City of Eagle's Landing:

- (1) Shall hold regular meetings and may hold special meetings as provided in this charter;
- (2) May enact ordinances and resolutions as provided in this charter;
- (3) May amend this charter by home rule action as provided by general law;
- (4) May accept gifts and grants;
- (5) May borrow money and incur indebtedness to the extent authorized by this charter and general law;
- (6) May levy and collect an ad valorem tax for calendar years 2019 and 2020;
- (7) May establish a fiscal year and budget;
- (8) May create, alter, or abolish departments, boards, offices, commissions, and agencies of the city; appoint and remove officers and employees; and exercise all necessary or appropriate personnel and management functions; and
- (9) May generally exercise any power granted by this charter or general law, except to the extent that a power is specifically and integrally related to the provision of a governmental service, function, or responsibility not yet provided or carried out by the city.

(d) Except as otherwise provided in this section, during the transition period, the Municipal Court of the City of Eagle's Landing shall not exercise its jurisdiction. During the transition period, all ordinances of Henry County shall be applicable within the territorial limits of the City of Eagle's Landing and the appropriate court or courts of Henry County shall retain jurisdiction to enforce such ordinances. However, by appropriate agreement (and concurrent resolutions and ordinances if needed) Henry County and the City of Eagle's Landing may during the transition period transfer all or

part of such regulatory authority and the appropriate court jurisdiction to the City of Eagle's Landing. Any transfer of jurisdiction to the City of Eagle's Landing during or at the end of the transition period shall not in and of itself abate any judicial proceeding pending in Henry County or the pending prosecution of any violation of any ordinance of Henry County.

(e) During the transition period, the governing authority of the City of Eagle's Landing may at any time, without the necessity of any agreement by Henry County, commence to exercise its planning and zoning powers; provided, however, that the city shall give the county notice of the date on which the city will assume the exercise of such powers. Upon the governing authority of the City of Eagle's Landing commencing to exercise its planning and zoning powers, the Municipal Court of the City of Eagle's Landing shall immediately have jurisdiction to enforce the planning and zoning ordinances of the city. The provisions of this subsection shall control over any conflicting provisions of any other subsection of this section.

(f) During the transition period, all business licenses and permits which were previously issued by the City of Stockbridge or Henry County shall continue to be effective for the term for which such licenses and permits were originally issued.

(g) Effective upon the termination of the transition period, subsections (b) through (f) of this section shall cease to apply except for the last sentence of subsection (d) which shall remain effective. Effective upon the termination of the transition period, the City of Eagle's Landing shall be a full-functioning municipal corporation and subject to all general laws of this state.

(h) The City of Eagle's Landing shall be a successor in interest to all intergovernmental agreements which affect the territory contained within the corporate limits of the city which are in existence at the time the city is created.

(I) During the transition period, all existing zoning and land use provisions shall remain in effect and all valid, existing licenses issued previously to businesses operating in the corporate limits of the City of Eagle's Landing by the City of Stockbridge or Henry County shall continue in force and effect until their expiration.

SECTION 7.16.

Directory nature of dates.

It is the intention of the General Assembly that this Act be construed as directory rather than mandatory with respect to any date prescribed in this Act. If it is necessary to delay any action called for in this Act for providential cause or any other reason, it is the intention of the General Assembly that the action be delayed rather than abandoned. Any delay in performing any action under this Act, whether for cause or otherwise, shall not operate to frustrate the overall intent of this Act. Without limiting the generality of the foregoing it is specifically provided that:

- (1) If it is not possible to hold the referendum election provided for in Section 7.13 of this Act on the date specified in that section, then such referendum shall be held as soon thereafter as is reasonably practicable; and

(2) If it is not possible to hold the first municipal election provided for in this Act on the date specified in that section, then there shall be a special election for the initial members of the governing authority to be held on the next possible special election date authorized pursuant to Code Section 21-2-540 of the O.C.G.A.

ARTICLE VIII
COMMUNITY IMPROVEMENT DISTRICTS
SECTION 8.10.

Purpose.

The purpose of this article shall be to provide enabling legislation for the creation of one or more community improvement districts within the City of Eagle's Landing, and such district or districts may be created for the provision of some or all of the following governmental services and facilities as provided and authorized by Article IX, Section VII of the Constitution of the State of Georgia and the resolution activating each district as it now exists or hereafter amended or supplemented as provided for by law, including, but not limited to:

- (1) Street and road construction and maintenance, including curbs, sidewalks, street lights, and devices and services to control the flow of traffic on streets and roads or services in connection therewith;
- (2) Parks and recreational areas and facilities and services;
- (3) Public transportation, including, but not limited to, services intended to reduce the volume of automobile traffic, to transport two or more persons in conveyances, to improve air quality, and to provide bicycle and pedestrian facilities and the operation of a traffic management association or similar entity and services;
- (4) Terminal and dock facilities and parking facilities and services; and
- (5) Such other services and facilities as may be provided for by general law or as the Constitution of the State of Georgia may authorize or provide now or hereafter.

SECTION 8.11.

Definitions.

As used in this article, the term:

- (1) "Agricultural" means the growing of crops for sale or the raising of animals for sale or use, including the growing of field crops, fruit or nut trees, the raising of livestock or poultry, and the operation of dairies, horse boarding facilities, and riding stables.
- (2) "Board" means the governing body created for the governance of a community improvement district herein authorized.
- (3) "Caucus of electors" or "caucus" means the meeting of electors hereinafter provided for at which the elected board members of the district are elected. A quorum at such caucus shall consist of those electors present, and a majority of those present and voting is necessary to elect board members. No proxy votes shall be cast.

- (4) "City council" means the city council of the City of Eagle's Landing.
- (5) "City governing authority or body" means the city council and the mayor.
- (6) "District" means the geographical area designated as such by the resolution of the governing body of the City of Eagle's Landing consenting to the creation of the community improvement district or districts or as thereafter modified by any subsequent resolution of the governing body or bodies within which the district is or is to be located, or a body corporate and politic being a community improvement district created and activated pursuant hereto, as the context requires or permits.
- (7) "Electors" means the owners of real property within the given district which is subject to taxes, fees, and assessments levied by the board, as they appear on the most recent ad valorem real property tax return records of Henry County, or one officer or director of a corporate elector, one trustee of a trust which is an elector, one partner of a partnership elector, or one designated representative of an elector whose designation is made in writing to the respective county tax commissioner and the city clerk of the City of Eagle's Landing at least ten days prior to an election. An owner of property that is subject to taxes, fees, or assessments levied by the board shall have one vote for an election based on numerical majority. An owner of multiple parcels shall have one vote, not one vote per parcel, for an election based on numerical majority. Multiple owners of one parcel shall have one vote for an election based on numerical majority which must be cast by one of their number who is designated in writing.
- (8) "Equity electors" means electors who cast votes equal to each \$1,000.00 value of all owned real property within the given district which is then subject to taxes, fees, and assessments levied by the board. Value of real property shall be the assessed value.
- (9) "Forestry" means the planting and growing of trees for sale in a program which includes reforestation of harvested trees, regular underbrush and undesirable growth clearing, fertilizing, pruning, thinning, cruising, and marking which indicate an active tree farming operation. The term does not include the casual growing of trees on land otherwise idle or held for investment, even though some harvesting of trees may occur thereon.
- (10) "Hereby," "herein," "hereunder," and "herewith" mean under this Act.
- (11) "Mayor" means the mayor of the City of Eagle's Landing.
- (12) "Project" means the acquisition, construction, installation, modification, renovation, or rehabilitation of land, interests in land, buildings, structures, facilities, or other improvements, including operation of facilities or other improvements, located or to be located within or otherwise providing service to the district and the acquisition, installation, modification, renovation, rehabilitation, or furnishing of fixtures, machinery, equipment, furniture, or other property of any nature whatsoever used on, in, or in connection with any such land, interest in land, building, structure, facility, or other improvements for the purposes set forth in Section 8.10 of this article.
- (13) "Property owner" or "owner of real property" means any entity or person shown as a taxpayer for one or more parcels of real estate on the most recent ad valorem tax

records of Henry County within the district as certified by the Henry County Tax Commissioner.

(14) "Property used nonresidentially" means property or any portion thereof used for neighborhood shopping, planned shopping centers, general commercial, transient lodging facilities, tourist services, office or institutional, office services, light industry, heavy industry, central business district, parking, or other commercial or business use or vacant land zoned or approved for any of the aforementioned uses which do not include residential.

(15) "Residential" means a specific structure, work, or improvement undertaken primarily to provide either single family or multifamily dwelling accommodations for persons and families of four units or less, and for which an application for homestead exemption has been filed and accepted.

(16) "Taxpayer" means an entity or person paying ad valorem taxes on real property, whether on one or more parcels of property within the district. Multiple owners of one parcel shall constitute one taxpayer and shall designate in writing one of their number to represent the whole.

(17) "Value" or "assessed value" of property means the values established in the most recent ad valorem tax reassessment of such properties certified by the Henry County Board of Tax Assessors.

SECTION 8.12.

Creation.

Pursuant to Article IX, Section VII of the Constitution of the State of Georgia, there is created one or more community improvement districts to be located in the City of Eagle's Landing, Georgia, wholly within the incorporated area thereof, which shall be activated upon compliance with the conditions set forth in this section. Each district, if more than one are implemented, shall be governed as directed by this article. The conditions for such activation shall be:

(1) The adoption of a resolution consenting to the creation of the community improvement district or districts by the governing authority for the City of Eagle's Landing and imposing such conditions on the projects and activities which may be undertaken as will ensure their compatibility with adopted city policies and planning for the area; and

(2) The written consent to the creation of the community improvement district by:

(A) A majority of the owners of real property within the given district which will be subject to taxes, fees, and assessments levied by the board of the given district; and

(B) The owners of real property within the given district which constitutes at least 75 percent by value of all real property within the district which will be subject to taxes, fees, and assessments levied by the board. For this purpose, value shall be determined by the most recent approved county ad valorem tax digest.

The written consent provided for in this paragraph shall be submitted to the Henry County tax commissioner, who shall certify whether subparagraphs (A) and (B) of

this paragraph have been satisfied with respect to such proposed district. The district or districts or respective board or boards created under this article shall not transact any business or exercise any powers under this article until the foregoing conditions are met. A copy of such resolutions shall be filed with the Secretary of State and with the city clerk of the City of Eagle's Landing, who shall each maintain a record of the district activated under this article. Nothing contained herein shall limit the ability of the governing authority of the City of Eagle's Landing to implement more than one community improvement district so long as the requirements hereof and of the Constitution of the State of Georgia are satisfied. The provisions of this article shall be construed so as to provide for the independent application and exercise of all powers for each district contained herein including the ability to levy taxes as outlined herein as separately and independently authorizing and empowering such separate community improvement districts created hereby. Nothing contained herein shall require the governing authority of the City of Eagle's Landing to create more than one community improvement district, or to require the creation of a new district if the district boundaries of an existing district are changed, added to, supplemented, or modified.

SECTION 8.13.

Administration, appointment, and election of board members.

Each district created pursuant hereto shall be administered either by the governing authority or by a board as prescribed under this article. In the event that a district is to be governed by such a board, the board shall be composed of a minimum of seven board members to be appointed and elected as hereinafter provided:

(1) Two board members shall be appointed by the Mayor of the City of Eagle's Landing, and confirmed by a majority of the city council, one of whom shall be a member of the city council, to serve in Posts 6 and 7. Two board members shall be elected by the vote of electors, and three members shall be elected by the vote of equity electors. The members representing the electors and equity electors shall be elected to serve in post positions 1 through 5, respectively. Each elected board member shall receive a majority of the votes cast for the post for which he or she is a candidate. Votes for Posts 1 and 2 shall be cast by electors, and votes for Posts 3, 4, and 5 shall be cast by the equity electors. The initial term of office for the members representing Posts 1 and 3 shall be one year. The initial term of office for the members representing Posts 2 and 5 shall be two years, and the initial term of office of the members representing Post 3 shall be three years. Thereafter, all terms of office shall be for four years, except the appointed board members who shall serve at the pleasure of the appointing body which appointed him or her. Elected board members shall be subject to recall in the same manner as elected.

(2) The initial board members to be elected as provided in paragraph (1) of this section shall be elected in a caucus of electors which shall be held within 120 days after the adoption of the resolution by the City of Eagle's Landing consenting to the

creation of the district, and the obtaining of the written consents herein provided at such time and place within the district as the City of Eagle's Landing shall designate after notice thereof shall have been given to said electors by publishing same in the legal organ of Henry County as hereinafter provided. Thereafter, there shall be conducted annually, not later than 120 days following the last day for filing ad valorem real property tax returns in Henry County, a caucus of said electors at such time and place within the district as the board shall designate in such notice for the purpose of electing board members to those board member positions whose terms expire or are vacant. If a vacancy occurs in an elected position on the board, the board shall, within 60 days thereof, call a special election to fill the same to be held within 60 days of the call unless such vacancy occurs within 180 days of the next regularly scheduled election, in which case a special election may, but need not, be called. For any election held hereunder, notice thereof shall be given to said electors by publishing notice thereof in the legal organ of Henry County at least once each week for four weeks prior to such election.

(3) Board members shall receive no compensation for their services, but shall be reimbursed for actual expenses reasonably incurred in the performance of their duties. They shall elect one of their number as chairperson and another as vice chairperson. They shall also elect a secretary and a treasurer, or a secretary/treasurer, either of whom may, but need not, be a member of the board or an elector.

(4) If the boundaries of a district are subsequently changed after creation of the district to include land within the unincorporated area of the county or a municipality which was not a party to the creation of the district, or if a municipality's boundaries are changed to include land within an existing district, the governing authority of the municipality shall acquire the right to appoint a member to the board of the district upon entering into the cooperation agreement provided for in Section 8.17 of this article. If, by municipal annexation or by deannexation of land from a district, the district no longer includes land within the incorporated area of the City of Eagle's Landing or within a municipality, respectively, then the board member of the district appointed by such governing authority in which the district is no longer located shall cease to be a board member.

(5) Chapter 2 of Title 21 of the O.C.G.A., the "Georgia Election Code," shall not apply to the election of district board members. Should a vacancy in office of a district board member occur, and the regular caucus of electors is more than six months in the future, a special election shall be called to fill such vacancy, unless it is filled by appointment as hereinabove required. The district board may adopt such bylaws not inconsistent herewith to provide for any matter concerning such elections.

SECTION 8.14.

Taxes, fees, and assessments.

(a) The board may levy taxes, fees, and assessments within the district only on real property used nonresidentially, specifically excluding all property exempt from ad

valorem taxation under the Constitution or laws of the State of Georgia; all property used for residential, agricultural, or forestry purposes; and all tangible personal property and intangible property. Any tax, fee, or assessment so levied shall not exceed 2.5 percent of the aggregate assessed value of all such real property, subject to such limitations as the governing authority for the City of Eagle's Landing may implement with the adoption of the resolution consenting to the creation of said district. The taxes, fees, and assessments levied by the board shall be equitably apportioned among the properties subject to such taxes, fees, and assessments according to the need for governmental services and facilities created by the degree of density of development of each such property. The proceeds of taxes, fees, and assessments levied by the board shall be used only for the purpose of providing those governmental services and facilities set forth in Section 8.10 of this article which are specially required by the degree of density of development within the district and not for the purpose of providing those governmental services and facilities provided to the municipality as a whole. Any tax, fee, or assessment so levied shall be collected by the City of Eagle's Landing in the same manner as taxes, fees, and assessments are levied by the City of Eagle's Landing. Delinquent taxes shall bear the same interest and penalties as City of Eagle's Landing ad valorem taxes and may be enforced and collected in the same manner. The proceeds of taxes, fees, and assessments so levied, less a fee to cover the costs of collection of 0.25 percent thereof, but not more than \$10,000.00 in any one calendar year, shall be transmitted as soon as they are acquired by the City of Eagle's Landing to the board, and shall be expended by the board only for the purposes authorized hereby.

(b) The board shall levy the taxes provided for in subsection (a) of this section subsequent to the report of the assessed taxable values for the current calendar year and notify in writing the collecting governing bodies so they may include the levy on their regular ad valorem tax bills, if possible.

(c) There shall be a segregation of all funds from the levy of taxes, fees, and assessments as described hereunder for the district, and neither the City of Eagle's Landing nor the respective county tax commissioner shall expend for any purpose not authorized by the board of this district any such taxes, fees, or charges assessed and collected hereunder except for such costs as may be attributed to the billing and collection of such fees, levies, and assessments.

(d) If, but for this provision, a parcel of real property is removed from a district or otherwise would become nontaxable, it shall continue to bear the tax millage levied by the district then extant upon such parcel for indebtedness of the district then outstanding until said indebtedness is paid or refunded.

SECTION 8.15.

Boundaries of the district.

(a) The boundaries of the district or districts shall be as designated as such by the City of Eagle's Landing as set forth in the resolution required in Section 8.12 of this article, or as may thereafter be added as hereinafter provided.

(b) The boundaries of the district or districts may be increased after the initial creation of a district if:

- (1) Written consent of the owners of any real property sought to be annexed is first obtained;
- (2) The board of the district adopts a resolution consenting to the annexation; and
- (3) A resolution is adopted which grants consent to the annexation by the governing authority of such municipalities as may have area within the district before or after the annexation.

SECTION 8.16.

Debt.

Except as otherwise provided in this section, the district may incur debt without regard to the requirements of Article IX, Section V of the Constitution of the State of Georgia, which debt shall be backed by the full faith and credit and taxing power of the district but shall not be an obligation of the State of Georgia or any other unit of government of the State of Georgia other than the district; provided, however, that the board and the district may not issue bonds validated under or in accordance with Article 3 of Chapter 82 of Title 36 of the O.C.G.A., known as the "Revenue Bond Law," or in accordance with such other successor provisions governing bond validation generally or as may be provided by law.

SECTION 8.17.

Cooperation with local governments.

The services and facilities provided pursuant hereto may be provided for in a cooperation agreement executed jointly by the board, the governing body of the City of Eagle's Landing, and any municipalities and other governmental authorities or agencies within which the district is partially located. The provisions of this section shall in no way limit the authority of the City of Eagle's Landing or any such municipality or any such authority to provide services or facilities within the district; and the City of Eagle's Landing or such municipalities shall retain full and complete authority and control over any of its facilities located within its respective areas of any district. Said control shall include, but not be limited to, the modification of, access to, and degree and type of services provided through or by facilities of the municipality or county. Nothing contained in this section shall be construed to limit or preempt the application of any governmental laws, ordinances, resolutions, or regulations to the district or the services or facilities provided therein.

SECTION 8.18.

Powers.

(a) The district and the board created pursuant hereto shall have all of the powers necessary or convenient to carry out and effectuate the purposes and provisions hereof,

including, without limiting the generality of the foregoing, the power to:

- (1) Bring and defend actions;
- (2) Adopt and amend a corporate seal;
- (3) Make and execute contracts, agreements, and other instruments necessary or convenient to exercise the powers of the board or to further the public purposes for which the district is created including, but not limited to, contracts for construction of projects, leases of projects, contracts for sale of projects, agreements for loans to finance projects, contracts with respect to the use of projects, and agreements with other jurisdictions or community improvement districts regarding multijurisdictional projects or services or for other cooperative endeavors to further the public purposes of the district;
- (4) Acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real and personal property of every kind and character, or any interest therein, in furtherance of the public purposes of the district;
- (5) Finance by loan, private grant, lease, or otherwise, construct, erect, assemble, purchase, acquire, own, repair, remodel, renovate, rehabilitate, modify, maintain, extend, improve, install, sell, equip, expand, add to, operate, or manage projects and to pay the cost of any project from the proceeds of the district or any other funds of the district, or from any contributions or loans by persons, corporations, partnerships, whether limited or general, or other entities, all of which the board is authorized to receive, accept, and use;
- (6) Borrow money to further or carry out its public purposes and to execute bonds, notes, other obligations, leases, trust indentures, trust agreements, agreements for the sale of its notes, or other obligations, loan agreements, security agreements, assignments, and such other agreements or instruments as may be necessary or desirable, in the judgment of the board, to evidence and to provide security for such borrowing;
- (7) Issue notes or other obligations of the district and use the proceeds thereof for the purpose of paying all or any part of the cost of any project and otherwise to further or carry out the public purposes of the district and to pay all reasonably incurred costs of the board incidental to, or necessary and appropriate to, furthering or carrying out such purposes; provided, however, that the board and the district may not issue bonds validated under or in accordance with Article 3 of Chapter 82 of Title 36 of the O.C.G.A., known as the "Revenue Bond Law," or in accordance with such other successor provisions governing bond validation generally or as may be provided by law;
- (8) Make application directly or indirectly to any private source for loans, grants, guarantees, or other financial assistance in furtherance of the district's public purposes and to accept and use the same upon such terms and conditions as are prescribed by such private source; provided, however, that the district and the board shall not have the power to apply for, receive, administer, or utilize grants from federal, state, county, or municipal governments or agencies or any other public sources;
- (9) Enter into agreements with the federal government or any agency thereof to use

the facilities or services of the federal government or any agency thereof in order to further or carry out the public purposes of the district;

(10) Contract for any period, not exceeding 50 years, with the State of Georgia, state institutions, or any municipal corporation, county, or political subdivision of this state for the use by the district of any facilities or services of the state or any such state institution, municipal corporation, county, or political subdivision of this state, or for the use by any state institution or any municipal corporation, county, or political subdivision of this state of any facilities or services of the district, provided that such contracts shall deal with such activities and transactions as the district and any such political subdivision with which the district contracts are authorized by law to undertake;

(11) Grant, mortgage, convey, assign, or pledge its property, revenues or taxes, or fees or assessments to be received as security for its notes, or other indebtedness and obligations;

(12) Receive and use the proceeds of any tax levied by any county or any municipal corporation to pay the costs of any project or for any other purpose for which the board may use its own funds pursuant hereto;

(13) Receive and administer gifts, private grants, and devises of money and property of any kind and to administer trusts;

(14) Use any real property, personal property, or fixtures or any interest therein or to rent or lease such property to or from others or make contracts with respect to the use thereof or to sell, lease, exchange, transfer, assign, pledge, or otherwise dispose of or grant options for any such property in any manner as it deems to be the best advantage of the district and the public purposes thereof;

(15) Appoint, select, and employ engineers, surveyors, architects, urban or city planners, fiscal agents, attorneys, and others and to fix their compensation and pay their expenses;

(16) Encourage and promote the improvement and development of the district and to make, contract for, or otherwise cause to be made long range plans or proposals for the district in cooperation with the City of Eagle's Landing and any municipal corporations in which the district is wholly or partially located;

(17) Invest its funds, whether derived from the issuance of its bonds or otherwise, in such manner as it may deem prudent and appropriate, without further restriction;

(18) Adopt bylaws governing the conduct of business by the board, the election and duties of officers of the board, and other matters which the board determines to deal within its bylaws;

(19) Exercise any power granted by the laws of this state to public or private corporations which is not in conflict with the public purposes of the district; and

(20) Do all things necessary or convenient to carry out the powers conferred hereby.

(b) The powers enumerated in subsection (a) of this section are cumulative of and in addition to those powers enumerated herein and elsewhere in this article, and no such power limits or restricts any other power of the board except where expressly noted.

SECTION 8.19.

Construction; notice, proceeding, publication, referendum.

This article shall be liberally construed to effect the purposes hereof. No notice, proceeding, or publication except those required hereby shall be necessary to the performance of any act authorized hereby, nor shall any such act be subject to referendum.

SECTION 8.20.

Applicability of Chapter 5 of Title 10 of the O.C.G.A.,
the "Georgia Securities Act of 1973."

The offer, sale, or issuance of notes or other obligations by the district shall not be subject to regulation under Chapter 5 of Title 10 of the O.C.G.A., the "Georgia Securities Act of 1973."

SECTION 8.21.

Dissolution.

(a) A district activated under the provisions of this article may be dissolved upon the occurrence of any of the following:

(1) The adoption of a resolution approving of the dissolution of the community improvement district by the City of Eagle's Landing and such other municipalities, as applicable, if partially within one or more municipalities; or

(2) The written consent to the dissolution of the community improvement district by:

(A) A majority of the owners of real property within the district subject to taxes, fees, and assessments levied by the board of the district; or

(B) The owners of real property constituting at least 75 percent by value of all real property within the district subject to taxes, fees, and assessments levied by the board. For this purpose, value shall be determined by the most recent approved county ad valorem tax digest.

The written consent provided for in this paragraph shall be submitted to the Henry County tax commissioner, who shall certify whether subparagraphs (A) and (B) of this paragraph have been satisfied with respect to the proposed district dissolution.

(b) In the event that successful action is taken pursuant to this section to dissolve the district, the dissolution shall become effective at such time as all debt obligations of the district have been satisfied. Following a successful dissolution action and until the dissolution becomes effective, no new projects may be undertaken, obligations or debts incurred, or property acquired.

(c) Upon a successful dissolution action, all noncash assets of the district other than public facilities or land or easements to be used for such public facilities, as described in Section 8.10 of this article, shall be reduced to cash and, along with all other cash on hand, shall be applied to the repayment of any debt obligation of the district. Any cash

remaining after all outstanding obligations are satisfied shall be refunded to each property owner in direct proportion to the total amount in taxes, fees, or assessments paid by the property owner relative to the total revenues paid by all properties in the district.

(d) When a dissolution becomes effective, the municipal governing authority shall take title to all property previously in the ownership of the district and all taxes, fees, and assessments of the district shall cease to be levied and collected.

(e) A district may be reactivated in the same manner as an original activation.

ARTICLE IX
GENERAL REPEALER

SECTION 9.10.
General repealer.

All laws and parts of laws in conflict with this Act are repealed.

APPENDIX A
Corporate Boundaries of the City of Eagle's Landing

The City of Eagle's Landing shall include all the territory embraced within the following census blocks based upon the 2010 United States decennial census:

Plan: eagleslanding-city-2017

Plan Type: Local

Administrator: S017

User: Gina

District EAGLESLAND

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1001 1055 1056

VTD: 15138 - HICKORY FLAT

070205:

1002 3002 3021 3026 3028 3030 3031 3033 3035 3036 3037 3038
3039 3040 3041 3042 3043 3044 3045 3046 3047 3051 3052

070309:

1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
1026 1027 1028 1032 1033 1034 1035 1036 2037 2038 2039 2040
2041 2042 2043 2044 2045 2046 2047 2048 2049 2055

VTD: 15139 - STOCKBRIDGE EAST

070114:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1022 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034

1035 1036 1037 1038 1044 1048 1049 1050 1053 1054 1055 1056
 1057 1058 1062 1067 2027 2028 2031 2032

070309:

1000

VTD: 15140 - STOCKBRIDGE WEST

070114:

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1023 1051
 1063

VTD: 15142 - COTTON INDIAN

070205:

3012

VTD: 15150 - PATES CREEK

070104:

1037 1038 1039 1040 1041 1042 1043 1046 1047 1048 1049 1050
 1051 1052 1053 1054 1058 1059 1060 1061 1062 1063 1064 1065
 1066 1067 1068 1069 1070 1071 1072 1073 1074 1075 2000 2001
 2002 2003 2004 2005 2006 2007 2008 2009 2010

070305:

3000 3001 3002 3003 3004 3005 3006

VTD: 15153 - FLIPPEN

VTD: 15157 - DUTCHTOWN

070305:

3007 3008 3009 3010 3011 3012 3015 3019 3020

VTD: 15160 - LAKE HAVEN

070309:

1029

070310:

2001

For the purposes of this description, the term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in the description which are underneath a VTD heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia.

APPENDIX B City Council Districts

Plan: eagleslanding-dist-2017

Plan Type: Local
 Administrator: S017
 User: Gina

District 001

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1001

VTD: 15150 - PATES CREEK

070104:

1037 1038 1039 1040 1041 1042 1043 1046 1047 1048 1049 1050

1051 1052 1065 1066 1067 1068 1069 1070 1071 1074 1075 2000

2001 2002 2003 2004 2005 2006 2007 2008 2009 2010

070305:

3000 3001 3002 3003 3004 3005 3006

VTD: 15153 - FLIPPEN

070114:

1045 1046 1047 1059 1060 1061 1064 1065 1066

070309:

2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022

2023 2024 2026 2050 2053 2054

VTD: 15157 - DUTCHTOWN

070305:

3007 3008 3009 3010 3011 3012 3015 3019 3020

District 002

Henry County

VTD: 15133 - SPIVEY COMMUNITY

070104:

1055 1056

VTD: 15139 - STOCKBRIDGE EAST

070114:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1022 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034

1035 1036 1037 1038 1044 1048 1049 1050 1053 1054 1055 1056

1057 1058 1062 1067 2027 2028 2031 2032

070309:

1000

VTD: 15140 - STOCKBRIDGE WEST

070114:

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1023 1051

1063

VTD: 15142 - COTTON INDIAN

070205:

3012

VTD: 15150 - PATES CREEK

070104:

1053 1054 1058 1059 1060 1061 1062 1063 1064 1072 1073

VTD: 15153 - FLIPPEN

070205:

3013

District 003

Henry County

VTD: 15138 - HICKORY FLAT

070309:

2046 2047 2048

VTD: 15153 - FLIPPEN

070114:

1039 1040 1041 1042 1043 1052 2029 2030

070205:

3009 3010 3011 3014 3015

070309:

1001 1002 1003 1004 1005 1006 1037 2000 2001 2002 2003 2004
2005 2006 2007 2008 2009 2010 2025 2027 2028 2029 2030 2031
2032 2033 2034 2035 2036 2051 2052

District 004

Henry County

VTD: 15138 - HICKORY FLAT

070205:

1002 3002 3021 3026 3028 3030 3031 3033 3035 3036 3037 3038
3039 3040 3041 3042 3043 3044 3045 3046 3047 3051 3052

070309:

1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
1026 1027 1028 1032 1033 1034 1035 1036 2037 2038 2039 2040
2041 2042 2043 2044 2045 2049 2055

VTD: 15153 - FLIPPEN

070309:

1007 1008 1009 1010 1011 1012 1013

VTD: 15160 - LAKE HAVEN

070309:

1029

070310:

2001

For the purposes of this plan (eagleslanding-dist-2017):

- (1) The term "VTD" shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia. The separate numeric designations in a district description which are underneath a VTD heading shall mean and describe individual blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia;
- (2) Except as otherwise provided in the description of any district, whenever the description of any district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census maps for the United States decennial census of 2010 for the State of Georgia;
- (3) Any part of the City of Eagle's Landing which is not included in any district described in this plan (eagleslanding-dist-2017) shall be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia; and
- (4) Any part of the City of Eagle's Landing which is described in this plan (eagleslanding-dist-2017) as being included in a particular district shall nevertheless not be included within such district if such part is not contiguous to such district. Such noncontiguous part shall instead be included within that district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

APPENDIX C
 CERTIFICATE AS TO MINIMUM STANDARDS
 FOR INCORPORATION OF A NEW MUNICIPAL CORPORATION

I, Rick Jeffares, Georgia State Senator from the 17th District and the author of this bill introduced at the 2017 session of the General Assembly of Georgia, which grants an original municipal charter to the City of Eagle's Landing, do hereby certify that this bill is in compliance with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. in that the area embraced within the original incorporation in this bill is in all respects in compliance with the minimum standards required by Chapter 31 of Title 36 of the O.C.G.A. This certificate is executed to conform to the requirements of Code Section 36-31-5 of the O.C.G.A.

So certified, this _____ day of _____, 2017.

 Honorable Rick Jeffares
 Senator, 17th District
 Georgia State Senate

Senator Strickland of the 17th moved that the Senate agree to the House substitute to SB 263.

Senators Jackson of the 2nd, Henson of the 41st and Orrock of the 36th offered the following amendment #1:

Amend the House substitute to SB 263 (LC 28 8805S) by inserting after "charter" on line 1176 "and all electors of the City of Stockbridge".

Senators Orrock of the 36th, Jackson of the 2nd, James of the 35th and Jones of the 10th offered the following amendment #2:

Amend the House substitute to SB 263 (LC 28 8805S) by striking "real and" on line 927.

Senator Parent of the 42nd offered the following amendment #3:

Amend the House substitute to SB 263 (LC 28 8805S) by striking "The" on line 1017 and inserting in lieu thereof "On or after the time that bonds incurred by the City of Stockbridge which are in existence at the time of the referendum provided for in Section 7.13 of this charter are retired, the".

Senators Jones of the 10th, Tate of the 38th and Henson of the 41st offered the following amendment #4:

Amend the House substitute to SB 263 (LC 28 8805S) by striking "Revenue" on line 1023 and inserting in lieu thereof "On or after the time that bonds incurred by the City of Stockbridge which are in existence at the time of the referendum provided for in Section 7.13 of this charter are retired, revenue".

The President ruled that the amendments were out of order as a motion to agree to the House substitute cannot be amended.

On the motion to agree to the House substitute, a roll call was taken and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	N Jackson	N Rhett
N Anderson, T	N James	N Seay
Y Beach	Y Jones, B	Y Shafer
Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Y Kirk	Y Thompson, B
N Davenport	Y Kirkpatrick	N Thompson, C
Y Dugan	Y Ligon	Y Tillery

Y Ginn	N Lucas	Y Tippins
Y Gooch	E Martin	Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 33, nays 19; the motion prevailed, and the Senate agreed to the House substitute to SB 263.

The following bill was taken up to consider House action thereto:

HB 605. By Representatives Spencer of the 180th, Oliver of the 82nd, Brockway of the 102nd, Frye of the 118th, Rakestraw of the 19th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 3 of Title 9 of the Official Code of Georgia Annotated, relating to specific periods of limitation, so as to change provisions relating to the revival of certain claims involving childhood sexual abuse; to provide for civil actions by the Attorney General under certain circumstances; to provide for a civil penalty; to provide for a report; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senator Kirk of the 13th asked unanimous consent that the Senate adhere to its substitute to HB 605 and that a Conference Committee be appointed.

The President noted that the current time was 10:47 p.m., leaving less than two hours remaining in the 2018 session. He reminded the Senate that Senate Rule 2-8.3(b) requires that conference committee reports be distributed to the Senate two hours prior to being considered and that there was insufficient time to consider a conference committee report unless the Senate suspended the rule.

Senator Kirk of the 13th withdrew his unanimous consent request and moved that the Senate suspend Senate Rule 2-8.3(b).

Senator Heath of the 31st objected.

On the motion, the yeas were 19, nays 20; the motion lost, and the Senate did not suspend the two-hour rule.

Senator Kirk of the 13th moved that the Senate reconsider its action in defeating the motion to suspend the two-hour rule.

On the motion, a roll call was taken, and the vote was as follows:

N Albers	N Hufstetler	N Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
N Beach	N Jones, B	Y Shafer
N Black	Y Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	N Strickland
Y Butler	N Kennedy	Y Tate
N Cowsert	Y Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
N Ginn	Y Lucas	N Tippins
N Gooch	E Martin	N Unterman
N Harbin	McKoon	N Walker
Y Harbison	N Millar	N Watson
N Harper	N Miller	Y Wilkinson
N Heath	N Mullis	N Williams, M
Henson	Y Orrock	N Williams, N
N Hill	Y Parent	

On the motion, the yeas were 26, nays 27; motion lost, and the motion to suspend the two-hour rule was not reconsidered.

The following messages were received from the House through Mr. Reilly, the Clerk thereof:

The House has passed, by the requisite constitutional majority, the following Bills and Resolution of the Senate:

SB 362. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Stone of the 23rd and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to provide for the establishment of an innovative assessment pilot program; to provide for participating local school systems; to provide exemptions from certain state-wide assessment requirements; to provide for an annual report; to provide for revised accountability requirements; to provide for related matters; to repeal conflicting laws; and for other purposes.

SB 391. By Senator Beach of the 21st:

A BILL to be entitled an Act to amend Part 1 of Article 2 of Chapter 10 of Title 32 of the Official Code of Georgia Annotated, relating to general provisions relative to the State Road and Tollway Authority, so as to exempt transit service buses, motor vehicles, and rapid rail systems from requirements relating to identification and regulation of motor vehicles; to provide for related matters; to repeal conflicting laws; and for other purposes.

SR 685. By Senators Jackson of the 2nd, Jones of the 10th, Anderson of the 43rd, James of the 35th, Butler of the 55th and others:

A RESOLUTION renaming the bed of tidewater on the Georgia coast known as "Runaway Negro Creek" to "Freedom Creek"; and for other purposes.

The House has passed, by substitute, by the requisite constitutional majority the following Bill of the Senate:

SB 368. By Senators Kirk of the 13th, Gooch of the 51st, Hill of the 4th, Wilkinson of the 50th, Harper of the 7th and others:

A BILL to be entitled an Act to amend Chapter 6A of Title 35 of the Official Code of Georgia Annotated, relating to the Criminal Justice Coordinating Council, so as to add to the functions and authority of the council; to enable the council to provide technical support and assistance to certain local law enforcement agencies in the attainment of certain grants; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted the report of the Committee of Conference on the following Bill of the House:

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for

purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. President:

The House recedes from its position in amending the Senate amendment to the following Bill of the House:

HB 878. By Representatives Clark of the 147th, Smith of the 134th, Blackmon of the 146th, Raffensperger of the 50th, Lumsden of the 12th and others:

A BILL to be entitled an Act to amend Code Section 33-24-44.1 of the Official Code of Georgia Annotated, relating to procedure for cancellation by an insured and notice, so as to change certain provisions regarding cancellation of an insurance policy by an insured; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has adopted the report of the Committee of Conference on the following Bill of the Senate:

SB 402. By Senators Gooch of the 51st, Cowser of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate substitute to the following Bill of the House:

HB 779. By Representatives Powell of the 32nd, Rogers of the 10th, Rhodes of the 120th and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 3 of Title 38 of the O.C.G.A., relating to emergency management, so as to establish the homeland security division of the Georgia Emergency Management and Homeland Security Agency; to amend Code Section 16-11-130 of the O.C.G.A., relating to exemptions from Code Sections 16-11-126 through 16-11-127.2, so as to authorize any officer or agent or retired officer or agent of such division to carry a handgun on or off duty within this state with an exception; to amend Chapter 3 of Title 35 of the O.C.G.A., relating to the Georgia Bureau of Investigation, so as to revise the duties of the director of the Georgia Bureau of Investigation pertaining to the Georgia Information Sharing and Analysis Center; to revise the duties of the Georgia Information Sharing and Analysis Center; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senator Strickland of the 17th asked unanimous consent that HR 993, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HR 993, having been taken from the Table, was put upon its passage.

HR 993. By Representatives Efstoration of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A RESOLUTION proposing an amendment to the Constitution so as to create a business court with state-wide jurisdiction; to provide for venue and uniformity of jurisdiction and powers; to provide for selection, terms, and qualifications of business court judges; to provide for the submission of this amendment for ratification or rejection; to provide for related matters; and for other purposes.

Senate Sponsor: Senator Strickland of the 17th.

The Senate Committee on Judiciary offered the following substitute to HR 993:

A RESOLUTION

Proposing an amendment to the Constitution so as to create a state-wide business court with state-wide jurisdiction for use under certain circumstances; to provide for venue, jurisdiction, and powers; to provide for selection, terms, and qualifications of state-wide business court judges; to provide for the submission of this amendment for ratification or rejection; to provide for related matters; and for other purposes.

BE IT RESOLVED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article VI of the Constitution is amended by revising Sections I, II, III, IV, and VII as follows:

**"SECTION I.
JUDICIAL POWER**

Paragraph I. *Judicial power of the state.* The judicial power of the state shall be vested exclusively in the following classes of courts: magistrate courts, probate courts, juvenile courts, state courts, superior courts, state-wide business court, Court of Appeals, and Supreme Court. Nothing in this paragraph shall preclude a superior court from creating a business court division for its circuit in a manner provided by law. Magistrate courts, probate courts, juvenile courts, and state courts shall be courts of limited jurisdiction. In addition, the General Assembly may establish or authorize the establishment of municipal courts and may authorize administrative agencies to exercise quasi-judicial powers. Municipal courts shall have jurisdiction over ordinance violations and such other jurisdiction as provided by law. Except as provided in this Paragraph and in Section X, municipal courts, county recorder's courts, and civil courts in existence on June 30, 1983, and administrative agencies shall not be subject to the provisions of this article. The General Assembly shall have the authority to confer 'by law' jurisdiction upon municipal courts to try state offenses.

Paragraph II. *Unified judicial system.* All courts of the state shall comprise a unified judicial system.

Paragraph III. *Judges; exercise of power outside own court; scope of term 'judge.'* Provided the judge is otherwise qualified, a judge may exercise judicial power in any court upon the request and with the consent of the judges of that court and of the judge's own court under rules prescribed by law. The term 'judge,' as used in this article, shall include Justices, judges, senior judges, magistrates, and every other such judicial office of whatever name existing or created.

Paragraph IV. *Exercise of judicial power.* Each court may exercise such powers as necessary in aid of its jurisdiction or to protect or effectuate its judgments; but only the superior and appellate courts and state-wide business court shall have the power to issue process in the nature of mandamus, prohibition, specific performance, quo warranto, and injunction. Each superior court, state court, and other courts of record and the state-wide business court may grant new trials on legal grounds.

Paragraph V. *Uniformity of jurisdiction, powers, etc.* Except as otherwise provided in this Constitution, the courts of each class shall have uniform jurisdiction, powers, rules

of practice and procedure, and selection, qualifications, terms, and discipline of judges. The provisions of this Paragraph ~~shall be effected by law within 24 months of the effective date of this Constitution~~, as related to the state-wide business court, shall be effective as provided by law.

Paragraph VI. ***Judicial circuits; courts in each county; court sessions.*** The state shall be divided into judicial circuits, each of which shall consist of not less than one county. Each county shall have at least one superior court, magistrate court, a probate court, and, where needed, a state court, ~~and a juvenile court, and a business court division of superior court.~~ The General Assembly may provide by law that the judge of the probate court may also serve as the judge of the magistrate court. In the absence of a state court or a juvenile court, the superior court shall exercise that jurisdiction. Superior courts shall hold court at least twice each year in each county.

Paragraph VII. ***Judicial circuits, courts, and judgeships, law changed.*** The General Assembly may abolish, create, consolidate, or modify judicial circuits and courts and judgeships; but no circuit shall consist of less than one county.

Paragraph VIII. ***Transfer of cases.*** Any court shall transfer to the appropriate court in the state any civil case in which it determines that jurisdiction or venue lies elsewhere.

Paragraph IX. ***Rules of evidence; law prescribed.*** All rules of evidence shall be as prescribed by law.

Paragraph X. ***Authorization for pilot projects.*** The General Assembly may by general law approved by a two-thirds' majority of the members of each house enact legislation providing for, as pilot programs of limited duration, courts which are not uniform within their classes in jurisdiction, powers, rules of practice and procedure, and selection, qualifications, terms, and discipline of judges for such pilot courts and other matters relative thereto. Such legislation shall name the political subdivision, judicial circuit, and existing courts affected and may, in addition to any other power, grant to such court created as a pilot program the power to issue process in the nature of mandamus, prohibition, specific performance, quo warranto, and injunction. The General Assembly shall provide by general law for a procedure for submitting proposed legislation relating to such pilot programs to the Judicial Council of Georgia or its successor. Legislation enacted pursuant to this Paragraph shall not deny equal protection of the laws to any person in violation of Article I, Section I, Paragraph II of this Constitution.

SECTION II. VENUE

Paragraph I. ***Divorce cases.*** Divorce cases shall be tried in the county where the defendant resides, if a resident of this state; if the defendant is not a resident of this

state, then in the county in which the plaintiff resides; provided, however, a divorce case may be tried in the county of residence of the plaintiff if the defendant has moved from that same county within six months from the date of the filing of the divorce action and said county was the site of the marital domicile at the time of the separation of the parties, and provided, further, that any person who has been a resident of any United States army post or military reservation within the State of Georgia for one year next preceding the filing of the petition may bring an action for divorce in any county adjacent to said United States army post or military reservation.

Paragraph II. ***Land titles.*** Cases respecting titles to land shall be tried in the county where the land lies, except where a single tract is divided by a county line, in which case the superior court of either county shall have jurisdiction.

Paragraph III. ***Equity cases.*** Equity cases shall be tried in the county where a defendant resides against whom substantial relief is prayed.

Paragraph IV. ***Suits against joint obligors, copartners, or joint trespassers.*** Suits against joint obligors, joint tort-feasors, joint promisors, copartners, or joint trespassers residing in different counties may be tried in either county.

Paragraph V. ***Suits against maker, endorser, etc.*** Suits against the maker and endorser of promissory notes, or drawer, acceptor, and endorser of foreign or inland bills of exchange, or like instruments, residing in different counties, shall be tried in the county where the maker or acceptor resides.

Paragraph VI. ***All other cases.*** All other civil cases, except juvenile court cases as may otherwise be provided by the Juvenile Court Code of Georgia, shall be tried in the county where the defendant resides; venue as to corporations, foreign and domestic, shall be as provided by law; and all criminal cases shall be tried in the county where the crime was committed, except cases in the superior courts where the judge is satisfied that an impartial jury cannot be obtained in such county.

Paragraph VII. ***Venue in third-party practice.*** The General Assembly may provide by law that venue is proper in a county other than the county of residence of a person or entity impleaded into a pending civil case by a defending party who contends that such person or entity is or may be liable to said defending party for all or part of the claim against said defending party.

Paragraph VIII. ***Power to change venue.*** The power to change the venue in civil and criminal cases shall be vested in the superior courts to be exercised in such manner as has been, or shall be, provided by law.

Paragraph IX. ***Venue of state-wide business court.*** All cases before the state-wide business court may conduct pretrial proceedings in any county as provided by law.

Any trial of a case that is before the state-wide business court shall take place in the county as is otherwise prescribed by this section.

SECTION III. CLASSES OF COURTS OF LIMITED JURISDICTION

Paragraph I. *Jurisdiction of classes of courts of limited jurisdiction.* The magistrate, juvenile, and state courts shall have uniform jurisdiction as provided by law. Probate courts shall have such jurisdiction as now or hereafter provided by law, without regard to uniformity.

Paragraph II. *Jurisdiction of state-wide business court.* The state-wide business court shall have state-wide jurisdiction as provided by law.

SECTION IV. SUPERIOR COURTS

Paragraph I. *Jurisdiction of superior courts.* The superior courts shall have jurisdiction in all cases, except as otherwise provided in this Constitution. They shall have exclusive jurisdiction over trials in felony cases, except in the case of juvenile offenders as provided by law; in cases respecting title to land; and in divorce cases; and. They shall have concurrent jurisdiction with the state-wide business court in equity cases. A superior court by agreement of the parties may order removal of a case to the state-wide business court as provided by law. The superior courts shall have such appellate jurisdiction, either alone or by circuit or district, as may be provided by law."

"SECTION VII. SELECTION, TERM, COMPENSATION, AND DISCIPLINE OF JUDGES

Paragraph I. ~~*Election*~~ *Selection; term of office.* (a) All superior court and state court judges shall be elected on a nonpartisan basis for a term of four years. All Justices of the Supreme Court and the Judges of the Court of Appeals shall be elected on a nonpartisan basis for a term of six years. The terms of all judges thus elected shall begin the next January 1 after their election. All other judges shall continue to be selected in the manner and for the term they were selected on June 30, 1983, until otherwise provided by local law.

(b) All state-wide business court judges shall serve a term of five years; provided, however, that the initial term of such judges shall be as provided by law. Such judges shall be appointed by the Governor, subject to approval by a majority vote of the Senate Judiciary Committee and a majority vote of the House Committee on Judiciary. Such judges may be reappointed for any number of consecutive terms as long as he or she meets the qualifications of appointment at the time of each appointment and is approved as required by this subparagraph. The state-wide business court shall consist

of the number of judges as provided for by law. For purposes of qualifications, state-wide business court judges shall be deemed to serve the geographical area of this state.

Paragraph II. ***Qualifications.*** (a) Appellate, ~~and superior, and state-wide business~~ court judges shall have been admitted to practice law for seven years.

(b) State court judges shall have been admitted to practice law for seven years, provided that this requirement shall be five years in the case of state court judges elected or appointed in the year 2000 or earlier. Juvenile court judges shall have been admitted to practice law for five years.

(b.1) State-wide business court judges shall have such qualifications as provided by law.

(c) Probate and magistrate judges shall have such qualifications as provided by law.

(d) All judges shall reside in the geographical area in which they are selected to serve.

(e) The General Assembly may provide by law for additional qualifications, including, but not limited to, minimum residency requirements.

Paragraph III. ***Vacancies.*** Vacancies shall be filled by appointment of the Governor except as otherwise provided by law in the magistrate, probate, and juvenile courts. Vacancies in the state-wide business court shall be filled by appointment of the Governor, subject to approval as specified in subparagraph (b) of Paragraph (I) of this section.

Paragraph IV. ***Period of service of appointees.*** An appointee to an elective office shall serve until a successor is duly selected and qualified and until January 1 of the year following the next general election which is more than six months after such person's appointment.

Paragraph V. ***Compensation and allowances of judges.*** All judges shall receive compensation and allowances as provided by law; county supplements are hereby continued and may be granted or changed by the General Assembly. County governing authorities which had the authority on June 30, 1983, to make county supplements shall continue to have such authority under this Constitution. An incumbent's salary, allowance, or supplement shall not be decreased during the incumbent's term of office.

Paragraph VI. ***Judicial Qualifications Commission; power; composition.*** (a) The General Assembly shall by general law create and provide for the composition, manner of appointment, and governance of a Judicial Qualifications Commission, with such commission having the power to discipline, remove, and cause involuntary retirement of judges as provided by this Article. Appointments to the Judicial Qualifications Commission shall be subject to confirmation by the Senate as provided for by general law.

(b) The procedures of the Judicial Qualifications Commission shall comport with due process. Such procedures and advisory opinions issued by the Judicial Qualifications Commission shall be subject to review by the Supreme Court.

(c) The Judicial Qualifications Commission which existed on June 30, 2017, is hereby abolished.

Paragraph VII. *Discipline, removal, and involuntary retirement of judges.* (a) Any judge may be removed, suspended, or otherwise disciplined for willful misconduct in office, or for willful and persistent failure to perform the duties of office, or for habitual intemperance, or for conviction of a crime involving moral turpitude, or for conduct prejudicial to the administration of justice which brings the judicial office into disrepute. Any judge may be retired for disability which constitutes a serious and likely permanent interference with the performance of the duties of office. The Supreme Court shall adopt rules of implementation.

(b)(1) Upon indictment for a felony by a grand jury of this state or by a grand jury of the United States of any judge, the Attorney General or district attorney shall transmit a certified copy of the indictment to the Judicial Qualifications Commission. The commission shall, subject to subparagraph (b)(2) of this Paragraph, review the indictment, and, if it determines that the indictment relates to and adversely affects the administration of the office of the indicted judge and that the rights and interests of the public are adversely affected thereby, the commission shall suspend the judge immediately and without further action pending the final disposition of the case or until the expiration of the judge's term of office, whichever occurs first. During the term of office to which such judge was elected and in which the indictment occurred, if a nolle prosequi is entered, if the public official is acquitted, or if after conviction the conviction is later overturned as a result of any direct appeal or application for a writ of certiorari, the judge shall be immediately reinstated to the office from which he was suspended. While a judge is suspended under this subparagraph and until initial conviction by the trial court, the judge shall continue to receive the compensation from his office. After initial conviction by the trial court, the judge shall not be entitled to receive the compensation from his office. If the judge is reinstated to office, he shall be entitled to receive any compensation withheld under the provisions of this subparagraph. For the duration of any suspension under this subparagraph, the Governor shall appoint a replacement judge. Upon a final conviction with no appeal or review pending, the office shall be declared vacant and a successor to that office shall be chosen as provided in this Constitution or the laws enacted in pursuance thereof.

(2) The commission shall not review the indictment for a period of 14 days from the day the indictment is received. This period of time may be extended by the commission. During this period of time, the indicted judge may, in writing, authorize the commission to suspend him from office. Any such voluntary suspension shall be subject to the same conditions for review, reinstatement, or declaration of vacancy as are provided in this subparagraph for a nonvoluntary suspension.

(3) After any suspension is imposed under this subparagraph, the suspended judge may petition the commission for a review. If the commission determines that the judge should no longer be suspended, he shall immediately be reinstated to office.

- (4)(A) The findings and records of the commission and the fact that the public official has or has not been suspended shall not be admissible in evidence in any court for any purpose.
- (B) The findings and records of the commission shall not be open to the public except as provided by the General Assembly by general law.
- (5) The provisions of this subparagraph shall not apply to any indictment handed down prior to January 1, 1985.
- (6) If a judge who is suspended from office under the provisions of this subparagraph is not first tried at the next regular or special term following the indictment, the suspension shall be terminated and the judge shall be reinstated to office. The judge shall not be reinstated under this provision if he is not so tried based on a continuance granted upon a motion made only by the defendant.
- (c) Upon initial conviction of any judge for any felony in a trial court of this state or the United States, regardless of whether the judge has been suspended previously under subparagraph (b) of this Paragraph, such judge shall be immediately and without further action suspended from office. While a judge is suspended from office under this subparagraph, he shall not be entitled to receive the compensation from his office. If the conviction is later overturned as a result of any direct appeal or application for a writ of certiorari, the judge shall be immediately reinstated to the office from which he was suspended and shall be entitled to receive any compensation withheld under the provisions of this subparagraph. For the duration of any suspension under this subparagraph, the Governor shall appoint a replacement judge. Upon a final conviction with no appeal or review pending, the office shall be declared vacant and a successor to that office shall be chosen as provided in this Constitution or the laws enacted in pursuance thereof. The provisions of this subparagraph shall not apply to any conviction rendered prior to January 1, 1987.

Paragraph VIII. *Due process; review by Supreme Court.* No action shall be taken against a judge except after hearing and in accordance with due process of law. No removal or involuntary retirement shall occur except upon order of the Supreme Court after review."

SECTION 2.

The above proposed amendment to the Constitution shall be published and submitted as provided in Article X, Section I, Paragraph II of the Constitution. The ballot submitting the above proposed amendment shall have written or printed thereon the following:

- "() YES Shall the Constitution of Georgia be amended so as to create a state-wide business court, authorize superior court business court divisions, and allow
- () NO for the appointment process for state-wide business court judges in order to lower costs, improve the efficiency of all courts, and promote predictability of judicial outcomes in certain complex business disputes for the benefit of all citizens of this state?"

All persons desiring to vote in favor of ratifying the proposed amendment shall vote "Yes." All persons desiring to vote against ratifying the proposed amendment shall vote "No." If such amendment shall be ratified as provided in said Paragraph of the Constitution, it shall become a part of the Constitution of this state.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted.

The report of the committee, which was favorable to the adoption of the resolution by substitute, was agreed to.

On the adoption of the resolution proposing an amendment to the Constitution, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
N Anderson, T	Y James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	N Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Williams, M
Henson	N Orrock	N Williams, N
Y Hill	Y Parent	

On the adoption of the resolution, the yeas were 46, nays 7.

HR 993, having received the requisite two-thirds constitutional majority, was adopted by substitute.

Senator Gooch of the 51st was excused for business outside the Senate Chamber.

The following bill was taken up to consider House action thereto:

SB 315. By Senators Thompson of the 14th, Albers of the 56th, Cowsert of the 46th, Miller of the 49th, Unterman of the 45th and others:

A BILL to be entitled an Act to amend Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, so as to create the new crime of unauthorized computer access; to provide for penalties; to change provisions relating to venue for computer crimes; to provide for forfeiture; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, so as to create the new crime of unauthorized computer access; to provide for exceptions; to provide for penalties; to change provisions relating to venue for computer crimes; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 1 of Article 6 of Chapter 9 of Title 16 of the Official Code of Georgia Annotated, relating to computer crimes, is amended by adding a new subsection to and revising paragraph (2) of subsection (h) of Code Section 16-9-93, relating to computer crimes defined, exclusivity of article, civil remedies, and criminal penalties, as follows:

"(b.1)(1) **Unauthorized Computer Access.** Any person who intentionally accesses a computer or computer network with knowledge that such access is without authority shall be guilty of the crime of unauthorized computer access.

(2) This subsection shall not apply to:

(A) Persons who are members of the same household;

(B) Access to a computer or computer network for a legitimate business activity;

(C) Cybersecurity active defense measures that are designed to prevent or detect unauthorized computer access; or

(D) Persons based upon violations of terms of service or user agreements."

"(2) Any person convicted of computer password disclosure or unauthorized computer access shall be ~~fined not more than \$5,000.00 or incarcerated for a period not to exceed one year, or both~~ punished for a misdemeanor of a high and aggravated nature."

SECTION 2.

Said part is further amended by revising Code Section 16-9-94, relating to venue, as follows:

"16-9-94.

For the purpose of venue under this article, any violation of this article shall be considered to have been committed:

- (1) In the county of the residence or principal place of business in this state of the owner or lessee of a computer, computer network, or any part thereof which has been the subject of such violation;
- (2) In any county in which any person alleged to have violated any provision of this article had control or possession of any proceeds of the violation or of any books, records, documents, or property which were used in furtherance of the violation;
- (3) In any county in which any act was performed in furtherance of any transaction which violated this article; ~~and~~
- (4) In any county from which, to which, or through which any use of a computer or computer network was made, whether by wires, electromagnetic waves, microwaves, or any other means of communication;
- (5) In any county in which an authorized computer user was denied service; and
- (6) In any county in which an authorized computer user's service was interrupted."

SECTION 3.

All laws and parts of laws in conflict with this Act are repealed.

Senator Thompson of the 14th moved that the Senate agree to the House substitute to SB 315.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	N Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	Tate
Cowsert	Kirk	Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	N Tillery
Y Ginn	Y Lucas	Y Tippins
E Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson

Y Harper
Y Heath
N Henson
Y Hill

Y Miller
Y Mullis
Orrock
N Parent

Y Wilkinson
Y Williams, M
Y Williams, N

On the motion, the yeas were 42, nays 7; the motion prevailed, and the Senate agreed to the House substitute to SB 315.

The following bill was taken up to consider House action thereto:

HB 695. By Representatives Epps of the 144th, England of the 116th, Nimmer of the 178th, McCall of the 33rd, Dickey of the 140th and others:

A BILL to be entitled an Act to amend Code Section 40-2-86 of the Official Code of Georgia Annotated, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, so as to establish a specialty license plate honoring Georgia's working forests and the Georgia Forestry Foundation; to provide for related matters; to provide for compliance with constitutional requirements; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate amendment was as follows:

Amend the Senate amendment to HB 695 (AM 39 0231) by deleting lines 1 through 7 and inserting in lieu thereof the following:

Amend HB 695 (LC 39 1713) by deleting lines 1 through 21 and inserting in lieu thereof the following:

To amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to allow for the waiver of certain requirements for license plates relating to vehicles of state and political subdivisions; to establish a special license plate honoring Georgia's working forests and the Georgia Forestry Foundation; to change the amount dedicated to a sponsoring agency, fund, or nonprofit corporation related to a special license plate promoting dog and cat sterilization; to provide for related matters; to provide for compliance with constitutional requirements; to provide for effective dates; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, is amended in Code Section 40-2-37, relating to registration and licensing of vehicles of state and political subdivisions, by revising

subsection (c) as follows:

"(c) All license plates issued to government vehicles pursuant to this Code section shall be marked in such a manner as to indicate the specific type of governmental unit operating the vehicle. These markings shall be prominently displayed and shall consist of one of the following appropriate legends: 'STATE,' 'CITY,' 'COUNTY,' 'AUTHORITY,' or 'BOARD.' In addition, each such license plate shall bear a county identification strip indicating the county in which the vehicle is based except that vehicles owned by the state shall not be required to bear such county identification strip. The commissioner shall be authorized to grant a waiver of the requirements of this subsection such that regular Georgia license plates may be issued for any vehicle or vehicles owned by the State of Georgia, any municipality of this state, or any other political subdivision of this state upon finding issuance of such waiver to be in the best interest of public safety, public welfare, or efficient administration."

SECTION 2.

Said chapter is further amended in subsection (l) of Code Section 40-2-86, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, by revising paragraph (6) as follows:

~~"(6) Reserved. Special license plates promoting the dog and cat reproductive sterilization support program of the Georgia Department of Agriculture. The funds raised by the sale of these special license plates shall be disbursed to the Georgia Department of Agriculture and shall be deposited in the special fund for support of the dog and cat reproductive sterilization support program created by Code Section 4-15-1 and Article III, Section IX, Paragraph VI(m) of the Constitution of the State of Georgia."~~

SECTION 3.

Said chapter is further amended in subsection (m) of Code Section 40-2-86, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, by adding a new paragraph to read as follows:

"(14) A special license plate honoring Georgia's working forests and the benefits they provide to Georgians, with the words '#1 in Forestry' to be displayed across the bottom. The funds raised by the sale of this special license plate shall be disbursed as provided in paragraph (1) of this subsection to the Georgia Forestry Foundation."

SECTION 4.

Said chapter is further amended in subsection (n) of Code Section 40-2-86, relating to special license plates promoting and supporting certain beneficial projects, agencies, funds, or nonprofit corporations, by adding a new paragraph to read as follows:

"(7) A special license plate promoting the dog and cat reproductive sterilization support program of the Department of Agriculture. The funds raised by the sale of this special license plate shall be disbursed to the Department of Agriculture and shall be deposited in the special fund for support of the dog and cat reproductive

sterilization support program created by Code Section 4-15-1 and Article III, Section IX, Paragraph VI(m) of the Constitution of the State of Georgia."

SECTION 5.

In accordance with the requirements of Article III, Section IX, Paragraph VI(n) of the Constitution of the State of Georgia, this Act shall not become law unless the requisite two-thirds' majority vote in both the Senate and the House of Representatives is received.

SECTION 6.

(a) Except as provided for in subsection (b) of this section, this Act shall become effective on July 1, 2018.

(b) Section 3 of this Act shall become effective on July 1, 2019.

SECTION 7.

All laws and parts of laws in conflict with this Act are repealed.

Senator Kennedy of the 18th moved that the Senate agree to the House amendment to the Senate amendment to HB 695.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Jones, H	Y Stone
Y Burke	Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Ligon	Y Tillery
Y Ginn	Lucas	Y Tippins
E Gooch	Y Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 47, nays 0; the motion prevailed, and the Senate agreed to the House amendment to the Senate amendment to HB 695.

The following bill was taken up to consider House action thereto:

SB 403. By Senators Thompson of the 14th, Brass of the 28th, Mullis of the 53rd, Albers of the 56th, Beach of the 21st and others:

A BILL to be entitled an Act to amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to provide for uniform election equipment in this state; to provide that direct recording electronic voting systems shall not be used in primaries or elections in this state after January 1, 2024; to provide for definitions; to provide for ballot marking devices and standards and procedures for such devices; to provide for audits of election results and procedures therefor; to provide for conforming changes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, so as to create a commission to study the feasibility, practicality, and desirability of acquiring new voting systems for use in elections in this state and the steps and changes necessary to accomplish such acquisition; to provide for definitions; to provide for the certification time for election results; to provide for ballot marking devices; to provide for conforming changes; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, is amended by revising paragraphs (2), (4.1), and (18) of Code Section 21-2-2, relating to definitions, and adding new paragraphs to read as follows:

"(3) 'Automatic tabulating equipment' means apparatus, including ballot scanning machines, that are utilized to ascertain the manner by which paper ballots have been marked by electors, whether by hand or by means of electronic ballot markers, and that count the votes marked on such ballots."

"(2) 'Ballot labels marking device' means ~~the cards, paper, or other material placed on the front of a voting machine containing the names of offices and candidates and statements of questions to be voted on~~ a pen, pencil, or similar writing tool, or an electronic device designed for use in marking paper ballots so that its elector readable and verifiable mark may be detected as a vote so cast and then counted by automatic

tabulating equipment.

(2.1) 'Ballot scanner' means an electronic recording device which receives an elector's ballot and tabulates the votes on the ballot by its own devices; also known as a 'tabulating machine.'"

"(4.1) 'Direct recording electronic' or 'DRE' voting equipment means a computer driven unit for casting and counting votes on which an elector touches a video screen or a button adjacent to a video screen to cast his or her vote. Such term shall not encompass ballot marking devices or electronic ballot markers."

"(7.1) 'Electronic ballot marker' means an electronic device that does not compute or retain votes; may integrate components such as a ballot scanner, printer, touch screen monitor, audio output, and a navigational keypad; and uses electronic technology to independently and privately mark a paper ballot at the direction of an elector, interpret ballot selections, communicate such interpretation for elector verification, and print an elector-verifiable paper ballot."

"(18) 'Official ballot' means a ballot, whether paper, mechanical, or electronic, which is furnished by the superintendent or governing authority in accordance with Code Section 21-2-280, including ballots read by optical scanning tabulators human readable marks or text that may be elector verified and counted as votes so cast by ballot scanners. An electronic image of a scanning ballot shall not be considered an official ballot."

"(19.1) 'Optical scanning voting system' means a system employing paper ballots on which electors cast votes with a ballot marking device or electronic ballot marker after which votes are counted by automatic tabulating equipment."

"(28.1) 'Precinct ballot scanner' is a ballot scanner."

"(32.1) 'Scanning ballot' means a printed paper ballot designed to be marked by an elector with a ballot marking device or electronic ballot marker or durable blank paper designed to be used in a ballot marking device or electronic ballot marker, which is then inserted for casting into a ballot scanner."

SECTION 2.

Said chapter is further amended by revising paragraph (15) of subsection (a) of Code Section 21-2-50, relating to the powers and duties of the Secretary of State and prohibition against serving in a fiduciary capacity, as follows:

"(15) To develop, program, build, and review ballots for use by counties and municipalities on ~~direct recording electronic (DRE)~~ voting systems in use in the state."

SECTION 3.

Said chapter is further amended by revising subsection (a) of Code Section 21-2-267, relating to equipment, arrangement, and storage at polling places, as follows:

"(a) The governing authority of each county and municipality shall provide and the superintendent shall cause all rooms used as polling places to be provided with suitable heat and light and, in precincts in which ballots are used, with a sufficient number of

voting compartments or booths with proper supplies in which the electors may conveniently mark their ballots, with a curtain, screen, or door in the upper part of the front of each compartment or booth so that in the marking thereof they may be screened from the observation of others. A curtain, screen, or door shall not be required, however, for the self-contained units used as voting booths in which direct recording electronic (DRE) voting units or electronic ballot markers are located if such booths have been designed so as to ensure the privacy of the elector. When practicable, every polling place shall consist of a single room, every part of which is within the unobstructed view of those present therein and shall be furnished with a guardrail or barrier closing the inner portion of such room, which guardrail or barrier shall be so constructed and placed that only such persons as are inside such rail or barrier can approach within six feet of the ballot box and voting compartments, or booths, or voting machines, as the case may be. The ballot box and voting compartments or booths shall be so arranged in the voting room within the enclosed space as to be in full view of those persons in the room outside the guardrail or barrier. The voting machine or machines shall be placed in the voting rooms within the enclosed space so that, unless its construction shall otherwise require, the ballot labels on the face of the machine can be plainly seen by the poll officers when the machine is not occupied by an elector. In the case of direct recording electronic (DRE) voting units or electronic ballot markers, the ~~units~~ devices shall be arranged in such a manner as to ensure the privacy of the elector while voting on such ~~units~~ devices, to allow monitoring of the ~~units~~ devices by the poll officers while the polls are open, and to permit the public to observe the voting without affecting the privacy of the electors as they vote."

SECTION 4.

Said chapter is further amended by revising Code Section 21-2-293, relating to correction of mistakes and omissions on ballots, as follows:

"21-2-293.

(a) If the election superintendent discovers that a mistake or omission has occurred in the printing of official ballots or in the programming of the display of the official ballot on DRE voting equipment or electronic ballot markers for any primary or election, the superintendent is authorized on his or her own motion to take such steps as necessary to correct such mistake or omission if the superintendent determines that such correction is feasible and practicable under the circumstances; provided, however, that the superintendent gives at least 24 hours notice to the Secretary of State and any affected candidates of the mistake or omission prior to making such correction.

(b) When it is shown by affidavit that a mistake or omission has occurred in the printing of official ballots or in the programming of the display of the official ballot on DRE voting equipment or electronic ballot markers for any primary or election, the superior court of the proper county may, upon the application of any elector of the county or municipality, require the superintendent to correct the mistake or omission or to show cause why he or she should not do so."

SECTION 5.

Said chapter is further amended by adding a new Code section to Article 8A, relating to state-wide voting equipment, to read as follows:

"21-2-301.

(a) There is created the Georgia 2020 Election Transition Commission. Such commission shall consist of the following members:

(1) Six members of the House of Representatives appointed by the Speaker of the House of Representatives, not more than four of whom shall be from the same political party;

(2) Six members of the Senate appointed by the Lieutenant Governor, not more than four of whom shall be from the same political party;

(3) One local elections official appointed by the Speaker of the House of Representatives who shall be a nonvoting member;

(4) One local elections official appointed by the Lieutenant Governor who shall be a nonvoting member;

(5) The chairperson of the Georgia Republican Party or his or her designee who shall be an ex officio, nonvoting member; and

(6) The chairperson of the Democratic Party of Georgia or his or her designee who shall be an ex officio, nonvoting member.

(b) All appointments to the commission shall be made not later than May 1, 2018. The Speaker of the House of Representatives and the Lieutenant Governor shall each designate one of their respective appointees to serve as cochairpersons of the commission. The commission shall meet upon the call of the cochairpersons. The commission may conduct such meetings at such places and at such times as it may deem necessary or convenient to enable it to exercise fully and effectively its powers, perform its duties, and accomplish the objectives and purposes of this Code section.

(c) The members of the commission shall receive the allowances provided for in Code Section 28-1-8. Funds necessary to carry out the provisions of this Code section shall come from funds appropriated to the House of Representatives and the Senate.

(d) The commission shall study the feasibility, practicality, and desirability of selecting a new voting system for use in elections in the State of Georgia. In so doing, the commission shall review the voting systems that are available and shall propose any necessary changes in Georgia law to accommodate new voting systems, as well as to enhance the security and reliability of elections in Georgia which may include, but shall not be limited to, the implementation of risk-limiting and other audits. The commission shall also propose selection criteria for use in issuing a competitive public solicitation to select such new voting system equipment and supporting services for use in primaries and elections in each county in this state, as well as proposing a plan for such solicitation and implementation of the purchase and installation of such voting systems in the state following such purchase. The commission shall review the costs of such voting system and shall propose a manner of funding the purchase of such system and supporting services and a timeline for the solicitation, purchase, and implementation of such system.

(e) The commission shall conduct public meetings and technical inquiries regarding county requirements, cybersecurity considerations, and fraud prevention practices in the state in performing its study.

(f) The State Election Board and the office of the Secretary of State shall provide the commission with such administrative and technical support as necessary for the commission to fulfill its duties and responsibilities. In addition, the commission may request the services of the Carl Vinson Institute of Government of the University of Georgia.

(g) Not later than December 1, 2018, the commission shall provide a report of its findings and recommendations with regard to the matters in subsection (d) of this Code section to the Speaker of the House of Representatives and the Lieutenant Governor.

(h) This Code section shall be repealed by operation of law, and the commission shall be abolished on December 31, 2018."

SECTION 6.

Said chapter is further amended by revising paragraph (5) of Code Section 21-2-365, relating to requirements for use of optical scanning voting systems, as follows:

"(5) ~~An optical scanning tabulator~~ A ballot scanner shall preclude the counting of votes for any candidate or upon any question for whom or upon which an elector is not entitled to vote; shall preclude the counting of votes for more persons for any office than he or she is entitled to vote for; and shall preclude the counting of votes for any candidate for the same office or upon any question more than once;"

SECTION 7.

Said chapter is further amended by revising subsection (a) of Code Section 21-2-369, relating to printing of ballots and arrangement, as follows:

"(a) The ballots shall be printed in black ink upon clear, white, or colored material, of such size and arrangement as will suit the construction of the ~~optical~~ ballot scanner, and in plain, clear type so as to be easily readable by persons with normal vision; provided, however, that red material shall not be used except that all ovals appearing on the ballot to indicate where a voter should mark to cast a vote may be printed in red ink."

SECTION 8.

Said chapter is further amended by revising Code Section 21-2-372, relating to ballot description, as follows:

"21-2-372.

Ballots shall be of suitable design, size, and stock to permit processing by a ~~tabulating machine~~ ballot scanner and shall be printed in black ink on clear, white, or colored material. ~~In counties using a central count tabulating system, a serially numbered strip shall be attached to each ballot in a manner and form similar to that prescribed in this chapter for paper ballots."~~

SECTION 9.

Said chapter is further amended by revising subsections (a) and (b) of Code Section 21-2-374, relating to proper programming, proper order, testing, and supplies, as follows:

"(a) The superintendent of each county or municipality shall order the proper programming to be placed in each ~~tabulator~~ ballot scanner used in any precinct or central tabulating location.

(b) On or before the third day preceding a primary or election, including special primaries, special elections, and referendum elections, the superintendent shall have the ~~optical-scanning tabulators~~ ballot scanners tested to ascertain that they will correctly count the votes cast for all offices and on all questions. Public notice of the time and place of the test shall be made at least five days prior thereto; provided, however, that, in the case of a runoff, the public notice shall be made at least three days prior thereto. Representatives of political parties and bodies, candidates, news media, and the public shall be permitted to observe such tests. The test shall be conducted by processing a preaudited group of ballots so marked as to record a predetermined number of valid votes for each candidate and on each question and shall include for each office one or more ballots which are improperly marked and one or more ballots which have votes in excess of the number allowed by law in order to test the ability of the ~~optical-scanning tabulator~~ ballot scanner to reject such votes. The ~~optical-scanning tabulator~~ ballot scanner shall not be approved unless it produces an errorless count. If any error is detected, the cause therefor shall be ascertained and corrected; and an errorless count shall be made before the ~~tabulator~~ ballot scanner is approved. The superintendent shall cause the pretested ~~tabulators~~ ballot scanners to be placed at the various polling places to be used in the primary or election. The superintendent shall require that each ~~optical scanning tabulator~~ ballot scanner be thoroughly tested and inspected prior to each primary and election in which it is used and shall keep such tested material as certification of an errorless count on each ~~tabulator~~ ballot scanner. In counties using central count ~~optical-scanning tabulators~~ ballot scanners, the same test shall be repeated immediately before the start of the official count of the ballots and at the conclusion of such count. Precinct ~~tabulators~~ ballot scanners shall produce a zero tape prior to any ballots being inserted on the day of any primary or election."

SECTION 10.

Said chapter is further amended by revising Code Section 21-2-375, relating to delivery of equipment to polling places, protection for equipment, and required accessories, as follows:

"21-2-375.

(a) In counties using precinct count ~~optical-scanning tabulators~~ ballot scanners, the superintendent shall deliver the proper ~~optical-scanning tabulator~~ ballot scanner to the polling places at least one hour before the time set for opening of the polls at each primary or election and shall cause each to be set up in the proper manner for use in voting.

(b) The superintendent shall provide ample protection against molestation of and injury

to the ~~optical scanning tabulator~~ ballot scanner and, for that purpose, shall call upon any law enforcement officer to furnish such assistance as may be necessary; and it shall be the duty of the law enforcement officer to furnish such assistance when so requested by the superintendent.

(c) The superintendent shall at least one hour before the opening of the polls:

- (1) Provide sufficient lighting to enable electors, while in the voting booth, to read the ballot, which lighting shall be suitable for the use of poll officers in examining the booth; and such lighting shall be in good working order before the opening of the polls;
- (2) Prominently post directions for voting ~~on the optical scanning ballot~~ within the voting booth; at least two sample ballots in use for the primary or election shall be posted prominently outside the enclosed space within the polling place;
- (3) Ensure that the precinct count ~~optical scanning tabulator~~ ballot scanner shall have a seal securing the memory pack in use throughout the election day; such seal shall not be broken unless the ~~tabulator~~ ballot scanner is replaced due to malfunction; and
- (4) Provide such other materials and supplies as may be necessary or as may be required by law."

SECTION 11.

Said chapter is further amended by revising Code Section 21-2-377, relating to custody and storage when not in use, as follows:

"21-2-377.

- (a) The superintendent shall designate a person or persons who shall have custody of the ~~optical scanning tabulators~~ ballot scanners of the county or municipality when they are not in use at a primary or election and shall provide for his or her compensation and for the safe storage and care of the ~~optical scanning tabulators~~ ballot scanners.
- (b) All ~~optical scanning tabulators~~ ballot scanners, when not in use, shall be properly covered and stored in a suitable place or places."

SECTION 12.

Said chapter is further amended by revising subsection (e) of Code Section 21-2-413, relating to conduct of voters, campaigners, and others at polling places generally, as follows:

"(e) No person shall use photographic or other electronic monitoring or recording devices, cameras, or cellular telephones while such person is in a polling place while voting is taking place; provided, however, that a poll manager, in his or her discretion, may allow the use of photographic devices in the polling place under such conditions and limitations as the election superintendent finds appropriate, and provided, further, that no photography shall be allowed of a ballot or the face of a voting machine or DRE unit or electronic ballot marker while an elector is voting such ballot or machine or DRE unit or using such electronic ballot marker and no photography shall be allowed of an electors list, electronic electors list, or the use of an electors list or electronic electors list. This subsection shall not prohibit the use of photographic or other electronic

monitoring or recording devices, cameras, or cellular telephones by poll officials for official purposes."

SECTION 13.

Said chapter is further amended by revising Code Section 21-2-482, relating to absentee ballots for precincts using optical scanning voting equipment, as follows:

"21-2-482.

Ballots in a precinct using optical scanning voting equipment for use voting by absentee electors shall be prepared sufficiently in advance by the superintendent and shall be delivered to the board of registrars as provided in Code Section 21-2-384. Such ballots shall be marked 'Official Absentee Ballot' and shall be in substantially the form for ballots required by Article 8 of this chapter, except that in counties or municipalities using voting machines, direct recording electronic (DRE) units, or ~~optical ballot~~ scanners, the ballots may be in substantially the form for the ballot labels required by Article 9 of this chapter or in such form as will allow the ballot to be machine tabulated. Every such ballot shall have printed on the face thereof the following:

'I understand that the offer or acceptance of money or any other object of value to vote for any particular candidate, list of candidates, issue, or list of issues included in this election constitutes an act of voter fraud and is a felony under Georgia law.'

The form for either ballot shall be determined and prescribed by the Secretary of State."

SECTION 14.

Said chapter is further amended by revising subsection (k) of Code Section 21-2-493, relating to computation, canvassing, and tabulation of returns; investigation of discrepancies in vote counts; recount procedure; certification of returns; and change in returns, as follows:

"(k) As the returns from each precinct are read, computed, and found to be correct or corrected as aforesaid, they shall be recorded on the blanks prepared for the purpose until all the returns from the various precincts which are entitled to be counted shall have been duly recorded; then they shall be added together, announced, and attested by the assistants who made and computed the entries respectively and shall be signed by the superintendent. The consolidated returns shall then be certified by the superintendent in the manner required by this chapter. Such returns shall be certified by the superintendent not later than 5:00 P.M. on the ~~Monday~~ eighth day following the date on which such election was held and such returns shall be immediately transmitted to the Secretary of State."

SECTION 15.

Said chapter is further amended by revising paragraph (8) of Code Section 21-2-566, relating to interference with primaries and elections generally, as follows:

"(8) Willfully tampers with any electors list, voter's certificate, numbered list of voters, ballot box, voting machine, direct recording electronic (DRE) equipment, electronic ballot marker, or tabulating machine"

SECTION 16.

Said chapter is further amended by revising paragraph (3) of Code Section 21-2-579, relating to fraudulently allowing ballot or voting machine to be seen, casting unofficial ballot, and receiving unauthorized assistance in voting, as follows:

"(3) Without having made the affirmation under oath or declaration required by Code Section 21-2-409, or when the disability which he or she declared at the time of registration no longer exists, permits another to accompany him or her into the voting compartment or voting machine booth or to mark his or her ballot or to register his or her vote on the voting machine or direct recording electronic (DRE) equipment or use an electronic ballot marker; or"

SECTION 17.

Said chapter is further amended by revising Code Section 21-2-580, relating to tampering with, damaging, improper preparation of, or prevention of proper operation of voting machines, as follows:

"21-2-580.

Any person who:

- (1) Unlawfully opens, tampers with, or damages any voting machine or electronic ballot marker or tabulating machine to be used or being used at any primary or election;
- (2) Willfully prepares a voting machine or an electronic ballot marker or tabulating machine for use in a primary or election in improper order for voting; or
- (3) Prevents or attempts to prevent the correct operation of such electronic ballot marker or tabulating machine or voting machine

shall be guilty of a felony."

SECTION 18.

Said chapter is further amended by revising Code Section 21-2-582, relating to tampering with, damaging, or preventing of proper operation of direct recording electronic equipment or tabulating device, as follows:

"21-2-582.

Any person who tampers with or damages any direct recording electronic (DRE) equipment or electronic ballot marker or tabulating ~~computer~~ machine or device to be used or being used at or in connection with any primary or election or who prevents or attempts to prevent the correct operation of any direct recording electronic (DRE) equipment or electronic ballot marker or tabulating ~~computer~~ machine or device shall be guilty of a felony."

SECTION 19.

Said chapter is further amended by revising Code Section 21-2-582.1, relating to penalty for voting equipment modification, as follows:

"21-2-582.1.

- (a) For the purposes of this Code section, the term 'voting equipment' shall mean a

voting machine, tabulating machine, optical scanning voting system, ~~or~~ direct recording electronic voting system, or electronic ballot marker.

(b) Any person or entity, including, but not limited to, a manufacturer or seller of voting equipment, who alters, modifies, or changes any aspect of such voting equipment without prior approval of the Secretary of State is guilty of a felony."

SECTION 20.

Said chapter is further amended by revising Code Section 21-2-587, relating to frauds by poll workers, as follows:

"21-2-587.

Any poll officer who willfully:

- (1) Makes a false return of the votes cast at any primary or election;
- (2) Deposits fraudulent ballots in the ballot box or certifies as correct a false return of ballots;
- (3) Registers fraudulent votes upon any voting machine or certifies as correct a return of fraudulent votes cast upon any voting machine;
- (4) Makes any false entries in the electors list;
- (5) Destroys or alters any ballot, voter's certificate, or electors list;
- (6) Tampers with any voting machine, direct recording electronic (DRE) equipment, electronic ballot marker, or tabulating ~~computer~~ machine or device;
- (7) Prepares or files any false voter's certificate not prepared by or for an elector actually voting at such primary or election; or
- (8) Fails to return to the officials prescribed by this chapter, following any primary or election, any keys of a voting machine; ballot box; general or duplicate return sheet; tally paper; oaths of poll officers; affidavits of electors and others; record of assisted voters; numbered list of voters; electors list; voter's certificate; spoiled and canceled ballots; ballots deposited, written, or affixed in or upon a voting machine; DRE, electronic ballot marker, or tabulating machine memory cards; or any certificate or any other paper or record required to be returned under this chapter

shall be guilty of a felony and, upon conviction thereof, shall be sentenced to imprisonment for not less than one nor more than ten years or to pay a fine not to exceed \$100,000.00, or both."

SECTION 21.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 22.

All laws and parts of laws in conflict with this Act are repealed.

Senator Thompson of the 14th asked unanimous consent that the Senate disagree to the House substitute to SB 403.

The consent was granted, and the Senate disagreed to the House substitute to SB 403.

The following bill was taken up to consider House action thereto:

SB 430. By Senators Brass of the 28th and Jones of the 25th:

A BILL to be entitled an Act to amend Title 15, Chapter 2 of Title 21, and Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to courts, primaries and elections generally, and ad valorem taxation of property, respectively, so as to modify the compensation of various local government officials; to provide a salary increase for various local government officials; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To amend Title 15, Chapter 2 of Title 21, Chapter 5 of Title 36, and Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to courts, primaries and elections generally, organization of county government, and ad valorem taxation of property, respectively, so as to update the compensation of various local government officials; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended by revising subsection (a) of Code Section 15-6-88, relating to minimum annual salary schedule for clerks of superior court, as follows:

"(a) Any other provision of law to the contrary notwithstanding, the minimum annual salary of each clerk of the superior court in each county of this state shall be fixed according to the population of the county in which he or she serves, as determined by the United States decennial census of ~~2000~~ 2010 or any future such census; provided, however, that such annual salary shall be recalculated in any year following a census year in which the Department of Community Affairs publishes a census estimate for the county prior to July 1 in such year that is higher than the immediately preceding decennial census. Except as otherwise provided in subsection (b) of this Code section, each such clerk shall receive an annual salary, payable in equal monthly installments from the funds of the county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
0 - 5,999	\$ 29,832.20 <u>\$ 33,882.52</u>

6,000 - 11,889	40,967.92	<u>46,530.1</u>
11,890 - 19,999	46,408.38	<u>52,709.2</u>
20,000 - 28,999	49,721.70	<u>56,472.4</u>
29,000 - 38,999	53,035.03	<u>60,235.6</u>
39,000 - 49,999	56,352.46	<u>64,003.4</u>
50,000 - 74,999	63,164.60	<u>71,740.4</u>
75,000 - 99,999	67,800.09	<u>77,005.3</u>
100,000 - 149,999	72,434.13	<u>82,268.5</u>
150,000 - 199,999	77,344.56	<u>87,845.6</u>
200,000 - 249,999	84,458.82	<u>95,925.7</u>
250,000 - 299,999	91,682.66	<u>104,130.4</u>
300,000 - 399,999	101,207.60	<u>114,948.5</u>
400,000 - 499,999	105,316.72	<u>119,615.5</u>
500,000 or more	109,425.84	<u>124,282.59</u>

SECTION 2.

Said title is further amended by revising Code Section 15-6-89, relating to additional remuneration for certain services of clerks of superior courts, as follows:

"15-6-89.

In addition to the minimum salary provided in Code Section 15-6-88 or any other salary provided by any applicable general or local law, each clerk of superior court of any county who also serves as clerk of a state court, court classified as a municipal court but funded through appropriations of the county governing authority, juvenile court, or civil court under any applicable general or local law of this state or who performs duties pursuant to paragraph (1) of subsection (a) of Code Section 15-12-1.1 shall receive for his or her services in such other court a salary of not less than ~~\$323.59~~ \$367.52 per month, to be paid from the funds of the county. In the event any such court for which a clerk of superior court is serving as clerk is abolished, the clerk of superior court shall not be entitled to any salary heretofore received for service in such court."

SECTION 3.

Said title is further amended by revising paragraph (1) of subsection (a) of Code Section 15-9-63, relating to schedule of minimum salaries of judges of the probate court, as follows:

"(a)(1) Any other ~~laws~~ provision of law to the contrary notwithstanding, the

minimum annual salary of each judge of the probate court in this state shall be fixed according to the population of the county in which he or she serves, as determined by the United States decennial census of ~~2000~~ 2010 or any future such census; provided, however, that such annual salary shall be recalculated in any year following a census year in which the Department of Community Affairs publishes a census estimate for the county prior to July 1 in such year that is higher than the immediately preceding decennial census. Each such judge of the probate court shall receive an annual salary, payable in equal monthly installments from the funds of ~~his or her~~ the county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
0 - 5,999	\$ 29,832.20 <u>\$ 33,882.5</u>
6,000 - 11,889	40,967.92 <u>46,530.1</u>
11,890 - 19,999	46,408.38 <u>52,709.2</u>
20,000 - 28,999	49,721.70 <u>56,472.4</u>
29,000 - 38,999	53,035.03 <u>60,235.6</u>
39,000 - 49,999	56,352.46 <u>64,003.4</u>
50,000 - 74,999	63,164.60 <u>71,740.4</u>
75,000 - 99,999	67,800.09 <u>77,005.3</u>
100,000 - 149,999	72,434.13 <u>82,268.5</u>
150,000 - 199,999	77,344.56 <u>87,845.6</u>
200,000 - 249,999	84,458.82 <u>95,925.7</u>
250,000 - 299,999	91,682.66 <u>104,130.4</u>
300,000 - 399,999	101,207.60 <u>114,948.5</u>
400,000 - 499,999	105,316.72 <u>119,615.5</u>
500,000 or more	109,425.84 <u>124,282.59</u>

SECTION 4.

Said title is further amended by revising subsection (a) of Code Section 15-9-63.1, relating to compensation of probate judges for services as magistrate or chief magistrate, as follows:

"(a) Beginning January 1, 2002, in any county in which the probate judge serves as chief magistrate or magistrate, he or she shall be compensated for such services based on a minimum annual amount of ~~\$11,642.54~~ \$13,223.25; provided, however, that

compensation for a probate judge shall not be reduced during his or her term of office. A county governing authority shall not be required to pay the compensation provided by this subsection beyond the term for which such probate judge serves as a chief magistrate or magistrate."

SECTION 5.

Said title is further amended by revising Code Section 15-9-64, relating to supplementation of minimum salaries of probate judges, as follows:

"15-9-64.

The amount of minimum salary provided in Code Section 15-9-63 for the judges of the probate courts of any county presently on a salary who also hold and conduct elections or are responsible for conducting elections for members of the General Assembly under any applicable general or local law of this state shall be increased by ~~\$323.59~~ \$385.90 per month. The amount of the minimum salary provided in Code Section 15-9-63 for the judges of the probate courts on a salary who are responsible for traffic cases under any general or local law of this state shall also be increased by ~~\$404.41~~ \$482.28 per month. A county governing authority shall not be required to pay the compensation provided by this Code section beyond the term for which such judge performs such services."

SECTION 6.

Said title is further amended by revising subsection (a) of Code Section 15-10-23, relating to minimum compensation and annual salary of magistrates, as follows:

"(a)(1) As used in this Code section, the term 'full-time capacity' means, in the case of a chief magistrate, a chief magistrate who regularly exercises the powers of a magistrate as set forth in Code Section 15-10-2 at least 40 hours per workweek. In the case of all other magistrates, such term means a magistrate who was appointed to a full-time magistrate position and who regularly exercises the powers of a magistrate as set forth in Code Section 15-10-2 at least 40 hours per workweek.

(2) Unless otherwise provided by local law, effective January 1, 2006, any of the laws to the contrary notwithstanding, the chief magistrate of each county who serves in a full-time capacity other than those counties where the probate judge serves as chief magistrate shall receive a minimum annual salary of the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>
0 - 5,999	\$ 29,832.20 <u>\$ 33,882.5</u>
6,000 - 11,889	40,967.92 <u>46,530.1</u>
11,890 - 19,999	46,408.38 <u>52,709.2</u>
20,000 - 28,999	49,721.70 <u>56,472.4</u>

29,000 - 38,999	53,035.03 <u>60,235.6</u>
39,000 - 49,999	56,352.46 <u>64,003.4</u>
50,000 - 74,999	63,164.60 <u>71,740.4</u>
75,000 - 99,999	67,800.09 <u>77,005.3</u>
100,000 - 149,999	72,434.13 <u>82,268.5</u>
150,000 - 199,999	77,344.56 <u>87,845.6</u>
200,000 - 249,999	84,458.82 <u>95,925.7</u>
250,000 - 299,999	91,682.66 <u>104,130.4</u>
300,000 - 399,999	101,207.60 <u>114,948.5</u>
400,000 - 499,999	105,316.72 <u>119,615.5</u>
500,000 or more	109,425.84 <u>124,282.5</u>

The minimum salary for each affected chief magistrate shall be fixed from the table in this subsection according to the population of the county in which the chief magistrate serves as determined by the United States decennial census of ~~2000~~ 2010 or any future such census; provided, however, that such annual salary shall be recalculated in any year following a census year in which the Department of Community Affairs publishes a census estimate for the county prior to July 1 that is higher than the immediately preceding decennial census. Notwithstanding the provisions of this subsection, unless otherwise provided by local law, effective January 1, 1996, in any county in which more than 70 percent of the population according to the United States decennial census of 1990 or any future such census resides on property of the United States government which is exempt from taxation by this state, the population of the county for purposes of this subsection shall be deemed to be the total population of the county minus the population of the county which resides on property of the United States government.

(3) All other chief magistrates shall receive a minimum monthly salary equal to the hourly rate that a full-time chief magistrate of the county would receive according to paragraph (2) of this subsection multiplied by the number of actual hours worked by the chief magistrate as certified by the chief magistrate to the county governing authority.

(4) Unless otherwise provided by local law, each magistrate who serves in a full-time capacity other than the chief magistrate shall receive a minimum monthly salary of ~~\$3,851.46~~ \$4,374.37 per month or 90 percent of the monthly salary that a full-time chief magistrate would receive according to paragraph (2) of this subsection, whichever is less.

(5) All magistrates other than chief magistrates who serve in less than a full-time

capacity or on call shall receive a minimum monthly salary of the lesser of ~~\$22.22~~ \$25.24 per hour for each hour worked as certified by the chief magistrate to the county governing authority or 90 percent of the monthly salary that a full-time chief magistrate would receive according to paragraph (2) of this subsection; provided, however, that notwithstanding any other provisions of this subsection, no magistrate who serves in less than a full-time capacity shall receive a minimum monthly salary of less than ~~\$592.58~~ \$673.03 unless a magistrate waives such minimum monthly salary in writing.

(6) Magistrates shall be compensated solely on a salary basis and not in whole or in part from fees. The salaries and supplements of all magistrates shall be paid in equal monthly installments from county funds."

SECTION 7.

Said title is further amended by revising subsections (b) through (d) of Code Section 15-10-105, relating to selection of clerk of magistrate court and compensation, as follows:

"(b) With the consent of the clerk of superior court the county governing authority may provide that the clerk of superior court shall serve as clerk of magistrate court and shall be compensated for his or her services as clerk of magistrate court in an amount not less than ~~\$323.59~~ \$367.52 per month. With the consent of the clerk of the superior court and clerk of the state court, the county governing authority may provide that the state court clerk shall serve as clerk of magistrate court and shall be compensated for his or her service as clerk of magistrate court in an amount not less than ~~\$323.59~~ \$367.52 per month. Such compensation shall be retained by the clerk of superior court as his or her personal funds without regard to whether he or she is otherwise compensated on a fee basis or salary basis or both.

(c) If the clerk of superior court or the clerk of state court does not serve as clerk of magistrate court, then the county governing authority may provide for the appointment by the chief magistrate of a clerk to serve at the pleasure of the chief magistrate. A clerk of magistrate court so appointed shall be compensated in an amount fixed by the county governing authority at not less than ~~\$323.59~~ \$367.52 per month.

(d) If there is no clerk of magistrate court, the chief magistrate or some other magistrate appointed by the chief magistrate shall perform the duties of clerk. A chief magistrate performing the duties of clerk, or another magistrate appointed by the chief magistrate to perform the duties of clerk, shall receive, in addition to any other compensation to which he or she is entitled, compensation for performing the duties of clerk, the amount of which compensation shall be fixed by the county governing authority at not less than ~~\$323.59~~ \$367.52 per month."

SECTION 8.

Said title is further amended by revising paragraph (1) of subsection (a) of Code Section 15-16-20, relating to minimum annual salaries for sheriffs, as follows:

"(a)(1) Any other law to the contrary notwithstanding, the minimum annual salary of

each sheriff in this state shall be fixed according to the population of the county in which he or she serves, as determined by the United States decennial census of 2000 2010 or any future such census; provided, however, that such annual salary shall be recalculated in any year following a census year in which the Department of Community Affairs publishes a census estimate for the county prior to July 1 in such year that is higher than the immediately preceding decennial census. Except as otherwise provided in paragraph (2) of this subsection, each such sheriff shall receive an annual salary, payable in equal monthly installments from the funds of the sheriff's county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>	
0 - 5,999	\$ 42,045.88	<u>\$ 47,745.4</u>
6,000 - 11,889	46,917.92	<u>53,287.9</u>
11,890 - 19,999	53,880.12	<u>61,195.4</u>
20,000 - 28,999	59,328.83	<u>67,383.9</u>
29,000 - 38,999	64,776.16	<u>73,570.8</u>
39,000 - 49,999	70,227.59	<u>79,762.3</u>
50,000 - 74,999	75,674.90	<u>85,949.2</u>
75,000 - 99,999	78,247.21	<u>88,870.8</u>
100,000 - 149,999	80,819.51	<u>91,792.3</u>
150,000 - 199,999	83,695.91	<u>95,059.3</u>
200,000 - 249,999	86,572.30	<u>98,348.9</u>
250,000 - 299,999	94,759.02	<u>107,624.4</u>
300,000 - 399,999	105,822.14	<u>120,189.6</u>
400,000 - 499,999	109,931.24	<u>124,856.6</u>
500,000 or more	114,040.36	<u>129,534.98</u>

SECTION 9.

Said title is further amended by revising Code Section 15-16-20.1, relating to additional salary for sheriffs, as follows:

"15-16-20.1.

In addition to the minimum salary provided in Code Section 15-16-20, the sheriff of any county who performs the duties of a sheriff for a state court, probate court, magistrate court, juvenile court, or county recorder's court under any applicable general

or local law of this state shall receive for his or her services in such court or courts a salary of not less than ~~\$323.59~~ \$367.52 per month, to be paid from the funds of the county. A sheriff who serves in more than one such court shall receive only one such salary."

SECTION 10.

Chapter 2 of Title 21 of the Official Code of Georgia Annotated, relating to primaries and elections generally, is amended by revising subsection (c) of Code Section 21-2-213, relating to county deputy registrars, clerical help, and appointment of county officer or employee as chief deputy registrar, as follows:

"(c) In every county wherein the registrars do not maintain an office which is open and staffed during regular business hours, the registrars shall designate and appoint as chief deputy registrar a full-time county officer or employee for the purpose of registering eligible electors and performing other duties as may be required by the board of registrars. The governing authority of the county shall provide for the compensation of the chief deputy registrar in an amount not less than ~~\$293.29~~ \$333.11 per month. The name, business address, telephone number, and any other pertinent information relative to the chief deputy registrar shall be forwarded by the registrars to the Secretary of State's office, where such information shall be maintained on file."

SECTION 11.

Chapter 5 of Title 48 of the Official Code of Georgia Annotated, relating to ad valorem taxation of property, is amended by revising subsection (g) of Code Section 48-5-137, relating to tax collectors and tax commissioners as ex officio sheriffs, as follows:

"(g) Each tax collector or tax commissioner who is compensated on a salary basis and who is authorized to act as an ex officio sheriff under this Code section and whose office performs substantially all of the duties of the sheriff with respect to tax executions shall be entitled to a salary of ~~\$349.78~~ \$397.27 per month for his or her service as ex officio sheriff. Such compensation shall be in addition to any other compensation to which such tax commissioner or tax collector is entitled. Such additional compensation shall not be paid to any tax commissioner who is compensated solely by the fee system of compensation; but such compensation shall be paid to any tax commissioner who is compensated in part by fees and in part by a salary. Such compensation shall be paid in equal monthly installments from county funds."

SECTION 12.

Said title is further amended by revising paragraph (1) of subsection (b) of Code Section 48-5-183, relating to salaries of tax collectors and tax commissioners, as follows:

"(b)(1) Any other law to the contrary notwithstanding, except for the provisions of paragraph (2) of this subsection, the minimum annual salary of each tax collector and tax commissioner who is compensated by an annual salary shall be fixed according to the population of the county in which he or she serves, as determined by the United States decennial census of ~~2000~~ 2010 or any future such census; provided, however,

that such annual salary shall be recalculated in any year following a census year in which the Department of Community Affairs publishes a census estimate for the county prior to July 1 in such year that is higher than the immediately preceding decennial census. Each such officer shall receive an annual salary, payable in equal monthly installments from the funds of his or her county, of not less than the amount fixed in the following schedule:

<u>Population</u>	<u>Minimum Salary</u>	
0 - 5,999	\$ 29,832.20	<u>\$ 33,882.5</u>
6,000 - 11,889	40,967.92	<u>46,530.1</u>
11,890 - 19,999	46,408.38	<u>52,709.2</u>
20,000 - 28,999	49,721.70	<u>56,472.4</u>
29,000 - 38,999	53,035.03	<u>60,235.6</u>
39,000 - 49,999	56,352.46	<u>64,003.4</u>
50,000 - 74,999	63,164.60	<u>71,740.4</u>
75,000 - 99,999	67,800.09	<u>77,005.3</u>
100,000 - 149,999	72,434.13	<u>82,268.5</u>
150,000 - 199,999	77,344.56	<u>87,845.6</u>
200,000 - 249,999	84,458.82	<u>95,925.7</u>
250,000 - 299,999	91,682.66	<u>104,130.4</u>
300,000 - 399,999	101,207.60	<u>114,948.5</u>
400,000 - 499,999	105,316.72	<u>119,615.5</u>
500,000 or more	109,425.84	<u>124,282.59</u>

SECTION 13.

All laws and parts of laws in conflict with this Act are repealed.

Senator Millar of the 40th moved that the Senate agree to the House substitute to SB 430 as amended by the following amendment:

Amend the House amendment to SB 430 (AM 28 1648) by deleting it in its entirety and substituting in lieu thereof:

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to organization of county government, so as to update the compensation of local government officials; to revise when any increase in salary, compensation, expenses, or expenses in the nature of compensation for members of a county governing authority shall take effect; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Chapter 5 of Title 36 of the Official Code of Georgia Annotated, relating to organization of county government, is amended by revising paragraph (1) of subsection (b) of Code Section 36-5-24, relating to definitions and compensation of members of county governing authorities, as follows:

"(1) Any increase in salary, compensation, expenses, or expenses in the nature of compensation for members of a county governing authority with an elective chief executive officer, in existence now or hereafter, shall not be effective ~~until the first day of January of the year following the next general election held after the date on which the action to increase the compensation was taken~~ for any individual member during his or her term of office in which the action to increase the compensation was taken or for any person fulfilling an unexpired term of such term of office. This paragraph shall apply to all actions to increase salary, compensation, expenses, or expenses in the nature of compensation which occurred on or after January 1, 2018. Any increase pursuant to this paragraph shall be no more than \$4,000.00;"

SECTION 2.

All laws and parts of laws in conflict with this Act are repealed.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	N Jackson	Y Rhett
N Anderson, T	James	N Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	N Jones, E	N Sims
Y Brass	N Jones, H	Y Stone
Y Burke	N Jordan	Y Strickland
N Butler	Y Kennedy	N Tate
Y Cowsert	Kirk	Y Thompson, B
N Davenport	Kirkpatrick	N Thompson, C

Y Dugan	Y Ligon	Y Tillery
Y Ginn	N Lucas	Y Tippins
E Gooch	Y Martin	Unterman
N Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	Y Williams, M
N Henson	N Orrock	N Williams, N
Y Hill	N Parent	

On the motion, the yeas were 32, nays 19; the motion prevailed, and the Senate agreed to the House substitute to SB 430 as amended by the Senate.

The following communication was received by the Secretary:

3/29/18

Due to business outside the Senate Chamber, I missed the vote on SB 430. Had I been present, I would have voted “yes”.

/s/ Kay Kirkpatrick
District 32

The following resolution was read and adopted:

SR 1167. By Senators Miller of the 49th, Millar of the 40th, Mullis of the 53rd, Unterman of the 45th, Cowsert of the 46th and others:

A RESOLUTION recognizing and commending Senator David Shafer on his many years of service to his community and state; and for other purposes.

The President recognized Senator David Shafer who gave his farewell address to the Senate.

The following resolution was read and adopted:

SR 1166. By Senators Miller of the 49th, Millar of the 40th, Mullis of the 53rd, Unterman of the 45th, Cowsert of the 46th and others:

A RESOLUTION recognizing and commending Senator Joshua McKoon on his many years of service to his community and state; and for other purposes.

The President recognized Senator Josh McKoon who gave his farewell address to the Senate.

The following resolution was read and adopted:

SR 1168. By Senators Miller of the 49th, Millar of the 40th, Cowser of the 46th, Brass of the 28th, Payne of the 54th and others:

A RESOLUTION recognizing and commending State Senator Michael Williams on his outstanding public service; and for other purposes.

The President recognized Senator Michael Williams who gave his farewell address to the Senate.

The following bill was taken up to consider the Conference Committee Report thereto:

HB 930. By Representatives Tanner of the 9th, Smyre of the 135th, Coomer of the 14th, Shaw of the 176th, Oliver of the 82nd and others:

A BILL to be entitled an Act to amend Chapter 80 of Title 36, Title 48, and Chapter 32 of Title 50 of the O.C.G.A., relating to provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and the Georgia Regional Transportation Authority; to amend Chapter 9 of Title 32 of the O.C.G.A., relating to mass transportation, so as to provide for a new article; to create a special district in Cobb County for purposes of entering a rapid transit contract with the authority; to repeal Code Section 36-1-27 of the O.C.G.A., relating to referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to provide for related matters; to repeal conflicting laws; and for other purposes.

The Conference Committee Report was as follows:

The Committee of Conference on HB 930 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to HB 930 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Senator Beach of the 21st
/s/ Senator Gooch of the 51st
/s/ Senator Lucas of the 26th

FOR THE HOUSE
OF REPRESENTATIVES:

/s/ Representative Tanner of the 9th
/s/ Representative Smyre of the 135th
/s/ Representative Jones of the 47th

COMMITTEES OF CONFERENCE SUBSTITUTE TO HB 930

A BILL TO BE ENTITLED
AN ACT

To amend Chapter 9 of Title 32, Chapter 80 of Title 36, Title 48, and Title 50 of the Official Code of Georgia Annotated, relating to mass transportation, provisions applicable to counties, municipal corporations, and other governmental entities, revenue and taxation, and state government, respectively, so as to provide for transit funding and governance; to provide for definitions; to provide for procedures for the authorization of the creation of certain community improvement districts; to provide for exceptions to the ceiling on local sales and use taxes; to provide for the imposition of a transit special purpose local option sales and use tax within special districts; to establish special districts; to provide for definitions, procedures, conditions, and limitations for the imposition, collection, disbursement, and termination of the tax; to provide for powers, duties, and authority of the state revenue commissioner; to provide for other matters relative to the foregoing; to create the Atlanta-region Transit Link "ATL" Authority; to provide for a short title; to provide for definitions; to provide for a board of directors and provide for appointments, removal, voting, and meetings; to provide for purpose and powers of the authority; to provide for jurisdiction of the authority; to provide for funding for such authority; to provide for the provision of local government services by such authority; to provide for a new article relating to the Metropolitan Atlanta Rapid Transit Authority; to provide for definitions; to provide for conditions and limitations for levy of retail sales and use tax by City of Atlanta to provide public transportation; to provide for the levy of a sales and use tax in Fulton County to provide public transportation; to provide for procedures, conditions, and limitations for the imposition of such tax; to provide for a referendum; to require compliance with zoning ordinances by certain development; to provide for the Metropolitan Atlanta Rapid Transit Overview Committee; to require certain branding by the Metropolitan Atlanta Rapid Transit Authority; to provide for definitions; to remove limitations upon the amount the state can contribute to the Metropolitan Atlanta Rapid Transit Authority for a system of rapid transit; to authorize transportation services to be entered into with such authority; to provide for conditions and limitations upon such transportation services contracts; to provide for procedures for Gwinnett County for entering a rapid transit contract with such authority; to provide for methods of funding services obtained through such rapid transit contract; to provide conditions upon approval of such rapid transit contract; to provide for a referendum; to provide for ballot language; to create a Cobb County Special District for Transit Committee for the purposes of formulating a proposed map for a special district in Cobb County and proposed terms of a rapid transit contract for transportation services and facilities within such district to be provided by the Metropolitan Atlanta Rapid Transit Authority; to provide for definitions; to provide for membership of such committee; to authorize the board of commissioners of Cobb County to enter into a rapid transit contract on behalf of a special district within the county; to provide for methods of

funding services obtained through a rapid transit contract; to provide conditions upon such rapid transit contract; to provide for a referendum; to provide for ballot language; to provide for authority to collect a tax in such special district; to provide for limitations upon the collection of such tax; to provide for automatic repeals; to provide for authority to collect a tax in such special district; to provide for limitations upon the collection of such tax; to provide for the appointment of members to the board of directors of such authority; to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to amend the referendum requirement prior to the provision of transit services by contract; to provide for definitions and powers relative to the State Road and Tollway Authority; to redesignate Code Section 32-10-76 of the Official Code of Georgia Annotated, relating to grant programs, pilot program formation, factors to be considered in selecting pilot projects, and eligible projects; to amend Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to local government provisions applicable to counties, so as to provide for referendum approval required prior to expenditure of public funds for establishment of fixed guideway transit; to amend Chapter 12 of Title 45 of the Official Code of Georgia Annotated, relating to the Governor, so as to provide for the power of the Governor to delegate approval of the state-wide transportation improvement plan; to amend Title 50 of the Official Code of Georgia Annotated, relating to state government, so as to provide for definitions relative to the Environmental Finance Authority; to provide for definitions relative to the Georgia Regional Transportation Authority; to repeal Code Section 50-32-5 of the Official Code of Georgia Annotated, relating to development of the Atlanta region's Concept 3 transit proposal, use of federal and state planning funds, and assessment of economic benefit and environmental impact; to amend power of the Georgia Regional Transportation Authority; to provide for legislative intent relative to the provision of transit services; to repeal Code Section 50-32-71 of the Official Code of Georgia Annotated, relating to exemption of buses, motor vehicles, and rapid rail systems of the Georgia Regional Transportation Authority from motor carrier regulations; to amend the Official Code of Georgia Annotated, so as to correct cross-references; to provide for related matters; to provide for effective dates; to provide for nonapplicability to prior taxable years; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
FUNDING
SECTION 1-1.

Chapter 80 of Title 36 of the Official Code of Georgia Annotated, relating to provisions applicable to counties, municipal corporations, and other governmental entities, is amended by adding a new Code section to read as follows:

"36-80-26.

(a) For purposes of this Code section, the term:

- (1) 'County' means any county created under the Constitution or laws of this state.
- (2) 'Regional transit plan' means the official multiyear plan for transit services and facilities adopted pursuant to Code Section 50-39-12.
- (3) 'Transit' means regular, continuing shared-ride or shared-use surface transportation services that are made available by a public entity and are open to the general public or open to a segment of the general public defined by age, disability, or low income. Such term includes services or systems operated by or under contract with the state, a public agency or authority, a county or municipality, a community improvement district, or any other similar public entity of this state and all accompanying infrastructure and services necessary to provide access to these modes of transportation. Such term excludes charter or sightseeing services, school bus services, courtesy shuttle and intra-facility or terminal services, limousine carriers, and ride share network services, transportation referral services, and taxi services not paid for by a public entity.
- (4) 'Transit projects' means and includes purposes to establish, enhance, operate, and maintain, or improve access to transit, including general obligation debt and other multiyear obligations issued to finance such projects.
- (b) A community improvement district for the purpose of the provision of transit projects which are wholly or partially located in more than one county may be created under the authority granted in and consistent with the processes set forth in Section VII of Article IX of the Georgia Constitution. Any such multi-county community improvement district may be authorized to be created upon the passage of a local act of the General Assembly by each county in which such community improvement district is to be wholly or partially located. The transit projects to be provided by such community improvement district shall be projects included in the regional transit plan and through agreement with the Atlanta-region Transit Link 'ATL' Authority. The administrative body of any such community improvement district shall include one member appointed by the governing authority of each county or municipality which is located wholly or partially within such community improvement district."

SECTION 1-2.

Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is amended in Code Section 48-8-6, relating to prohibition of political subdivisions from imposing various taxes, ceiling on local sales and use taxes, and taxation of mobile telecommunications, by revising subsection (a) as follows:

"(a) There shall not be imposed in any jurisdiction in this state or on any transaction in this state local sales taxes, local use taxes, or local sales and use taxes in excess of 2 percent. For purposes of this prohibition, the taxes affected are any sales tax, use tax, or sales and use tax which is levied in an area consisting of less than the entire state, however authorized, including such taxes authorized by or pursuant to constitutional amendment, except that the following taxes shall not count toward or be subject to such 2 percent limitation:

- (1) A sales and use tax for educational purposes exempted from such limitation under

Article VIII, Section VI, Paragraph IV of the Constitution;

(2) Any tax levied for purposes of a metropolitan area system of public transportation, as authorized by the amendment to the Constitution set out at Georgia Laws, 1964, page 1008; the continuation of such amendment under Article XI, Section I, Paragraph IV(d) of the Constitution; and the laws enacted pursuant to such constitutional amendment; provided, however, that the exception provided for under this paragraph shall only apply:

(A) In a county in which a tax is being imposed under subparagraph (a)(1)(D) of Code Section 48-8-111 in whole or in part for the purpose or purposes of a water capital outlay project or projects, a sewer capital outlay project or projects, a water and sewer capital outlay project or projects, water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200, or any combination thereof and with respect to which the county has entered into an intergovernmental contract with a municipality, in which the average waste-water system flow of such municipality is not less than 85 million gallons per day, allocating proceeds to such municipality to be used solely for water and sewer projects and costs as defined under paragraph (4) of Code Section 48-8-200. The exception provided for under this subparagraph shall apply only during the period the tax under such subparagraph (a)(1)(D) is in effect. The exception provided for under this subparagraph shall not apply in any county in which a tax is being imposed under Article 2A of this chapter;

(B) In a county in which the tax levied for purposes of a metropolitan area system of public transportation is first levied after January 1, 2010, and before ~~November 1, 2016~~ January 1, 2021. Such tax shall not apply to the following:

(i) The sale or use of jet fuel to or by a qualifying airline at a qualifying airport. For purposes of this division, a 'qualifying airline' means any person which is authorized by the Federal Aviation Administration or another appropriate agency of the United States to operate as an air carrier under an air carrier operating certificate and which provides regularly scheduled flights for the transportation of passengers or cargo for hire. For purposes of this division, a 'qualifying airport' means any airport in this state that has had more than 750,000 takeoffs and landings during a calendar year; and

(ii) The sale of motor vehicles; or

(C) In a county in which a tax is levied and collected pursuant to Part 2 of Article 2A of this chapter;

(3) In the event of a rate increase imposed pursuant to Code Section 48-8-96, only the amount in excess of the initial 1 percent sales and use tax and in the event of a newly imposed tax pursuant to Code Section 48-8-96, only the amount in excess of a 1 percent sales and use tax;

(4) A sales and use tax levied under Article 4 of this chapter;

(5) Either a A sales and use tax levied under Article 5 of this chapter or a sales and use tax levied under Article 5B of this chapter; and

(6) A sales and use tax levied under Article 5A of this chapter; and

(7) A sales and use tax levied under Article 2 of Chapter 9 of Title 32.

If the imposition of any otherwise authorized local sales tax, local use tax, or local sales and use tax would result in a tax rate in excess of that authorized by this subsection, then such otherwise authorized tax may not be imposed."

SECTION 1-3.

Said title is further amended by adding a new article to read as follows:

"ARTICLE 5B Part 1

48-8-269.40.

As used in this article, the term:

(1) 'Authority' means the Atlanta-region Transit Link 'ATL' Authority created pursuant to Chapter 39 of Title 50.

(2) 'County' means any county created under the Constitution or laws of this state.

(3) 'Dealer' shall have the same meaning as provided for in paragraph (8) of Code Section 48-8-2.

(4) 'Intergovernmental agreement' means a contract entered into pursuant to Article IX, Section III, Paragraph I of the Constitution.

(5) 'Nonattainment area' means those counties currently having or previously designated as having excess levels of ozone, carbon monoxide, or particulate matter in violation of the standards in the federal Clean Air Act, as amended in 1990 and codified at 42 U.S.C.A. Sections 7401 to 7671q and which fall under the jurisdiction exercised by the Atlanta-region Transit Link 'ATL' Authority or any predecessor authority as described in Article 2 of Chapter 39 of Title 50.

(6) 'Qualified municipality' means a qualified municipality as defined in paragraph (4) of Code Section 48-8-110 and which is located wholly or partly within a special district.

(7) 'Regional transit plan' means the official multiyear plan for transit services and facilities adopted pursuant to Code Section 50-39-12.

(8) 'Transit' means regular, continuing shared-ride or shared-use surface transportation services that are made available by a public entity and are open to the general public or open to a segment of the general public defined by age, disability, or low income. Such term includes services or systems operated by or under contract with the state, a public agency or authority, a county or municipality, a community improvement district, or any other similar public entity of this state and all accompanying infrastructure and services necessary to provide access to these modes of transportation. Such term excludes charter or sightseeing services, school bus services, courtesy shuttle and intra-facility or terminal services, limousine carriers, and ride share network services, transportation referral services, and taxi services not paid for by a public entity.

(9) 'Transit projects' means and includes purposes to establish, enhance, operate, and

maintain, or improve access to transit, including general obligation debt and other multiyear obligations issued to finance such projects, the operations and maintenance of such projects once constructed, and the contracted purchase of transit services from providers without direct capital investment.

48-8-269.41.

(a) Pursuant to the authority granted by Article IX, Section II, Paragraph VI of the Constitution of this state, 159 special districts are created within this state. The geographical boundary of each county shall correspond with and shall be conterminous with the geographical boundary of the 159 special districts created.

(b)(1) Any two or more neighboring counties which are not located within a nonattainment area may, by following the procedures required by Part 2 of this article, impose within their respective special districts a transit special purpose local option sales and use tax, the proceeds of which shall be used only for transit projects.

(2) Any county located in a nonattainment area may, by following the procedures required by Part 3 of this article, impose within the special district a transit special purpose local option sales and use tax, the proceeds of which shall be used only for transit projects.

48-8-269.42.

Prior to the issuance of any call for the referendum by any county that desires to levy a tax for transit projects authorized under this article, the county shall determine whether the region has proposed a referendum on a tax under Article 5 of this chapter. This determination shall be based on whether, pursuant to paragraphs (2) and (3) of subsection (c) of Code Section 48-8-245, a majority of the governing authorities of counties within the region containing the county proposing the tax have passed resolutions calling for the levy of a tax under Article 5 of this chapter. If a majority of the governing authorities of the counties in the region have passed such a resolution, the county proposing a tax under this article shall postpone the referendum under this part until the regional referendum has been decided. No ballot shall propose a tax under this article and under Article 5 of this chapter at the same election.

Part 2

48-8-269.43.

(a) Any two or more neighboring counties qualified to levy a tax pursuant to paragraph (1) of subsection (b) of Code Section 48-8-269.41 shall deliver or mail a written notice to the mayor or chief elected official in each qualified municipality located within its respective special district prior to the issuance of the call for the referendum. Such notice shall contain the date, time, place, and purpose of a meeting at which the governing authorities of the counties and of each qualified municipality therein are to meet to discuss possible transit projects for inclusion in the referendum and the rate of tax. The notice shall be delivered or mailed at least ten days prior to the date of the

meeting. The meeting shall be held at least 60 days prior to any issuance of the call for the referendum.

(b) At the meeting required by subsection (a) of this Code section, the two or more neighboring counties and all qualified municipalities therein may select transit projects to be funded by the proceeds of the tax authorized by this article. Each county planning to participate in the selected transit project or projects shall enter into intergovernmental agreements which shall include, at a minimum:

(1) A list of the transit projects proposed to be funded from the tax;

(2) An agreement identifying the operator of any transit projects proposed if such project or projects are services which require an operator;

(3) The estimated or projected dollar amounts allocated for each transit project from proceeds from the tax;

(4) The procedures for distributing proceeds from the tax to each county;

(5) A schedule for distributing proceeds from the tax to each county, which shall include the priority or order in which transit projects will be fully or partially funded;

(6) A provision that all transit projects included in the agreement shall be funded from proceeds from the tax except as otherwise agreed;

(7) A provision that proceeds from the tax shall be maintained in separate accounts and utilized exclusively for the specified purposes;

(8) Record-keeping and audit procedures necessary to carry out the purposes of this part; and

(9) Such other provisions as the counties choose to address.

(c)(1) As soon as practicable after the meeting required in subsection (a) of this Code section and the execution of an intergovernmental agreement, the governing authority of each county calling for a referendum shall, by a majority vote on a resolution offered for such purpose, submit the list of transit projects and the question of whether the tax should be approved to electors of the special district in the next scheduled election and shall notify the county election superintendent within the special district by forwarding to the superintendent a copy of such resolution calling for the imposition of the tax. Such list, or a digest thereof, shall be available during regular business hours in the office of the county clerk.

(2) The resolution authorized by paragraph (1) of this subsection shall describe or identify:

(A) The specific transit projects to be funded;

(B) The approximate cost of such transit projects;

(C) The operator selected for any transit project or projects proposed if such project or projects are services which require an operator; and

(D) The maximum period of time, to be stated in calendar years, for which the tax may be imposed and the rate thereof. The maximum period of time for the imposition of the tax shall not exceed 30 years.

(d) Unless the referendum required in Code Section 48-8-269.44 is approved in each of the participating counties, the tax shall not be imposed.

48-8-269.44.

(a)(1) The ballot submitting the question of the imposition of a tax for transit projects to the voters within the special district shall have written or printed thereon the following:

- ' () YES Shall a special _____ percent sales and use tax be imposed in the special district consisting of _____ County for a period of time not to exceed _____ and for the raising of funds for transit projects?'
- () NO

(2) The ballot shall have written and printed thereon the following:

'NOTICE TO ELECTORS: Unless the tax is approved in (list each county that has selected the project) for the transit projects, the tax shall not become effective.'

(3) If debt is to be issued, the ballot shall also have written or printed thereon, following the language specified by paragraph (1) of this subsection, the following:

'If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of _____ in the principal amount of \$ _____ for the above purpose.'

(b) The election superintendent shall issue the call and conduct the election in the manner authorized by general law. Each such election shall be governed, held, and conducted in accordance with the provisions of law from time to time governing the holding of special elections as provided in Code Section 21-2-540. The superintendent shall canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the commissioner. The expense of the election shall be paid from county funds. All persons desiring to vote in favor of imposing the tax shall vote 'Yes,' and all persons opposed to imposing the tax shall vote 'No.' If more than one-half of the votes cast throughout the entire special district are in favor of imposing the tax in each of the special districts that have elected to hold the referendum, then the tax shall be imposed as provided in this article.

(c) Where such question is not approved by the voters, the county may resubmit such question from time to time upon compliance with the requirements of this article.

(d)(1) If the intergovernmental agreement and proposal include the authority to issue general obligation debt and if more than one-half of the votes cast throughout the entire special district and in each of the special districts that have elected to hold the referendum are in favor of the proposal, then the authority to issue such debt in accordance with Article IX, Section V, Paragraph I of the Constitution is given to the proper officers of the county or qualified municipality; otherwise, such debt shall not be issued. If the authority to issue such debt is so approved by the voters as required in this subsection, then such debt may be issued without further approval by the voters.

(2) If the issuance of general obligation debt is included and approved as provided in this Code section, then the governing authority of the county may incur such debt either through the issuance and validation of general obligation bonds or through the execution of a promissory note or notes or other instrument or instruments. If such debt is incurred through the issuance of general obligation bonds, such bonds and

their issuance and validation shall be subject to Articles 1 and 2 of Chapter 82 of Title 36 except as specifically provided otherwise in this article. If such debt is incurred through the execution of a promissory note or notes or other instrument or instruments, no validation proceedings shall be necessary, and such debt shall be subject to Code Sections 36-80-10 through 36-80-14 except as specifically provided otherwise in this article. In either event, such general obligation debt shall be payable first from the separate account in which are placed the proceeds received by the county from the tax. Such general obligation debt shall, however, constitute a pledge of the full faith, credit, and taxing power of the county; and any liability on such debt which is not satisfied from the proceeds of the tax shall be satisfied from the general funds of the county.

Part 3

48-8-269.45.

(a)(1) Any county qualified to levy a tax pursuant to paragraph (2) of subsection (b) of Code Section 48-8-269.41 shall deliver or mail a written notice to the mayor or chief elected official in each qualified municipality located within the special district prior to the issuance of the call for the referendum. Such notice shall contain the date, time, place, and purpose of a meeting at which the governing authorities of the county and of each qualified municipality are to meet to discuss possible transit projects from the regional transit plan for inclusion in the referendum and the rate of tax. The notice shall be delivered or mailed at least ten days prior to the date of the meeting. The meeting shall be held at least 60 days prior to any issuance of the call for the referendum.

(2) At the meeting the county and all qualified municipalities may select transit projects for the county from the regional transit plan to be funded by the proceeds of the tax authorized by this article.

(b) Following the meeting required by subsection (a) of this Code section, the county shall deliver or mail a written notice to the authority of the intent to call for a referendum to impose the tax authorized by this article. Such notice shall include a list of transit projects located within such county chosen from the regional transit plan which the county intends to fund with proceeds from the tax authorized under this article and the proposed operator of any such transit projects if such project or projects are services which require an operator.

(c) Upon receipt of such notice from a county, the authority shall approve or deny any or all projects within a submitted transit project list and the proposed operator of any transit projects if such project or projects are services which require an operator. In making a determination upon whether to approve transit projects, the authority shall take into consideration any other transit projects the authority has approved for any neighboring counties, any transit projects in progress in any neighboring counties, and any additional federal or state funding that may be available for any projects. The authority shall make a determination and send notification to a county approving or

denying the submitted transit projects and operators, if applicable, no later than 20 days from the receipt of such list.

(d)(1) As soon as practicable after receipt of notice from the authority, the governing authority of the county desiring to call for a referendum shall, by a majority vote on a resolution offered for such purpose, submit the list of transit projects and the question of whether the tax should be approved to electors of the special district in the next scheduled election and shall notify the county election superintendent within the special district by forwarding to the superintendent a copy of such resolution calling for the imposition of the tax. Such list, or a digest thereof, shall be available during regular business hours in the office of the county clerk.

(2) The resolution authorized by paragraph (1) of this subsection shall describe or identify:

(A) The specific transit projects to be funded which shall have been selected from the regional transit plan and approved by the authority;

(B) The approximate cost of such transit projects;

(C) The operator selected for any transit project or projects proposed if such project or projects are services which require an operator; and

(D) The maximum period of time, to be stated in calendar years, for which the tax may be imposed and the rate thereof. The maximum period of time for the imposition of the tax shall not exceed 30 years.

48-8-269.46.

(a)(1) The ballot submitting the question of the imposition of a tax for transit projects to the voters within the special district shall have written or printed thereon the following:

' () YES Shall a special _____ percent sales and use tax be imposed in the special district consisting of _____ County for a period of time not

' () NO to exceed _____ and for the raising of funds for transit projects?'

(2) If debt is to be issued, the ballot shall also have written or printed thereon, following the language specified by paragraph (1) of this subsection, the following:

'If imposition of the tax is approved by the voters, such vote shall also constitute approval of the issuance of general obligation debt of _____ in the principal amount of \$ _____ for the above purpose.'

(b) The election superintendent shall issue the call and conduct the election in the manner authorized by general law. Each such election shall be governed, held, and conducted in accordance with the provisions of law from time to time governing the holding of special elections as provided in Code Section 21-2-540. The superintendent shall canvass the returns, declare the result of the election, and certify the result to the Secretary of State and to the commissioner. The expense of the election shall be paid from county funds. All persons desiring to vote in favor of imposing the tax shall vote 'Yes,' and all persons opposed to imposing the tax shall vote 'No.' If more than one-half of the votes cast throughout the entire special district are in favor of imposing the tax,

then the tax shall be imposed as provided in this article.

(c) Where such question is not approved by the voters, the county may resubmit such question from time to time upon compliance with the requirements of this article.

(d)(1) If the proposal includes the authority to issue general obligation debt and if more than one-half of the votes cast throughout the entire special district are in favor of the proposal, then the authority to issue such debt in accordance with Article IX, Section V, Paragraph I of the Constitution is given to the proper officers of the county; otherwise, such debt shall not be issued. If the authority to issue such debt is so approved by the voters, then such debt may be issued without further approval by the voters.

(2) If the issuance of general obligation debt is included and approved as provided in this Code section, then the governing authority of the county may incur such debt either through the issuance and validation of general obligation bonds or through the execution of a promissory note or notes or other instrument or instruments. If such debt is incurred through the issuance of general obligation bonds, such bonds and their issuance and validation shall be subject to Articles 1 and 2 of Chapter 82 of Title 36 except as specifically provided otherwise in this article. If such debt is incurred through the execution of a promissory note or notes or other instrument or instruments, no validation proceedings shall be necessary, and such debt shall be subject to Code Sections 36-80-10 through 36-80-14 except as specifically provided otherwise in this article. In either event, such general obligation debt shall be payable first from the separate account in which are placed the proceeds received by the county from the tax. Such general obligation debt shall, however, constitute a pledge of the full faith, credit, and taxing power of the county; and any liability on such debt which is not satisfied from the proceeds of the tax shall be satisfied from the general funds of the county.

Part 4

48-8-269.47.

(a) Any tax approved under this article shall be at a rate of up to 1 percent and may be in increments of 0.05 percent.

(b)(1) If the imposition of a tax under this article is approved at the election as provided for pursuant to this article, the tax shall be imposed on the first day of the next succeeding calendar quarter which begins more than 80 days after the date of the election at which the tax was approved by the voters.

(2) With respect to services which are regularly billed on a monthly basis, however, the resolution shall become effective with respect to and the tax shall apply to services billed on or after the effective date specified in paragraph (1) of this subsection.

(c) The tax shall cease to be imposed on the final day of the maximum period of time specified for the imposition of the tax.

(d) At any point in time within two years of the expiration date of a tax under this article, proceedings for the reimposition of a tax under this article may be initiated in the same manner as provided in this article for initial imposition of such tax.

48-8-269.48.

A tax levied pursuant to this article shall be exclusively administered and collected by the commissioner to be used within the special district or special districts imposing the tax for the transit projects specified in the resolution calling for the imposition of the tax. Such administration and collection shall be accomplished in the same manner and subject to the same applicable provisions, procedures, and penalties provided in Article 1 of this chapter; provided, however, that all moneys collected from each taxpayer by the commissioner shall be applied first to such taxpayer's liability for taxes owed the state; and provided, further, that the commissioner may rely upon a representation by or on behalf of the special district or the Secretary of State that such a tax has been validly imposed, and the commissioner and the commissioner's agents shall not be liable to any person for collecting any such tax which was not validly imposed. Dealers shall be allowed a percentage of the amount of the tax due and accounted for and shall be reimbursed in the form of a deduction in submitting, reporting, and paying the amount due if such amount is not delinquent at the time of payment. The deduction shall be at the rate and subject to the requirements specified under subsections (b) through (f) of Code Section 48-8-50.

48-8-269.49.

Each sales tax return remitting taxes collected under this article shall separately identify the location of each transaction at which any of the taxes remitted were collected and shall specify the amount of sales and the amount of taxes collected at each such location for the period covered by the return in order to facilitate the determination by the commissioner that all taxes imposed by this article are collected and distributed according to situs of sale.

48-8-269.50.

(a) The proceeds of the tax collected by the commissioner in each special district qualified to levy the tax under Part 2 of this article shall be disbursed as soon as practicable after collection as follows:

(1) One percent of the amount collected shall be paid into the general fund of the state treasury in order to defray the costs of administration; and

(2) Except for the percentage provided in paragraph (1) of this subsection, the remaining proceeds of the tax shall be distributed pursuant to the terms of the intergovernmental agreement.

(b) The proceeds of the tax collected by the commissioner in each special district qualified to levy the tax under Part 3 of this article shall be disbursed as soon as practicable after collection as follows:

(1) One percent of the amount collected shall be paid into the general fund of the state treasury in order to defray the costs of administration; and

(2) Except for the percentage provided in paragraph (1) of this subsection, the remaining proceeds of the tax shall be distributed to the special district for the transit projects specified in the resolution calling for the imposition of the tax.

48-8-269.51.

(a) The proceeds of a tax under this article shall not be subject to any allocation or balancing of state and federal funds provided for by general law, and such proceeds shall not be considered or taken into account in any such allocation or balancing.

(b) The approval of the tax under this article shall not in any way diminish the percentage of state or federal funds allocated to any of the local governments under Code Section 32-5-27 or Chapter 39 of Title 50 within the special district levying the tax.

48-8-269.52.

(a) Except as to rate, a tax imposed under this article shall correspond to the tax imposed by Article 1 of this chapter. No item or transaction which is not subject to taxation under Article 1 of this chapter shall be subject to a tax imposed under this article, except that a tax imposed under this article shall not apply to:

(1) The sale or use of any type of fuel used for off-road heavy-duty equipment, off-road farm or agricultural equipment, or locomotives;

(2) The sale or use of jet fuel;

(3) The sale or use of fuel that is used for propulsion of motor vehicles on the public highways;

(4) The sale or use of energy used in the manufacturing or processing of tangible goods primarily for resale, as such sale or use is described in Code Section 48-8-3.2;

(5) The sale or use of motor fuel, as defined under paragraph (9) of Code Section 48-9-2, for public mass transit; or

(6) The purchase or lease of any motor vehicle pursuant to Code Section 48-5C-1.

(b) Except as otherwise specifically provided in this article, the tax imposed pursuant to this article shall be subject to any sales and use tax exemption which is otherwise imposed by law; provided, however, that the tax levied by this article shall be applicable to the sale of food and food ingredients as provided for in paragraph (57) of Code Section 48-8-3.

48-8-269.53.

Where a local sales or use tax has been paid with respect to tangible personal property by the purchaser either in another local tax jurisdiction within this state or in a tax jurisdiction outside this state, the tax may be credited against the tax authorized to be imposed by this article upon the same property. If the amount of sales or use tax so paid is less than the amount of the tax due under this article, the purchaser shall pay an amount equal to the difference between the amount paid in the other tax jurisdiction and the amount due under this article. The commissioner may require such proof of payment in another local tax jurisdiction as he or she deems necessary and proper. No credit shall be granted, however, against the tax under this article for tax paid in another jurisdiction if the tax paid in such other jurisdiction is used to obtain a credit against any other local sales and use tax levied in the county or in a special district which includes the county.

48-8-269.54.

No tax shall be imposed upon the sale of tangible personal property which is ordered by and delivered to the purchaser at a point outside the geographical area of the special district in which the tax is imposed regardless of the point at which title passes, if the delivery is made by the seller's vehicle, United States mail, or common carrier or by private or contract carrier.

48-8-269.55.

The commissioner shall have the power and authority to promulgate such rules and regulations as shall be necessary for the effective and efficient administration and enforcement of the collection of the tax.

48-8-269.56.

Except as provided in Code Section 48-8-6, the tax authorized under this part shall be in addition to any other local sales and use tax. Except as otherwise provided in this article and except as provided in Code Section 48-8-6, the imposition of any other local sales and use tax within a county or qualified municipality within a special district shall not affect the authority of a county to impose the tax authorized under this article, and the imposition of the tax authorized under this article shall not affect the imposition of any otherwise authorized local sales and use tax within the special district.

48-8-269.57.

(a)(1) The proceeds received from the tax shall be used by the special district or special districts exclusively for the transit projects specified in the resolution calling for imposition of the tax. When the proceeds are received by a special district authorized to levy the tax pursuant to Part 2 of this article, such proceeds shall be kept in a separate account from other funds of any county receiving proceeds of the tax and shall not in any manner be commingled with other funds of any county prior to the expenditure.

(2) The governing authority of each county receiving any proceeds from the tax under this article shall maintain a record of each and every purpose for which the proceeds of the tax are used. A schedule shall be included in each annual audit which shows for each purpose in the resolution calling for imposition of the tax the original estimated cost, the current estimated cost if it is not the original estimated cost, amounts expended in prior years, and amounts expended in the current year. The auditor shall verify and test expenditures sufficient to provide assurances that the schedule is fairly presented in relation to the financial statements. The auditor's report on the financial statements shall include an opinion, or disclaimer of opinion, as to whether the schedule is presented fairly in all material respects in relation to the financial statements taken as a whole.

(b) No general obligation debt shall be issued in conjunction with the imposition of the tax unless the county governing authority determines that, and if the debt is to be validated it is demonstrated in the validation proceedings that, during each year in

which any payment of principal or interest on the debt comes due, the county will receive from the tax net proceeds sufficient to fully satisfy such liability. General obligation debt issued under this article shall be payable first from the separate account in which are placed the proceeds received by the county from the tax. Such debt, however, shall constitute a pledge of the full faith, credit, and taxing power of the county; and any liability on such debt which is not satisfied from the proceeds of the tax shall be satisfied from the general funds of the county.

(c) The resolution calling for the imposition of the tax may specify that all of the proceeds of the tax will be used for payment of general obligation debt issued in conjunction with the imposition of the tax, and, in that event, such proceeds shall be solely for such purpose except as otherwise provided in subsection (f) of this Code section.

(d) The resolution calling for the imposition of the tax may specify that a part of the proceeds of the tax will be used for payment of general obligation debt issued in conjunction with the imposition of the tax. The resolution shall specifically state the other purposes for which such proceeds will be used. In such a case, no part of the net proceeds from the tax received in any year shall be used for such other purposes until all debt service requirements of the general obligation debt for that year have first been satisfied from the account in which the proceeds of the tax are placed.

(e) The resolution calling for the imposition of the tax may specify that no general obligation debt is to be issued in conjunction with the imposition of the tax. The resolution shall specifically state the purpose or purposes for which the proceeds will be used.

(f)(1)(A)(i) If the proceeds of the tax are specified to be used solely for the purpose of payment of general obligation debt issued in conjunction with the imposition of the tax authorized to be levied pursuant to Part 2 of this article, then any net proceeds of the tax in excess of the amount required for final payment of such debt may be used for additional transit projects, provided that a subsequent intergovernmental agreement meeting the requirements set forth in subsection (b) of Code Section 48-8-269.43 has been entered into. If a subsequent intergovernmental agreement required by this division is not entered into, then such excess proceeds shall be subject to and applied as provided in paragraph (2) of this subsection.

(ii) If the proceeds of the tax are specified to be used solely for the purpose of payment of general obligation debt issued in conjunction with the imposition of the tax authorized to be levied pursuant to Part 3 of this article, then any net proceeds of the tax in excess of the amount required for final payment of such debt may be used for additional transit projects, provided that such projects are selected from the regional transit plan and approved by the authority. If approval from the authority regarding additional transit projects to be funded with any excess net proceeds is not obtained, then such excess proceeds shall be subject to and applied as provided in paragraph (2) of this subsection.

(B)(i) If the special district receives from the tax net proceeds in excess of the

maximum cost of the transit projects stated in the resolution calling for the imposition of the tax or in excess of the actual cost of such projects when the tax was authorized to be levied pursuant to Part 2 of this article, then such excess proceeds may be used for additional transit projects, provided that a subsequent intergovernmental agreement meeting the requirements set forth in subsection (b) of Code Section 48-8-269.43 has been entered into. If a subsequent intergovernmental agreement required by this division is not entered into, then such excess proceeds shall be subject to and applied as provided in paragraph (2) of this subsection.

(ii) If the special district receives from the tax net proceeds in excess of the maximum cost of the transit projects stated in the resolution calling for the imposition of the tax or in excess of the actual cost of such projects when the tax was authorized to be levied pursuant to Part 3 of this article, then such excess proceeds may be used for additional transit projects, provided that such projects are selected from the regional transit plan and approved by the authority. If approval from the authority regarding additional transit projects to be funded with any excess net proceeds is not obtained, then such excess proceeds shall be subject to and applied as provided in paragraph (2) of this subsection.

(2) Except as provided in paragraph (1) of this subsection, excess proceeds shall be used solely for the purpose of reducing any indebtedness of any county within the special district other than indebtedness incurred pursuant to this article. If there is no such other indebtedness or if the excess proceeds exceed the amount of any such other indebtedness, then the excess proceeds shall next be paid into the general fund of such county, it being the intent that any funds so paid into the general fund of such county be used for the purpose of reducing ad valorem taxes.

48-8-269.58.

Not later than December 31 of each year, the governing authority of the county receiving any proceeds from the tax under this part shall publish annually, in a newspaper of general circulation in the boundaries of such county, a simple, nontechnical report which shows for each transit project in the resolution calling for the imposition of the tax the original estimated cost, the current estimated cost if it is not the original estimated cost, amounts expended in prior years, and amounts expended in the current year. The report shall also include a statement of what corrective action the county intends to implement with respect to each project which is underfunded or behind schedule and a statement of any surplus funds which have not been expended for a purpose."

PART II
GOVERNANCE
SECTION 2-1.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended by adding a new chapter to read as follows:

"CHAPTER 39
ARTICLE 1

50-39-1.

This chapter shall be known and may be cited as the 'Atlanta-region Transit Link 'ATL' Authority Act.'

50-39-2.

As used in this chapter, the term:

- (1) 'Authority' means the Atlanta-region Transit Link 'ATL' Authority.
- (2) 'Bond' includes any revenue bond, bond, note, or other obligation.
- (3) 'Clean Air Act' means the federal Clean Air Act, as amended in 1990 and codified at 42 U.S.C.A. Sections 7401 to 7671q.
- (4) 'Cost of project' or 'cost of any project' means:
 - (A) All costs of acquisition, by purchase or otherwise, construction, assembly, installation, modification, renovation, extension, rehabilitation, operation, or maintenance incurred in connection with any project, facility, or undertaking of the authority or any part thereof;
 - (B) All costs of real property or rights in property, fixtures, or personal property used in or in connection with or necessary for any project, facility, or undertaking of the authority or for any facilities related thereto, including but not limited to the cost of all land, interests in land, estates for years, easements, rights, improvements, water rights, and connections for utility services; the cost of fees, franchises, permits, approvals, licenses, and certificates; the cost of securing any such franchises, permits, approvals, licenses, or certificates; the cost of preparation of any application therefor; and the cost of all fixtures, machinery, equipment, furniture, and other property used in or in connection with or necessary for any project, facility, or undertaking of the authority;
 - (C) All financing charges, bond insurance or other credit enhancement fee, and loan or loan guarantee fees and all interest on revenue bonds, notes, or other obligations of the authority which accrue or are paid prior to and during the period of construction of a project, facility, or undertaking of the authority and during such additional period as the authority may reasonably determine to be necessary to place such project, facility, or undertaking of the authority in operation;
 - (D) All costs of engineering, surveying, planning, environmental assessments, financial analyses, and architectural, legal, and accounting services and all expenses incurred by engineers, surveyors, planners, environmental scientists, fiscal analysts, architects, attorneys, accountants, and any other necessary technical personnel in connection with any project, facility, or undertaking of the authority or the issuance of any bonds, notes, or other obligations for such project, facility, or undertaking;
 - (E) All expenses for inspection of any project, facility, or undertaking of the authority;
 - (F) All fees of fiscal agents, paying agents, and trustees for bond owners under any

bond resolution, trust agreement, indenture of trust, or similar instrument or agreement; all expenses incurred by any such fiscal agents, paying agents, bond registrar, and trustees; and all other costs and expenses incurred relative to the issuance of any bonds, revenue bonds, notes, or other obligations for any project, facility, or undertaking of the authority, including bond insurance or credit enhancement fee;

(G) All fees of any type charged by the authority in connection with any project, facility, or undertaking of the authority;

(H) All expenses of or incidental to determining the feasibility or practicability of any project, facility, or undertaking of the authority;

(I) All costs of plans and specifications for any project, facility, or undertaking of the authority;

(J) All costs of title insurance and examinations of title with respect to any project, facility, or undertaking of the authority;

(K) Repayment of any loans for the advance payment of any part of any of the foregoing costs, including interest thereon and any other expenses of such loans;

(L) Administrative expenses of the authority and such other expenses as may be necessary or incidental to any project, facility, or undertaking of the authority or the financing thereof or the placing of any project, facility, or undertaking of the authority in operation; and

(M) The establishment of a fund or funds for the creation of a debt service reserve, a renewal and replacement reserve, or such other funds or reserves as the authority may approve with respect to the financing and operation of any project, facility, or undertaking of the authority and as may be authorized by any bond resolution, trust agreement, indenture, or trust or similar instrument or agreement pursuant to the provisions of which the issuance of any revenue bonds, notes, or other obligations of the authority may be authorized.

Any cost, obligation, or expense incurred for any of the purposes specified in this paragraph shall be a part of the cost of the project, facility, or undertaking of the authority and may be paid or reimbursed as such out of the proceeds of revenue bonds, notes, or other obligations issued by the authority or as otherwise authorized by this chapter.

(5) 'County' means any county created under the Constitution or laws of this state.

(6) 'Facility' shall have the same meaning as 'project.'

(7) 'Local government' or 'local governing authority' means any municipal corporation or county or any state or local authority, board, or political subdivision created by the General Assembly or pursuant to the Constitution and laws of this state.

(8) 'May' means permission and not command.

(9) 'Metropolitan planning organization' means the forum for cooperative transportation decision making for a metropolitan planning area.

(10) 'Metropolitan transportation plan' means the official intermodal transportation plan that is developed and adopted through the metropolitan transportation planning

process for a metropolitan planning area.

(11) 'Municipal corporation' or 'municipality' means any city or town in this state.

(12) 'Obligation' means any bond, revenue bond, note, lease, contract, evidence of indebtedness, debt, or other obligation of the authority, the state, or local governments which is authorized to be issued under this chapter or under the Constitution or other laws of this state, including refunding bonds.

(13) 'Office of profit or trust under the state' means any office created by or under the provisions of the Constitution, but does not include elected officials of county or local governments.

(14) 'Project' means the acquisition, construction, installation, modification, renovation, repair, extension, renewal, replacement, or rehabilitation of land, interest in land, buildings, structures, facilities, or other improvements and the acquisition, installation, modification, renovation, repair, extension, renewal, replacement, rehabilitation, or furnishing of fixtures, machinery, equipment, furniture, or other property of any nature whatsoever used on, in, or in connection with any such land, interest in land, building, structure, facility, or other improvement, all for the essential public purpose of providing facilities and services to meet transit needs and environmental standards and to aid in the accomplishment of the purposes of the authority.

(15) 'Regional transit plan' means the official multiyear plan adopted by the authority for the provision of transit services throughout the jurisdiction of the authority pursuant to Code Section 50-39-12.

(16) 'Revenue bond' includes any bond, note, or other obligation payable from revenues derived from any project, facility, or undertaking of the authority.

(17) 'State implementation plan' means the portion or portions of an applicable implementation plan approved or promulgated, or the most recent revision thereof, under Sections 110, 301(d), and 175A of the Clean Air Act.

(18) 'Transit' means regular, continuing shared-ride or shared-use surface transportation services that are made available by a public entity and are open to the general public or open to a segment of the general public defined by age, disability, or low income. Such term includes services or systems operated by or under contract with the state, a public agency or authority, a county or municipality, a community improvement district, or any other similar public entity of this state and all accompanying infrastructure and services necessary to provide access to these modes of transportation. Such term excludes charter or sightseeing services, school bus services, courtesy shuttle and intra-facility or terminal services, limousine carriers, ride share network services, transportation referral services, and taxi services not paid for by a public entity.

(19) 'Transportation improvement program' means a staged, multiyear, intermodal program as defined in 23 C.F.R. Section 450.104 and consisting of transportation projects which is consistent with the metropolitan transportation plan.

(20) 'Undertaking' shall have the same meaning as the term 'project.'

50-39-3.

(a) There is created the Atlanta-region Transit Link 'ATL' Authority as a body corporate and politic, which shall be deemed an instrumentality of the State of Georgia and a public corporation thereof, for purposes of managing or causing to be managed transit and air quality within certain areas of this state; and by that name, style, and title such body may contract and be contracted with and bring and defend actions in all courts of this state. Such authority shall serve as the sole entity for coordination and planning and the dispersing of federal and state funding for transit within the jurisdiction of the authority. Such authority shall work with counties, municipalities, and operators of transit services within the jurisdiction of the authority to provide a consistent and integrated vision for transit through transparent decision making and execution. This Code section shall not be deemed to impair or interfere in any manner with any existing rights under a contract entered into prior to December 1, 2018, or any federal grants or agreements awarded or entered into prior to December 1, 2018. This Code section shall not be applicable to projects or services provided for under the terms of a contract entered into as of December 1, 2018, under the authority granted pursuant to a local constitutional amendment set out at Ga. L. 1964, p. 1008, and the planning, funding, coordination, and delivery of such projects or services shall be as provided for by such contract or contracts.

(b) The management of the business and affairs of the authority shall be vested in a board of directors, subject to the provisions of this chapter and to the provisions of bylaws adopted by the board as authorized by this chapter. The board of directors shall make bylaws governing its own operation and shall have the power to make bylaws, rules, and regulations for the government of the authority and the operation, management, and maintenance of such projects as the board may determine appropriate to undertake from time to time.

(c) Except as otherwise provided in this chapter, a majority of the members of the board then in office shall constitute a quorum for the transaction of business. The vote of a majority of the members of the board present at the time of the vote, if a quorum is present at such time, shall be the act of the board unless the vote of a greater number is required by law or by the bylaws of the board of directors. The board of directors, by resolution adopted by a majority of the full board of directors, may designate from among its members one or more committees, each consisting of two or more members of the board, which shall have and exercise such authority as the board may delegate to it under such procedures as the board may direct by resolution establishing such committee or committees.

(d) No vacancy on the authority shall impair the right of a majority of the appointed members from exercising all rights and performing all duties of the authority. The authority shall have perpetual existence. Any change in the name or composition of the authority shall in no way affect the vested rights of any person under this chapter or impair the obligations of any contracts existing under this chapter.

50-39-4.

(a)(1) The board of directors of the authority shall consist of 16 members, ten of whom shall be appointed from the authority districts described in paragraph (2) of this subsection, five of whom shall be appointed as described in paragraph (3) of this subsection, and the commissioner of transportation who shall serve ex officio and be a nonvoting member. The members appointed from such authority districts shall be appointed by a majority vote of a caucus of the members of the House of Representatives and Senate whose respective districts are include any portion of such authority district, the chairpersons of the county board of commissioners whose counties are located within such authority districts, and one mayor from the municipalities located within such authority districts who shall be chosen by a caucus of all mayors from the municipalities located within such authority districts; provided that if any authority district is wholly or partially located within the City of Atlanta, the mayor of the City of Atlanta shall be entitled to his or her own vote in addition to the vote by the mayor outside the limits of such city selected by the caucus of mayors to cast a vote. Each such appointee shall be a resident of the authority district which he or she represents and possess significant experience or expertise in a field that would be beneficial to the accomplishment of the function and purpose of this chapter. No later than December 1, 2018, the respective caucuses appointing board members from the authority districts shall meet and appoint their respective board members of said board of directors. Such meeting shall be called by the chairperson of the board of commissioners from the county with the largest population represented in the authority district.

(2)(A) For purposes of appointing members of the board other than those members appointed pursuant to paragraph (3) of this subsection, there are hereby created ten authority districts, which shall be as described in the plan attached to and made part of this Act and further identified as 'Plan: transit-dist-2018 Plan Type: Regional Administrator: H009 User: Gina.'

(B) When used in such attachment, the term 'VTD' (voting tabulation district) shall mean and describe the same geographical boundaries as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia.

(C) The separate numeric designations in an authority district description which are underneath a VTD heading shall mean and describe individual Blocks within a VTD as provided in the report of the Bureau of the Census for the United States decennial census of 2010 for the State of Georgia.

(D) Any part of the jurisdiction of the authority which is not included in any such authority district described in that attachment shall be included within that authority district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

(E) Any part of the jurisdiction of the authority which is described in that attachment as being in a particular authority district shall nevertheless not be included within such authority district if such part is not contiguous to such

authority district. Such noncontiguous part shall instead be included within that authority district contiguous to such part which contains the least population according to the United States decennial census of 2010 for the State of Georgia.

(F) Except as otherwise provided in the description of any authority district, whenever the description of such authority district refers to a named city, it shall mean the geographical boundaries of that city as shown on the census map for the United States decennial census of 2010 for the State of Georgia.

(G) The plan attached shall be reviewed by the Senate and House Transportation Committees after the report of the Bureau of the Census for the United States decennial census of 2020 or any future such census.

(3) The Lieutenant Governor and Speaker of the House of Representatives shall each appoint two board members. The Governor shall appoint one member who shall serve as the chairperson.

(b) All members of the board and their successors shall each be appointed for terms of four years, except that those members appointed from odd-numbered authority districts shall each serve an initial term of two years. After such initial two-year term, that caucus which appointed such member for such initial term shall appoint successors thereto for terms of office of four years. All members of the board shall serve until the appointment and qualification of a successor except as otherwise provided in this Code section. Other than the commissioner of transportation, no person holding any other office of profit or trust under the state shall serve upon the board. The chairperson of the board of directors shall be appointed by the Governor and a vice chairperson shall be selected annually from among the members by majority vote of those members present and voting.

(c) All successors shall be appointed in the same manner as original appointments. Vacancies in office shall be filled in the same manner as original appointments. A person appointed to fill a vacancy shall serve for the unexpired term. No vacancy on the board shall impair the right of the quorum of the remaining members then in office to exercise all rights and perform all duties of the board.

(d) The members of the board of directors shall be entitled to and shall be reimbursed for their actual travel expenses necessarily incurred in the performance of their duties and, for each day actually spent in the performance of their duties, shall receive the same per diem as do members of the General Assembly.

(e) Members of the board of directors shall be subject to removal by the appointing authority or a majority vote of the appointing caucus for misfeasance, malfeasance, nonfeasance, failure to attend three successive meetings of the board without good and sufficient cause, abstention from voting unless authorized under subsection (h) of this Code section, or upon a finding of a violation of Code Section 45-10-3 pursuant to the procedures applicable to such Code section. A violation of Code Section 45-10-3 may also subject a member to the penalties provided in subparagraphs (a)(1)(A), (a)(1)(B), and (a)(1)(C) of Code Section 45-10-28, pursuant to subsection (b) of such Code section. In the event that a vacancy or vacancies on the board render the board able to obtain a quorum but unable to obtain the attendance of a number of members sufficient

to constitute such supermajorities as may be required by this chapter, the board shall entertain no motion or measure requiring such a supermajority until a number of members sufficient to constitute such supermajority is present.

(f) The members of the authority shall be subject to the applicable provisions of Chapter 10 of Title 45, including without limitation Code Sections 45-10-3 through 45-10-5. Members of the authority shall be public officers who are members of a state board for purposes of the financial disclosure requirements of Article 3 of Chapter 5 of Title 21. The members of the authority shall be accountable in all respects as trustees. The authority shall keep suitable books and records of all actions and transactions and shall submit such books together with a statement of the authority's financial position to the state auditor on or about the close of the state's fiscal year. The books and records shall be inspected and audited by the state auditor at least once in each year.

(g) Meetings of the board of directors, regular or special, shall be held at the time and place fixed by or under the bylaws, with no less than five days' public notice for regular meetings as prescribed in the bylaws and such notice as the bylaws may prescribe for special meetings. Each member shall be given written notice of all meetings as prescribed in the bylaws. Meetings of the board may be called by the chairperson or by such other person or persons as the bylaws may authorize.

(h) No member may abstain from a vote other than for reasons constituting disqualification to the satisfaction of a majority of a quorum of the board on a record vote.

(i) The board may, in its discretion, appoint an executive director as the administrative head of the authority and shall set his or her salary. The executive director of the Georgia Regional Transportation Authority shall serve as a temporary director until the board is constituted and an executive director is appointed by such board.

(j) The authority is assigned to the Georgia Regional Transportation Authority for administrative purposes only.

(k) The authority shall annually submit a report of projects of regional and state significance from the regional transit plan to the Office of Planning and Budget, the Governor, the Lieutenant Governor, and the Speaker of the House of Representatives for consideration by such parties for inclusion in the bond package for the upcoming fiscal year budget. The required date of submission of such report shall coincide with the required submission date of estimates of financial requirements of a budget unit pursuant to Code Section 45-12-78.

50-39-5.

The Atlanta Regional Commission in conjunction with the authority and the director of planning for the Department of Transportation shall utilize federal and state planning funds to continue the development of the Atlanta region's Concept 3 transit proposal, including assessment of potential economic benefit to the region and the state, prioritization of corridors based on highest potential economic benefit and lowest environmental impact, and completion of environmental permitting.

ARTICLE 250-39-10.

(a)(1) This chapter shall operate uniformly throughout the state.

(2)(A) The initial jurisdiction of the authority for purposes of this chapter shall encompass the territory of every county which was designated by the United States Environmental Protection Agency (USEPA) in the *Code of Federal Regulations* as of December 31, 1998, as a county included in whole or in part within a nonattainment area under the Clean Air Act and which the board designates, through regulation, as a county having excess levels of ozone, carbon monoxide, or particulate matter.

(B) The jurisdiction of the authority for purposes of this chapter shall also encompass the territory of every county designated by the USEPA in the *Code of Federal Regulations* after December 31, 1998, as a county included in whole or in part within a nonattainment area under the Clean Air Act and which the board designates, through regulation, as a county having excess levels of ozone, carbon monoxide, or particulate matter, provided that the jurisdictional area encompassed under this subparagraph shall be contiguous with the jurisdictional area encompassed under subparagraph (A) of this paragraph.

(b)(1) By December 1, 2018, the director of the Environmental Protection Division shall report and certify to the authority those counties which were designated by the USEPA as included in whole or in part within a nonattainment area pursuant to subsection (a) of this Code section and, pursuant to criteria established by that division, counties which are reasonably expected to become nonattainment areas under the Clean Air Act within seven years from the date of such report and certification. Such report and certification shall be updated every six months thereafter. Within the geographic territory of any county so designated, the board shall provide, by resolution or regulation, that the funding, planning, design, construction, contracting, leasing, and other related facilities of the authority shall be made available to county and local governments for the purpose of planning, designing, constructing, operating, and maintaining transit systems and transit projects, air quality installations, and all facilities necessary and beneficial thereto, and for the purpose of designing and implementing designated metropolitan planning organizations' transit plans and transportation improvement programs and the authority's regional transit plan, on such terms and conditions as may be agreed to between the authority and such county or local governments.

(2) The jurisdiction of the authority for purposes of this chapter shall be extended to any county the territory of which is contiguous with the jurisdiction established by subsection (a) of this Code section which is designated by the USEPA in the *Code of Federal Regulations* as a county included in whole or in part within a nonattainment area under the Clean Air Act and which the board deems as a county having excess levels of ozone, carbon monoxide, or particulate matter. A majority vote of the board and passage of a resolution by the board of commissioners of such county shall be

required for the extension of the jurisdiction to include such a contiguous county.

(3) The jurisdiction of the authority for purposes of this chapter may be extended to any county the territory of which is not contiguous with the jurisdiction established by subsection (a) of this Code section which is designated by the USEPA in the *Code of Federal Regulations* as a county included in whole or in part within a nonattainment area under the Clean Air Act and which the board designates as a county having excess levels of ozone, carbon monoxide, or particulate matter. Such county may be brought within the jurisdiction of the authority by a majority vote of the board and upon the effective date of a local law enacted by the General Assembly for such purpose.

(c) Upon acquiring jurisdiction over the territory of any county, the authority's jurisdiction over such territory shall continue until 20 years have elapsed since the later of the date such county was redesignated by the USEPA as in attainment under the Clean Air Act or such designation by the USEPA is no longer made.

(d)(1) Upon the lapse of the authority's jurisdiction over a geographic area pursuant to the provisions of this Code section, the authority shall have the power to enter into such contracts, lease agreements, and other instruments necessary or convenient to manage and dispose of real property and facilities owned or operated by the authority within such geographic area, and shall dispose of all such property not more than five years after the lapse of such jurisdiction, but shall retain jurisdiction for the purpose of operating and managing such property and facilities until their final disposition.

(2) The provisions of this subsection shall be implemented consistent with the terms of such contracts, lease agreements, or other instruments or agreements as may be necessary or required to protect federal interests in assets purchased, leased, or constructed utilizing federal funding in whole or in part, and the authority is empowered to enter into such contracts, lease agreements, or other instruments or agreements with appropriate federal agencies or other representatives or instrumentalities of the federal government from time to time as necessary to achieve the purposes of this chapter and the protection of federal interests.

(e) Except for the purpose of reviewing proposed regional transit plans and transportation improvement programs prepared by metropolitan planning organizations in accordance with requirements specifically placed upon the Governor by federal law, the jurisdiction of the authority shall not extend to the territory and facilities of any airport as defined in Code Section 6-3-20.1 and which is certified under 14 C.F.R. Part 139. In no event shall the authority have jurisdiction to design, construct, repair, improve, expand, own, maintain, or operate any such airport or any facilities of such airport.

(f) Any county within the jurisdiction of the authority which provided no transit services or was provided no transit services by a state authority on or before July 1, 2018, shall be prohibited from initiating any transit services within such county without prior approval from the voters in a county wide referendum called for such purpose.

50-39-11.

(a) The authority shall have the following general powers:

(1) To sue and be sued in all courts of this state, the original jurisdiction and venue of any such action being the superior court of any county wherein a substantial part of the business was transacted, the tortious act, omission, or injury occurred, or the real property is located, except that venue and jurisdiction for bond validation proceedings shall be as provided by paragraph (9) of subsection (e) of Code Section 50-39-32;

(2) To have a seal and alter the same at its pleasure;

(3) To plan, design, acquire, construct, add to, extend, improve, equip, operate, and maintain or cause to be operated and maintained transit systems and transit projects, and all facilities and appurtenances necessary or beneficial thereto, within the geographic area over which the authority has jurisdiction or which are included within a regional transit plan or transportation improvement program and provide transit services within the geographic jurisdiction of the authority, and to contract with any state, regional, or local government, authority, or department, or with any private person, firm, or corporation, for those purposes, and to enter into contracts and agreements with the Georgia Department of Transportation, county and local governments, and transit system operators for those purposes;

(4) To plan, design, acquire, construct, add to, extend, improve, equip, operate, and maintain or cause to be operated and maintained air quality control installations, and all facilities and appurtenances necessary or beneficial thereto, within the geographic area over which the authority has jurisdiction for such purposes pursuant to this chapter, and to contract with any state, regional, or local government, authority, or department, or with any private person, firm, or corporation, for those purposes; provided, however, that where such air quality control measures are included in an applicable implementation plan, they shall be approved by the Environmental Protection Division of the state Department of Natural Resources and by the United States Environmental Protection Agency where necessary to preserve their protected status during any conformity lapse;

(5) To make and execute contracts, lease agreements, and all other instruments necessary or convenient to exercise the powers of the authority or to further the public purpose for which the authority is created, such contracts, leases, or instruments to include contracts for acquisition, construction, operation, management, or maintenance of projects and facilities owned by local government, the authority, or by the state or any political subdivision, department, agency, or authority thereof, and to include contracts relating to the execution of the powers of the authority and the disposal of the property of the authority from time to time; and any and all local governments, departments, institutions, authorities, or agencies of the state are authorized to enter into contracts, leases, agreements, or other instruments with the authority upon such terms and to transfer real and personal property to the authority for such consideration and for such purposes as they deem advisable;

(6) To acquire by purchase, lease, or otherwise and to hold, lease, and dispose of real or personal property of every kind and character, or any interest therein, in

furtherance of the public purpose of the authority, in compliance, where required, with applicable federal law including without limitation the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, 42 U.S.C. Section 4601, et seq., 23 C.F.R. Section 1.23, and 23 C.F.R. Section 713(c);

(7) To appoint an executive director who shall be executive officer and administrative head of the authority. The executive director shall be appointed and serve at the pleasure of the board. The executive director shall hire officers, agents, and employees, prescribe their duties and qualifications and fix their compensation, and perform such other duties as may be prescribed by the authority. Such officers, agents, and employees shall serve at the pleasure of the executive director;

(8) To finance projects, facilities, and undertakings of the authority for the furtherance of the purposes of the authority within the geographic area over which the authority has jurisdiction by loan, loan guarantee, grant, lease, or otherwise, and to pay the cost of such from the proceeds of bonds, revenue bonds, notes, or other obligations of the authority or any other funds of the authority or from any contributions or loans by persons, corporations, partnerships, whether limited or general, or other entities, all of which the authority is authorized to receive, accept, and use; provided that such debt is consistent with the state debt management plan as established by the Georgia State Financing and Investment Commission pursuant to Chapter 17 of this title, the 'Georgia State Financing and Investment Commission Act';

(9) To extend credit or make loans or grants for all or part of the cost or expense of any project, facility, or undertaking of a political subdivision or other entity for the furtherance of the purposes of the authority within the geographic area over which the authority has jurisdiction upon such terms and conditions as the authority may deem necessary or desirable; and to adopt rules, regulations, and procedures for making such loans and grants;

(10) To borrow money to further or carry out its public purpose and to issue guaranteed revenue bonds, revenue bonds, notes, or other obligations to evidence such loans and to execute leases, trust indentures, trust agreements for the sale of its revenue bonds, notes, or other obligations, loan agreements, mortgages, deeds to secure debt, trust deeds, security agreements, assignments, and such other agreements or instruments as may be necessary or desirable in the judgment of the authority, and to evidence and to provide security for such loans;

(11) To issue guaranteed revenue bonds, revenue bonds, bonds, notes, or other obligations of the authority, to receive payments from the Department of Community Affairs, and to use the proceeds thereof for the purpose of:

(A) Paying or loaning the proceeds thereof to pay, all or any part of, the cost of any project or the principal of and premium, if any, and interest on the revenue bonds, bonds, notes, or other obligations of any local government issued for the purpose of paying in whole or in part the cost of any project and having a final maturity not exceeding three years from the date of original issuance thereof;

(B) Paying all costs of the authority incidental to, or necessary and appropriate to,

furthering or carrying out the purposes of the authority; and

(C) Paying all costs of the authority incurred in connection with the issuance of the guaranteed revenue bonds, revenue bonds, bonds, notes, or other obligations;

(12) To collect fees and charges in connection with its loans, commitments, management services, and servicing including, but not limited to, reimbursements of costs of financing, as the authority shall determine to be reasonable and as shall be approved by the authority;

(13) Subject to any agreement with bond owners, to invest moneys of the authority not required for immediate use to carry out the purposes of this chapter, including the proceeds from the sale of any bonds and any moneys held in reserve funds, in obligations which shall be limited to the following:

(A) Bonds or other obligations of the state or bonds or other obligations, the principal and interest of which are guaranteed by the state;

(B) Bonds or other obligations of the United States or of subsidiary corporations of the United States government fully guaranteed by such government;

(C) Obligations of agencies of the United States government issued by the Federal Land Bank, the Federal Home Loan Bank, the Federal Intermediate Credit Bank, and the Bank for Cooperatives;

(D) Bonds or other obligations issued by any public housing agency or municipality in the United States, which bonds or obligations are fully secured as to the payment of both principal and interest by a pledge of annual contributions under an annual contributions contract or contracts with the United States government, or project notes issued by any public housing agency, urban renewal agency, or municipality in the United States and fully secured as to payment of both principal and interest by a requisition, loan, or payment agreement with the United States government;

(E) Certificates of deposit of national or state banks or federal savings and loan associations located within the state which have deposits insured by the Federal Deposit Insurance Corporation or any Georgia deposit insurance corporation and certificates of deposit of state building and loan associations located within the state which have deposits insured by any Georgia deposit insurance corporation, including the certificates of deposit of any bank, savings and loan association, or building and loan association acting as depository, custodian, or trustee for any such bond proceeds; provided, however, that the portion of such certificates of deposit in excess of the amount insured by the Federal Deposit Insurance Corporation or any Georgia deposit insurance corporation, if any such excess exists, shall be secured by deposit with the Federal Reserve Bank of Atlanta, Georgia, or with any national or state bank located within the state, of one or more of the following securities in an aggregate principal amount equal at least to the amount of such excess:

(i) Direct and general obligations of the state or of any county or municipality in the state;

(ii) Obligations of the United States or subsidiary corporations included in subparagraph (B) of this paragraph;

(iii) Obligations of agencies of the United States government included in

subparagraph (C) of this paragraph; or

(iv) Bonds, obligations, or project notes of public housing agencies, urban renewal agencies, or municipalities included in subparagraph (D) of this paragraph;

(F) Interest-bearing time deposits, repurchase agreements, reverse repurchase agreements, rate guarantee agreements, or other similar banking arrangements with a bank or trust company having capital and surplus aggregating at least \$50 million or with any government bond dealer reporting to, trading with, and recognized as a primary dealer by the Federal Reserve Bank of New York having capital aggregating at least \$50 million or with any corporation which is subject to registration with the Board of Governors of the Federal Reserve System pursuant to the requirements of the Bank Holding Company Act of 1956, provided that each such interest-bearing time deposit, repurchase agreement, reverse repurchase agreement, rate guarantee agreement, or other similar banking arrangement shall permit the moneys so placed to be available for use at the time provided with respect to the investment or reinvestment of such moneys; and

(G) State operated investment pools;

(14) To acquire or contract to acquire from any person, firm, corporation, local government, federal or state agency, or corporation by grant, purchase, or otherwise, leaseholds, real or personal property, or any interest therein; and to sell, assign, exchange, transfer, convey, lease, mortgage, or otherwise dispose of or encumber the same; and local government is authorized to grant, sell, or otherwise alienate leaseholds, real and personal property, or any interest therein to the authority;

(15) Subject to applicable covenants or agreements related to the issuance of bonds, to invest any moneys held in debt service funds or sinking funds not restricted as to investment by the Constitution or laws of this state or the federal government or by contract not required for immediate use or disbursement in obligations of the types specified in paragraph (13) of this subsection, provided that, for the purposes of this paragraph, the amounts and maturities of such obligations shall be based upon and correlated to the debt service, which debt service shall be the principal installments and interest payments, schedule for which such moneys are to be applied;

(16) To provide advisory, technical, consultative, training, educational, and project assistance services to the state and local government and to enter into contracts with the state and local government to provide such services. The state and local governments are authorized to enter into contracts with the authority for such services and to pay for such services as may be provided them;

(17) To make loan commitments and loans to local governments and to enter into option arrangements with local governments for the purchase of said bonds, revenue bonds, notes, or other obligations;

(18) To sell or pledge any bonds, revenue bonds, notes, or other obligations acquired by it whenever it is determined by the authority that the sale thereof is desirable;

(19) To apply for and to accept any gifts or grants or loan guarantees or loans of funds or property or financial or other aid in any form from the federal government or

any agency or instrumentality thereof, or from the state or any agency or instrumentality thereof, or from any other source for any or all of the purposes specified in this chapter and to comply, subject to the provisions of this chapter, with the terms and conditions thereof;

(20) To lease to local governments any authority owned facilities or property or any state owned facilities or property which the authority is managing under contract with the state;

(21) To contract with state agencies or any local government for the use by the authority of any property or facilities or services of the state or any such state agency or local government or for the use by any state agency or local government of any facilities or services of the authority, and such state agencies and local governments are authorized to enter into such contracts;

(22) To extend credit or make loans, including the acquisition of bonds, revenue bonds, notes, or other obligations of the state, any local government, or other entity, including the federal government, for the cost or expense of any project or any part of the cost or expense of any project, which credit or loans may be evidenced or secured by trust indentures, loan agreements, notes, mortgages, deeds to secure debt, trust deeds, security agreements, or assignments, on such terms and conditions as the authority shall determine to be reasonable in connection with such extension of credit or loans, including provision for the establishment and maintenance of reserve funds; and, in the exercise of powers granted by this chapter in connection with any project, the authority shall have the right and power to require the inclusion in any such trust indentures, loan agreement, note, mortgage, deed to secure debt, trust deed, security agreement, assignment, or other instrument such provisions or requirements for guaranty of any obligations, insurance, construction, use, operation, maintenance, and financing of a project and such other terms and conditions as the authority may deem necessary or desirable;

(23) As security for repayment of any bonds, revenue bonds, notes, or other obligations of the authority, to pledge, lease, mortgage, convey, assign, hypothecate, or otherwise encumber any property of the authority including, but not limited to, real property, fixtures, personal property, and revenues or other funds and to execute any lease, trust indenture, trust agreement, agreement for the sale of the authority's revenue bonds, notes or other obligations, loan agreement, mortgage, deed to secure debt, trust deed, security agreement, assignment, or other agreement or instrument as may be necessary or desirable, in the judgment of the authority, to secure any such revenue bonds, notes, or other obligations, which instruments or agreements may provide for foreclosure or forced sale of any property of the authority upon default in any obligation of the authority, either in payment of principal, premium, if any, or interest or in the performance of any term or condition contained in any such agreement or instrument;

(24) To receive and use the proceeds of any tax levied to pay all or any part of the cost of any project or for any other purpose for which the authority may use its own funds pursuant to this chapter;

(25) To use income earned on any investment for such corporate purposes of the authority as the authority in its discretion shall determine, including, but not limited to, the use of repaid principal and earnings on funds, the ultimate source of which was an appropriation to a budget unit of the state to make loans for projects;

(26) To cooperate and act in conjunction with industrial, commercial, medical, scientific, public interest, or educational organizations; with agencies of the federal government and this state and local government; with other states and their political subdivisions; and with joint agencies thereof, and such state agencies, local government, and joint agencies are authorized and empowered to cooperate and act in conjunction and to enter into contracts or agreements with the authority and local government to achieve or further the purposes of the authority;

(27) To coordinate, cooperate, and contract with any metropolitan planning organization for a standard metropolitan statistical area which is primarily located within an adjoining state but which includes any territory within the jurisdiction of the authority to achieve or further the purposes of the authority as provided by this chapter;

(28) To coordinate and assist in planning for transit and air quality purposes within the geographic area over which the authority has jurisdiction pursuant to this chapter, between and among all state, regional, and local authorities charged with planning responsibilities for such purposes by state or federal law, and to adopt a regional plan or plans based in whole or in part on such planning;

(29) To review and make recommendations to the Governor, Lieutenant Governor, and Speaker of the House of Representatives concerning all transit plans and transportation improvement programs prepared by the Department of Transportation involving design, construction, or operation of transit facilities wholly or partly within the geographic area over which the authority has jurisdiction pursuant to this chapter, and to negotiate with that department concerning changes or amendments to such plans which may be recommended by the authority consistent with applicable federal law and regulation, and to adopt such plans as all or a portion of its own regional plans;

(30) To acquire by the exercise of the power of eminent domain any real property or rights in property which it may deem necessary for its purposes under this chapter pursuant to the procedures set forth in this chapter, and to purchase, exchange, sell, lease, or otherwise acquire or dispose of any property or any rights or interests therein for the purposes authorized by this chapter or for any facilities or activities incident thereto, subject to and in conformity with applicable federal law and regulation;

(31) To the extent permissible under federal law, to operate as a receiver of federal grants, loans, and other moneys intended to be used within the geographic area over which the authority has jurisdiction pursuant to this chapter for inter-urban and intra-urban transit, transit plans, air quality and air pollution control, and other purposes related to the alleviation of congestion and air pollution;

(32) To exercise any power granted by the laws of this state to public or private corporations which is not in conflict with the public purpose of the authority;

(33) To do all things necessary or convenient to carry out the powers conferred by this chapter;

(34) To procure insurance against any loss in connection with its property and other assets or obligations or to establish cash reserves to enable it to act as self-insurer against any and all such losses;

(35) To accept and use federal funds; to enter into any contracts or agreements with the United States or its agencies or subdivisions relating to the planning, financing, construction, improvement, operation, and maintenance of any transit services or transit projects; and to do all things necessary, proper, or expedient to achieve compliance with the provisions and requirements of all applicable federal-aid acts and programs. Nothing in this chapter is intended to conflict with any federal law; and, in case of such conflict, such portion as may be in conflict with such federal law is declared of no effect to the extent of the conflict;

(36) To ensure that any project funded by the authority in whole or in part with federal-aid funds is included in approved transportation improvement programs adopted and approved by designated metropolitan planning organizations and the Governor and in any transit plan adopted and approved by the designated metropolitan planning organization and is in compliance with the requirements of relevant portions of the regulations implementing the Clean Air Act including without limitation 40 C.F.R. Section 93.105(c)(1)(ii) and 40 C.F.R. Section 93.122(a)(1), where such inclusion, approval, designation, or compliance is required by applicable federal law or regulation; and

(37) To appoint and select officers, agents, and employees, including engineering, architectural, and construction experts and attorneys, and to fix their compensation.

(b) The provision of local government services and the utilization of funding mechanisms therefor consistent with the terms of this chapter shall not be subject to the provisions of Chapter 70 of Title 36; provided, however, that the authority shall, where practicable, provide for coordination and consistency between the provision of such services pursuant to the terms of this chapter and the provision of such services pursuant to Chapter 70 of Title 36.

50-39-12.

(a) In consultation with the metropolitan planning organization, as such term is defined in Code Section 48-8-242, which jurisdiction is located wholly or partially within the jurisdiction of the authority, the authority shall develop, annually review, and amend, as necessary, a regional transit plan. Such plan shall include, but not be limited to, transit projects based upon a region-wide approach to the provision of transit services through buses and rail, the establishment of multimodal stations within the jurisdiction of the authority, enhancement of connectivity throughout the region, cost-effective expansion of existing transit systems, and the coordination of schedules and methods of payment for transit service providers. In developing such plan, the authority may consider both macro level planning in order to efficiently coordinate transit services across jurisdictional lines as well as micro level planning of services being delivered by local

governments and transit service operators, including the Metropolitan Atlanta Rapid Transit Authority, in order to ensure continuation of current services or routes. Such plan shall provide that the Metropolitan Atlanta Rapid Transit Authority shall serve as the sole operator of any system of transportation which utilizes heavy rail within the jurisdiction of the authority.

(b) The plan developed pursuant to this Code section shall include, at a minimum, a six year and 20 year component which shall reflect the federal priorities set forth in 23 U.S.C. Section 134(i)(2)(A)(ii) and 23 U.S.C. Section 134(j)(2)(A) and shall serve as the plans to be submitted for federal funding pursuant to such federal requirements.

(c) In addition to amendments made to the plan developed pursuant to this Code section upon the initiative of the authority based upon changing conditions, the authority may amend the plan upon request from a local governing authority to include a certain project or assist with a specific transit need.

(d) Such plan shall further include the creation of a unified brand to encompass all transit service providers within the jurisdiction of the authority.

50-39-13.

(a) The Governor may delegate to the authority, by executive order, his or her powers under applicable federal transportation planning and air quality laws and regulations, including without limitation the power to resolve revision disputes between metropolitan planning organizations and the Department of Transportation under 40 C.F.R. Section 93.105, the power of approval and responsibilities for public involvement under 23 C.F.R. Section 450.216(a), and any power to serve as the designated recipient of federal funds for purposes of transit funding for capital projects and for financing and directly providing public transportation under 49 U.S.C. Sections 5302 through 5304.

(b) The authority shall formulate measurable targets for air quality improvements and standards within the geographic area over which the authority has jurisdiction pursuant to this chapter, and annually shall report such targets to the Governor, Lieutenant Governor, and Speaker of the House of Representatives, together with an assessment of progress toward achieving such targets and projected measures and timetables for achieving such targets. The authority shall formulate an annual report and audit of all transit planning, funding, and operations within the jurisdiction of the authority which shall be presented by December 1 of each year to the Senate and House Transportation Committees and the local governing authorities of those counties within the jurisdiction of the authority.

50-39-14.

(a) In furtherance of the purposes of the authority, no project of the Georgia Rail Passenger Authority created by Article 9 of Chapter 9 of Title 46 which is located wholly or partly within the geographic area over which the authority has jurisdiction shall be commenced after May 6, 1999, unless such project is approved by the affirmative vote of two-thirds of the authorized membership of the board of directors of

the authority pursuant to a motion made for that purpose; provided, however, that where such project is an approved transportation control measure pursuant to an approved state implementation plan, such project may proceed consistent with applicable federal law and regulation.

(b) From time to time, by the affirmative vote of two-thirds of the authorized membership of the board of directors of the authority, the authority may direct the Georgia Environmental Finance Authority to issue revenue bonds, bonds, notes, loans, credit agreements, or other obligations or facilities to finance, in whole or in part, any project or the cost of any project of the authority wholly or partly within the geographic area over which the authority has jurisdiction, by means of a loan, extension of credit, or grant from the Georgia Environmental Finance Authority to the authority, on such terms or conditions as shall be concluded between the two authorities; provided that such debt is consistent with the state debt management plan as established by the Georgia State Financing and Investment Commission pursuant to Chapter 17 of this title, the 'Georgia State Financing and Investment Commission Act.'

(c) The Georgia Environmental Finance Authority shall be subordinate to the authority in all respects, with respect to authority projects, within the geographic area over which the authority has jurisdiction; and, in the event of any conflict with the provisions of Chapter 23 of this title, the provisions of this chapter shall prevail in all respects. It is expressly provided, however, that nothing in this Code section and nothing in this chapter shall be construed to permit in any manner the alteration, elimination, or impairment of any term, provision, covenant, or obligation imposed on any state authority, including but not limited to this authority, the Georgia Environmental Finance Authority, the Georgia Regional Transportation Authority, or the Georgia Rail Passenger Authority, for the benefit of any owner or holder of any bond, note, or other obligation of any such authority.

50-39-15.

(a) After the adoption by the authority of a resolution declaring that the acquisition of the real property described therein is necessary for the purposes of this chapter, the authority may exercise the power of eminent domain in the manner provided in Title 22; or it may exercise the power of eminent domain in the manner provided by any other applicable statutory provisions for the exercise of such power; provided, however, that the provisions of Article 7 of Chapter 16 of this title shall not be applicable to the exercise of the power of eminent domain by the authority. Property already devoted to public use may be acquired, except that no real property belonging to the state other than property acquired by or for the purposes of the Department of Transportation may be acquired without the consent of the state.

(b) Real property acquired by the authority in any manner for the purposes of this chapter shall not be subject to the exercise of eminent domain by any state department, division, board, bureau, commission, authority, or other agency or instrumentality of the executive branch of state government, or by any political subdivision of the state or any agency, authority, or instrumentality thereof, without the consent of the authority.

50-39-16.

The authority shall have all rights afforded the state by virtue of the Constitution of the United States, and nothing in this chapter shall be construed to remove any such rights.

50-39-17.

Neither the members of the authority nor any officer or employee of the authority acting on behalf thereof, while acting within the scope of his or her authority, shall be subject to any liability resulting from:

- (1) The construction, ownership, maintenance, or operation of any project financed with the assistance of the authority;
- (2) The construction, ownership, maintenance, or operation of any project, facility, or undertaking authorized by the authority and owned by a local government; or
- (3) Carrying out any of the powers expressly given in this chapter.

50-39-18.

(a) Upon request of the board of the authority, the Department of Transportation and the Department of Natural Resources shall provide to the authority and its authorized personnel and agents access to all books, records, and other information resources available to those departments which are not of a commercial proprietary nature and shall assist the authority in identifying and locating such information resources. Reimbursement for costs of identification, location, transfer, or reproduction of such information resources, including personnel costs incurred by the respective departments for such purposes, shall be made by the authority to those respective departments.

(b) The authority may request from time to time, and the Department of Transportation and the Department of Natural Resources shall provide as permissible under the Constitution and laws of this state, the assistance of personnel and the use of facilities, vehicles, aircraft, and equipment of those departments, and reimbursement for all costs and salaries thereby incurred by the respective departments shall be made by the authority to those respective departments.

ARTICLE 3

50-39-30.

In accomplishing its purposes pursuant to the provisions of this chapter, the authority may utilize, unless otherwise prohibited by law, any combination of the following funding resources:

- (1) Revenue bonds as authorized by this chapter;
- (2) Guaranteed revenue bonds as authorized by this chapter;
- (3) Funds obtained in a special district, for the purposes of providing transit services, transit projects, and air quality services within such district or, by contract with, between, and among local governments within such special districts, throughout such districts;
- (4) Moneys borrowed by the authority pursuant to the provisions of this chapter;

(5) Such federal funds as may from time to time be made available to the authority or for purposes coincident with the purposes of the authority within the territory over which the authority has jurisdiction; and

(6) Such grants or contributions from persons, firms, corporations, or other entities as the authority may receive from time to time.

50-39-31.

The authority may serve as the entity to discharge all duties imposed on the state by any act of Congress allotting federal funds to be expended for transit projects and purposes within the jurisdiction of the authority. Unless designated otherwise by the federal government, the authority shall be designated as the proper and sole authority to receive any of the federal aid funds apportioned by the federal government for use within the jurisdiction of the authority and may disburse such funds in accordance with the purposes of this article. This Code section shall not be deemed to impair or interfere in any manner with any existing rights under a contract entered into prior to December 1, 2018, or any federal grants or agreements awarded or entered into prior to December 1, 2018. This Code section shall not be applicable to projects or services provided for under the terms of a contract entered into as of December 1, 2018, under the authority granted pursuant to a local constitutional amendment set out at Ga. L. 1964, p. 1008, and the planning, funding, coordination, and delivery of such projects or services shall be as provided for by such contract or contracts.

50-39-32.

(a)(1) The authority shall have the power and is authorized at one time or from time to time to provide by one or more authorizing resolutions for the issuance of revenue bonds, but the authority shall not have the power to incur indebtedness under this subsection in excess of the cumulative principal sum of \$1 billion but excluding from such limit bonds issued for the purpose of refunding bonds which have been previously issued. The authority shall have the power to issue such revenue bonds and the proceeds thereof for the purpose of paying all or part of the costs of any project or undertaking which is for the purpose of exercising the powers delegated to it by this chapter, and the construction and provision of such installations and facilities as the authority may from time to time deem advisable to construct or contract for those purposes, as such undertakings and facilities shall be designated in the resolution of the board of directors authorizing the issuance of such bonds; provided that such debt is consistent with the state debt management plan as established by the Georgia State Financing and Investment Commission pursuant to Chapter 17 of this title, the 'Georgia State Financing and Investment Commission Act.'

(2) The revenue bonds and the interest payable thereon shall be exempt from all taxation within the state imposed by the state or any county, municipal corporation, or other political subdivision of the state.

(b) In addition, the authority shall have the power and is authorized to issue bonds in

such principal amounts as the authority deems appropriate, such bonds to be primarily secured by a pool of obligations issued by local governments when the proceeds of the local government obligations are applied to projects of the authority.

(c) The authority shall have the power from time to time to refund any bonds by the issuance of new bonds whether the bonds to be refunded have or have not matured and may issue bonds partly to refund bonds then outstanding and partly for any other corporate purpose.

(d) Bonds issued by the authority may be general or limited obligations payable solely out of particular revenues or other moneys of the authority as may be designated in the proceedings of the authority under which the bonds shall be authorized to be issued, subject to any agreements entered into between the authority and state agencies, local government, or private parties and subject to any agreements with the owners of outstanding bonds pledging any particular revenues or moneys.

(e)(1) The authority is authorized to obtain from any department, agency, or corporation of the United States of America or governmental insurer, including the state, any insurance or guaranty, to the extent now or hereafter available, as to or for the payment or repayment of interest or principal, or both, or any part thereof on any bonds or notes issued by the authority or on any obligations of federal, state, or local governments purchased or held by the authority; and to enter into any agreement or contract with respect to any such insurance or guaranty, except to the extent that the same would in any way impair or interfere with the ability of the authority to perform and fulfill the terms of any agreement made with the owners of the bonds or notes of the authority.

(2) Bonds issued by the authority shall be authorized by resolution of the authority, be in such denominations, bear such date or dates, and mature at such time or times as the authority determines to be appropriate, except that bonds and any renewal thereof shall mature within 25 years of the date of their original issuance. Such bonds shall be subject to such terms of redemption, bear interest at such rate or rates payable at such times, be in registered form or book-entry form through a securities depository, or both, as to principal or interest or both principal and interest, carry such registration privileges, be executed in such manner, be payable in such medium of payment at such place or places, and be subject to such terms and conditions as such resolution of the authority may provide; provided, however, in lieu of specifying the rate or rates of interest which the bonds to be issued by an authority are to bear, the resolution of the authority may provide that the bonds when issued will bear interest at a rate not exceeding a maximum per annum rate of interest which may be fixed or may fluctuate or otherwise change from time to time as specified in the resolution or may state that, in the event the bonds are to bear different rates of interest for different maturity dates, none of such rates will exceed the maximum rate, which rate may be fixed or may fluctuate or otherwise change from time to time, as specified. Bonds may be sold at public or private sale for such price or prices as the authority shall determine.

(3) Any resolution or resolutions authorizing bonds or any issue of bonds may contain provisions which may be a part of the contract with the owners of the bonds

thereby authorized as to:

- (A) Pledging all or part of its revenues, together with any other moneys, securities, contracts, or property, to secure the payment of the bonds, subject to such agreements with bond owners as may then exist;
 - (B) Setting aside of reserves and the creation of sinking funds and the regulation and disposition thereof;
 - (C) Limiting the purpose to which the proceeds from the sale of bonds may be applied;
 - (D) Limiting the right of the authority to restrict and regulate the use of any project or part thereof in connection with which bonds are issued;
 - (E) Limiting the issuance of additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding or other bonds;
 - (F) Setting the procedure, if any, by which the terms of any contract with bond owners may be amended or abrogated, including the proportion of bond owners which must consent thereto and the manner in which such consent may be given;
 - (G) Creating special funds into which any revenues or other moneys may be deposited;
 - (H) Setting the terms and provisions of any trust, deed, or indenture or other agreement under which the bonds may be issued;
 - (I) Vesting in a trustee or trustees such properties, rights, powers, and duties in trust as the authority may determine;
 - (J) Defining the acts or omissions to act which may constitute a default in the obligations and duties of the authority to the bond owners and providing for the rights and remedies of the bond owners in the event of such default, including as a matter of right the appointment of a receiver; provided, however, that such rights and remedies shall not be inconsistent with the general laws of the state and other provisions of this chapter;
 - (K) Limiting the power of the authority to sell or otherwise dispose of any environmental facility or any part thereof or other property, including municipal bonds held by it;
 - (L) Limiting the amount of revenues and other moneys to be expended for operating, administrative, or other expenses of the authority;
 - (M) Providing for the payment of the proceeds of bonds, obligations, revenues, and other moneys to a trustee or other depository and for the method of disbursement thereof with such safeguards and restrictions as the authority may determine; and
 - (N) Establishing any other matters of like or different character which in any way affect the security for the bonds or the rights and remedies of bond owners.
- (4) In addition to the powers conferred upon the authority to secure its bonds, the authority shall have power in connection with the issuance of bonds to enter into such agreements as the authority may deem necessary, consistent, or desirable concerning the use or disposition of its revenues or other moneys or property, including the mortgaging of any property and the entrusting, pledging, or creation of any other security interest in any such revenues, moneys, or property and the doing of any act,

including refraining from doing any act, which the authority would have the right to do in the absence of such agreements. The authority shall have power to enter into amendments of any such agreements within the powers granted to the authority by this chapter and to perform such agreements. The provisions of any such agreements may be made a part of the contract with the owners of bonds of the authority.

(5) Any pledge of or other security interest in revenues, moneys, accounts, contract rights, general intangibles, or other personal property made or created by the authority shall be valid, binding, and perfected from the time when such pledge is made or other security interest attaches without any physical delivery of the collateral or further act, and the lien of any such pledge or other security interest shall be valid, binding, and perfected against all parties having claims of any kind in tort, contract, or otherwise against the authority irrespective of whether or not such parties have notice thereof. No instrument by which such a pledge or security interest is created nor any financing statement need be recorded or filed.

(6) All bonds issued by the authority shall be executed in the name of the authority by the chairperson and secretary of the authority and shall be sealed with the official seal or a facsimile thereof. The facsimile signature of the chairperson and the secretary of the authority may be imprinted in lieu of the manual signature if the authority so directs. Bonds bearing the manual or facsimile signature of a person in office at the time such signature was signed or imprinted shall be fully valid, notwithstanding the fact that before or after delivery thereof such person ceased to hold such office.

(7) Prior to the preparation of definitive bonds, the authority may issue interim receipts, interim certificates, or temporary bonds exchangeable for definitive bonds upon the issuance of the latter; the authority may provide for the replacement of any bond which shall become mutilated or be destroyed or lost.

(8) All bonds issued by the authority under this chapter may be executed, confirmed, and validated under and in accordance with Article 3 of Chapter 82 of Title 36, except as otherwise provided in this chapter.

(9) The venue for all bond validation proceedings pursuant to this chapter shall be Fulton County, and the Superior Court of Fulton County shall have exclusive final court jurisdiction over such proceedings.

(10) Bonds issued by the authority shall have a certificate of validation bearing the facsimile signature of the clerk of the Superior Court of Fulton County and shall state the date on which said bonds were validated; and such entry shall be original evidence of the fact of judgment and shall be received as original evidence in any court of this state.

(11) The authority shall reimburse the district attorney for his or her actual costs, if any, associated with the bond validation proceedings. The fees payable to the clerk of the Superior Court of Fulton County for validation shall be as follows for each bond, regardless of the denomination of such bond:

(A) Fifty cents each for the first 100 bonds;

(B) Twenty-five cents each for the next 400 bonds; and

(C) Ten cents for each such bond over 500.

(12) Whether or not the bonds of the authority are of such form and character as to be negotiable instruments, the bonds are made negotiable instruments within the meaning of and for all the purposes of Georgia law subject only to the provisions of the bonds for registration.

(13) Neither the members of the authority nor any person executing bonds shall be liable personally thereon or be subject to any personal liability or accountability solely by reason of the issuance thereof.

(14) The authority, subject to such agreements with bond owners as then may exist, shall have power out of any moneys available therefor to purchase bonds of the authority, which shall thereupon be canceled, at a price not in excess of the following:

(A) If the bonds are then redeemable, the redemption price then applicable plus accrued interest to the next interest payment date; or

(B) If the bonds are not then redeemable, the redemption price applicable on the first date after such purchase upon which the bonds become subject to redemption, plus accrued interest to the next interest payment date.

(15) In lieu of specifying the rate or rates of interest which bonds to be issued by the authority are to bear, the notice to the district attorney or the Attorney General, the notice to the public of the time, place, and date of the validation hearing, and the petition and complaint for validation may state that the bonds when issued will bear interest at a rate not exceeding a maximum per annum rate of interest, which rate may be fixed or may fluctuate or otherwise change from time to time, specified in such notices and petition and complaint or may state that, in the event the bonds are to bear different rates of interest for different maturity dates, none of such rates will exceed the maximum rate, which rate may be fixed or may fluctuate or otherwise change from time to time, so specified; provided, however, that nothing in this Code section shall be construed as prohibiting or restricting the right of the authority to sell such bonds at a discount, even if in doing so the effective interest cost resulting therefrom would exceed the maximum per annum interest rate specified in such notices and in the petition and complaint.

50-39-33.

(a) The authority shall have the power and is authorized to issue guaranteed revenue bonds in a maximum aggregate principal amount not to exceed \$1 billion, under the terms and conditions set forth in this chapter, pursuant to the provisions of Article 2 of Chapter 17 of this title, which bonds shall constitute guaranteed revenue debt under Article VII, Section IV, Paragraph III of the Constitution of this state; provided that such debt is consistent with the state debt management plan as established by the Georgia State Financing and Investment Commission pursuant to Chapter 17 of this title, the 'Georgia State Financing and Investment Commission Act.' The General Assembly hereby finds and determines that such issue will be self-liquidating over the life of the issue, and declares its intent to appropriate an amount equal to the highest annual debt service requirements for such issue. The proceeds of such bonds and the

investment earnings thereon shall be used to finance transit services or transit projects, including any costs of such projects.

(b) The guaranteed revenue bonds and the interest payable thereon shall be exempt from all taxation within the state imposed by the state or any county, municipal corporation, or other political subdivision of the state.

50-39-34.

The bonds of the authority are made securities in which all public officials and bodies of the state and all counties and municipalities, all insurance companies and associations, and other persons carrying on an insurance business, all banks, bankers, trust companies, savings banks, and savings associations, including savings and loan associations, investment companies and other persons carrying on a banking business, and administrators, guardians, executors, trustees, and other fiduciaries and all other persons whatsoever, who are now or may hereafter be authorized to invest in bonds or other obligations of the state, may properly and legally invest funds including capital in their control or belonging to them. The bonds are also made securities which may be deposited with and may be received by all public officers and bodies of this state and all counties and municipalities for any purposes for which the deposit of bonds or other obligations of this state are now or hereafter may be authorized.

50-39-35.

The State of Georgia does pledge to and agree with the owners of any bonds issued by the authority pursuant to this chapter that the state will not alter or limit the rights vested in the authority to fulfill the terms of any agreement made with or for the benefit of the owners of bonds or in any way impair the rights and remedies of bond owners until the bonds, together with the interest thereon, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of such owners, are fully met and discharged or funds for the payment of such are fully provided. The authority is authorized to include this pledge and agreement of the state in any agreement with bond owners.

50-39-36.

The offer, sale, or issuance of bonds, notes, or other obligations by the authority shall not be subject to regulation under Chapter 5 of Title 10, known as the 'Georgia Uniform Securities Act of 2008.' No notice, proceeding, or publication except those required in this chapter shall be necessary to the performance of any act authorized in this chapter; nor shall any such act be subject to referendum.

50-39-37.

No bonds, notes, or other obligations of and no indebtedness incurred by the authority, other than guaranteed revenue bonds, shall constitute an indebtedness or obligation or a pledge of the faith and credit of the State of Georgia or of its agencies; nor shall any act of the authority in any manner constitute or result in the creation of an indebtedness of

the state or its agencies or a cause of action against the state or its agencies; provided, however, the state, to the extent permitted by its Constitution, may guarantee payment of such bonds, notes, or other obligations as guaranteed revenue debt.

50-39-38.

It is found, determined, and declared that the creation of this authority and the carrying out of its corporate purposes is in all respects for the benefit of the people of the state and that the authority is an institution of purely public charity and will be performing an essential governmental function in the exercise of the power conferred upon it by this chapter. For such reasons the state covenants with the owners from time to time of the bonds, notes, and other obligations issued under this chapter that the authority shall not be required to pay any taxes or assessments imposed by the state or any of its counties, municipal corporations, political subdivisions, or taxing districts upon any property acquired by the authority or under its jurisdiction, control, possession, or supervision or leased by it to others, or upon its activities in the operation or maintenance of any such property or on any income derived by the authority in the form of fees, recording fees, rentals, charges, purchase price, installments, or otherwise, and that the bonds, notes, and other obligations of the authority, their transfer, and the income therefrom shall at all times be exempt from taxation within the state. The tax exemption provided in this chapter shall include an exemption from sales and use tax on property purchased by the authority or for use by the authority.

50-39-39.

The issuance of any bond, revenue bond, note, or other obligation or incurring of debt, public or otherwise, by the authority must be approved by the commission established by Article VII, Section IV, Paragraph VII of the Constitution of the State of Georgia of 1983 or its successor.

50-39-40.

No bonded indebtedness of any kind shall be incurred by the authority or on behalf of the authority by the Georgia Environmental Finance Authority at any time when the highest aggregate annual debt service requirements of the state for the then current fiscal year or any subsequent fiscal year for outstanding general obligation debt and guaranteed revenue debt, including the proposed debt and treating it as state general obligation debt or guaranteed revenue debt for purposes of calculating debt limitations under this Code section, and the highest aggregate annual payments for the then current fiscal year or any subsequent fiscal year of the state under all contracts then in force to which the provisions of the second paragraph of Article IX, Section VI, Paragraph I(a) of the Constitution of 1976 are applicable, exceed 7.5 percent of the total revenue receipts, less refunds of the state treasury in the fiscal year immediately preceding the fiscal year in which any such debt is to be incurred.

ARTICLE 450-39-50.

(a) For the purposes of this Code section, the term 'lease agreement' shall mean and include a lease, operating lease rental agreement, usufruct, sale and lease back, or any other lease agreement having a term of not more than 50 years and concerning real, personal, or mixed property, any right, title, or interest therein by and between the state, the authority, a local government, or any combination thereof.

(b) A local government by resolution of its governing body may enter into a lease agreement for the provision of transit services, transit projects, or air quality services utilizing facilities owned by the authority upon such terms and conditions as the authority shall determine to be reasonable including, but not limited to, the reimbursement of all costs of construction and financing and claims arising therefrom.

(c) No lease agreement shall be deemed to be a contract subject to any law requiring that a contract shall be let only after receipt of competitive bids.

(d) Any lease agreement may provide for the construction of such transit project or air quality facility by the local government as agent for the authority. In such event, all contracts for such construction shall be let by such local government in accordance with the provisions of law otherwise applicable to the letting of such contracts by such local government and with the provisions of state law pertaining to prevailing wages, labor standards, and working hours. Any such lease agreement may contain provisions by which such local government shall indemnify the authority against any and all damages resulting from acts or omissions to act on the part of such local government or its officers, agents, or employees in constructing such facility or facilities, in letting any contracts in connection therewith, or in operating and maintaining the same.

(e) Any lease agreement executed by the authority directly with any local government may provide at the termination thereof that title to the transit project or air quality facility project shall vest in the local government or its successor in interest, if any, free and clear of any liens or encumbrances created in connection with any contract or bonds, revenue bonds, notes, or other obligations involving the authority.

(f) Any lease agreement directly between the state or authority and a local government may contain provisions requiring the local government to perform any or all of the following:

(1) In the case of a transit service or transit project, to establish and collect rates, fees, and charges so as to produce revenues sufficient to pay all or a specified portion of:

(A) The costs of operation, maintenance, renewal, replacement, and repairs of the transit project of such local government; and

(B) Outstanding bonds, revenue bonds, notes, or other obligations incurred for the purposes of such transit project and to provide for the payment of all amounts as they shall become due and payable under the terms of such lease agreement, including amounts for the creation and maintenance of any required reserves;

(2) In the case of an air quality facility, to establish and collect rents, rates, fees, and charges so as to produce revenues sufficient to pay all or a specified portion of:

- (A) The costs of operation, maintenance, renewal, and repairs of the air quality facility of such local government; and
- (B) Outstanding bonds, revenue bonds, notes, or other obligations incurred for the purposes of such air quality facility and to provide for the payment of all amounts as they shall become due and payable under the terms of such lease agreement, including amounts for the creation and maintenance of any required reserves;
- (3) To create and maintain reasonable reserves or other special funds;
- (4) To create and maintain a special fund or funds as additional security for the punctual payment of any rentals due under such lease agreement and for the deposit therein of such revenues as shall be sufficient to pay said lease rentals and any other amounts becoming due under such lease agreements as the same shall become due and payable; or
- (5) To perform such other acts and take such other action as may be deemed necessary and desirable by the authority to secure the complete and punctual performance by such local government of such lease agreements and to provide for the remedies of the authority in the event of a default by such local government in such payment.

50-39-51.

- (a) The authority may make grants or loans to a local government to pay all or any part of the cost of a project. In the event the local government agrees to accept such grants or loans, the authority may require the local government to issue bonds or revenue bonds as evidence of such grants or loans. The authority and a local government may enter into such loan commitments and option agreements as may be determined appropriate by the authority.
- (b) The authority may require as a condition of any grant or loan to a local government that such local government shall perform any or all of the following:
 - (1) In the case of grants or loans for transit services or transit projects, establish and collect rates, fees, and charges so as to produce revenues sufficient to pay all or a specified portion of:
 - (A) Costs of operation, maintenance, replacement, renewal, and repairs; and
 - (B) Outstanding indebtedness incurred for the purposes of such service, project, or facility, including the principal of and interest on the bonds, revenue bonds, notes, or other obligations issued by the local government, as the same shall become due and payable, and to create and maintain any required reserves;
 - (2) In the case of grants or loans for an air quality facility, establish and collect rents, rates, fees, and charges so as to produce revenues sufficient to pay all or a specified portion of:
 - (A) Costs of operation, maintenance, renewal, replacement, and repairs of the air quality facility of such local government; and
 - (B) Outstanding indebtedness incurred for the purposes of such air quality facility, including the principal of and interest on the bonds, revenue bonds, notes, or other obligations issued by the local government, as the same shall become due and

payable, and to create and maintain any required reserves;

(3) Create and maintain a special fund or funds, as additional security for the payment of the principal of such revenue bonds and the interest thereon and any other amounts becoming due under any agreement, entered into in connection therewith and for the deposit therein of such revenues as shall be sufficient to make such payment as the same shall become due and payable;

(4) Create and maintain such other special funds as may be required by the authority; and

(5) Perform such other acts, including the conveyance of real and personal property together with all right, title, or interest therein to the authority, or take other actions as may be deemed necessary or desirable by the authority to secure the payment of the principal of and interest on such bonds, revenue bonds, notes, or other obligations and to provide for the remedies of the authority in the event of any default by such local government in such payment.

(c) All local governments issuing and selling bonds, revenue bonds, notes, or other obligations to the authority are authorized to perform such acts, take such action, adopt such proceedings, and to make and carry out such contracts with the authority as may be contemplated by this chapter.

(d) In connection with the making of any loan authorized by this chapter, the authority may fix and collect such fees and charges, including, but not limited to, reimbursement of all costs of financing by the authority, as the authority shall determine to be reasonable. Neither the Public Service Commission nor any local government or state agency shall have jurisdiction over the authority's power over the regulation of such fees or charges.

50-39-52.

(a) In the event of a failure of any local government to collect and remit in full all amounts due to the authority and all amounts due to others, which involve the credit or guarantee of the authority or of the state, on the date such amounts are due under the terms of any bond, revenue bond, note, or other obligation of the local government, it shall be the duty of the authority to notify the state treasurer who shall withhold all funds of the state and all funds administered by the state, its agencies, boards, and instrumentalities allotted to such local government, excluding funds for education purposes, until such local government has collected and remitted in full all sums due and cured or remedied all defaults on any such bond, revenue bond, note, or other obligation.

(b) Nothing contained in this Code section shall mandate the withholding of funds allocated to a local government which would violate contracts to which the state is a party, the requirements of federal law imposed on the state, or judgments of any court binding the state.

ARTICLE 550-39-60.This chapter, being for the welfare of this state and its inhabitants, shall be liberally construed to effect the purposes specified in this chapter.50-39-61.No provision of Chapter 1 of Title 40 shall apply to any bus, other motor vehicle, or rapid rail system of the authority which provides transit services."**PART III
MARTA
SECTION 3-1.**

Chapter 9 of Title 32 of the Official Code of Georgia Annotated, relating to mass transportation, is amended by designating Code Sections 32-9-1 through 32-9-12 as new Article 1, designating Code Sections 32-9-13 and 32-9-14 as Article 2, and revising newly designated Article 2 to read as follows:

"ARTICLE 2

32-9-13.

~~(a)~~ As used in this ~~Code section~~ article, the term:(1) 'Authority' means the authority created by the MARTA Act and pursuant to a local constitutional amendment for purposes of establishing a metropolitan area system of public transportation set out at Ga. L. 1964, p. 1008.

(2) 'Board' means the board of directors of the authority.

~~(2)~~(3) 'City' means the City of Atlanta.~~(3)~~(4) 'MARTA Act' means an Act known as the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended.

(5) 'Metropolitan area' means the counties of Clayton, Cobb, DeKalb, Fulton, and Gwinnett and the City.

(6) 'Qualified municipality' shall have the same meaning as provided in paragraph (4) of Code Section 48-8-110.

(7) 'Regional transit plan' means the official multiyear plan for transit services and facilities adopted pursuant to Code Section 50-39-12.

32-9-14.

~~(b)~~(a) Any provisions to the contrary in the MARTA Act notwithstanding and pursuant to the authority granted under a provision of the Constitution enacted by Ga. L. 1964, p. 1008, the city shall be authorized to levy a retail sales and use tax up to ~~.50~~ 0.50 percent under the provisions set forth in this Code section. Such tax shall be in addition to any tax which is currently authorized and collected under the MARTA Act. The city may

elect to hold a referendum in 2016 as provided for by this Code section by the adoption of a resolution or ordinance by its governing body on or prior to June 30, 2016; provided, however, that if the city does not adopt a resolution or ordinance on or prior to June 30, 2016, it may elect to hold a referendum at the November, 2017, municipal general election by the adoption of a resolution or ordinance by its governing body to that effect on or prior to June 30, 2017. Such additional tax shall not count toward any local sales tax limitation provided for by Code Section 48-8-6. Any tax imposed under this ~~part~~ Code section at a rate of less than ~~.50~~ 0.50 percent shall be in an increment of ~~.05~~ 0.05 percent. Any tax imposed under this ~~part~~ Code section shall run concurrently as to duration of the levy with the 1 percent tax currently levied pursuant to the ~~'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended~~ MARTA Act.

~~(e)~~(b)(1) No later than May 31 of the year a referendum is to be called for as provided in this Code section, the authority shall submit to the city a preliminary list of new rapid transit projects within or serving the geographical area of the city which may be funded in whole or in part by the proceeds of the additional tax authorized by this Code section.

(2) No later than July 31 of the year a referendum is to be called for as provided in this Code section, the authority shall submit to the city a final list of new rapid transit projects within or serving the city to be funded in whole or in part by the proceeds of the tax authorized by this Code section. Such final list of new rapid transit projects shall be incorporated into the rapid transit contract established under Section 24 of the MARTA Act between the authority and the city upon approval by the qualified voters of the city of the referendum to levy the additional tax authorized by this Code section.

~~(d)~~(c) Before the additional tax authorized under this Code section shall become valid, the tax shall be approved by a majority of qualified voters of the city in a referendum thereon. The procedure for holding the referendum called for in this Code section shall be as follows: There shall be published in a newspaper having general circulation throughout the city, once each week for four weeks immediately preceding the week during which the referendum is to be held, a notice to the electors thereof that on the day named therein an election will be held to determine the question of whether or not the tax authorized by this Code section should be collected in the city for the purpose of expanding and enhancing the rapid transit system. Such election shall be held in all the election districts within the territorial limits of the city. The question to be presented to the electorate in any such referendum shall be stated on the ballots or ballot labels as follows:

- ' () YES Shall an additional sales tax of (insert percentage) percent be collected in the City of Atlanta for the purpose of significantly expanding and enhancing MARTA transit service in Atlanta?
 () NO enhancing MARTA transit service in Atlanta?'

The question shall be published as a part of the aforesaid notice of election. Each such election shall be governed, held, and conducted in accordance with the provisions of

law from time to time governing the holding of special elections. After the returns of such an election have been received, and the same have been canvassed and computed, the result shall be certified to the governing body of the city, in addition to any other person designated by law to receive the same, and such governing body shall officially declare the result thereof. Each election called by the governing body of the city under the provisions of this Code section shall be governed by and conducted in accordance with the provisions of law governing the holding of elections by the city. The expense of any such election shall be paid by the city.

~~(e)~~(d) If a majority of those voting in such an election vote in favor of the proposition submitted, then the rapid transit contract between the authority and the city shall authorize the levy and collection of the tax provided for by this Code section, and the final list provided for in paragraph (2) of subsection ~~(e)~~ (b) of this Code section shall be incorporated therein. All of the proceeds derived from the additional tax provided for by this Code section shall be first allocated for payment of the cost of the rapid transit projects incorporated in such contract, except as otherwise provided by the terms of such rapid transit contract, and thereafter, upon completion and payment of such rapid transit projects, as provided for in such contract and this Code section. It shall be the policy of the authority to provide that the tax collected under this Code section in an amount exceeding the cost of the rapid transit projects incorporated in the contract shall be expended solely within and for the benefit of the city. When a tax is imposed under this Code section, the rate of any tax approved as provided for by Article 5A of Chapter 8 of Title 48 shall and the tax provided for by this Code section, in aggregate, shall not exceed a rate of 1 percent.

~~(f)~~(e) If a majority of those voting in an election provided for by this Code section in 2016 vote against the proposition submitted, the city may elect to resubmit such proposition on the date of the November, 2017, municipal general election by the adoption of a resolution or ordinance to that effect on or prior to June 30, 2017, subject to the provisions of this Code section.

~~(g)~~(f)(1) Except as provided for to the contrary in this Code section, the additional tax provided for by this Code section shall be collected in the same manner and under the same conditions as set forth in Section 25 of the MARTA Act.

(2) The tax provided for by this Code section shall not be subject to any restrictions as to rate provided for by the MARTA Act and shall not be subject to the provisions of paragraph (2) of subsection (b) or subsection (k) of Section 25 of the MARTA Act.

(3) A tax levied under this paragraph shall be added to the state sales and use tax imposed by Article 1 of Chapter 8 of Title 48 and the state revenue commissioner is authorized and directed to establish a bracket system by appropriate rules and regulations to collect the tax imposed under this paragraph in the city.

32-9-15.

(a) Any provisions to the contrary in the MARTA Act notwithstanding and pursuant to the authority granted under a provision of the Constitution enacted by Ga. L. 1964, p. 1008, the governing authority of Fulton County shall be authorized to levy a retail sales

and use tax up to 0.20 percent in the portion of such county located outside the jurisdictional limits of the city upon satisfaction of the provisions set forth in this Code section. Such tax shall be in addition to any tax which is currently authorized and collected under the MARTA Act. Such additional tax shall not count toward any local sales tax limitation provided for by Code Section 48-8-6. Such additional tax shall not be utilized to fund heavy rail. Any tax imposed under this Code section at a rate of less than 0.20 percent shall be in an increment of 0.05 percent. The minimum period of time for the imposition of the tax imposed under this Code section shall be ten years and the maximum period of time for the imposition shall not exceed 30 years.

(b) Prior to the call for a referendum authorized by this Code section, the governing authority of Fulton County shall deliver or mail a written notice to the authority and to the mayor or chief elected official in each qualified municipality located within such county and outside the jurisdictional limits of the city. Such notice shall contain the date, time, place, and purpose of a meeting at which the authority and the governing authority of such county and of each qualified municipality are to meet to discuss possible projects within or serving the geographical area of the county which may be funded in whole or in part by the proceeds of the additional tax authorized by this Code section and the rate of such tax. The notice shall be delivered or mailed at least ten days prior to the date of the meeting. The meeting shall be held at least 60 days prior to the issuance of the call for the referendum.

(c) Following the meeting required by subsection (b) of this Code section and prior to any tax being imposed under this Code section, the qualified municipalities and governing authority representing at least 70 percent of the population of Fulton County outside the boundaries of the city may execute an intergovernmental agreement memorializing their agreement to the levy of a tax and the rate of such tax; provided, however, that no tax shall be authorized to be imposed under this Code section if no such intergovernmental agreement is entered into. An intergovernmental agreement authorized by this subsection shall, at a minimum, include:

- (1) If such tax is to be levied after January 1, 2019, a list of the projects proposed to be funded from the tax which shall be from the regional transit plan and approved by the Atlanta-regional Transit Link 'ATL' Authority;
- (2) The rate of tax to be imposed upon approval of a referendum; and
- (3) The duration of the tax to be imposed upon approval of a referendum.

(d) Upon execution of an intergovernmental agreement as provided for in subsection (c) of this Code section, the governing authority of Fulton County shall be authorized to enter into a rapid transit service contract based upon the conditions agreed to in such intergovernmental agreement. Such rapid transit service contract shall incorporate the list of projects included in the intergovernmental agreement pursuant to paragraph (1) of subsection (c) of this Code section. Such rapid transit contract shall become effective and binding only upon passage of a referendum approving the imposition of an additional tax held in accordance with the provisions of subsection (e) of this Code section.

(e) Before the additional tax authorized under this Code section shall become valid or

the rapid transit contract shall become binding, the tax shall be approved by a majority of qualified voters in Fulton County residing outside the jurisdictional boundaries of the city in a referendum thereon. The procedure for holding the referendum called for in this Code section shall be as follows: There shall be published in a newspaper having general circulation throughout Fulton County, once each week for four weeks immediately preceding the week during which the referendum is to be held, a notice to the electors thereof that on the day named therein an election will be held to determine the question of whether or not the tax authorized by this Code section should be collected in Fulton County for the purpose of expanding and enhancing the rapid transit system. Such election shall be held in all the election districts within the territorial limits of Fulton County located outside the jurisdictional boundaries of the city. The question to be presented to the electorate in any such referendum shall be stated on the ballots or ballot labels as follows:

- ' () YES Shall an additional sales tax of (insert rate) be collected for a period of (insert number) years in the portion of Fulton County outside of the () NO City of Atlanta for the purpose of (description of project or projects)?'

The question shall be published as a part of the aforesaid notice of election. Each such election shall be governed, held, and conducted in accordance with the provisions of law from time to time governing the holding of special elections. After the returns of such an election have been received, and the same have been canvassed and computed, the result shall be certified to the board of commissioners of Fulton County, in addition to any other person designated by law to receive the same, and such board of commissioners shall officially declare the result thereof. Each election called by the board of commissioners of Fulton County under the provisions of this Code section shall be governed by and conducted in accordance with the provisions of law governing the holding of elections by such county. The expense of any such election shall be paid by the county.

(f) If a majority of those voting in such an election vote in favor of the proposition submitted, then the rapid transit contract between the authority and Fulton County shall be binding and the levy and collection of the tax provided for by this Code section shall be authorized. All of the proceeds derived from the additional tax provided for by this Code section shall be first allocated for payment of the cost of the rapid transit projects incorporated in such contract, except as otherwise provided by the terms of such rapid transit contract, and thereafter, upon completion and payment of such rapid transit projects, as provided for in such contract and this Code section. It shall be the policy of the authority to provide that the tax collected under this Code section in an amount exceeding the cost of the rapid transit projects incorporated in the contract shall be expended solely within and for the benefit of Fulton County.

(g) If a majority of those voting in an election provided for by this Code section vote against the proposition submitted, Fulton County may elect to resubmit such proposition provided that the requirements of this Code section are satisfied.

(h)(1) Except as provided for to the contrary in this Code section, the additional tax

provided for by this Code section shall be collected in the same manner and under the same conditions as set forth in Section 25 of the MARTA Act.

(2) The tax provided for by this Code section shall not be subject to any restrictions as to rate provided for by the MARTA Act and shall not be subject to the provisions of paragraph (2) of subsection (b) or subsection (k) of Section 25 of the MARTA Act.

(3) A tax levied under this Code section shall be added to the state sales and use tax imposed by Article 1 of Chapter 8 of Title 48, and the state revenue commissioner is authorized and directed to establish a bracket system by appropriate rules and regulations to collect the tax imposed under this Code section in the area of Fulton County outside the jurisdictional boundaries of the city.

(i)(1) For purposes of this subsection, the term 'transit oriented development' means any commercial, residential, retail, or office building or development located on authority property or connected physically or functionally to a transit station, including, without limitation, joint development projects on authority property which provide for lease of authority property to private parties, convenient access to a transit station, and construction of a development for any such use. Notwithstanding the foregoing, the location of retail concessions within a transit station shall not alone constitute a transit oriented development.

(2) With respect to any local jurisdiction levying a tax as provided for by this Code section, the power of zoning and planning provided for by Article IX, Section II, Paragraph IV of the Constitution of Georgia shall extend to transit oriented development and to authority property which is not part of the transportation system, transportation projects, or rapid transit system or projects of the authority as provided for by the MARTA Act.

32-9-14 32-9-16.

(a) There is created the Metropolitan Atlanta Rapid Transit Overview Committee to be composed of the following 14 members: the chairperson of the State Planning and Community Affairs Committee of the House of Representatives; the chairperson of the State and Local Governmental Operations Committee of the Senate; the chairperson of the Ways and Means Committee of the House of Representatives; a member of the Banking and Financial Institutions Committee of the Senate to be selected by the President of the Senate; two members of the House of Representatives appointed by the Speaker of the House, at least one of whom shall be from the area served by the authority; two members of the Senate, to be appointed by the President thereof, at least one of whom shall be from the area served by the authority; and three members of the House of Representatives and three members of the Senate appointed by the Governor, at least two of whom shall be from the area served by the authority. The appointed members of the committee shall serve two-year terms concurrent with their terms as members of the General Assembly. The chairperson of the committee shall be appointed by the Speaker of the House from the membership of the committee, and the vice chairperson of the committee shall be appointed by the President of the Senate from the membership of the committee. The chairperson and vice chairperson shall

serve terms of two years concurrent with their terms as members of the General Assembly. Vacancies in an appointed member's position or in the offices of chairperson or vice chairperson of the committee shall be filled for the unexpired term in the same manner as the original appointment. The committee shall periodically inquire into and review the operations, contracts, safety, financing, organization, and structure of the ~~Metropolitan Atlanta Rapid Transit Authority~~ authority, as well as periodically review and evaluate the success with which said authority is accomplishing its legislatively created purposes.

(b) The state auditor, the Georgia Department of Transportation, and the Attorney General shall make available to the committee the services of their staffs' facilities and powers in order to assist the committee in its discharge of its duties herein set forth. The committee may employ staff and secure the services of independent accountants, engineers, and consultants. Upon authorization by joint resolution of the General Assembly, the committee shall have the power while the General Assembly is in session or during the interim between sessions to compel the attendance of witnesses and the production of documents in aid of its duties. In addition, when the General Assembly is not in session, the committee shall have the power to compel the attendance of witnesses and the production of documents in aid of its duties, upon application of the chairperson of the committee with the concurrence of the Speaker of the House and the President of the Senate.

(c) The ~~Metropolitan Atlanta Rapid Transit Authority~~ authority shall cooperate with the committee, its authorized personnel, the Attorney General, the state auditor, and the Georgia Department of Transportation in order that the charges of the committee, set forth in this Code section, may be timely and efficiently discharged. The authority shall submit to the committee such reports and data as the committee shall reasonably require of the authority in order that the committee may adequately inform itself of the activities of the authority required by this Code section. The Attorney General is authorized to bring appropriate legal actions to enforce any laws specifically or generally relating to the authority or as to any subpoenas issued by the committee. The committee shall, on or before the first day of January of each year, and at such other times as it deems to be in the public interest, submit to the General Assembly a report of its findings and recommendations based upon the review of the operations of the ~~Metropolitan Atlanta Rapid Transit Authority~~ authority, as set forth in this Code section.

(d) In the discharge of its duties, the committee shall evaluate the performance of the authority in providing public transportation consistent with the following criteria:

- (1) Public safety;
- (2) Prudent, legal, and accountable expenditure of public funds;
- (3) Responsiveness to community needs and community desires;
- (4) Economic vitality of the transportation system and economic benefits to the community;
- (5) Efficient operation; and
- (6) Impact on the environment.

To assist in evaluating the performance of the authority, the committee may appoint a citizens' advisory committee or committees. Such citizens' advisory committee or committees shall act in an advisory capacity only.

(e)(1) The committee is authorized to expend state funds available to the committee for the discharge of its duties. Said funds may be used for the purposes of compensating staff personnel; paying the expenses of advertising notices of intention to amend the ~~'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' as amended~~ MARTA Act; paying for services of independent accountants, engineers, and consultants; paying necessary expenses of the citizens' advisory committee or committees; and paying all other necessary expenses incurred by the committee in performing its duties.

(2) The members of the committee shall receive the same compensation, per diem, expenses, and allowances for their service on the committee as is authorized by law for members of interim legislative study committees.

(3) The funds necessary for the purposes of this Code section shall come from the funds appropriated to and available to the legislative branch of government.

(f) Nothing contained within this Code section shall relieve the ~~Metropolitan Atlanta Rapid Transit Authority~~ authority of the responsibilities imposed upon it under the ~~'Metropolitan Atlanta Rapid Transit Authority Act of 1965,' as amended,~~ MARTA Act for planning, designing, purchasing, acquiring, constructing, improving, equipping, financing, maintaining, administering, and operating a system of rapid transit for the metropolitan area of Atlanta.

32-9-17.

(a) On and after January 1, 2019, the board shall utilize a logo and brand upon any newly acquired capital asset worth more than \$250,000.00 that is regularly visible to the public which shall include the acronym 'ATL' as a prominent feature.

(b) On and after January 1, 2023, the board shall utilize a logo and brand upon any property of the authority which shall include the acronym 'ATL' as a prominent feature.

(c) Such branding and logo will in no manner change the official name, business, contracts, or other obligations of the authority.

(d) The powers and duties conferred under this Code section shall be in addition to any powers and duties authorized in the MARTA Act and shall in no way be interpreted to repeal any portion of such Act.

32-9-18.

Any provision of the MARTA Act which limits the amount the state may contribute to the system of the rapid transit system of the authority shall stand repealed.

32-9-19.

(a) Notwithstanding the provisions of the MARTA Act, any county, municipality, special tax or community improvement district, political subdivision of this state within the metropolitan area, or any combination thereof may execute a transportation services

contract with the authority to provide public transportation services, facilities, or both, for, to, or within such county, municipality, district, subdivision, or combination thereof. A transportation services contract executed pursuant to this subsection:

(1) Shall not be a rapid transit contract subject to the conditions established therefor in Code Sections 32-9-20 and 32-9-22 or Section 24 of the MARTA Act;

(2) May not utilize a method of financing those public transportation services or facilities provided under the contract which involves:

(A) The issuance of bonds under subsection (c) of Section 24 of the MARTA Act;

(B) The levy of the special retail sales and use tax described and authorized in Section 25 of the MARTA Act; or

(C) Both methods described in subparagraphs (A) and (B) of this paragraph;

(3) Shall require that the costs of any transportation services and facilities contracted for, as determined by the board on the basis of reasonable estimates, allocations of costs and capital, and projections, shall be borne by one or more of the following:

(A) Fares;

(B) Other revenues generated by such services or facilities;

(C) Any subsidy provided, directly or indirectly, by or on behalf of the public entity with which the authority contracted for the services and facilities; or

(D) A special retail sales and use tax described and authorized in Article 5B of Chapter 8 of Title 48; and

(4) Shall be for services on the regional transit plan and approved by the Atlanta-regional Transit Link 'ATL' Authority.

(b) Notwithstanding the provisions of the MARTA Act, any county, municipality, special tax or community improvement district, political subdivision of this state outside the metropolitan area, or any combination thereof may execute a transportation services contract with the authority to provide public transportation services, facilities, or both, for, to, or within such county, municipality, district, subdivision, or combination thereof. Under a transportation services contract executed pursuant to this subsection:

(1) The services and facilities shall be provided pursuant to a transportation services contract meeting the requirements therefor under subsection (a) of this Code section; and

(2) The contract shall not authorize the construction of any extension of or addition to the authority's existing rapid rail system.

32-9-20.

(a)(1) Any provisions to the contrary in the MARTA Act notwithstanding and pursuant to the authority granted under a provision of the Constitution enacted by Ga. L. 1964, p. 1008, and subject to such limitations set forth in this Code section, the authority and the board of commissioners of Gwinnett County may negotiate and determine the extent of financial participation and the time or times such financial participation may be required with respect to Gwinnett County in order to finance the provision of a rapid transit system through the joint instrumentality of the authority.

Except as provided in Code Section 32-9-19 if such county is entering into a transportation services contract, such determination shall take the form of a rapid transit contract to be entered into between the authority and the local government. The final execution of a rapid transit contract shall be completed in every instance in the manner hereinafter set forth in this Code section.

(2) As one method of providing the financial participation determined by the board of commissioners and the authority to be Gwinnett County's proper share of the cost of financing a rapid transit project or projects, Gwinnett County may, in the manner prescribed by law and subject to the conditions and limitations prescribed by law, issue its general obligation bonds, pay over the proceeds thereof to the authority, and thereby complete and make final the execution of the proposed rapid transit contract anticipated by such bond authorization and issuance and the authority shall agree in such contract to perform for such local government the aforesaid governmental function and to provide specified public transportation services and facilities.

(3) As an alternative method of providing the financial participation determined by the board of commissioners and the authority to be Gwinnett County's proper share of the cost of financing a rapid transit project or projects, Gwinnett County may enter into a rapid transit contract or contracts calling for the authority to perform for it the aforesaid governmental function and calling for it to make periodic payments to the authority for the public transportation services and facilities contracted for, which payments may include amounts required to defray the periodic principal and interest payments on any obligations issued by the authority for the purpose of financing the cost of any rapid transit project or projects, amounts necessary to establish and maintain reasonable reserves to insure the payment of said debt service and to provide for renewals, extensions, repairs and improvements and additions to any project or projects, and amounts required to defray any operational deficit which the system or any part thereof may incur from time to time.

(b) The board of commissioners of Gwinnett County, subject to the conditions provided in this Code section, shall be authorized to enter into a rapid transit contract for and on behalf of the county with the authority for the provision of the aforesaid services and extension of the existing system to and from and within said county subject to approval by a majority of the qualified voters within said county voting in a referendum as provided for in subsection (c) of this Code section. As a condition precedent to the board of commissioners of Gwinnett County holding such referendum, if a rapid transit contract is entered into after January 1, 2019, the rapid transit service to be provided through the execution of a rapid transit contract shall be from the regional transit plan and approved by the Atlanta-regional Transit Link 'ATL' Authority.

(c) The procedure for holding the referendum called for in subsection (b) of this Code section shall be as follows: There shall be published in a newspaper having general circulation throughout the territory of Gwinnett County, once each week for four weeks immediately preceding the week during which the referendum is to be held, a notice to the electors thereof that on the day named therein an election will be held to determine

the question of whether or not the local government shall enter into the proposed rapid transit contract and said notices shall contain the full text of said proposed contract, which contract shall set forth the obligations of the parties thereto. It is expressly provided, however, that none of the documents or exhibits which are incorporated in such contract by reference or are attached to such contract and made a part thereof shall be published. Such special election shall be held at all the election districts within the territorial limits of Gwinnett County. The question to be presented to the electorate in any such referendum shall be and shall be stated on the ballots or ballot label as follows:

'Gwinnett County has executed a contract for the provision of transit services, dated as of (insert date).

Shall this contract be approved?

YES _____ NO _____'

The question shall be published as a part of the aforesaid notice of election. Such election shall be governed by and held and conducted in accordance with the provisions of law from time to time governing the holding of special elections as provided in Chapter 2 of Title 21, the 'Georgia Election Code.' After the returns of such an election have been received, and the same have been canvassed and computed, the result shall be certified to the board of commissioners of Gwinnett County, in addition to any other person designated by law to receive the same, and such board of commissioners shall officially declare the result thereof.

(d) If a majority of those voting in such an election vote in favor of the proposition submitted, then the rapid transit contract as approved shall become valid and binding in accordance with its terms.

(e) The board of commissioners of Gwinnett County may elect any method provided in subsection (a) of this Code section to finance the participation required of it in whole or in part, and the election of one method shall not preclude the election of another method with respect thereto or with respect to any additional or supplementary participation determined to be necessary.

(f) When the authority and the board of commissioners of Gwinnett County have completed and fully executed a rapid transit contract in compliance with the requirements of this Code section, and the voters shall have approved such contract as herein provided, such contract shall constitute an obligation on the part of the local government for the payment of which its good faith and credit are pledged, but in no other way can the good faith and credit of any local government be pledged with respect to a rapid transit contract.

(g) The board of commissioners of Gwinnett County may use public funds to provide for a rapid transit system within the metropolitan area and may levy and collect any taxes authorized to it by law to the extent necessary to fulfill the obligations incurred in a rapid transit contract or contracts with the authority.

(h) Gwinnett County may transfer to the authority any property or facilities, or render any services, with or without consideration, which may be useful to the establishment, operation, or administration of the rapid transit system contemplated hereunder, and

may contract with the authority for any other purpose incidental to the establishment, operation, or administration of such system, or any part or project thereof or the usual facilities related thereto.

32-9-21.

(a) There is created a Cobb County Special District for Transit Committee to be composed of the members of the board of commissioners of Cobb County and the members of the House of Representatives and Senate whose respective districts include any portion of Cobb County.

(b) The first meeting of the committee shall be called by the chairperson of the board of commissioners. A chairperson of the committee shall be selected by majority vote of the members at the first meeting. The committee shall formulate a map for a proposed special district within Cobb County for the provision of public transportation services and for the construction, maintenance, and operation of transportation projects to and from and within said district by the authority. Such proposed special district shall be known as the Cobb County Special District for Transit. The committee shall be authorized to solicit input from the residents of Cobb County and hold public meetings for use in the development of the map of such proposed district.

(c) The committee shall appoint two subcommittees to approve the proposed map, prior to submission of the map to the full committee for final approval. One subcommittee shall be composed of the members of the board of commissioners and the other subcommittee shall be composed of the legislative members. Each subcommittee shall elect a chairperson by majority vote and may adopt rules as deemed necessary. No map shall be brought before the whole committee for consideration until such map has been approved by majority vote of both subcommittees.

(d) Upon final approval of the map by a majority vote of the whole committee, the committee shall negotiate terms of a proposed rapid transit contract between the authority and Cobb County on behalf of the special district in consultation with the Atlanta-region Transit Link 'ATL' Authority, if such contract is to be entered into after January 1, 2019. Such proposed rapid transit contract shall include the extent of financial participation and the time or times such financial participation may be required with respect to Cobb County in order to finance the provision of a rapid transit system through the joint instrumentality of the authority. The committee may recommend one or both of the following methods for providing such financial participation:

(1) In the manner prescribed by law and subject to the conditions and limitations prescribed by law, Cobb County may issue its general obligation bonds, pay over the proceeds thereof to the authority, and thereby complete and make final the execution of the proposed rapid transit contract anticipated by such bond authorization and issuance and the authority shall agree in such contract to perform specified public transportation services for the Cobb County Special District for Transit and to provide specified construction, maintenance, and operation of transportation projects; or

(2) Cobb County may enter into a rapid transit contract or contracts calling for the

authority to perform specified public transportation services for the Cobb County Special District for Transit and to provide specified construction, maintenance, and operation of transportation projects. In such contract or contracts, Cobb County, acting on behalf of the special district, shall make periodic payments to the authority for the public transportation services and facilities contracted for, which payments may include amounts required to defray the periodic principal and interest payments on any obligations issued by the authority for the purpose of financing the cost of any rapid transit project or projects, amounts necessary to establish and maintain reasonable reserves to insure the payment of said debt service and to provide for renewals, extensions, repairs, and improvements and additions to any project or projects, and amounts required to defray any operational deficit which the system or any part thereof may incur from time to time.

The committee may elect any method provided in this subsection as a recommendation to finance the participation required of Cobb County, in whole or in part, and the election of one method shall not preclude the election of another method with respect thereto or with respect to any additional or supplementary participation determined to be necessary.

(e) The committee shall provide to the board of commissioners of Cobb County the recommended map for the special district, which was approved by majority vote of the committee, and a proposed rapid transit contract, no later than December 1, 2019.

(f) Any final execution of a rapid transit contract for the Cobb County Special District for Transit shall be completed by the Cobb County board of commissioners and the authority pursuant to the requirements set forth in Code Section 32-9-22.

(g) The committee shall stand abolished and this Code section shall stand repealed by operation of law on December 1, 2019.

32-9-22.

(a) Any provisions to the contrary in the MARTA Act notwithstanding and pursuant to the authority granted under a provision of the Constitution enacted by Ga. L. 1964, p. 1008, and subject to such limitations set forth in this Code section, the authority and the board of commissioners of Cobb County may, after taking into consideration the recommendations of the Cobb County Special District for Transit Committee, adopt the map recommended by such committee by passage of a resolution or ordinance and, upon such passage, enter into a rapid transit contract. The contract entered into shall be based solely upon the recommendation of the committee. The final execution of a rapid transit contract shall be completed in every instance in the manner hereinafter set forth in this Code section.

(b) The board of commissioners of Cobb County, subject to the conditions provided in this Code section, shall be authorized to enter into a rapid transit contract for and on behalf of the Cobb County Special District for Transit with the authority for the provision of the aforesaid services and extension of the existing system to and from and within said district subject to approval by a majority of the qualified voters within said district voting in a referendum as provided for in subsection (c) of this Code section.

As a condition precedent to the board of commissioners of Cobb County holding such referendum, the rapid transit service to be provided through the execution of a rapid transit contract shall be based upon the map and rapid transit contract terms approved by majority vote of the Cobb County Special District for Transit Committee, be from the regional transit plan, and be approved by the Atlanta-regional Transit Link 'ATL' Authority if the contract is to be entered into after January 1, 2019.

(c) The procedure for holding the referendum called for in subsection (b) of this Code section shall be as follows: There shall be published in a newspaper having general circulation throughout the territory of the Cobb County Special District for Transit, once each week for four weeks immediately preceding the week during which the referendum is to be held, a notice to the electors thereof that on the day named therein an election will be held to determine the question of whether or not the local government shall enter into the proposed rapid transit contract and said notices shall contain the full text of said proposed contract, which contract shall set forth the obligations of the parties thereto. It is expressly provided, however, that none of the documents or exhibits which are incorporated in such contract by reference or are attached to such contract and made a part thereof shall be published. Such special election shall be held at all the election districts within the territorial limits of the Cobb County Special District for Transit. The question to be presented to the electorate in any such referendum shall be stated on the ballots or ballot label as follows:

'Cobb County has executed a contract for the provision of transit services for the Cobb County Special District for Transit, dated as of (insert date).

Shall this contract be approved?

YES _____ NO _____'

The question shall be published as a part of the aforesaid notice of election. Such election shall be governed by and held and conducted in accordance with the provisions of law from time to time governing the holding of special elections as provided in Chapter 2 of Title 21, the 'Georgia Election Code.' After the returns of such an election have been received, and the same have been canvassed and computed, the result shall be certified to the board of commissioners of Cobb County, in addition to any other person designated by law to receive the same, and such board of commissioners shall officially declare the result thereof.

(d) If a majority of those voting in such an election vote in favor of the proposition submitted, then the rapid transit contract as approved shall become valid and binding in accordance with its terms.

(e) When the authority and the board of commissioners of Cobb County have completed and fully executed a rapid transit contract in compliance with the requirements of this Code section on behalf of the Cobb County Special District for Transit, and the voters within such special district shall have approved such contract as herein provided, such contract shall constitute participation of the county in the authority and obligation on the part of the local government for the payment of which its good faith and credit are pledged, but in no other way can the good faith and credit of any local government be pledged with respect to a rapid transit contract.

(f) The board of commissioners of Cobb County may use public funds to provide for a rapid transit system within the metropolitan area and may levy and collect any taxes authorized to it by law to the extent necessary to fulfill the obligations incurred in a rapid transit contract or contracts with the authority.

(g) Cobb County may transfer to the authority any property or facilities, or render any services, with or without consideration, which may be useful to the establishment, operation, or administration of the rapid transit system contemplated hereunder, and may contract with the authority for any other purpose incidental to the establishment, operation, or administration of such system, or any part or project thereof or the usual facilities related thereto.

(h) In the event a rapid transit contract has not been entered into on behalf of the Cobb County Special District for Transit or the referendum required by this Code section fails to receive the requisite majority vote for approval prior to December 1, 2019, this Code section shall stand repealed by operation of law on such date.

32-9-23.

(a) In the event Gwinnett County and the authority enter into a rapid transit contract which is approved by a majority of voters, a retail sales and use tax shall be authorized to be levied pursuant to the conditions and limitations set forth in Section 25 of the MARTA Act, except as provided to the contrary in subsection (c) of this Code section. Such additional tax shall not count toward any local sales tax limitation provided for by Code Section 48-8-6.

(b)(1) In the event Cobb County, acting for and on behalf of the Cobb County Special District for Transit, and the authority enter into a rapid transit contract which is approved by a majority of voters within such district, a retail sales and use tax shall be authorized to be levied pursuant to the conditions and limitations set forth in Section 25 of the MARTA Act. Such tax shall be levied only within the geographical area contained within such district. Such tax shall not count toward any local sales tax limitation provided for by Code Section 48-8-6.

(2) In the event a rapid transit contract has not been entered into on behalf of the Cobb County Special District for Transit or the referendum required by Code Section 32-9-22 fails to receive the requisite majority vote for approval prior to December 1, 2019, this subsection shall stand repealed and reserved by operation of law on such date.

(c)(1) The retail sales and use tax authorized to be levied pursuant to this Code section shall be at a rate of up to 1 percent. Any tax imposed under this Code section shall be in increments of 0.05 percent.

(2) The proceeds of the tax authorized to be levied pursuant to this Code section shall be used solely by each local government to fulfill the obligations incurred in the contracts entered into with the authority and as contemplated by this article.

(3) The effective date of the tax authorized to be levied pursuant to this Code section shall be the first day of the first calendar month following approval of the tax in the referendum required by Code Sections 32-9-20 and 32-9-22 unless a later effective

date shall have been specified in the resolution or ordinance providing for the levy of the tax; provided that, with respect to services which are regularly billed on a monthly basis, the tax shall become effective with the first regular billing period coinciding with or following the effective date of the tax.

(4) The tax authorized to be levied pursuant to this Code section shall not be subject to any restrictions as to rate provided for by the MARTA Act and shall not be subject to the provisions of subsection (k) of Section 25 of the MARTA Act.

(5) A tax levied pursuant to this Code section shall be added to the state sales and use tax imposed by Article 1 of Chapter 8 of Title 48 and the state revenue commissioner is authorized and directed to establish a bracket system by appropriate rules and regulations to collect the tax imposed under this Code section.

32-9-24.

Notwithstanding subsections (a) and (b) of Section 6 of the MARTA Act to the contrary, upon approval of a rapid transit contract pursuant to Code Section 32-9-20, the board of commissioners of Gwinnett County may appoint three residents of the county to the board. The board of commissioners shall designate one such resident to serve an initial term ending on December 31 in the second full year after the year in which the referendum approving said rapid transit contract was held and one such resident to serve an initial term ending on December 31 in the fourth full year after the year in which the referendum approving said rapid transit contract was held, in which event the board shall, subsections (a) and (b) of Section 6 of the MARTA Act to the contrary notwithstanding, be composed of such additional members. Upon the conclusion of the initial terms provided for in this Code section, the board of commissioners of Gwinnett County shall appoint a successor thereto for a term of office of four years."

PART IV
CHANGES TO CONFLICTING LAW
SECTION 4-1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended by revising Code Section 32-9-11, relating to transit services with local governments, as follows:

"32-9-11.

(a) As used in this Code section, the term:

(1) 'Local government' means any county, municipality, or political subdivision of this state, or any combination thereof.

(2) 'Nonattainment area' means those counties currently having or previously deemed to have excess levels of ozone, carbon monoxide, or particulate matter in violation of the standards in the federal Clean Air Act, as amended in 1990 and codified at 42 U.S.C.A. Sections 7401 to 7671q and which fall under the jurisdiction exercised by the Atlanta-region Transit Link 'ATL' Authority or any predecessor authority as

described in Article 2 of Chapter 39 of Title 50.

~~(2)~~(3) 'Transit agency' means any public agency, public corporation, or public authority existing under the laws of this state that is authorized by any general, special, or local law to provide any type of transit services within any area of this state but shall not include the Department of Transportation, the ~~Georgia Regional Transportation~~ Atlanta-region Transit Link 'ATL' Authority, or the Georgia Rail Passenger Authority.

~~(3)~~(4) 'Transit facilities' means everything necessary and appropriate for the conveyance and convenience of passengers who utilize transit services.

~~(4)~~(5) 'Transit services' means all modes of transportation serving the general public which are appropriate to transport people and their personal effects by highway or other ground conveyance but does not include rail conveyance.

(b)(1) Any transit agency may, by contract with any local government for any period not exceeding 50 years, provide transit services or transit facilities for, to, or within that local government or between that local government and any area in which such transit agency provides transit services or transit facilities, except that if such services or facilities are to be funded wholly or partially by fees, assessments, or taxes levied and collected within a special district created pursuant to Article IX, Section II, Paragraph VI of the Constitution, such contract may only become effective if ~~it is approved by a majority of the qualified voters voting in such local government residing within the special district to be taxed~~ authorize such contract or tax by referendum in a special election which shall be called and conducted for that purpose by the election superintendent of such local government.

(2)(A) Any services provided in a county outside a nonattainment area by a transit agency pursuant to a contract authorized by this subsection shall be conditioned upon such services being included in a plan for transit services adopted or approved by the governing authority of the county and by the governing authorities of any municipalities within which transit services are to be provided as provided in the plan.

(B) Any services provided by a transit agency in a county within a nonattainment area pursuant to a contract authorized by this subsection and entered into on or after January 1, 2019, shall be for services:

(i) Approved by a local governing authority;

(ii) Included in the regional transit plan adopted pursuant to Code Section 50-39-12; and

(iii) Through agreement with the Atlanta-region Transit Link 'ATL' Authority.

(c) The purpose of this Code section is to facilitate the exercise of the power to provide public transportation services conferred by Article IX, Section II, Paragraph III of the Constitution. This Code section does not repeal any other law conferring the power to provide public transportation services or prescribing the manner in which such power is to be exercised. This Code section does not restrict the power of the Department of Transportation, the ~~Georgia Regional Transportation~~ Atlanta-region Transit Link 'ATL' Authority, or the Georgia Rail Passenger Authority to contract with any local

government to provide transit services or transit facilities, including but not limited to rail transit services and facilities, pursuant to Article IX, Section III, Paragraph I of the Constitution."

SECTION 4-2.

Said title is further amended in Code Section 32-10-60, relating to definitions relative to the State Road and Tollway Authority, by revising paragraph (6.1) as follows:

"(6.1) 'Revenue' or 'revenues' shall mean any and all moneys received from ~~the~~:

(A) The collection of tolls authorized by Code Sections 32-10-64 and 32-10-65, any federal highway ~~or transit~~ funds and reimbursements, any other federal highway ~~or transit~~ assistance received from time to time by the authority, any other moneys of the authority pledged for such purpose, any other moneys received by the authority pursuant to the Georgia Transportation Infrastructure Bank, and any moneys received pursuant to a public-private initiative as authorized pursuant to Code Section 32-2-78; and

(B) Any federal highway transit funds and reimbursements and any other federal highway transit assistance received from time to time by the authority. This subparagraph shall stand repealed by operation of law on July 1, 2021."

SECTION 4-3.

Said title is further amended in Code Section 32-10-63, relating to powers of the State Road and Tollway Authority, by revising paragraph (7) as follows:

"(7)(A) To accept and administer any federal highway ~~or federal transit~~ funds and any other federal highway ~~or transit~~ assistance received from time to time for the State of Georgia and to accept, with the approval of the Governor, loans and grants, either or both, of money or materials or property of any kind from the United States government or the State of Georgia or any political subdivision, authority, agency, or instrumentality of either of them, upon such terms and conditions as the United States government or the State of Georgia or such political subdivision, authority, agency, or instrumentality of either of them shall impose;

(B) To accept and administer any federal transit funds and any other federal transit assistance received from time to time for the State of Georgia. This subparagraph shall stand repealed by operation of law on July 1, 2021;"

SECTION 4-4.

Said title is further amended by redesignating existing Code Section 32-10-76, relating to grant programs, pilot program formation, factors to be considered in selecting pilot projects, and eligible projects, as new Code Section 50-39-53.

SECTION 4-5.

Chapter 1 of Title 36 of the Official Code of Georgia Annotated, relating to local government provisions applicable to counties, is amended in Code Section 36-1-27, relating to referendum approval required prior to expenditure of public funds for

establishment of fixed guideway transit, by revising paragraph (4) of subsection (a) and subsections (b) and (e) as follows:

"(4) 'Mass transportation regional system participant' means any county within a special district created pursuant to Article 5 of Chapter 8 of Title 48 in which mass transportation is provided within such special district, to such special district, or from such special district by a multicounty regional transportation authority created by an Act of the General Assembly, including but not limited to the ~~Georgia Regional Transportation Authority~~ Atlanta-region Transit Link 'ATL' Authority or the Metropolitan Atlanta Rapid Transit Authority."

"(b) Prior to an expenditure of any public funds for the establishment, maintenance, and operation of a fixed guideway transit in any county that is a mass transportation regional system participant, the governing authority of such county shall obtain approval from a:

(1) The Atlanta-region Transit Link 'ATL' Authority that such project is on the regional transit plan adopted by such authority pursuant to Code Section 50-39-12;
and

(2) A majority of qualified voters of the county in a separate referendum question as provided for in this Code section."

"(e) This Code section shall not apply to the extension of a fixed guideway transit or levy of applicable sales and use taxes authorized pursuant to an Act ~~approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, known as the 'Metropolitan Atlanta Rapid Transit Authority Act of 1965,'~~ approved March 10, 1965 (Ga. L. 1965, p. 2243), as amended, or Part 2 of Chapter 9 of Title 32 for which any referendum required under such Act or part shall control, or to any project within a county or between counties which have approved such sales and use tax, provided that such project is wholly within the territorial boundaries of such county or counties."

SECTION 4-6.

Chapter 12 of Title 45 of the Official Code of Georgia Annotated, relating to the Governor, is amended by adding a new Code section to Article 2, relating to powers and duties, to read as follows:

"45-12-41.

The Governor may delegate to any department, authority, or qualified entity, by executive order, his or her powers under applicable federal transportation planning and air quality laws and regulations, including without limitation the power to approve state-wide transportation improvement programs under 23 U.S.C. Section 134 and 23 C.F.R. Sections 450.312(b), 450.324(b), and 450.328(a)."

SECTION 4-7.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended in Code Section 50-23-4, relating to definitions relative to the Environmental Finance Authority, by revising paragraph (12) as follows:

"(12) 'Project' means:

(A) The acquisition, construction, installation, modification, renovation, repair,

extension, renewal, replacement, or rehabilitation of land, interest in land, buildings, structures, facilities, or other improvements and the acquisition, installation, modification, renovation, repair, extension, renewal, replacement, rehabilitation, or furnishing of fixtures, machinery, equipment, furniture, or other property of any nature whatsoever used on, in, or in connection with any such land, interest in land, building, structure, facility, or other improvement, all for the essential public purpose of providing environmental facilities and services so as to meet public health and environmental standards, protect the state's valuable natural resources, or aid the development of trade, commerce, industry, agriculture, and employment opportunities, including, but not limited to, any project as defined by Code Section 12-5-471; ~~and~~

(B) Projects authorized by the Georgia Regional Transportation Authority created by Chapter 32 of this title and as defined in such chapter, where ~~the~~ such authority has been directed to issue revenue bonds, bonds, notes, or other obligations to finance such project or the cost of a project in whole or in part, provided that ~~the~~ such authority's power with respect to such projects authorized by the Georgia Regional Transportation Authority shall be limited to providing such financing and related matters as authorized by the Georgia Regional Transportation Authority; and

(C) Projects authorized by the Atlanta-region Transit Link 'ATL' Authority created pursuant to Chapter 39 of this title and as defined in such chapter, where such authority has been directed to issue revenue bonds, bonds, notes, or other obligations to finance such project or the cost of a project in whole or in part, provided that such authority's power with respect to such projects authorized by the Atlanta-region Transit Link 'ATL' Authority shall be limited to providing such financing and related matters as authorized by the Atlanta-region Transit Link 'ATL' Authority."

SECTION 4-8.

Said title is further amended in Code Section 50-32-2, relating to definitions relative to the Georgia Regional Transportation Authority, by adding new paragraphs to read as follows:

"(6.1) 'Land public transportation' means surfaces upon which travel by vehicle or persons is intended, which is either is open to the public or has been acquired as right of way, including but not limited to public rights, structures, sidewalks, facilities, and appurtenances incidental to the construction, maintenance, and enjoyment of such rights of way. Such term shall not include transit."

"(18.1) 'Transit' means regular, continuing shared-ride or shared-use surface transportation services that are made available by a public entity and are open to the general public or open to a segment of the general public defined by age, disability, or low income. Such term includes services or systems operated by or under contract with the state, a public agency or authority, a county or municipality, a community improvement district, or any other similar public entity of this state and all accompanying infrastructure and services necessary to provide access to these modes

of transportation. Such term excludes charter or sightseeing services, school bus services, courtesy shuttle and intra-facility or terminal services, limousine carriers, ride share network services, transportation referral services, and taxi services not paid for by a public entity."

SECTION 4-9.

Said title is further amended by repealing Code Section 50-32-5, relating to development of the Atlanta region's Concept 3 transit proposal, use of federal and state planning funds, and assessment of economic benefit and environmental impact, in its entirety.

SECTION 4-10.

Said title is further amended in Code Section 50-32-11, relating to general powers of the authority, by revising paragraphs (3), (32), (33), and (37) of subsection (a) as follows:

"(3) To plan, design, acquire, construct, add to, extend, improve, equip, operate, and maintain or cause to be operated and maintained land public transportation systems and other land transportation projects, and all facilities and appurtenances necessary or beneficial thereto, within the geographic area over which the authority has jurisdiction or which are included within an approved transportation plan or transportation improvement program and provide land public transportation services within the geographic jurisdiction of the authority, and to contract with any state, regional, or local government, authority, or department, or with any private person, firm, or corporation, for those purposes, and to enter into contracts and agreements with the Georgia Department of Transportation, and county and local governments, ~~and transit system operators~~ for those purposes;"

~~"(32) Reserved To the extent permissible under federal law, to operate as a receiver of federal grants, loans, and other moneys intended to be used within the geographic area over which the authority has jurisdiction pursuant to this chapter for inter urban and intra urban transit, land public transportation development, air quality and air pollution control, and other purposes related to the alleviation of congestion and air pollution;~~

~~(33) Reserved Subject to any covenant or agreement made for the benefit of owners of bonds, notes, or other obligations issued to finance roads or toll roads, in planning for the use of any road or toll road which lies within the geographical area over which the authority has jurisdiction, the authority shall have the power to control or limit access thereto, including the power to close off, regulate, or create access to or from any part, excluding the interstate system, of any road on the state highway system, a county road system, or a municipal street system to or from any such road or toll road or any property or project of the authority, to the extent necessary to achieve the purposes of the authority; the authority may submit an application for an interstate system right of way encroachment through the state Department of Transportation, and that department shall submit the same to the Federal Highway Administration for approval. The authority shall provide any affected local government with not less than 60 days' notice of any proposed access limitation;"~~

"(37) To accept and use federal funds; to enter into any contracts or agreements with the United States or its agencies or subdivisions relating to the planning, financing, construction, improvement, operation, and maintenance of any public road or other mode or system of land public transportation; and to do all things necessary, proper, or expedient to achieve compliance with the provisions and requirements of all applicable federal-aid acts and programs. Nothing in this chapter is intended to conflict with any federal law; and, in case of such conflict, such portion as may be in conflict with such federal law is declared of no effect to the extent of the conflict;"

SECTION 4-11.

Said title is further amended by adding a new Code section to read as follows:

"50-32-55.

It is the intent of the General Assembly to provide for uninterrupted transit services to the people of this state. The authority shall retain power to provide any such transit services provided as of July 1, 2018, until the Atlanta-region Transit Link 'ATL' Authority is able to provide such services or July 1, 2020, whichever date occurs first."

SECTION 4-12.

Said title is further amended by repealing Code Section 50-32-71, relating to exemption of buses, motor vehicles, and rapid rail systems of the authority from motor carrier regulations, in its entirety.

SECTION 4-13.

The Official Code of Georgia Annotated is amended by replacing "Georgia Regional Transportation Authority" with "Atlanta-region Transit Link 'ATL' Authority" wherever the former occurs in:

- (1) Code Section 32-6-51, relating to erection, placement, or maintenance of unlawful or unauthorized structure on public roads, removal of such structures, penalties for such action, and authorization of placement, erection, and maintenance of commercial advertisements by a transit agency;
- (2) Code Section 32-10-76, relating to grant programs, pilot program formation and factors to be considered in and eligibility of pilot projects administered by the State Road and Tollway Authority;
- (3) Code Section 48-8-243, relating to criteria for the development of investment list projects and programs, reports for special district transportation sales and use tax, and special district gridlock;
- (4) Code Section 48-8-249, relating to use of proceeds from a special district transportation sales and use tax;
- (5) Code Section 48-8-250, relating to report on projects on the investment list related to a special district transportation sales and use tax; and
- (6) Code Section 48-8-251, relating to a Citizens Review Panel for oversight of projects and investments within a special district implementing a special district transportation sales and use tax.

PART V
EFFECTIVE DATE AND REPEALER
SECTION 5-1.

(a) Except as provided to the contrary in subsection (b) of this Section, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

(b) Part I of this Act shall become effective on January 1, 2019, and Section 4-4 of Part IV of this Act shall become effective on July 1, 2021.

(c) Tax, penalty, and interest liabilities for prior taxable years shall not be affected by the passage of Part I of this Act and shall continue to be governed by the provisions of Title 48 of the Official Code of Georgia Annotated as it existed immediately prior to the effective date of Part I of this Act.

SECTION 5-2.

All laws and parts of laws in conflict with this Act are repealed.

Plan: transit-dist-2018
 Plan Type: Regional
 Administrator: H009
 User: Gina

District 001
 Cherokee County
 Forsyth County
 VTD: 11702 - 02 Brandywine
 130601:
 1003 1004 1005 1006 1008 1009 1010 1011 1012 1013 1014 1015
 1016 1017
 130602:
 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
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 2007 2008 2009 2010 2011 2012
 130603:
 2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
 2012 2013 2014 3023 3024
 VTD: 11703 - 03 Chattahooche
 130403:
 3009 3010 3011 3012 3013
 VTD: 11705 - 05 Coal Mountai
 VTD: 11707 - 07 Cumming
 130403:
 3015 3016

130409:

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1025 1027 1028 1029 1030 1033 1034 2008 2009 2010 2011 2012
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2033 2034 2035 2037 2038 2039 2040 2041

130410:

2000 2001 2002 2003 2005 2006 2007 2009 2010 2011 2012 2013
2014

VTD: 11709 - 09 Matt

VTD: 11710 - 10 MIDWAY

VTD: 11711 - 11 SAWNEE

VTD: 11714 - 14 LAKELAND

130406:

3000 3001 3002 3003 3007 3019 3020

130410:

2018 2019 2023 2024 2025 2026 2027

130509:

1026

VTD: 11715 - 15 Heardsville

VTD: 11716 - 16 OTWELL

VTD: 11720 - 20 PINEY GROVE

VTD: 11722 - 22 VICKERY

VTD: 11723 - 23 BENTLEY

VTD: 11727 - 27 CONCORD

VTD: 11728 - 28 MOUNTAINSIDE

130205:

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130403:

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3002 3003 3004 3005 3014

130409:

2000 2001 2002 2003 2004 2005 2006 2007 2013 2014 2016 2017
2018 2019 2020 2022 2036

VTD: 11729 - 29 POLO

VTD: 11732 - 32 WEST

Fulton County

VTD: 121AP01A - AP01A

011616:

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2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023

VTD: 121AP02 - AP02

VTD: 121AP03 - AP03

VTD: 121AP04 - AP04

VTD: 121AP06 - AP06

VTD: 121AP07A - AP07A

VTD: 121AP07B - AP07B

VTD: 121AP10 - AP10

VTD: 121AP12 - AP12

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VTD: 121ML01A - ML01A

VTD: 121ML01B - ML01B

VTD: 121ML02A - ML02A

VTD: 121ML02B - ML02B

VTD: 121ML03 - ML03

VTD: 121ML04 - ML04

VTD: 121ML05 - ML05

VTD: 121ML06 - ML06

VTD: 121ML07 - ML07

VTD: 121MP01 - MP01

VTD: 121RW01 - RW01

VTD: 121RW02 - RW02

VTD: 121RW03A - RW03A

VTD: 121RW03B - RW03B

VTD: 121RW05 - RW05

VTD: 121RW07A - RW07A

VTD: 121RW07B - RW07B

VTD: 121RW08 - RW08

VTD: 121RW09 - RW09

VTD: 121RW10 - RW10

VTD: 121RW11A - RW11A

VTD: 121RW12A - RW12A

VTD: 121RW12B - RW12B

VTD: 121RW12C - RW12C

VTD: 121RW15 - RW15

VTD: 121RW16 - RW16

VTD: 121RW18 - RW18

VTD: 121RW19 - RW19

VTD: 121SS04 - SS04

VTD: 121SS15A - SS15A

VTD: 121SS15B - SS15B

VTD: 121SS19 - SS19

VTD: 121SS20 - SS20

VTD: 121SS22 - SS22

VTD: 121SS26 - SS26

VTD: 121SS29 - SS29

District 002

Forsyth County

VTD: 11701 - 01 Big Creek

VTD: 11702 - 02 Brandywine

130602:

1015 1016 1017 1018 1021 1022 1023 1024 1025

130603:

1016 1017 1018 1019 1020 1021 3005 3006 3007 3008 3009 3010

3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022

3025 3026 3027 3028

VTD: 11703 - 03 Chattahooche

130504:

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1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035

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VTD: 11704 - 04 Chestatee

VTD: 11706 - 06 Crossroads

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130506:

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130509:

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2025 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036

2037 2038 2039 2040 2041 2042 2043 2044 2045

VTD: 11708 - 08 Mashburn

VTD: 11712 - 12 PLEASANT GROVE

VTD: 11714 - 14 LAKELAND

130507:

1005 1007 1008

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130509:

1007 1008 1009 1010 1011 1012 1017 1018 1019 1020 1021 1022
1023 1024 1025 1027

130510:

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3014 3016 3017 3018 3019 3020 3021 3022 3023 3026 3027 3028

VTD: 11717 - 17 JOHNS CREEK

VTD: 11718 - 18 DAVES CREEK

VTD: 11719 - 19 OLD ATLANTA

VTD: 11721 - 21 SOUTH FORSYTH

VTD: 11724 - 24 SHARON FORKS

VTD: 11725 - 25 WINDERMERE

VTD: 11726 - 26 LANIER

VTD: 11728 - 28 MOUNTAINSIDE

130506:

2004

VTD: 11730 - 30 RIVERCLUB

VTD: 11731 - 31 SAINT MARLO

VTD: 11733 - 33 KEITH BRIDGE

Fulton County

VTD: 121AP01A - AP01A

011412:

3000 3001 3002 3005 3006 3008

011427:

2008 2016 2017 2018 3000 3001 3002 3003 3008 3010 3011 3014

011611:

1016 1017 1018 1019 1020 1024 1025 1026 1027 1028 1029 1030
1035 1036 1037 1039

011617:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1011 1012
1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
1025 1026 1027 1028 1029 1030 1031

011618:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1028
1029 1030

011619:

3014 3034 3036 3037 3038 3041 3042 3043 3044 3046 3048 3049
3050 3051 3052 3053 3055 3056

VTD: 121AP01B - AP01B

VTD: 121AP01C - AP01C

VTD: 121AP05 - AP05

VTD: 121AP09A - AP09A

VTD: 121AP09B - AP09B

VTD: 121AP12 - AP12

011619:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 2016 2017 2018 2019 2020
2021 2022 2023 2024 2025 2026

011621:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
1024 1025 1026 1027 1028

VTD: 121AP13 - AP13

VTD: 121AP14A - AP14A

VTD: 121AP14B - AP14B

VTD: 121AP14C - AP14C

VTD: 121JC01 - JC01

VTD: 121JC02 - JC02

VTD: 121JC03 - JC03

VTD: 121JC04A - JC04A

VTD: 121JC04B - JC04B

VTD: 121JC05 - JC05

VTD: 121JC06 - JC06

VTD: 121JC07 - JC07

VTD: 121JC08 - JC08

VTD: 121JC09 - JC09

VTD: 121JC10 - JC10

VTD: 121JC11 - JC11

VTD: 121JC12A - JC12A

VTD: 121JC12B - JC12B

VTD: 121JC13A - JC13A

VTD: 121JC13B - JC13B

VTD: 121JC14 - JC14

VTD: 121JC15 - JC15

VTD: 121JC16 - JC16

VTD: 121JC17 - JC17

VTD: 121JC18 - JC18

VTD: 121JC19 - JC19

VTD: 121RW04 - RW04

VTD: 121RW06 - RW06

VTD: 121RW13 - RW13

VTD: 121RW17 - RW17

VTD: 121RW20 - RW20

VTD: 121RW21A - RW21A

VTD: 121RW21B - RW21B

VTD: 121RW22A - RW22A

VTD: 121SS01 - SS01

VTD: 121SS17 - SS17

VTD: 121SS25 - SS25

Gwinnett County

VTD: 135004 - SUWANEE A

VTD: 135007 - DULUTH A

VTD: 135009 - PUCKETTS A

VTD: 135020 - PINCKNEYVILLE A

VTD: 135022 - PINCKNEYVILLE C

VTD: 135024 - SUGAR HILL A

VTD: 135025 - SUGAR HILL B

VTD: 135038 - PINCKNEYVILLE F

050306:

1020 1032 1034 1039 1040 1041 1054 1055 1056 1057

050311:

2028 2029 2030 2032 2033 2040 2044

VTD: 135039 - PINCKNEYVILLE G

VTD: 135040 - PINCKNEYVILLE H

VTD: 135048 - DULUTH B

VTD: 135050 - PINCKNEYVILLE I

VTD: 135054 - SUGAR HILL C

VTD: 135055 - SUGAR HILL D

VTD: 135056 - DULUTH C

VTD: 135057 - DULUTH D

VTD: 135059 - PINCKNEYVILLE N

050306:

1000 1001 1002 1005 1008 1009 1010 1012 1013 1014 1016 1017
1018 1019

050311:

2027

050317:

2000 2001 2002 2003 2004 2005 2014 2016 2017 2018

VTD: 135062 - PINCKNEYVILLE L

VTD: 135063 - PINCKNEYVILLE M

VTD: 135073 - PINCKNEYVILLE P

050310:

1000 1001 1002 1003 1004 2000 2001 2002 2003 2004 2005 2006
2007 2008 2009 2010 2011 2012

VTD: 135082 - DULUTH E

VTD: 135087 - PINCKNEYVILLE S

VTD: 135089 - SUGAR HILL E

VTD: 135095 - DULUTH F

050209:

2009 2011 2012

050215:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1025
1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040
1041 1042 1044 1045 1046 1047 1048

050216:

3012 3013 3014 3015 3023 3024 3025 3026 3027 3028 3029

050217:

1005 1006 1007 1008 1009 1011 1012 1037 1038 1039 1040 1041
1042 1043 1044 1045

VTD: 135096 - DULUTH G

VTD: 135099 - PINCKNEYVILLE T

VTD: 135100 - SUWANEE B

VTD: 135102 - PUCKETTS B

VTD: 135105 - SUGAR HILL F

VTD: 135106 - SUWANEE C

VTD: 135111 - DULUTH H

VTD: 135114 - PINCKNEYVILLE W

VTD: 135121 - PINCKNEYVILLE X

VTD: 135125 - PINCKNEYVILLE Z

VTD: 135126 - PINCKNEYVILLE A

VTD: 135130 - SUWANEE D

VTD: 135131 - SUWANEE E

VTD: 135135 - PUCKETTS C

VTD: 135138 - DULUTH I

VTD: 135140 - DULUTH J

VTD: 135141 - SUGAR HILL G

VTD: 135142 - SUWANEE F

VTD: 135150 - DULUTH K

VTD: 135154 - PUCKETTS D

050605:

2000 2006 2007

050606:

2007 2008 2009 2010 2011 2013 2017 2018 2019 2020 2021 2022
2023 3066

VTD: 135155 - SUWANEE G
VTD: 135159 - DUNCANS D
VTD: 135160 - PUCKETTS E
VTD: 135162 - SUWANEE H

District 003
Cobb County

VTD: 067AD01 - ADDISON 01
VTD: 067BF01 - BELLS FERRY 01
VTD: 067BF02 - BELLS FERRY 02
VTD: 067BF03 - BELLS FERRY 03
VTD: 067BG01 - BIG SHANTY 01
030228:
1007 1008 2026 2027 2040
030229:
1050 1051
030230:
2000
030601:
1034 1035 3001 3002 3004 3010 3012 3089
VTD: 067BG02 - BIG SHANTY 02
VTD: 067BK01 - BAKER 01
030107:
1010
030226:
1000
VTD: 067BW01 - BLACKWELL 01
VTD: 067BY01 - BRUMBY 01
VTD: 067CA01 - CHATTAHOOCHEE 01
VTD: 067CK01 - CHALKER 01
VTD: 067CK02 - CHALKER 02
VTD: 067CR01 - CHESTNUT RIDGE
VTD: 067DC01 - DICKERSON 01
VTD: 067DI01 - DOBBINS 01
030339:
1003
030344:
2004 2005 2008 2012 2013 2014 2017 2020 2021 2022 2023 2024
2025 2026 2027 2028 2029 2030 2031
030345:
1001 1002 1003 1004 1005 1006 1008 1009 1010 1011 1018 1022
1023 1024 1025 1035 1037 1042 1046 1047 1048 1049 1050 1051
1053 1054 1055 1056 1057 1058 1059 1061 1066

030412:

2007 2009 2011 2012 3001 3002 3004 3007 3008 3009 3011 3012
3013 3015 3016 3017 3018 3019

030413:

1017 1018

030414:

1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014
1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1027 1029
1030 2005 2009 2017 2018 2020 2021 2022 2027 2029 2030 2031
2032 2058 2059 2060 2061 2062 2063

VTD: 067DO01 - DODGEN 01

VTD: 067DV01 - DAVIS 01

VTD: 067EA01 - EASTSIDE 01

VTD: 067EC01 - EAST COBB 01

VTD: 067EL01 - ELIZABETH 01

030502:

2011 2019 2021 2023 2036 2037 2038

030506:

1027 1048 1049 1050 1055 1056 1058 1062 1064 1067 1068 1072
1073 1076 1077 1085 1087 1088 1090 1091 1093 1094 1095 1096
1098 1102 1103 1107 1123 1125 1126 1127 1128 1129 1131 1132
1140 1141 1142 1143 1144 1146 1147 1149

030601:

1029 1030 1032 1033 1040 1041 3007 3008 3009 3011 3013 3014
3015 3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026
3027 3028 3029 3030 3031 3032 3033 3034 3035 3037 3041 3049
3050 3051 3052 3063 3064 3065 3066 3067 3079 3082 3083 3085
3086 3088

030602:

2000 2006 2007

VTD: 067EL02 - ELIZABETH 02

VTD: 067EL03 - ELIZABETH 03

VTD: 067EL04 - ELIZABETH 04

VTD: 067EL05 - ELIZABETH 05

VTD: 067EL06 - ELIZABETH 06

VTD: 067EP01 - EAST PIEDMONT 01

VTD: 067EV01 - EAST VALLEY 01

VTD: 067FP01 - FULLERS PARK 01

VTD: 067GM01 - GARRISON MILL 01

VTD: 067GT01 - GRITTERS 01

VTD: 067HT01 - HIGHTOWER 01

VTD: 067KE2A - KENNESAW 2A

030229:

1052
030230:
2001
VTD: 067KE3A - KENNESAW 3A
030223:
1015 2002 2003 2004 2007 2010
030226:
1027 1028
VTD: 067KL01 - KELL 01
VTD: 067KY01 - KEHELEY 01
VTD: 067LA01 - LASSITER 01
VTD: 067MB01 - MABRY 01
VTD: 067MD01 - MURDOCK 01
VTD: 067MK01 - MCCLESKEY 01
VTD: 067MR1A - MARIETTA 1A
030344:
2006 2015 2016 2018 2019 2032 2033
030345:
1007 1015 1016 1017 1019 1021 1043 1044 1045
030405:
1033 1035 1036 1038 1039 1040 1041 1042 1043 1048 1049 1050
1051 1052 1054 1055 1056 1057 1058 1059 1060 2010 2013 2014
2015 2016 2017 2018 2019 2027 2028 2033 2035 3006 3007 3008
3010 3017 3018 3019 3020 3024 3025 3028 3031 3033 3034 3037
3038 3039 3044 3047 3048
030413:
1000 1001 1003 1004 1005 1006 1009 1010 1015 2000 2001 2002
2003 2005 2007 2016 3001 3008 3009 3010 3011 3031
030414:
1000 1001 1002 1025 1026 1028 2000 2001 2002 2003 2004 2008
2011 2012 2023 2033 2034 2038 2039 2045 2050 2051 2052 2053
2054 2055 2056 2057 2065
030800:
2032 2039
031001:
2091 2092 2094 2095 2096 2097
031113:
1000 1013
VTD: 067MR4B - MARIETTA 4B
030506:
1124 1130 1133
030601:
1018 1020 1021 1022 1023 1024 1025 1026 1027 1039 1042 3036

3038 3039 3040 3042 3043 3044 3045 3046 3047 3048 3059 3060
 3061 3062 3071 3076 3078 3080 3081 3084 3087

VTD: 067MR5A - MARIETTA 5A

030411:

2003

030504:

3006 3007 3010 3011 3012 3013 3014 3015

030505:

4000 4001 4002 4003 4004 4005 4006 4007 4008 4015

030700:

1024 1033 4000

030800:

1000 2000

VTD: 067MR5B - MARIETTA 5B

030502:

2028 2032 2034 2040 2041 2042 2043 2044 2045 2046 2052 2053
 2054 2056 2057 2058

030504:

2023 2024 2033 3000 3001 3002 3003 3004 3005 3008 3009

030506:

1002 1032 1033 1034 1036 1037 1038 1039 1041 1042 1043 1044
 1046 1047 1051 1052 1053 1079 1080 1081 1082 1083 1084 1086
 1089 1092 1097 1099 1100 1101 1104 1105 1106 1108 1109 1110
 1111 1112 1113 1114 1115 1116 1117 1118 1119 1120 1121 1122
 1134 1135 1136 1137 1138 1139

030602:

2017 2018 2019 2022 2023

030700:

1000 1003 1004 1010 1023

VTD: 067MR6A - MARIETTA 6A

VTD: 067MR6B - MARIETTA 6B

VTD: 067MR6C - MARIETTA 6C

030410:

1010 1012 1014 1015 1016 1023 1025 1026 2017 2018 2019 2020
 2023 2024 2025 2026 2027 2028 2029 2030 2031

030502:

2006 2009 2012 2014 2017 2020 2026 2035 2039 2055

030504:

2010 2011 2021 2022 2026 2027 2028 2029 2030 2031 2032 2035
 2037

030505:

1002 1005 1009 1010 1012 1013 1015 1016 1017 1018 1019 1021
 1022 1023 2000 2001 2002 2003 2004 2005 2006 2012 2013 2021

3020 3022 3023 3027 3028 3029 3030 3032 3033 4009 4010 4011
4012 4013 4014 4016 4017 4018 4019 4020 4028 4029 4030 4031
4032

030506:

1025 1026 1054 1057 1063 1069 1070 1071 1074 1075 1078 1145
1148

030507:

1059 1060 1061 1064 1065 1066 1067 1068 1070 1071 1073 1074

030700:

4003 4013 4014 4031

VTD: 067MR7A - MARIETTA 7A

030405:

4001 4002 4007 4008 4009 4010 4011 4012 4013 4014 4015 4016
4018 4021 4023 4031 4032 4033 4034 4035 4036 4037 4038 4039
4040 4041 4042 4043 4044 4045 4046 4048 4049

030410:

1027 1028 1030 1032 1034 1035 1037 1039 1040 1045 1046

030411:

1001 1002 1003 1004 1005 1006 1007 1008 1009 2000 2001 2002
2004 2005 2006 2007 2009 2010 2012

030412:

1000 1001 1002 1003 1004 1005 2000 2001 2002 2003 2004 2005
2006 2008 2010 2013 2014 2015 2016 2017 2018 2019 3000 3003
3005 3006 3010 3014 3020 3021 4000 4001 4002 4003

030414:

2006 2007 2010 2013 2014 2015 2016 2019 2024 2025 2026 2028
2035 2036 2037 2040 2041 2042 2043 2044 2046 2047 2048 2049
2064

030505:

2008 2009 2014 2015 2017 2018 2019 2020 2022 2032 4022 4035
4036

030800:

2029 2030 2031

VTD: 067MT01 - MT BETHEL 01

VTD: 067MT02 - MT BETHEL 02

VTD: 067MT03 - MT BETHEL 03

VTD: 067MT04 - MT BETHEL 04

VTD: 067NS01 - NICHOLSON 01

VTD: 067PF01 - POWERS FERRY 01

VTD: 067PO01 - POST OAK 01

VTD: 067PP01 - POPE 01

VTD: 067PR01 - PALMER 01

030220:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009
030223:

2000 2001 2005 2006 2008 2009

030226:

1033

VTD: 067PT01 - PITNER 01

VTD: 067RM01 - ROCKY MOUNT 01

VTD: 067RM02 - ROCKY MOUNT 02

VTD: 067RW01 - ROSWELL 01

VTD: 067RW02 - ROSWELL 02

VTD: 067SA01 - SANDY PLAINS 01

VTD: 067SF01 - SHALLOWFORD FALLS

VTD: 067SI01 - SIMPSON 01

VTD: 067SM01 - SEWELL MILL 01

VTD: 067SM03 - SEWELL MILL 03

VTD: 067SM04 - SEWELL MILL 04

VTD: 067SM05 - SEWELL MILL 05

VTD: 067SN1A - SMYRNA 1A

030345:

1026 1027 1028 1029 1030 1031 1032 1033 1034 1036 1038 1039

1040 1041 1062 1063 1064 1065

VTD: 067SO01 - SOPE CREEK 01

VTD: 067SO02 - SOPE CREEK 02

VTD: 067SO03 - SOPE CREEK 03

VTD: 067SP01 - SEDALIA PARK 01

VTD: 067SY01 - SPRAYBERRY 01

VTD: 067TM01 - TERRELL MILL 01

VTD: 067TR01 - TIMBER RIDGE 01

VTD: 067TT01 - TRITT 01

VTD: 067VG01 - VININGS 01

030339:

1002 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014

1015 1016 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028

1029 1030 1031 1032 1033 1034 1035 1036 1037 1040 1041 1043

1044 1045

VTD: 067WG01 - WADE GREEN 01

VTD: 067WG02 - WADE GREEN 02

VTD: 067WL01 - WILLEO 01

DeKalb County

VTD: 089AD - AUSTIN

VTD: 089AG - ASHFORD DUNWOOD

VTD: 089AH - ASHFORD PARKSIDE

VTD: 089CE - CHAMBLEE (CHA)

021204:

2000 2001 2002

021208:

1010 1011 1012 1013 1014 1018 1021 1023 1025 1026 1027 1028
1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040
1041 1042

021209:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 3000 3001 3002 3003 3004 3005 3015 4000 4008

021301:

1022

VTD: 089CH - CHESNUT ELEMENTARY

VTD: 089DA - DORAVILLE NORTH

021301:

1000 1001 1002 1003 1004 1005 1006 1010 1011 1013 1014 1015
1016 1023 1024 1034 2008 2009 2010 2011 2012

021303:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1015 1018 1019 1020 2000 2001 2006 2007 2028 3001 3002
3003 3004

021305:

2006 2008 2009 2010 2011 2012

021306:

1001 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014
1015 1016 1017 1018 1019 1020 1021 1035 1039 1040 1041 1042
1043 1044 1045 1046 1047 1048 1049 1050 1051 1052 1053 1054
1055 1056 1057 2010 2011 2012 2013 2015 2016 2017 2019 2020
2021 2022 2023 2024 2025 2028 2029 2030 2032 2033 3015

021307:

2000

VTD: 089DF - DUNWOODY

VTD: 089DG - DUNWOODY HIGH SCHOOL

VTD: 089DI - DUNWOODY LIBRARY

VTD: 089GD - GEORGETOWN SQ

VTD: 089HF - HUNTLEY HILLS ELEM

VTD: 089KB - KINGSLEY ELEM

VTD: 089MQ - MOUNT VERNON EAST

VTD: 089MS - MOUNT VERNON WEST

VTD: 089MU - MONTGOMERY ELEM

VTD: 089NA - NANCY CREEK ELEM

VTD: 089NF - NORTH PEACHTREE

VTD: 089OB - OAKCLIFF ELEM

021303:

1013 1014 1016 1017 2002 2003 2004 2005 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
2024 2025 2026 2027 3000 3005 3006 3007 3008 3009 3010 3011
3012 3013 3014 3015 3016 3017 3018 3019
021307:
2019
021705:
2000 2007 2010
021812:
2000
021813:
1000 1007 1010
VTD: 089PB - PEACHTREE MIDDLE SCHOOL
VTD: 089SE - SILVER LAKE
VTD: 089TG - TILLY MILL ROAD
VTD: 089WL - WINTERS CHAPEL
Fulton County
VTD: 12107A - 07A
VTD: 12107B - 07B
VTD: 12107C - 07C
009602:
1000 1001 1002 1003 1004 2000 2001 2002 2003 2004 2005 2006
2007 2008 2009 2010 3000 3001 3022
010002:
3003 3004 3005 3008 3009 3010 3012 3019 3020 3021 3023
VTD: 12107D - 07D
009601:
1000 1001 1002 1003 1004 1005 1006 1007 2000 2001 2002 2003
2004 2005 2006
009602:
3002 3003 3004 3009 3011 3013 3014 3015 3017 3018 3019
009603:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017
VTD: 12107E - 07E
009402:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1015 1018
VTD: 12107F - 07F
VTD: 12107G - 07G
VTD: 12107H - 07H
VTD: 12107J - 07J
009300:
2000 2001 2002 2003 2004 2005 2006 2007 2008 3000 3001 3003

3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015

VTD: 12108A - 08A

VTD: 12108B - 08B

VTD: 12108C - 08C

VTD: 12108D - 08D

VTD: 12108E - 08E

009700:

1015 1021 1022 1023 1024 1026 1027 1028 2000 2001 2002 2003

2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015

2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027

2028 2029 2030 2031 3000 3001 3002 3003 3004 3005 3007 3008

3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020

3021 3022 3023 3024 3025 3026 3029 3030 3031

VTD: 12108F - 08F

009801:

1008 1009 1010 1011 1012 1013 1016 2010 3000 3001 3002 3003

3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015

3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027

3028 3029 3030

009900:

3007 3009 3010 3011 3012 3013

VTD: 12108G - 08G

VTD: 12108H - 08H

VTD: 12108M - 08M

VTD: 12108N - 08N

VTD: 12109F - 09F

009700:

3027 3028

VTD: 121SS02A - SS02A

VTD: 121SS02B - SS02B

VTD: 121SS03 - SS03

VTD: 121SS05 - SS05

VTD: 121SS06 - SS06

VTD: 121SS07A - SS07A

VTD: 121SS07B - SS07B

VTD: 121SS07C - SS07C

VTD: 121SS08A - SS08A

VTD: 121SS08B - SS08B

VTD: 121SS08C - SS08C

VTD: 121SS09 - SS09

VTD: 121SS10 - SS10

VTD: 121SS11A - SS11A

VTD: 121SS11B - SS11B

VTD: 121SS11C - SS11C

VTD: 121SS11D - SS11D

VTD: 121SS12 - SS12

VTD: 121SS13A - SS13A

VTD: 121SS13B - SS13B

VTD: 121SS14 - SS14

VTD: 121SS16 - SS16

VTD: 121SS18A - SS18A

VTD: 121SS18B - SS18B

VTD: 121SS31 - SS31

Gwinnett County

VTD: 135037 - PINCKNEYVILLE E

VTD: 135038 - PINCKNEYVILLE F

050304:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 2036 2037 2038 2039

050306:

1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1033 1035
1036 1037 1038 1042 1043 1044 1045 1046 1047 1048 1049 1050
1051 1052 1053 1058 1059 1060 1061 2000 2001 2002 2003 2004
2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015

VTD: 135059 - PINCKNEYVILLE N

050304:

2013 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025
2026 2027 2028 2029 2032 2033 2034 2035

050306:

1003 1004 1006 1007 1015 1021

050317:

1000 1001 1002 1003 1004 1005 2006 2007 2008 2009 2010 2011
2012 2013 2015 3000

050318:

1000 1001 1002 1003 1004 1005 2000 2001 2002 2003 2004 2005

VTD: 135073 - PINCKNEYVILLE P

050310:

1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016
1017

VTD: 135101 - PINCKNEYVILLE U

District 004

Cobb County

VTD: 067AC1A - ACWORTH 1A

VTD: 067AC1B - ACWORTH 1B

VTD: 067AC1C - ACWORTH 1C

VTD: 067AU1A - AUSTELL 1A

031404:

1015 1016 4004 4005 4006 4008 4012 4014 4015 4016 4018 4019
4020 4022 4023 4026 4028 4029 4030

031408:

1005 1006 1007 1008 1009 1011 1012 1013 1014 1015 1016 1017
1018 1019 1024 1025 1026 1030 1031 1032 1033 1034 1035 1037
1038 1039 1040 1041 1042 1044 1045 1046 1048 1049 1050 1051
1052 1053 1054 1055 1058 1059 1060 1061 1062 1063 1064 1067
1068 2008 2009 2011 2012 2014 2017 2019 2020 2021 2022 2023
2024 2025 2028 2030 2034 2036 2039 2041 2042 2044 2050 2051
2052 2053 2054 2055 2058 2059 3000 3001 3002 3004 3006 3007
3010 3012 3013 3014 3015 3016 3017 3018 3019 3021 3022 3023
3027 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039
3040 3041 3042 3043 3044 3045 3046 3047 3048 3049 3050 3052
3055 3057 3058 3059 3062 3064 3065 3066 3069 3070 3071 3077
3078 3079 3080 3081 3082 3083 3084 3085

031409:

2000 2001 2002 2005 2006 2011 2012 2017 2018 2019 2020 2021
2022 2023 2024 2032 2033 2037 2038 2039 2041 2042 2043 2044
2045 2046 2047 2048 2049 2050 2051 2052 2053 2054 2055 2056
2057 2058 2059 2062 2063 2064 2065 2066 2067 2068 2069 2070
2071 2072 2073 2074 2075 2076

031509:

3015 3016

VTD: 067BG01 - BIG SHANTY 01

030227:

3006 3018 3019 3020 3021 3022 3023 3052 3054 3057 3060 3062
3063 3064 3065 3067 3068

030229:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1012
1015 1016 1018 1019 1020 1022 1023 1024 1025 1026 1027 1028
1029 1030 1037 1038 1039 1040 1041 1042 1043 1044 1045 1046
1047 1053 2000 2001 2002 2003 2004 2005 2007 2012 2013 2014
2015 2016 2017 2018 2019 2020 2021 2024 2025 2027 2043 2044
2045 2046 2047 2048 2049 2050 2060 2065 2066 2067 2068 2072
2074 2075 2076 2077 2078 2079 2084 2092 2093

030230:

1041 1044 1050 1051 1052 1053 1054 1055 1056 1070 1071 1072
1073 1074 1075 1076 1086 1091 1092 1093 2003 2004 2005 2015
2017 2021 2022 2023 2029

030601:

3000 3003 3005 3006

VTD: 067BK01 - BAKER 01

030106:

1001 1002 1004 1005 1012 1014 1016 1020 2001 2004 2008 2010
2011

030107:

2000 2001 2002 2003 2004 2005 2006 2007 2008 2013 2015 2016

030226:

1002 1003 1004 1005 1006 1007 1008 1009 1011 1012 1019 1022
1023 1029 2000 2001 2003 2005 2006 2011 2014 2015

030227:

1001

VTD: 067CH02 - CHEATHAM HILL 02

VTD: 067CH03 - CHEATHAM HILL 03

VTD: 067CL01 - CLARKDALE 01

VTD: 067CL02 - CLARKDALE 02

VTD: 067CO01 - COOPER 01

VTD: 067DI01 - DOBBINS 01

030800:

2045 2046 2049 2057 3041 3043 3044 3046 3047 3048 3049 3052

031001:

2001 2002 2003 2005 2006 2008 2009 2010 2011 2012 2013 2014
2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025 2027
2028 2029 2030 2031 2032 2033 2034 2035 2036 2037 2038 2039
2040 2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051
2052 2053 2054 2055 2057 2058 2059 2060 2061 2062 2063 2064
2065 2077 2078 2087 2089 2098 2099 2100 2101

031108:

1000 1001 1002 1004 1007 1009 1012 1013 1015 1021 1024 1029
1033 1035 1036 1038 1039 1041 1043 1047 1050 2002 3008 3009
3013 3015 3025 3030 3032 3033 3034 3036 4005 4006 4011 4014
4015 4018 4019 4023

031113:

1005 1015 1016

031114:

2002 2005

031207:

1000

031208:

1001 1002 1015 1023

VTD: 067DL01 - DOWELL 01

VTD: 067DU01 - DURHAM 01

VTD: 067EL01 - ELIZABETH 01

030601:

3053 3054 3055 3056 3057 3068 3069 3070 3072 3073 3077 3090
030602:

1000 1011 1014 2001 2004 2005 2008 2009 2010 2011 2013 2028
2066 3001 3002 3003 3004 3005 3011

VTD: 067FO01 - FAIR OAKS 01

VTD: 067FO02 - FAIR OAKS 02

VTD: 067FO03 - FAIR OAKS 03

VTD: 067FO04 - FAIR OAKS 04

VTD: 067FO05 - FAIR OAKS 05

VTD: 067FO06 - FAIR OAKS 06

VTD: 067FR01 - FORD 01

VTD: 067FY01 - FREY 01

VTD: 067HR01 - HARRISON 01

VTD: 067HY01 - HAYES 01

VTD: 067KE1A - KENNESAW 1A

VTD: 067KE2A - KENNESAW 2A

030227:

3037 3044

030229:

1031 1032 1033 1035 1036 1048 1049

030230:

1001 1007 1008 1009 1010 1011 1012 1013 1014 1016 1017 1020

1021 1022 1023 1024 1025 1039 1040 1042 1043 1045 1046 1047

1048 1049 1057 1058 1059 1060 1062 1063 1065 1066 1067 1068

1069 1079 1082 1083 1085 1098 2002 2006 2007 2008 2009 2010

2011 2012 2013 2016 2018 2019 2020 2025 2027

VTD: 067KE2B - KENNESAW 2B

VTD: 067KE3A - KENNESAW 3A

030226:

1013 1014 1015 1016 1017 1020 1021 1024 1025 1026 1030 1031

1035 1036 1039 1040 1043

030227:

1000 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012

1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 2000 2001

2008 2025 2026 2027 2028 3026 3027

030229:

2031 2032

VTD: 067KE4A - KENNESAW 4A

VTD: 067KE5A - KENNESAW 5A

VTD: 067KE5B - KENNESAW 5B

VTD: 067KP01 - KEMP 01

VTD: 067KP02 - KEMP 02

VTD: 067KP03 - KEMP 03

VTD: 067LM01 - LOST MOUNTAIN 01

VTD: 067LM02 - LOST MOUNTAIN 02

VTD: 067LM03 - LOST MOUNTAIN 03

VTD: 067LM04 - LOST MOUNTAIN 04

VTD: 067LW01 - LEWIS 01

VTD: 067MA01 - MABLETON 01

031404:

4000 4001 4002 4003 4007 4009 4010 4011 4013 4017 4021 4024
4025 4027 4031

031409:

2077

VTD: 067MC01 - MACLAND 01

VTD: 067MC02 - MACLAND 02

VTD: 067ME01 - MCEACHERN 01

VTD: 067ML01 - MCCLURE 01

VTD: 067MR1A - MARIETTA 1A

030800:

1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015
1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1027 1028
1029 1030 1031 1032 1033 1034 2020 2021 2023 2026 2033 2034
2035 2040 2041 2042 2043 2044 2047 2048 2050 2051 2052 2053
2054 3000 3001 3011 3012 3018 3019 3023 3025 3028 3029 3030
3042 3050 3051

031001:

2000 2004 2007 2026 2079 2080 2083 2084 2085 2086 2088 2090
2093

031113:

1001 1002 1003 1004 1006 1007 1008 1009 1010 1011 1012 1014

031114:

2000 2001 2009

VTD: 067MR2A - MARIETTA 2A

VTD: 067MR2B - MARIETTA 2B

VTD: 067MR2C - MARIETTA 2C

VTD: 067MR3A - MARIETTA 3A

VTD: 067MR4B - MARIETTA 4B

030230:

1080 2037 2038 2044 2045 2046 2047 2048 2049 2050 2055 2056
2057 2059 2063 2064 2065 2069 2071 2072 2073

030602:

1019 1028 1030 1044 1045 1046

030700:

1006 1007 1008 1014 1015 1016 1017 1018 1034 2000 2001 2002
2003 2004 2005

VTD: 067MR4C - MARIETTA 4C

VTD: 067MR4E - MARIETTA 4E

VTD: 067MR5A - MARIETTA 5A

030602:

3067 3068 3069 3071 3072 3073 3074 3075 3076 3077 3078 3079
3080 3081 3082 3083

030700:

1025 1026 1035 2021 2025 3002 3003 3004 3005 3006 3007 3008
3009 3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020
3021 3022 3023 3024 3025 3026 3027 3028 3029 3030 3031 3032
3033 3034 3035 3036 3037 3038 3039 3040 3041 3042 3043 3044
3045 3046 3047 3048 3049 3050 3051 3052 4001 4002 4004 4006
4007 4008 4009 4010 4011 4012 4015 4016 4017 4018 4019 4020
4021 4022 4023 4024 4025 4026 4027 4028 4029 4030 4033 4034

030800:

3002 3003 3004 3005 3006 3007 3008 3009 3010 3013 3014 3015
3016 3020 3021 3022 3024 3026 3027 3034 3035 3036

030902:

1000 1001 1002 1003 1004 1007 1008 1011 1012 1013 1014 1015
1016 1017 1018 1019 1020 1021 1022 1023 1024 1038 4000

VTD: 067MR5B - MARIETTA 5B

030602:

2012 2014 2015 2016 2020 2021 2024 2025 2026 2027 2029 2030
2031 2032 2033 2034 2035 2036 2038 2039 2044 2045 2046 2047
3012 3013 3014 3015 3016 3017

030700:

1001 1002 1005 1009 1011 1012 1013 1019 1020 1021 1022 1027
1028 1029 1030 1031 1032 2006 2007 2008 2009 2010 2011 2012
2013 2014 2015 2016 2017 3000 3001 4005

VTD: 067MR6C - MARIETTA 6C

030700:

4032

VTD: 067MR7A - MARIETTA 7A

030800:

1001 1002 1003 1026 1035 1036 2001 2002 2003 2004 2005 2006
2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018
2019 2022 2024 2025 2027 2028 2036 2037 2038 2055 2056

VTD: 067MS01 - MARS HILL 01

VTD: 067MS02 - MARS HILL 02

VTD: 067NC01 - NORTH COBB 01

VTD: 067NP02 - NORTON PARK 02

031116:

3016

VTD: 067OR01 - OREGON 01

VTD: 067OR02 - OREGON 02

VTD: 067OR03 - OREGON 03

VTD: 067OR04 - OREGON 04

VTD: 067OR05 - OREGON 05

VTD: 067OR06 - OREGON 06

VTD: 067PE02 - PEBBLEBROOK 02

031408:

1004 1010 1020 1021 1022 1027 1028 1029 1036 1043 1065 1066
1069

VTD: 067PM01 - PINE MOUNTAIN 01

VTD: 067PM02 - PINE MOUNTAIN 02

VTD: 067PR01 - PALMER 01

030226:

1032 1034 1037 1038 1042

030229:

2006 2009 2010 2011 2022 2023 2026 2028 2029 2088

VTD: 067PS1A - POWDER SPRINGS 1A

VTD: 067PS2A - POWDER SPRINGS 2A

VTD: 067PS3A - POWDER SPRINGS 3A

VTD: 067RR01 - RED ROCK 01

VTD: 067SN1A - SMYRNA 1A

031114:

1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
1013 1014 1015 1016 1017 1018 2023 2024 2025 3000 3001 3013
4000 4001 4002 4003 4004 4005 4006 4007 4008 4009 4010 4011
4012

031208:

1000 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013
1014 1017 1018 1020 1021 1022

VTD: 067SN2A - SMYRNA 2A

VTD: 067SN2B - SMYRNA 2B

VTD: 067SN3A - SMYRNA 3A

VTD: 067SN4A - SMYRNA 4A

031110:

1022 1023 1024 1025 1026 1027 1028 2001 2002 2003 2004 2005
2006 2007 2008 2014 2015 2016

VTD: 067SN5A - SMYRNA 5A

031001:

2076 3023 3026 3027 3029

031002:

1020 1038

031004:

1000 1001 1002 1004 1008

031101:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 3000 3001 3002 3003 3004
3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016
3017

031108:

1011 1019

031110:

1005 1006 1007 1008 1009 1016 1017 1018

031116:

1000 1001 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009
3010 3011 3012 3013 3014 3015 3017

VTD: 067SW01 - SWEETWATER 01

VTD: 067SW02 - SWEETWATER 02

031406:

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
2024 2025 2026

VTD: 067SW04 - SWEETWATER 04

031404:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014

031406:

3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 3022

VTD: 067SW05 - SWEETWATER 05

VTD: 067TS01 - TEASLEY 01

031208:

1019

VTD: 067VA01 - VAUGHAN 01

VTD: 067VG01 - VININGS 01

031207:

1011

Paulding County

District 005

DeKalb County

VTD: 089AB - ASHFORD PARK ELEMENTARY

VTD: 089AE - AVONDALE (AVO)

VTD: 089AM - AVONDALE MIDDLE

VTD: 089BC - BRIAR VISTA ELEMENTARY

VTD: 089BD - BRIARLAKE ELEMENTARY

VTD: 089BE - BRIARWOOD

VTD: 089BG - BRIARCLIFF

VTD: 089BI - BROOKHAVEN

VTD: 089CE - CHAMBLEE (CHA)

021204:

1000 1001 1002 1003 1004 1005 2003 2004 2005 2006 2007 2008
3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
3012 3013 3017 3020 3021 3022

021307:

1014 1021

021308:

2004 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009

021412:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1013 1015
1016 1017 1018 1019 1020 3000 3006

VTD: 089CI - CLAIREMONT WEST

VTD: 089CJ - CLAIRMONT HILLS

VTD: 089CO - CROSS KEYS HIGH

VTD: 089CV - CLAIREMONT EAST

VTD: 089CW - CORALWOOD

VTD: 089DA - DORAVILLE NORTH

021301:

1012 1025 1026 1027 1028 1029 1030 1031 1032 1033 1035 1036
1037 1038 1039 1040

VTD: 089DB - DORAVILLE SOUTH

VTD: 089DC - DRESDEN ELEM

VTD: 089DH - DRUID HILLS HIGH SCHOOL

VTD: 089EE - EPWORTH (ATL)

VTD: 089EF - EVANSDALE ELEM

021808:

1013

VTD: 089EG - EMORY SOUTH

VTD: 089ER - EMORY ROAD

VTD: 089FB - FERNBANK ELEM

VTD: 089FD - FORREST HILLS ELEM

VTD: 089GA - GLENNWOOD (DEC)

022203:

1037 1039

022600:

1020 1021 1022 2001 2002 2003 2004 2005 2006 2007 2008 2009
2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020 2021
2022 2023 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035
2036 2037

022800:

3000 3001 3002

022900:

1010 1011 1014 1016

VTD: 089HB - HAWTHORNE ELEM

VTD: 089HC - HENDERSON MILL

VTD: 089HD - HERITAGE ED

VTD: 089IB - INDIAN CREEK ELEM

022005:

1011 1012 1013 1014

VTD: 089JA - JOHNSON ESTATES

VTD: 089LA - LAKESIDE HIGH

VTD: 089LB - LAVISTA ROAD

VTD: 089LC - LAVISTA

VTD: 089LE - MARY LIN ELEM

VTD: 089ME - MCLENDON ELEM

VTD: 089MG - MEDLOCK ELEM

VTD: 089MJ - MONTCLAIR ELEM

VTD: 089MO - MIDWAY ELEM

023102:

1018 1020 1021 2000 2016

023107:

3005

VTD: 089MP - MARGARET HARRIS

VTD: 089MW - MIDVALE ROAD

021808:

1014

021809:

5021

021810:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010

VTD: 089NB - NORTH DECATUR

VTD: 089ND - NORTHLAKE

VTD: 089OA - OAK GROVE ELEM

VTD: 089OB - OAKCLIFF ELEM

021307:

2015 2016 2017 2018 2020 2021 2022 2023 2024 2025 2026 2027

2028 2030 2031 2032 2040 2041 2042 2043 2046 2047 2051 2052

2053 2054 2055 2057

021705:

2011

VTD: 089OK - OAKHURST (DEC)

020300:

3010
 022403:
 1026 1031
 022500:
 3019 3020 3021 3023 3026
 VTD: 089PG - PONCE DE LEON
 VTD: 089RD - REHOBOTH
 VTD: 089SA - SAGAMORE HILLS
 VTD: 089SB - SCOTT
 VTD: 089SC - SCOTTDALE
 022001:
 2005 2006 2014 2015 2016 2017 2018 2019 2020 2021 2023 2024
 2025 2026 2027 2028 2029 2030 2031 2033 2034
 022100:
 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016
 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 2000 2001
 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013
 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023 2024 2025
 2026 2027 2028 2029 2030 2031 2032 2033 2034 2035 2036 2037
 2038 2039 2040 2041 2042 2043 2046 2047 2048 2049 2050 2051
 2052
 022204:
 4013
 VTD: 089SF - SKYLAND
 VTD: 089SN - SHAMROCK MIDDLE
 VTD: 089VB - VALLEY BROOK
 VTD: 089WF - WINNONA PARK ELEM
 022800:
 3007 3010
 022900:
 1029
 VTD: 089WI - WARREN TECH
 VTD: 089WJ - WOODWARD ELEM
 Fulton County
 VTD: 12101A - 01A
 VTD: 12101B - 01B
 VTD: 12101C - 01C
 VTD: 12101D - 01D
 VTD: 12101E - 01E
 VTD: 12101F - 01F
 VTD: 12101G - 01G
 VTD: 12101J - 01J
 VTD: 12101P1 - 01P1

VTD: 12101P2 - 01P2
VTD: 12101R - 01R
VTD: 12101S - 01S
VTD: 12101T - 01T
VTD: 12102A - 02A
VTD: 12102B - 02B
VTD: 12102C - 02C
VTD: 12102D - 02D
VTD: 12102E - 02E
VTD: 12102F1 - 02F1
VTD: 12102F2 - 02F2
VTD: 12102G - 02G
VTD: 12102J - 02J
VTD: 12102L1 - 02L1
VTD: 12102L2 - 02L2
VTD: 12102S - 02S
VTD: 12102W - 02W
VTD: 12102X - 02X
VTD: 12103A1 - 03A1
VTD: 12103A2 - 03A2

004000:

1009 1010 1011 1015 1016 1021 1022 1023

VTD: 12103B1 - 03B1
VTD: 12103B2 - 03B2
VTD: 12103C - 03C
VTD: 12103D - 03D
VTD: 12103E - 03E
VTD: 12103F - 03F
VTD: 12103G - 03G
VTD: 12103H - 03H
VTD: 12103L - 03L
VTD: 12103M - 03M
VTD: 12103N - 03N
VTD: 12103P1 - 03P1
VTD: 12103P2 - 03P2
VTD: 12103R - 03R
VTD: 12103S - 03S

008301:

1003 1004 1005 1006 1007 1008 1009 1020 2006 2007 2008 2009
2010 2011 2012 2018 2019 2021

VTD: 12103T - 03T
VTD: 12103U - 03U
VTD: 12104A - 04A

VTD: 12104B - 04B

VTD: 12104D - 04D

004000:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1012 1013 1014
1018 1019 1020 1024 1025 2001 2002 2003 2004 2005 2006 3000
3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011

VTD: 12104E - 04E

VTD: 12104G - 04G

006200:

1008

VTD: 12104H - 04H

VTD: 12104K - 04K

VTD: 12104L - 04L

VTD: 12104V - 04V

VTD: 12104W - 04W

VTD: 12104X2 - 04X2

004000:

2000 2011

004100:

3017

VTD: 12105A - 05A

VTD: 12105B - 05B

VTD: 12105C - 05C

VTD: 12105F - 05F

VTD: 12106A - 06A

VTD: 12106B - 06B

VTD: 12106D - 06D

VTD: 12106E - 06E

VTD: 12106F - 06F

VTD: 12106G - 06G

VTD: 12106H - 06H

VTD: 12106J - 06J

VTD: 12106K - 06K

VTD: 12106L - 06L

VTD: 12106R - 06R

VTD: 12106S - 06S

VTD: 12107C - 07C

009404:

2000 2001 2010 2011

VTD: 12107D - 07D

009403:

3000

VTD: 12107E - 07E

009200:

3015

009402:

1009 1010 1011 1012 1013 1014 1016 1017 2000 2001 2002 2003
2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015
2016 2017 2018 2019 2020 2021 2022

009404:

1000 1001 1002 1003 1004 1005 1006 1007 2013 2014 2015 2016
3000 3001 3002 3003 3004 3005 3006

VTD: 12107J - 07J

009102:

2007 2008 2009 2010 2011

VTD: 12107K1 - 07K1

VTD: 12107K2 - 07K2

VTD: 12107M1 - 07M1

VTD: 12107M2 - 07M2

VTD: 12107N - 07N

VTD: 12108E - 08E

008904:

3007

VTD: 12108F - 08F

008904:

3004 3005 3006

009700:

3006

VTD: 12108J - 08J

VTD: 12108K - 08K

VTD: 12108L - 08L

VTD: 12108P - 08P

VTD: 12109A - 09A

VTD: 12109B - 09B

VTD: 12109C - 09C

VTD: 12109D - 09D

VTD: 12109E - 09E

VTD: 12109F - 09F

008904:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 2000
2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
2013 2014 3000 3001 3002 3003 3008 3009 3010 3011 3015 3016
3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
3029 3030 3031 3032 3033 3034 3035

VTD: 12109G - 09G

VTD: 12109K - 09K

VTD: 12109L - 09L

VTD: 12109M - 09M

VTD: 12109N - 09N

VTD: 12110D - 10D

007805:

1000 1024 1025

VTD: 12110E - 10E

VTD: 12110F - 10F

VTD: 12110G - 10G

008102:

1002 1003

VTD: 12110J - 10J

008102:

1000 1001 1004 1010 1011 1012

VTD: 12110P - 10P

VTD: 12112A - 12A

VTD: 12112B - 12B

VTD: 12112C - 12C

VTD: 12112D - 12D

VTD: 12112E1 - 12E1

VTD: 12112E2 - 12E2

VTD: 12112F - 12F

VTD: 12112G - 12G

VTD: 12112H - 12H

VTD: 12112J - 12J

VTD: 12112M - 12M

VTD: 12112S - 12S

VTD: 12112T - 12T

VTD: 121CP01A - CP01A

012300:

1009

VTD: 121CP01B - CP01B

VTD: 121CP02A - CP02A

VTD: 121CP02B - CP02B

VTD: 121EP04 - EP04

011100:

1000 1001 1002 1003 1004 1005 1007 1008 1009 1010 1011 1012

1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

1025 1026 1027 1028 1029 1030 1031 1032 1033 2000 2001 2002

2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014

2015 2016 2017 2018 2021 2022 2023 2024 2025 2026 3000 3001

3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013

3014 3015 3016 3017 3018

VTD: 121EP05A - EP05A

VTD: 121EP05B - EP05B

VTD: 121HP01 - HP01

VTD: 121SC14 - SC14

007805:

1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012

1013 1014 1015 1020 1021 1023

008202:

4003 4004 4006 4009 4010 4011 4012

District 006

Gwinnett County

VTD: 135001 - HARBINS A

VTD: 135003 - DACULA

VTD: 135005 - BAYCREEK A

VTD: 135006 - GOODWINS A

VTD: 135008 - DUNCANS A

VTD: 135010 - CATES A

050720:

3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011

3012 3013 3014 3015 3016 3017 3018 3019 3020 3021 4000 4001

4002 4003 4004 4005 4006 4007 4008 4009 4010 4011 4012 4013

4014 4015 4016 4017 4018 4019 4020 4021 4022 4023 4024 4025

4026 4027 4028 4029 4030

050721:

3017 3018 3019

VTD: 135011 - BERKSHIRE A

VTD: 135012 - BERKSHIRE B

050431:

2005 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010

3011 3012 3013 3014 3015 3016 3017 3018 3032 3033 3034 3035

3036

050432:

3000 3001 3002 3003 3004 3005 3007 3008 3009 3010 3011 3012

3013 3014 3015 3016 3017 3018

VTD: 135013 - BERKSHIRE K

VTD: 135014 - GARNERS A

VTD: 135015 - LAWRENCEVILLE A

VTD: 135016 - LAWRENCEVILLE B

VTD: 135017 - MARTINS A

VTD: 135018 - MARTINS B

VTD: 135019 - MARTINS C

VTD: 135021 - PINCKNEYVILLE B
VTD: 135023 - PINCKNEYVILLE D
VTD: 135026 - HOG MOUNTAIN A
VTD: 135027 - HOG MOUNTAIN B
VTD: 135028 - ROCKYCREEK A
VTD: 135029 - CATES B
VTD: 135031 - BERKSHIRE C
VTD: 135032 - BERKSHIRE D
VTD: 135033 - BERKSHIRE E
VTD: 135034 - BERKSHIRE F
VTD: 135035 - CATES D
VTD: 135036 - CATES E
VTD: 135042 - LAWRENCEVILLE C
VTD: 135043 - MARTINS D
VTD: 135046 - CATES F
VTD: 135047 - CATES G
VTD: 135049 - GARNERS C
VTD: 135052 - BERKSHIRE G
VTD: 135058 - PINCKNEYVILLE K
VTD: 135060 - LAWRENCEVILLE D
VTD: 135061 - LAWRENCEVILLE E
VTD: 135065 - BERKSHIRE H
VTD: 135067 - BERKSHIRE I
VTD: 135068 - CATES I
VTD: 135069 - CATES J
VTD: 135070 - GOODWINS B
VTD: 135071 - LAWRENCEVILLE F
VTD: 135072 - MARTINS E
VTD: 135074 - PINCKNEYVILLE Q
VTD: 135077 - GOODWINS C
VTD: 135078 - PINCKNEYVILLE R
VTD: 135079 - CATES K
VTD: 135080 - BAYCREEK C
VTD: 135081 - CATES L
050721:
3000 3001 3002 3003 3004 3005 3006 3007 3015 3016 3020
VTD: 135083 - GOODWINS D
VTD: 135084 - LAWRENCEVILLE G
VTD: 135085 - LAWRENCEVILLE H
VTD: 135086 - MARTINS F
VTD: 135090 - LAWRENCEVILLE I
VTD: 135091 - BAYCREEK D
VTD: 135092 - BERKSHIRE J

VTD: 135093 - CATES M

VTD: 135094 - CATES N

VTD: 135095 - DULUTH F

050215:

1043

VTD: 135097 - GOODWINS E

VTD: 135098 - GOODWINS F

VTD: 135103 - BERKSHIRE L

VTD: 135107 - CATES O

VTD: 135109 - BERKSHIRE M

VTD: 135110 - MARTINS G

VTD: 135112 - BERKSHIRE N

VTD: 135113 - PINCKNEYVILLE V

050419:

3000 3006 3007 3008 3009

VTD: 135115 - MARTINS H

VTD: 135116 - MARTINS I

VTD: 135117 - MARTINS J

VTD: 135118 - GARNERS F

050429:

2014 2015 2016 2018 2019 2020

050430:

1000 1012 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009

3011 3012 3013 3014 3015 3019 3020 3021 3022 3023 3024 3025

3026 3027 3028 3029

VTD: 135119 - BERKSHIRE O

VTD: 135120 - BERKSHIRE P

VTD: 135123 - PINCKNEYVILLE Y

VTD: 135124 - GOODWINS G

VTD: 135127 - LAWRENCEVILLE J

VTD: 135128 - GOODWINS H

VTD: 135129 - DUNCANS B

VTD: 135132 - LAWRENCEVILLE K

VTD: 135133 - HARBINS B

VTD: 135134 - BAYCREEK F

VTD: 135136 - HOG MOUNTAIN C

VTD: 135137 - ROCKYCREEK B

VTD: 135139 - MARTINS K

VTD: 135143 - LAWRENCEVILLE L

VTD: 135144 - LAWRENCEVILLE M

VTD: 135145 - BAYCREEK G

VTD: 135146 - BAYCREEK H

VTD: 135147 - BAYCREEK I

VTD: 135148 - BERKSHIRE Q
 VTD: 135149 - GOODWINS I
 VTD: 135151 - HARBINS C
 VTD: 135152 - ROCKYCREEK C
 VTD: 135153 - LAWRENCEVILLE N
 VTD: 135154 - PUCKETTS D

050605:

2001 2002 2003 2004 2005 2008 2018 2019 2020 2021 2022 2023
 2024 2026

VTD: 135157 - DUNCANS C
 VTD: 135158 - HOG MOUNTAIN D
 VTD: 135161 - BAYCREEK K
 VTD: 135163 - GOODWINS J

District 007

DeKalb County

VTD: 089AA - ALLGOOD ELEMENTARY
 VTD: 089AC - ATHERTON ELEMENTARY
 VTD: 089BF - BROCKETT ELEMENTARY
 VTD: 089BH - BROCKETT
 VTD: 089BM - BETHUNE MIDDLE
 VTD: 089CB - CANBY LANE ELEMENTARY

023412:

3000 3001 3002

023414:

1001

023506:

1020 1021 1022 3021 3022 3023 3024 3025 3026 3030 3031

023507:

2008 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010
 3011 3012 3013 3014 3015 3016

VTD: 089CF - MURPHEY CANDLER
 VTD: 089CK - CLARKSTON (CLA)
 VTD: 089CP - CROSSROADS
 VTD: 089DE - DUNAIRE ELEM
 VTD: 089EC - EMBRY HILLS
 VTD: 089EF - EVANSDALE ELEM

021705:

1000 1001 1002 1003 2001 2002 2003 2004 2005 2006 2008 2009
 2020 2021 2022 2023 2024 2025 2026

021808:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1011 1012 1016
 1017 1018 1019 1021 1022 1023 1028 1029 2005 2015 2016 2017

2018 2019 2020 2021 2022 2023 2025 2026 2028
 VTD: 089FA - FAIRINGTON ELEM
 VTD: 089FG - FLAT ROCK ELEM
 VTD: 089FM - FREEDOM MIDDLE
 VTD: 089GB - GLENHAVEN
 VTD: 089HA - HAMBRICK ELEM
 VTD: 089HG - HUGH HOWELL
 VTD: 089IA - IDLEWOOD ELEM
 VTD: 089IB - INDIAN CREEK ELEM
 022005:
 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1015
 2002 2003 2004 2005 2006 2007 2008 2009 2010
 022007:
 1003 1004 2015 2017 2019 2020 2021
 022008:
 2004 2005 2006 2007 2008 2009 2010 4006
 VTD: 089JB - JOLLY ELEM
 VTD: 089LD - LITHONIA (LIT)
 VTD: 089LH - LITHONIA HIGH SCHOOL
 VTD: 089LV - LAWRENCEVILLE HIGH SCHOOL
 VTD: 089MA - ELDRIDGE L MILL
 VTD: 089MC - MARBUT ELEM
 VTD: 089MH - MIDVALE ELEM
 VTD: 089MI - MILLER GROVE MIDDLE SCHOOL
 VTD: 089MK - MONTREAL
 VTD: 089MM - MEMORIAL NORTH
 VTD: 089MN - MEMORIAL SOUTH
 VTD: 089MV - MILLER GROVE ROAD
 VTD: 089MW - MIDVALE ROAD
 021808:
 1009 1010 1015 1020 1024 1025 1026 1027
 021809:
 5018 5019 5020 5022
 021810:
 2002 2003 2004 2005 2006 2019 2020 2021
 VTD: 089MZ - MILLER GROVE HIGH
 VTD: 089NC - NORTH HAIRSTON
 VTD: 089PC - PRINCETON ELEM
 VTD: 089PE - PINE LAKE (PIN)
 VTD: 089PF - PLEASANTDALE ELEM
 VTD: 089PH - PANOLA
 VTD: 089PI - PANOLA WAY ELEM
 VTD: 089PK - PLEASANTDALE ROAD

VTD: 089PR - PANOLA ROAD

VTD: 089RC - REDAN ELEM

VTD: 089RE - ROCKBRIDGE ELEM

VTD: 089RF - ROCK CHAPEL ELEM

VTD: 089RG - ROWLAND ELEM

023111:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1010 1011 1012

1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024

1025 1026 1027 1028

VTD: 089RH - REDAN-TROTTI

VTD: 089RI - ROCKBRIDGE ROAD

VTD: 089RJ - ROWLAND ROAD

VTD: 089RK - REDAN ROAD

VTD: 089RL - ROCK CHAPEL ROAD

VTD: 089RM - REDAN MIDDLE

VTD: 089SC - SCOTTDALE

022001:

2032 2035

022007:

1007 1009 1010 2018

022100:

1000 1001 1002 1003 1004

VTD: 089SD - STN MTN ELEMENTARY

VTD: 089SH - SMOKE RISE

VTD: 089SI - STN MTN MIDDLE

VTD: 089SJ - STONE MILL ELEM

VTD: 089SK - SHADOW ROCK ELEM

VTD: 089SL - STONEVIEW ELEM

VTD: 089SM - SALEM MIDDLE

VTD: 089SO - SOUTH DESHON

VTD: 089SP - STN MTN CHAMPION

VTD: 089SQ - STONE MTN LIBRARY

VTD: 089SR - SNAPFINGER ROAD

VTD: 089SS - SNAPFINGER ROAD

023416:

2019

VTD: 089ST - STEPHENSON MIDDLE

VTD: 089SU - SOUTH HAIRSTON

VTD: 089SV - STEPHENSON HIGH

VTD: 089TF - TUCKER

VTD: 089TH - TUCKER LIBRARY

VTD: 089WD - WOODROW ROAD

VTD: 089WG - WOODRIDGE ELEM

VTD: 089WK - WHITE OAK
VTD: 089WN - WYNBROOKE ELEM
VTD: 089YA - YOUNG ROAD
Gwinnett County
VTD: 135002 - ROCKBRIDGE A
VTD: 135010 - CATES A
050721:
1001 1002 1003 1004 1005 1006
VTD: 135012 - BERKSHIRE B
050431:
1000 1001 1002 1003 1004 1005 1007 1008 1009 2000 2001 2002
2003 2004
VTD: 135030 - CATES C
VTD: 135038 - PINCKNEYVILLE F
050417:
1000 1001
VTD: 135041 - BAYCREEK B
VTD: 135044 - ROCKBRIDGE B
VTD: 135045 - GARNERS B
VTD: 135051 - PINCKNEYVILLE J
VTD: 135053 - CATES H
VTD: 135064 - GARNERS D
VTD: 135066 - PINCKNEYVILLE O
VTD: 135075 - ROCKBRIDGE C
VTD: 135076 - ROCKBRIDGE D
VTD: 135081 - CATES L
050721:
2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
3008 3009 3010 3011 3012 3013 3014 3021 4000 4001 4002 4003
4004 4005 4006 4007 4008 4012 4013
VTD: 135088 - ROCKBRIDGE E
VTD: 135104 - ROCKBRIDGE F
VTD: 135108 - BAYCREEK E
VTD: 135113 - PINCKNEYVILLE V
050434:
1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 2000 2001
2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 3000 3001
3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013
3014 3015
VTD: 135118 - GARNERS F
050415:
1004 1005 1006 2009 2010 2011 2012 2023 2024
VTD: 135122 - ROCKBRIDGE G

VTD: 135156 - BAYCREEK J

Rockdale County

District 008

Cobb County

VTD: 067AU1A - AUSTELL 1A

031306:

2021 2022 2027 2029 2038 2043 2045 2047 2048 2050 2052

031309:

1001 1002 1005 1006 1007 1010 1018 1019 1023 1025 1026

031404:

3018 3021 3023 3024 3026

031408:

1000

VTD: 067BR01 - BIRNEY 01

VTD: 067BR02 - BIRNEY 02

VTD: 067BT01 - BRYANT 01

VTD: 067BT02 - BRYANT 02

VTD: 067HL01 - HARMONY-LELAND

VTD: 067LI01 - LINDLEY 01

VTD: 067MA01 - MABLETON 01

031306:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

1024 1025 1026 1027 2000 2001 2002 2003 2004 2005 2006 2007

2008 2009 2010 2011 2012 2013 2014 2037

031309:

1008

031404:

3006 3007 3009 3010 3011 3012 3013 3014 3015 3016 3019 3020

3025

031408:

1001

VTD: 067MA02 - MABLETON 02

VTD: 067MA03 - MABLETON 03

VTD: 067MA04 - MABLETON 04

VTD: 067NJ01 - NICKAJACK 01

VTD: 067NP01 - NORTON PARK 01

VTD: 067NP02 - NORTON PARK 02

031115:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1012 2018 2019 2020 2021 2022 2023 2024 2025 2026 2027 2028

2029 2030 2046 2047

031116:

1008 1011 1014 1015 1016 1017 1018 1019 1020 1034 1035 1036
1045 2000 2005 2006 2007 2008 2009 2010 2011 2012 2013 2014

031117:

3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
3012 3013 3014 3015 3016

VTD: 067OK01 - OAKDALE 01

VTD: 067PE01 - PEBBLEBROOK 01

VTD: 067PE02 - PEBBLEBROOK 02

031308:

2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016
2017 2018 2019 2022

031309:

1000 1003 1004 1009 1011 1012 1013 1014 1015 1016 1017 1020
1021 1022 1024 1027 2000 2001 2002 2003 2004 2005 2014 2015
3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
3012 3013 3014 3015

031408:

1002 1003 1023

VTD: 067RS01 - RIVERSIDE 01

VTD: 067SN1A - SMYRNA 1A

031208:

2024 3000 3002 3017 3018 3019 3020 3021 3022 3023 3024 3028
3032 3033 3034 3035 3036 3037 3038 3039 3040 3041 3042 3048

VTD: 067SN4A - SMYRNA 4A

031110:

2000 2009 2010 2011 2012 2013 2017 2018 2019 2020 2021 2022
2023 2024 2025 2026 2027 2028 2029 2030 2031 2032 2033 2034
2035

031112:

1000 1001 1002 1005 1006 1007 1016 3025 3026

031115:

2000 2001 2003 2004 2005 2035 2036 2039 2045 2050 2051

031117:

2000 2001

031118:

1000 1001 1003 1004 1005 1006 1007 1010 1011 1012 1013 1014
1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1027 1030
1031 1035 2000 2001 2002 2003 3000 3001 3002 3003 3004 3005
3006 3007 3008 3009 3010 3011 3012 3013 3014 3015

031206:

1000 1001

VTD: 067SN5A - SMYRNA 5A

031115:

2007 2008 2010 2011 2012 2013 2014 2015 2017

031116:

1002 1003 1004 1005 1006 1007 1009 1010 1012 1013 1021 1022
 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1037
 1038 1039 1040 1041 1042 1043 1044 2001 2002 2003 2004 2015

VTD: 067SN6A - SMYRNA 6A

VTD: 067SN7A - SMYRNA 7A

VTD: 067SN7B - SMYRNA 7B

VTD: 067SN7C - SMYRNA 7C

VTD: 067SW02 - SWEETWATER 02

031404:

2000 2001 2002 2003 2004 2005 2018 2019

031405:

4013

031406:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1012 1013 1014 1015

VTD: 067SW04 - SWEETWATER 04

031404:

2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016 2017
 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 2031
 2032 3000 3001 3002 3003 3004 3005 3008

VTD: 067TS01 - TEASLEY 01

031207:

1012 2019

031208:

2000 2001 2002 2003 2004 2008 2009 2010 2011 2012 2013 2014
 2015 2016 2017 2018 2019 2021 2022 2023 2026 3001 3003 3004
 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016
 3025 3026 3027 3029 3030 3031 3043 3044 3045 3046 3047 3049

VTD: 067VG01 - VININGS 01

031207:

1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1026 1027
 1028 1029 1030 1031 1032 1033 1034 1035

031212:

1004 1011 1012 1013 1014 1016 1017 1018 1019 1020 1021 1022
 1023 1024 1025 1026 1027 1028 1029 1030 1053 1054 1055 1056

VTD: 067VG02 - VININGS 02

VTD: 067VG03 - VININGS 03

VTD: 067VG04 - VININGS 04

Douglas County

Fulton County

VTD: 12103A2 - 03A2

004000:

1017

VTD: 12103S - 03S

008301:

2013

VTD: 12104D - 04D

004000:

2007 2009 2010 2019

VTD: 12104G - 04G

006200:

1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 2000 2001

2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

VTD: 12104M - 04M

VTD: 12104S - 04S

VTD: 12104T - 04T

VTD: 12104X1 - 04X1

VTD: 12104X2 - 04X2

004000:

2012 2013 2014 2015 2016 2017 2018

004100:

3008

006000:

4000

VTD: 12110A - 10A

VTD: 12110C - 10C

VTD: 12110D - 10D

007805:

1026

007806:

3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011

3012

007807:

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 2006 2007

2008 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019

007808:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1012 2000 2001 2002 2003 2004 2005 2006 2007 2008

VTD: 12110G - 10G

007900:

1004 1006 1008 1013

008000:

5007

008102:

1005 2000 2001 2002 2003 2006 2007

VTD: 12110H - 10H

VTD: 12110J - 10J

004000:

2008

008102:

1006 1007 1008 1009 1013 1014 1015 1016 1017 1018 1019 1020

1021 1022 1023 1024 1026 1027 1028 2004 2005

VTD: 12110L - 10L

VTD: 12110M1 - 10M1

VTD: 12110M2 - 10M2

VTD: 12110R - 10R

VTD: 12111A1 - 11A1

VTD: 12111A2 - 11A2

VTD: 12111A3 - 11A3

VTD: 12111B1 - 11B1

VTD: 12111B2 - 11B2

VTD: 12111C - 11C

VTD: 12111E1 - 11E1

VTD: 12111E2 - 11E2

VTD: 12111E3 - 11E3

VTD: 12111E4 - 11E4

VTD: 12111G - 11G

VTD: 12111H1 - 11H1

VTD: 12111H2 - 11H2

VTD: 12111J - 11J

VTD: 12111K - 11K

VTD: 12111L - 11L

VTD: 12111M - 11M

VTD: 12111N - 11N

VTD: 12111P - 11P

VTD: 12111R - 11R

VTD: 12112L - 12L

VTD: 121CH01 - CH01

VTD: 121CH02 - CH02

VTD: 121CH03 - CH03

VTD: 121CH04 - CH04

VTD: 121CH05 - CH05

VTD: 121CP01A - CP01A

010601:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

1024 2000 2001 2002 2003 2004 2005 2007 2008 2009 2010 2011
2012 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010
3011 3012 3013 3014 3015 3016 3017 4000 4001 4002 4003 4004
4005 4006 4007 4008 4009 4010 4011 4012 4013 4014 4015 4016
4017

010603:

1013 1014 1015 1016

011303:

2015 5008 5010 5011 5012

VTD: 121CP04 - CP04

VTD: 121CP05A - CP05A

010603:

2010 2011 2012 2013 2014 2016 2017 2018 2019 2020 2021 2022
3003 3004

010604:

3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3014 3017
3018 3019 3020 3021 3026

VTD: 121CP05B - CP05B

VTD: 121CP06 - CP06

010604:

3022 3023

VTD: 121CP07A - CP07A

VTD: 121CP07B - CP07B

010603:

1019 1020 1021 1048 1054

VTD: 121CP08B - CP08B

010511:

1042 1044 1060 2000 2001 2002 2003 2004 2007

VTD: 121EP01 - EP01

VTD: 121EP03 - EP03

VTD: 121EP04 - EP04

011201:

3020 3021 3022 3026 3027 3030 3031

VTD: 121EP06 - EP06

VTD: 121EP07 - EP07

VTD: 121EP08A - EP08A

VTD: 121EP08D - EP08D

VTD: 121EP09 - EP09

VTD: 121EP10 - EP10

VTD: 121EP11 - EP11

VTD: 121FA01A - FA01A

010400:

3064 3066 3067 3077

010513:

1099 2041 2042 2043 2044 2045 2046 2047 2048 2049 2051 2052
 2053 2054 2055 2058 2059 2060 3046 3047 3048 3050 3051 3052
 3053 3054 3055 3056 3057 3058 3059 3060 3061 3069 3070 3071
 3072 3078 3079

010514:

1035 1038 1039 1040 1041 1042 1045 1047 1048 1049 1050 1052
 1053 1058 1068 1069 1070 1071 1072 1074 1075 1076 1077 1078
 1079 1080 1081 1082 1083 1084 1085 1086 2036 2037 2039 2041
 2042 2047 2048 2049 2050 2051 2052 2053 2056 2058 2062 2063
 2064 2065 2066 2067 2069 2078 2079 2081 2082 2083 2084 2086
 2089 2090 2092 2093 2095 2096 2097 2099 2100 2101 2102 2103
 2104 2105 2106 2107 2112 2113 2114 3000 3001 3002 3003 3004
 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015 3016
 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028
 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039 3040
 3041 3042 3043 3044 3045 3046 3047 3048 3049 3050 3051 3052
 3053 3054 3057 3058 3059 3060 3061 3062 3063 3064 3065 3066
 3067 3068 3071 3072 3073 3074 3075 3076 3077 3078

VTD: 121FA01B - FA01B

010514:

3069 3070 3081

VTD: 121PA01 - PA01

VTD: 121SC01 - SC01

VTD: 121SC02 - SC02

VTD: 121SC04 - SC04

VTD: 121SC05 - SC05

VTD: 121SC07 - SC07

VTD: 121SC08 - SC08

010511:

1033 1034 1035 1036 1037 1038 1039 1040 1041 1043 1045 1046
 1047 1048 1049 1061 1062 2005 2006 2008 2009 2010 2011 2012
 2013 2014 2015 2017 2018 2019 2020 2021 2024 2025 2026 2027
 2028 2029 2030 2031 2032 2033 2034 2036 2037 2038 2039 2040
 2041 2042 2043 2044 2045 2046 2047 2051 2052 2053 2054 2055
 2056 2058 2062 2064 3000 3001 3002 3003 3004 3005 3007 3008
 3011 3012 3013 3014 3015

010512:

1002 1003 1004 1005 1006 1007 1008 1016 1017 1024 1025 2000
 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
 2015 2019 2020 2035 2036

010513:

1007 1008 1063 1064 1069 1070 1071 1073 1074 1075 1077 1087

1088 1089 1090 1094 1095 1096 1097 1102 1105 1109 1110

VTD: 121SC13A - SC13A

VTD: 121SC13B - SC13B

VTD: 121SC14 - SC14

007805:

1016 1017 1018 1019 1022 1027 1028 1029 1030 1031 1032 1033

1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

2012 2013 2014 2015 2016 2017 2018 2019 2029 2031 2032

007806:

2010 2011 2019

VTD: 121SC16A - SC16A

VTD: 121SC16B - SC16B

VTD: 121SC17 - SC17

VTD: 121SC18 - SC18

VTD: 121SC19 - SC19

010511:

1012 1013 1015 1016 1018 1024 1025 1026 1030 1031 1067

010604:

3011 3012 3013 3015 3016

011305:

3018 3019 3020 3021

011306:

1011 1012 1032 1033 1034 1036 1037 1038 1039 1040 2019 2020

2025 2028 2029 2030 2031 2032 2033 2035 2036 2037 2038 2039

VTD: 121SC21 - SC21

010513:

2036

VTD: 121SC30 - SC30

VTD: 121UC01 - UC01

010511:

2016 2022 2023 2035 2050 2057 2059 2060 2061 2063 2065 3006

010512:

1009 1010 1011 1012 1013 1014 1015 1019 1020 1021 1022 1026

2013 2014 2016 2027 2028 2029 2030 2031 2032 2033 2034 3000

3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012

3013 3014 3019 3020 3021 3022 3023 3029 3030

010513:

1000 1002 1003 1004 1006 1010 1011 1012 1013 1014 1015 1017

1018 1027 1028 1029 1033 1034 1035 1036 1067 1068 1072 1076

1100 1101 1120

VTD: 121UC02 - UC02

010301:

1094 1096 1109 1112 1118 1120 1121 2036 2037 2041 2050

010304:

2058 2059 2062 2082 2084 2086 2088 2102 2104 2110 2111 2113

010512:

2017 2018 2021 2022 2023 2024 2025 2026 3015 3016 3017 3018
3024 3025 3026 3027 3028

010513:

1019 1020 1023 1024 1046 1047 1053 1054 1056 1057 1058 1065
1066 1079 1080 1081 1082 1083 1084 1085 1086 1091 1092 1093
1111 1112 1113 1114 1115 1116 1118 2000 2001 2002 2003 2004
2005 2006 2007 2008 2009 2010 2011 2012 2013 2014 2015 2016
2017 2018 2019 2020 2021 2023 2025 2026 2027 2028 2031 2032
2033 2034 2035 2037 2038 2039 2040 2057 3000 3001 3002 3003
3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015
3016 3017 3018 3019 3020 3021 3022 3023 3024 3025 3026 3027
3028 3029 3030 3031 3032 3033 3034 3035 3036 3037 3038 3039
3040 3041 3042 3043 3044 3049 3062 3063 3064 3065 3066 3067
3068 3073 3074 3075 3076 3077 3080

010514:

1001 1007 1008 1009 1010 1011 1015 1016 1018 1020 1060 1064

VTD: 121UC03A - UC03A

010511:

3009 3010

010512:

1000 1001 1018

VTD: 121UC03B - UC03B

010512:

1023

District 009

Clayton County

VTD: 063EW1 - ELLENWOOD

VTD: 063FP1 - FOREST PARK 1

VTD: 063FP2 - FOREST PARK 2

VTD: 063FP3 - FOREST PARK 3

040202:

1053 1054 1055 1056 1062 1065 1066 1067 1068 1073 1074 1079
1080

040302:

3032 4016

040306:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1012
1016 1020

040308:

1081 1082 1083 1084 1086 1087 1088 1089 1090 1091 1092 1093
1094 1095 1096 1097 1098 1099 1100 1101 1102 1103 1104 1105
1106 1107 1108 1109 1110 1111 1112 1113 1114 1115 1116 1117
1118 1119 1120 1121 1122 1123 1124 1125 1126 1127 1128 1129
1130 1131 1132 2000 2001 2002 2003 2004 2005 2006 2007 2008
2009 2010 2011 2012 2013 2014 2015 2016 2017 2018 2019 2020
2021 2022 2023 2024 2025 2026 2027 2028 2029 2030 3000 3001
3002 3003 3004 3005 3006 3007 3008 3009 3010 3011 3012 3013
3014 3015 3016 3019

040407:

1001 1002 1003 1006 1007 1008 1009 1010 1015 1016 1023 1024

040415:

3000

VTD: 063FP4 - FOREST PARK 4

VTD: 063FP5 - FOREST PARK 5

VTD: 063FP6 - FOREST PARK 6

VTD: 063JB04 - JONESBORO 4

040611:

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
2024 3000 3011 3012 3013 3014 3016 3017 3018 3019

VTD: 063JB07 - JONESBORO 7

VTD: 063JB08 - JONESBORO 8

VTD: 063JB09 - JONESBORO 9

040415:

1016 1017 1018 1021

040611:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012 1013 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010
3015 3023

VTD: 063JB11 - JONESBORO 11

040615:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
1012

VTD: 063JB15 - JONESBORO 15

VTD: 063JB18 - JONESBORO 18

040412:

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 2013 2014 2015 2016 2017 2018 2019 2020 2021 2022 2023
2024 2025 2026 2027 3014 3015 3052 3053

040609:

1000 1001 1002 1003 1004 1005 1006 1007 1009 1010 1011 2014

2015 2020

VTD: 063LC1 - LAKE CITY
VTD: 063MO1 - MORROW 1
VTD: 063MO2 - MORROW 2
VTD: 063MO3 - MORROW 3
VTD: 063MO4 - MORROW 4
VTD: 063MO5 - MORROW 5
VTD: 063MO6 - MORROW 6
VTD: 063MO7 - MORROW 7
VTD: 063MO8 - MORROW 8
VTD: 063MO9 - MORROW 9
VTD: 063OAK3 - OAK 3

040522:

2000 2001 2003 2004 2006 2007 2010

VTD: 063RD04 - RIVERDALE 4
VTD: 063RD05 - RIVERDALE 5
VTD: 063RD06 - RIVERDALE 6
VTD: 063RD07 - RIVERDALE 7
VTD: 063RD09 - RIVERDALE 9
VTD: 063RD12 - RIVERDALE 12

040523:

1016

DeKalb County

VTD: 089AF - HOOPER ALEXANDER
VTD: 089BB - BOULEVARD (ATL)
VTD: 089BJ - BROWN'S MILL ELEMENTARY
VTD: 089BL - BOULDERCREST RD
VTD: 089BR - BURGESS ELEMENTARY
VTD: 089CA - COLUMBIA DRIVE
VTD: 089CB - CANBY LANE ELEMENTARY

023412:

1000

023506:

3020 3027

VTD: 089CC - COLUMBIA ELEMENTARY
VTD: 089CD - CEDAR GROVE ELEMENTARY
VTD: 089CG - CHAPEL HILL ELEMENTARY
VTD: 089CL - CLIFTON ELEMENTARY
VTD: 089CM - COLUMBIA MIDDLE
VTD: 089CN - COAN MIDDLE
VTD: 089CQ - CANDLER
VTD: 089CR - CEDAR GROVE MIDDLE
VTD: 089CS - CEDAR GROVE SOUTH

VTD: 089CT - COVINGTON HWY L
 VTD: 089EA - EAST LAKE ELEM
 VTD: 089EB - EASTLAND
 VTD: 089FC - FLAT SHOALS ELEM
 VTD: 089FE - FLAT SHOALS PARKWAY
 VTD: 089FJ - FLAT SHOALS
 VTD: 089FK - FLAKES MILL FIRE
 VTD: 089FL - FLAT SHOALS LIBRARY
 VTD: 089GA - GLENNWOOD (DEC)

022800:

1001 1002 1003 1004 3003 3004
 VTD: 089GC - GRESHAM PARK ELEM
 VTD: 089GE - GLENHAVEN ELEM
 VTD: 089HH - NARVIE J HARRIS
 VTD: 089KA - KELLEY LAKE ELEM
 VTD: 089KC - KELLEY CHAPEL
 VTD: 089KD - ML KING JR HIGH
 VTD: 089KE - KNOLLWOOD ELEM
 VTD: 089MF - MCWILLIAMS
 VTD: 089ML - MEADOWVIEW ELEM
 VTD: 089MO - MIDWAY ELEM

023102:

2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012
 2013 2014 2015 2017

023107:

1017 1018 1023 1024 1025 1026 3000 3001 3002 3003 3004 3006
 3007 3008 3009 3010 3011 3012 3013 3014 3015
 VTD: 089MP - MCNAIR MIDDLE
 VTD: 089MR - BOB MATHIS ELEM
 VTD: 089MT - METROPOLITAN
 VTD: 089OK - OAKHURST (DEC)

022500:

3022

022700:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011
 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023
 1024 1025 1026 1027 1028 1029 1030 1031 2004 2005 2006 2007
 2008 2009 2010 2011 2012 3016 3017 3018 3019 3020 3021 3022
 3023 3024 3025 3026 3027 3028 3029
 VTD: 089OV - OAK VIEW ELEM
 VTD: 089PA - PEACHCREST ELEM
 VTD: 089PN - PINEY GROVE
 VTD: 089RA - RAINBOW ELEM

VTD: 089RG - ROWLAND ELEM

023112:

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011
2012 3000 3001 3002 3003 3004 3005 3006 3007 3008

023115:

1001 1002 1003 1004 1005 1006 1008

VTD: 089RN - RENFROE MIDDLE

VTD: 089SG - SNAPFINGER ELEM

VTD: 089SS - SNAPFINGER ROAD

023414:

1013 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
1026 1027

023416:

2003 2007 2008 4004 4005 4006 4009 4010 4011 4012 4013 4014
4017 4018

VTD: 089TA - TERRY MILL ELEM

VTD: 089TB - TILSON ELEM

VTD: 089TC - TONEY ELEM

VTD: 089WA - WADSWORTH ELEM

VTD: 089WB - WESLEY CHAPEL SOUTH

VTD: 089WE - WHITEFOORD ELEMENTARY

VTD: 089WF - WINNONA PARK ELEM

022800:

1000 1006 1008 2000 2001 2002 2003 2004 2009 2012 2013 3005
3006 3008 3009 3011 3012 3013 3014 3015 3016 3017 3018 3019
3020 3021

022900:

3000 3001

Henry County

VTD: 15125 - LOCUST GROVE

070403:

1028 1029 1041 1042

070404:

1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013
1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025
1026 1027 1028 1029 1030 1032 1033 1034 1035 1036 1037 1038
1039 1040 1041 1042 1043 1044 1045 1046 1052 1053 1054 1055
1056 1057 1060 1061 1062 1063 1066 2036 2037 2038 2039 2040
2041 2042 2043 2044 2045 2046 2047 2048 2049 2050 2051 2052
2053 2054 2055 2056 2057 2058 2059 2060 2061 2062 2083 2084

VTD: 15126 - TUSSAHAW

VTD: 15127 - SANDY RIDGE

VTD: 15128 - WESTSIDE

VTD: 15129 - LOWES

070306:

1027 1028 1105 1121 1122

070404:

2001 2029 2034

VTD: 15132 - MOUNT CARMEL

070305:

1013 1014

VTD: 15133 - SPIVEY COMMUNITY

070104:

1000 1057 3000 3001 3002 3003 3004 3005 3006 3007 3008 3009
3010 3011 3012 3013 3014 3015 3016 3017 3018 3019 3020 3021
3022 3023 3024 3025 3026 3027 3028 3029 3030 3031 3032 3033
3034 3035 3036 3037 3038 3039 3040 3041 3042 3043 3044 3045
3046 3047 3048 3049 3050 3051 3052 3053 3054 3055 3056 3057
3058 3059 3060 3061 3062 3063 3064 3065 3066 3067 3068 3069
3070 3071 3072 3073 3074 3075 3076

VTD: 15134 - WESLEY LAKES

VTD: 15135 - MCDONOUGH

VTD: 15136 - MCMULLEN

VTD: 15137 - EAST LAKE

VTD: 15138 - HICKORY FLAT

VTD: 15139 - STOCKBRIDGE EAST

VTD: 15140 - STOCKBRIDGE WEST

VTD: 15141 - STAGECOACH

VTD: 15142 - COTTON INDIAN

VTD: 15143 - PLEASANT GROVE

VTD: 15144 - AUSTIN ROAD

VTD: 15145 - SWAN LAKE

VTD: 15146 - SHAKERAG

VTD: 15147 - ELLENWOOD

VTD: 15148 - UNITY GROVE

VTD: 15149 - SHILOH

VTD: 15150 - PATES CREEK

070104:

1058 1061 1062 2000 2008

070305:

3000 3001

VTD: 15151 - OAKLAND

070306:

1000 1017

VTD: 15152 - LAKE DOW

VTD: 15153 - FLIPPEN

VTD: 15154 - STOCKBRIDGE CENTER

VTD: 15155 - KELLEYTOWN

VTD: 15156 - LIGHTHOUSE

VTD: 15157 - DUTCHTOWN

070305:

1000 3011 3012 3020 3021 3024

VTD: 15158 - MT. BETHEL

VTD: 15159 - GROVE PARK

VTD: 15160 - LAKE HAVEN

VTD: 15161 - MCDONOUGH CENTER

VTD: 15162 - TIMBERRIDGE

District 010

Clayton County

VTD: 063FP3 - FOREST PARK 3

040202:

1001 1003 1004 1005 1006 1007 1008 1009 1010 1011 1013 1014

1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026

1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038

1039 1040 1041 1051 1052 1057 1058 1059 1060 1061 1063 1064

1070 1072 1075 1076 1091

040308:

1069 1074 1075

VTD: 063JB01 - JONESBORO 1

VTD: 063JB02 - JONESBORO 2

VTD: 063JB03 - JONESBORO 3

VTD: 063JB04 - JONESBORO 4

040611:

3020 3021 3022

040612:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1026

1027 1028 1029 1036 1043

VTD: 063JB05 - JONESBORO 5

VTD: 063JB06 - JONESBORO 6

VTD: 063JB09 - JONESBORO 9

040611:

1014 1015 1016

VTD: 063JB10 - JONESBORO 10

VTD: 063JB11 - JONESBORO 11

040613:

2000 2001 2002 2003 2004 2005 2006 2007 2008 2009 2010 2011

2012 2013 2014 2015 2016 2017 2024 2027 2028

040614:

3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011
3012 3013 3014

VTD: 063JB12 - JONESBORO 12

VTD: 063JB13 - JONESBORO 13

VTD: 063JB14 - JONESBORO 14

VTD: 063JB16 - JONESBORO 16

VTD: 063JB17 - JONESBORO 17

VTD: 063JB18 - JONESBORO 18

040609:

1012 1013 1014 1015 1037

VTD: 063LJ1 - LOVEJOY 1

VTD: 063LJ2 - LOVEJOY 2

VTD: 063LJ3 - LOVEJOY 3

VTD: 063LJ4 - LOVEJOY 4

VTD: 063LJ5 - LOVEJOY 5

VTD: 063OAK1 - OAK 1

VTD: 063OAK2 - OAK 2

VTD: 063OAK3 - OAK 3

040202:

1042 1043 1044 1046 1047 1071 1077 1078 1081 1082 1083 1084
1085 1086 1092 2021 2022

040520:

1000 1001 1002 1003 1004 2000 2001 2002 3000 3001 3002 3003
3004 3005 3006 3007

040522:

2002 2005 2008

VTD: 063OAK4 - OAK 4

VTD: 063PH1 - PANHANDLE 1

VTD: 063PH2 - PANHANDLE 2

VTD: 063RD01 - RIVERDALE 1

VTD: 063RD02 - RIVERDALE 2

VTD: 063RD03 - RIVERDALE 3

VTD: 063RD08 - RIVERDALE 8

VTD: 063RD10 - RIVERDALE 10

VTD: 063RD11 - RIVERDALE 11

VTD: 063RD12 - RIVERDALE 12

040513:

3000 3001 3002 3003 3004 3011 3012 3013 3014 3015 3016 3017
3018 3019 3020 3021 3022 3023 3024 3025 3026 3027 3028 3029
3030 3031 3032

040514:

3000 3001 3002 3003 3004 3005 3006 3007 3008 3009 3010 3011

3013 3014 3015 3016 3017 3019 3020 3021 3022 3023 3024

040515:

3004 3005 4000

040523:

1014 1015 1034 1035 1038 1039 1040 1041 1045

Coweta County

Fayette County

Fulton County

VTD: 121CP05A - CP05A

010507:

3000 3001 3003 3015 3016 3018 3019 3023 3064

010604:

1033 3025

VTD: 121CP06 - CP06

010604:

1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011

1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023

1024 1025 1026 1027 1028 1029 1030 1031 1032 1034 1035 3024

VTD: 121CP07B - CP07B

010603:

1049 1055 1056 1057 1058 1059 1060 1062

VTD: 121CP08A - CP08A

VTD: 121CP08B - CP08B

010507:

2000 3012 3013 3014 3024 3025 3026 3027 3028 3029 3030 3032

3033 3034 3035 3036 3044 3045 3052 3053 3054 3058 3065

VTD: 121CP08C - CP08C

VTD: 121FA01A - FA01A

010400:

3073 3074 3075 3076 3078 3079 3083 3084 3085 3086 3087 3088

3089 3090 3091 3092 3093 3094 3095 3097 3098 3099

010510:

3092 3093 3099 3100 3101 3113 3121 3122 3123 3124 3125 3128

3129 3130 3131 3132 3133 3134 3135 3136 3137 3138 3139 3140

3141 3142 3143 3144 3145 3146 3147 3148 3149 3157 3161 3162

3163 3164 3165 3166 3167 3168 3169 3170 3171 3178 3179 3180

3181 3182 3183 3184 3185 3193 3194 3195 3196 3197 3198 3199

3200 3201 3202 3203 3204 3205 3206 3207 3208 3209 3210 3213

3218

VTD: 121FA01B - FA01B

010510:

3018 3019 3020 3021 3022 3023 3024 3030 3033 3041 3081 3084

3090 3094 3095 3097 3098 3111 3117 3118 3119 3120 3126 3150

3151 3152 3153 3154 3155 3156 3158 3159 3160 3172 3173 3175
3176 3177 3191 3211 3212 3219

VTD: 121SC08 - SC08

010507:

3066

010510:

2003 4000 4001 4009

VTD: 121SC09 - SC09

VTD: 121SC10 - SC10

VTD: 121SC11 - SC11

VTD: 121SC19 - SC19

010507:

3002 3004 3005 3006 3007 3008 3009 3010 3011 3017 3020 3021
3022

VTD: 121SC21 - SC21

010510:

2019 2020 2021 3002 3004 3010 3011 3012 3013 3015 3016 3017
3025 3026 3027 3028 3029 3031 3032 3034 3035 3036 3037 3038
3039 3040 3042 3043 3044 3045 3046 3047 3048 3049 3050 3051
3052 3053 3054 3055 3064 3066 3067 3068 3069 3070 3071 3072
3073 3074 3075 3076 3077 3078 3079 3080 3082 3083 3085 3086
3087 3088 3089 3091 3096 3102 3103 3104 3105 3106 3107 3108
3109 3110 3112 3114 3115 3116 3127 3174 3186 3187 3188 3189
3190 3192 3214 3215 3216 3217 3220 3221 3222

010515:

1022 1023 1024 1025 1036 1037 1038 1039 1040 1041 1042 1046
1048

VTD: 121SC23 - SC23

VTD: 121SC27 - SC27

VTD: 121SC29 - SC29

VTD: 121UC01 - UC01

010507:

3061 3062

VTD: 121UC02 - UC02

010510:

3014

VTD: 121UC03A - UC03A

010510:

1005 1006 1007 1008 1009 1010 1011 1012 1015 1016 1029 1032
1033 1034 1035 1036 2005 2006 2007 2008 2009 2010 2011 2012
2014 2015 2016 2017 2018 2022 2023 3000 3003 3005 3006 3007
3008 3059 3063

010515:

1029 1030 1031 1032 1033 1034 1035 1043 1047

VTD: 121UC03B - UC03B

010510:

1000 2000 2001 2004 3001 3009 3056 3057 3058 3060 3061 3062
3065 4002 4007 4022

010515:

1026 1027

Henry County

VTD: 15125 - LOCUST GROVE

070404:

2063 2064 2065 2079 2080 2081 2085 2087 3000 3001 3002 3003
3004 3005 3006 3007 3008 3009 3010 3011 3012 3013 3014 3015
3016 3017 3018 3019 3020 3021 3022

070502:

2087 2088 2089 2090 2091 2092 2093 2094 2095 2096 2097 2098
2099 2104 2106 2109

VTD: 15129 - LOWES

070306:

1026 1029 1030 1031 1032 1033 1074 1075 1076 1077 1078 1079
1080 1081 1082 1083 1084 1085 1086 1087 1088 1089 1090 1091
1092 1093 1094 1095 1096 1097 1098 1099 1100 1101 1102 1103
1104 1106 1107 1108 1109 1110 1111 1112 1113 1114 1115 1116
1117 1118 1119 1120 1123 1124 1125 1126 1127 1128 1129 1130
1131 1132 1133 1134 1135 1136 1137 1138 1139 1140 1141 1142
1143 1144 1145 1146 1147 1151 1152

070404:

2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013
2014 2015 2016 2017 2018 2019 2030 2031 2032 2033 2066 2067
2068 2069 2070 2071 2072 2073 2074 2075 2076 2077 2078 2082
2086

070502:

2002 2003 2004 2005 2006 2007 2008 2009 2010 2011 2012 2013
2014 2015 2016 2017 2018 2063 2064 2065 2082 2083 2084 2085
2086 2100 2107 2108

VTD: 15130 - SOUTH HAMPTON

VTD: 15131 - NORTH HAMPTON

VTD: 15132 - MOUNT CARMEL

070305:

1005 1006 1007 1008 1009 1010 1011 1012 1015 1016 1017 1018
1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030
1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 1042
1043 1044 1045 1046 1047

VTD: 15133 - SPIVEY COMMUNITY

070104:

1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024
1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036
1044 1045 1055 1056 1076 1077

VTD: 15150 - PATES CREEK

070104:

1037 1038 1039 1040 1041 1042 1043 1046 1047 1048 1049 1050
1051 1052 1053 1054 1059 1060 1063 1064 1065 1066 1067 1068
1069 1070 1071 1072 1073 1074 1075 2001 2002 2003 2004 2005
2006 2007 2009 2010 2011 2012 2013 2014 2015 2016 2017 2018
2019 2020 2021 2022 2023 2024 2025 2026 2027 2028 2029 2030
2031 2032 2033 2034 2035 2036 2037 2038 2039 2040 2041 2042
2043 2044 2045 2046 2047

070305:

2001 2009 2010 2011 2012 2013 2014 2015 2016 2017 3002 3003
3004 3005 3006

VTD: 15151 - OAKLAND

070306:

1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012
1013 1014 1015 1016 1018 1019 1020 1021 1022 1023 1024 1025
1034 1035 1036 1037 1038 1039 1040 1041 1042 1043 1044 1045
1046 1047 1048 1049 1050 1051 1052 1053 1054 1055 1056 1057
1058 1059 1060 1061 1062 1063 1064 1065 1066 1067 1068 1069
1070 1071 1072 1073 1148 1149 1150 1153 1154 1155 1156

070502:

1000 1001 1002 3000 3007 3008 3009 3010

VTD: 15157 - DUTCHTOWN

070305:

1001 1002 1003 1004 2000 2002 2003 2004 2005 2006 2007 2008
3007 3008 3009 3010 3013 3014 3015 3016 3017 3018 3019 3022
3023 3025 3026

Senator Beach of the 21st moved that the Senate adopt the Conference Committee Report on HB 930.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims

Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	N Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	N Tippins
E Gooch	Y Martin	N Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 48, nays 6; the motion prevailed, and the Senate adopted the Conference Committee Report on HB 930.

The following bill was taken up to consider House action thereto:

HB 898. By Representatives Powell of the 32nd, Ridley of the 6th, Trammell of the 132nd and Hatchett of the 150th:

A BILL to be entitled an Act to amend Chapter 2 of Title 40 of the Official Code of Georgia Annotated, relating to registration and licensing of motor vehicles, so as to revise provisions relative to fleet vehicles and fleet vehicle registration plans; to provide for definitions; to provide for fleet enrollment procedures; to provide for procedures for registering and licensing vehicles enrolled in a fleet; to provide for license plates; to remove revalidation decal requirements for vehicles in a fleet vehicle registration plan; to provide for the transfer of license plates between vehicles registered under a fleet vehicle registration plan; to provide for termination of participation in a fleet vehicle registration plan program; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House amendment to the Senate substitute was as follows:

Amend HB 898/SCSFA by replacing lines 8 through 10 with the following:
of participation in a fleet vehicle registration plan program; to revise provisions relating to a special license plate for the personal vehicles of

By deleting lines 191 through 202.

Senator Harper of the 7th moved that the Senate agree to the House amendment to the Senate substitute to HB 898.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 51, nays 0; the motion prevailed, and the Senate agreed to the House amendment to the Senate substitute to HB 898.

Senator Beach of the 21st asked unanimous consent that HB 978, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 978, having been taken from the Table, was put upon its passage.

HB 978. By Representatives Nimmer of the 178th, Coomer of the 14th, Carpenter of the 4th, Corbett of the 174th, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to school buses, so as to revise the enforcement of civil monetary penalties; to provide for procedures and enforcement; to provide for dedication of fees collected from local civil monetary penalties; to amend Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, so as to

provide for automated traffic enforcement safety devices in school zones; to provide for the operation of automated traffic enforcement safety devices; to provide for automated traffic enforcement safety device testing exceptions and procedures; to provide for automated traffic enforcement safety device use warning signs; safety devices; to provide for rules, regulations, and terms of use for automated traffic enforcement safety devices; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Beach of the 21st.

The Senate Committee on Public Safety offered the following substitute to HB 978:

A BILL TO BE ENTITLED
AN ACT

To amend Article 8 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to school buses, so as to revise the enforcement of civil monetary penalties regarding violations of the duties of a driver when meeting or overtaking a school bus; to revise penalty fees; to revise definitions; to provide for procedures and enforcement; to provide for enforcement penalties through the Department of Revenue; to provide for dedication of fees collected from local civil monetary penalties; to amend Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, so as to provide for automated traffic enforcement safety devices in school zones; to provide for definitions; to provide for the operation of automated traffic enforcement safety devices by agents or registered or certified peace officers; to provide for automated traffic enforcement safety device testing exceptions and procedures; to provide for automated traffic enforcement safety device use warning signs; to provide for further exceptions for when case may be made and conviction had for exceeding posted speed limit by less than ten miles per hour; to provide for an exception for the ratio of speeding fines to an agency budget; to provide for civil enforcement of violations recorded by automated traffic enforcement safety devices; to provide for enforcement penalties through the Department of Revenue; to provide for rules, regulations, and terms of use for automated traffic enforcement safety devices; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 8 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to school buses, is amended by revising Code Section 40-6-163, relating to duty of driver of vehicle meeting or overtaking school bus, reporting of violations, and enforcement, as follows:

"40-6-163.

(a) Except as provided in subsection (b) of this Code section, the driver of a vehicle meeting or overtaking from either direction any school bus stopped on the highway shall stop before reaching such school bus when there are in operation on the school bus the visual signals as specified in Code Sections 40-8-111 and 40-8-115, and such driver shall not proceed until the school bus resumes motion or the visual signals are no longer actuated.

(b) The driver of a vehicle upon a highway with separate roadways or a divided highway, including, but not limited to, a highway divided by a turn lane, need not stop upon meeting or passing a school bus which is on a different roadway or on another half of a divided highway, or upon a controlled-access highway when the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway.

(c) Every school bus driver who observes a violation of subsection (a) of this Code section is authorized and directed to record specifically the vehicle description, license number of the offending vehicle, and time and place of occurrence on forms furnished by the Department of Public Safety. Such report shall be submitted within 15 days of the occurrence of the violation to the local law enforcement agency which has law enforcement jurisdiction where the alleged offense occurred.

(d)(1) As used in this subsection, the term:

(A) 'Agent' means a person or entity who is authorized by a law enforcement agency or governing body to administer the procedures contained herein and:

(i) Provides services to such law enforcement agency or governing body;

(ii) Operates, maintains, leases, or licenses a video recording device; or

(iii) Is authorized by such law enforcement agency or governing body to review and assemble the recorded images.

~~(B)~~ (B) 'Owner' means the registrant of a motor vehicle, except that such term shall not include a motor vehicle rental company when a motor vehicle registered by such company is being operated by another person under a rental agreement with such company.

~~(B)(C)~~ (C) 'Recorded images' means images recorded by a video recording device mounted on a school bus with a clear view of vehicles passing the bus on either side and showing the date and time the recording was made and an electronic symbol showing the activation of amber lights, flashing red lights, stop arms, and brakes.

~~(C)(D)~~ (D) 'Video recording device' means a camera capable of recording digital images showing the date and time of the images so recorded.

(2) Subsection (a) of this Code section may be enforced by using recorded images as provided in this subsection.

(3) For the purpose of enforcement pursuant to this subsection:

(A) The ~~driver~~ owner of a motor vehicle shall be liable for a civil monetary penalty to the governing body of the law enforcement agency provided for in subparagraph (d)(3)(B) of this Code Section if such vehicle is found, as evidenced by recorded images, to have been operated in disregard or disobedience of subsection (a) of this

Code section and such disregard or disobedience was not otherwise authorized by law. The amount of such ~~fine~~ civil monetary penalty shall be ~~\$300.00 for a first offense, \$750.00 for a second offense, and \$1,000.00 for each subsequent offense in a five-year period~~ \$250.00;

(B) The law enforcement agency authorized to enforce the provisions of this Code section shall send by ~~regular~~ first class mail addressed to the owner of the motor vehicle ~~postmarked~~ not later than ten days after ~~the date of the alleged violation~~ obtaining the name and address of the owner of the motor vehicle:

(i) A citation for the alleged violation, which shall include the date and time of the violation, the location of the infraction, the amount of the civil monetary penalty imposed, and the date by which the civil monetary penalty shall be paid;

(ii) An image taken from the recorded image showing the vehicle involved in the infraction;

(iii) A copy of a certificate sworn to or affirmed by a certified peace officer employed by a law enforcement agency authorized to enforce this Code section and stating that, based upon inspection of recorded images, the owner's motor vehicle was operated in disregard or disobedience of subsection (a) of this Code section and that such disregard or disobedience was not otherwise authorized by law;

(iv) A statement of the inference provided by subparagraph (D) of this paragraph and of the means specified therein by which such inference may be rebutted;

(v) Information advising the owner of the motor vehicle of the manner and time in which liability as alleged in the citation may be contested in court; and

(vi) A warning that failure to pay the civil monetary penalty or to contest liability in a timely manner shall waive any right to contest liability and result in a civil monetary penalty;

(C) Proof that a motor vehicle was operated in disregard or disobedience of subsection (a) of this Code section shall be evidenced by recorded images. A copy of a certificate sworn to or affirmed by a certified peace officer employed by a law enforcement agency and stating that, based upon inspection of recorded images, a motor vehicle was operated in disregard or disobedience of subsection (a) of this Code section and that such disregard or disobedience was not otherwise authorized by law shall be prima-facie evidence of the facts contained therein; and

(D) Liability under this subsection shall be determined based upon preponderance of the evidence. Prima-facie evidence that the vehicle described in the citation issued pursuant to this subsection was operated in violation of subsection (a) of this Code section, together with proof that the defendant was at the time of such violation the registered owner of the vehicle, shall permit the trier of fact in its discretion to infer that such owner of the vehicle was the driver of the vehicle at the time of the alleged violation. Such an inference may be rebutted if the owner of the vehicle:

(i) Testifies under oath in open court or submits to the court a sworn notarized statement that he or she was not the operator of the vehicle at the time of the

alleged violation and identifies the name of the operator of the vehicle at the time of the alleged violation; or

(ii) Presents to the court a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation.

(4) A violation for which a civil penalty is imposed pursuant to this subsection shall not be considered a moving traffic violation for the purpose of points assessment under Code Section 40-5-57. Such violation shall be deemed noncriminal, and imposition of a civil penalty pursuant to this subsection shall not be deemed a conviction and shall not be made a part of the operating record of the person upon whom such liability is imposed, nor shall it be used for any insurance purposes in the provision of motor vehicle insurance coverage.

~~(5) If a person summoned by regular mail fails to appear on the date of return set out in the citation and has not paid the penalty for the violation or filed a police report or notarized statement pursuant to subparagraph (D) of paragraph (3) of this subsection, the person shall then be summoned a second time by certified mail with a return receipt requested. The second summons shall include all information required in subparagraph (B) of paragraph (3) of this subsection for the initial summons and shall include a new date of return. If a person summoned by certified mail again fails to appear on the date of return set out in the second citation and has failed to pay the penalty or file an appropriate document for rebuttal, the person summoned shall have waived the right to contest the violation and shall be liable for the civil monetary penalty provided in paragraph (3) of this subsection. If a person is mailed a citation by first class mail pursuant to subparagraph (B) of paragraph (3) of this subsection, such person may pay the penalty or request a court date. Any citation executed pursuant to this paragraph shall provide to the person issued the citation at least 30 business days from the mailing of the citation to inspect information collected by the video recording device in connection with the violation. If the person requesting a court date fails to appear on the date and time of such hearing or if a person has not paid the penalty for the violation or filed a police report or notarized statement pursuant to subparagraph (D) of paragraph (3) of this subsection, such person shall then be sent a second citation by first class mail. The second citation shall include all information required in subparagraph (B) of paragraph (3) of this subsection for the initial citation and shall include a hearing date and time. If a person fails to appear on the date and time of such hearing set out in the second citation or if the person has failed to pay the penalty or file an appropriate document for rebuttal, the person issued the second citation shall have waived the right to contest the violation and shall be liable for the civil monetary penalty provided in paragraph (3) of this subsection.~~

(6) Any court having jurisdiction over violations of subsection (a) of this Code section shall have jurisdiction over cases arising under this subsection ~~and shall be authorized to impose the civil monetary penalty provided by this subsection.~~ Any person receiving a notice pursuant to subparagraph (B) of this paragraph shall have the right to contest such liability for the civil monetary penalty in the magistrate court

or other court of competent jurisdiction for a traffic violation. Except as otherwise provided in this subsection, the provisions of law governing jurisdiction, procedure, defenses, adjudication, appeal, and payment and distribution of penalties otherwise applicable to violations of subsection (a) of this Code section shall apply to enforcement under this subsection except as provided in subparagraph (A) of paragraph (3) of this subsection; provided, however, that any appeal from superior or state court shall be by application in the same manner as that provided by Code Section 5-6-35.

(7) If a violation has not been contested and the assessed penalty has not been paid, the agent or governing body shall send to the person who is the registered owner of the motor vehicle a final notice of any unpaid civil monetary penalty authorized by this Code section, except in cases where there is an adjudication that no violation occurred or there is otherwise a lawful determination that no civil monetary penalty shall be imposed. The notice shall inform the registered owner that the agent or governing body shall send a referral to the Department of Revenue if the assessed penalty and any late fee is not paid within 30 days after the final notice was mailed and that such referral shall result in the nonrenewal of the registration of such motor vehicle and shall prohibit the title transfer of such motor vehicle within this state.

(8) The agent or governing body shall send a referral to the Department of Revenue not sooner than 30 days after the final notice required under paragraph (7) of this subsection was mailed if a violation of an ordinance or resolution adopted under this article has not been contested and the assessed penalty has not been paid. The referral to the Department of Revenue shall include the following:

(A) Any information known or available to the agent or governing body concerning the license plate number, year of registration, and the name of the owner of the motor vehicle;

(B) The date on which the violation occurred;

(C) The date when the notice required under this Code section was mailed; and

(D) The seal, logo, emblem, or electronic seal of the governing body.

(9) If the Department of Revenue receives a referral under paragraph (8) of this subsection, such referral shall be entered into the motor vehicle database within five days of receipt and the Department of Revenue shall refuse to renew the registration of such motor vehicle and shall prohibit the title transfer of such vehicle within this state unless and until the civil monetary penalty plus any late fee is paid to the governing body. The Department of Revenue shall mail a notice to the registered owner of such motor vehicle that informs such owner:

(A) That the registration of the vehicle involved in the violation will not be permitted to be renewed;

(B) That the title of the vehicle involved in the violation will not be permitted to be transferred in this state;

(C) That the aforementioned penalties are being imposed due to the failure to pay the civil monetary penalty plus any late fee for an ordinance violation adopted under the authority of this Code section; and

(D) Of the procedure that the person may follow to remove the penalties.

(10) The Department of Revenue shall remove the penalties on a vehicle if any person presents the Department of Revenue with adequate proof that the penalty and any late fee, if applicable, has been paid.

~~(7)~~(11) Recorded images made for purposes of this subsection shall not be a public record for purposes of Article 4 of Chapter 18 of Title 50.

~~(8)~~(12) A governing authority shall not impose a civil penalty under this subsection on the owner of a motor vehicle if the operator of the vehicle was arrested or issued a citation and notice to appear by a certified peace officer for the same violation.

~~(9)~~(13) A local school system may enter into an intergovernmental agreement with a local governing authority to offset expenses regarding the implementation and ongoing operation of video recording devices serving the purpose of capturing recorded images of motor vehicles unlawfully passing a school bus.

~~(40)~~(14) Any school bus driver operating a vehicle equipped with an activated video recording device shall be exempt from the recording provisions of subsection (c) of Code Section 40-6-163.

(15) The money collected and remitted to the governing body pursuant to subparagraph (d)(3)(B) of this Code section shall only be used by such governing body to fund local law enforcement or public safety initiatives. This paragraph shall not preclude the appropriation of a greater amount than collected and remitted under this subsection."

SECTION 2.

Article 2 of Chapter 14 of Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, is amended by adding two new Code sections to read as follows:

"40-14-1.1.

As used in this article, the term:

(1) 'Agent' means a person or entity who is authorized by a law enforcement agency or governing body to administer the procedures contained herein and:

(A) Provides services to such law enforcement agency or governing body;

(B) Operates, maintains, leases, or licenses an automated traffic enforcement safety device; or

(C) Is authorized by such law enforcement agency or governing body to review and assemble the recorded images captured by the automated traffic enforcement safety device for review by a peace officer.

(2) 'Automated traffic enforcement safety device' means a speed detection device that:

(A) Is capable of producing photographically recorded still or video images, or both, of the rear of a motor vehicle or of the rear of a motor vehicle towed by another vehicle, including an image of such vehicle's rear license plate;

(B) Is capable of monitoring the speed of a vehicle as photographically recorded pursuant to subparagraph (A) of this paragraph; and

(C) Indicates on each photographically recorded still or video image produced the

date, time, location, and speed of a photographically recorded vehicle traveling at a speed above the posted speed limit within a marked school zone.

(3) 'Owner' means the registrant of a motor vehicle, except that such term shall not include a motor vehicle rental company when a motor vehicle registered by such company is being operated by another person under a rental agreement with such company.

(4) 'Recorded images' means still or video images recorded by an automated traffic enforcement safety device.

(5) 'School zone' means the area within 1,000 feet of the boundary of any public or private elementary or secondary school.

40-14-1.2.

Nothing in this article shall be construed to mean that an agent is providing or participating in private investigative services or acting in such manner as would render such agent subject to the provisions of Article 4 of Chapter 18 of Title 50."

SECTION 3.

Said article is further amended by revising subsection (c) of Code Section 40-14-2, relating to permit required for use of speed detection devices, use not authorized where officers paid on fee system, and operation by registered or certified peace officers, as follows:

"(c) A permit shall not be issued by the Department of Public Safety to an applicant under this Code section unless the applicant provides law enforcement services by certified peace officers 24 hours a day, seven days a week on call or on duty or allows only peace officers employed full time by the applicant to operate speed detection devices. Speed detection devices can only be operated by registered or certified peace officers of the county sheriff, county, municipality, college, or university to which the permit is applicable; provided, however, that an automated traffic enforcement safety device may be operated by an agent or registered or certified peace officers of the county sheriff, county, or municipality to which the permit is applicable. Persons operating the speed detection devices must be registered or certified by the Georgia Peace Officer Standards and Training Council as peace officers and certified by the Georgia Peace Officer Standards and Training Council as operators of speed detection devices; provided, however, that agents may operate automated traffic enforcement safety devices without such registrations or certifications."

SECTION 4.

Said article is further amended by revising Code Section 40-14-5, relating to testing and removal of inaccurate radar devices from service, as follows:

"40-14-5.

(a) Each state, county, municipal, or campus law enforcement officer using a radar device, except for an automated traffic enforcement safety device as provided for under Code Section 40-14-18, shall test the device for accuracy and record and maintain the

results of the test at the beginning and end of each duty tour. Each such test shall be made in accordance with the manufacturer's recommended procedure. Any radar unit not meeting the manufacturer's minimum accuracy requirements shall be removed from service and thereafter shall not be used by the state, county, municipal, or campus law enforcement agency until it has been serviced, calibrated, and recertified by a technician with the qualifications specified in Code Section 40-14-4.

(b) Each county, municipal, or campus law enforcement officer using a radar device, except for an automated traffic enforcement safety device as provided for under Code Section 40-14-18, shall notify each person against whom the officer intends to make a case based on the use of the radar device that the person has a right to request the officer to test the radar device for accuracy. The notice shall be given prior to the time a citation and complaint or ticket is issued against the person and, if requested to make a test, the officer shall test the radar device for accuracy. In the event the radar device does not meet the minimum accuracy requirements, the citation and complaint or ticket shall not be issued against the person, and the radar device shall be removed from service and thereafter shall not be used by the county, municipal, or campus law enforcement agency until it has been serviced, calibrated, and recertified by a technician with the qualifications specified in Code Section 40-14-4.

(c)(1) The law enforcement agency, or agent on behalf of the law enforcement agency, operating an automated traffic enforcement safety device provided for under Code Section 40-14-18 shall maintain a log for the automated traffic enforcement safety device attesting to the performance of such device's self-test at least once every 30 days and the results of such self-test pertaining to the accuracy of the automated traffic enforcement safety device. Such log shall be admissible in any court proceeding for a violation issued pursuant to Code Section 40-14-18.

(2) The law enforcement agency, or agent on behalf of the law enforcement agency, operating an automated traffic enforcement safety device shall perform an independent calibration test on the automated traffic enforcement safety device at least once every 12 months. The results of such calibration test shall be admissible in any court proceeding for a violation issued pursuant to Code Section 40-14-18."

SECTION 5.

Said article is further amended by adding a new subsection to Code Section 40-14-6, relating to the requirement for warning signs, to read as follows:

"(c) In addition to the signs required under subsections (a) and (b) of this Code section, each law enforcement agency using an automated traffic enforcement safety device as provided for in Code Section 40-14-18 shall erect signs warning of the use of a stationary speed detection device within the approaching school zone. Such signs shall be at least 24 by 30 inches in area, shall be visible plainly from every lane of traffic, shall be viewable in all traffic conditions, and shall not be placed in such a manner that the view of such sign is subject to being obstructed by any other vehicle on such highway. Such signs shall be placed within 500 feet prior to the warning sign announcing the reduction of the speed limit for the school speed zone. There shall be a

rebuttable presumption that such signs are properly installed pursuant to this subsection at the time of any alleged violation under this article."

SECTION 6.

Said article is further amended by revising Code Section 40-14-7, relating to the visibility of a vehicle from which a speed detection device is operated, as follows:

"40-14-7.

~~No~~ Except as provided for in Code Section 40-14-18, no stationary speed detection device shall be employed by county, municipal, college, or university law enforcement officers where the vehicle from which the device is operated is obstructed from the view of approaching motorists or is otherwise not visible for a distance of at least 500 feet."

SECTION 7.

Said article is further amended by revising subsection (b) of Code Section 40-14-8, relating to when case may be made and conviction had, as follows:

"(b) The limitations contained in subsection (a) of this Code section shall not apply in properly marked school zones one hour before, during, and one hour after the normal hours of school operation or programs for care and supervision of students before school, after school, or during vacation periods as provided for under Code Section 20-2-65, in properly marked historic districts, and in properly marked residential zones. For purposes of this chapter, thoroughfares with speed limits of 35 miles per hour or more shall not be considered residential districts. For purposes of this Code section, the term 'historic district' means a historic district as defined in paragraph (5) of Code Section 44-10-22 and which is listed on the Georgia Register of Historic Places or as defined by ordinance adopted pursuant to a local constitutional amendment."

SECTION 8.

Said article is further amended by revising subsection (d) of Code Section 40-14-11, relating to investigations by the commissioner of public safety, issuance of order suspending or revoking a permit, and ratio of speeding fines to agency's budget, as follows:

"(d) There shall be a rebuttable presumption that a law enforcement agency is employing speed detection devices for purposes other than the promotion of the public health, welfare, and safety if the fines levied based on the use of speed detection devices for speeding offenses are equal to or greater than 35 percent of a municipal or county law enforcement agency's budget. For purposes of this Code section, fines collected for citations issued for violations of Code Section 40-6-180 shall be included when calculating total speeding fine revenue for the agency; provided, however, that fines for speeding violations exceeding 20 miles per hour over the established speed limit and civil monetary penalties for speeding violations issued pursuant to Code Section 40-14-18 shall not be considered when calculating total speeding fine revenue for the agency."

SECTION 9.

Said article is further amended by adding a new Code section to read as follows:

"40-14-18.

(a)(1) The speed limit within any school zone as provided for in Code Section 40-14-8 and marked pursuant to Code Section 40-14-6 may be enforced by using photographically recorded images for violations which occurred only on a school day during the time in which instructional classes are taking place and one hour before such classes are scheduled to begin and for one hour after such classes have concluded when such violations are in excess of ten miles per hour over the speed limit.

(2) Prior to the placement of a device within a school zone, each school within whose school zone such automated traffic enforcement safety device is to be placed shall first apply for and secure a permit from the Department of Transportation for the use of such automated traffic enforcement safety device. Such permit shall be awarded based upon need. The Department of Transportation shall promulgate rules and regulations for the implementation of this paragraph.

(b) For the purpose of enforcement pursuant to this Code section:

(1) The owner of a motor vehicle shall be liable for a civil monetary penalty to the governing body of the law enforcement agency provided for in paragraph (2) of this subsection if such vehicle is found, as evidenced by photographically recorded images, to have been operated in disregard or disobedience of the speed limit within any school zone and such disregard or disobedience was not otherwise authorized by law. The amount of such civil monetary penalty shall be \$75.00 for a first violation and \$125.00 for a second or any subsequent violation, in addition to fees associated with the electronic processing of such civil monetary penalty which shall not exceed \$25.00; provided, however, that for a period of 30 days after the first automated traffic enforcement safety device is introduced by a law enforcement agency within a school zone, the driver of a motor vehicle shall not be liable for a civil monetary penalty but shall be issued a civil warning for disregard or disobedience of the speed limit within the school zone;

(2) A law enforcement agency authorized to enforce the speed limit of a school zone, or an agent working on behalf of a law enforcement agency or governing body, shall send by first class mail addressed to the owner of the motor vehicle within 30 days after obtaining the name and address of the owner of the motor vehicle but no later than 60 days after the date of the alleged violation:

(A) A citation for the alleged violation, which shall include the date and time of the violation, the location of the infraction, the maximum speed at which such motor vehicle was traveling in photographically recorded images, the maximum speed applicable within such school zone, the civil warning or the amount of the civil monetary penalty imposed, and the date by which a civil monetary penalty shall be paid;

(B) An image taken from the photographically recorded images showing the vehicle involved in the infraction;

(C) A website address where photographically recorded images showing the vehicle involved in the infraction and a duplicate of the information provided for in this paragraph may be viewed;

(D) A copy of a certificate sworn to or affirmed by a certified peace officer employed by a law enforcement agency authorized to enforce the speed limit of the school zone and stating that, based upon inspection of photographically recorded images, the owner's motor vehicle was operated in disregard or disobedience of the speed limit in the marked school zone and that such disregard or disobedience was not otherwise authorized by law;

(E) A statement of the inference provided by paragraph (4) of this subsection and of the means specified therein by which such inference may be rebutted;

(F) Information advising the owner of the motor vehicle of the manner in which liability as alleged in the citation may be contested through an administrative hearing; and

(G) A warning that failure to pay the civil monetary penalty or to contest liability in a timely manner as provided for in subsection (d) of this Code section shall waive any right to contest liability;

(3) Proof that a motor vehicle was operated in disregard or disobedience of the speed limit of the marked school zone shall be evidenced by photographically recorded images. A copy of a certificate sworn to or affirmed by a certified peace officer employed by a law enforcement agency and stating that, based upon inspection of photographically recorded images, a motor vehicle was operated in disregard or disobedience of the speed limit in the marked school zone and that such disregard or disobedience was not otherwise authorized by law shall be prima-facie evidence of the facts contained therein; and

(4) Liability under this Code section shall be determined based upon a preponderance of the evidence. Prima-facie evidence that the vehicle described in the citation issued pursuant to this Code section was operated in violation of the speed limit of the school zone, together with proof that the defendant was, at the time of such violation, the registered owner of the vehicle, shall permit the trier of fact in its discretion to infer that such owner of the vehicle was the driver of the vehicle at the time of the alleged violation. Such an inference may be rebutted if the owner of the vehicle:

(A) Testifies under oath in open court or submits to the court a sworn notarized statement that he or she was not the operator of the vehicle at the time of the alleged violation and identifies the name of the operator of the vehicle at the time of the alleged violation; or

(B) Presents to the court a certified copy of a police report showing that the vehicle had been reported to the police as stolen prior to the time of the alleged violation.

(c) A violation for which a civil warning or a civil monetary penalty is imposed pursuant to this Code section shall not be considered a moving traffic violation for the purpose of points assessment under Code Section 40-5-57. Such violation shall be deemed noncriminal, and imposition of a civil warning or civil monetary penalty pursuant to this Code section shall not be deemed a conviction and shall not be made a

part of the operating record of the person upon whom such liability is imposed, nor shall it be used for any insurance purposes in the provision of motor vehicle insurance coverage.

(d) If a person issued and mailed a citation pursuant to subsection (b) of this Code section fails to pay the civil monetary penalty for the violation or has not filed a police report or notarized statement pursuant to paragraph (4) of subsection (b) of this Code section in no less than 30 nor more than 60 days after such mailing as determined and noticed by the law enforcement agency, the agent or law enforcement agency shall send to such person by first class mail a second notice of any unpaid civil monetary penalty, except in cases where there is an adjudication that no violation occurred or there is otherwise a lawful determination that no civil monetary penalty shall be imposed. The second notice shall include all information required in paragraph (2) of subsection (b) of this Code section and shall include a new date of return which shall be no less than 30 days after such mailing as determined and noticed by the law enforcement agency. If such person notified by second notice again fails to pay the civil monetary penalty or file a police report or notarized statement pursuant to paragraph (4) of subsection (b) of this Code section by the new date of return, such person shall have waived the right to contest the violation and shall be liable for the civil monetary penalty provided for under this Code section, except in cases where there is an adjudication that no violation occurred or there is otherwise a lawful determination that no civil monetary penalty shall be imposed.

(e) Notices mailed by first class mail pursuant to this Code section shall be adequate notification of the fees and penalties imposed by this Code section. No other notice shall be required for the purposes of this Code section.

(f)(1) Any court having jurisdiction over violations of subsection (a) of this Code section shall have jurisdiction over cases arising under this subsection and shall be authorized to impose the civil monetary penalty provided by this subsection. Except as otherwise provided in this subsection, the provisions of law governing jurisdiction, procedure, defenses, adjudication, appeal, and payment and distribution of penalties otherwise applicable to violations of subsection (a) of this Code section shall apply to enforcement under this Code section except as provided in subsection (b) of this Code section; provided, however, that any appeal from superior or state court shall be by application in the same manner as that provided by Code Section 5-6-35.

(g) If a violation has not been contested and the assessed penalty has not been paid, the agent or governing body shall send to the person who is the registered owner of the motor vehicle a final notice of any unpaid civil monetary penalty authorized by this Code section, except in cases where there is an adjudication that no violation occurred or there is otherwise a lawful determination that no civil monetary penalty shall be imposed. The notice shall inform the registered owner that the agent or governing body shall send a referral to the Department of Revenue if the assessed penalty is not paid within 30 days after the final notice was mailed and such that such referral shall result in the nonrenewal of the registration of such motor vehicle and shall prohibit the title transfer of such motor vehicle within this state.

(h) The agent or governing body shall send a referral to the Department of Revenue not sooner than 30 days after the final notice required under subsection (g) was mailed if a violation of an ordinance or resolution adopted under this article has not been contested and the assessed penalty has not been paid. The referral to the Department of Revenue shall include the following:

(1) Any information known or available to the agent or governing body concerning the license plate number, year of registration, and the name of the owner of the motor vehicle;

(2) The date on which the violation occurred;

(3) The date when the notice required under this Code section was mailed; and

(4) The seal, logo, emblem, or electronic seal of the governing body.

(i) If the Department of Revenue receives a referral under subsection (h) of this Code section, such referral shall be entered into the motor vehicle database within five days of receipt and the Department of Revenue shall refuse to renew the registration of the motor vehicle and shall prohibit the title transfer of such vehicle within this state unless and until the civil monetary penalty plus any late fee is paid to the governing body. The Department of Revenue shall mail a notice to the registered owner:

(1) That the registration of the vehicle involved in the violation will not be permitted to be renewed;

(2) That the title of the vehicle involved in the violation will not be permitted to be transferred in this state;

(3) That the aforementioned penalties are being imposed due to the failure to pay the civil monetary penalty and any late fee for an ordinance violation adopted under the authority of this Code section; and

(4) Of the procedure that the person may follow to remove the penalties.

(j) The Department of Revenue shall remove the penalties on a vehicle if any person presents the Department of Revenue with adequate proof that the penalty and any late fee, if applicable, has been paid.

(k) Recorded images made for purposes of this Code section shall not be a public record for purposes of Article 4 of Chapter 18 of Title 50.

(l) A civil warning or civil monetary penalty under this Code section on the owner of a motor vehicle shall not be imposed if the operator of the vehicle was arrested or issued a citation and notice to appear by a certified peace officer for the same violation.

(m) The money collected and remitted to the governing body pursuant to paragraph (1) of subsection (b) of this Code section shall only be used by such governing body to fund local law enforcement or public safety initiatives. This subsection shall not preclude the appropriation of a greater amount than collected and remitted under this subsection."

SECTION 10.

All laws and parts of laws in conflict with this Act are repealed.

Senator Cowser of the 46th offered the following amendment #1:

Amend Senate Committee on Public Safety Substitute to HB 978 (15755) by deleting line 425 following the word "violation"

deleting line 426

On the adoption of the amendment, the President asked unanimous consent.

Senator Watson of the 1st objected.

On the adoption of the amendment, the yeas were 26, nays 16, and the Cowser amendment #1 to the committee substitute was adopted.

On the adoption of the substitute, there were no objections, and the committee substitute was adopted as amended.

The report of the committee, which was favorable to the passage of the bill by substitute, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

N Albers	N Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	N Jones, B	Shafer
N Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Tate
N Cowser	Y Kirk	N Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	N Ligon	Y Tillery
N Ginn	N Lucas	N Tippins
N Gooch	N Martin	N Unterman
N Harbin	Y McKoon	Y Walker
N Harbison	Y Millar	Y Watson
N Harper	Y Miller	N Wilkinson
N Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 35, nays 19.

HB 978, having received the requisite constitutional majority, was passed by substitute.

Senator Tillery of the 19th asked unanimous consent that HB 951, having been placed on the Table on Tuesday, March 27, 2018, be taken from the Table.

The consent was granted, and pursuant to Senate Rule 4-2.9(a), HB 951, having been taken from the Table, was put upon its passage.

HB 951. By Representatives Shaw of the 176th, Watson of the 172nd, Houston of the 170th, Powell of the 171st, England of the 116th and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to establish the Center for Rural Prosperity and Innovation; to provide for a director; to provide for the incorporation of the Centers of Innovation Agribusiness administered by the Department of Economic Development; to provide for the incorporation and structure of a new Georgia Rural Development Council; to provide for members and duties; to provide for conditions related to appropriations; to provide for legislative findings; to amend Article 6 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Office of Rural Development and State Advisory Committee on Rural Development, so as to repeal the Georgia Rural Development Council; to provide for related matters; to repeal conflicting laws; and for other purposes.

Senate Sponsor: Senator Tillery of the 19th.

Senators Tillery of the 19th and Miller of the 49th offered the following amendment #1:

Amend HB 951 (LC 43 0919ERS) by replacing lines 83 and 84 with the following:

(2) All departments and agencies of the state, except the University System of Georgia and the Technical College System of Georgia, shall provide upon request of the council services, information, and other support for the council and its work.

On the adoption of the amendment, the yeas were 23, nays 3, and the Tillery, Miller amendment #1 was adopted.

The report of the committee, which was favorable to the passage of the bill, was agreed to as amended.

On the passage of the bill, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Payne
Y Anderson, L	Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay

Y Beach	Y Jones, B	Y Shafer
Y Black	Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	N McKoon	Y Walker
Y Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the passage of the bill, the yeas were 47, nays 2.

HB 951, having received the requisite constitutional majority, was passed as amended.

The following bill was taken up to consider House action thereto:

SB 478. By Senators Parent of the 42nd and Millar of the 40th:

A BILL to be entitled an Act to create the City of Brookhaven Public Facilities Authority and to provide for the appointment of members of the authority; to confer powers upon the authority; to provide definitions; to authorize the issuance of revenue bonds of the authority; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to exempt the property and revenue bonds of the authority from taxation; to provide for the separate enactment of a certain provision of this Act; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

A BILL TO BE ENTITLED
AN ACT

To create the City of Brookhaven Public Facilities Authority and to provide for the members of the authority; to confer powers upon the authority; to provide definitions; to authorize the issuance of revenue bonds of the authority; to fix and provide the venue and jurisdiction of actions relating to any provisions of this Act; to exempt the property and

revenue bonds of the authority from taxation; to provide for the separate enactment of a certain provision of this Act; to provide a short title; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Short title.

This Act shall be known and may be cited as the "City of Brookhaven Public Facilities Authority Act."

SECTION 2.

City of Brookhaven Public Facilities Authority; creation.

(a) There is hereby created a public body corporate and politic to be known as the "City of Brookhaven Public Facilities Authority," which shall be deemed to be a political subdivision of the state and a public corporation, and by that name, style, and title, such body may contract and be contracted with, sue and be sued, implead and be impleaded, and complain and defend in all courts of law and equity. The authority shall have perpetual existence.

(b) The authority shall consist of five members who shall be the City Council of the City of Brookhaven whose terms as members of the authority shall be the same as their respective terms of office as members of the city council.

(c) The members shall not be compensated for their services; provided, however, that such members shall be reimbursed for their actual expenses necessarily incurred in the performance of their duties.

(d) The members of the authority shall elect one of their number as chairperson and another as a vice chairperson. The members of the authority shall also elect a secretary, who need not be a member of the authority, and may also elect a treasurer, who need not be a member of the authority. The secretary may also serve as treasurer. If the secretary or the treasurer is not a member of the authority, such officer shall have no voting rights. Each of such officers shall serve for a period of one year and until their successors are duly elected and qualified.

(e) Three members of the authority shall constitute a quorum. No vacancy on the authority shall impair the right of the quorum to exercise all of the rights and perform all of the duties of the authority.

SECTION 3.

Purpose of the authority; scope of operations.

Without limiting the generality of any provision of this Act, the general purpose of the authority is declared to be that of providing buildings, facilities, equipment, and services for the citizens of the city.

SECTION 4.

Definitions.

As used in this Act, the term:

- (1) "Authority" means the City of Brookhaven Public Facilities Authority created by this Act.
- (2) "City" means the City of Brookhaven, Georgia.
- (3) "Costs of the project" means and embraces the cost of construction; the cost of all lands, properties, rights, easements, and franchises acquired; the cost of all machinery and equipment; financing charges; interest prior to and during construction and for six months after completion of construction; the cost of engineering, architectural, fiscal agent, accounting, and legal services, and of plans and specifications and expenses necessary or incidental to determining the feasibility or practicability of the project; administrative expenses; working capital; and all other costs necessary to acquire, construct, add to, extend, improve, equip, operate, maintain, or finance the project.
- (4) "Project" means (i) all buildings, facilities, and equipment necessary or convenient for the efficient operation of the city or any department, agency, division, or commission thereof, and (ii) any "undertaking" permitted by the Revenue Bond Law.
- (5) "Revenue Bond Law" means those provisions of law codified in Article 3 of Chapter 82 of Title 36 of the O.C.G.A., as amended, or any other similar law hereinafter enacted.
- (6) "Revenue bonds" means revenue bonds authorized to be issued pursuant to this Act.
- (7) "Self-liquidating" means any project which the revenues and earnings to be derived by the authority therefrom, including, but not limited to, any contractual payments with governmental or private entities, and all properties used, leased, and sold in connection therewith, together with any grants and any other available funds, will be sufficient to pay the costs of operating, maintaining, and repairing the project and to pay the principal and interest on the revenue bonds or other obligations which may be issued for the purpose of paying the costs of the project.
- (8) "State" means the State of Georgia.

SECTION 5.

Powers.

The authority shall have the power:

- (1) To have a seal and alter the same at its pleasure;
- (2) To acquire by purchase, lease, gift, or otherwise, and with or without consideration, to hold, operate, maintain, lease, and dispose of real and personal property of every kind and character for its corporate purposes;
- (3) To acquire in its own name by purchase, on such terms and conditions and in such manner as it may deem proper, real property or rights or easements therein, or franchises necessary or convenient for its corporate purposes, and to use the same so

long as its corporate existence shall continue, and to lease or make contracts with respect to the use of or disposition of the same in any manner it deems to the best advantage of the authority, and no property shall be acquired under the provisions of this Act upon which any lien or encumbrance exists, unless at the time such property is so acquired a sufficient sum of money is to be deposited in trust to pay and redeem the fair value of such lien or encumbrance;

(4) To acquire, construct, add to, extend, improve, equip, operate, maintain, lease, and dispose of projects;

(5) To execute contracts, leases, installment sale agreements, and other agreements and instruments necessary or convenient in connection with the acquisition, construction, addition, extension, improvement, equipping, operation, maintenance, disposition, or financing of a project;

(6) To appoint, select, and employ officers, agents, and employees, including, but not limited to, engineering, architectural, and construction experts, fiscal agents, and attorneys, and fix their respective compensations;

(7) To pay the costs of the project with the proceeds of revenue bonds, certificates of participation, notes, or other forms of obligations issued by the authority or from any grant or contribution from the United States of America or any agency or instrumentality thereof or from the state or any agency, instrumentality, municipality, or political subdivision thereof, from any private foundation or other private source or from any other source whatsoever;

(8) To pledge to the payment of revenue bonds, certificates of participation, notes, and other forms of obligations issued by the authority any and all revenues and properties of the authority, both real and personal;

(9) To accept loans or grants of money or materials or property of any kind from the United States of America or any agency or instrumentality thereof, upon such terms and conditions as the United States of America or such agency or instrumentality may require;

(10) To accept loans or grants of money or materials or property of any kind from the state or any agency, instrumentality, municipality, or political subdivision thereof, upon such terms and conditions as the state or such agency, instrumentality, municipality, or political subdivision may require;

(11) To accept loans or grants of money or materials or property of any kind from any public or private foundation or any other private source upon such terms and conditions as such public or private foundation or other private source may require;

(12) To borrow money for any of its corporate purposes and to issue or execute revenue bonds, certificates of participation, notes, and other forms of obligations, deeds to secure debt, security agreements, and such other instruments as may be necessary or convenient to evidence and secure such borrowing;

(13) To adopt, alter, or repeal its own bylaws, rules, and regulations governing the manner in which its business is transacted;

(14) To prescribe rules, regulations, service policies, and procedures for the operation of any project;

- (15) To exercise any power usually possessed by private corporations performing similar functions; and
- (16) To do all things necessary or convenient to carry out the powers expressly given in this Act.

SECTION 6.

Revenue bonds.

The authority shall have power and is hereby authorized to provide by resolution for the issuance of revenue bonds for the purpose of paying all or any part of the costs of the project and for the purpose of refunding revenue bonds or other obligations previously issued. The principal of and interest on such revenue bonds shall be payable solely from the revenues and properties pledged to the payment of such revenue bonds. The revenue bonds issued by the authority shall contain such terms as the authority shall determine are in the best interest of the authority; provided, however, no revenue bonds shall have a maturity exceeding 40 years.

SECTION 7.

Same; signatures; seal.

All such revenue bonds shall bear the manual or facsimile signature of the chairperson or vice chairperson of the authority and the attesting manual or facsimile signature of the secretary or secretary-treasurer of the authority, and the official seal of the authority shall be impressed or imprinted thereon. Any revenue bonds may bear the manual or facsimile signature of such persons as at the actual time of the execution of such revenue bonds shall be duly authorized or hold the proper office, although at the date of issuance of such revenue bonds such person may not have been so authorized or shall not have held such office. In case any officer whose signature shall appear on any revenue bond shall cease to be such officer before the delivery of such revenue bond, such signature shall nevertheless be valid and sufficient for all purposes, the same as if that person had remained in office until such delivery.

SECTION 8.

Same; negotiability; exemption from taxation.

All revenue bonds shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the general laws of the State. All revenue bonds, their transfer, and the income therefrom shall be exempt from all taxation within the state as provided by the Revenue Bond Law.

SECTION 9.

Same; conditions precedent to issuance.

The authority shall adopt a resolution authorizing the issuance of the revenue bonds. In the resolution, the authority shall determine that the project financed or refinanced with

the proceeds of the revenue bonds is self-liquidating. Revenue bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions, and things which are required by the Revenue Bond Law. Any resolution providing for the issuance of revenue bonds under the provisions of this Act shall become effective immediately upon its adoption and need not be published or posted, and any such resolution may be adopted at any regular or special meeting of the authority.

SECTION 10.

Same; credit not pledged.

Revenue bonds shall not be deemed to constitute a debt of the state or the city nor a pledge of the faith and credit of the state or the city. Revenue bonds shall be payable solely from the revenues and properties pledged to the payment of such revenue bonds. The issuance of revenue bonds shall not directly, indirectly, or contingently obligate the state or the city to levy or to pledge any form of taxation whatsoever for the payment of such revenue bonds or to make any appropriation for their payment. All revenue bonds shall contain recitals on their face covering substantially the foregoing provisions of this section. Notwithstanding the foregoing provisions, this Act shall not affect the ability of the authority and the city to enter into an intergovernmental contract pursuant to which the city agrees to pay amounts sufficient to pay operating charges and other costs of the authority or any project including, without limitation, the principal of and interest on revenue bonds, in consideration for services, facilities, or equipment of the authority.

SECTION 11.

Same; trust indenture as security.

In the discretion of the authority, any issuance of revenue bonds may be secured by a trust indenture by and between the authority and a corporate trustee, which may be any trust company or bank having the powers of a trust company within or without the state. Such trust indenture may contain such provisions for protecting and enforcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including covenants setting forth the duties of the authority in relation to the acquisition and construction of the project, the maintenance, operation, repair, and insuring of the project, and the custody, safeguarding, and application of all moneys.

SECTION 12.

Same; remedies of bondholders.

Any holder of revenue bonds and the trustee under the trust indenture, if any, except to the extent the rights herein given may be restricted by resolution passed before the issuance of the revenue bonds or by the trust indenture, may, either at law or in equity, by suit, action, mandamus, or other proceedings, protect and enforce any and all rights it

may have under the laws of the state, including specifically, but without limitation, the Revenue Bond Law, or granted hereunder or under such resolution or trust indenture, and may enforce and compel performance of all duties required by this Act or by such resolution or trust indenture to be performed by the authority or any officer thereof, including the fixing, charging, and collecting of revenues, fees, tolls, fines, and other charges for the use of the facilities and services furnished.

SECTION 13.

Same; validation.

Revenue bonds and the security therefor shall be issued, confirmed, and validated in accordance with the provisions of the Revenue Bond Law. The petition for validation shall also make the city party defendant to such action if the city has contracted with the authority for services or facilities relating to the project for which revenue bonds are to be issued and sought to be validated, and such defendant shall be required to show cause, if any exists, why such contract or contracts shall not be adjudicated as a part of the basis for the security for the payment of any such revenue bonds. The revenue bonds when validated, and the judgment of validation, shall be final and conclusive with respect to such revenue bonds and the security for the payment thereof and interest thereon and against the authority and all other defendants.

SECTION 14.

Same; interest of bondholders protected.

While any of the revenue bonds issued by the authority remain outstanding, the powers, duties, or existence of the authority or its officers, employees, or agents, shall not be diminished or impaired in any manner that will affect adversely the interests and rights of the holders of such revenue bonds, and no other entity, department, agency, or authority will be created which will compete with the authority to such an extent as to affect adversely the interest and rights of the holders of such revenue bonds. The provisions of this Act shall be for the benefit of the authority and the holders of any such revenue bonds under the provisions hereof shall constitute a contract with the holders of such revenue bonds.

SECTION 15.

Venue and jurisdiction.

Any action to protect or enforce any rights under the provisions of this Act or any suit or action against such authority shall be brought in the Superior Court of DeKalb County, Georgia, and any action pertaining to validation of any revenue bonds issued under the provisions of this Act shall likewise be brought in such court, which shall have exclusive, original jurisdiction of such actions.

SECTION 16.

Moneys received considered trust funds.

All moneys received pursuant to the authority of this Act, whether as proceeds from the sale of revenue bonds, as grants or other contributions, or as revenue, income, fees, and earnings, shall be deemed to be trust funds to be held and applied solely as provided in this Act.

SECTION 17.

Tort immunity.

To the extent permitted by law, the authority shall have the same immunity and exemption from liability for torts and negligence as the city. The officers, agents, and employees of the authority when in the performance of the work of the authority shall have the same immunity and exemption from liability for torts and negligence as the officers, agents, and employees of the city when in the performance of their public duty or work of the city.

SECTION 18.

Tax exemption.

The income of the authority, the properties of the authority, both real and personal, and all revenue bonds, certificates of participation, notes, and other forms of obligations issued by the authority shall be exempt from all state and local taxes and special assessments of any kind in accordance with the general laws of the State.

SECTION 19.

Rates, charges, and revenues; use.

The authority is hereby authorized to prescribe and fix rates and to revise same from time to time and to collect revenues, tolls, fees, and charges for the services, facilities, and commodities furnished, and in anticipation of the collection of the revenues, to issue revenue bonds, certificates of participation, notes, or other types of obligations as herein provided to finance, in whole or in part, the costs of the project, and to pledge to the punctual payment of such revenue bonds or other obligations, all or any part of the revenues.

SECTION 20.

Effect on other governments.

This Act shall not and does not in any way take from the city or any political subdivision the right to own, operate, and maintain public facilities or to issue revenue bonds as provided by the Revenue Bond Law.

SECTION 21.

Liberal construction of Act.

This Act being for the welfare of the city and various political subdivisions of the state and its inhabitants, shall be liberally construed to effect the purposes hereof.

SECTION 22.

Severability; effect of partial invalidity of Act.

The provisions of this Act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 23.

Effective date.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 24.

Repealer.

All laws and parts of laws in conflict with this Act are repealed.

Senator Parent of the 42nd moved that the Senate agree to the House substitute to SB 478.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Ginn	Lucas	Tippins
Gooch	Y Martin	N Unterman
Y Harbin	Y McKoon	Y Walker

Y Harbison
 Y Harper
 N Heath
 Y Henson
 Y Hill

Millar
 Miller
 Y Mullis
 Y Orrock
 Y Parent

Y Watson
 Y Wilkinson
 Williams, M
 Y Williams, N

On the motion, the yeas were 45, nays 2; the motion prevailed, and the Senate agreed to the House substitute to SB 478.

The following bill was taken up to consider the Conference Committee Report thereto:

SB 402. By Senators Gooch of the 51st, Cowsert of the 46th, Kennedy of the 18th, Miller of the 49th, Ginn of the 47th and others:

A BILL to be entitled an Act to enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, 48, and 50 of the O.C.G.A., relating to highways, bridges, and ferries, local government, revenue and taxation, and state government, respectively, so as to provide for broadband services planning, deployment, and incentives; to provide authorization for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband and other communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to provide for related matters; to provide for effective dates and applicability; to repeal conflicting laws; and for other purposes.

The Conference Committee Report was as follows:

The Committee of Conference on SB 402 recommends that both the Senate and the House of Representatives recede from their positions and that the attached Committee of Conference Substitute to SB 402 be adopted.

Respectfully submitted,

FOR THE SENATE:

/s/ Senator Gooch of the 51st
 /s/ Senator Kennedy of the 18th
 /s/ Senator Albers of the 56th

FOR THE HOUSE
 OF REPRESENTATIVES:

/s/ Representative Powell of the 171st
 /s/ Representative England of the 116th
 /s/ Representative Watson of the 172nd

COMMITTEES OF CONFERENCE SUBSTITUTE TO SB 402:

A BILL TO BE ENTITLED
AN ACT

To enact the "Achieving Connectivity Everywhere (ACE) Act"; to amend Titles 32, 36, and 50 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, local governments, and state government, respectively, so as to provide for planning, deployment, and incentives of broadband services and other emerging communications technologies throughout the state; to provide for the Department of Transportation to take certain actions to enable the rights of way of interstate highways to be used for the deployment of broadband services and other emerging communications technologies; to provide for definitions; to require a comprehensive plan of a local government to include the promotion of the deployment of broadband services; to provide for certain powers, duties, and responsibilities of certain state departments and authorities relative to the deployment of broadband services and other emerging communications technologies; to change certain definitions relative to the "OneGeorgia Authority Act" to include broadband services; to change certain provisions related to the board of directors of the OneGeorgia Authority; to provide for the certain policies and programs for the deployment of broadband services and other emerging communications technologies throughout the state; to provide for the promulgation of certain rules and regulations; to require the development and publication of a map; to provide for legislative findings and declarations; to provide for certain reports; to provide for applicability; to provide for a short title; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

PART I
SECTION 1-1.

This Act shall be known and may be cited as the "Achieving Connectivity Everywhere (ACE) Act."

PART II
SECTION 2-1.

Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, is amended in Code Section 32-2-2, relating to powers and duties of the Department of Transportation generally, by revising paragraphs (18) and (19) of subsection (a) and by adding a new paragraph to read as follows:

"(18)(A) Subject to general appropriations and any provisions of Chapter 5 of this title to the contrary notwithstanding, the department is authorized within the limitations provided in subparagraph (B) of this paragraph to provide to municipalities, counties, authorities, and state agencies financial support by contract

for clearing, dredging, or maintaining free from obstructions and for the widening, deepening, and improvement of the ports, seaports, or harbors of this state.

(B)(i) Municipalities, counties, authorities, or state agencies may, by formal resolution, apply to the department for financial assistance provided by this paragraph.

(ii) The department shall review the proposal and, if satisfied that the proposal is in accordance with the purposes of this paragraph, may enter into a contract for expenditure of funds.

(iii) The time of payment and any conditions concerning such funds shall be set forth in the contract.

(C) In addition to subparagraph (A) of this paragraph and subject to general appropriations for such purposes, the department with its own forces or by contract may clear, dredge, or maintain free from obstruction and may widen, deepen, and improve the ports, seaports, or harbors of this state; ~~and~~

(19) Code Sections 32-3-1 and 32-6-115 notwithstanding, the department may by contract grant to any rapid transit authority created by the General Assembly, under such terms and conditions as the department may deem appropriate, the right to occupy or traverse a portion of the right of way of any road on the state highway system by or with its mass transportation facilities. Furthermore, the department may by contract lease to the rapid transit authority, under such terms and conditions as the department may deem appropriate, the right to occupy, operate, maintain, or traverse by or with its mass transportation facilities any parking facility constructed by the department. Notwithstanding Code Section 48-2-17, all net revenue derived from the lease shall be utilized by the department to offset the cost of constructing any parking facility. Regardless of any financial expenditures by the rapid transit authority, no right of use or lease granted under this paragraph shall merge into or become a property interest of the rapid transit authority. Upon the transfer of the title of the mass transportation facilities to private ownership or upon the operation of the rapid transportation facilities for the financial gain of private persons, such rights granted by the department shall automatically terminate and all rapid transportation facilities shall be removed from the rights of way of the state highway system; ~~and~~

(20) The department, in consultation with the Georgia Technology Authority, shall have the authority to plan for, establish, and implement a long-term policy with regard to the use of the rights of way of the interstate highways and state owned roads for the establishment, development, and maintenance of the deployment of broadband services and other emerging communications technologies throughout the state by public or private providers, or both. The department shall be authorized to promote and encourage the use of such rights of way of the interstate highways and state owned roads for such purposes to the extent feasible and prudent. All net revenues from the use, lease, or other activities in such rights of way in excess of any project costs, that are not subject to the jurisdiction of the Federal Highway Administration or that are not otherwise restricted by any federal laws, rules, or regulations, shall be paid into the general fund of the state treasury subject to any restrictions imposed by

the Federal Highway Administration. It is the intention of the General Assembly, subject to the appropriation process, that a portion of the amount so deposited into the general fund of the state treasury be appropriated each year to programs to be administered by the Georgia Technology Authority, the Department of Community Affairs, and other state agencies as provided in Chapter 39 of Title 50 to be used to promote and provide broadband services throughout the state."

PART III SECTION 3-1.

Title 36 of the Official Code of Georgia Annotated, relating to local government, is amended by adding a new Code section to read as follows:

"36-70-6.

(a) As used in this Code section, the terms 'broadband services' and 'broadband services provider' shall have the same meanings as provided in Code Section 50-39-1.

(b) The governing bodies of municipalities and counties shall provide in any comprehensive plan for the promotion of the deployment of broadband services by broadband services providers."

SECTION 3-2.

Title 50 of the Official Code of Georgia Annotated, relating to state government, is amended in Code Section 50-8-7.1, relating to general powers and duties of the Department of Community Affairs, by revising paragraph (1) of subsection (b) as follows:

"(1) As part of such minimum standards and procedures, the department shall establish minimum elements which shall be addressed and included in comprehensive plans of local governments which are prepared as part of the coordinated and comprehensive planning process, provided that such minimum elements shall include the promotion of the deployment of reasonable and cost-effective access to broadband services by broadband services providers. As used in this paragraph, the terms 'broadband services' and 'broadband services provider' shall have the same meanings as provided in Code Section 50-39-1;"

PART IV SECTION 4-1.

Said Title 50 is further amended in Code Section 50-7-8, relating to additional powers of the Board of Economic Development, by revising paragraphs (13) and (14) and by adding a new paragraph to read as follows:

"(13) To enter into contracts with the Georgia Music Hall of Fame Authority for any purpose necessary or incidental in assisting the Georgia Music Hall of Fame Authority in carrying out or performing its duties, responsibilities, and functions; provided, however, that all such assistance shall be performed on behalf of and pursuant to the lawful purposes of the Georgia Music Hall of Fame Authority and not

on behalf of the department; and provided, further, that such assistance shall not include the authorization of the issuance of any bonds or other indebtedness of the authority. The department may undertake joint or complementary programs with the Georgia Music Hall of Fame Authority, including the provision for joint or complementary services, within the scope of their respective powers; ~~and~~

(14) To induce, by payment of state funds or other consideration, any agency or authority assigned to the department for administrative purposes to perform the ~~agency~~ agency's or authority's statutory functions; ~~and~~

(15) To promote the deployment of broadband services throughout the state, including, but not limited to, the deployment of broadband services in any facilities and developments designated as a Georgia Broadband Ready Community Site. The board and the Department of Economic Development shall have such additional powers and duties related to the promotion of the deployment of broadband services and other emerging communications technologies provided in Chapter 39 of this title."

SECTION 4-2.

Said Title 50 is further amended in Code Section 50-8-7.1, relating to general powers and duties of the Department of Community Affairs, by adding a new subsection to read as follows:

"(e) The department shall undertake such activities as may be necessary to carry out any additional authority, duties, and responsibilities as authorized and described in Chapter 39 of this title."

SECTION 4-3.

Said Title 50 is further amended in Code Section 50-25-4, relating to general powers of the Georgia Technology Authority, by revising paragraphs (30) and (31) of subsection (a) and

by adding a new paragraph to read as follows:

"(30) To exercise any power granted by the laws of this state to public or private corporations which is not in conflict with the public purpose of the authority; ~~and~~

(31) To coordinate the establishment and administration of one or more programs to increase economic, educational, and social opportunities for citizens and businesses through the promotion of the deployment of broadband services and other emerging communications technologies throughout the state and to exercise any power granted to the authority in Chapter 39 of this title; and

~~(31)~~(32) To do all things necessary or convenient to carry out the powers conferred by this chapter."

PART V SECTION 5-1.

Said Title 50 is further amended in Code Section 50-34-2, relating to definitions relative to the "OneGeorgia Authority Act," by revising subparagraph (B) of paragraph (4) and by

revising paragraph (9) by deleting "and" at the end of subparagraph (F), by replacing the period with "; and" at the end of subparagraph (G), and by adding a new subparagraph to read as follows:

"(B) All costs of real property, fixtures, equipment, or personal property used in or in connection with or necessary or convenient for any project or any facility or facilities related thereto, including, but not limited to, cost of land, interests in land, options to purchase, estates for years, easements, rights, improvements, water rights, ~~and~~ connections for utility services, and infrastructure and connections for broadband services as such term is defined in Code Section 50-39-1; the cost of fees, franchises, permits, approvals, licenses, and certificates or the cost of securing any of the foregoing; the cost of preparation of any application therefor; and the cost of all fixtures, machinery, equipment, furniture, and other property used in connection with or necessary or convenient for any project or facility;"

"(H) The acquisition, construction, improvement, or modification of any property, real or personal, used to provide or used in connection with the provision of broadband services which the authority has determined as necessary for the operation of the industries which such property, real or personal, is to serve and which is necessary for the public welfare, provided that, for the purposes of this subparagraph, the term 'broadband services' shall have the same meaning as provided in Code Section 50-39-1."

SECTION 5-2.

Said Title 50 is further amended by revising subsection (b) of Code Section 50-34-3, relating to creation, membership, power, and authority of OneGeorgia Authority, as follows:

"(b) The board of directors of the authority shall consist of the Governor, who shall serve as chair of the authority; the Lieutenant Governor, who shall serve as ~~vice~~ co-vice chair of the authority; the Speaker of the House of Representatives, who shall serve as co-vice chair of the authority; the director of the Office of Planning and Budget, who shall serve as secretary of the authority; the commissioner of community affairs; the commissioner of economic development; and the commissioner of revenue."

PART VI SECTION 6-1.

Said Title 50 is further amended by adding a new chapter to read as follows:

"CHAPTER 39 ARTICLE 1

50-39-1.

As used in this chapter, the term:

- (1) 'Broadband network project' means any deployment of broadband services.
- (2) 'Broadband services' means a wired or wireless terrestrial service that consists of

the capability to transmit at a rate of not less than 25 megabits per second in the downstream direction and at least 3 megabits per second in the upstream direction to end users and in combination with such service provides:

(A) Access to the Internet; or

(B) Computer processing, information storage, or protocol conversion.

(3) 'Broadband services provider' means any provider of broadband services or a public utility or any other person or entity that builds or owns a broadband network project.

(4) 'Development authority' shall have the same meaning as provided in Code Section 36-62A-20.

(5) 'Eligible applicants' means any or all public bodies, designated by the Department of Community Affairs pursuant to paragraph (2) of subsection (b) of Code Section 50-39-81, as political subdivisions qualified to apply for funds under this article.

(6) 'Local authority' shall have the same meaning as provided in Code Section 36-82-220.

(7) 'Location' means any residence, dwelling, home, business, or building.

(8) 'Political subdivision' means a county, municipal corporation, consolidated government, or local authority.

(9) 'Qualified broadband provider' means an entity that is authorized to apply for or that obtains a certificate of authority issued pursuant to Code Section 46-5-163 that:

(A)(i) Has, directly or indirectly, been providing broadband services to at least 1,000 locations; and

(ii) Has been conducting business in the state for at least three years with a demonstrated financial, technical, and operational capability to operate a broadband services network; or

(B) Is able to demonstrate financial, technical, and operational capability to operate a broadband services network.

(10) 'Served area' means a census block that is not designated by the Department of Community Affairs as an unserved area.

(11) 'Unserved area' means a census block in which broadband services are not available to 20 percent or more of the locations as determined by the Department of Community Affairs pursuant to Article 2 of this chapter.

50-39-2.

(a) The Georgia Technology Authority is authorized and directed to establish and implement such policies and programs as are necessary to coordinate state-wide efforts to promote and facilitate deployment of broadband services and other emerging communications technologies throughout the state. Such policies and programs may include, but are not limited to, the following:

(1) A written state-wide broadband services deployment plan and the development of recommendations for the promotion and implementation of such a plan;

(2) Technical support and advisory assistance to state agencies, including, but not limited to, the Department of Community Affairs and the OneGeorgia Authority, in developing grant programs, designation programs, and other programs to promote the

deployment of broadband services and other emerging communications technologies;
(3) A periodic analysis performed in conjunction with the State Properties Commission of any state assets, including, but not limited to, real property and structures thereon, that may be leased or otherwise utilized for broadband services deployment; and

(4) Coordination between state agencies, local governments, industry representatives, community organizations, and other persons that control access to resources, such as facilities and rights of way, that may be used for the deployment of broadband services and other emerging communications technologies, that apply for or receive federal funds for the deployment of broadband services and other emerging communications technologies, and that promote economic and community development.

(b) The Georgia Technology Authority shall submit copies of an annual report to the Lieutenant Governor, the Speaker of the House of Representatives, and the Governor regarding the policies and programs established by the authority as provided in subsection (a) of this Code section. Such report shall specifically include information as to the status of attainment of state-wide deployment of broadband services and other emerging communications technologies and industry and technology trends in broadband services and other emerging communications technologies. The Georgia Technology Authority shall also provide such report to all members of the General Assembly; provided, however, that the authority shall not be required to distribute copies of the report to the members of the General Assembly but shall notify the members of the availability of such report in the manner which it deems to be most effective and efficient. Furthermore, such report may be a part of or submitted in conjunction with the report required to be submitted by the Department of Community Affairs pursuant to Code Section 50-39-84.

(c) All state agencies shall cooperate with the Georgia Technology Authority and its designated agents by providing requested information to assist in the development and administration of policies and programs and the annual report provided for in this Code section.

(d) The Georgia Technology Authority shall promulgate any policies necessary to effectuate the provisions of this Code section.
50-39-3.

All information provided by a broadband services provider pursuant to this chapter shall be presumed to be confidential, proprietary, a trade secret as such term is defined in Code Section 10-1-761, and subject to exemption from disclosure under state and federal law and shall not be subject to disclosure under Article 4 of Chapter 18 of this title, except in the form of a map where information that could be used to determine provider-specific information about the network of the broadband services provider is not disclosed. Except as otherwise provided in this chapter, such provider-specific information shall not be released to any person other than to the submitting broadband services provider, the Department of Community Affairs or the Georgia Technology Authority, agents designated to assist in developing the map provided for in Article 2 of

this chapter, employees of the Department of Community Affairs or the Georgia Technology Authority, and attorneys employed by or under contract with the Department of Community Affairs or the Georgia Technology Authority without express permission of the submitting broadband services provider. Such information shall be used solely for the purposes stated under this chapter.

ARTICLE 2

50-39-20.

The Department of Community Affairs shall determine those areas in the state that are served areas and unserved areas and shall publish such findings.

50-39-21.

(a) On or before January 1, 2019, the Department of Community Affairs shall publish on its website a map showing the unserved areas in the state.

(b) The Department of Community Affairs shall consult with the Federal Communications Commission in determining if a map showing the unserved areas, as determined by the Department of Community Affairs, exists. If on or before July 1, 2018, the Department of Community Affairs determines that such a map does not exist then such a map shall be created by the Department of Community Affairs or an agent designated by the Department of Community Affairs. Such agent may include the Georgia Technology Authority or other entities and individuals that are determined by the Department of Community Affairs to possess the necessary prerequisites to assist the department in creating such a map. Any such map created by the Department of Community Affairs shall take into consideration any information received pursuant to subsections (c) and (d) of this Code section and Code Section 50-39-22. If the Department of Community Affairs determines that such a map does exist that was not created by the Department of Community Affairs or an agent designated by the Department of Community Affairs, then its website may link to such existing map in lieu of republishing such map.

(c) All local governments shall cooperate with the Department of Community Affairs and any agent designated by the Department of Community Affairs by providing requested information as to addresses and locations of broadband services and other emerging communications technologies within their jurisdictions.

(d) The Department of Community Affairs and any agent designated by the Department of Community Affairs may request information from all broadband services providers in the state in developing a map or making the determination as to the percentage of locations within a census block to which broadband services are not available.

50-39-22.

(a) An entity that is authorized to apply for or that obtains a certificate of authority pursuant to Code Section 45-5-163, a broadband services provider, or a political

subdivision may file a petition with the Department of Community Affairs along with data specifying locations or census blocks which the petitioner alleges should be designated differently than as shown on the map published on the website of the Department of Community Affairs pursuant to Code Section 50-39-21. Upon receipt of such petition and data, the Department of Community Affairs shall provide notice of the petition on the Department of Community Affairs' website and shall notify all broadband services providers furnishing broadband services in such census block or any census block in which any such locations are positioned. Such broadband services providers shall have 45 days after the date such notice is sent to furnish information to the Department of Community Affairs showing whether the locations that are the subject of the petition currently have broadband services available. The Department of Community Affairs shall determine whether the designation of such locations or census blocks should be changed and shall issue such determination within 75 days of the date the notice is sent to the broadband services provider.

(b) Any determination made by the Department of Community Affairs pursuant to this Code section shall be final and not subject to review and any such determination shall not be a contested case under Chapter 13 of Title 50, 'Georgia Administrative Procedure Act.'

ARTICLE 3

50-39-40.

(a) A political subdivision that has a comprehensive plan that includes the promotion of the deployment of broadband services, as required pursuant to Code Sections 36-70-6 and 50-8-7.1, may apply to the Department of Community Affairs for certification as a broadband ready community. The department shall by rules and regulations prescribe the form and manner for making an application. The department shall prescribe by rules and regulations a process for public notice and comment on an application for a period of at least 30 days after such application is received, except that such process shall not apply to an application by a political subdivision that enacts a model ordinance developed by the department under Code Section 50-39-41.

(b) The department shall approve an application and certify a political subdivision as a broadband ready community if the department determines that such political subdivision has enacted an ordinance that complies with Code Section 50-39-41. If the process for public notice and comment applies to an application, the department shall, before approving such application, consider any public comments made regarding such application.

50-39-41.

(a) A political subdivision shall not be certified as a broadband ready community unless such political subdivision enacts an ordinance for reviewing applications and issuing permits related to broadband network projects that provides for all of the following:

- (1) Appointing a single point of contact for all matters related to a broadband network project;
 - (2) Requiring such political subdivision to determine whether an application is complete and notifying the applicant about such determination in writing within a certain time period after receiving such application; provided, however, that any delay in the processing of an application that is outside the control of such political subdivision and that is directly caused by or attributable to a natural disaster, a state of emergency, a mandated federal review or approval, the receipt of multiple applications by the same or different applicants within a relatively short period of time, another political subdivision's review or approval, or through fault of the applicant shall not count toward the days allotted within such time period;
 - (3) If the political subdivision receives an application that is incomplete, requiring the written notification provided for under paragraph (2) of this subsection to specify in detail the required information that is incomplete;
 - (4) If such political subdivision does not make the written notification required under paragraph (2) of this subsection, requiring such political subdivision to consider an application to be complete;
 - (5) Within a certain time period after receiving an application that is complete, requiring such political subdivision to approve or deny such application and provide the applicant notification in writing of such approval or denial;
 - (6) That any fee imposed by such political subdivision to review an application, issue a permit, or perform any other activity related to a broadband network project shall be reasonable, cost based, and nondiscriminatory to all applicants; and
 - (7) Any other information or specifications as may be required by the department by rules and regulations related to ensuring ready access to the public rights of way and infrastructure.
- (b) The department, with input from broadband services providers and local governments, shall develop a model ordinance for the review of applications and the issuance of permits related to broadband network projects that complies with subsection (a) of this Code section that may be enacted by a political subdivision.
- (c) If a political subdivision enacts an ordinance that differs from the model ordinance developed by the department, the political subdivision shall, when applying for certification under Code Section 50-39-40, provide the department with a written statement that describes the ordinance enacted by such political subdivision and how such ordinance differs from the model ordinance.
- (d) After certification of a political subdivision as a broadband ready community, the department shall continue to monitor such political subdivision's compliance with the broadband ready community eligibility requirements provided in subsection (a) of this Code section to ensure that the ordinance is still in effect and that such political subdivision's actions are in conformance with such ordinance.

50-39-42.

A political subdivision that the department has certified as a broadband ready

community under Code Section 50-39-41 may be decertified by the department if it:

- (1) Imposes an unreasonable or noncost based fee to review an application or issue a permit for a broadband network project. Any application fee that exceeds \$100.00 shall be considered unreasonable unless such political subdivision can provide documentation justifying such fee based on a specific cost;
- (2) Imposes a moratorium of any kind on the approval of applications or issuance of permits for broadband network projects or on construction related to broadband network projects;
- (3) Discriminates among broadband services providers with respect to any action described in this article or otherwise related to a broadband network project, including granting access to public rights of way, infrastructure and poles, river and bridge crossings, or any other physical assets owned or controlled by such political subdivision; or
- (4) As a condition for approving an application or issuing a permit for a broadband network project, requires the applicant to:
 - (A) Provide any service or make available any part of the broadband network project to such political subdivision; or
 - (B) Except for reasonable and cost based fees allowed, make any payment to or on behalf of such political subdivision.

50-39-43.

(a) Upon the request of a broadband services provider, the department may decertify a political subdivision as a broadband ready community if such political subdivision fails to act in accordance with the ordinance required for certification under Code Section 50-39-41, modifies such ordinance so that such ordinance no longer complies with subsection (a) of Code Section 50-39-41, or violates any provision of Code Section 50-39-42.

(b) Upon a complaint that an application fee under an ordinance required for certification under Code Section 50-39-41 is unreasonable, the department shall determine whether or not such fee is reasonable. In the proceeding for making such determination, the political subdivision shall have the burden of proving the reasonableness of any action undertaken by such political subdivision as part of the application process and the reasonableness of the costs of such actions.

50-39-44.

A broadband network project targeting industry development or construction of a new building for which a political subdivision that has been certified as a broadband ready community under Code Section 50-39-40 is seeking financing from the OneGeorgia Authority, as provided for in Chapter 34 of this title, shall be given priority by the OneGeorgia Authority.

50-39-45.

The department shall promulgate any reasonable and necessary rules and regulations to effectuate the provisions of this article.

ARTICLE 450-39-60.

As used in this article, the term 'broadband services' means the provision of access to the Internet or computer processing, information storage, or protocol conversion.

50-39-61.

In order to encourage economic development and attract technology enabled growth in Georgia, the Department of Community Affairs shall, with the assistance of the Department of Economic Development, create and administer the 'Georgia Broadband Ready Community Site Designation Program.' Such program shall designate facilities and developments that offer broadband services at a rate of not less than 1 gigabit per second in the downstream to end users that can be accessed for business, education, health care, government, and other public purposes as a Georgia Broadband Ready Community Site.

50-39-62.

(a) The Department of Community Affairs or its designated agents shall evaluate the information submitted by applicants for designation as a Georgia Broadband Ready Community Site to confirm, based on the best available local, state, and federal broadband information, that at least 1 gigabit of broadband services is available within the facility or development.

(b) The Department of Economic Development shall promote the Georgia Broadband Ready Community Site Designation Program and shall promote the facilities and developments so designated as local community assets. Upon certification of a facility or development as a Georgia Broadband Ready Community Site, the Department of Community Affairs shall notify the Department of Economic Development so that the Department of Economic Development may provide standardized graphics and materials to the owner or owners of such facility or development and the county or municipal corporation in which such facility or development is located in order to promote the status of the site as a Georgia Broadband Ready Community Site.

50-39-63.

The Department of Community Affairs shall be authorized to adopt and promulgate such rules and regulations as may be reasonable and necessary to carry out the purposes of this article.

ARTICLE 550-39-80.

(a) The General Assembly recognizes that access to broadband services in today's society is essential to everyday life. Access to broadband services is a necessary service as fundamental as electricity, gas, or phone service. There is a growing need for

the government of this state to provide the much needed infrastructure to the homes and businesses without access to broadband services due to their location in rural and other unserved areas. Furthermore, the General Assembly finds and declares that ensuring broadband services deployment will have a positive effect on education, health care, public safety, business and industry, government services, and leisure activities throughout the entire state. The General Assembly also finds and declares that guaranteeing an equitable deployment of broadband services throughout the state is a public necessity, one of the basic functions of government, and a benefit to the entire state. Moreover, the General Assembly finds and declares that it is in the best interest of the state and the persons who live and work in the state to spend state funds through the establishment of a grant program to ensure the creation of a state-wide foundation of broadband services infrastructure in unserved areas of the state.

(b) The General Assembly hereby finds and determines that the economic benefits that will inure to the State of Georgia and designated political subdivisions from the Georgia Broadband Deployment Initiative provided for in this article and from the performance by private sector persons and entities of the obligations that they will incur in connection with such Georgia Broadband Deployment Initiative, will be equal to or greater than the benefits to be derived by such private sector persons and entities in connection therewith, and that, therefore, the Georgia Broadband Deployment Initiative does not violate the prohibition in the Georgia Constitution on the payment by public bodies of gratuities to private sector persons or entities.

50-39-81.

(a) On or before July 1, 2019, the Department of Community Affairs shall develop the 'Georgia Broadband Deployment Initiative' program to provide funding awards to expand broadband services to unserved areas of the state. The goal of such program shall be to provide broadband services coverage throughout the entire state. The funding awards of the program shall represent the state's investment in the deployment of broadband services to unserved areas and shall be used only for capital expenses and expenses directly related to the purchase or lease of property or communications services or facilities, including without limitation backhaul and transport, to facilitate the provision of broadband services.

(b)(1) Funding awards, in the form of grants or loans, shall be competitively awarded to eligible applicants based on criteria consistent with this article and other factors established by the department; provided, however, that the department shall not discriminate between different types of broadband services technology as long as the technology is capable of transmitting data at the rates specified for each unserved area.

(2) The department shall designate political subdivisions as eligible applicants that shall be qualified to apply for funding awards under this article. All such eligible applicants are hereby granted all powers necessary for any and all purposes of the program, and in the case of any development authority included as an eligible applicant, the exercise of such powers is hereby found and determined to promote the

- development of trade, commerce, industry, and employment opportunities.
- (c) Funding awards shall be based on appropriations of funds or receipt of other funds to support the program.
- (d) The department shall consider each of the following in the funding awards process:
- (1) The effectiveness of the partnership between an eligible applicant and a qualified broadband services provider;
 - (2) The benefit to the unserved area in terms of the population served and the capacity and scalability of the technology to be deployed; and
 - (3) The total project cost and the ability to leverage other available federal, local, and private funds.
- (e) In addition to the criteria provided in subsection (d) of this Code section, the department may establish any other criteria for determining any funding awards that are reasonable and necessary to ensure that the funds are utilized to provide broadband services to the unserved areas. Such criteria may include, but shall not be limited to:
- (1) Whether the qualified broadband services provider in the partnership is willing to agree to:
 - (A) Not charge more for broadband services to customers in any unserved area for which a funding award is received than it does for the same or similar broadband services to customers in other areas of the state;
 - (B) Serve 90 percent of any locations requesting broadband services in any unserved area for which a funding award is received; and
 - (C) Meet or exceed in any unserved area for which it receives a grant a minimum level of dependable service as established by the department;
 - (2) The benefit to businesses; industrial parks; education centers; hospitals and other health care facilities, such as telehealth facilities and emergency care facilities; government buildings; public safety departments; or other providers of public services located within the unserved area;
 - (3) Data cap limits, signal latency, and reliability of the technology to be utilized;
 - (4) Historic service issues in other areas served by the qualified broadband provider in the partnership; and
 - (5) The length of time it will take to deploy the broadband services in the unserved area.
- (f) The department shall give competitive priority to any unserved area certified as a broadband ready community as provided in Article 3 of this chapter. Partnerships that include qualified broadband providers that cooperate in providing information requested pursuant to subsection (d) of Code Section 50-39-21, as applicable, shall also factor favorably into the competitive funding awards process.
- (g) The department shall ensure that the program complies with all applicable federal laws, rules, and regulations.

50-39-82.

In addition to developing the program provided for in Code Section 50-39-81, the Department of Community Affairs shall provide oversight and coordination of state

efforts to apply for, utilize, and implement public and private grants, programs, designations, and other resources for the deployment of broadband services and other emerging communications technologies.

50-39-83.

The Department of Community Affairs shall promulgate and enforce any reasonable and necessary rules and regulations to effectuate the provisions of this article and administer any of the programs provided for in this article.

50-39-84.

(a) On June 30, 2019, and on each June 30 thereafter, the Department of Community Affairs shall submit a report to the Lieutenant Governor, the Speaker of the House of Representatives, and the Governor on the progress in achieving the purposes of this article, including, at a minimum the status of any funding awards. Such report may be a part of or submitted in conjunction with the report required to be submitted by the Georgia Technology Authority pursuant to Code Section 50-39-2. Such report shall be published on the website of the Department of Community Affairs.

PART VII SECTION 7-1.

This Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 7-2.

All laws and parts of laws in conflict with this Act are repealed.

Senator Gooch of the 51st moved that the Senate adopt the Conference Committee Report on SB 402.

On the motion, a roll call was taken, and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery

Y Ginn	Y Lucas	N Tippins
Y Gooch	Martin	Unterman
Y Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Y Miller	Y Wilkinson
Y Heath	Y Mullis	N Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 50, nays 2; the motion prevailed, and the Senate adopted the Conference Committee Report on SB 402.

The following bill was taken up to consider House action thereto:

SB 332. By Senators Harper of the 7th, Heath of the 31st, Brass of the 28th, Ginn of the 47th, Burke of the 11th and others:

A BILL to be entitled an Act to amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing, so as to provide for a hunter mentor program within the Department of Natural Resources; to provide for definitions; to provide for program criteria and terms and conditions; to provide for a special hunting passport for program participants; to provide for findings; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

**A BILL TO BE ENTITLED
AN ACT**

To amend Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing, so as to provide for an outdoor mentor program within the Department of Natural Resources; to provide for definitions; to provide for program criteria and terms and conditions; to provide for outdoor passports; to provide for findings; to provide for a fee for nonresident youth sportsman's licenses; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Article 1 of Chapter 2 of Title 27 of the Official Code of Georgia Annotated, relating to hunting, trapping, or fishing, is amended by adding a new Code section to read as follows:

"27-2-4.5.

(a) As used in this Code section, the term:

(1) 'Outdoor mentee' means any resident to whom the department has never issued both a hunting and fishing license, or an outdoor passport, under this chapter.

(2) 'Outdoor mentor' means any individual who is 18 years of age or older and who has a current license that allows hunting and fishing pursuant to this chapter.

(3) 'Outdoor passport' means a reduced cost license issued by the department which licenses or permits noncommercial hunting and fishing privileges across all categories of hunting and fishing.

(b) The General Assembly finds that an outdoor mentor program can spark interest in hunting and fishing as lifelong activities; provide safe, memorable, and positive introductions for first-time hunting and fishing experiences; and promote safe and ethical hunting and fishing practices.

(c) The department shall establish and maintain an outdoor mentor program that enables experienced hunters and fishers to mentor new hunters and fishers in safe, ethical, and responsible hunting and fishing practices. In furtherance of such outdoor mentor program, the department:

(1) Shall establish a mentor education course that provides instruction to outdoor mentors, the completion of which shall be required before he or she may mentor an outdoor mentee under the program;

(2) Shall work with partners to develop incentives for outdoor mentors and may include reduced license fees for an outdoor mentor participating in the program;

(3) Shall issue outdoor mentees participating in the program an outdoor passport which shall expire one year after issuance; and

(4) Shall prepare necessary applications and impose any further criteria and terms and conditions not inconsistent with this Code section for implementation of the program."

SECTION 2.

Said article is further amended by revising subsection (e) of Code Section 27-2-5, relating to required hunter education courses, as follows:

"(e) Any person applying for an annual or multiyear nonresident hunting/fishing license may provide a certificate of completion or such other evidence of completion the department deems acceptable of the official hunter education or hunter safety course of such person's state of residence if that course shall have been approved by the department. No one applying for an outdoor passport, a hunting license of less than one year in duration, or ~~for~~ a lifetime license shall be required to exhibit such a certificate or to complete a hunter education course in order to obtain the license. Persons holding a lifetime license shall complete an official hunter education or hunter safety course and display proof of completion as specified by the department in order to hunt unless otherwise exempted by this title."

SECTION 3.

Said article is further amended by adding a new subparagraph to paragraph (3) of Code Section 27-2-23, relating to hunting, trapping, and fishing licenses, permits, tags, and stamp fees, as follows:

"(H) Nonresident youth sportsman's license Annual \$50.00
for 15 years of age and under"

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator Harper of the 7th moved that the Senate agree to the House substitute to SB 332.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	James	Y Seay
Beach	Jones, B	Shafer
Y Black	Jones, E	Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Tillery
Y Ginn	Lucas	Tippins
Gooch	Y Martin	Y Unterman
Y Harbin	Y McKoon	Y Walker
Y Harbison	Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
N Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 43, nays 1; the motion prevailed, and the Senate agreed to the House substitute to SB 332.

The following bill was taken up to consider House action thereto:

SB 385. By Senators Jones of the 25th, Black of the 8th, Harper of the 7th, Lucas of the 26th, Ginn of the 47th and others:

A BILL to be entitled an Act to amend Code Section 12-8-39 of the Official Code of Georgia Annotated, relating to cost reimbursement fees and

surcharges, so as to change the surcharge imposed by host local governments regarding solid waste disposal facilities operated by private enterprises; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

Senator Jones of the 25th moved that the Senate recede from its disagreement to the House substitute to SB 385.

On the motion, a roll call was taken and the vote was as follows:

N Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Rhett
Y Anderson, T	Y James	Y Seay
Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
N Butler	Y Kennedy	Y Tate
N Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	N Tippins
Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Harbison	Y Millar	Y Watson
Y Harper	Miller	Y Wilkinson
Y Heath	Y Mullis	Y Williams, M
Y Henson	Y Orrock	Y Williams, N
Y Hill	Y Parent	

On the motion, the yeas were 46, nays 5; the motion prevailed, and the Senate receded from its disagreement to the House substitute to SB 385.

The following bill was taken up to consider House action thereto:

SB 485. By Senators Jordan of the 6th, Tate of the 38th, Williams of the 39th, Parent of the 42nd, Orrock of the 36th and others:

A BILL to be entitled an Act to amend an Act providing a homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that school district, approved May 4, 1992 (Ga. L. 1992, p. 7003), as amended, so as to increase the exemption amount to

\$50,000.00; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

The House substitute was as follows:

**A BILL TO BE ENTITLED
AN ACT**

To amend an Act providing a homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that school district, approved May 4, 1992 (Ga. L. 1992, p. 7003), as amended, so as to increase the exemption amount to \$50,000.00 of the value of the homestead that exceeds \$10,000.00; to provide for applicability; to provide for a referendum, effective dates, and automatic repeal; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

An Act providing a homestead exemption from City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$15,000.00 of the assessed value of the homestead for residents of that school district, approved May 4, 1992 (Ga. L. 1992, p. 7003), as amended, is amended by revising Section 2 as follows:

"SECTION 2.

- (a) Each resident of the City of Atlanta Independent School District is granted an exemption on that person's homestead from all City of Atlanta Independent School District ad valorem taxes for educational purposes in the amount of \$50,000.00 of the assessed value of that homestead that exceeds \$10,000.00.
- (b) The value of that property in excess of such exempted amount under subsection (a) of this section shall remain subject to taxation.
- (c) This Act shall be repealed by operation of law on December 31, 2021."

SECTION 2.

The municipal election superintendent of the City of Atlanta shall call and conduct an election as provided in this section for the purpose of submitting this Act to the electors of the City of Atlanta Independent School District for approval or rejection. The municipal election superintendent shall conduct that election on November 6, 2018, and shall issue the call and conduct that election as provided by general law. The municipal election superintendent shall cause the date and purpose of the election to be published once a week for two weeks immediately preceding the date thereof in the official organ of the City of Atlanta. The ballot shall have written or printed thereon the words:

- "() YES Shall the Act be approved which increases the homestead exemption
 () NO from City of Atlanta Independent School District ad valorem taxes for
 educational purposes from \$30,000.00 to \$50,000.00 of the assessed
 value of that homestead that exceeds \$10,000.00, provided that such Act
 shall be repealed on December 31, 2021?"

All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on such question are for approval of the Act, Section 1 of this Act shall become of full force and effect on January 1, 2019, and shall be applicable to all taxable years beginning on or after such date through December 31, 2021. If the Act is not so approved or if the election is not conducted as provided in this section, Section 1 of this Act shall not become effective, and this Act shall be automatically repealed on the first day of January immediately following that election date. The expense of such election shall be borne by the City of Atlanta. It shall be the election superintendent's duty to certify the result thereof to the Secretary of State.

SECTION 3.

Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon its approval by the Governor or upon its becoming law without such approval.

SECTION 4.

All laws and parts of laws in conflict with this Act are repealed.

Senator Jordan of the 6th moved that the Senate agree to the House substitute to SB 485.

On the motion, a roll call was taken and the vote was as follows:

Y Albers	Y Hufstetler	Y Payne
Y Anderson, L	Y Jackson	Y Rhett
Y Anderson, T	Y James	Y Seay
Y Beach	Y Jones, B	Y Shafer
Y Black	Y Jones, E	Y Sims
Y Brass	Y Jones, H	Y Stone
Y Burke	Y Jordan	Y Strickland
Y Butler	Y Kennedy	Y Tate
Y Cowsert	Y Kirk	Y Thompson, B
Y Davenport	Y Kirkpatrick	Y Thompson, C
Y Dugan	Y Ligon	Y Tillery
Y Ginn	Y Lucas	Y Tippins
Y Gooch	Y Martin	Y Unterman
N Harbin	Y McKoon	Y Walker
Y Harbison	Y Millar	Y Watson

Y Harper
 Y Heath
 Y Henson
 Y Hill

Y Miller
 Y Mullis
 Y Orrock
 Y Parent

Y Wilkinson
 Y Williams, M
 Y Williams, N

On the motion, the yeas were 53, nays 1; the motion prevailed, and the Senate agreed to the House substitute to SB 485.

The following messages were received from the House through Mr. Reilly, the Clerk thereof:

Mr. President:

The House has agreed to the Senate amendments to the House amendment to the Senate substitute to the following Bill of the House:

HB 673. By Representatives Carson of the 46th, Lumsden of the 12th, Golick of the 40th, Trammell of the 132nd, Smith of the 134th and others:

A BILL to be entitled an Act to amend Title 40 of the O.C.G.A., relating to motor vehicles and traffic, so as to prohibit actions which distract a driver while operating a motor vehicle; to provide for the proper and safe use of wireless telecommunications devices while driving; to provide for definitions; to provide for violations; to provide for punishments; to provide for the assessment of points upon conviction; to provide for additional fines to be collected by the Department of Driver Services; to provide for applicability; to provide for punishments for homicide by vehicle and for serious bodily injury by vehicle when driver was operating such motor vehicle while using a wireless telecommunications device; to correct cross-references; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate amendment, to the House amendments, to the following Bill of the Senate:

SB 401. By Senators Tippins of the 37th, Wilkinson of the 50th, Sims of the 12th, Millar of the 40th, Tate of the 38th and others:

A BILL to be entitled an Act to amend Code Section 20-2-327 of the Official Code of Georgia Annotated, relating to recognition of advanced proficiency/honors courses and counseling and development of individual graduation plans, so as to provide for guidance in career oriented aptitudes and career interests in developing an individual graduation plan; to provide

for a review and report of a school counselor's role, workload, program service delivery, and professional learning; to provide for legislative findings; to provide for automatic repeal; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has adopted the report of the Committee of Conference on the following Bill of the House:

HB 329. By Representatives Powell of the 171st, Kelley of the 16th, Williamson of the 115th, Harrell of the 106th, Blackmon of the 146th and others:

A BILL to be entitled an Act to amend Article 2 of Chapter 7 of Title 48 of the Official Code of Georgia Annotated, relating to imposition, rate, and computation of and exemptions from income taxes, so as to modify the rate of tax imposed on the Georgia taxable net income of individuals; to add Georgia income tax paid by an individual to his or her Georgia taxable income to the extent deducted in determining federal taxable income; to provide for a nonrefundable earned income tax credit; to provide for rules and regulations; to provide for related matters; to provide an effective date; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has agreed to the Senate substitutes to the following Bills and Resolution of the House:

HB 64. By Representatives Blackmon of the 146th, Smith of the 134th, Hatchett of the 150th, England of the 116th and Nimmer of the 178th:

A BILL to be entitled an Act to amend Article 1 of Chapter 24 of Title 33 of the Official Code of Georgia Annotated, relating to general insurance provisions, so as to provide for the compensation of health insurance agents in certain situations; to provide for definitions; to provide for exceptions; to provide a short title; to provide for applicability; to provide for related matters; to repeal conflicting laws; and for other purposes.

HB 956. By Representatives Pirkle of the 155th, McCall of the 33rd and Jasperse of the 11th:

A BILL to be entitled an Act to amend Chapter 50 of Title 43 of the O.C.G.A., relating to veterinarians and veterinary technicians, so as to change certain provisions relating to definitions relative to such chapter; to amend Article 11 of Chapter 3 of Title 38 of the Official Code of Georgia

Annotated, relating to military, emergency management, and veterans affairs generally, so as to revise a cross-reference; to repeal conflicting laws; and for other purposes.

HR 993. By Representatives Efstation of the 104th, Rogers of the 10th, Rhodes of the 120th, Coomer of the 14th, Willard of the 51st and others:

A RESOLUTION proposing an amendment to the Constitution so as to create a business court with state-wide jurisdiction; to provide for venue and uniformity of jurisdiction and powers; to provide for selection, terms, and qualifications of business court judges; to provide for the submission of this amendment for ratification or rejection; to provide for related matters; and for other purposes.

The House has agreed to the Senate amendment to the House substitute to the following Bill of the Senate:

SB 445. By Senators Gooch of the 51st, Beach of the 21st, Miller of the 49th, Ginn of the 47th and Dugan of the 30th:

A BILL to be entitled an Act to amend Title 32 of the Official Code of Georgia Annotated, relating to highways, bridges, and ferries, so as to provide for standards for contracts entered into by the Department of Transportation; to provide for a contract bidding process and award procedure; to prohibit camping on portions of the state highway system or property owned by the department; to provide for a definition; to declare property used for camping purposes in violation of such prohibition as contraband; to provide for forfeiture of such property; to provide for applicability; to provide for a penalty; to provide for related matters; to repeal conflicting laws; and for other purposes.

Mr. President:

The House has agreed to the Senate substitute to the following Bill of the House:

HB 978. By Representatives Nimmer of the 178th, Coomer of the 14th, Carpenter of the 4th, Corbett of the 174th, Rhodes of the 120th and others:

A BILL to be entitled an Act to amend Article 8 of Chapter 6 of Title 40 of the Official Code of Georgia Annotated, relating to school buses, so as to revise the enforcement of civil monetary penalties; to provide for procedures and enforcement; to provide for dedication of fees collected from local civil monetary penalties; to amend Article 2 of Chapter 14 of

Title 40 of the Official Code of Georgia Annotated, relating to speed detection devices, so as to provide for automated traffic enforcement safety devices in school zones; to provide for the operation of automated traffic enforcement safety devices; to provide for automated traffic enforcement safety device testing exceptions and procedures; to provide for automated traffic enforcement safety device use warning signs; safety devices; to provide for rules, regulations, and terms of use for automated traffic enforcement safety devices; to provide for related matters; to repeal conflicting laws; and for other purposes.

The House has agreed to the Senate amendment to the following Bill of the House:

HB 951. By Representatives Shaw of the 176th, Watson of the 172nd, Houston of the 170th, Powell of the 171st, England of the 116th and others:

A BILL to be entitled an Act to amend Title 20 of the Official Code of Georgia Annotated, relating to education, so as to establish the Center for Rural Prosperity and Innovation; to provide for a director; to provide for the incorporation of the Centers of Innovation Agribusiness administered by the Department of Economic Development; to provide for the incorporation and structure of a new Georgia Rural Development Council; to provide for members and duties; to provide for conditions related to appropriations; to provide for legislative findings; to amend Article 6 of Chapter 8 of Title 50 of the Official Code of Georgia Annotated, relating to the Office of Rural Development and State Advisory Committee on Rural Development, so as to repeal the Georgia Rural Development Council; to provide for related matters; to repeal conflicting laws; and for other purposes.

The following committee report was read by the Secretary:

Mr. President:

The Engrossing and Journals subcommittee has read and examined the following legislation and has instructed me to report the same back to the Senate as correct and ready for transmission to the Governor:

SB 3	SB 17	SB 82	SB 118
SB 127	SB 131	SB 194	SB 262
SB 263	SB 270	SB 276	SB 278
SB 286	SB 301	SB 315	SB 317
SB 321	SB 324	SB 327	SB 328
SB 330	SB 331	SB 332	SB 333
SB 336	SB 338	SB 339	SB 342

SB 350	SB 353	SB 355	SB 356
SB 357	SB 362	SB 364	SB 365
SB 369	SB 370	SB 371	SB 376
SB 377	SB 381	SB 382	SB 385
SB 387	SB 389	SB 391	SB 392
SB 395	SB 397	SB 398	SB 401
SB 402	SB 404	SB 406	SB 407
SB 409	SB 410	SB 412	SB 422
SB 425	SB 427	SB 436	SB 440
SB 444	SB 445	SB 451	SB 458
SB 461	SB 477	SB 478	SB 480
SB 481	SB 485	SB 487	SB 489
SR 146	SR 537	SR 685	SR 745
SR 794	SR 821		

Senator Cowsert of the 46th moved that the Senate adjourn sine die.

The motion prevailed, and the President announced the Senate adjourned at 12:12 a.m., Friday, March 30, 2018.